

**MEDIA FRAMING OF SEXUAL AND GENDER-BASED
VIOLENCE IN KENYA: REPORTING OF JUSTICE FOR LIZ.**

BY

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DECLARATION

This project is my original work and has not been previously submitted to any other university or faculty.

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This project has been submitted for examination with my approval as the university supervisor on behalf of the School of Journalism and Mass Communication, University of Nairobi.

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DEDICATION

To my parents, John and Millicent Koga, for your support, care, encouragement and trust in me. Thank you and God bless you.

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I thank God for guiding me through this project and giving me strength to continue studying and working. Without Him, I would not have made it.

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I thank my lecturers who have been instrumental during my coursework. Were it not for them, I would not have the knowledge I needed and used in my work.

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ABSTRACT

Many sexual and gender-based violence (SGBV) stories have been broadcast and published in Kenyan media but there are limited studies on how the media frames SGBV. This is why the researcher undertook to study reporting of SGBV in Kenya media to understand how and why it is framed. Framing of sexual and gender-based violence was studied because SGBV is an ill that affects society and stories on gender violence and sexual violence have been in the news. Framing theory is used to define the aspects of the study and to guide the researcher on how to identify the frames media use in reporting on SGBV. The researcher used a case – Justice for Liz – to understand how media in Kenya frame SGBV. Newspaper articles on Justice for Liz were used and respondents were also interviewed to find out their views on SGBV. Purposive sampling was used to select the sample for the study. Data was interpreted using textual analysis. The study found out that media is judgemental and negatively critical in reporting on sexual and gender-based violence. The media criticises the aggressors or perpetrators and vilifies them. The media judges them even before they are given a fair hearing in court. The study also found out that media are activists. The media can come up with and support an agenda. In reporting on SGBV, the media are activists for sexual assault victims and demand prosecution of the perpetrators and justice for the victims. The media also calls for help – financial and psychological – for the victims, so they can be treated, and heal from the physical and psychological injuries of the assault. The study found out that frames such as brutality, injustice, chauvinism and feminism were present in reporting of SGBV stories in Kenya. The study recommends for more coverage of stories on rape and sexual violence by the media. It also calls for the need for accurate, fair and balanced reporting on issues

of sexual violence. The study further suggests the need for other studies related to sexual violence and rape, thus making practical steps towards dealing with this problem.

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LIST OF ABBREVIATIONS

CREAW	The Centre for Rights Education and Awareness
COVAW	Coalition on Violence Against Women
DPP	Director of Public Prosecutions
FGM	Female Genital Mutilation
GBV	Gender-Based Violence
GVRC	Gender Violence Recovery Centre
HRW	Human Rights Watch
PBO	Public Benefit Organisations
PTSD	Post-Traumatic Stress Disorder
SGBV	Sexual and Gender-Based Violence
STI	Sexually Transmitted Infection

CHAPTER ONE

INTRODUCTION AND OVERVIEW

1.1 Introduction and Background

Sexual violence is the attack on someone by making comments with sexual tones or forcing sexual relations with someone without their consent.

Krug *et al* (2002, p.149) define sexual violence as:

any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts of traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work (Krug *et al*, 2002, p.149).

Sexual violence includes rape and other coerced or forced contact with a sexual organ (Krug *et al*, 2002). This means that one party has not consented to the act. They say sexual violence may include rape, forced abortion, denial of right to use contraceptives and other measures to protect oneself against sexually transmitted diseases, marriage of children, forced prostitution, female genital mutilation (FGM), obligatory inspections for virginity and demanding sex in return for favours (Krug *et al* 2002, p.149).

The Gender Violence Recovery Centre (GVRC, 2014), on its website, defines gender-based violence as an act or threat of an act “that results in the physical, sexual or psychological harm or suffering to either men, women or children whether occurring in public or private life”. This explains that sexual violence is a form of gender-based

violence. Gender-based violence is an attack or threat of attack based on one's gender by perhaps a seemingly 'stronger sex' (GVRC 2012, GVRC 2014). It was mainly manifested in domestic violence instigated by men against women, but it now encompasses physical and sexual violence against both men and women, and even against children.

Sexual and gender-based violence in Kenya is rampant (GVRC, 2012; GVRC, 2014; CREAM 2008) and many cases go unreported or unrecognised due to factors such as threats or when a victim is unable to reconcile that it is not right (especially among children).

Many reports on gender-based violence are printed or broadcast in media. Many organisations in Kenya are also agitating for gender equality and fighting against violence, particularly with regards to gender violence. In Nairobi, the Nairobi Women's Hospital set up a gender violence recovery centre for victims of SGBV (it caters for both male and female, adults and children) and has done reports on the number of cases it handles, the type of violence the patients underwent and the trauma associated with the violence (GVRC, 2012; GVRC, 2014).

In 2013, there were several news reports on the rape of a girl in Busia, nicknamed Liz to protect her identity. The Standard, The Star and The Nation had different stories, views and articles on the rape and physical injuries suffered by Liz, who was gang-raped and thrown into a pit latrine.

In framing, the media selects the language, slant and focus of a story to give a certain reaction or interpretation (Entman, 1991; Entman, 1993; Scheufele, 1999; Scheufele, 2007; Scheufele and Tewksbury, 2007). This study is interested in knowing how media frames sexual and gender-based violence. The researcher will use a case – Justice for Liz – to study how media frames SGBV.

1.2 Justice for Liz

In 2013, print media and internet news sites published stories about a 16-year-old standard seven girl nicknamed Liz (to protect her identity), who was gang-raped and thrown into a pit latrine in Busia, Western Kenya. According to reports, Liz was coming from her grandfather's funeral and heading home on June 26, when six men ambushed her, raped her, beat her up and tossed her, when she was unconscious, into a six-foot pit latrine. Neighbours found her and took her to report the matter to the police station then took her to hospital. The toss broke her back and caused spinal injury and the rape trauma caused her internal injuries. She now uses a wheelchair as she cannot walk and her internal injuries – double obstetric fistula – caused her to leak urine and stool. She underwent surgery to repair this and is still undergoing treatment (Daily Nation, October, 8, 2013; October 20, 2013; October 22, 2013). Liz was able to pick out three of her attackers from a police line-up. The three men who were accused of raping her were reportedly ordered by the police to cut grass at the police station and set free.

Articles on Liz and Justice for Liz made people react and be involved in campaigns to compel the government to take stern action on her rapists. The first story published on

Liz's plight appeared in the DN2 pull-out of the Daily Nation on October 8, 2013, four months after Liz was raped. Nation Media Group reporter Njeri Rugene wrote the October 8, 2013, feature on Liz, and later wrote more hard news stories on Liz and started a campaign, "Stand up for Liz and help her walk again". After this, more people began writing on the subject through opinions and hard news stories on the progress of Liz's case. This got the attention of human rights activists, who joined in agitating for Liz, fuelling a campaign for justice in the case.

The campaigns caused uproar and people started a petition – Justice for Liz. A petition was opened by human rights activists in Kenya on https://secure.avaaz.org/en/petition/Justice_for_Liz/?pv=20 and as at July 7, 2014, it had been signed by 1,820,043 and surpassed its 1,500,000 target. By October 11, 2014, it had reached 1,866,697. By 25th November the same year, 1,867,183 people had signed the petition. It was signed not only by Kenyans, but also by people from all over the world. The petition demanded the Kenya government to take action and ensure justice for Liz. Another petition on <http://www.thepetitionsite.com/552/997/081/justice-for-liz-tell-kenya-to-prosecute-16-year-olds-rapists/> targeted 85,000 signatures and had been signed by 84,734 people by July 7, 2014. By September 3, 2014, it had reached 85,224 and surpassed its target. A new target of getting 86,000 signatures by October 25, 2014 was put up. On November 25, 2014, it had 85,248 signatures, and had not reached its new target of 86,000 by October 25, 2014.

The hashtag #JusticeForLiz became a trend in 2013 as people staged protests and called for her case to be heard and her rapists charged and imprisoned. Also, #EndVAW and #BusiaRape trended although much less than #JusticeForLiz.

Human rights groups and other Kenyans joined in a protest march in October 2013 to get attention from government agencies on Liz's case (Daily Nation, October 31, 2013; BBC, October 28, 2013; BBC, October 31, 2013; CNN, October 27, 2013; Washington Times, October 31, 2013) and thereafter, more reports on the progress of the case reported in 2014 (The Star, February 7, 2014; Daily Nation, November 2, 2013; Standard Digital, February 24, 2014). Another protest was held on June 23, 2014 in Busia still demanding justice for Liz.

Each story angle was different with some focusing on the rape, some focused on the effects the rape had on Liz, while others focused on the malice or the perpetrators of the act; more focused on the perceived lenient punishment the perpetrators were given and others on how the case should have been handled. There were feature, news and opinion articles on Justice for Liz.

1.3 Statement of the Problem

In framing stories, media houses look at the most important aspects, the target audience and the reaction it seeks to get from the audience (Entman, 1991; Entman, 1993; Scheufele, 1999; Scheufele, 2007; Scheufele and Tewksbury, 2007). Reports on sexual

and physical violence have been broadcast and published several times looking at different aspects of the crime.

Many gender-based violence stories have been broadcast and published in Kenya, about violence meted out on girls, boys, men and women. The victims' ages vary just as their gender varies. The stories are presented sometimes as news, other times as features, studies, analyses or opinions.

On November 10, 2013, the Standard Digital carried a story titled 'Rising rape cases worry women, NGOs', by Michael Mugwang^a. The story quoted various professionals from NGOs saying rape cases have increased in Kenya and about 10 women report being raped every month. On March 26, 2014, the Daily Nation ran an opinion piece titled 'This dad sometimes relieves that dark past he'd rather forget'; about a man who recalls being raped when he was 11 years old. On March 11, 2014, the Daily Nation published a story titled 'Rape of men: the darkest secret of war', a compilation of rape experiences of men during wars and conflicts. The Standard published a story 'Woman, 36, rapes 14-year-old boy in Nyahururu', on July 18, 2013. Between October 2013 and June 2014, The Star, The Nation and The Standard published various stories on the rape of a 16-year-old girl from Busia that caught international attention.

These stories show that media reports on rape and sexual and gender-based violence (SGBV) in Kenya meted out on various people – from children to adults, and even women raping boys or men being raped by other men. Several other stories on rape,

defilement and abuse were found, about 250 between 2013 and 2014, from the three media houses' websites. Kenyans responded to these stories through comments on various platforms – comments on the websites, letters to the editor and through social media.

In each case, media select how to present these stories to their audience. Each media house decides on the style, genre and frames of the story. But how do they do it? How do media frame stories on sexual and gender-based violence and why? This is what the study proposes to find out.

The researcher has come across international studies on framing, including framing of a legal battle for shutting down a life saving machine (Blankenship, 2011), framing of child neglect (Arthur, 2012), framing of a concession of a highway (Ortiz, 2014), framing of the poor (Rose, 2011), and Kenyan studies on priming of road accidents (Anini, 2013), framing of judicial reforms (Munyanganyi, 2013), framing of women in politics (Thuo, 2012), framing of conflict management (Mutua, 2007) and framing of students protests (Keles-Muli, 2009). However, studies on framing of gender violence or sexual and gender-based violence are limited and not easily available. Given that there are many stories on SGBV and they elicit many reactions as seen on letters to the editor in newspapers, and comments on media houses' websites and social media sites, the researcher decided to study framing of SGBV.

It is important to study how media frames sexual violence because it is an issue that affects society. Sexual violence affects the individual, family and society psychologically, physically and financially (Krug *et al*, 2002; GVRC, 2012; GVRC, 2014). Media roles involve informing and educating people, thereby setting an agenda. How media reports on sexual violence may influence how society views and treats sexual violence cases. In some cases, the information may change mindset and even educate leaders to take steps towards rectifying a wrong or improving positive aspects by coming up with relevant policies and solutions.

1.4 Justification

Despite the many stories in newspapers, the researcher came across limited academic studies on how media frames sexual violence, in Kenya or internationally, yet CREAM (2008) says that sexual and gender-based violence are increasingly prevalent in Kenya and are posing a great danger to human rights and dignity. It is important to study framing of sexual violence because SGBV stories are highly reported in media. SGBV is an issue that affects individuals and society as a whole, making it an important subject to study. Therefore, a research on framing of sexual and gender-based violence, specifically in the Kenyan context, would add to academic knowledge and be useful to society. In this study, the researcher used Justice for Liz case to come up with generalisations on how media in Kenya frame sexual and gender-based violence cases. This is because it was a highly publicised SGBV story. The researcher would like to find out the different frames used in reporting sexual and gender-based violence and how it would impact on society as a whole.

1.5 General Objective

The main objective of this study was to establish how Kenyan print media frame sexual and gender-based violence stories.

1.6 Specific Objectives

- i. To find out how media reports on rape portray the aggressors.
- ii. To find out whether journalists' opinions influence how media portray justice and fairness in SGBV stories.
- iii. To find out whether need for media profit influences reporting of SGBV.
- iv. To find out whether news values influence how media reports on rape.

1.7 General Research Question

How do print media in Kenya frame sexual and gender-based violence stories?

1.8 Specific Research Questions

- i. How do media stories on rape portray the aggressors?
- ii. Do journalists' opinions influence how media portray justice and fairness in SGBV stories?
- iii. Does need for media profit influence reporting of SGBV?
- iv. Do news values influence media reports on rape?

1.9 Limitation

Given time constraints and the scope of research, the researcher focussed on Justice For Liz case to help understand how media in Kenya frames SGBV stories.

1.10 Methodology

The researcher carried out a qualitative study. The researcher used purposive sampling to select and collect data from newspapers and also interviews, which were transcribed. The researcher used textual analysis in the study.

1.11 Significance of the Study

This study adds value to the existing body of knowledge and will be useful to researchers and academicians. This study explores various research gaps and suggests areas to conduct further research.

The Ministry of Devolution and Planning, the Ministry of Gender, Children and Social Services and the Ministry of Information, Communications and Technology will benefit from this study. The research provides recommendations, which can be incorporated into various policies, especially concerning how media reports on SGBV. Through the findings and recommendations of this study, the government can come up with good polices for directing society's attitude and behaviour change for the purpose of generating and attaining desired social outcomes.

The study may be useful to the media fraternity in Kenya. The study highlights how media reports on violence and its recommendations may shape how the media frames stories on SGBV in future. Public benefit organisations (PBO) and other related organisations involved with gender violence crises or media may use information in this study to enrich their work.

1.12 Scope of study

This study covers the Standard, the Nation and the Star newspaper articles on Justice for Liz from October 2013 to June 2014. The time frame was chosen because many articles on Justice for Liz were published in that time; the first article highlighting the plight of Liz was published by the Daily Nation in their pull-out – DN2 – on October 8, 2013, sparking off a wave of protests in the country and also reactions on social media. It was also chosen due to time available for the study. The three newspapers were chosen because of their national distribution and easy availability. A total of 31 newspapers were selected. Also, interviews were conducted with professionals associated with sexual violence cases and media. These include editors, sub-editors, reporters, activists and lawyers.

1.13 Definition of Key Terms

Media Framing

This is how media messages are packaged and communicated to the audience. It will involve the angle a journalist takes in reporting a story.

Sexual Violence

This is the attack on someone by making comments with sexual tones, forcing sexual relations with someone without their consent, which includes rape, defilement, sexual harassment through touching someone to elicit an arousal or making comments to suggest sexual relations with someone, mainly of the opposite sex, without their consent.

Gender-Based Violence (GBV) or Gender Violence

This is the attack on someone causing physical, sexual or psychological harm. It includes battery, domestic violence, insults, verbal abuse, rape and sexual assault.

