FACTORS AFFECTING HATE SPEECH CONTROL FOR PEACE BUILDING IN KENYAN SOCIAL MEDIA. A CASE OF KENYAN BLOGGERS

BY

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DECLARATION

This research project report is my original work and has not been presented for any award degree in any other university.

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This research project report has been submitted for examination with my approval as the University Supervisor.

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DEDICATION

This project is dedicated to my parents Isaac and Linah Kiai for their love and endless support in all my academic endeavours and to my siblings Ruth, Newton, Moses and Thomas for the push to always be a role model.

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ABBREVIATIONS

ACHPR	African Charter on Human and People's Rights
BAKE	Bloggers Association of Kenya
CIPESA:	Collaboration on International ICT Policy in East and Southern Africa
EU	European Union
EUMCRZ	European Monitoring Centre on Racism and Xenophobia
KNDRC	Kenya National Dialogue and Reconciliation Committee
KNHCR	Kenya National Human Rights Commission
NCIC:	National Commission of Integration and Cohesion
PC	Kenyan Penal Code Cap 63
SPSS	Statistical Package for Social Scientists
TJRC	Truth, Justice and Reconciliation Commission of Kenya

ABSTACT

According to statistics of The Agrigator, which is Africa's main blog aggregator website, Kenya has the third largest number of blogs in Africa led by South Africa then Nigeria with an approximate number of 9,183 and 1,351 respectively with Kenya having an approximate of 739 blogs. Blogs are emerging as sources of vital information from breaking news, politics, analysis and commentaries to personal diaries and gossip. Blogs do not come without risks to hate speech propagation due to its real time nature, anonymity and freedom of speech to both the blogger and the subscriber. This study investigated hate speech control for peace building in Kenyan social media. A case of Kenyan bloggers. It was based on three objectives hate speech monitoring and control tools, hate speech sensitization and hate speech laws. The studies theoretical framework was guided byJeremy Waldon's systematic framework for legal regulation of hate speech. First, he argues that the "harm" associated with "hate speech" has nothing to do with the motives of the speaker, and everything to do with the message conveyed and the damage that message does in a democratic society predicated on equal citizenship. Second, Waldron argues that written defamation matters much more than the spoken word. As he puts it, "libel is much more serious because the imputations it embodies take a more permanent form. Research design applied was descriptive where data was collected using structured questionnaire and analyzed both qualitatively and quantitatively. The target population comprised of bloggers in Kenya that included 85 bloggers listed in 18 categories out of which a sample of 70 bloggers were selected through stratification of 18 stratas and random sampling was done for each strata. A questionnaire was used to collect data while statistical package for Social Sciences (SPSS) was used to analyze data. According to the findings, majority of the respondents disagreed with the monitoring and control tools used to monitor hate speech at 47.6% while 42.37% advocate for context analysis of flagged speech before being branded as hate speech. More than half of the respondents at 52.54% did not agree to removal of content by commercial internet service providers hence there was a small positive correlation between hate speech monitoring and control tools and hate speech control. Majority of the respondents strongly agreed and agreed at an average of 34%.11 and 35.59 % respectively and only 6.57% of the responses were strongly disagreed to level of hate speech sensitization. 69.49% agreed to understand what constitutes hate speech hence a strong correlation between sensitization and hate speech control. There was a general mixed reaction to questions regarding use of law to control hate speech in Kenyan social media 30.08% of the respondents agreed while 31.76% of the respondents disagreed hence an indication the correlation between the two variables as a moderate positive correlation. The Key recommendations of the study is that there should be clear definitions of what constitutes hate speech and 'causing annoyance' as grounds for taking legal action against individuals and the circumstances and laws under which individuals are charged over their online activities should be clarified.

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

The growth rate of internet users in Kenya is growing tremendously. According to the Communications Authority of Kenya statistics', it indicates that the total number data subscriptions grew by 5.8 percent to stand at 14.8 million subscriptions registered in 2014. This growth has mainly been boosted by the mobile internet subscription that has been on the rise over time. The mail African blog aggregators' statistics indicates that Kenya has the third largest number of blogs in Africa being led by South Africa then Nigeria Africa with an approximate number of 9,183 and 1,351 respectively with Kenya having an approximate of 739 blogs.

The main data providers in Kenya are Safaricom, Airtell and orange data, their bandwidth is relatively good, fast, and affordable to many Kenyans. The last few years has seen rapid development in internet awareness and penetration hence leading to an increase of people's participation in social media sites mainly through facebook, twitter, and blogs. As more Kenyans embrace this new form of communication thru the internet, blogs are emerging as a source of instant vital information. Moses Kemibaro is a technology blogger who has been blogging for the last five years at *www.moseskemibaro.com.* He says that bloggers have grown to become a credible and influential group in Kenya. (Sunday, 2010)"through blogging and social media there is now a second force for media reporting,'" he says. "It's a whole new world and with over three million internet users in Kenya, bloggers are starting to influence mainstream content and opinions on topics ranging from politics, sports, technology and other areas."

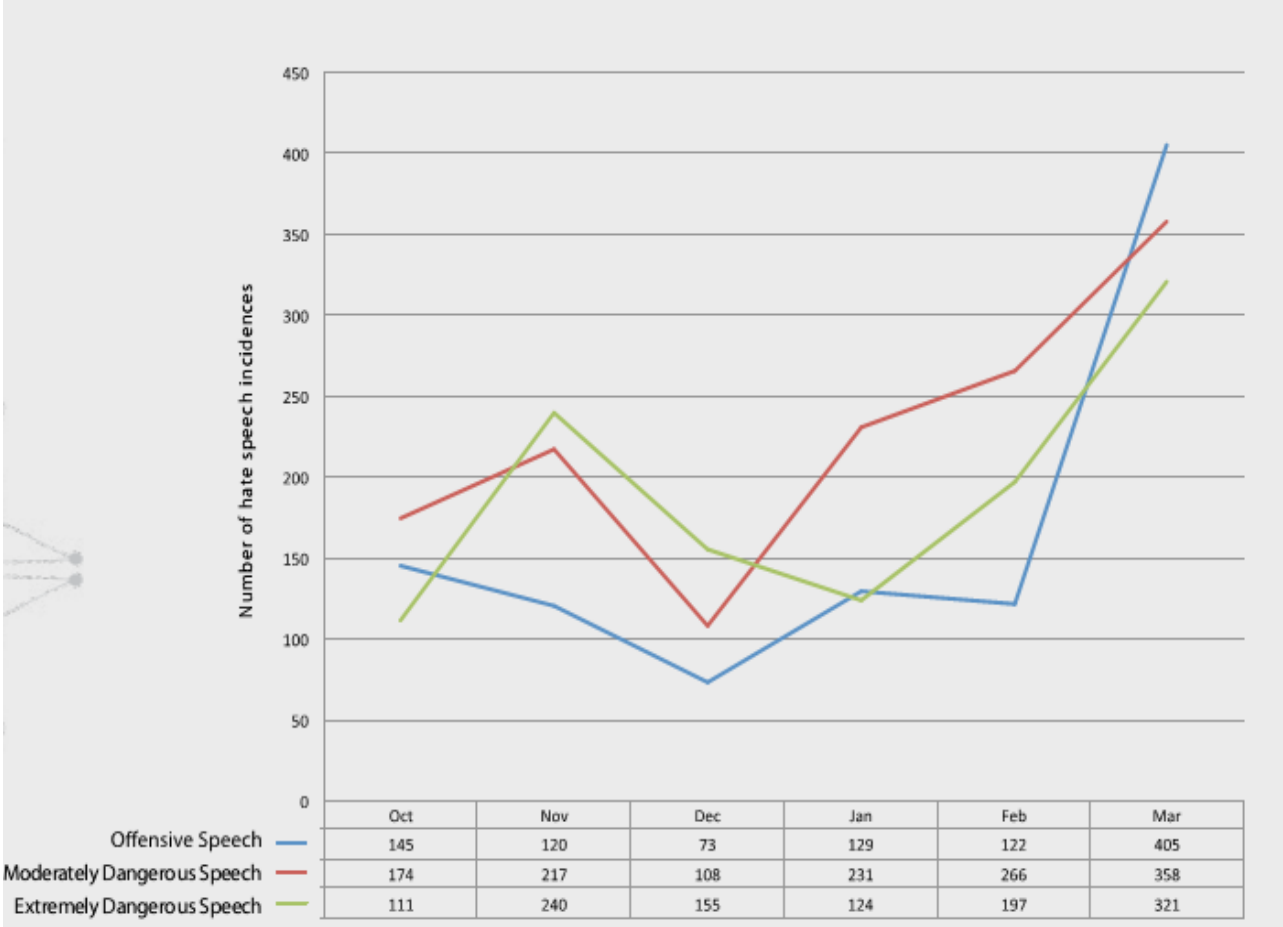
Blogs are classified into four main categories: By media type, by genre, personal and Corporate/ organizational. Personal blogs are a continuous diary or commentary by an individual and can often be sentimental to reflect on life, current issues and politics or various issues in life and to just express themselves to the world. Most personal bloggers would focus on a particular subject such as education, politics lifestyle, current issues and arts. Blogs are created in two main ways. A blog software which can be created installed locally and hosted to the web using an internet

service provider or deployed using an externally hosted service such as Blogger.com and Wordpress.com which are most popular since less effort is required to setup.

These sites can however be used to peddle hate speech online due the large number of followers. In some cases, fake accounts are created using the names of popular leaders who command a lot of respect especially among their own ethnic communities. This fuels hate speech, which can lead to violence as this, was the case during the Kenya's March 2013post election violence. The National Cohesion and Integration Act of 2008, which is concerned with any newspaper, radio station, have warranted actions against hate speech and any offensive social and digital media communications or media enterprise that publishes any utterance that amounts to the offence of ethnic or racial contempt. There are provisions in the penal code – particularly Section 194 - that make a person liable for defamation if they publish or convey defamatory material, and Section 117 that criminalizes any act, which in any way interferes or prevents the execution of any legal process. This provision has also led to monitoring and control of offensive material in social media by the service providers and state agencies such as Safaricom, the Kenya. During the March 2013 Kenyan elections, authorities used these penal code provisions to fight hate speech via SMS and on the internet. The Umati project monitored online content from September 2012 until the elections, and recorded incidences of hate and dangerous speech(UMATI, 2013). According to Umati, bloggers and other social media users particularly from facebook and twitter were the main perpetrators of hate speech. They observed that the Kenyan march 2013 election was largely peaceful compared to the previous presidential election. However, much of the violence happened online especially from bloggers, facebook and twitter users. Preparations and sensitizations were done before with an aim of controlling violence thru hate speech where majority of the political parties, aspirants and other politicians and vocal personalities were sensitized on hate speech. This however did not work, as there was lots of hate speech, which shifted online, in social media.

During March of 2013, the Umati Project recorded 405 incidents of offensive speech 358 incidents of moderately dangerous speech, and 321 incidents of extremely dangerous speech including calls to kill, while the call to discriminate, whether via insults or stereotypes, remained rampant. (UMATI, 2013). The figure below shows the statistics.

Figure 1 Number of Hate Speech Incidences



	Oct	Nov	Dec	Jan	Feb	Mar
Offensive Speech	145	120	73	129	122	405
Moderately Dangerous Speech	174	217	108	231	266	358
Extremely Dangerous Speech	111	240	155	124	197	321

The December 2007 elections culminated to lots of violence many lost their lives and left homeless. In an effort to avoid violence during the last 2013 march elections, regulatory measures were put in place to control hate speech. This included setting up the National Integration Cohesion Commission (NCIC) that would monitor and control hate speech on the internet with the main mandate of peace building and reconciliation. The National Cohesion and Integration Act passed the same year criminalized hate speech. Section 13 of the law makes it illegal to use threatening, abusive or insulting words, acts or materials liable to stir up ethnic hatred.(CIPESA, 2014). Section 62 outlaws speech intended to incite feelings of contempt, hatred, hostility, violence or discrimination against any person, group or community based on ethnicity or race. Despite their presence, there is still a lot of hate speech in Kenya's social media hence the motivation of this research.

1.2 Statement of the Problem

Despite the presence of NCIC and other bodies such as the Kenya police, The Communications Authority of Kenya and the media council control online hate speech, there is still a lot of hate speech among bloggers in Kenya and in the social media in general. This is attributed to factors such as anonymity, freedom of speech, ability create, open and publish any time of the day and also the fact that people do not have a clear understanding of Hate speech. The 24/7 nature of this form of communication makes it more difficult to efficiently monitor and control hate speech in addition to the fact that the number of web users grow each day.

