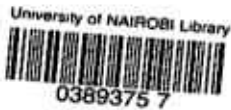


**Media as Actors in Conflict: A Case Study of Violent
Electoral Conflict in Kenya 2007-2008**

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R50/62890/2010



**A research project submitted in partial fulfillment
of the requirements of the degree of Masters of Arts
in International Conflict Management, Institute of Diplomacy and
International Studies (IDIS),
University of Nairobi.**

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Declaration

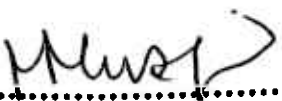
I declare that this research project is my original work and has not been submitted either wholly or in part to any other University for the award of degree or diploma.

Signature 

Date..... 31st OCTOBER 2012

Gatimu Francis Mureithi
REG NO. R50/62890/2010

This research project has been submitted for examination with my approval as the supervisor.

Signature 

Date 9/11/12

Professor Makumi Mwagiru
Professor of Diplomacy and International Conflict Management

Dedication

To my loving wife and adoring daughter, for their consistent, unconditional love, support, patience and loads of humour throughout the period of writing this project and their sacrifice in both time and resources to see to it that I completed the research in time.

Acknowledgement

Firstly, I thank God, for giving me the gift of life and granting me an opportunity to do this research project. Secondly, I owe a great debt to many people who either directly or indirectly have shaped my life in different ways enabling me to reach the point of working on this research project. From my parents who through their long and hard years of sacrifice and struggles gave me the wings to fly. To my wife and young daughter, who have-each day- brought sunshine to my life, renewing my energy and zeal to face the future.

At the University of Nairobi, I am grateful to all the lecturers at the Institute of Diplomacy and International Studies (IDIS) for their valuable teaching as they took me through the course work and broadened my knowledge in the field of international conflict management.

My sincere thanks go to Prof. Makumi Mwangiru who supervised the entire project, always ready to offer positive criticism on each Chapter of my project. He relentlessly guided me all through, bringing me back on the track whenever I lost focus. It is from his guidance that I was able to come up with a final project that can stand test of time. And I will forever remain grateful for a book he gave me, a book authored by him. I am beholden to the Media Council of Kenya (MCK) Executive Director Haron Mwangi, who graciously contributed to the research. I remain grateful also to all those who offered themselves for interviews, from the editors to ordinary journalists further enriching my project. Many more contributed in different ways to my research, and I record their invaluable contributions to my work. God bless you all.

Gatimu Francis Mureithi

Nairobi.

Abstract

This research examines media as actors in conflict with Kenya's 2007-2008 violent electoral conflict as a case study. The broad understanding is informed by the concept of the pivotal role the media plays in every modern struggle for power. The research takes cognizant of the power of the media to influence other actors in a conflict and the public itself and hence influencing the course of a conflict. The objectives of the study is to demonstrate that media are major actors in conflict; establish the role the media played during the 2007-2008 violent electoral conflict in Kenya as well as explore how the same media can be involved in positive management of conflicts. The research is guided by the social responsibility theory which holds that the right to publish is accompanied by obligations to the wider society that go beyond the personal interest, with accountability mechanism to the public clearly in place. The methodology of the research used entails both primary and secondary data sources. The primary sources included interviews and content analysis of newspaper articles published a few weeks to the elections as well as those published when the violence erupted until the signing of the peace accord in February 2008. Analysis and review of books, journals, magazines and reports of various commissions formed the core of secondary data while raw data was analyzed in descriptive perspectives. The key findings of the research are that the media were key actors during the Kenya's 2007-2008 violent electoral conflict. The research found that media indeed contributed negatively to the conflict as media organisations pursued various interests. Despite this negative role, the study also found that the media played a positive role after eruption of the violence by putting pressure on the opposing sides to dialogue and calls to an end of the political crisis. The study found that the media also actively engaged in calling for peace across the country. This demonstrates that the media can be harnessed for positive management of conflicts in a society.

Abbreviations

AU	African Union
CCK	Communications Commission of Kenya
CIPEV	Commission of Inquiry into Post-Election Violence
ECK	Electoral Commission of Kenya
EU	European Union
FPF	Former Presidents Forum
ICC	International Criminal Court
KANU	Kenya African National Union
KBC	Kenya Broadcasting Corporation
KDF	Kenya Defence Forces
KHRC	Kenya Human Rights Commission
KNA	Kenya News Agency
KNDR	Kenya National Dialogue and Reconciliation
KNCHR	Kenya National Commission on Human Rights
KUJ	Kenya Union of Journalists
MOU	Memorandum of Understanding
NARC	National Rainbow Coalition
NATO	North Atlantic Treaty Organization
NMG	Nation Media Group
NGOs	Non Government Organisations
PEV	Post Election Violence
PNU	Party of National Unity
ODM	Orange Democratic Movement
OHCHR	Office of the High Commissioner for Human Rights
ODM	Orange Democratic Movement
ODM-K	Orange Democratic Movement-Kenya

UN	United Nations
UN	United Nations
VOK	Voice of Kenya

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Chapter One

Introduction to the Study

1.1 Introduction

The nature of violent conflict has shifted dramatically in the post-Cold War era. Where war used to occur as an expression of foreign policy, it now more commonly takes place within states. According to Munkler, the course of new wars is determined by the dispersion, not the concentration, of forces in space and time, usually in accordance with the principles of guerrilla warfare.¹ He adds that the distinction between front, rear and homeland breaks down so that fighting is not restricted to a small sector but may flare up anywhere.² In a civil war, belligerents can refer either to the government that uses its military to maintain control and defeat the rebels or to the rebels who engage in sustained armed conflict against the government.³ High levels of civilian casualties, human rights abuses and refugee flows mean that civil wars generate humanitarian crises, posing serious challenges to the international system.

Civil conflicts are caused by factors that often appear intractable in their complexity. Brown says conflicts are rooted in structural, political, economic/social and cultural/perceptual causes and that new agendas countering political leadership might contribute to de-escalation or escalation of these conflicts.⁴ To Brown, when such conflicts reach mainstream media, the broader population also gets involved.⁵

¹ Munkler, H. *The New Wars* (United Kingdom: Polity Press, Cambridge, 2005) p. 12.

² *Ibid*, 12.

³ Lounsbury, O. M. & Frederic P. *Civil Wars: International Struggles, Global Consequences* (Canada: University of Toronto Press, 2009) p 6.

⁴ Brown, M. E. *The International Dimensions of Internal Conflict* (United Kingdom: MIT Press Cambridge, 1996) p. 575.

⁵ *Ibid*.

During conflicts, the mainstream media (newspapers, TV and radio) become an important factor in the formation of public opinion and attitude. According to Steinberg, there is a tendency to accept the media uncritically because they are not only present and familiar but more significantly are constantly on one's consciousness.⁶ Steinberg adds that questions about the role of media and about the balance between media freedom and social responsibility in the context of violent conflicts have constantly been raised.⁷ To Ashford, in times of conflict, the media become part of the conflict, whether or not that is their intention.⁸ The media becomes an actor in that conflict influencing even its course or direction. Over the years, competition for power involving various political players has been a source of conflict in many countries globally and more so in Africa. In most of these conflicts, the media emerge as key actors. Kenya has not been an exception. For instance, a disputed presidential election in 2007 plunged Kenya into one of its worst crises and violence that resulted to killings, displacement of populations and destruction of property. On this day, an estimated ten million Kenyans went to the polls in what was generally anticipated to be the most hotly-contested and close-run presidential, parliamentary and civic elections in the country's 45 years since emerging from British colonial rule.⁹ The presidential contest mainly centered on the Party of National Unity (PNU) which incumbent President Mwai Kibaki was using to defend his seat and the Orange Democratic Movement (ODM) which had Raila Odinga as its candidate.

⁶ Steinberg, S. *The Communicative Arts; An Introduction to Mass Media* (Canada: Saunders of Toronto Ltd, 1970) p. 265.

⁷ Ibid, 146.

⁸ Ashford, M. & Guy, D. *Enough Blood Shed; Solutions to Violence, 101 Terror and War* (Canada: New Society Publishers, 2006) p. 146.

⁹ *The Independent Review Commission (IREC) Report* (Nairobi: Government Printer, 2009). IREC is commonly referred to as Kriegler Commission.

Kibaki and Odinga had led opposing sides in the 2005 constitutional referendum, which was won handsomely by the Odinga's side.¹⁰ It was therefore hardly surprising that a prominent feature of the ODM parliamentary and presidential campaigns was the claim that only rigging could prevent their taking power at the elections.¹¹

A day after the election, the first batch of results showed Odinga with a clear advantage in the presidential race, leading by more than one million votes. ODM declared victory for Odinga on 29 December 2007 but as more results were announced on the same day, the lead that Odinga had shrunk. Against the predictions of opinion polls and the early counts of the votes, the Electoral Commission of Kenya (ECK)¹² declared Kibaki the winner of the presidential election on 30 December, placing him ahead of Odinga by 232,000 votes. Kibaki was right away sworn in for his second term. The declaration of Kibaki as the election winner and his swift swearing in at State House in Nairobi plunged the relatively peaceful country into a political crisis and orgy of violence never witnessed before. According to Mwangi, while in earlier seasons, such as in 1997 and 1992 where electoral violence happened before the voting but died off once the election results were announced; in 2007 the electoral conflict became violent once the presidential elections were announced.¹³ The uprising mutated into an ethnic conflict with communities perceived as enemies being attacked and uprooted from various parts of the country, Nairobi, Rift Valley, Western and Nyanza regions being the worst affected.

¹⁰ Ibid

¹¹ Ibid

¹² Electoral Commission of Kenya (ECK) was disbanded in December 2008 after Parliament passed the Constitution of Kenya (Amendment No 2) Bill, 2008 and instead established an Interim Independent Electoral Commission (IIEC) which has since been transformed to Independent Electoral and Boundaries Commission (IEBC). ECK was accused of bungling the December 2007 general elections.

¹³ Mwangi, M. *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya* (Nairobi: Institute of Diplomacy and International Studies, 2008) p.1.

The international community responded swiftly, with the African Union (AU) and other international players constituting a Panel of Eminent African Personalities led by former United Nations (UN) Secretary General, Kofi Annan, to lead the mediation.¹⁴ After about 41 days, Anan saw the signing of a National Accord and Reconciliation Act on 28 February 2008 as agreed by both parties in the Kenya National Dialogue and Reconciliation (KNDR) and a ceasefire was established.¹⁵ The media, both local and international extensively covered the events, right from the campaign period, the voting, the counting and tallying of votes, the announcement of the results and the subsequent violence and mediation. At no other forum has the media been indicted so strongly in its role in this violent conflict as was the case before the Commission of Inquiry into Post-Election Violence (CIPEV)¹⁶ where the media was accused of having participated in fomenting ethnic hatred and inciting the post election violence (PEV). Despite this indictment, critical examination is yet to be done, on the media as actors in this conflict. Most of the research and writings done so far have mainly focused on how the media covered the elections and the violence without a deep analysis on the media as actors in this particular conflict. This research centers on media as one of the actors in the 2007-2008 violent electoral conflict in Kenya.

¹⁴ Karuti, K et al. 'Contradictions of Transition to Democracy in Fragmented Societies: The Kenya 2007 General Elections in Perspective' in Karuti, K & Okello, D (ed) *Tensions and Reversals in Democratic Transitions; The Kenya 2007 General Election* (Nairobi: Society for International Development Eastern Africa Regional Office, 2010) pp. 1- 28; 15.

¹⁵ Ibid, 15.