Sexual and Gender-Based Violence (SGBV)

It is the sexual attack on someone that causes physical, sexual or psychological harm on the victim.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

Theories guide a researcher in studies and can shape research focus (Reeves, Albert, Kuper and Hodges, 2008; Alasuutari, 1996). It is therefore important for any academic study to be guided by theory. Furthermore, a good study needs to be backed by solid literature review in subject areas related to the research. This will help the researcher to understand work that has been carried out in the same area of study and even guide in methodology and analyses, and perhaps in comparison of results later on (Reeves *et al*, 2008).

2.2 Theoretical Framework

According to Trochim (2006), a theoretical framework guides research by determining the types of variables and statistical relationships in the study. Mugenda and Mugenda (2003, p.15) posit, “A theory is a set of concepts or constructs and the interrelations that are assumed to exist among those concepts”. They argue that it provides the basis for the variables to be tested in a study. Theories therefore enable a researcher to clearly identify the variables of the study, provide a general framework for data analysis and help in the selection of applicable research designs. Alasuutari (1996, p.372) says a theory is a concept that tries to explain the social functioning or phenomena. He says theories “provide viewpoints to social reality”.

2.2.1 Framing theory

Framing involves how a message is packaged and communicated; and especially what is stressed in the message to elicit a certain interpretation or reaction. Scheufele and Tewksbury (2007, p.11) say framing “is based on the assumption that how an issue is characterised in news reports can have an influence on how it is understood by audiences”. This further explains that the way something is reported can make a person interpret it differently.

Scheufele (1999) notes that previous studies lack clear definitions of framing and instead rely on context-specific operationalisations rather than general ones. He says that because of these vague definitions, “framing has been used repeatedly to label similar but distinctly different approaches” (Scheufele, 1999, p.103). Scheufele quotes McCombs, Shaw and Weaver (1997) who suggested that framing is an extension of agenda setting, such that salient characteristics of media coverage may influence an audience’s interpretation of the news stories.

Scheufele (2007) says that framing traces back to agenda setting and priming; and involves media effects, which depend on audience characteristics. He says audience characteristics can influence how the audience processes messages from mass media. Scheufele (1999) says, however, that though framing can influence an audience’s perception, framing effects may be limited.

According to Entman (1991), frames exist in the specific properties of news narratives that encourage people to understand the message in a certain way. This is such that the audience perception is moulded according to how the message is packaged. Framing involves selecting “some aspects of a perceived reality and making them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item prescribed” (Entman, 1993, p.52). In this way, framing means packaging a message in such a way as to communicate a certain aspect the person wants to be understood. A conversation or message may have different meaning depending on the tone and way it is spoken or written such that the way communication is packaged influences the message that will be delivered and how it will be understood. Framing involves constructing a picture of reality by creating frames and making them socially relevant such that people identify with it. Entman argues that communicators make “conscious or unconscious framing judgements” (Entman, 1993, p.52). He goes further to illustrate how frames work by using Kahneman and Tversky (1984) example of framing, which Entman says is one of the most widely cited examples of the power of framing.

Imagine that the U.S. is preparing for the outbreak of an unusual Asian disease, which is expected to kill 600 people. Two alternative programs to combat the disease have been proposed. Assume that the exact scientific estimates of the consequences of the programs are as follows: If Program A is adopted, 200 people will be saved. If Program B is adopted, there is a one-third probability that 600 people will be saved and a two-thirds probability that no people will be saved. Which of the two programs would you favour?

In this experiment, 72 per cent of the subjects chose Program A; 28 per cent chose Program B (Entman, 1993, p.53).

The message that 200 people will be saved was positively communicated, making more people inclined to select it than risk taking programme B where there is a possibility that all will be saved but also a higher probability that all will die. People seemed to prefer the option of saving without risking the death of others. In this experiment, the message was framed in terms of saving lives.

In the next experiment, identical options to treating the same described situation were offered, but framed in terms of likely deaths rather than likely lives saved: "If Program C is adopted, 400 people will die. If Program D is adopted, there is a one-third probability that nobody will die and a two-thirds probability that 600 people will die. The percentages choosing the options were reversed by the framing. Program C was chosen by 22 per cent, though its twin Program A was selected by 72 per cent; and Program D garnered 78 per cent, while the identical Program B received only 28 per cent. (Entman, 1993, p.53).

In the second part of the experiment, the message communicated indicates that if programme C is used, 400 people will definitely die and if programme D is used, there is a probability that none of the people will die but also another probability that the 600 will die. More respondents chose programme D because it offered a chance of saving all against programme C that indicated 400 will definitely die.

This experiment shows how messages are communicated and understood and what feedback is given depending on how the messages are framed. It means that in framing a message, the sender can decide to stress on something he considers important to send his message home and the receiver will likely interpret the message based on what aspect of it is emphasised.

Scheufele (1999) proposes that journalists are adaptable to the frames they use when reporting. This means that sometimes journalists frame news in a certain way, their colleagues may pick up the same and frame their stories in the same way, therefore setting a news frame. Shoemaker and Reese (1996) say that framing is a mode of presentation that journalists use to convey information to the audience. It involves packaging the message depending on the context and perhaps, the audience.

Entman (1993) describes framing as a process of selecting some aspects of a perceived reality and making them more important in communicating text. He says the process of framing involves arranging information in such a way that it influences the audience. Entman says frames can be identified by the presence or absence of certain words, phrases or other elements in an article. Frames organise discourse, including news stories, “by their patterns, selection, emphasis and exclusion” (Ryan, Carragee & Meinhofer, 2001, p.176). However, Watkins (2001) argues that as much as frames present an idea of what and how the author wants the audience to interpret the message, they may not necessarily determine what the people will think.

Framing may also involve what information a subject wants understood or what effect he wants the message to have on a certain class of people. It is how a subject or topic is packaged and presented to an audience to influence a decision or interpretation. Therefore, just like in normal communication, the author of the message will pass it in a way that most influences the results he wants.

2.2.2 Framing and the press

Journalists select “dominant frames of interpretation of the world and events they present in news” (Oxman-Martinez, Marinescu and Bohard, 2009, p.296). Journalists therefore choose how to package a news item for them to communicate messages, as they understand them. The way a message is packaged varies depending on one’s worldview, type of society and knowledge on the subject matter of the news. Watkins (2001) says that journalists make sense of the world by creating frames, which can be used to communicate their ideas, idiosyncrasies, beliefs or understanding of events and people.

Ryan, Carragee and Meinhofer (2001) say that social actors, who may sponsor the frame to be used, influence journalistic frames. The social actors include corporate entities, political elite, social and civil society groups and others. Oxman-Martinez *et al*(2009) suggest that in cases of violence, the victim’s characteristics such as age, gender and social constructions, may determine frames journalists use to present the story and its newsworthiness. And because journalists define issues and events over time, frames can change and may lose or gain prominence in media depending on the event or issue and the social acceptance of the frames.

Entman (1993) posits that the presence or absence of certain words, phrases, stereotypes and sources of information can identify frames in news. He says frames can also be identified using themes or suggestions in stories. This helps researchers easily identify frames in news stories.

2.3 Literature on Sexual and Gender-Based Violence

2.3.1 Understanding Sexual and Gender-Based Violence

Many articles on gender-based violence are printed or broadcast in media. Many organisations in Kenya agitate for gender equality and fighting against violence particularly with regards to gender violence. In Nairobi, the Nairobi Women's Hospital set up a gender recovery centre for victims of gender violence (it caters for both male and female, adults and children) and has done reports on the number of cases it handles, the type of violence the patients underwent and the trauma associated with the violence. Gender-based violence is an attack or threat of attack based on one's gender by perhaps a seemingly 'stronger sex'. It was mainly manifested in domestic violence instigated by men against women, but it is now encompasses physical and sexual violence against both men and women and even against children.

There is no single definition of violence (Mathur, 2004). Violence is diverse and affects people in different ways. Violence can be physical in terms of severe beatings, purposeful burning, or causing bodily harm on a person; sexual in terms of rape, defilement and sodomy, and in touching someone to elicit arousal or exposing one's body to another;

mental and psychological in terms of abuse or treating someone like they are unworthy and causing them anguish and to feel worthless, or have a low self-esteem. Although gender violence denotes different kinds of violence on a person because of the person's sex, it has been used several times to denote rape – mainly of women and children.

In her book, Mathur (2004) mainly defines gender-based violence as that against women and her study focuses on violence against women in Rajasthan, India. She says most studies concentrate on domestic or physical violence against women whereas gender violence should also involve any mental or psychological and symbolic forms of violence. Mathur argues that these mental, psychological and symbolic forms of violence are as widespread as the physical forms.

The writer argues that gender-based violence is “an extremely complex phenomenon, deeply rooted in gender/power relations existing in different social institutions in society” (Mathur, 2004, p.27). She goes further to explain that the power dynamics influence or constrain women's ability to exercise choices in their own lives, “including those that would enable them to resist abuse”. In this way, gender violence is based on the notion that a person is the weaker sex (in terms of violence against women) or weaker in strength or other measures of strength in society such that they cannot prevent another ‘stronger’ person from abusing them physically, sexually, mentally or psychologically. This can also be the case in violence against men and especially against children. For children, this may be because of age and difficulty in comprehension of what is happening. In a report, GVRC (2012), it was found that for some children, the abuser

may be the child's guardian, hence seen as the 'stronger' party, and the child may not be able to defend him/herself against this person, who is charged with protecting him/her.

Gender violence has mainly been construed as that against women perhaps because of the activism and studies conducted on gender violence against women and the many reports of GBV against women. Worldwide, women and girls experience GBV "in homes, schools, churches, workplaces, the streets, and even therapeutic settings" (Russo and Pirlott, 2006, p.182) where perhaps they should feel safest; and between 10% and 69% women are assaulted by an intimate partner.

Onyejekwe (2004) says that it is estimated that one in every three women in the world has been beaten, raped, coerced into sex or physically abused. He says that a 2001 report by Amnesty International reveals that in the US, a woman is battered every 15 seconds and 700,000 are raped every year. In India, studies show that 40 per cent of married women reported being kicked, slapped or sexually abused by their husbands; while at least 60 women were killed in domestic violence in Kenya between 1998 and 1999, and 35 per cent of women in Egypt were beaten by their husbands. He cites many other countries worldwide where gender-based violence against women takes place in alarming statistics. This shows that gender violence is not unique to one country, culture or area, but a phenomenon that affects people all over the world.

While women form the bulk of statistics of victims of gender-based violence, men and boys also suffer GBV in different contexts (GVRC, 2014). In an annual report, GVRC

(2012) states that in Kenya in 2011-2012, women accounted for 49% of GBV cases reported, girls 41%, and men and boys 10%. Of all these, 86% of the total were sexual violence cases and 14% were physical violence. This showed that “people seek medical assistance at the GVRC following rape and defilement than physical violence. Typically, only extreme cases of physical violence necessitating hospital care are reported” (GVRC, 2012, p8). The report further states that these figures only represent a fraction of the actual GBV cases for which there is no available data.

Christian, Safari, Ramazani, Burnham and Glass (2011) say that while sexual and gender-based violence has received a lot of attention in conflict and post-conflict areas and mainly as a crime towards women and girls, there have been many reports focusing on violence against men and boys. They define sexual and gender-based violence as violence meted out on women and men because of their “sex and/or socially constructed roles” (Christian *et al*, 2011, p.228). Christian *et al* (2011) did a study on violence against men in the Democratic Republic of Congo. They found out that rebels and armed gangs raped many men and women. The victims faced shame and stigma leading them to isolate themselves from their family and communities. They found out that sexual violence affects men, just as it affects women, psychologically, physically and emotionally.

In a review of books on GBV, Shadle (2014) found that many people in the past did not like talking about their experiences on sexual violence, as they were ashamed of the rape and assault, and only recently are people more willing to share such information. In the concentration camps in Germany, there were reports that some Jewish women were

assaulted although most denied it happening to them and only said they heard of others who were assaulted. Some never told their stories as “shame and fear of reduced marriage options caused many to remain silent for decades, or forever” (Shadle, 2014, p.189). In the camps, there were also incidents of forced abortions, which are considered sexual violence.

Shadle (2014) quotes another research by Giblin that found out that during conflict and wars, abducted African women were exploited for sex and reproduction – giving birth, farm labour and enculturation of children.

2.3.2 Recent Trends and Statistics on Sexual Violence

After reviewing hospital records and police reports, Crime Scene Investigation task group estimated that the total number of rape victims in Kenya from December 30, 2007 to June 30, 2008 was about 40,500 (CSI, 2008). The group’s report indicated that as much as this number was high, they believe the exact figure could be more than three times higher. This is perhaps because many people do not report on these crimes and other sexual assaults.

Statistics suggest that sexual violence is a worldwide issue and not just common for particular places. According to the UK government website (www.gov.uk), an estimated 330,000 women were sexually assaulted in the UK, and many of the women suffer in silence and do not report the violence against them (UK, 2014).

2.3.3 Effects of Sexual Violence on Victims, Family and Society

Sexual violence can have physical, psychological, social and financial impacts on the individual, the family and society. Several studies and reviews have found that the most common impacts are physical and psychological, while social and financial impacts usually manifest later or as not as severe as the immediate physical and psychological ones.

According to several sources, some of the physical impacts are damage to sexual organs, urethra and or anus; gastrointestinal, sexual or reproductive health issues; pelvic pain; unwanted pregnancies; irritable bowel syndrome; contracting sexually transmitted diseases (STIs) or HIV/Aids; developing chronic diseases such as diabetes and arthritis; other injuries caused by the assault; while some psychological impacts are: being concerned for one's safety; intense fear and anxiety; post-traumatic stress disorder (PTSD) which involves being fearful, detached, always on guard and having nightmares; suicidal tendencies; feeling unworthy and low self-esteem; self-blame and guilt; fear of future attacks; being in denial as a defence mechanism; feeling devalued; insidious trauma; ongoing fears related to reminders of the attack (Boyd, 2011; Black *et al*, 2011).

In addition, Boyd (2011) and Black *et al* (2011) say that other impacts are social and financial. They suggest that in social impact, victims can be withdrawn and their interpersonal relationships with family, friends and intimate partners can be affected; victims of violence may avoid social situations and events; their relationships and work lives may be disrupted and they may miss days of work, school and other events they

usually attend to. On financial impact, victims may have to incur expenses when seeking for counselling services, loss of current and future earnings if their work life is disrupted; medical expenses; and even advocate services in case of legal action taken on the perpetrator.

In many cases, assault victims suffer physical injuries including bruises on their bodies and sexual organs and psychological harm. They also have to use money to get treatment – physical and psychological – after the assault and sometimes also for taking care of children conceived as a result of rape. In the case of Justice for Liz, it was reported that Liz got a spinal injury and also had fistula. She had to be operated on, rehabilitated and counselled. She eventually had to acquire a wheelchair because she became paralysed from her lower limbs. She suffered physical, psychological and financial impacts after her ordeal.

2.3.4 The Justice System and Sexual Violence

The Sexual Offences Act (Kenya, 2006) in Kenya protects victims of violence and has remedies of actions that can be taken against perpetrators of sexual violence. The Sexual Offences Act (Kenya, 2006) establishes definitions of different types of sexual violence and the punishment for those who commit the crime. According to the Act, rape, assault, coercion and defilement of children is an offence punishable in law. In addition, recently, more people have been reporting rape and other sexual assaults through the help of hospitals, police, and awareness through various organisations and information.

Many cases are reported in courts and newspapers of people seeking redress in court for a sexual assault, and demanding for perpetrators to be jailed. This is why when the suspected rapists in Liz's case were only told to cut grass at the police station, people came up in arms demanding justice and appropriate punishment for the men if found guilty, according to the Sexual Offences Act (Kenya, 2006).