There exists several ways to curb hate speech such as creation and enacting of laws , sensitization thru workshops, Education and electronic media publications and having a software tool to always crawl and alert presence of hate speech. In addition, hate speech hotlines and complaint forms, working with Internet Service providers ISP's, victim support and Community building amid many other control tools and strategies could be used to monitor and control hate speech . With all these monitoring techniques, incidences of hate speech are on the rise most of which go unnoticed or unpunished. Hate speech fuels tension and often leads to hate crime violence that damages the entire social fabric, unity and stability of societies. There is therefore a need to investigate the factors affecting hate speech control for peace building in Kenyan social media, a case of Kenyan bloggers.

1.3 Purpose of the Study

The main aim of this study was to investigate factors affecting hate speech Control for peace building among Kenyan bloggers.

1.4 Objectives of the Study

The study was guided by the following objectives:

i. To establish the extent to which hate speech control tools affect peace building in Kenyan social media.

ii. To investigate the extent to which hate speech sensitization affect peace building in Kenyan social media.
iii. To analyze the extent to which existing laws affect peace building in Kenyan social media.

1.5 Research Questions to the Study

The study was based by the following research questions:

i. How does hate speech control tools affect peace building in Kenyan social media?
ii. To what extent does hate speech sensitization affect peace building in Kenyan social media?
iii. How does existing laws affect peace building in Kenyan social media?

1.6 Significance of the Study

Media is considered to be the 4th pillar of the society after legislature, executive and judiciary as it plays an important role in shaping peoples‟ perceptions and lifestyles. Indeed, media influences every part of our lives (thoughts, attitudes, choices, lifestyles, decision-making, etc) through education, information and entertainment. Given this important role, Social media particularly blogs could be used as a tool for conflict transformation and peace building through objective reporting and peace journalism. However, Social media could also be used to fuel conflicts. For instance, subjective reporting could polarize a nation hence promoting or escalating conflicts leading to violence.

Despite the existence of relevant agencies and a policy regulatory environment on monitoring and control of hate speech, there is still a lot of hate speech incidences among Kenyan bloggers. This implies that there is a problem with the techniques and tools used to control hate speech. Hate speech leads to hate crime, which can adversely offend, affect an individual or a group based on race, tribe, religion, political affiliation or other traits. Hate speech creates tension that can lead to violence. It is therefore important to investigate the factors affecting hate speech control in order to kill hate speech among bloggers in Kenya and hence promote peace.

The study also adds to the body of knowledge relating to hate speech control as well as promoting the understanding of hate speech. It also provides information that would enable the NCIC, the Kenya police, the media council of Kenya as well as the communications authority of Kenya to make better decisions about how to prevent monitor and control hate speech through early warning and sensitizing the bloggers on how their actions can result in conflict and violence. As a tool for enhancing peace, the study may encourage Kenyan bloggers and all social media users and practitioners to embrace set policies and ethical standards, which regulate the conduct of the social media fraternity.

1.7 Delimitation of the study

The study will be focused on investigating the factors that affect hate speech control for peace building in Kenyan social media. Monitoring and evaluation tools used, extent of hate speech sensitization and the extent to which existing laws affect hate speech control for peace building are the influencing factors studied. The study focused on Kenyan bloggers since their population is large and varied comprising of many youth men and women engaged in online publishing and discussing of a variety of topical, political and general issues.

1.8 Limitations of the Study

The main challenge to this study was to have the participants fill the questionnaires honestly and return them. The apprehension of the respondent fearing that the researcher could be a secret informer of the monitoring agencies in Kenya such as the police and NCIC was another challenge. To peoples understanding, they have a right of speech regardless of the content. It was therefore difficult to objectively explore this issue. Time and resource was also a limitation to this study.

1.9 Assumptions of the Study

The research aimed to provide a collection of unique perspectives on the issues surrounding the factors affecting control of hate speech for peace building among Kenyan bloggers and the ways in which the country addresses these issues. In addition, the study assumed that the respondents

gave the correct and truthful information that the questionnaire sought to achieve and that the population was well distributed to provide information that is consistent with the research design.

1.10 Definition of Significant terms

Hate Speech: Is a form of speech that degrades others, promotes hatred and encourages violence against a group based on a criteria including religion, race, color or ethnicity.

Peace Building: It is utilized to prevent the recurrence of violence, by addressing the root causes of conflict and creating a stable and durable peace.

Conflict Transformation: Conflict Transformation refers to outcome, process and structure-oriented long-term peace building efforts that aim at truly overcoming all forms of revealed direct, cultural and structural violence. It hence calls for change in the general context in which conflict occurs.

Blogs: They are the earliest form of Social Media are equivalent of personal web pages and can come in a multitude of different variations, from personal diaries describing the authors' life to summaries of all relevant information in one specific content area

Bloggers: People who maintain blogs

Blogging: The act of posting to a blog

Blog-o-sphere: The collective world of blogging

Social Media: It is the collective of online communications channels dedicated to community-based input, interaction, content-sharing and collaboration

Media: Refers to the several channels used in an organized manner to communicate information to groups of people, as a service to the public. It is divided into print media and electronic media.

Peace Journalism: This is journalism with peace as the main aim i.e. a normative mode of responsible and conscientious media coverage of conflict that aims at contributing to peacemaking, peacekeeping, and changing the attitudes of media owners, advertisers, professionals, and audiences towards war and peace.

Post-Election Violence (PEV): The political violence experienced in Kenya after disputed 2007 general elections.

Hate sites : An Internet hate site is a web site (or web page) maintained by an organized hate gro up on which hatred is expressed, through any form of textual, visual, or audio-

based rhetoric, for a person or persons, or which provides information about how individuals can support the group's ideological objective.

Hate Crime: A criminal act motivated by bias or prejudice towards particular groups of people

Monitoring: A broad tern describing the active collection, verification and use of information to address hate speech problems online

Law: The system of rules that a particular country or community recognizes as regulating the actions of its members and may enforce by the imposition of penalties.

1.11 Organization of the Study

Chapter one contains the background of the study, statement of the problem, purpose, objectives, research questions, significance, delimitation, limitation, assumptions, and significant terms of the study. It starts with discussion on background of social media and the growth of internet and internet users in Kenya and proceeds to give the objective of the study which is to investigate the factors affecting hate speech control for peace building in social media among Kenyan bloggers. Chapter two gives a detailed review of relevant literature studies on the problem under study. The themes based on objectives under the study were discussed empirically. The theoretical framework was then discussed in detail. Chapter three discusses the study methodology covering the research design, sampling procedure and data collection methods adopted by the study. Chapter four consists of data analysis, presentation, interpretation and discussion of findings and finally chapter five contains the research summary, conclusions and recommendations of the study.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter intends to investigate the concept of hate speech and find out how other legal jurisdictions have defined and handled the topic. Different factors that affect hate speech monitoring and control was explored. The review also seeks to shed light on the three research questions as stated in chapter 1.Focus will then shift the theoretical and conceptual frameworks of the study.

2.2 Hate Speech

Generally, hate speech has been defined as speech that attacks, threatens, or insults a person or group on the basis of national origin, ethnicity, color, religion, gender, gender identity, sexual orientation, or disability(Weber, 2009). The committee of ministries of the council of Europe defines hate speech as consisting of all forms of expression which is spread, incited, promoted or justifies racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin(Europpe, 1997).The International Covenant on Civil and Political Rights (ICCPR) states, "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law". According to the constitution of Kenya 2010, article 33provides that every person have the right to freedom of expression, which includes freedom to seek, receive or impart information or ideas, freedom of artistic creativity and academic freedom of expression. The constitution however goes ahead to dictate that this freedom of expression does not extend to propaganda for war, incitement to violence, hate speech or advocacy for hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm. Legally, hate speech is any speech, gesture or conduct, writing, or display which is forbidden because it may incite violence or prejudicial action against or by a protected individual or group, or because it disparages or intimidates a protected individual or group. The law may identify a protected individual or a

protected group by certain characteristics. In some countries, a victim of hate speech may seek redress under civil law, criminal law, or both. A website that uses hate speech is called a hate site. Most of these sites are internet forums and news briefs that emphasize a particular viewpoint. They are maintained by an organized hate group on which hatred is expressed, through any form of textual, visual, or audio-
based rhetoric, for a person or persons, or which provides information about how individuals can support the group's ideological objectives (Barnett, 2007). The technologies of the web have allowed user extensive interaction and have resulted in hate spreding outwards from the hate sites

2.2.1 Implications of Hate speech

Hate speech is relatively new in the academic world. However, its negative implications for society are clear to everyone. According to (Leets, 2002), hate speech violates the individual's dignity, resulting to humiliations, distress and psychological or emotional pain. Furthermore, (Downs, 2012)argues that hate speech has been a strong weapon in the past that could harm individuals by degrading, terrorizing, wounding and humiliating them. (Nemes, 2001)Goes further by mentioning the harm of hate speech on individuals, groups and society as a whole. As far as it concerns the individuals, she mentions that hate speech can provoke pain, distress, fear, embarrassment, isolation etc.

Hate speech towards groups of people can bring inequality problems and lead the members of that group in isolation. It creates feelings of fear and discourages them from participating in their community or expressing their opinions. Moreover, this degradation and humiliation can silence the victims and therefore reinforce existing hierarchies in society (Nielsen, 2002)while it can also lead hate speech victims to become aggressive and dangerous (Parekh, 2006). (Waldon, 2012)States that written speech takes a more permanent form as compared to spoken speech. He argues that this is due to the continual nature of internet where the content quickly becomes available to anyone in the world and cannot be erased easily. Dignity is the social standing and fundamentals of basic reputation that makes a person treated equal in the society. Dignity is a matter of status and if the status is gone, one feels low or less important in the society. Waldon

argues that hate speech lowers the dignity of the victim and hence makes them feel unequal in the society. Hate speech fuel tensions and often leads to hate crimes and violence that damages the entire social fabric, unity and stability of societies. As reported by (Izsak, 2015), hate crimes majorly occurs due to prior stigmatization and dehumanization of the target group. The 2013 Federal Bureau of Investigation (FBI), Uniform Crime Reporting Program, stated that in about 6,000 hate crimes incidents: 48.5 per cent were racially motivated , 17.4 per cent were motivated by religious bias and 11.1 per cent stemmed from ethnicity bias .

Given the facts above that concern the harmful nature of hate speech, there is no doubt discriminatory and offensive expression is an undesirable and negative phenomenon in a democratic society. Hate speech is dangerous because words have power and can influence others to act. It also promotes division and intolerance; it harms and marginalizes the vulnerable groups it targets. However, it should also be taken into account, that any attempt to restrict hate speech contradicts the democratic principles of freedom of speech and the right to free expression. If freedom of speech were restricted, it would lead to silencing those who may benefit largely from its expressing. (Gelber, 2002), Debates that free speech is a fundamental human right, an intrinsic good, and a cornerstone of liberal democracies. As a human right it 'trumps' mere individual or collective interests; the fact that speech might harm someone or some group's interests is not of itself sufficient to justify restrictions on it. In addition, since it is an intrinsic good its worth is not fully accounted for in terms of other goods that might be dependent on it, for example, knowledge or quality of life. Further, freedom of speech, and freedom of the press, is necessary conditions for a functioning democracy.

2.2.2Hate Speech in the Social Media

Social media are Internet sites where people interact freely, sharing and discussing information about each other and their lives, using a multimedia mix of personal words, pictures, videos and audio. At these Web sites, individuals and groups create and exchange content and engage in person to-person conversations. They appear in many forms including blogs and micro blogs, forums and message boards, social networks, wikis, virtual worlds, social bookmarking, tagging and news, writing communities, digital storytelling and scrapbooking, and data, content, image

and video sharing, podcast portals, and collective intelligence. There are lots of well known sites such as Facebook, LinkedIn, MySpace, Twitter, YouTube, Flickr, WordPress, Blogger, Typepad, LiveJournal, Wikipedia, among many others. Many social media sites provide their own understanding of hate speech. Facebook, for example, considers hate speech as "Content that attacks people based on their actual or perceived race, ethnicity, national origin, religion, sex, gender, sexual orientation, disability or disease is not allowed." They also add a significant note: "We do, however, allow clear attempts at humor or satire that might otherwise be considered a possible threat or attack. (Facebook, 2014). Twitter does not provide its own definition, but simply forbids "publishing or posting direct, specific threats of violence against others." (Twitter, 2015). YouTube website clearly says it does not permit hate speech, which it defines as "speech which attacks or demeans a group based on race or ethnic origin, religion, disability, gender, age, veteran status and sexual orientation/gender identity." (YouTube, 2005)Google also makes a special mention on hate speech in its User Content and Conduct Policy: "Do not distribute content that promotes hatred or violence towards groups of people based on their race or ethnic origin, religion, disability, gender, age, veteran status, or sexual orientation/gender identity." (Google, 1998)Overall, the prohibited content seems to be similar, with some difference in which specific groups have been brought out.