¹⁶ Commission of Inquiry into Post-Election Violence (CIPEV) (Nairobi, Government Printer, 2008). The Commission is commonly referred to as the Waki Commission.

1.2 Statement of the research problem

In conflicts, there are various actors, some visible, others invisible. Apart from the warring groups and their backers or supporters, other actors could include those mediating or those providing humanitarian assistance either directly or indirectly. The intentions or goals of some actors may remain hidden. There is also the public where the conflict is taking place. All these actors have a role on the direction a conflict takes. The media, by the virtue of the fact that they are always covering conflicts and interacting either directly or indirectly with all other actors become actors too. However, many media practitioners do not view themselves as actors who in the course of executing their journalistic duties can either fuel the conflict to violence, killings and destruction of property or defuse the tension between the groups and have the conflict positively. Indeed many media practitioners do not want to see themselves as actors in conflicts as they maintain that they only report and analyse what is happening and according to the rule of the trade. This is however not always the case as the operations of media organisations are influenced by various factors including the interests of visible and invisible actors. The discipline of media and conflict especially in Kenya has only been examined at from the perspective of how the media cover various events, actions and activities related to conflict. While it has been documented in much literature that how media covers a conflict influences the course of that conflict, not much has been done on forces influencing how the coverage is done or carried out. As will be demonstrated in this study, in a conflict situation, just like any other actor, the media have certain interests. The pursuit of these interests influences the coverage, resulting in shaping public opinion in certain way which in turn influences the decisions being made by governments or those in positions of power. Pressure from other actors in a conflict as they pursue their goals also influences how media organisations cover a given conflict.

Understanding why the media cover conflicts in certain ways can enable the society understand media better as actors in conflict. This can also aid in the field of conflict management as the society will understand the reasons behind policies which a media house could be implementing in covering a given conflict. Proper understanding of media as an actor in conflict is however lacking. This study examines media as actors in conflicts in order to narrow the identified problem.

1.3 Research Objectives

The objectives of the study are:

- To demonstrate that media are major actors in conflict.
- To find out what role the media as actors in conflict played during the 2007-2008 violent electoral conflict in Kenya.
- To explore how media can be involved in positive conflict management.

1.4 Literature Review

1.4.1 Media as an Institution

Cardwell notes that when people refer to “the media” they usually mean television, radio and print journalism.¹⁷ Luhmann contends that mass media includes all those institutions of society which make use of technologies to disseminate communication.¹⁸ Key characteristics of an institution include the presence of professions, formal procedures, permanence, lasting hierarchies of employees while functions and practices are established as lasting formal rules of conduct.¹⁹ According to McQuail, the media as an institution provide channels by which the state and powerful interests address the people; provide platforms through which views of political parties and other interest groups reach the public and also promote the circulation of news and opinion within the politically interested public.²⁰ In performing these roles, the media has to contend with other interests as well. Clifford argues the media tries to meet the economic and cultural demands of owners and many different clients, including publicists and prospective audiences.²¹ Based on this, Clifford classifies the tasks of journalism in democracy as observing and information, participating in public life as an independent actor by way of critical comment, advice, advocacy and expression of opinion and providing channel, forum, or platform for extra-media voices or sources to reach self-chosen public.²²

¹⁷ Cardwell, S. *Studying Media: A Questions and Answers Degree Subject Guide* (Britain: Trotman and Company Ltd, 2000) p. 1.

¹⁸ Luhmann, N. *The Reality of the Mass Media* (California: Stanford University Press, 1996) p. 2.

¹⁹ Østerberg, D. *The Keywords of Sociology and their Origin* (Oslo: Cappelen akademisk forlag, 1994) p 85.

²⁰ McQuail, D. *McQuail's Mass Communication Theory* (London: Sage Publications, 2005) p. 523.

²¹ Clifford, G. et al *Normative Theories of the Media: Journalism in Democratic Societies*. (Urbana and Chicago: University of Illinois, 2009) p.116.

²² Ibid.

1.4.2 Media as actors in Conflict

Dayton, Kriesberg²³ and Butler²⁴ in their different publications take a position that in the era of the “new media,” media technologies (satellite television, wireless, video, and internet) have assumed a greater importance than at any other time in history. Butler particularly argues that emergence and development of the so called ‘24-hour news cycle’ and the global proliferation of the mass media (including its highly visual and real-time character) has greatly enhanced the ability of journalists, pundits, and other opinion leaders to shape public perception of issues and events in ways that also shape the debate surrounding the appropriate policy response to them.²⁵

Dayton and Kriesberg contend that media are often viewed as much an integral part of conflict that they may be an actor themselves, a third party, possibly no less important than the direct protagonists of a conflict.²⁶ Banfield notes that media as actors in conflict are increasingly receiving attention.²⁷ He also notes that media are actors even in conflict situations involving foreign issues.²⁸ Arno argues that being an actor in conflict situations, media are never completely autonomous as they are meshed into interdependent relationships with other groups and sectors of the society.²⁹ These relationships make the media to have certain interests in conflicts which in some cases they pursue hence influencing the direction of a conflict.

²³ Dayton, W. & Kriesberg, L. *Conflict Transformation and Peace Building: Moving from Violence to Sustainable Peace* (USA: Routledge Publishers, 2009) p. 123.

²⁴ Butler, M. *International Conflict Management: An Introduction* (USA: Routledge, 2009) p. 74.

²⁵ *Ibid*, 74.

²⁶ Dayton, B and Kriesberg, L. *Conflict Transformation and Peace building: Moving from Violence to Sustainable Peace. op cit.* p 123

²⁷ Banfield, J. ‘From Fuelling Conflict to Oiling the Peace – Harnessing the Peacebuilding Potential of Extractive Sector Companies Operating in Conflict Zones’ in Sullivan, R. (ed). *Conflict, Business & Human Rights: Dilemmas and Solutions* (London: Greenleaf, 2003) p 221.

²⁸ *Ibid*.

²⁹ Arno, A. & Dissanayake, W. *The News Media in National and International Conflict*. (Boulder: Westview Press, 1984) p. 14.

To Allen and Seaton, national news media coverage has had the effect of exacerbating conflict as a result of conscious political strategies by political activists.³⁰ By having the capability to exacerbate a conflict, the media becomes an actor. To Allen and Seaton, the new technologies of the international media have helped make reporting less insightful and more sensational.³¹

Kolstø argues the media influence the behavior of other actors in a conflict (be it institutions, activist organizations or individuals) involved in the political processes and public debate around the conflict and that way the media themselves becomes actor in conflict.³² Often, actors adopt their actions and plans in accordance with the media needs and journalistic values and routines.³³ To Buttler, through the simple determination to train (or not to train) the spotlight on a particular situation, or to 'frame' those issues and events they have elected to cover (by virtue of the tenor and scope of their coverage), the media may either accelerate or impede the likelihood of peace enforcement.³⁴

From this group of scholars, it is evident that by presenting the positions of various groups in a conflict, – in these case parties-the media become actors in conflict where the media practitioners in most cases present their own views and interests. The media as actors in a conflict become even deeper when a given media organisation takes editorial position or when the media focus on certain issues or aspects of the conflict while excluding others.

³⁰ Allen, T. & Seaton, J. (ed). *The Media of Conflict: War Reporting and Representations of Ethnic Violence*. (London UK: Zed Books Ltd, 7 Cynthia Street, 1999) p. 3.

³¹ Ibid, 3.

³² Kolstø, P. (ed.) *Media Discourse and the Yugoslav Conflicts: Representations of Self and Other* (UK & USA: Ashgate, 2009) p. 37.

³³ Ibid.

³⁴ Butler, M. *International Conflict Management: An Introduction*. op ct. p. 74.

1.4.3 Violent 2007-2008 Electoral Conflict in Kenya

Kenya witnessed violent conflict during the electoral season of the December 2007 civic, parliamentary and presidential elections.³⁵ While in earlier seasons, such as in 1997 and 1992, electoral violence happened before the voting, but died off once the election results were announced, in 2007 the electoral conflict became violent once the presidential elections were announced.³⁶ The same view that the disputed presidential election was the main trigger of the violence was held by the Human Rights Watch³⁷ and the United Nations Office of the High Commissioner for Human Rights (OHCHR) Fact-finding Mission to Kenya.³⁸

After the announcement was made of Kibaki's victory, many youths reacted violently especially after they were barred from peacefully protesting in public.³⁹ In the ensuing days, official figures stated that over 1200 people were killed, there was massive destruction of property in some areas, and several hundred thousand Kenyans were displaced from their homes.⁴⁰ Lafargue and Katumanga⁴¹ note that the peak of the conflict was January 3, 2008 with ODM-PNU confrontations evolving into tribal violence that resulted to more deaths and displacement of hundreds of people. The official post election death toll was 1,133, a further 3,561 people injured while 350,000 were internally displaced.⁴²

³⁵ Mwangiru M. *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya*. *op cit*. p1.

³⁶ *Ibid*, 1.

³⁷ *Human Rights Watch: Ballots to Bullets: Organised Political Violence and Kenya's Crisis of Governance*, Volume 20, No 1 (A) (Nairobi, March 2008) p. 35.

³⁸ Report from United Nations Office of the High Commissioner for Human Rights (OHCHR) Fact-finding Mission to Kenya, 6-28 February 2008) p 5.

³⁹ Cussac, A. 'Kibaki Tena?' The challenges of a Campaign' in Lafargue, J. (ed.) *The General Elections in Kenya, 2007* (Dar es Salaam: Mkuki na Nyota Publishers Ltd., 2008) pp. 55-104.

⁴⁰ Report from United Nations Office of the High Commissioner for Human Rights (OHCHR) Fact-finding Mission to Kenya, 6-28 February 2008) p 5

⁴¹ Lafargue, J.& Katumanga, M. 'Post-election Violence and Precarious Pacification' in Lafargue, J. (ed.) *The General Elections in Kenya, 2007*. (Dar es Salaam: Mkuki na Nyota Publishers, Ltd. 2008) pp 13-34.

⁴² Waki Commission. pp. 345-351.

The first to step in to mediate a solution between the PNU and ODM was led by an African Union negotiator along with a combined team of the French, British and US diplomats.⁴³ Though the process of having Kibaki and Odinga negotiate to end the crisis experienced several hitches at the beginning, the efforts by the third parties bore fruits when AU panel of eminent persons chaired by former Secretary General of the UN, Kofi Annan stepped in and negotiated a power sharing deal between the two, where Odinga would become Prime Minister and Kibaki continue being the president.

1.4.4 Media as Actors in Kenya's 2007-2008 Post Election Violence

The Waki Commission and the Kenya National Commission on Human Rights (KNCHR)⁴⁴ heavily indicted the media over its role in inflaming the 2007-2008 violence in Kenya. The Waki commission for instance documented that many witnesses recalled with horror, fear, and disgust the negative and inflammatory role of vernacular radio stations in their testimony and statements to the Commission.⁴⁵ KNCHR in its report documented that the media, and particularly local language media, influenced or facilitated the influencing of communities to hate or to be violent against other communities.⁴⁶ Leading up to the presidential election, the tenor of Kenyan political coverage was divisive.⁴⁷

⁴³ Lafargue, J. and Katumanga M. 'Post-election Violence and Precarious Pacification' *op cit.* pp. 13-34.

⁴⁴ *On The Brink Of The Precipice: A Human Rights Account of the Kenya's 2007 Post Election Violence.* (Nairobi: Kenya National Commission on Human Rights (KNCHR), 2008).