2.3.5 Activism on Sexual Violence

There are many groups in Kenya and the world that advocate for an end to sexual and gender-based violence. In Kenya, we have presence of both local and internal groups including: Federation of Women Lawyers (FIDA) that fights for rights of abused women and represent them; Amnesty International that advocates for respect of human rights, which includes campaigns against gender violence; Coalition on Violence Against Women (COVAW) that fights for women's rights and advocates for a society that does not perpetrate violence against women.

There are 16 days of activism set aside to advocate against gender violence. On 25th November, the world marks the International End Violence Against Women Day, which marks the beginning of the 16 days of activism against gender violence. The days of activism end on 10th December, when the International Human Rights Day is marked. During the 16 days of activism against gender violence, stories on GBV fill the airwaves and print media, as organisations dealing with human rights, empowerment and activism on gender violence create awareness on gender violence, its effects and why it is wrong and should not be condoned.

2.3.6 Media reports on sexual violence

Media has been reporting on sexual violence, and especially in relation to women. Recently, there have been more reports on gender violence against men and boys.

There have been allegations that some rape and defilement cases reported are either not followed up or highlighted (Human Rights Watch, HRW, 2011).

The Waki Report levelled harsh criticism at the Kenyan police for its failure to investigate rape and other sexual offences committed during the violence. Dozens of women had filed rape complaints with the police, but the complaints had not led to a single known prosecution. On October 17, 2008, two days after the Waki Report was published, the police announced it was forming a task force to investigate sexual offences related to the election violence. The task force was to include female police officers, as well as lawyers and counsellors from the Kenyan chapter of the Federation of Women Lawyers (FIDA)... The task force's subsequent work has not been widely publicized (HRW, 2011, p.20).

Thus, the media may be useful in making such reports public.

Recently, a number of gender-based violence cases—rape, defilement and physical violence—have been reported in media. Some include: Standard digital, January 27, 2014 and February 17, 2014; Standard, October 23, 2013; Daily Nation, October 17, 2013; The Star, February 29, 2012, October 11, 2013 and December 2, 2013; and Kenya News Agency, February 24, 2014. They involve different extents; different victims in terms of

age, sex and locality; various perpetrators in terms of relatives, neighbours or strangers and whether they were first time offenders or not. Some focus on court proceedings, some on reports by police, some on witness accounts, some on expert opinions and others are analyses.

There are others on “Justice for Liz” (Daily Nation, October 31, 2013; BBC, October 28, 2013; BBC, October 31, 2013; CNN, October 27, 2013; Washington Times, October 31, 2013) and thereafter, more reports on the progress of the case reported in 2014 (The Star, February 7, 2014; Daily Nation, November 2, 2013; Standard Digital, February 24, 2014.

Fawole and Asekun (2005) say that media influences attitudes and is thus an effective tool for reporting and stopping gender violence. However, the attitude of media practitioners needs to change so that only correct views are published or broadcast to help prevent violence. The two writers suggest a forum where media practitioners can be trained periodically to avoid “prejudice” in their reporting.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter covers how the researcher carried out the study.

3.2 Research Design

The study is qualitative. For this study, the researcher collected texts and interviewed respondents on their perception of sexual violence reports in the Justice for Liz case to have a clear understanding of how media reports on gender violence and describe how SGBV is framed. The researcher looked for certain elements in the newspaper texts and transcribed interviews that answered questions of the study and described frames present in the texts. Textual analysis was applied on the interview answers and the newspaper articles and the data interpreted.

3.3 Unit of Analysis

The unit of analysis of this study is the Star, the Standard and the Nation newspaper stories published from October 2013 to June 2014. The three papers were chosen because of their reach, they are national papers and are sold all over Kenya. They were also chosen because they contained stories on sexual and gender-based violence, and those on Justice for Liz. During this period, a total of 719 the newspapers were printed but only 62 of those published stories on Justice for Liz.

3.3.1 The Standard

The Standard is an English language newspaper published by the Standard Group Limited (SG). It was founded in 1902 by Alibhai Mulla Jeevanjee and was known as the African Standard. It mainly served the Indian civil servants and business community in Mombasa, and later the British. In 1904, it was bought by two Englishmen and renamed East African Standard. In 1910, its headquarters was moved from Mombasa to Nairobi. In the 1960s, the Lonrho Group bought the newspaper. In 1977, its name changed to Standard, but the East African Standard was later revived. In 1995, it was bought by Kenyan investors and in 2004, it rebranded to The Standard. The Standard has sister newspapers – the Saturday Standard and Sunday Standard.

The Standard Group has a television station KTN; radio station Radio Maisha; and two newspapers The Standard and The Nairobiian.

3.3.2 The Nation

The Nation is an English language newspaper published by the Nation Media Group (NMG). The Nation was founded in 1958 as a Kiswahili weekly called Taifa, meaning ‘nation’. In 1959, His Highness Prince Karim Aga Khan IV, the spiritual leader of Ismaili Muslims, bought it. In January 1960, it became a daily newspaper and the name changed to Taifa Leo meaning ‘nation today’. In October 1960, the first English language edition was published. Thereafter, the Nation grew and has sister editions – Saturday Nation and Sunday Nation.

The Nation Media Group has several publications and broadcast media in four East Africa countries. In Kenya it has newspapers – Daily Nation and sister newspapers Saturday and Sunday Nation, Business Daily and Taifa Leo; radio stations – Nation FM and Q FM; television stations – NTV and QTV. In Uganda it has newspaper Daily Monitor; television station NTV; and radio stations K FM and Dembe FM. In Tanzania it has newspapers Mwananchi, The Citizen and Mwanaspoti. In Rwanda it has radio station K FM. The nation also publishes The East African weekly, which is sold in the four countries.

3.3.3 The Star

The Star is an English language newspaper published by Radio Africa Group Limited (RAG). It was launched in 2007 as the Nairobi Star and was circulated only in Nairobi. In 2009, it rebranded to The Star and became a national newspaper. Radio Africa Group is a media company that has six radio stations – Classic 105, Kiss 100, Radio Jambo, X FM, East FM and Relax FM; one television station – Kiss TV; and one newspaper – The Star, which has a weekend edition called The Weekend Star.

3.4 Sampling

A sample is a portion of a population that can be studied to represent characteristics of the whole. It is gotten through a process of selecting a few individuals or elements from the whole that have a majority of characteristics assumed to be shared by the whole population. Sampling is the process of selecting a number of individuals for a study in

such a way that the selected individuals represent the group (population) from which they were picked from (Mugenda & Mugenda, 2003).

Mugenda and Mugenda (2003) posit that a sample is a smaller group obtained from the accessible population. This brings out the fact that though a researcher may want to study the behaviour of a population, he may be unable to access the entire group. This may be due to various challenges such as distance, convenience, willingness and cooperation of the population and perhaps time constraints and costs of the study. How accurately we can generalise results from a given sample to the population depends on the representativeness of the sample.

Purposive sampling, which is a method of intentionally selecting a portion of the population relevant to the study (Mugenda & Mugenda, 2003), will be used in this study. Coyne (1997) says selective sampling is sometimes necessary when time, study framework and restrictions on the researcher only allow for specific items to be selected and analysed. She says purposeful or selective sampling is used when the researcher knows what sample is necessary for the study after he has visited the site several times, or perhaps encountered the population several times (Coyne 1997, p.624). The newspaper articles to be studied were chosen due to their relevance and ability to answer most questions in the study, and the researcher endeavoured to select them in proportion to the number of stories published in each newspaper in the time under study. Out of the 719 newspapers (in the Star, Standard and Nation) published between October 2013 and June 2014, only 62 of them had stories on Justice for Liz and these were purposively chosen

for the study. Due to time constraints and the need to carry out a comprehensive textual analysis, the researcher studied 31 articles, half the number of newspapers published during the period of study. The researcher also chose this number as many stories, especially hard news stories, replicated themes and intertextual properties of those already studied. The articles ranged from hard news, features and opinions (op-eds).

3.5 Data Collection

Primary sources of data were used to obtain sufficient information and provide reasonable reliability of the results. Data collection was done systematically in two methods – interviews and collecting stories from newspapers.

The interviews were conducted on 10 people – two editors, two sub-editors, two reporters, two lawyers and two activists. One of the lawyers selected is also a journalist. These people were chosen purposively. The editors, sub-editors and reporters were chosen from people who were involved in selecting, writing and editing stories on violence, gender and health. They are decision makers in determining what story appears in a newspaper and the angle taken in presenting the story. Lawyers were interviewed because they have a say in gender violence crime cases and libel cases in reporting. For this, one lawyer engaging in libel law at a media company and another involved in children's rights (family law) were chosen. The activists were chosen because of their say in human rights, and they sometimes determine how human rights stories are portrayed and since they are activists, they lobby a lot for people's rights. As such, a women's rights activist and child rights activist were chosen for the study. The interviews were

transcribed and responses grouped in categories identified by the researcher in connection with the questions of the study.

In collecting data from newspaper stories, first the time period was selected. Liz was raped on June 16, 2013 but her stories were highlighted from October 8, 2013, with follow-up stories on Justice for Liz being done. Thus, the researcher decided on a nine-month period from October 2013 to June 2014, when the fieldwork began. After the period was decided on, the researcher sought to look at how many stories were published on Justice for Liz within this period in newspapers from three media houses – Nation Media Group (Daily Nation and sister newspapers Saturday Nation and Sunday Nation), Standard Group (The Standard and sister papers Saturday Standard and Sunday Standard), and the Star Publications (The Star and sister paper Weekend Star). In this research, sister papers are classified as one. Thus, the Daily Nation, Saturday Nation and Sunday Nation was referred to collectively as ‘the Nation’; while the Standard, Saturday Standard and Sunday Standard was ‘the Standard’; and the Star and Weekend Star was ‘the Star’. After determining the newspapers to be used, the researcher established a number to be studied. 31 stories were sampled. They were taken in proportion to the number of stories published in each paper. The selection is as presented in *Table 1*.

Table 1: Number of Newspaper Stories and their Percentages

Newspaper	No of stories for the period	Percentage
Nation	38	61.3
Standard	9	14.5
Star	15	24.2
Total	62	100

Source: Research data

The researcher used a sample size of 31 newspapers to be able to do a thorough textual analysis given the time available for the study. The researcher wanted to compare stories proportionately to the number of stories published in each newspaper. As a result, the sample size was taken in comparison to the percentage of stories published in each newspaper as shown in *Table 2*.

Table 2: Sample Size for the Study

Newspaper	No of stories for the period	Percentage	Sample size (No. of stories to be analysed)
Nation	38	61.3	19
Standard	9	14.5	4
Star	15	24.2	8
Total	62	100	31

Source: Research Data

The researcher arranged the stories in the different categories as shown in *Table 3*, and selected them in proportion to the sample size required for each newspaper as illustrated in *Table 4*, to enable the researcher have a wide variety of views on how sexual violence was reported.

Table 3: Number of Newspaper Stories and their Categories

Newspaper	Hard news stories	Features	Opinions and editorials	Total
Nation	30	3	5	38
Standard	7	0	2	9
Star	7	2	6	15
Total	44	5	13	62

Source: Research Data

Table 4: Sample Size and Story Category

Newspaper	Hard news stories	Features	Opinions and editorials	Total
Nation	13	2	4	19
Standard	3	0	1	4
Star	3	2	3	8
Total	19	4	8	31

Source: Research Data

3.6 Data Analysis

After data collection, the researcher drew relationships between the text and social perceptions. The researcher looked at what the texts represented based on the objectives of the study and used this to identify the frames used to represent gender violence in Kenya print media using textual analysis, and sought to analyse in-depth the meaning of the texts in context and what they represent. The researcher identified the frames present with evidence from the interviews and newspaper stories used in the study to understand how print media framed the rape of Liz and infer this to how print media frames sexual violence in Kenya.

3.7 Method

The researcher undertook a qualitative study to focus on meanings, depth and detail without predetermined categories. Qualitative research methods use descriptions to analyse a subject of research rather than use statistics and rely on context rather than universal generalisations. They may involve in-depth interviews that bring insight into the behaviour of phenomena under study, and can be done through observation and interviews. Mugenda and Mugenda (2003) say qualitative research makes more use of words than numbers.

The researcher selected newspaper stories purposefully. The researcher looked at the GBV stories in terms of the words used in context from the headline to the story; the

focus of the story – whether it is focused on the GBV act, the victim or the perpetrator and how it is communicated; and frames used.

The researcher also interviewed reporters, editors, sub-editors, activists and lawyers to find out how Justice For Liz was framed. These interviews were transcribed. The researcher then used textual analysis to analyse the transcribed interviews and collected stories to see whether they answered the specific research questions and the frames they portray, so as to understand how media frames gender violence in Kenya.

Gilchrist and Williams (1999, p.94) say “one cannot interview everyone or observe everything; or be in all places at all times; therefore you can interview informants”. They say informants are knowledgeable people in the subject you are studying or the population one is researching on such that they may help demystify some things that the researcher cannot do so himself. Whereas, Miller and Crabtree (1999) say that in-depth interviewing may be necessary to demystify those points, which the researcher may not have successfully denoted during observation stage and perhaps even in case studies. This will enable the researcher get extra information on the respondents. This is why for this study, the researcher interviewed editors, sub-editors and journalists, especially those involved in departments dealing with news and features. These interviews answered why and how the actors frame sexual violence stories the way they do. The researcher also interviewed two activists and two lawyers. The researcher purposefully selected respondents to be interviewed by selecting according to reliability, relevance and availability.

3.7.1 Textual Analysis

Textual analysis is a method of drawing conclusions from texts by looking at their linguistic aspects and their socio-cultural aspects. Fairclough (2003, p.26) says texts represent aspects of the world “physical world, social world and mental world”. He suggests that apart from looking at linguistic characteristics in texts such as semantics, analyses can be drawn by looking at the socio-linguistic and socio-cultural aspects i.e. how the words, phrases and groups of words relate to the social and cultural environment and how they can be interpreted.

Fairclough (2003, p.35) suggests use of a relational approach to text analysis, which is concerned with “levels of analysis and relations between these levels”. Fairclough (1992b) says there are two types of textual analysis: linguistic and intertextual. He describes linguistic analysis to include phonology, grammar, semantics and even textual organisation above the sentence level. He says intertextual analysis is a form of analysis that shows how texts rely on orders of discourse and society meaning that much of the interpretation on intertextual analysis is drawn from social constructions and beliefs.

The researcher used both linguistic and intertextual analysis to complement each other and conduct a thorough analysis; as Fairclough (1992b) says that using both linguistic and intertextual analysis enhances analysis of data. It makes data more reliable and valid.

3.7.1.1 Linguistic analysis

This involves looking at the words, phrases and sentence structure to determine what is represented in the text and to get meaning and interpret the text in context. Fairclough (1992b) says that linguistic analysis involves phonology, grammar, semantics and even textual organisation at the sentence level. This study will delve into grammar and semantics to explain how the words influence frames and to answer the objectives of the study. They can be analysed through adjectives, descriptive phrases or sentences, use of other linguistic features such as use of similes, metaphors and sentence construction.

3.7.1.2 Intertextuality and Intertextual analysis

Intertextuality is the characteristic of a text being intertwined or part of other existing texts in the social world. It was a term coined by Julia Kristeva in the 1960s when explaining her accounts for Western audiences of the work of Mikhail Bakhtin (Fairclough, 1992a, 1992b, 1995, 2003; Ahmed, 2010). This brought to the fore the interplay between texts and how they relate to each other, giving an explanation of how texts are formed and how they relate.