The global, decentralized nature of the internet created a potentially infinite and unbreakable communications complex that cannot be controlled by one national government. The decentralized nature of the internet means simply that there is no unique solution for effective regulation at the national level (Nadia Volkova, 2014). Social media is changing the nature of groups, the social formations and power relations. They are also changing the way of attributing meaning to media content. As expressed by (Jenkins, 2009), Social media users have fewer barriers to expression and generate lots of support from others for creating and sharing content with others hence they feel that their information is valuable to others and feel some degree of social connection with others. The prevalence of hate speech and cyber-bullying on social media has become a major problem in many social sites such as facebook and twitter. Social media sites allow the rapid spread of all speech, whether protected or not, and such messages spread around the world, and sometimes stir people into action. Social media played an important role in the Arab Spring, the London riots, the Occupy Wall Street movements and the Kenya post-

election violence. On the other hand, while the web links us all, each country nevertheless retains its own legal framework, and may or may not view a particular speech, such as blasphemy as legal. After a string of consumer complaints and court cases, social media giants Facebook and Twitter are cracking down on hate speech broadcast through their platforms and are learning to deal with the increasing international use of social media and how to deal with foreign free speech laws that are often harsher than their American laws. In Germany, where Nazi propaganda of any kind is outlawed, Twitter cooperated with police to ban tweets from a neo-Nazi group although the group is still visible to users outside of Germany (Hercher, 2015).This and many other cases reveal that there is a grey zone of what constitutes free speech in the internet age. Legal and social factors are at play, but also a lot of money. Facebook and other social sites will have to hire managers that are more content and train them to identify and remove inappropriate material. In addition, Facebook and Twitter are working with lawyers to draft policies that deal with hate speech and fit within the varying legal frameworks of different countries. Still, social media companies have been reluctant to change unless compelled by law. The companies are trying to strike a difficult balance between protecting freedom of expression for users while also creating an open and welcoming community.

Internet users in Kenya have increased from 3 million in 2007 to 16.4 million in 2013 (CCK, 2013). The increase in connectivity and the rise in the number of social media users have presented a new challenge to Kenya in combating hate speech. With tightened controls in the telecommunications sector and the print media, hate speech seemed to find a new outlet during the 2013 elections on social media sites such as Facebook and Twitter, both of which are US-based companies. There were warning signs from the 2007/2008 elections that social media may present a challenge in 2013, as some bloggers felt they had to moderate content. The Kenyan government publicly reported that it was monitoring social media content to dissuade people from engaging in hate speech online. It had been reported that six people are being investigated, including two prominent bloggers. (Kaberia, Kenya: Too little action on hate speech?, 2013)

2.2.3Blogs

Blogs, which represent the earliest form of Social Media are equivalent of personal web pages

and can come in a multitude of different variations, from personal diaries describing the authors' life to summaries of all relevant information in one specific content area. Blogs are usually managed by one person only, but provide the possibility of interaction with others through the addition of comments. The word blog is both a noun and a verb. People who maintain a blog are called bloggers. The act of posting to your blog is blogging and the collective world of blogging is the Blog-o-sphere. Due to their historical roots, text-based blogs are still by far the most common. (Boyd, 2006) Nevertheless, blogs have also begun to take different media formats. For example, San Francisco-based Justin.tv allows users to create personalized television channels via which they can broadcast images from their webcam in real time to other users. In addition, Google has a blog platform where its users create free blogs to share information and keep in touch with others. Many companies are already using blogs to update employees, customers, and shareholders on developments they consider important. Jonathan Schwartz, CEO of Sun Microsystems, maintains a personal blog to improve the transparency of his company; so does automotive giant General Motors. The incredible growth of blogs is attributed to its simplicity in creating as well as maintaining it. A potential blogger does not need the knowledge or skill of the Hyper Text Markup Language (HTML) programming. The blog can be hosted and published through software providers like blogger.com, wordpress.com. The blogger (author) manages the entries and the look and feel of the page, also known as the blog skin. Wordpress.com claims to host over forty two million blogs, where three hundred and twenty nine million people view a blog and about twenty five billion pages are viewed a month. (Bullas, 2012). Blogs do not come without risks. The main problem is that once you put information online, that information is impossible to retract.

2.3 Theoretical Framework.

In his book, harm in Hate Speech, Jeremy Waldon provides a systematic theoretical framework for legal regulation of hate speech. He argues byway of prima facie on oral intuitions about basic concepts such as dignity, harm, group defamation and a well-ordered society. His argument is categorized into four main issues; firstly, harm in hate speech results from speech that is written rather than spoken speech. Secondly, the harm in question should result to damage in dignity of people based on defamation related to certain characteristics they share with a group. Thirdly, he

argues that harm to the dignity of order of society is distinct from the individual offence hate speech may cause. Lastly, he insists that although regulating to prevent this harm may have some costs, the benefits justify the normal practice in democratic societies of regulating speech. (Leiter, 2012)

Waldron makes two important claims. First, he argues that the "harm" associated with "hate speech" has nothing to do with the motives of the speaker, and everything to do with the message conveyed and the damage that message does in a democratic society predicated on equal citizenship. Second, Waldron argues that written defamation matters much more than the spoken word. As he puts it, "libel is much . . . more serious because the imputations it embodies take a more permanent form" (p. 45).

Waldons primary concern is that harm to dignity is the effect of hate speech. He argues that dignity is a matter if status as a member of society in good standing which should be accepted. He summarizes his view, suitably, by saying that, "Hate speech and group defamation are actions performed in public, with a public orientation, aimed at undermining public goods" (100), that is, the good of assurance of dignity in public. What hate speech legislation stands for is the dignity of equal citizenship (for all members of all groups), and it does what it can to put a stop to group defamation when group defamation . . . threatens to undermine the status for a whole class of citizens. (Waldron, 2010)

2.4 Peace Building

Realizing that violence only breeds violence, and that peace cannot be sustained through force, there is the need to propose well-tried strategies of peace building that reject war and violence, even as a last resort. Peace building was first introduced in 1970s by Johan Galtung who called for the creation of peace building structures to promote sustainable peace by addressing the "root causes" of violent conflict and supporting indigenous capacities for peace management and conflict resolution (Johan, 1975). Peace building became a familiar concept within the United Nations following Secretary-General Boutros Boutros-Ghali's 1992 report, An Agenda for Peace,(Secretary General United Nations, 1992) which defined peace building as action to solidify peace and avoid relapse into conflict. The 2000 Report of the Panel on United Nations

Peace Operations (also known as the Brahimi Report) defined it as "activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the absence of war."

Peace building is therefore a process that facilitates the establishment of sustainable peace by preventing the start or the recurrence of violence by addressing root causes and effects of conflict through reconciliation, institution building, and political as well as economic transformation. The process of ensuring peace involves activities by diverse actors in government and civil society at the community, national and international levels to address the root causes of violence and ensure the community has freedom from fear (negative peace), freedom from want (positive peace) and freedom from humiliation before, during, and after violent conflict. Successful peace building activities create an environment supportive of self-sustaining, durable peace; reconcile opponents; prevent conflict from restarting; integrate civil society; create rule of law mechanisms; and address underlying structural and societal issues.

There are various approaches to peace building and one of them is through social media. The growth of internet technology is immense and more and more people are now connected through social media. As Sheldon Himelfarb, President and CEO of PeaceTech Lab argues that part of creating communities that can advance peace building is harnessing the power of the media to draw people together, to promote conflict management and resolution, and to create the public will to change attitudes and behaviors. (Himelfarb, 2012). Media can be used as a negative force, to foster hatred or incite violence. For example, in Pakistan, a Taliban leader used video via cell phones to call for more suicide bombings. However, media can also be a powerful tool to mobilize people to build peace. The No hate Speech movement of the council of Europe engages young people to understand and learn about the nature of hate speech online. It ran a campaign project between 2012 and 2014 whose objective was to raise awareness about hate speech online and its risks for democracy and for individual young people, and promoting media and Internet literacy; To support young people in standing up for human rights, online and offline; To reduce the levels of acceptance of online hate speech; To mobilize, train and network online youth activists for human rights; To map hate speech online and develop tools for constructive responses; To support and show solidarity to people and groups targeted by hate speech online; To advocate for the development and consensus on European policy instruments combating hate

speech; To develop youth participation and citizenship online. During the Kenya, post-election violence many Kenyans turned to social media to get involved especially after the violence erupted. Some blogs aimed to promote peace and justice while others were used as channels for biased information, tribal prejudices, and hate speech.

2.5 Hate speech Monitoring and Control tools

As (Strasbourg, 2012)of the council of Europe observes, it is very difficult to obtain an accurate estimate of online hate speech. Many Non-Governmental Organization (NGO's) have tried to monitor and measure online hate speech however, the scale is rarely comprehensive moreover, definitions of hate speech, its variables and the monitoring techniques differ from country to country. It is more difficult to measure hate speech in the internet world due to its nature of being user-generated, interconnected and consisting of multiple forms of content. Hate speech is also rarely confined to easily identifiable hate sites and blogs hence very difficult to monitor and if a site on the internet is logged as a hate site and removed by the monitoring organizations, the owners can easily set up a new using a different internet service provider often in a different country. This, together with the features of the world wide web 2.0 technology that allows internet users to post comments, upload music, set up individual blogs, makes comprehensive monitoring and control time consuming, complicated and requires constant through vigilance.

There are various tools used to monitoring and mapping hate speech online. (Lucas, 2014) Classifies these approaches into three groups based on their purpose; real time monitoring and mapping, retrospective monitoring and mapping, and discourse and content analysis.

2.5.1 Real time monitoring and mapping

These are monitoring projects that aim to provide continuous monitoring of online media. Such projects are rare, but they have the potential to serve as early warning systems or enable a reaction to incidents as they occur. The best known projects of this nature is the Umati and Uchaguzi project in Kenya.

2.5.1.1 Umati (Kenya)

Umati, a project on the Ushahidi platform, monitored online hate speech in 2012 and 2013 in the run-up to Kenya's general elections in March 2013.The project emerged out of concern that mobile and digital technologies may have played a catalyzing role in the Kenyan 2007/08 post-election violence. The aim was to better understand the use of dangerous speech in the Kenyan online space by monitoring selected blogs, forums, online newspapers, Facebook, and Twitter daily, in English and seven other languages. The content monitored included tweets, status updates and subsequent comment, posts, and blog entries. (Sambuli, Morara, & mahihu, 2013)

The Umati project developed a contextualized methodology for identifying, collecting, and categorizing inflammatory speech in the Kenyan online space. To categorize hate speech, the Umati project used Susan Benesch's definition of dangerous speech, that is, speech that has the potential to catalyze collective violence (Benesch, 2012). The key variables of the five-part Benesch framework uses a speaker's influence, audience receptiveness, speech content being understood as a call to action, the social and historical context of the speech and the medium of dissemination. The framework enabled the Umati project to develop a methodology for the collection and analysis of online hate speech. Umati developed the categorization spectrum of offensive speech, moderately dangerous or extremely dangerous speech especially based on the perceived speaker's level of influence and the con-tent as perceived to be a call to action. Umati relied on a manual process for collecting and categorizing online hate speech. Six project workers scanned online platforms daily for hate and dangerous speech and recorded incidences in an online database. Messages were classified according to predefined characteristics depending on the influence of the author and their potential to incite violence, drawing on (Benesch, 2012)framework for identifying dangerous speech. Incidences of particular concern were forwarded to Uchaguzi , a technology-based system that enabled citizens to report and keep an eye on election-related events on the ground for action. The Umati project key findings in 2013 were firstly, dangerous speech captured was predominantly based on ethnicity and religious affiliations and much online hate speech comes in reaction to events that transpire or are witnessed offline. Secondly, online hate speech dissemination largely identify themselves with real or fake name and use languages widely understood in Kenya (English, Swahili and Sheng).

Lastly, over 90% of all online inflammatory speech captured by Umati was on facebook, making it the highest source of such content. (Sambuli, Morara, & mahihu, 2013)

Manual monitoring was important for assessing highly contextualized information in multiple languages. However, human error, especially due to fatigue, was a problem and scaling up the monitoring operation was expensive.