⁴⁵ Waki Commission

⁴⁶ *On The Brink Of The Precipice: A Human Rights Account of the Kenya's 2007 Post Election Violence.* *op cit.* pp 5.

⁴⁷ Fortner, S. & Mark, P. F. 'Media and Post-Election Violence in Kenya.' *The Handbook of Global Communication and Media Ethics*, Volume 1 (UK: Blackwell Publishing Ltd, 2011), p. 626- 653; 626.

Nearly all media coverage was split into two distinct ideological formation or two distinct competing political groupings, pitting Kibaki's PNU against Odinga's ODM, instead of framing the coverage with the greater concern for the national good.⁴⁸

Makokha notes the media reported the elections in a skewed manner with majority of media houses breaking the cardinal rule of independence, fairness and balance.⁴⁹ Makokha captures a study by African Woman and Child Feature Service and the Coalition for Accountable Political Financing in which it is shown that both the print and electronic media engaged in selective coverage of the presidential candidates which not only blurred and obfuscated the line of contest in the presidential contest but deliberately denied voters an opportunity to make informed choices based on the information provided by the media.⁵⁰

On 30 December 2007, the Police Commissioner announced that public rallies were banned and the Permanent Secretary of the Ministry of Information issued a notice to all media houses ordering the suspension of all live broadcasts.⁵¹ The ban on live radio and TV news reports constituted a ban on news programmes as most of the broadcast media suspended all their news programmes and this may have contributed to disinformation and the spreading of rumours – particularly as information allegedly continued to circulate via text messages.⁵²

Despite this indictment, the media during the post election violence also played a positive role especially when Kenyans started dying in large numbers and being uprooted from their homes in their thousands.

⁴⁸ Ibid, 633.

⁴⁹ Makokha, K. "Dynamics and Politics of Media in Kenya: The Role and Impact of Mainstream Media in the 2007 General Elections" in Karuti, K. & Okello, D (ed), *Tensions and Reversals in Democratic Transitions; The Kenya 2007 General Election* (Nairobi: Society for International Development Eastern Africa Regional Office, 2010), pp. 222 -305.

⁵⁰ Ibid, 292.

⁵¹ Report from United Nations Office of the High Commissioner for Human Rights (OHCHR) Fact-finding Mission to Kenya, 6-28 (February 2008) p 12.

⁵² Ibid, 13

The media united and started sending peace messages and putting pressure on Kibaki and Odinga to end the power struggle and return the country to normalcy. For instance, the Kenyan media adopted a joint editorial on 3 January 2008, with the daily newspapers published the same editorial, "Save our Beloved Country" on their front pages,⁵³ and attacking politicians as responsible for the violence and for not coming up with solutions.⁵⁴

Taking such a position has however been criticized by some scholars who believe that by preaching peace and trying to reconcile the warring factions in a conflict, the media failed in their duty to report the facts, present them to those involved in the events and let the public judge the results and that the media resulted to self-censorship.⁵⁵ However, authors such as Tunstall note that during a conflict, the media can relay to a wider public the signal indicating a social sickness which requires an immediate remedy if society is not to be destroyed.⁵⁶ The signal may thus reach those who have the power to take effective remedial action although it would be unwise to ignore selective exposure, attention, perception and interpretation as possible counter-influences.⁵⁷ Scholars such as Galtung⁵⁸ and Ashford and Dauncey⁵⁹ talk of peace journalism which they argue means reporting in a manner that seeks to de-escalate a conflict through focusing on conflict transformation, seek out the causes of the conflict, including the deeper, often hidden, causes and the roles played by outside forces.

⁵³ Makokha, K. "Dynamics and Politics of Media in Kenya: The Role and Impact of Mainstream Media in the 2007 General Elections" op ct p. 296.

⁵⁴ International Media Support (IMS) Reporters Without Borders and Article XIX (2008) How Far to Go? Kenya's Media Caught in the Turmoil of a Failed Election. p 7.

⁵⁵ Ibid, p 7

⁵⁶ Tunstall J. (ed) *Media Sociology, a Reader: Halloran James on The Effects of the Media Portrayal of Violence and Aggression*, (London: University of Illinois Press, 1970) p 321.

⁵⁷ Ibid, p 321.

⁵⁸ Galtung, J. *High Road, Low Road: Charting the Course for Peace Journalism*, Track Two 7, No 4, (South Africa: Centre for Conflict Resolution, (1998) pp. 7-10.

⁵⁹ Ashford, M. & Guy, D. *Enough Blood Shed; Solutions to Violence, 101 Terror and War*. op ct p. 146

Peace journalism to these scholars explore who stands to benefit from peace and who benefits from continuing destruction, such as companies providing weapons, ammunition, and materials for reconstruction. The media in this thinking is no longer a free market of ideas. Indeed, the media has a sort of a responsibility to the society it serves. This social responsibility is seen as the capacity of an institution for example the civil society or even media to act as a self-defence mechanism for the community at large, providing people with social protection or welfare when society is threatened by such risks as health crises, illiteracy, unemployment, lack of access to higher education, geographic isolation, and conflicts.⁶⁰ Makokha notes that the social responsibility insist that the right to publish is accompanied by obligations to the wider society that go beyond the personal interest, with accountability mechanism to the public clearly in place.⁶¹

1.4.5 Literature gap

None of the literature reviewed above properly analyses the media as an actor in Kenya's 2007-2008 post election violence. The literature reviewed only talks of how the media covered the conflict without a deep analysis of the forces that could have made media organisations covering events the way they did. Issues such as media interests during the conflict and how such interest could have influenced coverage have not been properly addressed. So much has been written about media and conflict but these literatures have mainly focused on the traditional roles of media in the society.

⁶⁰ Colletta, J. & Cullen, M. 'Violent Conflict and the Transformation of Social Capital; Lessons from Cambodia, Rwanda, Guatemala, and Somalia,' *The International Bank for Reconstruction and Development*. Volume 795. (2002) (Washington DC) pp 53.

⁶¹ Makokha, K. "Dynamics and Politics of Media in Kenya: The Role and Impact of Mainstream Media in the 2007 General Elections" op ct, p. 274.

These roles include informing, being a watchdog, surveillance and the like without a deep analysis of the media as an actor in conflict where the issue of ownership, control and interests is put into a proper perspective. This study will analyse how the media as actors in conflict can escalate a conflict and also look at how the media can apply the theory of social responsibility to balance interests and the well being of the society.

1.5 Justification of the Study

The 2007-2008 post election violence was the darkest period in Kenya's history, a violence that left more than 1100 persons dead and 350,000 internally displaced.⁶² The media was indicted strongly in its role in this conflict. While many studies on the role of media in conflicts have been undertaken in other regions of the world, such analysis is seldom done in Africa and particularly Kenya specifically focusing on the issue of interests of media in a conflict and the pressures/influences of other actors in the conflict. This leaves a gap on media as actors in conflicts especially in Kenya. There is a gap on how the media interests in a conflict can be balanced to ensure that the society's fabric especially in a conflict situation is not eroded further. This study will contribute toward narrowing this gap. The study will be conducted bearing in mind the moral injunction that it is not the role of media in the society to resolve conflicts but report responsibly, reliably, analytically and objectively as much as possible in a way that help other actors in a conflict mitigate these conflicts. The study is meant to contribute towards the ongoing search for new means of managing intra and international conflicts not only in Kenya but in Africa and other parts of the world.

⁶² Waki Commission pp. 345-351.

The findings will be generalized to the larger population of Kenya media practitioners' population as well as peace researchers and practitioners, thus, providing useful insights and ideas about media and conflicts. The study will also be of much significance to policy makers and arms of government, institutions or organizations dealing with conflict management as it seeks to analyse how such groups can liaise with the media as actors in conflict to achieve their goals of peaceful management of conflicts.

1.6 Theoretical Framework

During conflicts, a key question has been about the roles of media and what responsibility (if any) can or should media organisations assume on behalf of the communities they serve. More important, how this responsibility should be exercised, if it indeed exist. Seaton argues that history has shown media can incite people toward violence and wars are partly what the media makes them.⁶³ To Seaton, the media plays a complex part in the conduct of emergencies often providing the first, influential, definition of the social groups taking part in the conflicts. Individuals in the groups may be portrayed as alternatively culpable or innocent or war-mongers, or even its hapless victims and identity. The media act as agents of war and have increasingly become the institutions that give wars legitimacy, and judge their outcome.⁶⁴ The media in some cases may deliberately do this to achieve certain goals or serve certain interests or certain masters. These interests sometimes make the media compromise some cardinal rules of journalism such as objectivity and neutrality during conflicts.

⁶³ Seaton, J. *The Media of Conflict: War Reporting and Representations of Ethnic Violence* (London UK: Zed Books Ltd, 7 Cynthia Street., 1999) p. 44.

⁶⁴ *Ibid*, 44.

As McQuail says the media are supposed to accept and fulfill certain obligations to the society they serve and these obligations are mainly to be met by setting high professional standards of informativeness, truth, accuracy, objectivity, and balance.⁶⁵ It is on this premise that the responsibility theory is anchored. This theory arose as a result of the ability of the media to influence the belief, ideas and behaviour of people on very critical issues. The theory came about as a result of the view that since the media had a capacity and means to influence, then it had certain social responsibilities so as to ensure the well being of the society it serves. The theory holds that the media has a moral obligation to consider the overall needs of a society when making journalistic decisions that will produce the greatest good. Social responsibility is seen as the capacity of an institution to act as a self-defence mechanism for the community at large, providing people with social protection or welfare when society is threatened by such risks as health crises, illiteracy, unemployment, lack of access to higher education, geographic isolation, and conflicts.⁶⁶

The social responsibility theory has its origins in the US's 1947 Hutchins Commission of Inquiry into the proper functioning of the media in a democracy and it emerged at a time of world crisis, when democracy was under serious threat.⁶⁷ The commission called on the media to provide a truthful, comprehensive and intelligent account of the day's events in a context which gives them meaning and also serve as forum for the exchange of comment and criticism. It should also project a representative picture of the constituent groups in society, be responsible for the presentation and clarification of the goals and values of the society and also provide full access to the day's intelligence.

⁶⁵ McQuail, D. *Mass Communication Theory: An Introduction*. (London: Sage Publications, 1983) p. 91.

⁶⁶ Colletta, J. & Cullen, M. 'Violent Conflict and the Transformation of Social Capital; Lessons from Cambodia, Rwanda, Guatemala, and Somalia, op cit p. 53.

⁶⁷ Baran, J. & Dennis K. *Mass Communication Theory: Foundations, Ferment, and Future* (Sixth ed). (Boston USA: Michael Rosenberg, 2006) p. 121.

The media, irrespective of ownership, is required to be active, progressive and participant performer on behalf of the social and set the stage for social and political justice.

Social responsibility theory assumes a press that balances profit and service under the watch of an interested public.⁶⁸ Guided by this theory the study will analyse how media as actors in conflict can positively contribute to the society during conflicts.

1.7 Hypotheses

The Study will test the following hypothesis

- Media interests contribute to media being actors in conflicts.
- Media as actors in conflict have significant impact on the course of a conflict.
- The interests of media played a negative role in the 2007-2008 violent electoral conflict in Kenya.

1.8 Methodology

The study would employ both primary and secondary sources of data.

1.8.1 Population and Sample

In determining the role of media as an actor in conflict, the study would focus on media practitioners (editors and journalists) as well as the Media Council of Kenya (MCK).

⁶⁸ Ibid, p 130.

On the part of journalists the study would employ purposive sampling to identify 30 journalists who covered the 2007-2008 violent election conflict in Kenya to form part of the study.