According to Fairclough (1992a, p.84), intertextuality is “the property texts have of being full of snatches of other texts, which may be explicitly demarcated or merged in, and which the text may assimilate, contradict, ironically echo, and so forth”; meaning that text borrows from other texts. Ahmed (2010) echoes this explanation by saying intertextuality means that for any given text, there will be something to which it bears close resemblance. Ahmed further argues that people interpret text in relation to

knowledge they have of other texts. Fairclough (1992a) says intertextuality also involves those texts that interpreters bring in to the presentation meaning that these texts were not brought in by the producer of the text but by the interpreters because they relate to them or have knowledge of them, thus form part of their interpretation. In a working paper, Iqani (2009, p.6) postulates that intertextuality is a way of trying to understand texts by putting them in context with other texts, and also analysing the “multiplicity of voices and influences within the text”. This is such that because texts are argued to have bits of other texts, there are many voices merged from other texts to make a text what it is.

Fairclough (1992a, 1992b) argues that texts draw from history and history is inserted into text such that text is naturalised and accommodates creative practice. Fairclough (1992b, p.194) argues that intertextual analysis draws attention to the dependence of texts upon society and history and it shows “how texts selectively draw upon orders of discourse... available to text producers and interpreters in particular social circumstances”. Ahmed (2010, p.512) says that intertextuality “embraces any element that enables readers to identify and derive meaning from the surface features of the text in question by reference to other texts or text features they have previously come across”. These authors give more ground to Kristeva’s argument that intertextuality involves “the insertion of history (society) into text and that text into history” (Fairclough, 1992b, p.195).

Fairclough (1992a) points out two major types of intertextuality and their elements, which make an interpreter recognise them in text. The two types of intertextuality are manifest and constitutive (interdiscursivity). He defines manifest intertextuality as a form

where “specific other texts can be overtly drawn upon within a text”, as that which we can get the surface meaning from; whereas he defines interdiscursivity as where “a discourse type is constituted through a combination of elements of orders of discourse” (Fairclough, 1992a, p.117).

He says certain elements can be used to determine whether there is manifest intertextuality such as discourse representation, presupposition, negation, irony and metadiscourse. Discourse representation suggests speech reporting and not only the speech but also that which is in written form including grammatical features, discursive organisation and other aspects of discursive event such as its circumstances or the tone with which it is said in context. Presupposition entails proposition taken by the text producer as something that is already established or widely known such that the receiver of the message will understand it in context, for example, saying ‘the threat of terrorism’ in the context after the September 21, 2013 Westgate Shopping Mall attack in Nairobi, Kenya, or after the various assumed terrorist bombings and launch of grenades in various parts of Nairobi and Mombasa cities in Kenya. It implies the reader is aware of the threat, which has been widely reported. Another example is using ‘that’ after certain words such as ‘I regret that you did not qualify for the job’.

Negation occurs when we use negative sentences in a context, for example, where it is assumed someone had done something already but we are saying the other side of the story. An example is when someone is accused of a crime and he/she denies it by saying ‘I did not do it’. Irony refers to when someone says one thing intentionally to mean the

opposite, which can be recognised through the tone of voice used or use of scare quotes in texts; when there is a mismatch between apparent meaning and situational context; or interpreters' assumption about the beliefs or values of a text producer. Whereas, metadiscourse is where a text producer distinguishes different levels within a text and distances self from some level of text, treating the distanced level as if it were another text. It can be done by use of phrases such as 'sort of' and 'kind of'; or 'as (someone) may have put it'; or metaphorically as in 'metaphorically speaking' (Fairclough, 1992a).

To recognise interdiscursivity (constitutive intertextuality), Fairclough (1992a) discusses certain levels such as style, genre and discourse. He says style relies on three proponents i.e. (i) tenor, which can be described using words such as formal, informal, official, intimate, casual; (ii) mode – whether written, spoken or a combination of the two and can be simply described as journalistic, conversational, formal written, informal written, academic; (iii) rhetorical mode e.g. argumentative, descriptive, expository. He refers to genre as a compositional structure that implies not only a particular text but also the process of producing, distributing and consuming texts e.g. a news report. Fairclough also discusses discourse, which he refers to as a particular way of constructing a subject matter and gives examples such as feminist discourses of sexuality, medical discourses.

Intertextual analysis shows what social resources people use to interpret and understand media messages (Fairclough, 1992b), depending on the person's experiences and social interactions.

During the data collection, the researcher found that some texts had more than one element of linguistics or intertextuality, while in other instances the text had both linguistic and intertextual properties and could not be grouped in one category only. For such texts, the researcher used discretion to group the texts accordingly and some were used in more than one category i.e. both linguistic and/or intertextuality. In other texts, there was no clear differentiation between the linguistic and intertextual features and the researcher used discretion to determine which category to classify it in. Linguistics will be analysed at word level, while intertextuality will be analysed according to manifest and constitutive categories as discussed in this chapter.

3.7.2 Identifying frames

To identify frames in these stories, the researcher used Entman as a guide. Entman (1993) posits that the presence or absence of certain words, phrases, stereotypes and sources of information can identify frames in news. He says frames can also be identified using themes or suggestions in stories. This helps researchers easily identify frames in news stories. This method was chosen because it complements the method used in analysis of texts – textual analysis – as they are both based on text and the interplay of texts.

To identify the frames, the researcher still used textual analysis as they consist of the suggestions Entman also made on identifying frames i.e. looking at specific words, phrases, stereotypes displayed in text and even the sources of information given. In this case, the linguistic and intertextual features also contributed to identifying frames.

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

4.1 Introduction

This chapter seeks to discuss the findings of the study and make interpretations. The researcher used purposive sampling to select data – newspaper articles on Justice For Liz and respondents with know-how on Justice For Liz and sexual violence stories – and textual analysis to analyse the data.

4.2 Presentation Method

Findings will be presented using the objectives of the study. This will help to easily answer the questions of the study. Under each objective, there will be categories of the analysis method – linguistic and intertextual – to clearly present how the researcher carried out the analysis. In this way, the researcher will show how the findings were interpreted using the methods of analysis. Thereafter, the researcher will present the frames used in reporting on SGBV.

4.3 Findings

In the analysis of most data, intertextuality was found to exist in terms of manifest intertextuality and interdiscursivity (constitutive intertextuality) as discussed in the methodology in chapter 3. There were also a lot of linguistic features that helped the researcher conduct a linguistic analysis using words, phrases and sentences to determine frames used.

4.4 Answering questions of the study

Articles on Justice for Liz were used as the basis for the study to determine how media in Kenya reports on sexual violence. It was found that the textuality of these stories, as discussed in chapter 3, answered the questions of the study in relation to interviews done and the texts analysed for this research. The texts were analysed according to how they presented some aspects of linguistic and textual analysis that mentioned or referred to the questions of the study.

4.4.1 Objective 1: How media reports on rape portray the aggressors.

a.Linguistic

The researcher found out that stories on sexual assault vilify attackers and mentions them unfavourably. Many suspects are labelled using adjectives such as ‘rapists’ and ‘offenders’ before they are found guilty of rape and sometimes even before they are charged in court.

Most stories on Justice for Liz call for the arrest and prosecution of the ‘rapists’ and criticises how they were given a light punishment and let free. To get justice for Liz, the girl says she wants her ‘attackers’ punished and reporters, mainly opinion columnists, insist that the ‘attackers’ must be punished according to the law. The suspects have also been described as inhumane and brutal.

By labelling the attackers, the writers have already judged them and the reader will interpret this to mean the accused are guilty of the crime despite the Kenyan law stating that a person is innocent until proven guilty in a court of law.

b.Intertextuality

Irony was used to portray the suspects as getting off easy with a lenient punishment as expressed in some sentiments.

“As though what they did was less serious than it actually was.” (Respondent J)

“The first encounter the suspects had with the law saw them get off with barely a slap on the wrist; they were required to cut grass around the police station then they were free to go.”(Star, June 25, 2014, p.29).

‘A slap on the wrist’ means an easy way out; by using the word ‘barely’ with the phrase ‘barely a slap on the wrist’ indicates something that should have been given a heavier penalty but a very light punishment is given and in this case, the person to have been penalized gets off with much less loss than expected.

Even as the stories mentioned Justice for Liz, some deviated and explained about other rape victims and how their cases were handled through discourse representation, i.e. reporting written and broadcast information on other rape and SGBV cases.

The failure by police to investigate the gang rape of a 16-year-old girl in Busia... is, sadly, not a new story. (Nation, October, 18, 2013, p.13).

The writer of the above excerpt goes further to talk about another court case won by 11 sexually abused petitioners between ages five and 18, who were rescued by an organisation in Meru. In the case, the evidence presented before the court suggested that the police also harassed the girls, accused them of inviting rape or refused to investigate. This case is used after describing that the Liz case is not the first time police are neglecting their duty to investigate rape cases, and indicates they are the people to take responsibility for not investigating such cases. It is further explained through a paragraph in the story that reads:

The decision recognises the obligation of the police to conduct proper investigations in cases of sexual violence, and could be extended to apply to other forms of gender-based violence. (Nation, October, 18, 2013, p.13).

Discourse representation was used in two stories that stuck out for mentioning parents and relatives of victims and perpetrators as people to take responsibility because they played a role in abetting and encouraging rape to continue and protecting the aggressors. The stories reported that some of these parents negotiate with the perpetrators' family and are given money or some form of settlement and some of the perpetrators even marry their victims. The following excerpts are examples. The first is from a hard news story and the second from a feature story.

...County MP Florence Mutua accused parents of some of the suspects of intimidating the abused girl's mother [Liz's mother] to have the family drop the case against them. (Nation, October 14, 2013, p.6).

In Northern Kenya, families are known to accept Maslah, a sort of defilement payment for the silence of the survivor's family from the attacker. Also, it is not a rarity for the victim to be married off to her attacker to save or preserve the family's honour. Further, poor families, for fear of the wealth and reach of the attacker, encourage their children to silence while others, police and lawmen as well, are simply bought off." (Star, June 25, 2014, p.29)

Through these two excerpts, the writers show that sometimes, others not directly involved or affected in the ordeal, may be held responsible for it or for abetting it as they try to hide it and accept payments for the crime or threaten victims to drop cases.

The parents of Liz's attackers are portrayed as dangerous because they threaten Liz's mother to drop the cases. They are also portrayed as selfish as they want to prevent justice from taking course through threats and intimidation.

4.4.2 Objective 2: Whether journalists' opinions influence how media portray justice and fairness in SGBV stories.

a. Intertextuality and linguistic

According to the respondents, beliefs seem to have a huge impact on how an opinion can influence journalists' reports on any story. Respondents said journalists' bias and beliefs are factors that can influence the angle of the story and what he will emphasise, exaggerate or give less prominence. This was done through argumentative, descriptive and conversational styles to bring the message across as in the following excerpts:

The reporter may distort a story, depending on their beliefs, to make it less effective or exaggerate with the desire to achieve an impact. (Respondent G)

We have never been told about the alleged rapists' side situation? Some part of the story was missing and it is my view that the reporters did not want to ask these questions. (Respondent S)

Reporters will report issues as they interpret them. A story may be downplayed or blown out of proportion as the reporter sees it. (Respondent J)

It starts with the writer. An angle may be influenced by a writer's bias and belief. Writer has a great influence on what comes out of the press. Also what a media house stands for. The Star wants to champion human rights, so this can influence angle and placement of story. (Respondent F)

The above excerpts are interview answers from editors, sub-editors and reporters who agreed that stories are many times structured in the writers' and sometimes editors' and sub-editors' views, which are shaped by their beliefs. Those interviewed are directly involved with the text in newspaper publications and say that sometimes text is distorted. The respondents use words such as downplayed, exaggerated and distorted, to describe what reporters can do to a story to "influence" or "achieve an impact".

In the second excerpt, the respondent feels Justice for Liz stories were one-sided and there should have been reports on other parties or on other issues in the story apart from merely focussing on Liz and her plight. When probed further, the respondent told the researcher that sometimes, to stress on a point, journalists tend to ignore certain aspects of the story and focus more on others, or give more weight on the issues they want the audience to interpret.

Some aspects in some of the published stories reveal feminist discourse, especially in cases where the writer is a woman. For example, in the below excerpt:

And, to add insult to injury, it appears that no one, not even the police who are supposed to aid her judicial quest, is willing to help her carry this load. Meanwhile – Kimaiyo is looking to arrest journalists. Like seriously? Really? The attackers have been left to roam her village, even to taunt her (Liz). (Star, October 28, 2013, p.30).

In the excerpt above, it seems feminism plays a role in advocating for justice for Liz. The writer is a female and is a known advocate for girls' rights and appears to use this to call

for attention to Liz's plight. Also, use of stress words in form of questions stress the point that the police did not handle the case in an acceptable way, which brings out a linguistic aspect used to inform the public on supposed police laxity. In addition, these questions in the text above also show irony in the sense that the writer is questioning the police action in handling Liz's case. This text was taken from an opinion column, and it seems the writer expresses her feelings, which stir strong emotion in interpretation that the police have their priorities wrong, as they are concentrating on arresting journalists instead of arresting those who attacked and assaulted Liz.

Through use of discourse representation, reporters' opinions are seen to influence portrayal of justice and fairness in sexual violence stories. A respondent, said:

Media plays a big role in fighting for justice. When media takes up a story of those wronged, victims may get justice. When [former deputy chief justice Nancy] Baraza pinched a guard, if the story didn't get media attention and the media didn't take it up, the story would have passed by. (Respondent F)

Journalists' opinions are factors that can influence angles of stories, but they are not the only factors. Other factors, including media house objectives and media practices, also influence angles of stories as seen in the texts below in form of conversational style:

Writer has a great influence on what comes out of the press. And also what a media house stands for. (Respondent F).

Besides, the audience also determines what the paper publishes because the paper needs to have readership to attract adverts. (Respondent F).

Having both sides of the story would give the story due balance. (Respondent J).

There are incidences the public would have liked to know especially about Liz herself and the alleged suspects. It was a one-sided story as the media concentrated on Liz. (Respondent S).

A reporter's beliefs and ideals can make him write a biased story. Hence the importance of editors and sub-editors. They can make sure the story is balanced. (Respondent C).

4.4.3 Objective 3: Whether need for media profit influences media reports on rape.

a. Linguistic and intertextuality

The need to continue making money is important in media. Media relies on advertisements to make money and these advertisements come in when that media has audience. So, media relies on their reporting and how many people it can attract to encourage people to advertise, according to editors and sub-editors, who also add that that determines how a story is reported.

One editor said that Liz's first story drew out emotions and encouraged people to talk about Justice for Liz and when the Nation began a campaign – Stand up for Liz and let

her walk again – there was an outcry that led to the worldwide petition and campaign that became Justice for Liz.

Another said that after the outcry, there was no way media could keep quiet as according to a sub-editor, reporters need to “milk a story dry”, “ensure it is used for all its worth”. This suggests that a good story that attracts a large audience will be used over and over and follow ups done because then, more people would be reading the newspaper and hence encourage more adverts, especially from a sector that the story touches on.

By using the idiom ‘milk something dry’ in ‘milk the story dry’, it stresses on how the reporters should make best use of the story until all angles of it have been exhausted and the audience has had its fill. It tends to show how a newsroom will take a big story and use it for both monetary gain and publicity, which will result in better returns for the reporter and the media house. The same sub-editor talks of his time in the field as a reporter and says that for good stories, they would always “ensure it is used for all its worth”; this sentence construction, which is both linguistic and intertextual in terms of description, shows how much good stories are valued for their worth not only to the reporters, but also the media house.

I know the media sometimes is influenced by how much they’ll make of a story and Liz was big news in November and December last year because of the human rights days and days of activism. It attracted attention and also NGO and other activists took advantage and rallied on this story so it gave us fodder and attracted more ads. But we should keep on. We still have the same audience so this story is not old and it can still contribute to

the down line. We really need a follow up, I mean, we can't let it die just like that. Liz is still fighting. (Respondent Q)

From the above excerpt from an editor, who knows how newspaper management works, it is clear that newspapers, and other media, also consider profit when they do stories. Emotional stories or stories of interest attract certain audiences and percentage of readership can determine how many ads a media house gets and how much individuals and corporates are willing to pay for the ad.