2.5.1.2 Uchaguzi (Kenya)

Uchaguzi-Kenya was a project on the Ushahidi platform that enabled citizens to report problems occurring during Kenya's 2010 constitutional referendum and 2013 general election. Uchaguzi's main goal was to act as an early warning system and prevent the escalation of incidents. Other deployments have also taken place in Tanzania, Uganda, and Zambia in 2010 and 2011. (Omenya, 2013). In (Chan, 2012) report, Uchaguzi monitored threats such as dangerous speech, rumors, and mobilization toward violence, alongside other issues related to security, polling station management, and vote counting and reporting. Kenyans could send reports via SMS, Twitter, Facebook, email, or via the Uchaguzi website. (Omenya, 2013). The project staff was divided into teams which received and recorded reports from the public and from project colleagues, plotted reports on maps, translated messages, verified incoming reports with workers on in the field, relayed urgent messages to appropriate agencies for action, and carried out overall analysis and reporting. Compared to Umati, Uchaguzi was considered largely successful however; some areas for improvement were suggested particularly in communication. Uchaguzi had links with the civil society organizations and government bodies but many of these links were not well organized and communications were irregular (Omenya, 2013). The feedback loops were not complete and if hate speech incidence ware reported to the acting agencies particularly the government, information was not available to confirm what actions were taken in response to reports. (Chan, 2012)

2.5.2 Retrospective monitoring and mapping

Retrospective monitoring is the analysis of online hate speech after it has happened by looking at archives of messages or collecting messages for a short time and then analyzing them (Lucas, 2014)

2.5.2.1 The DEMOS study of anti-social media in the micro blogging site; Twitter

Demos is an open source software published in 2014 that examines the way racial and ethnic slurs are used in the popular micro blogging site; Twitter. Slurs relate to a set of words, terms, or nicknames that are used to refer to groups in a society in a derogatory, pejorative or insulting manner (Bartlett, Reffin, Rumbal, & Williamson, 2014). The team collected data from publicly available tweets that contained one or more candidate slurs for a nine-day period (19 November – 27 November 2012) and 126,975 tweets were collected having an average of 14,100 tweets per day. An automated machine classifier was used to categorize the data sets into predefined categories created by human annotators that were then applied to a natural language processing technique to recognize and apply to s categories to the whole of the data sets automatically. The study reported an estimate of 10,000 uses per day of racist and ethnic slur terms in English (about 1 in every 15,000 tweets). The ten most common terms found in the data set were (in order of prevalence) “white boy”, “paki”, “whitey”, “pikey”, “nigga”, “spic”, “crow”, “squinty” and “wigga”. The distribution was uneven across the terms, with “white boy” appearing in 49 per cent of tweets, and of the rest, only “paki” and “whitey” comprised more than five per cent of the total (12 and eight per cent respectively). Very few cases presented an imminent threat of violence, or where individuals directly or indirectly incited offline violent action. The study estimated that, at the very most, fewer than 100 tweets were sent each day, which might be interpreted as threatening any kind of violence or offline action. This does not mean there are no other threats taking place that do not include the use of a slur. (Bartlett, Reffin, Rumbal, & Williamson, 2014)

From this study, we gather that machine classifiers were extremely useful to identify and filter data sets into more manageable data sets. The automated classifiers performed well in initially distinguishing between relevant and irrelevant tweets i.e. tweets where the terms were being used

in racial or ethnic senses rather than unrelated senses.

2.5.2.2 Geography of Hate, Humboldt State University (USA)

Geography of hate is a website project created by Humboldt State University that contains a map demonstrating the geographic distribution of tweets originating in the United States in 2012 and 2013 containing hate speech. The map extracts tweets containing hate words obtained from the Dolly Project (Digital On-line Life and You) database at the University of Kentucky and then having human annotators read and classify each tweet individually as positive or negative sentiment (Stephens, 2013). The Dolly project stores eight million tweets per day the does some basic analysis, indexing and geocoding to create data sets that are useful for supporting hate speech monitoring. The Geography of hate project then uses these hate words to search through and the number of hateful tweets are aggregated at the county level and normalized by the amount if twitter traffic (Lucas, 2014).

2.5.3 Discourse and content analysis

Discourse and content analysis is an approach that examines potential hate messages within their social and political context to better understand the meanings, motivations, and ideologies behind the messages, and to untie the components of a message and its delivery. They do not aim to track trends in frequency or location, but to understand how hate messages are constructed and how they influence recipients (Lucas, 2014). Discourse and content analysis is often labor-intensive and typically used on relatively small sets of data (comprising perhaps a few hundred messages) rather than for large-scale monitoring. Furthermore, As (Schafer, 2002) points out, conducting content analyses of web sites is problematic because it is impossible to determine the true size and nature of the population.

2.6 Hate Speech Sensitization

In order to adequately eradicate online hate speech and even offline hate speech, a community must be sensitized about hate speech; what is hate speech?, implications of hate speech, forms of hate speech and how to report hate speech among many other aspects of hate speech. There are

various methods of hate speech sensitization i.e. Hate speech training and workshops, media and radio campaigns, Electronic media publications and civic education.

2.6.1 National Cohesion and Integration Commission (NCIC) on Hate Speech Sanitization

The Kenya National Cohesion and Integration Commission (NCIC) was established under the Kenyan National Cohesion and Integration Act 2008, enacted after the 2007 post election crisis to facilitate and promote equality of opportunity, good relations, harmony and peaceful co-existence between persons of the different ethnic, racial communities of Kenya. In line with its mandate, the Commission was required to develop guidelines for media houses on hate speech as per provisions of the NCI Act. This led to the development of various strategies namely tools such as guidelines on monitoring hate speech, particularly in the electronic media in Kenya; definition of what Hate Speech is all about and how to file a complaint to the Commission. Since the media plays a vital role in promoting freedom of expression and equality, NCIC felt that it was imperative that the Commission continuously engages with the media practitioners namely the correspondents, journalists, editors and media owners in the development of Guidelines On hate speech. NCIC signed a Memorandum of understanding with the Media Council of Kenya to collaborate in elections 'media monitoring: of hate speech and held countless sensitization workshops and National Conferences to unpack Hate Speech. Specifically, a major conference was held in June 2010, bringing together law enforcement officers, media practitioners and other key stakeholders to discuss the process of navigating hate speech in the face of freedom of expression a head of the Referendum Elections. NCIC brought together over fifty leaders from all the registered political parties and carried out a workshop to sensitize political parties' leaders on employing election campaign strategies that are devoid of hate speech, and that seek to create a free, fair, objective and equal opportunity playing ground for all political leaders. (Kibunja, 2012). According to Dr Kibunja the commission chairperson, the commission is working together with the Kenya Police to ensure they are well trained in curbing hate speech at all levels, particularly during the various campaigns being held countrywide. To date, NCIC has conducted a number of police trainings targeting Officers Commanding Stations (OCSs) and Divisional Criminal Investigations Officers (DCIOs) with the objectives of providing important and relevant information on the offences of ethnic discrimination and hate speech, sensitizing the

police officers on theses offences as well as providing a training forum on the investigation of hate speech and other offences under the NCI Act throughout the country.

2.6.2 Role of Non-Governmental Organizations (NGO's) in Hate Speech Sensitization

Non-Governmental Organizations play a major role in hate speech sensitization and recognizing the early signs of and fighting against intolerance and discrimination. Since civil society representatives live in the midst of communities, they are able to witness acts of intolerance and online hate speech before they are reported to the police; they can provide assistance to victims while the authorities have yet to set up appropriate mechanisms. Civil society leaders have also often reminded government authorities of their duties to report and respond to hate crimes and to protect everyone. In some countries, Non-Governmental Organizations has been instrumental in empowering communities to induce social change and inspire legal reforms (Lenarčič, 2009) and their action can be decisive in convincing governments to address hate crimes and in guiding their response. Apart from sensitization, NGO's can battle hate speech in a number of different ways , such as; Working with governments to improve legislation, Monitoring and reporting incidents, Acting as a voice for victims of hate crimes, especially by serving as intermediaries with the authorities, Providing practical assistance to victims of hate crimes, such as legal advice, counseling and other services, Raising awareness about the existence of discrimination, intolerance and hate crimes and Campaigning for action to meet the challenge of hate speech (Lenarčič, 2009)

2.6.2.1 Training and Education

NGO's have been instrumental in hate speech training and education all over the world. There are several documented guides to education on the problem of online hate speech for parents, teachers , students, general public and also the law enforcers such as the police and prosecutors in skill and techniques for investigating hate speech on the internet. According to a report by (Lenarčič, 2009), NGO, s can provide advice and train parents how to recognize and assess problematic websites, how to transfer this knowledge to their children and how to monitor what sites children log onto and distribute "filters" to parents that block access to hate sites on their home computers. Consequently, NGOs can provide advice on how to talk about speech and how

to develop students' critical-thinking skills, which will allow them to ask appropriate questions about the validity of information on websites; and provide young people with information on the dangers of hate speech, how to recognize and assess discriminatory material, and what can be done against it. The United States-based youth hate prevention coalition Partners against Hate published the manual "Hate on the Internet: A Resource Guide for Educators and Families" to equip parents, educators, librarians and other members of the community with tools to help young people recognize and deal with hate on the Internet (Tiven, 2003)

2.6.2.2 Radio and Television programs

In Kenya, four episodes of a popular television series were broadcasted as a way to sensitize the Kenyan people on hate speech and less susceptible to inflammatory speech (Benesch, 2012). All the episodes focused on hate speech and incitement to violence. Each episode was filmed in a town or village that had experienced severe inter-communal violence in the aftermath of the country's 2007 elections. The episodes were shown on television in October and November 2012 and again in the run-up to the 2013 elections. An independent evaluation of the intervention suggests that the programs made citizens in areas prone to violence more skeptical of political leaders who use inflammatory language (Kogen, 2014).A Dutch NGO called Radio La Benevolencija has used radio dramas, discussions and educational programs to enable vulnerable citizens in conflict-affected countries to recognize and respond to inflammatory speech. The Search for Common Ground organization also used this approach in Côte d'Ivoire and found that the project raised awareness about political violence and manipulation (Gouley & Kanyatsi, 2010)

2.6.2.3 Public forums and campaigns.

NGO campaigning and advocacy use a wide range of public forums ranging from street demonstrations and public meetings to conferences and round-table discussions, from concerts and theatre productions to "information fairs" and multicultural food festivals (Lenarčič, 2009). The venues for public events range from schools and public buildings to neighborhood community centers, town squares and football stadiums.

The UK based NGO The No Hate Speech Movement carried an online campaign of young people for human rights online initiated by the council that ran between 2012and 2014 whose working methods were awareness raising, advocacy and seeking creative solutions to online hate speech, racism and discrimination (The Campain, 2012).

The Stop Racism and Hate Collective (http://www.stopracism.ca) runs various online campaigns, mainly asking users to contact particular sites requesting that they take action to remove - or disassociate themselves from - sites with harmful content. One campaign asks users to contact Planet.com, which hosts a number of racist websites; another is designed to stop abusive content on YouTube. The organization calls for users to email YouTube requesting that they implement word filtering on user names, and block IP addresses by offending users (Strasbourg, 2012).

The Kenyan iHub research hosted the Umati Forum: The many faces of Online Hate Speech in Kenya, a public conversation on the nature of online hate speech in Kenya. The aim of the forum was to better understand hate speech dynamics in Kenya and how it makes its way online. Much was said, proposed and argued, but above all, the forum was a starting point of a reflection process on the power and impact of speech: good or bad, as it plays out online and translates to offline 'bar talk', and/or vice versa(Sambuli, 2014).

2.7 Hate Speech Laws in Kenya

Many questions arise as to the definition of hate speech and the origin of hate speech in Kenya. Hate speech generally seems to be outside law. Before the 2007 elections, the issue of hate speech did not play much as far as Kenyan politics and media relation was concerned. After experiencing the impact of tribal hate because of hate speeches made by politicians, online users and the media, there arose a feeling for the need to consider the potential effects of news reporting and blogging. However, in some counties, a victim of hate speech may seek redness under civil law, criminal law or both. There has been debate over how freedom of speech applies to the internet. A website that uses hate speech is known as hate-site and most of these sites contain internet forums and news briefs that emphasizes a particular viewpoint. Conferences concerning such sites have been sponsored by the United Nations High Commissions for

Refugees (UNHCR). The International Covenant on civil and Political Rights (ICCPR) also states "any advocacy of national, social or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. 'Convention on the Elimination of All Forms of Racial Discrimination as well prohibits all incitement of Racism.

Some of the laws related to online rights and freedom of expression in Kenya evolved because of the post-election violence of 2007-2008, during which ICT, particularly short message services (SMS), and online tweets and facebook messages were used to fan ethnic and political conflict that resulted in the death of more than 1,200 people. This created the need to deter and to punish perpetrators of hate speech. Others laws, such as the one that caters for the interception of communications, came as part of regulatory efforts to strengthen the role of intelligence services in surveillance. More recent laws, such as the Kenya Information and Communications (Amendment) Act 2013, and the proposed Access to Information law, arise from a need to implement the country's liberal 2010 constitution. Unfortunately, these recent laws have failed to live up to the progressive standards set by the constitution.