The purposive sampling technique, also called judgment sampling, is the deliberate choice of an informant due to the qualities the informant possesses. This is a method where the researcher selects a sample of observations that the researcher believes will yield the most comprehensive understanding of the subject of study, based on the researchers' intuitive feel for the subject, which comes from extended observation and reflection. Allen and Earl⁶⁹ state that under purposive sampling, the researcher decides what needs to be known and sets out to find people who can and are willing to provide the information by virtue of knowledge or experience.

Maykut and Morehouse⁷⁰ observe that purposive sampling increase the likelihood that variability common in any social phenomenon will be represented in the data, in contrast to random sampling which tries to achieve variation through the use of random selection and large sample size. In this case, the researcher chose to settle on 30 in an attempt to cover the diversity of media houses operating in Kenya and which covered the 2007 presidential election and the subsequent violence. This method would therefore help in assessing their role as per their media houses thereby giving a comparative analysis of media as actors in conflict. In the other samples the study would also employ purposive or judgmental sampling because the researcher feels they have the required information with respect to the objectives of this study. They are informative and possess the required characteristics. Thus the study would seek information from news editors who were responsible for reporting during the violence.

⁶⁹ Rubin , A. & Earl, B. *Essential Research Methods for Social Work*. (USA: Cengage Learning Inc, 2010). p 342.

⁷⁰ Maykut, P. and Morehouse, R. *Beginning Qualitative Research: A Philosophical and Practical Guide* (New York: RoutgeFalmer, 1994) p 45.

1.8.2 Data collection procedures

In gathering data the researcher would administer questionnaires to respondents, given that the population is scattered. The questionnaires will feature both open ended and closed questions. The use of questionnaires would further be reinforced by conducting Semi-structured Interviews especially with officials of MCK and editors. With interviews, the researcher is assured of sufficient data to shed light on the area of study. As a form on interviewing, semi-structured interview will require the researcher to have a set of questions and the advantage with this method is that it is flexible and will give more room to ask questions that may arise during the process. With the semi-structured approach in this research, it will thus be easier to build on ideas on media as actors in conflict and get more perspectives on the area of study. Furthermore, with the advantage that the interviews provides in being able to record them, it will make it possible to do a thorough analysis. Berger argues that the downside of the interviews is that they are strenuous in collection, processing and analysis of data.⁷¹ Again, in interviewing there is the danger of being subjective which ultimately affects the validity of the research. The researcher however undertakes to remain objective to overcome this and dedicate ample time to the whole exercise of both conducting the interviews and content analysis. In order to establish instances of how media either positively or negatively affected the 2007/08 violent electoral conflict in Kenya, content analysis of relevant newspaper articles published between November 1st 2007 and February 28th, 2008 would be used as a data collection tool.

⁷¹ Berger, A. *Media and Communication Research Methods: An Introduction to Qualitative and Quantitative Approaches* (California: Sage Publications, Inc. 2000).p 135.

Holsti observes that content analysis is defined as any technique for making inferences by objectively and systematically identifying specified characteristics of messages.⁷² Neuendorf observe that content analysis includes careful examination of human interactions; the analysis of character portrayals in TV commercials, films, and novels; the computer driven investigation of word usage in news releases and political speeches.⁷³ Consequently, published reports in the media would be reviewed. This study is naturally case sensitive, drawing on information strictly from the case of the 2007-2008 violent electoral conflict in Kenya.

1.8.3 Data Analysis

The study would employ qualitative method of data analysis in order to analyse information in a systematic way to come up with useful suggestions. The study would help obtain detailed information on the area under study and try to establish patterns, trends and relationships from the information gathered. Employing a qualitative methodology to address the project is most appropriate.

⁷² Holsti, O. *Content Analysis for the Social Sciences and Humanities*. London, United Kingdom: Addison-Wesley Publishing Company.(1969) p. 14.

⁷³ Neuendorf, K. *Content Analysis Guidebook* (London, United Kingdom: Sage Publications., 2002), p.1.

1.9 Chapter Outline

The study will be organised into five chapters; the first chapter provides an overview introduction of the study, the statement of the research problem, the research objectives, review of relevant literature, hypothesis, justification of the study, theoretical framework and the methodology. Chapter Two provides a conceptual lens on media as actors in conflict presenting a general and global picture where relevant examples from both Africa and elsewhere in the world would be cited. To understand Kenya's media growth, Chapter Two will also capture its history from 1963 to the present situation. This is important as it will bring to the fore the element of media ownership which is linked to interests of these owners for example during a conflict.

Chapter Three will focus on the roles of media during conflicts. In a conflict, media are able to shape public debate, public opinion, as well as public policy on issues of national importance. Chapter Four will focus on to the 2007-2008 violent electoral conflict in Kenya capturing the campaigns time, the voting, the rapture of the actual violence, the post election violence period including the mediation by third parties that culminated to the signing of a peace accord and establishment of a coalition government in Kenya. It will also capture the role the media as actors in conflict played during the Kenya's 2007/2008 violent electoral conflict. This chapter will capture data which will be obtained through various methods of data collection. It will also encompass content analysis of specific newspaper articles published during the post election violence. Chapter Four will further capture key discussions as the research questions are answered. Chapter Five will be the concluding part and it will include suggestions of the study.

Chapter Two

Media as actors in conflict

2.1 Introduction

This chapter provides a deeper analysis of media as actors in conflict. It expounds further on critical areas of media and conflict highlighted in the previous chapter. Brown observes that violent conflicts for majority of countries are triggered by internal, elite-level factors but are also rooted in structural, political, economic/social and cultural/perceptual causes.¹ Conflicts in some cases are characterised by an often extreme and perceptible direct violence on the surface and even war. To Olson and Pearson, in a civil war, belligerents can refer either to the government that uses its military to maintain control and defeat the rebels or to the rebels who engage in sustained armed conflict against the government.² If a government breaks down or ceases to exist, armed groups and militia can contend with each other in civil war for control of the state, as in Somalia during the 1990s and on into the new millennium. Indeed, even while engaging a government, various rebellious groups might compete and attack each other to gain advantage.³ In any conflict, there are various actors who have different relationships, different roles and different motives. Some actors are visible and easy to identify including their roles and positions on various issues in a given conflict while other actors remain invisible with hidden roles, agendas, motives or objectives. Parties in a conflict may include but are not limited to the government, rebel groups, political parties, non-governmental organisations, international organisations, foreign governments, the media and the local people.

¹ Brown, M. E. *The International Dimensions of Internal Conflict* (United Kingdom: MIT Press Cambridge, 1996) p. 575.

² Olson, M. and Pearson, F. *Civil Wars: International Struggles, Global Consequences*. (Canada: University of Toronto Press, 2009) p. 6.

³ *Ibid*, 6.

Apart from the main protagonists in a conflict, Bercovitch and Richard identify four other types of actors: individuals, states, international and regional organisations, and non-governmental organisations and note that all these can easily shape the course of a conflict.⁴ Newman observes that the main protagonists in contemporary conflict are no longer limited to national armies as they comprise a plethora of insurgency groups, criminal gangs, diaspora groups, ethnic parties, international aid organisations, and mercenaries and regular armies.⁵ Invisible actors may directly or indirectly influence the parties in a conflict, mobilizing the wider community or even providing financial or logistical support to specific groups.

In a conflict, some actors will strive to create a war economy and enrich themselves. A war economy builds a sustainable system based on violence, greed and grievance, as profit is generated not out of a final military victory, but out of war itself. Newman states that the globalised war economy implies that fighting units finance themselves through plunder and the black market or through external assistance.⁶ In a conflict, the media interacts with virtually all other actors in that conflict either directly or indirectly. The media has certain interests in any given conflict and this makes the media to become key actors in conflicts. This can easily influence the direction or the course of the conflict.

⁴ Bercovitch J. & Richard J. *Conflict Resolution in the Twenty-first Century: Principles, Methods, and Approaches* (USA: University of Michigan, 2009) p.96.

⁵ Newman, E 'The 'New Wars' Debate: A Historical Perspective is Needed', *Security Dialogue*, vol. 35, no. 2, June (2004). pp. 173-189; 175.

⁶ *Ibid*, 176.

2.2 Media and decision making during conflicts

A number of authors have documented the existence of a triangular relationship between the media, the various groups or actors it covers or projects (for example government) and the public it serves. The media has a great power to influence public opinion on various issues including during conflicts. This in turn influences the decisions taken by various actors in various situations such as in a conflict environment. The actors in a conflict also push their agenda mainly through the media while at the same time gauging the public opinion before deciding on the next action. The media provides a crucial platform for interaction between actors in a conflict and the public and this gives the conflict a course. Conflict is strategic interaction where the actions of both sides determine whether war occurs, and actors in international crises choose their actions in part for the anticipated effect of those actions on others.⁷ The public looks the media to provide it with information about what is happening in a conflict and what certain actors for example leaders are doing or planning to do. The leaders or those in positions of power look upon the media not only to communicate their positions to the public but also to get feedback on various actions and issues in that conflict. The parties also rely on the media to know the position of the enemy or the position of another actor on various issues in a conflict. This interaction influences the making of various decisions in a conflict. The CNN effect theory has mainly been used to explain the influence the media have on decision making by various players such as governments and other major global players.

⁷ Geva N & Mintz Alex (ed). *Decision making on War and Peace; The Cognitive-Rational Debate* (USA: Lynne Rienner Publishers, Inc, 1997) p. 11.

Cook observes that politicians incorporate the needs of the news media in their priorities, options, and decisions.⁸ These decisions shape both domestic and foreign policies of various states with the countries positioning themselves at vantage points in the economic, political and cultural order at the global area. Minear et al⁹ say that *the CNN factor* is used to suggest a causal link between news media coverage and subsequent changes in policy and humanitarian action by governments and humanitarian agencies. According to Newman, former Secretary of State for the US Madeleine Albright once told the senate that the ability of TV to bring graphic images of pain and outrage into the living rooms of the decision makers and the public had heightened the pressure both for immediate engagement in areas of international crises and immediate disengagement when events are not going according to the plan.¹⁰ Indeed, the media has been described as a critical institution in swaying public opinion on various issues. The public opinion, which the media often sway, influences decision making and policy making process. For instance, former America president Abraham Lincoln described public sentiment as everything for those in leadership. To Lincoln, with public sentiment nothing can fail and without it nothing can succeed.¹¹ No politician wants to overlook opportunities to please constituents and, perhaps even more significant, to avoid frustrating them.¹² In February 1994, in a battle ground in Sarajevo, the media reported that a 120 mm mortar shell had been fired into the crowded market place on one of the busiest days of the year where 68 people died with over 200 others being injured.¹³ The incident was recorded in real time by the television cameras and

⁸ Cook T. *Governing with the News: the News Media as a Political Institution*. (London: The University of Chicago Press, 1998) p. 183.

⁹ Minear L. et al. 'The News Media and Humanitarian Action (1st Edition),' *Disaster Management Training Programme*. (UNDP, 1997). p 13.

¹⁰ Neuman, J. *Lights, Camera, War: Is media technology Driving International Politics?* (New York: St. Martin's Press, 1996) pp. 11-15.

¹¹ Edwards, C & Wayne, J. *Presidential Leadership: Politics and Policy Making*. (2nd ed) (New York: St. Martin's Press, 1990) p. 92.

¹² Ibid, 92.

¹³ Willis J & William J. *The Media Effect: How the News Influences Politics and Government* (USA: Praeger Publishers, 2007) p 3.