The use of the word 'fodder' in the above text shows that stories play a specific role and are required for a specific use. In this case, to attract audience attention, with the end result being more ads. Another linguistic element is personification, where the respondent talks of death in 'we can't let it die just like that', giving the story human characteristics to emphasise the need to continue publishing it. Also, the respondent says 'Liz is still fighting', which is not the literal fighting but a metaphor for struggling to get justice. Indirectly, this means that the story is still worth a lot of money because the 'fight' is still on and reporters should make the best of it to attract more audience.

The respondent also says:

Besides, the audience also determines what the paper publishes because the paper needs to have readership to attract adverts. We need to make money too.(Respondent Q).

When answering questions on the placement of stories on Liz, a respondent says:

...it was the shock factor. What would sell the newspaper. (Respondent C)

The use of the phrase ‘shock factor’ is descriptive of elements that make stories sell. Backing it up by saying the reporters were looking at what would make the newspaper to sell, shows that media houses select stories based on what is more attractive to its audience. It shows that stories that shock, such as those on sexual violence, sell because the audience is interested in such stories. The same respondent goes further to say: “The media got their ratings and sales”.

4.4.4 Objective 4: Whether news values influence how media reports on rape.

News values are the criteria used to determine something that is news worthy and also the prominence of a story. News values include proximity where the news is happening and also that the audience can relate to it, especially in cases of a feature or opinion; currency – that it is a recent happening or relevant at that time; conflict – that there is a problem that needs a solution or something that goes against practice; bizarre – it can be something strange or unimaginable or unexpected; prominence – that it is highly relevant and important at the time it is published or broadcast; level of conflict in the story – how much it questions or conflicts with others’ beliefs.

a.Linguistic

Liz was raped in June, but the first story published on print media was in October. In terms of time, this was past news. However, the news still had currency because it was

just one month to the international campaigns for human rights that begin in November. Stories published after the first one were also current because they were mainly published in October, November and December, during the human rights campaigns month and the 16 days of activism against gender violence (November 25 to December 10). This is supported by the statement from a respondent, who says:

The Star wants to champion human rights, so this can influence angle and placement of a story. (Respondent F)

Another feature used to show currency was the mentioning what is happening at that time instead of only what passed i.e. moving the story forward through use of present continuous tense and follow up on the case. Words such as 'still' were used e.g.:

Liz is still fighting. (Respondent Q)

While in other cases, use of 'have been', 'has been' and other verbs to show continuous tense e.g.:

Like seriously? Really? The attackers have been left to roam her village, even to taunt her (Liz). (Star October 28, 2013, p.30).

In one of the photos, protestors carry a banner reading: "Liz is just like me", which is a simile. This explains the proximity of the story to the people and how people feel close to Liz.

b.Intertextuality

The newspaper articles kept referring to the time of the rape, which was June 26, 2013, in all the stories to show the time she was raped and how long it has taken for her case to be noticed and other present tense in sentences and referring to the rape. This brought about proximity as put across through discourse representation. Examples include:

...Liz was walking home from her grandfather's funeral when she was ambushed by six men who took turns raping her and then threw her unconscious body down a six-meter toilet pit. Their punishment? Police had them cut grass and go home... Nobody has been brought to justice – not the rapists, and not the police. (Star, October 28, 2013).

When the matter was reported to Tingolo AP Camp on June 27, officers recorded it as an assault and released three youths arrested by villagers after making them slash grass in the compound as punishment. (Nation, October 25, 2013).

For Liz, this one fateful night changed and stifled all aspirations to a normal teenage life and future. (Star, June 25, 2014).

Use of rhetorical mode is also present to show proximity, bizarreness and level of conflict. In the first text:

...Liz was walking home from her grandfather's funeral when she was ambushed by six men who took turns raping her and then threw her unconscious body down a six-meter toilet pit. Their punishment? Police had them cut grass and go home... Nobody has been brought to justice – not the rapists, and not the police. (Star, October 28, 2013).

The question ‘Their punishment?’ is rhetorical, expository and begins an argument and description of the punishment. In intertextuality, argumentative, descriptive and expository texts are termed as rhetorical style. This explains the bizarreness of the penalty given for such a crime and the level of conflict between the society and police and between the victim and police.

Prominence of the Justice for Liz stories is shown when leaders speak out against rape and urge for justice for Liz. Cabinet Secretary for Devolution and Planning Anne Waiguru and Busia women’s representative Florence Mutua spoke out on the rape and called for justice. Other leaders also called for justice, including male political leaders.

In addition, the use of relevance to the audience is shown in the text:

For Liz, this one fateful night changed and stifled all aspirations to a normal teenage life and future. (Star, June 25, 2014).

In this text, the relevance is that people aspire to be something in future and everyone can relate to having aspirations. A few others can relate to having dreams shattered or not being able to achieve one’s dreams. The characteristic of relevance is presented by showing the connection of the girl’s dreams and the society’s.

4.5 Frames of sexual violence reporting

1. Brutality

Most interviewees and stories described the rape as brutal because the girl was raped by six and then thrown unconscious into a six-foot latrine and left for dead. In a newspaper story, the writer described the girl's ordeal as "shattered dreams" (Star, October 28, 2013, p.30).

A respondent, Q, says:

As if that [the rape] was not enough, the attackers decided to throw her down a six-foot pit latrine. First, that was inhuman and degrading. I mean, it's a pit latrine. Why a latrine? People do their business there. (Respondent Q).

Do they hate women that much? Rape, then beatings, then throw her down a deep toilet. (Respondent Q).

This respondent felt that being thrown down a pit used as a toilet was degrading for the girl and she seems to draw from old cultural norms that beatings were used to control women in traditions. When questioned about this she replied,

That is stuff happened in the 1800s and 1900s. I've never seen my mother or grandmother beaten. This is just bad. Are they using rape and beatings to show they are macho? They are not men but cowards. (Respondent Q).

This seems to imply that the crime is belittling and brutal, especially from a feminist perspective.

2. Incompetence

An interviewee referred to the police as incompetent because “they did not see the seriousness of the crime” (Respondent F), while another described them as “naïve, unprofessional and unaware of dangers of protecting sex pests” (Respondent J). This suggests they were dissatisfied with the police’s action in handling the case, which is further exemplified in the quote below from one of the newspaper stories:

And, to add insult to injury, it appears that no one, not even the police who are supposed to aid her judicial quest, is willing to help her carry this load. Meanwhile – Kimaiyo is looking to arrest journalists. Like seriously? Really? The attackers have been left to roam her village, even to taunt her [Liz]. (Star, October 28, 2013, p.30).

They seem naive, unprofessional and unaware of dangers of protecting sex pests.
(Respondent J)

Police mishandled the case. (Respondent G)

3. Trauma

In the stories analysed, Liz is described as having undergone trauma and though on the way to recovery, the physical and psychological scars remain. The way the assault is described also shows the trauma the girl went through. In the following excerpt, an

opinion writer had previously described what Liz underwent and gives her conclusion of it.

The ordeal has left the girl an emotional wreck, her innocence and dreams shattered (Star, October 28, 2013, p.30).

The above excerpt shows the trauma and the hurt Liz has gone through as described by the writers. Phrases such as ‘emotional wreck’ and ‘her innocence and dreams shattered’ elicit strong emotions of how the writer feels Liz’s world has changed. It shows the kind of trauma Liz has gone through.

A child’s life forever altered and her assailants were ordered to cut grass... (Star, November 9/10, 2013, pull-out p.9).

The above text, analysed in context, shows that the writer sympathises with Liz’s ordeal and that her life has been changed – not for the better but for the worse – and it will not be same as before.

They just ruined a girl’s life, her self esteem and gave her a life of hell from one doctor to another in search of physical treatment. And she still needs counselling. (Respondent Q)

The word ‘ruined’, which literally means destroyed is a strong choice of words to describe the trauma Liz has undergone. The phrase ‘gave her a life of hell’ also describes the physical pain and trauma Liz has suffered.

4. Injustice

This theme is reflected in the words, phrases, sentences and how people communicate their thoughts on the punishment given to Liz's attackers, police action, and how law enforcement has treated the case so far. In the following statements, respondents expressed their sentiments on the punishment. When J was interviewed, she also used a different tone in her answers and the author sensed anger in her claims that the perpetrators' punishment was unjust.

They were asked to cut grass at a police station, which is no punishment for alleged rapists. (Respondent J)

It portrayed it as mediocre. (Respondent J)

A child's life forever altered and her assailants were ordered to cut grass... (Star, November 9/10, 2013, pull-out p.9).

Mediocre refers to something ordinary or of average quality. Use of the word mediocre also brings out irony in terms of the graveness of the crime vis-à-vis how it is viewed as a normalcy, something that is not a crime.

There is also sarcasm in the way it is expressed considering respondent J was a female and she was describing an act considered a big crime.

The act was inhuman and the kind of punishment meted on the rapists was not satisfactory. (Respondent G)

Respondent G seems to use a metaphor to describe the rape. Saying it was inhuman implies it is not something expected, not right and cannot be done by moral people.

And, to add insult to injury, it appears that no one, not even the police who are supposed to aid her judicial quest, is willing to help her carry this load. Meanwhile – Kimaiyo is looking to arrest journalists. Like seriously? Really? The attackers have been left to roam her village, even to taunt her (Liz)” (Star, October 28, 2013, p.30).

The above excerpt explains how the police are not prioritising getting justice for Liz and instead looking to arrest two journalists, who at this time had aired an investigative piece of police corruption and the police had called them to write statements and wanted to arrest them. The writer alludes to this incident, meaning that police don't care about justice for a raped girl, who is being threatened about her quest for justice (there were also reports that Liz's family were threatened for seeking for justice and Liz and her mother had to leave their home for safety) but officers only want to protect themselves from exposure of wrong doings.

5. Chauvinism and feminism

There was evidence of feminist views in the construction of text both from the written and spoken. Many writers, most of whom were female and a few male, told only one side

of the story – Liz’s side. They stressed on Liz’s ordeal and trauma and called for arrest and persecution of the suspects, while criticising the police’s action.

An example below where a respondent was answering questions how Justice for Liz was reported, on being asked a follow up question she replied:

That is stuff that happened in the 1800s and 1900s. I’ve never seen my mother or grandmother beaten. This is just bad. Are they using rape and beatings to show they are macho? They are not men but cowards. (Respondent Q)

Another respondent, a male, also gave sentiments that portrayed feminist views on women’s rights when he said:

Liz’s story is a more painful proof of the limits with the way the public conceptualises rape... The notion of whether rape victims are good or bad can mean the burden of crime falls on the attacked, not the rapist.

In the Standard, (November 26, 2013, page 15) in an op-ed, the writer says:

Women’s bodies are not only used to define cultural practices, but have become culture itself.

The writer brings out both chauvinist and feminist views; chauvinism in the sense that men view women as objects they can use for their own gratification and feminist in the

sense that she is describing an ill that most feminists talk about with regard to women being abused.

Some aspects in some of the published stories reveal feminism, especially in cases where the writer is a woman. For example, in the below excerpt:

And, to add insult to injury, it appears that no one, not even the police who are supposed to aid her judicial quest, is willing to help her carry this load. Meanwhile – Kimaiyo is looking to arrest journalists. Like seriously? Really? The attackers have been left to roam her village, even to taunt her (Liz). (Star, October 28,2013, p.30).

In the excerpt above, it seems feminism plays a role in advocating for justice for Liz. The writer is a female and is a known advocate for girls' rights and appears to use this to call for attention to Liz's plight. This was taken from an opinion column, and it seems the writer expresses her feelings, which stir strong emotions in interpretation that the police have their priorities wrong, as they are concentrating on arresting journalists instead of arresting those who attacked and assaulted Liz.

In the Star in an op-ed, the writer describes how society places rape victims. It describes both how a bad victim and good victim are viewed in society.

A bad victim is someone your legal audience would rather shame as having 'asked for it' because of the way they were dressed, their alcohol consumption or, in some parts of the

world, simply because they were in a car park with a man who wasn't her husband. (Star, November 26, 2013, p.23)

The above excerpt, though written by a female, explains how society views rape victims and society is chauvinistic. By blaming the victim for what has happened to her, especially the statements: "because of the way they were dressed" and "simply because they were in a car park with a man who wasn't her husband", shows that society uses this excuse to justify the man's action, while blaming the woman.

These sentences in textual analysis seem to blame society for the way rape is viewed/treated in Kenya. Seems to suggest rape is not viewed as a serious crime, or as seriously as it should be understood.

4.6 Emerging issues

As the researcher was analysing texts on Justice for Liz, other factors arose in how the media reported on the stories. Most prominent was the way the punishment given to the suspects was portrayed, and also how Liz was described and portrayed.

4.6.1 Punishment of suspected rapists

Society views rape as a serious offence and the Kenyan law on rape, the Sexual Offences Act (Kenya, 2006), provides for stiff punishment for offenders depending on offenders' age and the victims' age. It provides for jail term for a number of years, depending on the seriousness of the case, and even up to life in prison. From this view and the society's

take on this, the following statements were considered to be ironical based on the socio-cultural interpretation of the researcher and seemed to be a message to law enforcement to take appropriate action for the “lenient” punishment:

The first encounter the suspects had with the law saw them get off with barely a slap on the wrist; they were required to cut grass around the police station then they were free to go. (Star, June 25, 2014, p.29)

Their punishment? Police had them cut grass and go home. (Star, October 28, 2013, p.30)

Other statements from respondents also expressed their displeasure with the kind of punishment given to the alleged rapists.

They were asked to cut grass at a police station, which is no punishment for alleged rapists. (Respondent J)

It portrayed it as mediocre. (Respondent J)

The act was inhuman and the kind of punishment meted on the rapists was not satisfactory. (Respondent G)

The graphic on the page is a drawing of Kimaiyo with him having a bottle cork in his ear and wood on the sides of his face to prevent him from seeing the writing on the side that have ‘rape’, ‘stop rape’, ‘help’, ‘please help’ that are portrayed like people’s pleas for

justice that he cannot see or hear (See Appendix IV). It seems to suggest that he turned a deaf ear to the case, simply ignored the crime and Liz's cries for help. It is a criticism and calls for him to take action when interpreted with the headline, which says 'Kimaiyo has failed women'. (Star, 9/10 November, 2013). The stories, pictures and graphics seem to suggest a call for justice for Liz.

The Nation ran a graphic with the words "Stand up for Liz and help her walk again", which was the cover of a story done before. They ran small sizes of it with most stories. The Nation also ran a graphic on the front page of the DN2 pull-out on October 8, 2013, (the first story on Liz), with a black background, someone crying above and below, a silhouette with a fiery red head, who was chained but the chains seem to have been broken free. The headline on this front page is "When Rapists Go Scot Free"; the rider is 'Justice Denied' in capital letters, and a short paragraph describing the ordeal to catch the readers' attention (See Appendix V).

In addition, stories on Liz carry some photos (See Appendix VI-IX). On October 8, 2013, the feature story in the Nation carried pictures of Liz and her mother consulting a surgeon, and one where she was with a counsellor, and only their backs were taken (This is usually done in media to protect identities of vulnerable people or to protect their dignity). On page 8 of the Star on June 14, 2014, carried a picture of people holding a protest in Busia waving placard calling for justice. Some said 'Liz is just like me', 'My dignity isn't yours to take', 'Keep Kenya's children safe', 'Justice for Liz'; and the protestors carried a banner with a photo of two young girls smiling, looking carefree and

happy, sponsored by the Coalition on Violence Against Women, who fight for the rights of women and girls. This picture carries a strong message that the protestors want the innocence of girls maintained and girls to have a choice on sex especially with the placard saying ‘My dignity isn’t yours to take’.