2.7.1 The Constitution of Kenya

The Constitution of Kenya, which is the supreme law - promulgated in August 2010 - includes, in Chapter 4, an extensive Bill of Rights. Article 33 of the Constitution protects each individual's freedom of expression, which extends to freedom to seek, receive or impart information or ideas, freedom of artistic creativity, academic freedom as well as freedom of scientific research (Attorney General Kenya, 2010).

However, paragraph (2) of Article 33 limits freedom of expression by stating that it does not extend to: propaganda for war, incitement to violence, hate speech or advocacy of hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm. In addition, such freedom of expression must not violate any ground of discrimination specified or contemplated under Article 27 (4) and must be exercised with respect to the rights and reputation of others.

The threat posed by such words or speech was first brought to light through a report published by the Kenya National Commission on Human Rights following the ethnically spiced propaganda

that masked the 2005 Constitutional referendum campaign. The key role that the media played in enhancing such propaganda led, among other reasons, to the enactment of the Media Act in 2007.

Article 31 of Kenya's constitution grants all citizens the right to privacy, including in the sphere of communications. Meanwhile, Article 33 (1) provides that every person has the right to freedom of expression, which includes freedom to seek, receive or impart information or ideas; freedom of artistic creativity; and academic freedom and freedom of scientific research. Crucially, however, Article 33 (2), states "the right to freedom of expression does not extend to propaganda for war; incitement to violence; hate speech, or advocacy of hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm, or is based on any ground of discrimination. "Furthermore, in Article 33 (3), the constitution stipulates that in the exercise of the right to freedom of expression, every person shall respect the rights and reputation of others.

Article 35 grants every citizen the right of access to information held by the State, and "information held by another person and required for the exercise or protection of any right or fundamental freedom." Furthermore, it provides that every person has the right to the correction or deletion of untrue or misleading information that affects the person (Collaboration on International ICT Policy in East and Southern Africa (CIPESA), 2014)

2.7.2 The National Cohesion and Integration Act of 2008

The law encourages cohesion and integration in the country by outlawing discrimination. This is defined as treating others less favorably or by applying conditions or requirements that are not fulfillable, justifiable, and are to the detriment of the victim(s), putting them at a disadvantage by separation or segregation from others. Section 13 of this Act outlaws hate speech. It states that a person who uses speech (including words, programs, images or plays) that is "threatening, abusive or insulting or involves the use of threatening, abusive or insulting words or behavior commits an offence if such person intends thereby to stir up ethnic hatred, or having regard to all the circumstances, ethnic hatred is likely to be stirred up." This law has been used to charge online journalists and bloggers, although some lawyers have suggested that this was in contravention of individuals' privacy.

Section 62 of this Act relates to the offence of ethnic or racial contempt. It states that "a newspaper, radio station or media enterprise that publishes" words intended to incite feelings of contempt, hatred, hostility, violence or discrimination against any person, group or community on the basis of ethnicity or race, is liable on conviction to a fine not exceeding KShs1 million (US$ 11,521). The law does not specifically make mention of digital platforms such as mobile phones or the internet. Nonetheless, it has been used against content published online ((Kaberia & Musau, 2013)

2.7.3 The Kenya Information and Communications (Amendment) Act 2013

Enacted in December 2013, this law created the Communications Authority of Kenya. Under Section 27, this law makes it mandatory for telecom service providers to register the particulars of telephone subscribers, namely the person's full name, identity card number, date of birth, gender, physical and postal address. Under Section 27A (2) subsection c, telecom providers are required to keep subscribers' details in a secure and confidential manner, and not to disclose them without the written consent of the subscriber. Exceptions are for purposes of facilitating statutory functions of the Authority, in connection with the investigation of a criminal offense or for purposes of criminal or civil proceedings. Offending operators may be sentenced to a fine of up to KShs 5 million (US$ 57,605).

The Act states that freedom of the media and freedom of expression may be limited "to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom. "Specifically, the right to freedom of expression does not extend to the spread of propaganda for war; incitement to violence; the spread of hate speech; or advocacy of hatred that constitutes ethnic incitement, vilification of other persons or community or incitement to cause harm; or is based on any ground of discrimination.

2.7.4 The Communications Amendment Act 2009

This Act gave the Communications Commission of Kenya (CCK) regulatory powers over broadcasting and telecommunications services. Under section 27, it provides that the minister, in consultation with CCK, will make regulations for telecoms services, and these shall include

regulations on the privacy of telecommunications. The law creates the offense of improper use of telecom services. Section 29 penalizes any person who by means of a licensed telecommunication system "sends a message or other matter that is grossly offensive or of an indecent, obscene or menacing character"; or sends a message that he knows to be false for the purpose of causing annoyance, inconvenience or needless anxiety to another person." A convicted person is liable to a fine not exceeding KShs 50,000 (US$576), or a jail term not exceeding three months, or both.

Meanwhile, Section 31 relates to the interception and disclosure of subscribers' communications by a telecoms operator. An operator who intercepts a message, or discloses the contents of an intercepted message to a third party, is liable on conviction to a fine not exceeding KShs300,000 (US$3,462) or a maximum prison sentence of three years, or both. The law also stipulates a KShs200,000 (US$ 2,304) penalty or imprisonment of not more than two years, or both, for unauthorized use of computers (Section 83U). Meanwhile, Section 83W states that a person who "intercepts or causes to be intercepted, directly or indirectly, any function of, or any data within a computer system" is liable to a fine not exceeding KShs 500,000 (US$ 5,760) or imprisonment for a term not exceeding three years or both.

Sexual content is regulated under Article 84D. The article states that a person who "publishes or transmits or causes to be published in electronic form, any material which is lascivious or appeals to the prurient interest and its effect is such as to tend to deprave and corrupt persons" can be sentenced to a maximum of two years and fined up to KShs200, 000 (US$ 2,304).

2.7.5 The National Intelligence Service Act, 2012

This law gives security agencies the powers to monitor communications as well as to "search for or remove or return, examine, take extracts from, make copies of or record in any other manner the information, material, record, document or thing." It describes the term 'monitor' as the "means to intercept, listen to, record or copy using any device. "Under Article 45, a member of the intelligence service needs to obtain a warrant for authorization to do monitoring. The law does not state in detail what kinds of communications may be monitored and does not use the term 'interception'. Kenya does not have a stand-alone law on interception of communications.

There are no publicly recorded instances when Kenya used the National Intelligence Service Act 2012 to intercept communications.

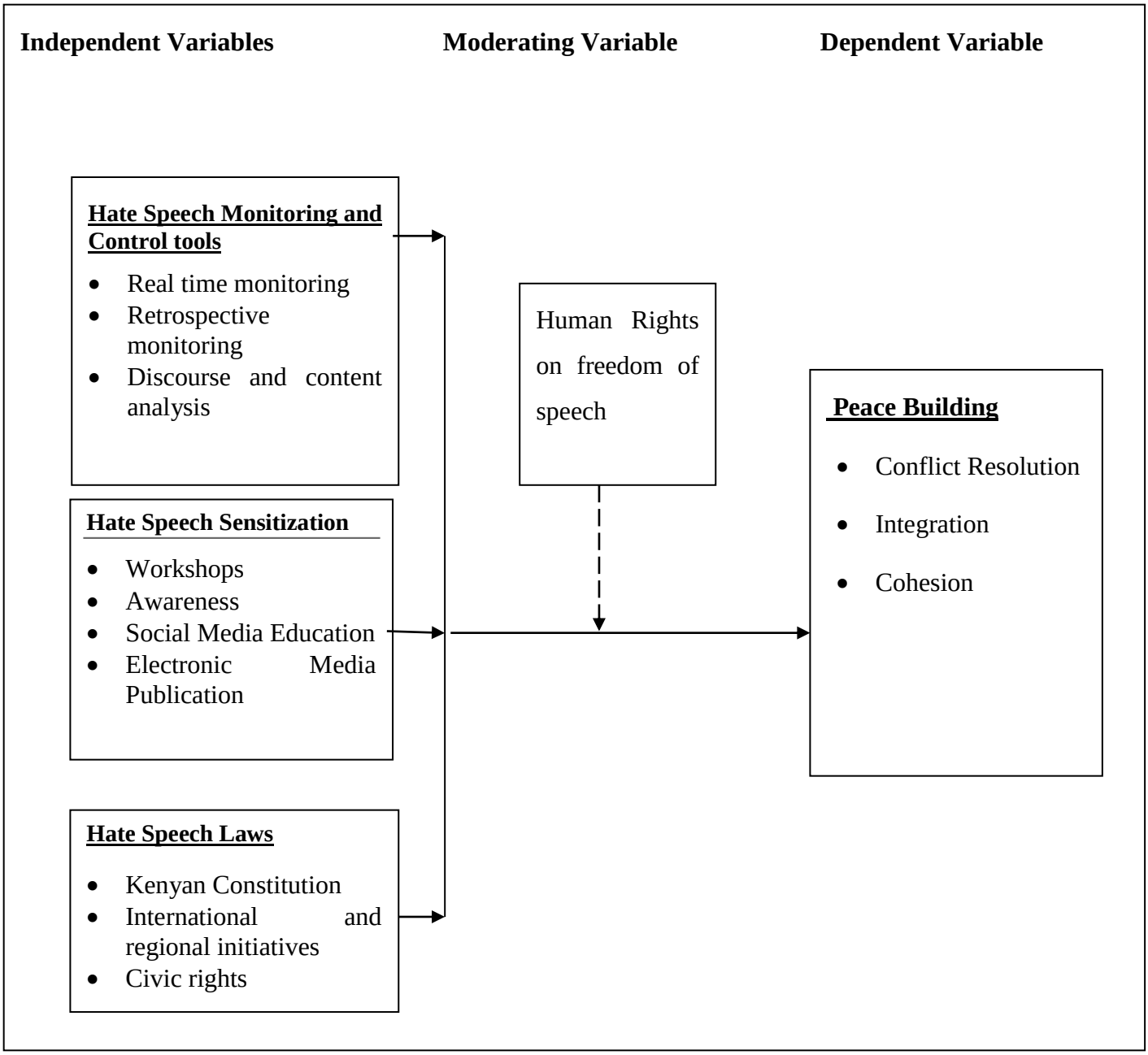
2.7.6 The Access to Information Bill 2013

Kenya published a draft access to information bill in January 2007 but there has been little progress on passing it into law. The new government in 2013 promised to fast track the enactment of the law, one of whose objectives is to give effect to the right to access to information by citizens as provided for under Article 35 of the Constitution. The law's other objectives, as outlined in Article 3, are to: provide a framework for the proactive disclosure by public entities and private bodies of information that they hold and the provision of information on request in line with the constitutional principles; provide a framework to facilitate access to information held by public entities and private bodies in order to ensure the protection of any right conferred by the Constitution and any other law; promote routine and systematic disclosure of information by public entities and private bodies based on the constitutional principles relating to accountability, transparency, public participation and access to information; provide for the protection of persons who disclose information in the interest of public and in good faith; and lastly , to provide a framework to facilitate public education on the right to access to information under this Act

2.8 Conceptual framework

The conceptual framework shown in figure 2.1 below guided the study.

Figure 2 Conceptual Framework to the Study



2.9 Knowledge Gap

Generally, there are limited studies on hate speech control for peace building in Kenyan social media particularly bloggers despite the fact that there are bodies such as the NCIC who are responsible for hate speech control. There is also limited literature on factors affecting hate speech control particularly the monitoring and evaluation tools.

2.10 Summary of Literature Review

This chapter reviewed literature on factors influencing hate speech control for peace building in the social media. Hate speech was defined and its implications given. Hate speech monitoring and control tools, sensitization and laws were reviewed in detail. A theoretical framework was given followed by a conceptual framework, which explained the relationships between the variables in the study.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter presents the research design used, the target population to the study and the sample size. It also explains the data collection procedure, analysis and research instruments used in the study. It has also focused on validity and reliability of instruments and ethical issues.