US president Bill Clinton immediately called for an end to the US policy on non-involvement in the Balkans and led the North Atlantic Treaty Organization (NATO) in demanding that the Bosnia Serbs remove all heavy weaponry from around the Bosnian capital and also led to the creation of a five-member international coalition to find a diplomatic solution to the Bosnian Violence.¹⁴ This is an example of crucial decisions being taken during a conflict due to what the media presented to the public for consumption. According to Minear et al, the higher the priority of the crisis on a government's agenda, the more likely the crisis will be covered. Also the greater the real or potential impact of a crisis on domestic national interests, the more likely the crisis will be covered.¹⁵ Furthermore, the greater the number of people affected by a crisis, the more likely a story will be covered and the greater and more significant the links between a current crisis and past or future developments the more likely a story will be covered.¹⁶ Due to media influence on debates and opinions on issues, parties in a conflict sometimes find themselves under intense pressure, both domestic and international, to take certain positions on issues and even sign peace deals and treaties. In 1997, a treaty sponsored by the United Nations (UN) aimed at banning the use of land mine around the globe was strongly supported by a Vermont-based advocacy group despite opposition of the treaty by the US.¹⁷ Due to the advocacy through media including World Wide Web that shaped public opinion worldwide, the treaty was adopted in December 1997.¹⁸ This triangular relationship between the media, other players in a conflict and the public itself which is the consumer of the media product leaves the media as a crucial actor in conflicts.

¹⁴ Ibid, p 3

¹⁵ Minear L. et al. 'The News Media and Humanitarian Action' op ct, p. 38.

¹⁶ Ibid, 38.

¹⁷ Willis, J & William, J. *The Media Effect: How the News Influences Politics and Government* op ct, p. 2.

¹⁸ Ibid, 2.

2.3 Media ownership versus interests

To understand various media interests in a conflict, one needs to analyse the media itself in terms of ownership of a given media house/company (shareholders). Ownership structure, as one of the factors on the organizational level, affects the content of mass media messages. Three basic types of mass media ownership are common world over: government owned (or government party owned), privately owned, and own both by government and private organizations or individuals. The government, as an owner, is interested in affecting publics and building understanding of its policies. Wanyande observes that governments use the media to communicate their ideas in a particular way that suits their interests.¹⁹ This largely accounts for the determination by governments, the world over, but especially those that suffer from a crisis of legitimacy, to control media.²⁰ Private owners may have different interests in the media – they may be interested not only in affecting publics, but also in making profit.

Miljan and Cooper observe that the media are always in the middle of political process.²¹ They note that if the degree to which the media shape the political agenda is open to debate, politicians and policy makers believe the media have an influence on public opinion.²² That belief influences the political process. To Wanyande, opponents of the regime in power may use the media to challenge and undermine the regime in power. The private owned media houses become an easy target for the opponents of the regime, especially if these opponents have shares or are friends to the key owners of the private media.²³

¹⁹ Wanyande P. 'The Media as Civil Society and their Role in Democratic Transition in Kenya.' *Africa Media Review*, Vol. 10. 3 (1996) pp. 2-20; 3.

²⁰ *Ibid*, 3.

²¹ Miljan, L. & Cooper, B. *Hidden Agendas: How Journalists Influence the News* (Canada: The University of British Columbia, 2003) p. 11.

²² *Ibid*.

²³ Wanyande P. 'The Media as Civil Society and their Role in Democratic Transition in Kenya, op ct p.3.

Miljan and Cooper observe that some analysts have adopted a perspective that what counts is who owns the media, not who writes the story or who produces the news.²⁴ Oriare observes that media owners routinely run interference for various interests in newsrooms and editorial decision-making processes.²⁵ News coverage is geared towards protecting the interests of media owners and the content is manipulated to such an extent that sometimes it takes priority over objectivity in news coverage to reflect political and commercial leanings.²⁶

In some cases, during a conflict, the media supports a certain group which is seeking to gain power or retain it because of business considerations and more so advertisement. It is also important to understand the history of a given media house, its management and editorial policies on various issues including political issues, its relation (past and present) with the government, people in government or other positions of power, the relationship with the business community and the like. Where politicians or those in power own media houses, they tend to use the same media to advance their individual courses be it political or economic. It is even worse when several media outlets are owned by same individual/s which is commonly referred to as concentration. Concentration of ownership involves the owning of several media outlets and means of communication by few rather than many different owners.²⁷ The main perceived danger is that excessive concentration of media ownership can lead to overrepresentation of certain political viewpoints or values of certain forms of cultural output (i.e. those favoured by dominant media owners, whether on commercial or ideological grounds) at the expense of

²⁴ Miljan, L. & Cooper, B. *Hidden Agendas: How Journalists Influence the News*. op ct p. 11.

²⁵ Oriare P. et al. 'The media We Want' *The Kenya Media Vulnerabilites Study* (Nairobi: Friedrich Ebert Stiftung , 2010) p. 30

²⁶ Ibid, 51

²⁷ Doyle, G. *Media Ownership: The economics and Politics of Convergence and Concentratton in the UK and European Media.*(London: Sage, 2002):13a

others.²⁸ The case of Italian Prime Minister Silvio Berlusconi who used his three TV stations to reach to 40 per cent of the Italian audience to give unremitting support to his own political party in Italy during the March 1994 elections is an example of the damage which concentrated media ownership may inflict on a country's politics.²⁹

Commercial interests also take centre stage for media during conflicts. Fawcett James³⁰ observes that third party getting involved in a conflict may have a marginal or even substantial economic interest in a conflict between two other parties or in the protection of certain group interests. Oriare et al for instance observe that although the government has been the largest spender in the Kenyan economy it sometimes tend to punish independent and critical media through denial of advertising.³¹ To Wanyande, denial of advertisements is an "overt" method used by a government to harass the media it considers unfriendly.³² This contributes media to having an interest in a conflict as it wants to either have a friendly government retain power for advertisements to continue coming through or it wants to push out a certain government which has been denying it revenue so that a friendly government can come in and open the doors for the advertisements.

²⁸ Ibid.

²⁹ Graham, A. & Davies, G. *Broadcasting, Society and Policy in the multimedia Age* (Luton: John Libbey Media, 1997) p. 32.

³⁰ Fawcett, J. *International Economic Conflicts: Prevention and Resolution*. (David Davies Memorial Institute of International Studies, 1977) p 9.

³¹ Oriare P. et al. 'The media We Want' *The Kenya Media Vulnerabilites Study*. op ct p. 7.

³² Wanyande P. *The Media as Civil Society and their Role in Democratic Transition in Kenya*, op ct p. 4.

2.4 Media Ownership in Kenya today

The factors that influence media ownership in Kenya include legal and policy requirements and political, commercial, religious and community interests and aspirations. According to Ali, the mass media landscape in Kenya is a four-tier system – private, community, quasi-community and public.³³ According to Mshindi and Oriare media operating in Kenya are owned by locals as well as by foreign interests.³⁴ The ownership of media in Kenya may be classified as: local ownership that is further segmented under state ownership, community ownership and private commercial ownership, international ownership by governments or multi-nationals owned by foreigners.³⁵ Esipisu and Khaguli observe that unlike in Britain and the US where the media have political leanings shaped by ideologies, the media political leanings in Kenya are influenced by ownership, ethnic considerations and business interests.³⁶ For some time now, the media in Kenya have been moving towards monopoly, concentrating ownership in a few hands and spreading it to cover more fields. Mshindi and Oriare observe that there is extensive cross-media ownership and media concentration within the market and that a few corporate organizations and individuals own most of the robust media houses across the country.³⁷

Monolithic media ownership manifests in the radio where Kenya Broadcasting Cooperation (KBC) and Royal Media Services dominate with over 10 channels each; and newspaper sub-sector where Nation Media Group and the Standard Group dominate.³⁸

³³ Ali, M. 'Globalization: Its Impact on the African Nations' Media Systems – The Case of Kenya,' in Mwita, C, & Franceschi, L (ed). *Media and the Common Good: Perspectives on media, democracy and responsibility* (Nairobi: Law Africa Publishing (K) Ltd, 2010) p. 5-35.

³⁴ Mshindi, T. & Oriare, P. *Kenya Media Sector Analysis Report; Prepared for the Canadian International Development Agency*. (Kenya: November 2008), p 31.

³⁵ Ibid, 31.

³⁶ Esipisu, M. & Khaguli, I. *Eyes of Democracy: The Role of the Media and Elections* (London: Commonwealth Secretariat, 2009).

³⁷ Mshindi, T. & Oriare, P. *Kenya Media Sector Analysis Report; Prepared for the Canadian International Development Agency*. op cit p. 31

³⁸ Ibid 31.

Media owners, driven by the profit motive, have constantly opposed government proposals contained in the National Information and Communications Technology Policy, 2008 to limit cross-media ownership.³⁹ According to Oriare et al,⁴⁰ the Aga Khan is the principal shareholder in the Nation Media Group (NMG); former President Daniel Moi, his son Gideon Moi and Joshua Kulei own the Standard Group (SG) through Baraza Limited while Samuel Macharia and his wife own Royal Media Services Limited. Industrialist Chris Kirubi owns the Capital Group, while the politically well-connected Transcentury Group owned Kenya Times Media Trust, which folded in 2011. Mr. Patrick Quarcoo and Mr. William Pike own six radio stations and a newspaper (the Star) through Radio Africa Group; Ms Rose Kimotho owned Kameme FM, and K24 TV through Regional Reach but which in 2011 were acquired by politician and Deputy Prime Minister Uhuru Kenyatta through Media Max limited. Leo Slingerland is the proprietor of Family Radio and Family TV while Mr. Joshua Chepkwony owns Kass FM. The Standard Group also launched a radio Station, Radio Maisha, in mid May 2010 after buying out Ms Sheila Amdany's Simba Radio. Prime Minister Raila Odinga and others are associated with Radio Umoja and Nam Lolwe FM, while former presidential candidate Kenneth Matiba owned *The People* newspapers through Kalamka Ltd but which have since been acquired by Deputy Prime Minister Uhuru through Media Max Limited. The government owns and controls Kenya Broadcasting Corporation (KBC), the Catholic Church owns Radio Waumini; while Christ is the Answer Ministries is the proprietor of Hope FM. The government through KBC runs the widest radio and TV network in the country with over 100 frequencies. Though Kenyan newspapers have no any ideological leanings to differentiate them the media political leanings are influenced by ownership, ethnic considerations and business interests.

³⁹ Oriare P. et al. 'The Media We Want' *The Kenya Media Vulnerabilities Study*. op ct p. 7.

⁴⁰ Ibid, 43.

The Media Owners Association (MOA) remains a powerful networking group for media owners in Kenya. It brings together Nation Media Group, The Standard Group, Royal Media Services, Radio Africa Group, KBC, Family Media, Regional Reach and Kass. The influence of MOA over media matters has strained their relationship with Kenya Union of Journalists (KUJ). KUJ accuses MOA for making decisions without proper consultations and engagement with other MCK stakeholders, plotting to destabilize KUJ by discouraging journalists from joining the union, and treating the union leadership with contempt after failing to control or manipulate the union.⁴¹ KUJ is the trade union that protects the welfare of journalists in Kenya.

2.5 The history of media in Kenya

The development of the media in Kenya can be classified into three phases; colonial era, post-independence era (1963-1990), and multiparty era (1991 – present). The modern media in Kenya was started by the missionaries and the British settlers. In the newspaper sector, the missionaries and British settlers started the modern Kenyan press in 19th century.⁴² *Taveta Chronicle* published in 1885 by Rev. Robert Stegal of the Church Missionary Society was one of the early newspapers. The *African Standard*, later renamed the *East African Standard* (today called simply the *Standard*), was started in Mombasa in 1902 by A. M. Jeevanjee, an Indian and it was later sold to a partnership of two Englishmen who turned the paper into a daily and moved it to Nairobi⁴³ while the *Daily Nation* was established in 1960 as an independent publication.