On June 25, 2014, The Star in a feature story on page 29 also carried a photo of people protesting in Nairobi, mainly showing their heads but making prominent a placard with the words ‘Sexual violence survivors. Who takes care of them?’ The story headline is ‘Justice for Liz: Is there hope for survivors?’ The headline and the prominent placard use the word ‘survivor’ to mean a person who has been through an ordeal and has come out of it alive or well.

These photos, graphics and headlines show that Liz still hasn’t gotten justice and the writers want to ensure the girl’s pleas are heard and communicated to society so that justice can be done.

4.6.2 Description of Liz

Liz has been described as a once happy and ambitious girl whose life was ruined. The descriptions draw the reader’s attention to how her life was before she was raped, how ambitious and full of life she was, and how it changed afterwards.

She was a 16-year-old reservoir of energy; the wind on her sail so strong that she knew it would be just a matter of time before she left her village and headed to the big city to pursue a career in the corporate world (Nation, October 8, 2013).

Also, some descriptions make the reader see the pain and trauma Liz has undergone and how the rape affected her.

The ordeal has left the girl an emotional wreck, her innocence and dreams shattered (Nation, October 8, 2013).

The happy-go-lucky girl who hoped to one day become a CEO of a leading company is now confined to a wheelchair (Nation, October 8, 2013).

4.7 Summary of findings

The study wanted to find out how the media framed sexual and gender-based violence using Justice for Liz as a case. Using textual analysis, the researcher found out that media reports portray the suspects, some parents and law enforcement as aggressors. The researcher found out that the media portrayed the suspects as inhumane and brutal for raping and assaulting Liz. The study found out that the police were considered lax and many writers and respondents considered them responsible for mishandling the case and not doing proper investigations. It also found that some parents propagate SGBV by accepting money as payment from those who assault their daughters, and some even allow the perpetrators to marry their daughters.

The study also found out that journalists' bias and beliefs influence how they portray justice and fairness in media reports. In this study, the data revealed that reporters' may

tweak stories for an agenda or pass on a certain message depending on their beliefs and bias. It found out that some stories were one-sided, while others contained feminist views to propagate their agenda. The study also revealed that the stories only centred on Liz and did not tell the other actors' stories i.e. the police and the suspects.

The study revealed that the need for profit determines type of stories published. Justice for Liz was a hot topic because of the outrage it caused and therefore the media continued to use the story and report on the progress of the case because it attracted audience, which results in more adverts. Due to the time it was being published, many NGOs and other activists took it up because they were just about to begin days of activism against gender violence. This made the story relevant to the time and hence it was used to attract more audience and elicit more discussion, and eventually turn into a profit for the media companies.

The researcher found out that news values, to an extent, affect reports on rape. Stories are done on proximity, relevance, prominence and the level of conflict they contain. The stories on Liz were found to have a lot of conflict and that is why they took centre-stage and were widely published. The study also reveals that the stories were relevant especially because they were published before and around the time of the 16 days of activism against gender violence, which began in November. This also gave the stories proximity and because it was a vice in society, it was also in proximity with most audience i.e. they could relate to it.

CHAPTER FIVE

DISCUSSION, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter discusses the conclusion on the findings in chapter four and the relationship of sub-themes in the study to other studies or publications. It gives a comprehensive discussion and suggests recommendations and areas of further studies.

5.2 Discussion

During analysis, the researcher came across major themes in the study that cut across many of the texts used. The themes are discussed below:

5.2.1 Media is judgmental and negatively critical

In this study, the media came out as judgmental and negatively critical, mainly towards the suspects and the law enforcement. Many articles and respondents appeared to criticise the police, attorney general and director of public prosecutions over their inaction in Liz's case. They accused the police of incompetence and mishandling the case when it was initially reported. The suspects, who were frogmarched by residents to the police post, were let free after police made them slash grass at the police camp. Media labelled them rapists, passing judgement before they were charged and found guilty of the crime. The media also concluded that the 'rapists' got away easy with a small punishment for a heinous crime, which should attract a heavy penalty.

The police reportedly also made Liz wash the floor of the police station as punishment for walking outside at night, which was criticised by writers in op-eds.

Media are educators, informants, entertainers and agenda setters. In the case of Liz, the media played the role of informants, educators and agenda setters. It informed the public about the crime committed on Liz and the goings-on concerning the case, Liz's plight and what was not done the right way in dealing with Liz's case, including the punishment given to the suspects, the way Liz was treated at the police station and how she was tormented by her attackers and their families when she pursued the case. The media were educators in clearly bringing out the aspects of the story that advised people on what should be done in cases of rape, how rape victims should be handled and what the law says with regard to reporting, handling and punishment in rape cases, even on rape on children. The media are agenda setters because they set a precedent on how to handle rape cases and not let perpetrators go unpunished. They set an agenda of what should happen and how they will expose perpetrators of sexual violence.

In so doing, the media appeared to be judgemental and critical. They criticised the law enforcement's behaviour and judged the suspects through labelling. The media also used feminist and chauvinistic viewpoints to judge the character of the victims, and to criticise suspected rapists, police and the DPP.

The press does this because, as some respondents say, they need to take a stand on issues and communicate an agenda for the specific media house. The media strives to make

news and stories about humans and the closer the stories are to what people feel or how society is, the more they satisfy the values required for news values such as proximity and being bizarre. By doing this, the media sets the agenda by appealing to the masses' emotion and doing stories that they can relate to by being informative. Herring and Robinson (2003) discuss how the media can be used to form judgements on specific policy and how some actors influence what the media will report on. They look at Noam Chomsky's works and argue that Chomsky viewed the US news media as critical but unable to display all criticisms as they had to stay within the boundaries of the political elite.

Reporters also are judgemental depending on their beliefs and upbringing, which shape their worldview; therefore they judge the role and slant of a story using their beliefs as a background. This sometimes leads to stories leaning heavily towards one side of the message and the other side of the message is not focussed on as much as the view the reporter wants to communicate to the audience. Fuchs (2010) says that media is critical and is part of the social system that contributes to the communication process in the public sphere. Fuchs further emphasises the criticism in media particularly to negative dominance and the aim of media being vocally critical to dominance is to question domination.

5.2.2 Media and activism

In this study, media are seen as activists. In this case, the media is advocating for the rights of the teenage girl, Liz. The media advocates that Liz get justice through the arrest

of her rapists and their punishment; penalty to the police to whom she reported the case to; and protection of all girls and women in Kenya. The media is advocating for basic human rights to be respected and women to be respected and viewed as having more than just a body to misuse. Fuchs (2010, p.179) says that critical media includes “the voice of the excluded, oppressed, dominated, enslaved, estranged and exploited”. In this way, media plays the role of an activist by being critical of dominance and espousing, directly or indirectly, a better way of dealing with gender and violence in society by advocating for all people’s rights; just as Fuchs (2010) says that critical media aims at expressing oppositional standpoints and questions all forms of domination.

Although this study found that print media in this case acted as activists for human rights and justice, most studies accessed by the researcher show that activism in media is normally portrayed via new media (internet-based) as opposed to traditional forms of media (print and broadcast). The researcher came across various articles, including Sutzl and Hug (2012) and Lewis, Gray and Meierhenrich (2014), which suggest that new media has encouraged more activism, in politics and social spheres, and changed the way people communicate, lobby and get support. Lewis, Gray and Meierhenrich (2014) say that social media has transformed relationships and communication giving rise to activism and an activist community online. This is through using the internet as a means of recruitment and fundraising, hence leading to online activism. They say that online activism is effective and makes it easier to lobby.

Through social sites such as Facebook, Twitter, blogs and other sites, people have been able to lobby and communicate an agenda. In the Justice for Liz case, www.thepetitionsite.com and www.avaaz.com were used to effectively lobby for signatures worldwide to call for justice for Liz. However, mainstream traditional media, especially print media, still play a role in calling for support for justice for rape victims.

Activists inform, educate and fight for certain rights to enable the affected people enjoy their rights. Media are activists because they also inform, educate and set agenda to ensure people affected benefit. As much as media are activists, part of it is about publicity and sales. The more recognised, talked about or accepted media houses are, the more sales they get on adverts because of popularity. So reporters and editors may be activists but they also choose what to be active about – as seen in presentation and interpretation of the objective on how profit determines reporting on SGBV. Furthermore, the way the audience relates to a story can influence how media also reacts to it. Stories on SGBV attract a lot of audience attention and the audience reacts by calling for action and writing letters to the editor to show disapproval for SGBV. Because of this, the media also knows its audience and knows what makes the audience tick, therefore, they publicise SGBV stories to satisfy the audience. The more audience a newspaper has, the higher its advertising revenue and the higher it can charge for advertising. An editor interviewed for this study said: “...the uproar the first story caused made other media houses give Justice for Liz stories prominence.” She also said: “A story gets more prominence due to its uptake by readers and the uproar after Liz’s plight

was first published justified putting news on the case in the most read sections of the paper.”

5.2.3 Media and conflict

This study found out that media uses conflict as the main selling point for SGBV stories, to attract readers and sell more copy. Conflict here is seen in the disagreement in opinion between the victim and suspects, the victims and suspects’ families, the victim and police, and society and law enforcement.

Conflict is a situation in which two or more parties have different views over a matter and do not agree on how it should be done or taken up. According to Howard (2008), conflict is a situation where two or more individuals or groups try to pursue goals or ambitions, which they cannot share, or do not share. While, Wright (1951) says conflict arises from competition driven by self-interest. Conflict can be violent or non-violent depending on the situation and the environment in which it occurs. It can be expressed verbally or non-verbally. Non-violent conflict may be in form of disagreements and violation of rights, as well as feuds. Violent conflict involves the use of force, weapons and any destructive objects to cause harm, injury or destruction (Wright, 1951; Pkalya & Adan, 2006; Pkalya, Adan & Masinde, 2003; Pkalya, Adan & Masinde, 2004).

In the case of sexual violence, the conflict is in the interest of the parties involved. The victim does not want sexual contact while the perpetrator wants it. In this sense, there is a conflict of interest between the two parties. Consequently, there is also a conflict of

interest between the society and perpetrator and the law and perpetrator, and sometimes even between society and the victim. Part of society may be against sexual assault and therefore have conflicting interest with perpetrators like in the case where the media and activists fought for Liz's rights to justice; part of society may be in agreement with perpetrators and therefore have conflicting interests with the victim like in the case where Liz's family was threatened by the families of the perpetrators to drop the case and where police treated the rape like a minor offence; and the law in Kenya, particularly the Sexual Offences Act (Kenya, 2006), conflicts with the perpetrators interests.

Conflict sells is one of the most widely taught maxims in journalism and is practised everywhere. Conflict attracts readers and is a good selling point for any story. According to Botes (1996) in Akpoghiran and Otite (2013), media is naturally attracted to conflict. This means that media senses conflict and reports on it because it makes news. Furthermore, Akpoghiran and Otite (2013) quote Owens-Ibie (2002) as saying that conflict is the bread and butter of journalism. Akpoghiran and Otite (2013, p.13) say that to Owens-Ibie, "conflict sells in journalism".

These writers' works correspond to findings of this study that media make use of conflict in reporting to create interesting stories because conflict sells. It means that what makes society tick or read the story is what they see as a conflict that will in effect be solved or there will be suggested solutions to the conflict at hand. In SGBV stories there are usually several suggested solutions to the conflict, including the probe and arrest of the perpetrators, action against the police who do not take the perceived appropriate actions

and investigate the cases properly, and calls to the director of public prosecutions (DPP) to order investigations.

SGBV stories create conflict in people's minds and also in the public responses to the stories. People will keep questioning and look for a solution, which they may even find within the media itself. In public responses, various people have various views and this type of conflict make more people participate in the media product of SGBV to share their diverse views. These diverse views bring in conflict and help the newspaper to sell because people keep sharing their views. With all this happening, the media is setting an agenda through conflict. Sometimes, as presented in chapter four, journalists report stories based on their beliefs and bias, which can create conflict. They do this because the idea sells, they believe in it or they want the audience to believe in it. And it is interesting to engage the audience to try resolve the conflict, for example, in SGBV stories, the writers seem to ask the audience to join in the fight against sexual violence, while some ask for law enforcers to take action and ensure perpetrators are punished for their crime. Some call for more education and awareness to SGBV to stop sexual violence in society. In this way, the media is calling for a resolution of the conflict even as it uses the conflict to sell.

5.2.4 Personal beliefs and gender factors

Personal beliefs of reporters and other media fraternity influence how news is reported and what frames of the story are emphasised. This was seen in Justice for Liz as the human rights aspect and brutality of the attack was reported as human-interest stories.

Media fraternity said personal beliefs and gender values determine how the stories are framed and the agendas they set in their reporting. But also, the media houses' belief in making money can affect reporting on SGBV.

However, sometimes, personal beliefs are influenced by other factors such as who runs the media house or in whose interest the stories are done as discovered in other works. Herring and Robinson (2003) say that political elite determines how far the media can go in reporting on US policies. They say that in the coverage of US foreign policy, the most common perspective is that "the US media serve elite interest and undermine democracy". They argue that the media does this by portraying the world in a way that tends to shape the perspective of the public in a certain way. By so doing, they also influence their personal beliefs and writing styles that will be echoed in most media over a period of time. These personal beliefs then shape the frames of news. Herring and Robinson (2003) also look at Herman and Chomsky's *Manufacturing Consent* and say it explains why the agenda and framing of news reports on US foreign policy rarely deviate from those set by US corporate and political elites. In SGBV stories in Kenya, the media house values and reporters' bias determined the beliefs espoused in the stories and how the stories were reported.

On the role of gender, the researcher discovered that most stories on SGBV, especially opinions and features, were written by women and espoused a feminist view. Some stories by men also espoused feminist views but news stories written by men seemed neutral on the issue and only supplied the information as a news story. Gender therefore

played a role in the reporting on SGBV. Words such as ‘beast, brutal, chauvinist’ were used to describe the suspected aggressors, while softer words such as ‘innocent’ were used to describe victims of SGBV to draw a parallel between victims’ suffering and the brutality of the attack, and to condemn the attackers. In Justice for Liz, most stories seemed to only tell one side of the story – that of Liz and her mother – and the perpetrators and police were hardly given a voice, and when the police were given a voice, they were criticised and condemned for inaction and incompetence. However, the media also stereotyped Liz as a victim in some instances, conforming to the mentality that women are feeble and are sometimes victimised.

The Centre for Gender Equality (2006) says that we construct gender every day in actions and statement. It says media outlets conform to traditional beliefs and attitudes on gender so as to maintain audience rates and ensure circulation. It says conforming to the traditional beliefs on gender tends to build on prevailing stereotypes, be they negative or positive. In a working paper, Weintraub (2014) says stereotyping is a standard way of characterising people in mainstream media; and portrays out-dated gender roles that it is acceptable to objectify women. Wood (1994) says most media portray women as sex objects, passive and dependent and this misrepresentation may distort the perception of what is normal.

The study found out that the media recognises that an ill was committed and tries to educate the public on the vice of rape and says it is unacceptable.

5.2.5 Media framing

Media framing is the way the press present information to get a certain reaction from the audience. From this study, the researcher found that the media uses various frames to present SGBV stories such as brutality, trauma, injustice, chauvinism, feminism and incompetence. These frames portray how the media communicates about SGBV. The media makes the perpetrators look like brutal criminals; they describe the victim as traumatised; and the law enforcers as incompetent, unjust, sometimes chauvinistic; while many writers display feminist characters.