3.2 Research Design

A descriptive design was used in the research where data was collected using structured questionnaire and analyzed both qualitatively and quantitatively. This style is more appropriate because the research aims to explore and describe the factors affecting hate speech control and to test the relationships between these factors in order to access their effectiveness. Qualitative research is where data are in the form of words rather than numbers thereby permitting the research to go beyond statistical results. Quantitative research on the other hand, includes design, techniques and measures that produce discrete numerical or quantifiable data (Mugenda & Mugenda, 2003). Mugenda and Mugenda also describes a descriptive design as an attempt to collect data from members of a population in order to determine the current status of that population with respect to one or more variables. A descriptive survey collects evidence from a small sample of population (Mutea, 2007). The design was chosen because it is an efficient method of collecting descriptive data regarding characteristics of a sample population, current practices, conditions or needs. The design also allowed the researcher to gather information regarding the respondent's opinion, perceptions, attitudes and views in an economic way (Amin, 2005).Collected data was processed and analyzed through coding questionnaire responses, tabulating the data and performing several statistics computations.

3.3 Target Population

Kothari(2004) describes population as all items in any field of inquiry. A research population is

generally a large collection of individuals or objects that is the focus of the objectives. The target population for this study will be bloggers in Kenya as listed by (Kabweza, 2015).According to statistics by Bloggers Association of Kenya(BAKE), there are approximately 3000 active bloggers in Kenya (Bake, 2015).However, this is quite a large group for the research to be complete in six months therefore careful sampling was done. In order to do this the researcher selected the target population from the list of bloggers nominated for Kenya blog awards 2015 by Bloggers Association of Kenya, it comprises of 85 bloggers listed in 18 categories.

3.4 Sample Size and Sampling procedure

This section presents how the sample size was determined which includes sampling technique used in selecting elements from the target population

3.4.1 Sample Size

The sample design involves coming up with definite plan for obtaining the sample from the identified population. Sampling refers to the selection of individuals, units, and/or settings to be studied (Creswell, 2002).The sample size must be representative of the population on which the study used to generalize the findings and small enough to meet and maximize financial and economic constraints (Amin, 2005).

The sampling frame also known as the source list from which the sample is drawn. It contains the names of all items of a universe/population(Kothari, 2004). All bloggers nominated by BAKE for Kenya Blog awards 2015 formed the sampling frame. The bloggers were grouped into strata based on 18 categories. Using the Krejcie and Morgan 1970 sample size table, the study found the sample size to be 70 bloggers in Kenya as listed by BAKE for Kenya Blog awards 2015.The method of proportional allocation was used in order to ensure that the numbers of sizes from the different stata are kept proportional to the size of the Strata. According to his book (Kothari, 2004), If P_i is the propotion of population included in stratum*i*, and *n* represents the total sample size, the number of of element selected from stratum *i* is $n*P_i$. The formula below was used;

$$P_i=(N_i / N)$$

$n_i = n^* P_i$where

n = Sample size

N_i = Strata Population size

N = Population size

The table below shows the number of items selected from each stratum while adopting the proportional allocation to get the sample sizes as under the different strata.

Table 3. 1Distribution of samples along the category under consideration

Category *Stratum i*	**Stata Population Size** N_i	**Propotion of Population** $P_i=(N_i / N)$	**Number of Elements selected** $n_i= n^* P_i$
Technology Blog	5	0.059	4
Photography Blog	5	0.059	4
Creative Writing Blog	5	0.059	4
Business Blog	5	0.059	4
Food Blog	5	0.059	4
Environmental/ Agriculture blog	4	0.047	3
Fashion/Beauty/Hair/Style Blog	5	0.059	4
Politics Blog	5	0.059	4
New Blog	4	0.047	3
Corporate Blog	5	0.059	4
Topical Blog	5	0.059	4
Sports Blog	5	0.059	4
Entertainment/ Lifestyle	5	0.059	4

Blog			
Educational Blog	3	0.035	2
Travel Blog	5	0.059	4
Health Blog	4	0.047	3
County Blog	5	0.059	4
Blog of the year	5	0.059	4
Total	**85**		**70**

3.4.2 Sampling Procedure

The population was stratified into 18 categories along which categories for awards were formed. Stratification of the population of bloggers and their respective categories generated sub populations that were more homogeneous individually than the population and the elements were selected from each stratum. Since each stratum is more homogeneous than the total population, we are able to get estimates that are more precise for each stratum and by estimating more accurately each of the component parts, we get better estimate of the whole. Hence as (Kothari, 2004) argues, stratified sampling results in more reliable and detailed information. The selection of element from each stratum was done using simple random sampling.

3.5 Research Instrument

A self-administered questionnaire was developed for data collection in this research to survey the respondents. A questionnaire can be defined as a printed form containing a set of questions for gathering information (Mutea, 2007). An online mailed survey questionnaire was used. This choice is due to the fact that there is a huge population that is sparsely distributed over Kenya they are however easily available online. The questionnaire consisted of four sections: First section addresses the demographic data and the other three addressed the three research objectives. The questionnaire contained structured questions.

3.5.1 Pilot testing of the instrument

According to (Mugenda & Mugenda, 2003), a research instrument should be pretested using

10% of the sample size. The research instrument in this study was pretested using nine bloggers representing 10% of the sample size. The nine bloggers were sampled using simple random sampling from the entire pool of 85. The results of the pilot study were discussed with the respondents to make the required adjustments. The major objective was to test the instrument validity and reliability. The purpose of pretesting is to assess the clarity of the instrument, the validity and reliability of each of the items in the instrument and the sustainability of the language used in the instrument.

3.5.2 Validity of the Instrument

Validity is the accuracy and meaningfulness of inferences, which are based on the research results (Mugenda & Mugenda, 2003). It is the degree to which the results obtained from an analysis of the data actually represents the phenomenon under study. In order to get consistent, stable and correct data, the research instruments were checked for validity by use of Experts including the researcher and project supervisor in order to ensure that the instrument measures what it purports to measure. At the creation level, it is necessary particularly for the questionnaire to have face validity. This is to guarantee that each question is related to the topic under investigation and an adequate coverage of the overall topic. Validity was also conducted in order to ensure that the instrument was constructed in a manner that would not mislead the respondent in the course of providing information. This also ensured that the items in the instrument were a representative tale of the skills and traits that comprised the area to be measured and more importantly, to ensure that the research objectives were addressed by the information sought in the instrument.

3.5.3 Reliability of the Instrument

Mugenda and Mugenda (2003) define reliability as a measure of degree to which a research instruments yields consistent results after repeated trials. A measuring instrument is reliable if it provides consistent results (Kothari, 2004). Reliabilty of a research instrument was influenced by random error. The random error is thedeviation of an instrumentmeasureddueto factorssuch as ambiguous instructions to subjects,questionaire fatigues amoung others: the smaller the deviations,the more reliable the instrument.Acoefficient of0.80 or more implies that there is high

degree of reliability of the data. This study used the split-half technique to test for reliability of the instrument. This is where sample of domain indicators, measuring a variable, was administerd to a group of subjects. The randomly scored domain of indicators were then divided into odd and even. Then each subject's total score of domain of indicators were calculated and the score on the two groups, by all subjects correleted using pearson product moment. The pearson-brown prophesy formula was used to calculate the correletion of the instrument. The formula below was used to arrive at a coefficient of 0.89.

$$\text{Reliabilty of scores of total test} = \frac{2 * \text{reliability for } {}^{1}/_{2} \text{ test}}{1 + \text{reliability for } {}^{1}/_{2} \text{ tests}}$$

3.6 Data Collection Procedure

The letter of request to conduct the research was sent to the University of Nairobi, Department of Extra-mural studies, Nakuru Campus. A letter of introduction to collect data was consequently obtained; official authorization was also requested from the National Commission of Science, Technology and Innovation to administer the questionnaires to the respondents. Data collection began with preliminary works that involved the familiarization of the study area, target population, sampling frame and sample size. This followed with training of research assistants. The researcher then began by pre-testing the research instrument and finally the questionnaires were administered to the respondents.

3.7 Methods of Data Analysis

The term research analysis refers to the computation of certain measures along with searching for patterns of relationship that exists among variables (Kothari, 2004). Data collected by the stated instrument have to be analyzed in order to shed light to this research problem. The data collected was processed using five major steps. To start with, all data was edited, coded, tabulated and classified so that they can be ready for analysis. T-tests were used to check for moderating influences of the demographic variables. The synthesis involved selecting, organizing, and analyzing the materials collected into topical themes and central ideas or concepts. Using this

guide the data collected was broken down and classified into groups based on the problem/solution being considered. Correlation and regression analysis was used to determine associations between the factors and further analysis done using the Statistical Package for Social ScientistsSPSS16.0 computer package. Descriptive statistics was derived to interpret data using frequency tables, measures of central tendencies and percentages. The results were then presented in the form of tables and from this, conclusions were drawn based on the objectives then recommendations were developed. The relationship between independent and dependent variables for each question were determined by use of Pearson's correlation tests.

3.8 Ethical Considerations

The researcher began collection by briefing the respondents on the objectives of the study, the research instrument and how the findings of the study were utilized. This was done to avoid any misunderstanding that could crop up about the purpose of the research. The researcher also assured the respondents of uttermost confidentiality of the information that they provided. The information gathered by this study was purely used for the purpose intended by this study.

3.9 Operational Definition of Variables

The table 3.2 below shows the dependent and independent variables used in the study, their measurement indicators, sources of data, measurement of tools and tools to be used for data analysis.

Table 3. 2Operational Definition of variables

Research Objective	Variable	Indicators	Data Sources	Measurement Scale	Tools of Analysis
	Dependent Peace Building	Peace Equality Cohesion	Questionnaire.	Ordinal scales.	Descriptive statistics. Frequency

		Integration Community participation			Percentages
To establish the extent to which hate speech control tools affect peace building in Kenyan social media.	**Independent** Monitoring and Control tools	Knowledge of monitoring and control tools. Efficiency, reliability and correctness of monitoring and control tools.	Questionnaire	-Ordinal scale.	Descriptive statistics. Frequency Percentages Spearman's correlation tests
To investigate the extent to which hate speech sensitization affect peace building in Kenyan social media.	**Independent** Sensitization	Knowledge of hate speech and its forms. Hate Speech Incidences	Questionnaire	Ordinal scale	Descriptive statistics. Frequency Percentages Spearman's correlation tests
To analyze the extent to which existing laws affect peace building in Kenyan social media.	**Independent** Laws	Acknowledgement of exciting laws Knowledge of monitoring and control bodies Number of prosecuted hate speech incidences.	Questionnaire	-Ordinal scale. -	Descriptive statistics. Frequency Percentages Spearman's correlation tests

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION, INTERPRETATION AND DISCUSSION

4.1 Introduction

This chapter presents findings of the study organized under the following thematic areas: Questionnaire response rate, demographic characteristics of respondents, Hate speech control for peace building, hate speech monitoring and control tools, hate speech sensitization and Kenyan hate speech laws. The sections below present the study findings in accordance to the study objectives that have been presented in tables and interpretation of the findings.

4.2 Response Rate

70 questionnaires were issued to respondents; out of this, 59 were filled and returned bringing a response rate of 84%, which was considered adequate by the researcher. According to Bailey (2008) a response rate of 50 and above is considered to give responses that are reliable. The bloggers were stratified into categories of 18. The table 4.1 below shows the questionnaire return rate in each category of stratification.

Table 4. 1Response Rate

Category *Stratum i*	**No of questionaires returned**	**Target number of questionaires**	**Response rate percentage**
Technology Blog	3	5	60
Photography Blog	3	4	75
Creative Writing Blog	4	5	80
Business Blog	3	4	75
Food Blog	4	4	100
Environmental/ Agriculture blog	2	4	50

Fashion/Beauty/Hair/Style Blog	4	4	100
Politics Blog	4	4	100
New Blog	3	3	100
Corporate Blog	3	4	75
Topical Blog	4	4	100
Sports Blog	4	4	100
Entertainment/ Lifestyle Blog	4	4	100
Educational Blog	1	2	50
Travel Blog	3	4	75
Health Blog	3	3	100
County Blog	4	4	100
Blog of the year	3	4	75
Total	**59**	**70**	84.28571

4.3 Demographic characteristics of respondents

The study sought to determine the demographic characteristics of the Kenyan bloggers under study. The respondent's gender, age group and frequency of going online in a week were determined. The results are discussed in the following subsequent sub-themes

4.3.1 Gender of the Respondents

The response for the gender characteristics of the respondents is as given in Table 4.2

Table 4. 2Gender of Respondents

	Frequency	Percent
Male	36	61
Female	19	32.2
Missing	4	6.8
Total	**59**	**100.0**

The study established that 61% were males while 32.2% were females. This showed that majority of the respondents were male. However, 6.8% of the respondents did not fill this question.

4.3.2 Age groups of Respondents

The respondents were asked of their age groups, the findings were then tabulated as follows.