⁴¹ Mshindi, T. & Oriare, P. *Kenya Media Sector Analysis Report; Prepared for the Canadian International Development Agency. op cit*, p 35.

⁴² Ochillo J. 'Press Freedom and the Role of the Media in Kenya; Africa Media Review.' *African Council for Communication Education*. Vol. 7 No. 3 (1993) pp. 19-33; 24.

⁴³ Faringer, G. *Press freedom in Africa* (New York: Praeger, 1991), p. 10.

Ainslie observe that by 1952, there were 50 newspapers in the country, but most of them folded up when Kenya attained independence in 1963.⁴⁴ According to Faringer the pre-independence media were grouped into European press, Indian press, and African press.⁴⁵ The European press was at the top, the Indian press was in the middle, and the African at the bottom. The objective of the European press was to provide information for the missionaries and settlers of the news coming from England, legitimize the rights of the colonial masters, and provide a channel for social communication among the settlers in Kenya.⁴⁶ The media at this time was also used as a device to maintain the status quo by legitimising the rights of the colonial masters to rule Kenya.⁴⁷ Thirdly, the media provided a channel for social communication among the settlers in Kenya from different parts of the country. Radio was also started in 1928 to play the same kind of roles.⁴⁸

The Asians later ventured into the business of ownership of some sections of the media. Their main reason was to use the media to legitimize their second place to the whites in Kenya. The Africans on the other hand, later ventured into the media ownership basically to use the media as tools for putting across their demands for freedom, justice and equality. After the Second World War in particular, many aspiring political leaders used the indigenous press to build and cement political organizations. These were essentially agitation which made them crucial in the realization of independence goals. After independence in 1963, similar patterns of media ownership and development continued as was the case under the colonial rule.

⁴⁴ Ainslie, R. *The Press in Africa: Communications Past and Present* (London, UK: Victor Gollancs Ltd, 1966).

⁴⁵ Faringer, G. *Press Freedom in Africa*, op ct p. 10.

⁴⁶ Ochillo J. 'Press Freedom and the Role of the Media in Kenya; *Africa Media Review*,' op ct p. 24.

⁴⁷ *Ibid* 24.

⁴⁸ *Ibid* 24.

The independent African government assumed the leadership style almost similar to that of colonial rulers. The independent governments assumed full control of the electronic media run under the Ministry of Information and Broadcasting headed by a minister appointed by the President. KBC was formed in 1961 but became Voice of Kenya (VOK) in 1964 when it was nationalized under an Act of Parliament. The state owned media worked hand in hand with the Kenya News Agency (KNA). KNA, which has almost become equated with the Department of Information over the years, was established on 5th December, 1963.⁴⁹ Another Act of Parliament saw VOK revert to KBC in 1989. KBC aims at informing, educating and entertaining but more so it strives to communicate the government's agenda on development to members of the public. Though a semi-autonomous entity, it is still state-owned, operating radio and television stations which generally remain uncritical of the government of the day. It is funded from the exchequer and operates under the Minister for Information and Communication. The Communications Commission of Kenya (CCK) is the regulatory authority for the communications sector in Kenya. Established in 1999 by the Kenya Communications Act (KCA) No. 2 of 1998, CCK's initial mandate was regulation of the telecommunications and postal/courier sub-sectors, and the management of the country's radiofrequency spectrum.

In recognition of the rapid changes and developments in technology which blurred the traditional distinctions between telecommunications, Information Technology (IT) and broadcasting, the government in January 2009 enacted the Kenya Communications (Amendment) Act 2009. This statute enhanced the regulatory scope and jurisdiction of CCK, and effectively transformed it to a converged regulator.

⁴⁹ See Office of Public Communication (Office of the Government Spokesman of Kenya). <http://www.communication.go.ke>. The Agency has a countrywide network of 72 District Information Offices/stations and a National Editorial Desk based at Jogoo House "A" in Nairobi. KNA circulates an average of 150 news items daily from all over the country. KNA subscribers include local newspapers, radio and TV stations and some international news agencies.

CCK is now responsible for facilitating the development of the information and communications sectors (including broadcasting, multimedia, telecommunications and postal services) and electronic commerce.

The media in Kenya remained dormant throughout the single-party era until the restoration of pluralistic politics in early 1990s. During the 24-year reign of President Daniel arap Moi, Kenya's second president, press freedom was limited. Prior to 1992 when pluralism was re-embraced the news media in Kenya worked within an environment of extremely harsh political and legal environment.⁵⁰ This was a very dark period for the media in Kenya, characterized by direct censorship, intimidation, physical threats and attacks, media closures, prosecution and detention of journalists, and confiscation of media materials. This explains why the media remained so docile for many years, thus, inhibiting its ability to play its cardinal role in society, to inform, educate members of the public, promote the growth of democracy in Africa, and act as a public watchdog.

Aling'o observes that before 1992, the media's right to operate and function freely and independently was circumscribed by limitations and restrictions imposed on its ability to criticize actions or inactions by the government, political parties and individuals, and therefore to operate independently.⁵¹ Kenya Human Rights Commission (KHRC)⁵² notes that between June 1994 and June 1995, fifty six incidents of harassment of journalists, ranging from assault to confiscation of cameras were reported. Further, in 1996, KHRC reports that at least ten journalists were arrested, sixteen assaulted by police, politicians or provincial administration, and twenty one threatened.

⁵⁰ Aling'o, P. 'Role of the Media in the Electoral Process,' in Muli, K. & Aling'o, P. (ed.), *Media and Democratic Governance in Kenya* (Nairobi, Kenya: Lino Typesetters (K) Limited. 2007). pp. 84-120; 110.

⁵¹ Aling'o, P. 'Role of the Media in the Electoral Process,' in Muli, K. & Aling'o, P. (ed.), *Media and Democratic Governance in Kenya* (Nairobi, Kenya: Lino Typesetters (K) Limited. 2007). pp. 84-120; 110.

⁵² Kenya Human Rights Commission (KHRC) 1997, p. 31.

The ushering of multi-party politics was a new dawn for the Kenyan media, as they got room to operate in a friendly environment and expand compared to the single party era. The airwaves were liberalized. According to Moggi and Tessier there has been positive growth of the media sector since the restoration of multi-party democracy in 1992.⁵³ The liberalisation of the airwaves in the early 1990s created opportunities for a more diverse media playing field. The number of voices and perspectives in the media also grew while government control of the sector reduced. This paved the way for more radio and television stations to be licensed to operate in a field that over the years was dominated by the state owned KBC.

In its annual report of 2005/2006, the CCK reported developing a plan that made possible the introduction of an additional 23 FM frequencies and the assignment of 64 FM sound and 17 television frequencies during the year under review.⁵⁴ Just as the electronic media, the print media has also witnessed tremendous growth over the years. The industry saw the entry of *the Star* Newspaper in mid 2007. The industry however received a set back with the closure of *Kenya Times* in 2010 which was attributed to financial constraints. Kenya Times was perceived to be an ardent supporter of Kanu especially during the single party rule and immediately after the introduction of multiparty democracy. Its rabid defence of the one-party system during the struggle for political pluralism earned it a reputation of being a Kanu mouthpiece. Though privately owned dailies are fairly autonomous in their editorial policy and have a strong financial base they are not totally immune from governmental controls which take the form of political representations to the owners and threats to sue through courts of law.⁵⁵

⁵³ Moggi, P. & Tessier, R. *Media Status Report (Kenya)* (2001) p. 13. Retrieved from <http://www.gret.org/parma/uk2/ressource/edm/pdf/kenya>.

⁵⁴ Communications Commission of Kenya, 2007:8.

⁵⁵ Ochillo J. 'Press Freedom and the Role of the Media in Kenya; Africa Media Review,' op ct. p 24.

2.6 Media legal regime in Kenya

Laws governing the media in Kenya are fragmented and exist in different sections of civil and criminal laws. The three sources of media law in Kenya include the Constitution of Kenya (2010), the statutory law and the common law. The Constitution of Kenya is the supreme law of the country and guarantees the right to freedom of expression. Freedom of the media is provided under Article 34 of the Constitution of Kenya. Among the provisions in the constitution is that the state shall not exercise control over or interfere with any person engaged in broadcasting, the production or circulation of any publication or the dissemination of information by any medium or penalise any person for any opinion or view or the content of any broadcast, publication or dissemination.⁵⁶ It is also provided that Broadcasting and other electronic media have freedom of establishment, subject only to licensing procedures that are independent of control by government, political interests or commercial interests.⁵⁷

Before the enactment of the 2010 Constitution of Kenya, there were no express provisions in the now repealed constitution (Lancaster Constitution) on media freedom. This provided limitations of the fundamental rights and freedoms of the media in Kenya. With the promulgation of the new Constitution, various laws that have been governing the media in Kenya are set to be relooked at to ensure they are in line with the Constitution of Kenya 2010. The relevant sections of the Statutory Law of Kenya, some of which are controversial, that address the media include: The Defamation Act, Cap 36; The Penal Code, Cap 63; The Books and Newspapers Act, Cap 111; Copyright Act, Cap 130; Preservation of Public Security Act, Cap 57; Public Order Act, Cap 56; Film and Stage Plays Act, Cap 222 (1962); Chief's Authority Act, Cap 128; Communication Commission of Kenya Act of 1998; Kenya Broadcasting Act, Cap 221

⁵⁶ Constitution of Kenya (Nairobi: Government printer, 2010) Article 34 (2) (a) and (b).

⁵⁷ Ibid 34 (3) (b).

of 1998; ICT Act of 2007 and the Media Act, 2007. Most of these laws are retrogressive, punitive and repressive and they continue to undermine press freedom in Kenya.⁵⁸ As the country continues to enact new laws to fully implement various sections of the Constitution of Kenya 2010, the retrogressive laws are also being repealed.

⁵⁸ Mshindi, T. & Oriare, P. *Kenya Media Sector Analysis Report; Prepared for the Canadian International Development Agency.* op cit p 37.

Chapter Three

Roles of Media in Conflict

3.1 Introduction

The previous chapter provided an analysis of media as actors in conflict. The chapter suggested that media interacts with virtually all other actors in a conflict either directly or indirectly. Chapter Two also examined how the media influence decisions of other actors in a conflict as well as the public it serves and how the interests of media owners and other media practitioners influence the course of a conflict. This chapter establishes the basis against which the media manage to exert this influence. The purpose of this chapter is thus to identify the roles of media in a conflict. The chapter is informed by the belief that it is while executing these roles that the media interacts with other actors in a conflict and in some cases advances their interests and hence influence the course of a conflict as discussed in the previous chapter. Allen and Seaton note that the mass media performs four main functions-supplying information; communicating on current issues; education and entertainment and that all these functions may serve as channels for persuasion.¹ Dominick points out that outside entertainment, other roles of media in the society include surveillance, interpretation, linkage and transmission of values.² It is through performance or execution of these roles particularly that of supplying information, communicating on current issues, surveillance and interpretation that media become actors in conflicts.

¹ Allen, T. & Seaton, J. (ed). *The Media of Conflict: War Reporting and Representations of Ethnic Violence*. (London UK: Zed Books Ltd, 7 Cynthia Street, 1999) p. 269.