Media uses these frames on SGBV to ridicule the perpetrators and police; to empathise with the victims; to display their horror and the society's stand on the crimes; and to demand for thorough investigations and justice for the victims. The media therefore plays the role of checking on law enforcement, and educating the society on the ills of SGBV. In so doing, the media sets an agenda that SGBV is wrong and society should unite to eradicate it.

Media frames have been used to communicate certain ideas (Entman 1993; Scheufele 1999) to the society depending on the theme of the message and also elicit a reaction from the audience, in this case, to shun SGBV. This study finds out that the media presents these themes so that the audience can interpret them, then action is taken.

5.3 Conclusion

Words, photos and graphics bear linguistic and intertextual features that are used to communicate and represent a message in a certain way. These features are also used by researchers to interpret meaning, paying attention to socio-cultural cues, beliefs and practices, which will give the intended meaning in context.

In SGBV stories in Kenya, strong descriptors were used to elicit emotion and give views of how the writers and newspapers viewed the whole cases – the rape, punishment, treatment of victims and seeking justice – compared to societal acceptable roles and practices; and communicated a meaning for the audience to interpret.

From the analysis of the stories and interviews, it is clear most people are offended by the treatment of rape victims. The outrage in SGBV stories was evident in views showing the audience saw treatment of victims as unjust.

This study elicits further questions of research, which should be done due to the limitations of this study. This study also posed a moral question to the media on framing, agenda setting and informing the masses.

5.4 Recommendations

As a result of findings of the study, the researcher came up with the following recommendations that could play an important role as far as dealing with rape and sexual and gender-based violence is concerned.

1. The media in Kenya should have more thoroughly researched feature stories on rape and sexual violence to communicate to society and set the agenda of a sexual violence-free Kenya. The agenda setting role of the media is important because people many times conform to the media agenda and use it in their lives.
2. The media should review how it reports on and frames SGBV and have more balanced stories to expose the audience to all characters involved in the assault or the action taken after the assault, so audiences can make an informed choice when they interpret the media message. Balanced stories ensure the suspects are also given a voice and even interviewed, without necessarily giving their identity, so that all sides of the stories are told.
3. Groups that lobby for human rights should make us of media to inform society on sexual and gender-based violence. The NGOs can also guide media on how to report on rape and SGBV cases to protect victims while creating awareness on SGBV.
4. The Ministry of Devolution and Planning, the Ministry of Gender, Children and Social Services and the Ministry of Information, Communications and Technology should use the media to communicate sexual and gender-based violence stories and change society's views on SGBV and communicate policies on rights of citizens. The ministries can use media-based information, education

and communication materials to educate people on SGBV. The government ministries can also guide media on how to report on sexual and gender-based violence and policies associated with SGBV.

5.5 Suggestions for further studies

Due to time constraints, the researcher could not study everything in the field of media, framing and sexual violence and was restricted to only study sexual violence using Justice for Liz as a case of reference. After the findings of the study, the researcher also noted that there are areas that can be enhanced to create other useful studies. There are still many unexplored areas in media and violence. The researcher recommends the following studies to be done:

1. A study on the agenda setting role of media with regard to sexual violence.
2. Framing of other kinds of sexual violence, especially with regard to defiling of boys and raping of old women, which have been reported in media several times.
3. Framing and priming of gender violence.
4. A comparative study of framing of sexual violence on girls vis-à-vis that on boys.
5. A study on media portrayal of chauvinism and feminism in Kenya.
6. Media as a tool for activism and rights promotion.

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APPENDICES

Appendix I

Interview questions for reporters, sub-editors and editors

1. What do you recall most from the reports on Justice for Liz?
 - a. That she was a child
 - b. The rape itself
 - c. Being thrown in a pit latrine for dead
 - d. Physical and psychological injuries sustained
 - e. Perpetrators punishment

Explain

2. Were the newspaper articles on Justice for Liz brutal? Explain.
3. How were the suspected rapists portrayed?
4. How did the media report on the police who first took up the case?
5. How did the media report on the punishment given to the suspected rapists?
6. Was the overall report on Liz's case satisfactory? Explain
7. Should the media have done more? Explain.
8. What makes you decide to do follow up stories?
9. What determined placement of Liz's story in newspapers?
10. Did the media law influence reports on Liz? If yes, how?
11. Do reporters' beliefs and opinions affect the angle of the story? How and why?
12. What impact did Justice for Liz stories have on media? On society? Explain.
13. Any other comments.

Appendix II

Interview questions for lawyers

1. What do you recall most from the reports on Justice for Liz?
 - a. That she was a child
 - b. The rape itself
 - c. Being thrown in a pit latrine for dead
 - d. Physical and psychological injuries sustained
 - e. Perpetrators punishment

Explain

2. Were the newspaper articles on Justice for Liz brutal? Explain.
3. How were the suspected rapists portrayed?
4. How did the media report on the police who first took up the case?
5. How did the media report on the punishment given to the suspected rapists?
6. Was the overall report on Liz's case satisfactory? Explain
7. Should the media have done more? Explain.
8. Did the media law influence reports on Liz? If yes, how?
9. What impact did Justice for Liz stories have on media? On society?
10. What impact did it have on law fraternity with regard to children and sexual abuse?
11. As a lawyer, what stood out in handling Liz's case? Explain.
12. Will such a case be a hallmark and why? Do we have other such cases?
13. Any other comments.

Appendix III

Interview questions for activists

1. What do you recall most from the reports on Justice for Liz?
 - a. That she was a child
 - b. The rape itself
 - c. Being thrown in a pit latrine for dead
 - d. Physical and psychological injuries sustained
 - e. Perpetrators punishment

Explain

2. Were the newspaper articles on Justice for Liz brutal? Explain.
3. How were the suspected rapists portrayed?
4. How did the media report on the police who first took up the case?
5. How did the media report on the punishment given to the suspected rapists?
6. Was the overall report on Liz's case satisfactory? Explain
7. Should the media have done more? Explain.
8. What impact did Justice for Liz stories have on media? On society? Explain
9. As an activist, how did this impact on you and/or your work? Explain.
10. Why do you think stories on Liz made headlines?

The Last Round

with Valentine Njoroge



Kimaiyo has failed women

'Justice for Liz', saw more than 1.3 million people worldwide sign a petition seeking justice for a school girl who was gang-raped and her attackers punished by grass cutting.

Her attackers grabbed the 16-year-old as she was making her way home after her grand-father's funeral. They beat her, raped her and then threw her into a pit latrine. Liz now sits in a wheel chair as her back was broken in the brutal attack; either from the beating or being thrown into the pit. All this happened in June.

Chief Justice Willy Mutunga has called for immediate action on this case from the National Council for the Administration of Justice. The NCAJ is the judicial oversight body bringing together the police, the Judiciary, Attorney General and the Director of Public Prosecutions.

Police chief David Kimaiyo says that the girl took two months to report that she was raped and that there isn't enough evidence to prosecute. He is also of the opinion that the time between her screams for help and villagers coming to her rescue was "too short for six assailants to have raped her".

This makes me sad. A child's life forever altered and her assailants were ordered to cut grass around the police station as punishment.

There is someone who is failing us here and his name is Kimaiyo. Yes, the girl did not report the case for two months and the collection of physical evidence is challenging. She was however traumatised and safe to assume, terrified by her attackers. Villages by definition are small entities where she must have encountered her attackers after they raped her. Because villages are so small, it shouldn't be that difficult to find out what happened from narrative, even though there isn't much physical evidence.

Perhaps rape might be hard to prove, after all prosecutors the world over agree on this fact, but what about the beating and throwing her into a pit latrine? Apparently one of these actions is what broke Liz's back. Aren't these actions punishable by law? Isn't maiming someone for life a criminal offense that deserves prosecution to the full extent of the law?

What about the police officer who asked the three men Liz identified to cut grass? Where is his punishment? Surely his failure to investigate the matter fully is gross employee misconduct? Has he been fired?

Kimaiyo, you and your police force need a lesson in the resultant trauma of rape, and sensitisation on how to deal with girls and women like Liz. Kimaiyo, do better! This is your opportunity to shine. Justice for Liz!



Classic relationships with Maina and Mwalimu

QUESTION OF THE WEEK:

Why does society shun women who pick up men?



Maina Kageni

Men have always picked up women and taken them home to quench their thirst. Why are women frowned upon when they do the same?

Mwalimu's viewpoint..

Is it because that it's true - what a man can do, a woman can do better? When people hear that men want to pick up ladies, it seems okay - so why is the reverse not okay? Isn't it the men who started it?



Mwalimu King'angi

Women are taking this empowerment thing too far

Listeners' comments:

It is indeed very wrong. A woman who knows her worth also knows how to keep her sexual desires in check. I can't allow myself to be used by men in that way. Ladies, there's nothing as sweet as being chased by a man, I love it. I know my worth. When a man works hard to have you, he will value you.

Martha Steward

All women need only three things: Create time for her, offer her emotional intimacy and appreciate her. If a lady lacks these main components, she will go looking for them elsewhere. Few Kenyan men treat their women right and therefore cheap sex is readily available.

Ng'ash Sage



These ladies are really letting us down. That is not only immoral but also risky. If you must sleep with a guy every night, stick to one man as your lover, and if there is an issue, deal with it with your man.

Mary Ngige

When a deer knows that there's a lion at certain stream, they have to make sure they drink water without being seen. These women don't want to be hurt so even as they quench their thirst, they don't let it reach the point of vulnerability because they don't want to go through another headache.

Priceless King Peter

Men love women with standards. This stuff of women trying to compete with men is silly. What are you competing for, I mean where are you going? The bottom line is, you look for men in all the wrong places that's why you get those kind of men. Style up ladies, seriously, style up.

Abigail Opondo

Perhaps, this is a wake-up call. If you have a good man or a woman, you should cherish him or her because no one likes unfair treatment. Every man and woman should use every available opportunity to honour and respect their relation. A man or woman who respects relationships can never ever do that.

Franc Blessings

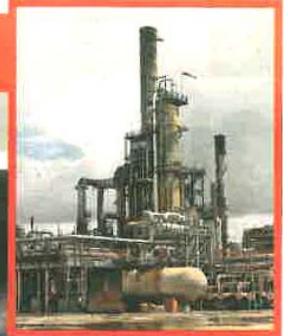
The whole issue is not in order. Whether a man or a woman, it is demeaning and against the word of God. Your body is the temple of the Holy Spirit and you need to take care of it. It is a sign of lack of respect to one's body.

Duncan Ndegwa

With women empowerment today, including financial empowerment, women are showing us today with the kind of leadership they had in store when our Elders couldn't agree before.

Kinyua Bundi

SMART COMPANY: Planned oil refinery sale raises questions



FREE WITH YOUR DAILY NATION

DN2

Daily Kenya Living
Tuesday, October 8, 2013

JUSTICE DENIED

When rapists go scot free

A girl is attacked by six men. Three suspects are arrested but police let them off the hook by handing them slashers and asking them to sweep clean an AP camp. The girl, her back broken and now suffering from obstetric fistula, now cries for justice she seems too poor to afford

PAGE 2&3



★ STARLife

RUTHLESS GANGSTER WHO KEPT VICTIMS' SKINS AS TROPHIES

PAGES 30-31



JUSTICE FOR LIZ: IS THERE HOPE FOR SURVIVORS?

BERTHA RINJEU AND CHRIS MANDI

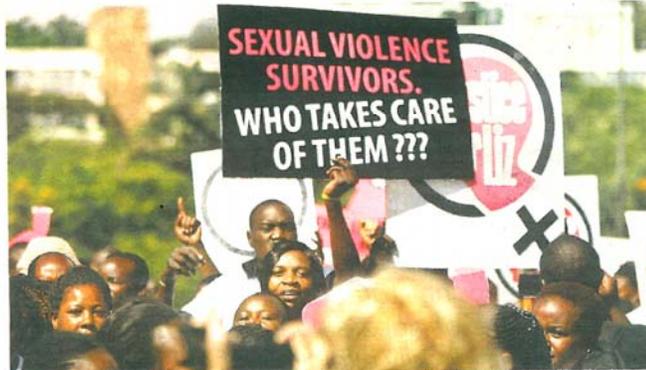
Yesterday marked 363 days since the brutal gang rape of a 16-year-old girl identified as Liz. After being raped, she was beaten and dumped into a 20-foot deep village latrine, by six men. She was on her way home from her relative's funeral, in Busia County, Western Kenya. Liz, who was discovered by local villagers on June 27, 2013 managed to survive the night in the pit though she had sustained several serious internal injuries from the attack, including a fistula that would make her leak urine and stool. It was later to be discovered that she had received spinal cord damage possibly from being hurled into the ditch and would consequently be wheelchair bound.

For Liz, this one fateful night changed and stifled all aspirations to a normal teenage life and future, what with her medical costs running into Sh600,000. Yet, as luck or determination would have it, this was not to be another silent case where rape went unacknowledged.

In the year since, through various institutional intermediaries, Liz has managed to sustain a strong international campaign, gathering in excess of 1.5 million signatures worldwide, to put pressure on the Kenyan government and demand Liz's attackers face justice, a justice that has been too long delayed and seemingly denied.

Though the Director of Public Prosecutions Keriako Tobiko has taken over the case, it was four long months before any notable government action was taken, and that was only after a media campaign. The facts were startling: the initial officer to whom the attack was reported recorded it only as an assault. The first encounter the suspects had with the law saw them get off with barely a slap on the wrist; they were required to cut grass around the police station then they were free to go.

The laxity with which the case led to October 31 being set aside as a day of action. "Justice for Liz" became a rally call, with a flood of social media activity surrounding it. Two days later on November 2, Chief Justice Willy Mutunga recommended the case to the National Council for the Administration of Justice (NCAJ) and in January 2014 Tobiko, alongside the



LOBBY: Activists protest along city streets in Nairobi over the rape of a 16-year-old schoolgirl by six men in Busia last year. The protesters presented a petition to Inspector General David Kimaiyo.

Coalition on Violence Against Women (COVAW), the Federation of Women Lawyers (FIDA - Kenya), the African Women's Development and Communication Network (Femnet), and others, issued a statement on the case. However, court dates were set for the end of June, a full six months on, and only one suspect took the stand yesterday.

Liz, however, was resolute that all her attackers must be brought to book, a brave choice in a country where rape continues to be treated as a moral, even familial problem. Liz has been in witness protection since the attack and has been living in fear for her life and that of her family. She has had to be removed from her home and from Busia.

The culture of rape in Kenya is all pervading. Girls, from the minute they gain any understanding, are forced to orient themselves with the possibility of attack, on the notion that their sexuality is some sort of eerie evil force that men must succumb to were they to simply imagine its manifestation. What this has done is make victims out of attackers and villains of survivors, who are often blamed for the violence visited upon them.

It is not uncommon for the survivor to be assumed to be at fault, for it to be implied that they must have invited trouble in some way or other, whether by their dress, their location, their association, or the time of night or day that they were

walking. The police continue to ask survivors embarrassing and intimidating questions, some even to reenact the circumstances of their rape. Where it is successfully recorded and investigations embarked upon, it is not uncommon for witness stands to remain empty, intimidation and murder in ready application. Is it a wonder then that silence continues to be the preferred option?

In Northern Kenya, families are known to accept Maslah, a sort of defilement payment for the silence of the survivor's family from the attacker. Also, it is not a rarity for the victim to be married off to her attacker to save or preserve the family's honour. Further, poor families, for fear of the wealth and reach of the attacker, encourage their children to silence while others, police and lawmen as well, are simply bought off.

A recent study by the National Council on Population and Development (NCPD) casts a bitter light on Kenya's profile on sexual and gender based violence, recording that violence was largely perpetrated by men against women though there were several reported incidences of women attacking men, and that the regions with highest prevalence were Nyanza, Western and the Rift Valley. It also singled out women from poorer socio-economic backgrounds as most vulnerable to attack yet least likely to seek out judicial recourse, a point reiterated by Alexandra Tindell of the Coalition on Violence

Against Women (COVAW).