Table 4. 3Age Group of Respondents

	Frequency	Percent
18-25 Years	7	11.86
26-30 Years	23	38.98
31-35 Years	12	20.34
36-40Years	14	23.73
41-45 Years	3	5.08
46-50 Years	0	0
Over 50 Years	0	0
Total	**59**	**100**

The findings on Table 4.3 show respondents between 26-30 years had 38.98%, which was the highest percentage. This was followed by 23.73% who were between the ages of 36-40 years, 20.34% between 31-35 years, and 11.86% between 18-25% and lastly, the age group 46-50 accounted for 5.08%of the respondents. However, the age groups 46-50 and over 50 were not blogging. It was concluded that the young between 26-30 years were the majority of bloggers. The ages of the respondents imply that the youth mostly own blogging sites in Kenya.

4.3.3 Frequency of going online in a week

The responses on frequency of going online in a week is shown on Table 4.4

Table 4. 4 Frequency of going online in a week

	Frequency	Percent
Always	17	28.81
2-4 Hours Daily	10	16.95
5-8 Hours Daily	22	37.29
Every second day	4	6.78
Twice a week	3	5.08
Once a week	1	1.69
Less than once a week	2	3.39
Total	**59**	**100%**

From the findings of the study majority of the blogger are online between 5-8 hours daily and others are online daily at 28.81% . This is an indication that majority the Kenyan bloggers spend most of their time online since they write articles and respond to public responses on whatever they have written. However only 1.69%of the respondents are online once a week.

4.4 Hate speech control for Peace Building

A few questions were asked to measure the independent variable peace building based on its indicators. Table 4.8 below shows the results followed by a discussion of the findings

Table 4. 5 Responses to hate speech control

	Questions Asked	% Strongly Agree	% Agree	% Undecided	% Disagree	% Strongly Disagree
1.	Hate Speech control promotes peace	28.81	59.32	3.39	8.47	0.00
2.	Hate Speech control promotes cohesion and integration	20.34	67.80	5.08	6.78	0.00

3.	All forms of hateful messages amounts to hate speech	3.39	13.56	11.86	45.76	25.42
4.	It is not difficult to define hate Speech	6.78	32.20	10.17	37.29	13.56
5.	Hate Speech is not something to be tolerated but to be combated	23.73	64.41	5.08	6.78	0.00
6.	I have made significant effort in contribution to control of hate speech in the internet	8.47	27.12	8.47	49.15	6.78
	Average	15.25	43.79	7.34	25.99	7.63

There was a positive response to where more than half appreciated the need for peace building at an average of 43.79% agreeing and 15.25% strongly agreeing to hate speech control for peace building. Majority agreed to the facts that hate speech promotes peace where 59.32%agreed, 28.81% strongly agreed whereas 8.47 disagreed and 3.39% were undecided. Interestingly, there was a negative reaction to the question that states, all forms of hateful messages amounts to hate speech where 45.76% disagreed and 25.42% strongly disagreed. In addition, respondents generally felt that they have not significantly contributed to control of hate speech in the internet with 50.85% disagreeing and 6.78% strongly disagreeing. To the positive, respondents generally agreed that hate speech is not something to be tolerated but to be combated with 64.41% agreeing and 23.73% strongly agreeing. There was a mixed reaction to defining hate speech where 32.2% agreed and 6.78% strongly agreed that it is not difficult to define hate speech. 10.17% were undecided on the definition on hate speech while 37.29% disagreed and 13.56% strongly disagreed that it is not difficult to define hate speech.

4.5Hate speech monitoring and control tools

Hate speech monitoring and control tools is a very important factor when trying to understand control of hate speech for peace building in Kenyan social media. It is hoped that if monitoring tool are accurate and efficient then hate speech will significantly reduce. The table4.5 below shows the findings to the questions asked with regard to the different monitoring and control

tools available.

Table 4. 6 Responses to hate speech monitoring and control tools

	Questions Asked	% Strongly Agree	% Agree	% Undecided	% Disagree	% Strongly Disagree
1.	I advocate use of real-time online software's to monitor and report on hate speech usage	13.56	15.25	16.95	47.46	6.78
2.	I advocate analysis before prosecution of online hate speech after it has happened by looking at archives of messages	6.78	40.68	10.17	28.81	13.56
3.	A flagged speech should first be analyzed within their social and political context before branding as hate speech	42.37	32.20	6.78	11.86	6.78
4.	Monitoring software is not a stabling block to media freedom of expression and privacy	6.78	13.56	5.08	42.37	32.20
5.	The use of monitoring tools is a good preventive measure to reduce hate speech incidences	15.25	15.25	23.73	18.64	27.12
6.	Commercial Internet service providers should control content on hate speech	3.39	16.95	6.78	52.54	20.34

7.	I advocate for removal of hate from the internet	20.34	49.15	6.78	13.56	10.17
8.	There exists several Kenyan hotlines to report hate speech	0.00	13.56	20.34	28.81	37.29
	Average	13.56	24.58	12.08	30.51	19.28

From the table above, it is clear that majority of the respondents disagree with the monitoring and control tools used to monitor hate speech. Respondents particularly did not advocate for use of real time online software to monitor and control hate speech. This could be attributed to the fact that most feel their freedom to privacy is violated, as the software would constantly monitor their online work. Interestingly is the fact that majority at 42.37% advocate for context analysis of flagged speech before being branded as hate speech. More than half of the respondents at 52.54% did not agree to removal of content by commercial internet service providers that they have subscribed for . There seems to be a negative implication on existence of hotlines to report hate speech 37.29% strongly disagreed, 28.81% disagreed, 20.34% were undecided, 13.56% agreed and interestingly none strongly agreed. This implies that majority are not aware of existence of hotline to report about online hate speech. On the monitoring and control tools being a preventive measure to online hate speech, majority strongly disagreed at 27.12% whereas 23.73% were undecided,18.64% disagreed and a equal proportion of the respondents at 15.25% agreed and strongly agreed.

4.6 Hate speech sensitization,

A nation has to be sensitized in order to adequately control hate speech. Sensitization was one of the factors that the research ought to understand in order to gain insights as to whether hate speech can be controlled by this factor. Respondents were asked to express their opinion to the questions in table 4.6 below regarding various forms of sensitization and their implications

Table 4. 7Responses to hate speech sensitization

Questions Asked	% Strongly Agree	% Agree	% Undecided	% Disagree	% Strongly Disagree
1. I understand what constitutes hate speech	11.86	69.49	15.25	3.39	0.00
2. It is important to inform and create awareness about online hate speech	79.66	20.34	0.00	0.00	0.00
3. I have received training/ education or attended workshops about hate speech	25.42	40.68	0.00	10.17	23.73
4. I have not written web content that would be considered hate speech	8.47	38.98	33.90	18.64	0.00
5. I know mechanisms of controlling and reporting hate speech in my blog	23.73	37.29	3.39	23.73	11.86
6. Hate speech complaints have not been raised against my blogs	37.29	25.42	11.86	20.34	5.08
7. Hate speech has the general tendency not to be reported	66.10	13.56	0.00	15.25	5.08
8. Government agencies and Non-governmental organizations NGO's have conducted civic education on dangers and implication of online hate speech	20.34	38.98	13.56	20.34	6.78
Average	**34.11**	**35.59**	**9.75**	**13.98**	**6.57**

The study sought to determine the level of sensitization among Kenyan bloggers. From the results above a majority of the respondents strongly agreed and agreed at an average of 34%.11 and 35.59 % respectively and only 6.57% of the responses were strongly disagreed to level of hate speech sensitization while 69.49% agreed to understand what constitutes hate speech. This means that most of the bloggers have been sensitized on hate speech. However, most of them are

undecided at 33.9% as to whether the content they have written could be considered hate speech this shows that there is a descipancy of what is hate speech and free speech. Very positive results were noted on the importance to inform and create awareness about online hate speech where 79.66% strongly agreed, 20.34% agreed and none was undecided, disagreed or strongly disagreed. This is a clear indication that in as much as the bloggers understand what constitutes hate speech they also know it implications and hence advocate for awareness creation. It also indicates that there is a need to trigger awareness creation to all online users. 40.68% agree and 25.42% strongly agree to have gone through a training or workshop about hate speech. 23.73% strongly disagree while 10.17 % disagreed to have received any form of training on hate speech. There were less disparities on knowledge of mechanisms to control and report hate speech incidences from the bloggers page where 37.29% agreed, 23.73% strongly agreed, 23,73 disagreed, 11.86 strongly disagreed and3.39% of the respondents were undecided. From the table above, 37.29% strongly agreed and 25.42% agreed that no complaints on hate speech have been raised concerning their blogs. 20.34% disagree and 5.08% strongly disagree that complaints have not been raised. Majority of the respondents at 66.10% strongly agree that hate speech ahs the general tendency not to be reported.

4.7 Hate speech laws

Hate speech laws were explored in this study. The table 4.7 below shows the research findings of questions asked.

Table 4. 8 Responses toHate Speech laws

Questions Asked	% Strongly Agree	% Agree	% Undecided	% Disagree	% Strongly Disagree
1. I am well informed of the Kenyan laws regarding hate speech	8.47	20.34	5.08	49.15	16.95
2. Many are aware of the existence of hate speech laws and how or where to report	6.78	18.64	13.56	47.46	13.56

3.	Online content should be controlled in accordance with the Kenyan laws	15.25	40.68	28.81	10.17	5.08
4.	Legal authorities such as the National Cohesion and Integration Commission (NCIC) , and the media Council provide oversight on online hate speech	23.73	47.46	10.17	15.25	3.39
5.	Bloggers and general internet users have been fairly charged and prosecuted by the Kenyan court due to peddling of hate speech in social media	3.39	8.47	20.34	45.76	22.03
6.	Current laws are enough to control hate speech in Kenyan social media	6.78	16.95	22.03	37.29	16.95
7.	Restricting hate speech does not contradict the democratic principles of freedom of speech and right to free expression.	15.25	35.59	6.78	28.81	13.56
8.	Hate speech laws will not affect my work as a blogger	16.95	52.54	8.47	20.34	1.69
	Average	12.08	30.08	14.41	31.78	11.65

From the findings in table 4.7, there was a general mixed reaction to questions regarding use of law to control hate speech in Kenyan social media 30.08% of the respondents agreed while 31.76% of the respondents disagreed. On particular questions of this category, the result varied. 49.15% disagreed to the fact that they are well informed of the Kenyan laws regarding hate speech. 20.34% agreed, 16.95% strongly disagreed, 8.47% strongly agreed while 5.08 were undecided to being well informed of the Kenyan laws regarding hate speech. 47.46% disagreed, 18.64% agreed, 13.56% were undecided and strongly agreed while 6.78%strongly agreed that many are aware of the existence of hate speech laws, and how or where to report it.. Respondents generally concurred that legal authorities such as the NCIC and the media council should provide oversight on online hate speech where 47.46% agreed and 23.73% disagreed. Respondents feel

that bloggers and general internet users have been unfairly charged and prosecuted by the Kenyan court due to peddling of hate speech in the social media where45.76% disagreed, 22.03% strongly disagreed and 20 .34% were undecided on this issue. There was a grey line to current laws being enough to control hate speech in the Kenyan social media where 37.29% disagreed, 22.03% were undecided and 16.95% agreed and strongly agreed. Lastly, there was a general view that hate speech laws would affect the respondents work as a blogger. The finding showed that 52.54% agreed and 16.95% strongly agreed to hate speech laws affecting their work whereas 20.34%disagreed to this fact.

4.8 Correlation between the study's dependent and independent variables

The following section will discuss the relationship between the dependent variable peace building and the individual independent variables to the study that includes hate speech monitoring tools, hate speech sensitization and Kenyan laws on hate speech.

4.8.1 Correlation between hate speech monitoring and control tools and peace building

Table 4.9 below highlights the correlation between hate speech monitoring and control tools and peace building. The findings of the study reveal that r = .0255 thus there is a small positive correlation between hate speech monitoring and control tools and peace building. P (0.007) <0.05, thus the relationship is significant. This implied that with increase in hate speech monitoring and control tools then peace building is fostered. Hate speech monitoring and control tools are categorized to real time monitoring and control tools, retrospective monitoring and control tools, discourse, and content analysis.

Table 4. 9Correlation between hate speech monitoring and control tools and peace building

		Peace Building
Hate speech monitoring and control tools	Pearson Correlation	.255
	Sig. (2-tailed)	.007
	N	59

4.8.2 Correlation between hate speech sensitization and peace building

A correlation analysis was undertaken to establish the relationship between Hate speech sensitization and peace building. Table 4.10 indicates the correlation between the two variables as 0.781 implying a strong positive correlation. The p value is less than 0.05 hence the relationship is significant. With an increase in hate speech sensitization, peace building increases.