² Dominick, J. R. *Dynamics of Mass Communication (7th ed)* (New York: McGraw Hills Company Inc. 2002) p. 34.

Owens-Ibie argues that the media are naturally attracted to conflict³ while Ashford and Guy observe that in times of conflict, the media become part of the conflict, whether or not that is their intention.⁴ Dayton and Kriesberg on their part contend that in the era of the “new media,” media technologies (satellite television, wireless, video, internet) have assumed a greater importance than at any time in history.⁵ They argue media are often viewed as much an integral part of conflict that they may be an actor themselves, a third party, possibly no less important than the direct protagonists of a conflict.⁶ McCombs suggests that the media not only tell us what to think about, but they also tell us how to think about some objects.⁷ Allen and Seaton contend that in some circumstances, national news media coverage has had the effect of exacerbating conflict as a result of conscious political strategies by political activists and that it is also the case that the new technologies of the international media have helped make reporting less insightful and more sensationalist.⁸ To Allen and Seaton wars are partly what the media make them and this is so in the sense that the media can shape military strategies and the intensity of fighting.⁹ When the public read a report about a given conflict, especially if the reporter is in a war zone, the consumer of that information often assumes the report is objective and unbiased yet the reporter’s choices on what to cover, how to frame the story, and what words to use all colour how the reader/consumer of that information understand the situation.¹⁰

³ Owens-Ibie, N. “Socio-cultural Considerations in Conflict Reporting in Nigeria” in Pate, U. A. (ed.). *Introduction to Conflict Reporting in Nigeria* (Lagos: Friedrich Ebert Stiftung, 2002).

⁴ Ashford, M. & Guy, D. *Enough Blood Shed; Solutions to Violence, 101 Terror and War* (Canada: New Society Publishers, 2006) p. 146

⁵ Dayton, W. & Kriesberg, L. *Conflict Transformation and Peace building: Moving from Violence to Sustainable Peace* (USA; Routledge Publishers, 2009) p. 123.

⁶ Ibid 123.

⁷ McCombs, M. *Setting the Agenda: The Mass Media and Public Opinion*. (Cambridge, United Kingdom: Polity Press, 2004) p. 71.

⁸ Allen, T. & Seaton, J. (ed). *The Media of Conflict: War Reporting and Representations of Ethnic Violence*. op ct. p.269.

⁹ Ibid, 3.

¹⁰ Ashford, M. & Guy, D. *Enough Blood Shed; Solutions to Violence, 101 Terror and War* . op ct p. 146.

Furthermore, when the reporter tells that story as if one side is to blame and the other side is the victim, the audience begins to think that military action may be justified and that often, under time pressures, a journalist will shorten a report and by so doing may polarize the discussion.¹¹ This gives the media the power to influence the relationship between the other actors in a conflict. This influence can be negative, where one actor increases dislike of another actor in that conflict or party. This in itself can increase or inflame a conflict or increase the intensity of violence. On the other hand, this influence may be positive, where the media make other actors in the same conflict understand each other more and bring them closer hence diffusing tension between them and create a better room for processes to manage the conflict and restore peace such as negotiation and mediation. In executing its functions in conflict, the media engages in diplomatic initiatives which include sending messages back and forth between the different sides of a conflict. Though policymakers may in many cases prefer secret negotiations, sometimes there are no direct channels of communication. If one side wants to test reactions to a negotiation proposal, they may send signals and messages to other groups through the media. At times, the news media will invite leaders of opposing groups or nations onto a TV or radio programme to talk with each other. Gilboa observe that the media may help to create bridges among enemies and build confidence needed to open negotiations.¹²

¹¹ Ibid, 146.

¹² Gilboa, E. *Media and Conflict: Framing Issues, Making Policy, Shaping Opinions*. (NY, USA: Transnational Publishers Inc. 2002).

3.2 Media and framing issues in conflict

In executing the functions mentioned earlier and particularly that of interpretation, the media as actors in conflict can easily indulge in framing issues. Pan and Kosicki describe framing as placing information in a unique context so that certain elements of the issue get a greater allocation of an individual's cognitive resources.¹³ Kuypers notes that when facts or events are framed in a particular way, the consumers of that information (readers or audience) are encouraged to see those facts and events in that same particular way.¹⁴ In this sense, framing in conflict context can be understood as taking some aspects of reality and making them more easily noticed than other aspects. For instance the media picking the aspect of human suffering (including deaths, displacement, hunger, lack of medicine) as a result of two or more groups/parties/actors engaging in violence and framing it as the key issue in a given conflict. This may make the suffering more noticeable compared to any other issue in that conflict necessitating urgent intervention by other actors to end the violence and stop the suffering. This influences the foreign policy of other governments and other actors in that conflict. To be successful, Entman observes that frames must call to mind congruent elements of schemas that were stored in the past.¹⁵ Strobel¹⁶ and Gowing¹⁷ explain that the media influence on policy during a conflict occurs when there is policy uncertainty and extensive and critically framed media coverage. Policy uncertainty can occur when the executive or those in leadership do not have a policy with regard to an issue which is being considered critical or when the policy

¹³ Pan, Z. & Kosicki, G. 'Framing Analysis: An Approach to News Discourse,' *Political Communication*, Vol 10, (1993) pp. 55-75; p57.

¹⁴ Kuypers, J. A. *Bush's War: Media Bias and Justifications for War in a Terrorist Age* (Maryland: Rowman & Littlefield Publishers, 2006) p. 7.

¹⁵ Entman, R. 'Media Framing Biases and Political Power: Explaining Slant in News of Campaign 2008,' *Journalism*, Vol 11(4), (2010) pp. 389-408;391.

¹⁶ Strobel, W. *Late Breaking Foreign Policy* (Washington D.C: United States Institute of Peace, 1997) p. 219.

¹⁷ Gowing, N. *Real-Time Television Coverage of Armed Conflicts and Diplomatic Crises: Does it Pressure or Distort Foreign Policy Decisions.* (Harvard, The Joan Shorenstein Barone Center on the Press, Politics and Public Policy 1994) p. 38.

makers are divided over the appropriate course of action to take. For instance when conflict is of high proportion, perhaps even where violence including killings and displacement of civilians, those in leadership or positions of power may be divided on policy making. On the other hand, extensive and critically framed coverage can be characterised by front page news stories in the daily, or weekly newspapers as well as headline television news persisting for several days that both empathises with suffering people (empathy framing) and criticises (either explicitly or implicitly) government inaction. The same framing is amplified through the interpretation function of the mass media, which is fulfilled by editorials, commentaries and opinion articles.

For instance, in early 1991, the situation in Somalia deteriorated quickly after the overthrow of Mohammed Siad Barre. The international media aggressively build a global awareness of immense human tragedy that eventually led to the then United States of America president George Bush's decision to initiate Operation Restore Hope. Cohen for instance notes that by focusing daily on the starving children in Somalia, a pictorial story tailor-made for television, the television mobilized the conscience of the nation's public institutions, compelling the US government into a policy of intervention for humanitarian reasons.¹⁸ The same way the media as an actor in conflict influences policy and action, it is the same way media can lead to no policy at all by governments or other actors in a conflict. Thompson for instance blamed the international media for failing Rwanda leading to the 1994 genocide that left about one million people dead.¹⁹

¹⁸ Cohen, B. 'A View from the Academy,' in Lance B. & Paletz, D (ed) *Taken by Storm: Media, Public Opinion, and U.S. Foreign Policy in the Gulf War* (Chicago, University of Chicago Press, 1994). pp. 9-10.

¹⁹ Thompson, A. (ed). *The Media and the Rwanda Genocide: Steven Livingston on Limited Vision: How Both the American Media and Government Failed Rwanda* (London: Pluto Press, 2007) pp. 198-210; 198.

The opportunity for genocide was provided by a conjunction of circumstances, allowing the hard-liners to confuse the international community long enough to be able to perpetrate the crime with extraordinary little international response. These circumstances, contrived or fortuitous, included the almost immediate withdrawal of international groups when the killing begun, the resumption of a civil war an inaccurate portrayal of the killing by the international press as tribal violence.²⁰ To Kuperman, original stories in Rwanda mistook the genocide for a two-sided civil war – one that the reporters said the Tutsis were winning.²¹ The western media is accused of having swallowed the ethnic interpretation of conflict. This is what Pieterse described as media circus of clichés which privileges whatever notions come floating up that are consistent with conventional wisdom, which are then endlessly and uncritically repeated.²² This in a way helped the then US president Bill Clinton’s government in ignoring the conflict leading to the genocide. Humanitarian crises in Bosnia (1995) and Kosovo (1999) can also be said to be media driven the same as the interventions in Northern Iraq (1991).

3.3 Media as a source of intelligence in conflict

Media as actors in conflict sometimes are used as intelligence sources especially when there is war. This is mainly because in the execution of their surveillance and informing mandate, media more often than not comes across crucial information that the other parties may find to be critical intelligence. During war for instance, journalists have the privilege of having access to rebel group leaders who the government of the day may be trying to vanquish.

²⁰ Ibid 198.

²¹ Kuperman, J. *How the Media Missed Rwandan Genocide* (IPI Report 2000) pp. 11-13.

²² Pieterse, N. 'Sociology of Humanitarian Intervention: Bosnia, Rwanda and Somalia Compared,' in Jan Nederveen Pieterse (ed) *World Orders in the Making: Humanitarian Intervention and Beyond.* (London: St. Martin's Press, 1998) pp. 230-265.

The journalists in many cases even interview the leaders of the various actors in a conflict either face to face or through other modes of communication like mobile phones. The journalists in such circumstances may end up with a story which the government, or any other actor in a given conflict, will find as crucial intelligence. This is confirmed by Stech when he argues that defense officials routinely use the media to keep abreast of current affairs.²³ For instance, during the Gulf War, Secretary of Defense Dick Cheney referenced CNN as one of their intelligence sources. The media as actors in conflict are also known to influence the course of critical processes during a conflict such as mediation. This is because the media have a unique capacity to restructure the attitudes, expectations, and perceived environments in order to facilitate a change in the desired way. The TV for instance has been used as a diplomatic channel that is used even by Presidents during war or other major conflicts. Television diplomacy in a global information environment, for example, accelerates deliberations and rather than communicating through traditional diplomatic channels, leaders communicate through media programming of various types.²⁴ For instance, president George Bush²⁵ and members of Congress²⁶ communicated directly to Iraq's Saddam Hussein during the Gulf War via televised press conferences and floor debates, respectively. Other uses of the media are more noble, a legitimate use of newspapers, radio stations and television stations to communicate military objectives to the public and to the other actors in a given conflict. Informing the public aids their understanding of ensuing military events.

²³ Stech, J. 'Winning CNN Wars,' *Parameters* (1994) pp 13-46;38.

²⁴ Dayton, W. & Kriesberg, L. *Conflict Transformation and Peace building: Moving from Violence to Sustainable Peace* . op ct p. 123.

²⁵ Stech, J. 'Winning CNN Wars,' *Parameters*. op.ct

²⁶ Marc F, *The Military/Media Clash and the New Principle of War: Media Sptn.* (USA, Maxwell AFB, Ala: Air University, School of Advanced Airpower Studies, 1995) p. 19.