"There seems to be a particular problem in Busia," Tindell began. "All women are vulnerable. The poorer you are the less likely you are to get justice."

Speaking at a press conference organized by COVAW, Equality Now and the African Women's Development and Communication Network (Femnet), Tindell further decried a seeming lack of commitment from state actors in assuring Justice for Liz adding that system failures point to a wider problem

in the state at large.

Kennedy Otina, Femnet's Regional Associate Director, sought to negate the use of culture as a viable excuse for the lack of proper prosecution and leanings towards practices that hinder the judicial process.

"Any culture that is against the constitution is rendered null and void. These institutions are sometimes complacent and are headed by people that do not want to detach themselves from their culture," Otina said. He added that it counterproductive to ask victims to be on the lookout for their attackers as this puts their lives in danger.

The NCPD report further noted several challenges to the judicial and legal processes from the community level - lack of awareness that sexual violence is a crime and that such matters should not be settled out of court, to the institutional level where hospitals and other first response centres lacked the proper funding, resources, skill and personnel to handle such cases as may require collection and processing of forensic evidence, and that health facilities required the necessary laboratory equipment to process collected forensic evidence such as rape kits, lab reagents and DNA analysing machines and that they also inadequate medicine for Post Exposure Prophylaxis (PEP), antibiotics and emergency contraception.

The report added that there was lack of co-ordination among the various necessary actors in the fight against sexual and gender based violence and that at times the police were simply uncooperative. A police report however noted that highest number of reported incidence of sexual violence remained in children at 78 per cent.

Such facts stare straight in the face of the constitutional and legal strides Kenya has made in the fight against sexual violence through Jane Serwangi of Equality Now and an Advocate of the High Court of Kenya notes that cases of sexual abuse do not often result in convictions.

Serwanga said, "Cases of sexual violence around the world do not result in as many convictions as compared to other cases." She added that in Kenya Naivasha Maximum Security Prison holds the highest number of sexual offenders and that prosecutors and state counsel undergo special training to handle such cases as the burden of proof is really high.

GENDER VIOLENCE: WHERE TO SEEK HELP

Free lines:

Healthcare Assistance Kenya - 1195
Childline - 116
Kimbilio - 0800720072

Women's Empowerment Link (WEL)
Tel:0711907132 or 0732574060

Kenyatta National Hospital(KNH)
Tel:0729406939

Federation of women lawyers - Kenya
Tel:0722509760/0733845003

Nairobi Women's Hospital-Gender Violence Recovery Centre (GVR)
Tel:0721696214/0721696238

Court declines to order eviction of hawkers from private property

BY NATION REPORTER

The High Court has dismissed a bid to compel the Nairobi County Government to evict hawkers from a private property.

Mr Justice David Majanja said the law prescribed a fine or jail term for people who breached by-laws under Section 201 of the Local Government Act.

That law, he said, permitted county

or civic authorities to impose a "penalty for violation of a specific by-law."

Justice Majanja said there was no statutory obligation for local authorities to evict hawkers and Section 201 clearly stated that a person who breached a by-law must be subjected to the due process, which may or may not lead to a conviction.

Mr Titus Koceyo, representing the county, had asked the court not to grant the eviction orders sought

Sh2,000

The fine that is imposed on a first offender who violates the by-laws on hawking

by Kigwe Complex as "it would be a breach of the rights of hawkers who are not parties to the case."

He said Mr Kigwe had been al-

lowed to fence his premises to keep the hawkers out.

But Mr Kigwe's lawyer, Mr J.M. Mugo, urged the court to compel the county to evict the hawkers, saying they were interfering with the tenant's rights.

He wanted the court to compel the Nairobi county government to "remove and evict all hawkers and trespassers who are blocking his apartments' frontage, parking lot

and shops within his property."

The judge said: "What the applicant is seeking is at odds with what the law provides for infraction of by-laws."

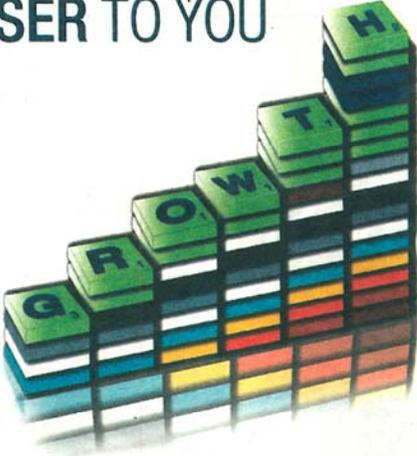
He said Section 201 imposes a fine of Sh2,000 or six months imprisonment for first offenders and Sh3,000 or nine months for repeat offenders.

"Under Section 13 of the by-laws, any person guilty shall be liable to a fine or imprisonment and not eviction," said Justice Majanja.

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CRIME | Backing for 'Stand with Liz' drive

Gender agency faults police in gang rape case

Officers accused of dilly-dallying in arresting youths suspected of crime

BY NJERI RUGENE
nrugene@ke.nationmedia.com

The commission on gender has accused police of deliberately dragging their feet in arresting youths who raped a pupil in Busia four months ago.

National Gender and Equality Commission chairperson Winfred Lichuma also hinted at a ploy to throw out the case.

She has however urged Inspector-General of Police David Kimaiyo to ensure justice for the girl, now confined to a wheelchair as a result of the attack.

"It is disturbing that no suspects have been arrested. The explanation that they have gone underground is, at the very least, preposterous and reeks of a calculated move to scuttle the case," she said.

Obstetric fistula

Ms Lichuma said the delay in arresting the six suspects was causing "immense distress" to the girl and her family.

"The victim has suffered the worst form of sexual abuse and her aggravated situation has denied her the right to pursue her education," she said.

The Standard Seven pupil, who suffered a spinal injury and developed obstetric fistula, is recovering at Gynocare Fistula Centre in Eldoret. She is also being treated for post-traumatic stress disorder.

At the weekend, she underwent surgery and doctors say they are happy with her progress.

On Wednesday, Director of Public Prosecutions Keriako Tobiko said he had directed Busia police to arrest the suspects, who went into hiding soon after the *Nation* published

the story. Mr Tobiko also ordered an inquiry into why the police have yet to arrest the suspects.

When the matter was reported to Tingolo AP Camp on June 27, officers recorded it as an assault and released three youths arrested by villagers after making them slash grass in the compound as punishment.

The Nation Media Group initiated a campaign to help the girl get treatment and justice.

On Wednesday, NMG staff visited the hospital and paid Sh583,000 for her bills.

And yesterday, the girl's mother said she feared for her life as she was receiving threats from the parents of some of the suspects.



“

The explanation that they have gone underground is, at the very least, preposterous”

Gender team boss Winfred Lichuma



Mutoko on Monday



The star columnist who says what she likes



PIONEERS: Ottawa-raised sisters Ilwad Elman, 23, and Iman Elman, 21, pose inside the Elman Peace Centre, a rape crisis shelter in Mogadishu. Ilwad works at the centre, while Iman is a commander in the Somali military.

MY name is Ilwad Elman and I live and work in Mogadishu, Somalia. A country recently ranked as the second worst place in the world to be a woman. Acts of sexual violence usually go unpunished and rapists are rarely tried or convicted, and even where justice is initiated, the victims are not provided any form of protection, compensation or recourse. Victims are treated like criminals and those who dare seek justice, are often retaliated against in some cases perpetrators are even forced to marry their victims.

Mentioning the word rape or providing services to survivors was so highly stigmatised; the only way to respond to the female suffering was through word of mouth via the grass root, 'underground' network of support Sister Somalia. It was created by survivors who were supported after their trauma. The survivors referred other women who were raped months before but until then were too afraid to seek aid and others within hours of an attack began coming forward.

Sexual violence is an extremely taboo topic, survivors and caseworkers alike faced being ostracised by society. Al-Shabaab, State actors, community leaders and the general public rarely have common views, but it became clear rape was a topic they all wanted swept under the carpet.

Ilwad Elman spoke for six minutes at the One Young World Conference in October 2013 in Johannesburg. However, why is it that as she describes Somalia and I look at the story of Liz in Kenya, I wonder if we are any better. Silly me, I told Ilwad that what The Gender Violence Recover Center (GVRCC) in Kenya has done could also help her formulate ways to make Sister Somalia more effective. Who am I to tell this young girl in Somalia how we can

FOR LIZ ARREST AND PUNISH THEM TODAY!

help, while in Kenya our story is no better. Who am I?

In February 2013, Lul Ali Osman Barake made international headlines when she reported her rape at the hands of men she says were government soldiers. They took turns raping her, she told CNN, only stopping when they thought she was dead. But when she reported the crime, it was Barake who was arrested and convicted of defaming a government institution.

Eventually, she was freed after a huge international outcry, but she says her attackers have yet to face justice. And, like many of the women CNN spoke to, she has no faith they ever will. Somali Prime Minister Abdi Farah Shirdon admits there's a problem but insists that it is being addressed.

"There's been no effective government in Somalia for such a long time, and people are disorganised ... but now we are organising, and I think we'll disconnect ... from

the past," he told CNN. "We are doing everything possible, we are taking every step to ensure that women and girls are safe.

Once again, I ask, if Somalia's issue is that they haven't had effective government for such a long time, what's our excuse for what is happening to Liz and many other silent victims of rape in Kenya? What is our excuse? Liz's story is now international. The global campaigning network Avaaz has launched an online petition demanding justice. It had more than 400,000 signatures by Saturday, it's looking for 1,000,000 signatures. I have signed.

If you've just landed on the planet and don't know the story of Liz - here's a recap for you. Sixteen-year-old Liz was walking home from her grandfather's funeral when she was ambushed by six men who took turns raping her and then threw her unconscious body down a six-meter toilet pit. Their punishment? Police had

them cut grass and go home.

Nobody has been brought to justice -- not the rapists, and not the police. The story that ran on October 7, 2013 in The Nation is beyond sad. It should make each and everyone of us angry. I am not going to try and re-tell the story - Njeri Rugene did a wonderful job. Liz is confined to a wheelchair.

Doctors say she might have broken her spinal cord either during the rape ordeal or after she was thrown in the pit latrine. And, as if that is not tragic enough, the Standard Seven pupil has developed obstetric fistula, a condition that leaves a woman with a leaking bladder and, in extreme conditions such as hers, leakage of stool as well.

The ordeal has left the girl an emotional wreck, her innocence and dreams shattered by people that, she says, are well known to her. And, to add insult to injury, it appears that no one, not even the police who are supposed to aid her judicial quest, is willing to help her carry this load. Meanwhile - Kimaiyo is looking to arrest journalists. Like seriously? Really? The attackers have been left free to roam her village, even to taunt her. Liz, therefore, only has her mother to clutch onto. And that, in these circumstances, is a pain too hard to stomach.

"My wish is to see justice done," she sobs. "I want my attackers arrested and punished."

Can we please have this done today. Not tomorrow, not next week - today.

To sign the petition to get justice for Liz go to the following link http://www.avaaz.org/en/justice_for_liz_loe/ttwi.

UPDATE: Over the weekend Inspector General of Police David Kimaiyo tweeted that the rape suspects had been arrested and arraigned in court. However there is no record of this.

★ **Mutoko on Monday**



The star columnist who says what she likes



JUSTICE Activists wield used underwear on Nairobi streets on Thursday last week on the rape of a 16-year-old schoolgirl by six men in Busia on June 26.

SENDING OUT AN SOS - SAVE OUR SONS

A year ago (November 11, 2012) I penned an article that I hoped would spark real debate and conversation and was a little surprised to note that although it touched a nerve, most people sort of whispered about it. I understood the discomfort some people had with the subject matter, but I was surprised that I wasn't saying anything people didn't know, worry about, think about, talk about or even agonize about. My article basically asked "did you raise me a husband?"

Quick recap: A few weeks ago, my girls and I were having lunch and discussing various issues - business, work, our charity venture and of course life. On the next table, totally unknown to us was a senior lady who had been eavesdropping.

As she rose to leave, she came to our table and commented on how lovely we were and how she had enjoyed "the company" seeing as she was on the next table and not really with us. Then, she paused and with a puzzled look on her face she asked "...you are all smart and beautiful and hardworking, why are you not married?". My girl Val turned to her and asked "Did you raise me a husband?" Yes, very blunt, but not rudely meant at all and I was glad to see that this woman understood her immediately.

As I look at the issue of rape and violence especially among generation Y males towards the

female of the species of whatever age, I feel I need to revisit the issue. Pastor Kev who joined us in the studio on Wednesday morning a day before women demonstrated to call attention to the rape case and gross miscarriage of justice on Liz - said clearly and loudly, that as parents and society we should call out the manhood in our sons from an early age. His son is only two years old and yes, this father is making sure to call out his manhood - as was intended.

We seem to forget that one is born male. Being male doesn't make one a man. A child born male, is raised to become a man. Sadly from the day our children come into our lives, we raise our daughters to be mothers, wives, hardworking, giving, goal-oriented beings. We don't do the same for our sons and by doing so we fail them and society at large. I guess the issues we need to deal with and ask ourselves are - are we raising our daughters and destroying our sons and in so doing destroying society?

There is a quote from Gloria Steinem that has stuck with me for a while, not because I even understood it, actually it stuck with me because I didn't understand at all - until now. "We've begun to raise daughters more like sons...but few have the courage to raise our sons more like our daughters." It seems so simple when you look at it, yet if someone was to ask us to actively apply it we almost run away and



AT RISK: Our daughters are under attack from a species that doesn't know its role or place in society.

hide. There is an old saying that goes: We raise our daughters and love our sons. Looking at myself and my friends; as daughters, we are not only taught traditional gender roles, but because of the realities of what we call "dunia ya leo", we're also taught how to conduct ourselves in the absence of fathers, breadwinners and active male role models for ourselves and our children.

Young men, especially African, Kenyan young males, are taught that men are supposed to be the kings of their castle - nobody really tells them what it takes to reign. As society, as mothers and sisters we have failed the young males in our lives because we stopped putting pressure on them to succeed the way we do with our daughters. There is no need to succeed in life when you have

a mum who is willing to shield her son from responsibility and a father who is willing to write off his bad behaviour and misdeeds under the heading "boys will always be boys."

The two decades since Beijing have been okay for women and the "girl-child". I say okay because there is still so, so much work to be done - however along the way, we forgot the boy-child and therein lies the heartache and madness we are faced with today. When did boys begin to disrespect those who gave birth to them?

In the two decades since Beijing, we have raised a generation of pampered, lawless, clueless, whining young males who have no idea what it takes to be a man - a leader, a protector, a provider. The curse of this is what

we see in the papers - young men who gang rape children and walk free while their parents hide them. If only someone would tell both the parents and the boys that you can run but you will never hide. The tears of that young girl and her mother have cursed you and yours. This sin will not go unpunished ever - it will haunt and destroy them all.

We need to find a way to save our sons so that we can save our daughters. No matter what side of this issue of rape and gender violence you may stand on, without raising accountable and responsible sons, our daughters will remain at high risk.

I truly believe that the focus strictly on girls that began in the 1990s is one of the main reasons that boys are struggling the way they are today - and they are struggling. It's an effort to be a teen male, a young male in his twenties and even a husband and father going forward. It is the reason our daughters are at risk. The "girls' movement" that came out of a need to create a better world for girls and women and hence a better world for all of us excluded the boys. We are paying a high price for this - our precious daughter are under attack from a species that doesn't know it's role or place.

We have left half our children behind, and this is not good for any of us and especially our daughters. This is an SOS - Save our Sons, or our daughters will continue to be at risk.