Table 4. 10Correlation between hate speech sensitization and peace building

		Peace Building
Hate speech sensitization	Pearson Correlation	.781
	Sig. (2-tailed)	.000
	N	59

4.8.3 Correlation between hate speech laws and peace building.

A correlation analysis was undertaken to establish the relationship between Hate speech laws and peace building. Table 4.11indicate the correlation between the two variables as 0.317 implying a moderate positive correlation. The p value is less than 0.05 hence the relationship is significant. With an increase in hate speech laws, peace building increases.

Table 4. 11Correlation between hate speech laws and peace building.

		Peace building
Hate speech laws	Pearson Correlation	.317
	Sig. (2-tailed)	.018
	N	59

CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter comprises summary of the findings of the study, conclusions, and recommendations made to the study. Suggestions for further study have also been indicated. The study sought to establish the factors that affect hate speech control for peace building in social media. A case of Kenyan bloggers.

5.2 Summary of the Findings

Out of the 70 questionnaires that were distributed, 59 were returned hence the response rate for the study was 84%. Male respondents were 61% while female were 32.2%. The majority of the respondents were between 26-30 years old. Most of the respondents are online 2-4 hour daily and 28.81% are always online.

On hate speech monitoring and control tools, there was a weak positive correlation with the independent variable hate speech control. However, with an increase in efficiency and accuracy of these tools, hate speech control for peace building will greatly increase. Most respondents were not comfortable with use of real time monitoring tools however, they advocated for discourse and content analysis as a tool where a flagged speech is first analyzed within their social and political context before branding as hate speech. Respondents also moderately advocated for analysis of speech before prosecution for hate speech after it has happened by looking at message archives. Of keen interest is the fact that most do not know of existing mechanisms to report hate speech such as hotlines hence this has to be heavily publicized by the relevant bodies.

Sensitization was a factor that had a strong positive correlation with hate speech control for peace building meaning that with an increase in sensitization, hate speech will be eliminated or greatly reduced on the internet. Majority of the respondents understood what constitutes hate

speech, they strongly agreed that it is important to inform and create awareness, train and conduct workshops on hate speech control. However, a sizable percentage had not attended training or any form of hate speech awareness. Conspicuously most were undecided as to whether they had written material that can be considered hate speech this could be attributed to the grey line between hate speech and freedom of expression and free speech. The findings also indicate that there is a need for relevant government agencies and non -governmental organizations to conduct civic education on dangers and implications of hate speech.

Lastly, the existing law on hate speech control was an objective of the study with an aim of finding out if it affects hate speech control for peace building. The findings indicate that there is a moderate correlation between the laws and peace building. According to the research findings, most were not aware while others did not appreciate the existing laws however more than 30% agreed that restricting hate speech does not contradict to the democratic principles of freedom of speech and right to free expression.

5.3 Conclusion

Arriving at what exactly constitutes hate speech remains a challenge to all societies living in Kenya and the world over. Based on the findings of the study, it was concluded that hate speech control is a fairly new phenomena but a strong need for its sensitization and a continuous training and awareness creation to all internet users particularly bloggers.

Legal researchers need to do more work to investigate into the justice ability of hate speech and hate crimes within State laws. The success of hate speech in the criminal justice does not only need evidence and burden of proof but most importantly the political good will and advancement in the study of modern technology. Kenya's current Constitution should be amended to contain a provision, which clearly and fully protects the right to freedom of expression, and the duty of the state to prohibit incitement to hatred.

Finally, it cannot be over emphasized that hate speech is not free speech and should in fact be regulated; free speech, however, must be protected to the highest standards through all attempts at the regulation of online hate speech. The free flow of information and freedom of expression

and speech will inevitably surface in future debate on the regulation and freedom of the Internet. In regulating online hate speech, the words of Abraham Foxman and Christopher Wolf resound: "The Internet community can address the problem without compromising our vital historic commitment to freedom of expression" (Foxman & Wolf, 2013)

5.4 Recommendation

Following the findings, the study gave the following recommendations.

I. Bloggers should seek legal advice before publishing sensitive topics likely to breach the law
II. Creation of monitoring tools should involve all the stake holders
III. The circumstances and laws under which individuals are charged over their online activities need to be clarified. The National Cohesion and Integration Act has improperly been applied to take action against individuals accused of propagating hate speech.
IV. There should be clear definitions of what constitutes hate speech and 'causing annoyance' as grounds for taking legal action against individuals.
V. Conversations on what constitutes free speech and the distinction between blind control and respect for freedom of expression online should be fostered and should draw in civil society, the bloggers, religious organizations and government departments.
VI. Create awareness among the bloggers and human rights defenders on internet freedoms and encourage development of a network of advocates and educators on online freedoms.
VII. The NCIC, police and other security organs should make public all results of their surveillance of citizens' communications, as well as investigations and prosecutions of hate speech and other offences and crimes committed via digital technologies.
VIII. The law should clearly specify the responsibilities of intermediaries and other parties in relation to filtering, removing and blocking content, the steps that need to be followed in these processes as well as appeal processes where there is an attempt to filter, remove or block a site or content.

5.6 Suggestions for Future Studies

The study gave the following suggestions:

1. A study to be undertaken to examine the influence hate speech monitoring tools to its control
2. An in depth assessment, evaluation and discussion of existing Kenyan laws regarding hate speech control.

5.7 Contributions to the Body of Knowledge

Table 5.1: Contributions to the body of Knowledge

No	Objective	Contributions to Knowledge
1	To establish the extent to which monitoring and control tools affect hate speech control in Kenyan social media.	• Bloggers prefer political and social context analysis before labeling speech as hate speech
2	To analyze the extent to which hate speech sensitization affect hate speech control in Kenyan social media.	• There is a grey line between hate speech and freedom of speech
3	To investigate the extent to which existing laws affect hate speech control in Kenyan social media.	• The circumstances and laws under which individuals are charged over their online activities need to be clarified

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APPENDIXES

Appendix 1: Letter of Transmittal

Nyaruai Kiai

P.O BOX 3998,

NAKURU.

15TH May 2015

THE COUNTY COMMISSIONER,

NAKURU COUNTY,

P.O BOX 81-20100,

NAKURU.

Dear Sir/Madam,

RE: REQUEST OF CARRY OUT ONLINE RESEARCH

I am a post graduate student in the University Of Nairobi Reg. No L50/1765/2014. Currently I am taking a course in project planning and management. I am doing a research on "Factors affecting hate speech control for peace building in social media". This research is for academic purpose only, however the result of the study may be made public after the completion of the study for future researchers and other relevant stakeholders to guide them in their work.

Every care will be taken in the data collection procedure to ensure that it is within ethical limits.

Yours Faithfully,

Nyaruai Kiai

L50/71765/2015.

Appendix 2: Questionnaire

This questionnaire was designed to obtain information the study to investigate factors affecting hate speech monitoring in Kenyan social media. A case of Kenyan Bloggers. Your participation in this survey is voluntary. Data obtained will be for pure academic purposes.

Your opinion as expressed in this questionnaire is important and useful for this study. Utmost care will be taken to safeguard it and remain confidential. Kindly fill the questionnaire as freely and honestly as possible.

SECTION ONE:

Please TICK (√) the most appropriate box

1. What is your gender?

☐ Male ☐ Female

2. What is your age group

☐ 18-25 years ☐ 26-30 years ☐ 31-35 years

☐ 41-45 years ☐ 46-50 years

☐ Over 50 years

3. How often are you online each week?

☐ Always ☐ 5-8 Hours daily ☐ 2-4 hours daily

☐ Every second day ☐ Twice a week ☐ Once a week

☐ Less than once a week

SECTION TWO:

This section is about your thoughts regarding Hate Speech Control Factors. Please TICK (√) the appropriate answer to reflect the extent you agree or disagree with each of the following statements:

The extent is rated as:

Strongly Agree	5
Agree	4
Undecided	3
Disagree	2
Strongly Disagree	1

PART II: Hate speech monitoring and control tools		5	4	3	2	1
	I advocate use of real-time online software's to monitor and report on hate speech usage					
	I advocate analysis before prosecution of online hate speech after it has happened by looking at archives of messages					
	A flagged speech should first be analyzed within their social and political context before branding as hate speech					
	Monitoring software is not a stabling block to media freedom of expression and privacy					
	The use of monitoring tools is a good preventive measure to reduce hate speech incidences					
	Commercial Internet service providers should control content on hate speech					
	I advocate for removal of hate from the internet					
	There exists several Kenyan hotlines to report hate speech					

PART III: Hate Speech Sensitization						
	I understand what constitutes hate speech					
	It is important to inform and create awareness about online hate speech					
	I have received training/ education or attended workshops about hate speech					
	I have not written web content that would be considered hate speech					
	I know mechanisms of controlling and reporting hate speech in my blog.					
	Hate speech complaints have not been raised against my blogs					
	Hate speech has the general tendency not to be reported					
	Government agencies and Non-governmental organizations NGO's have conducted civic education on dangers and implication of online hate speech					
PART IV: Hate speech laws						
	I am well informed of the Kenyan laws regarding hate speech					
	Many are aware of the existence of hate speech laws and how or where to report					
	Online content should be controlled in accordance with the Kenyan laws					
	Legal authorities such as the National Cohesion and Integration Commission (NCIC) , and the media Council provide oversight on online hate speech					
	Bloggers and general internet users have been fairly charged and prosecuted by the Kenyan court due					

	to peddling of hate speech in social media					
	Current laws are enough to control hate speech in Kenyan social media					
	Restricting hate speech does not contradict the democratic principles of freedom of speech and right to free expression.					
	Hate speech laws will not affect my work as a blogger					
PART V: Hate speech Control for peace building						
	Hate Speech control promotes peace					
	Hate Speech control promotes cohesion and integration					
	All forms of hateful messages amounts to hate speech					
	It is not difficult to define hate Speech					
	Hate Speech is not something to be tolerated but to be combated					
	I have made significant effort in contribution to control of hate speech in the internet					

Appendix 3: Authorization Letter from the University of Nairobi

UNIVERSITY OF NAIROBI

COLLEGE OF EDUCATION AND EXTERNAL STUDIES
SCHOOL OF CONTINUING AND DISTANCE EDUCATION
DEPARTMENT OF EXTRA - MURAL STUDIES

Tel 051 - 2210863

P. O Box 1120, Nakuru
15th May 2015

Our Ref: *UoN/CEES/NKUEMC/1/12*

To whom it may concern:

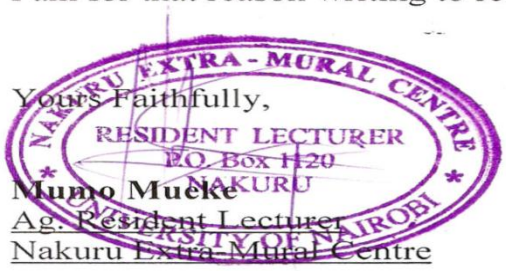
RE: KIAI REBECCA NYARUAI L50/71765/2013

The above named is a student of the University of Nairobi at Nakuru Extra-Mural Centre Pursuing a Masters degree in Project Planning and Management.

Part of the course requirement is that students must undertake a research project during their course of study. She has now been released to undertake the same and has identified your institution for the purpose of data collection on "Factors Influencing Hate Speech Control in Social Media. A case of Kenyan Bloggers.

The information obtained will strictly be used for the purpose of the study.

I am for that reason writing to request that you please assist her.



Yours Faithfully,

Munro Muéke
Ag. Resident Lecturer
Nakuru Extra-Mural Centre

Appendix 4: Krejcie and Morgan 1970 Table of Sample Size

Table for Determining Sample Size for a Given Population

N	S	N	S	N	S	N	S	N	S
10	10	100	80	280	162	800	260	2800	338
15	14	110	86	290	165	850	265	3000	341
20	19	120	92	300	169	900	269	3500	246
25	24	130	97	320	175	950	274	4000	351
30	28	140	103	340	181	1000	278	4500	351
35	32	150	108	360	186	1100	285	5000	357
40	36	160	113	380	181	1200	291	6000	361
45	40	180	118	400	196	1300	297	7000	364
50	44	190	123	420	201	1400	302	8000	367
55	48	200	127	440	205	1500	306	9000	368
60	52	210	132	460	210	1600	310	10000	373
65	56	220	136	480	214	1700	313	15000	375
70	59	230	140	500	217	1800	317	20000	377
75	63	240	144	550	225	1900	320	30000	379
80	66	250	148	600	234	2000	322	40000	380
85	70	260	152	650	242	2200	327	50000	381
90	73	270	155	700	248	2400	331	75000	382
95	76	270	159	750	256	2600	335	100000	384

Note: "N" is population size
"S" is sample size.

Source: Krejcie & Morgan, 1970