Dayton and Kriesberg note that for those involved in a conflict, the media are a major source of information and they may also be a tool for signaling or communicating between parties to a conflict, or actually serving one party.²⁷

3.5 Media objectivity, accuracy and fairness during conflict

In executing these functions during a conflict, the media are required to observe certain parameters. These include media objectivity, accuracy and fairness. To McQuail, objectivity includes adopting a position of detachment and neutrality towards the object of reporting, lack of partisanship which is not taking sides in matters of dispute or showing bias as well as having a strict attachment to accuracy and truth.²⁸ Keeble observes that ethics tend to draw on universal values such as accuracy, honesty, fairness, respect for privacy, the avoidance of discrimination and conflicts of interest.²⁹ Locally, objectivity in journalism is emphasized as anywhere else in the world. According to article 1 of the Code of Conduct for the Practice of Journalism in Kenya the fundamental objective of a journalist is to write a fair, accurate and unbiased story on matters of public interest.³⁰ All sides of the story should be reported wherever possible; comments should be obtained from anyone who is mentioned in an unfavourable context.

However, several factors can hinder objectivity especially in conflict or situations of war. This could include judgment of news value by media practitioners who are in the field gathering news or the editors themselves.

²⁷ Dayton, W. & Kriesberg, L. *Conflict Transformation and Peace building: Moving from Violence to Sustainable Peace*. op ct p.123.

²⁸ McQuail, D. *McQuail's Mass Communication Theory*. (London: Sage Publications Ltd, 2005), p. 200.

²⁹ Keeble, R. 'Is Ethical Journalism Possible?: A Critical Overview of Ethical Dilemmas,' in Keeble, R. (ed) *Print Journalism: A Critical Introduction*. (London & New York: Routledge, 2005) p. 269.

³⁰ Code of Conduct for the Practice of Journalism in Kenya (Nairobi: Media Council of Kenya, (2007), Article 1a.

Niblock for instance explain that selection a story for airing or publication against another is determined by the intrinsic newsworthiness of the story based on how eye-catching and attention-grabbing the event depicted will be.³¹ The common phenomena during conflicts where the military or other key actors in a conflict embed journalists can easily compromise objectivity of the media. This is because those embedded may find it difficult to report negatively on the same actors who offered them facilitations in the war zones. Objectivity may as well be lost when a given media has more reasons to identify itself with a certain actor or actors in a conflict. For instance Kenyan journalists covering the Kenya Defence Forces (KDF) operation against *Al-Shabaab* in Somalia have more often identified themselves with the Kenya soldiers and mainly reported in favour of KDF.

The culture of corruption and patronage can also greatly hinder media objectivity when covering conflicts. Nothing compromises journalistic independence more than bribe taking. Skjerdal for instance observes the culture of “brown envelope syndrome” is widespread across nations, the term “brown envelope” being used to denote journalistic activity which involves transfer of various types of rewards from sources to the reporter.³² Compromised journalists may opt to sacrifice the truth, distort information and intentionally write stories that favour certain actors in a conflict at the expense of a second group of actors or parties. Rothchild³³ for instance argues that distorted information, manipulated by irresponsible politicians and spread by a mass media under their control, contribute substantially to the emergence of ethnic fears with the worst case scenario being a prolonged intrastate war. In other cases, the media as actors in

³¹ Niblock, S 'Practice and Theory: What is News?' in Keeble, R. (ed) *Print Journalism: A Critical Introduction*. (London & New York: Routledge, 2005) p 75.

³² Skjerdal, T. 'Research on brown envelope journalism in the African media,' *African Communication Research*, Vol 3(3), (2010). pp. 367-406.

³³ Rothchild, D. *Managing Ethnic Conflicts in Africa: Pressures and Incentives for Cooperation*. (Washington: The Brookings Institution, 1997) p. 109.

conflict are engaged in propaganda and hate speech that may fuel a conflict and even lead to war. Hate speech can be defined as 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.³⁴ In Rwanda, for instance, Radio Milles Collines is accused of having broadcast hate propaganda that foreshadowed the 1994 genocide. Ashford³⁵ notes that the government-associated radio urged Hutus to kill the cockroaches (Tutsis) and even drew up lists of people to be killed. Many people believe that if *Radio Milles Collines* had been stopped, and other preventive actions taken, the genocide might have been averted.³⁶

3.5 Provocative and alarming headlines

In some cases, the media as actors in conflict may be objective and adhere to accuracy and truthfulness but contribute negatively in a conflict through the use of provocative and alarming headlines that often tend to raise tensions among other actors or parties in a conflict. The Code of Conduct for the Practice of Journalism in Kenya article 1 and 11 provides that provocative and alarming headlines should be avoided, especially when covering ethnic, religious and sectarian conflict.³⁷ Related to the use of alarming headlines is what Ashford and Guy identify as the choice of certain words either in the headline or the story itself that could raise passions and incite a society to violence.³⁸

³⁴ The National Cohesion and Integration Act (Kenya: Government Printer, 2008).

³⁵ Ashford, M. & Guy, D. *Enough Blood Shed; Solutions to Violence, 101 Terror and War*. op ct p .146.

³⁶ Ibid, 148

³⁷ Code of Conduct for the Practice of Journalism in Kenya (Nairobi: Media Council of Kenya, (2007). Article 1d provides that "Journalists, while free to be partisan, should distinguish clearly in their reports between comment, conjecture and fact".

³⁸ Ashford, M. & Guy, D. *Enough Blood Shed; Solutions to Violence, 101 Terror and War*. op ct p .146.

Ashford and Guy for instance note that the British media was fond of using provocative words such as 'war machine,' 'mad dogs,' 'ruthless' when reporting on the war in the Persian Gulf.³⁹

3.6 Diversity and gender representation during conflict

The element of diversity and gender representation remains crucial on media as actors in conflict. During conflicts, media are supposed to accord ordinary people including women and children a voice. The media are supposed to report objectively the views of women and children on various issues in that conflict as opposed to concentrating only on leaders or only on those considered high in the society. Article 1 of the Code of Conduct for Practice of Journalists in Kenya provides that journalists should present a diversity of expressions, opinions, and ideas in context. Article 15 demands that women and men should be treated equally as news subjects and news sources.⁴⁰

3.7 Media and promotion of peace in conflicts

Given the various roles of the media in conflict, it is clear that media can contribute in flaming violence or ending it. It can fuel the violence if it engages in propaganda, hate speech, distortion of facts, inaccuracies or sensationalism and it can end violence often by focusing on non-violent solutions or presenting alternative methods. In executing their roles in conflict, the media can clarify issues to prevent misunderstanding or counteract disinformation and incendiary rumours, highlight the costs of conflicts, depolarize and humanize the conflict. The media can provide coverage for voices of moderation, propose solutions and point out common ground, even urge negotiation.

³⁹ Ibid

⁴⁰ Code of Conduct for the Practice of Journalism in Kenya , op of Article 15, 1 h.

Dayton and Kriesberg observes that in wars of today, winning over the minds of the people may be as important as winning the military battle, thereby according the media in conflict a significantly new role.⁴¹ Dayton and Kriesberg observe that the media frame the narrative of a conflict, convey the issues, positions, demands, of the protagonists, influencing public support or opposition as well as recruitment.⁴² In executing their functions, the media can indeed act as bridge builder in conflicts. This can be achieved by promoting positive relationships between groups in conflicts. The media can lessen polarization between groups by showing the other in a similar light to self, depicting people with the same types of problems, sharing similar interests and positions, as well as condemning violence. Scholars such as Galtung have been advocating what has been described as peace journalism which is explained as reporting in a manner that seeks to de-escalate a conflict through focusing on conflict transformation, seek out the causes of the conflict, including the deeper, often hidden, causes and the roles played by outside forces.⁴³ Here, the media are expected to explore who stands to benefit from peace and who benefits from continuing destruction, such as companies providing weapons, ammunition, and materials for reconstruction. Siemens for instance notes that many conflicts producing refugees and forced population movements could be avoided if public opinion and governments, alerted by the media, would intervene well before the outbreak of an internal or international crisis.⁴⁴

⁴¹ Dayton, W. & Kriesberg, L. *Conflict Transformation and Peace Building: Moving from Violence to Sustainable Peace*. op cit pp. 123.

⁴² Ibid 123.

⁴³ Galtung, J. *High Road, Low Road: Charting the Course for Peace Journalism*," Track Two 7, No 4, (South Africa: Centre for Conflict Resolution, (1998) pp. 7-10.

⁴⁴ Siemens, Á. 'The Role of the Media in Conflict Situations: The Media as Multinational Corporations,' in Aguitte M. (ed) *Before Emergency: Conflict Prevention and the Media*. (Bilbao: University of Deusto, 2003) p. 51.

As Manoff points out, there is a greater need for the societies to explore the potential of the media to have conflicts positively managed.⁴⁵ And as pointed out by McCormick the media should refrain from representing the image of conflict as a two-sided tug of war, but rather as the image of a prism with many facets that are at once interconnected and distinct and also changes with the angle of light and the angle of the viewer.⁴⁶

⁴⁵ Manoff, R. 'Telling the Truth to Peoples at Risk: Some Introductory Thoughts on Media and Conflict,' *The Legitimacy of Intervention for Peace by Foreign Media in a Country in Conflict* (New York: The Global Beat 1998).

⁴⁶ McQuail, D. *McQuail's Mass Communication Theory*. op ct p 7.

Chapter Four

Media as actors in Kenya's 2007-2008 Post Election Violence

4.1 Introduction

The previous chapters examined the media as actors in conflict and the roles of media in conflicts in general without a case study. Chapter Three highlighted the general functions of the media in a conflict that include supplying information, communicating current issues, surveillance, interpretation among others. This chapter links these roles of the media with the Kenya's 2007-2008 post election violence and analyzes media as actors in this particular conflict.

4.2 Kenya's 2007 presidential election and post election violence

Kenya, which for decades had been considered as an island of peace and tranquility, in the Great Lakes region, plunged into violence, killings, destruction of property and displacement of people during its fourth general election under the multiparty system of politics held on December 27, 2007. On this day, an estimated ten million Kenyans went to the polls in what was generally anticipated to be the most hotly-contested and close-run presidential, parliamentary and civic elections in the country's history.¹ The elections were conducted by the Electoral Commission of Kenya (ECK)² under the chairmanship of Samuel Kivuitu.

¹ The Independent Review Commission (IREC) Report (Nairobi: Government Printer, 2009). IREC is commonly referred to as *Kriegler Commission*.

² Electoral Commission of Kenya (ECK) was disbanded in December 2008 after Parliament passed the Constitution of Kenya (Amendment) No.2) Bill, 2008 and instead established an Interim Independent Electoral Commission (IIEC) which has since been transformed to Independent Electoral and Boundaries Commission (IEBC). ECK was accused of bungling the December 2007 general elections.

Campaigns had been vigorous, characterised by robust language occasionally lapsing into ethnic hate-speech and in a few cases deteriorating into violence.³ The contest mainly centered on the Party of National Unity (PNU) which incumbent President Mwai Kibaki was using to defend his seat and the Orange Democratic Movement (ODM) which had Raila Odinga as its candidate. In the late afternoon of December 30, 2007, ECK declared Kibaki as the winner of the presidential election, beating Odinga with a slight margin. On the evening of that day, Kibaki was sworn-in at Nairobi's State House to commence his second five-year term as Kenya's head of state and government.

Odinga and ODM however declined to concede defeat. Odinga declared that his presidential victory had been stolen through what he referred to as massive rigging by Kibaki's camp. Odinga declared that democracy had been shackled, strangled and buried and that the country was in a funeral mood.⁴ Consequently, the ODM organized mass protests with Kibaki's new government declaring them illegal and deployed armed police throughout the country to stifle the gatherings.⁵ The protests rapidly degenerated to violence, killings, destruction of property and displacement of populations.

The violence quickly took an ethnic dimension with perpetrators mainly targeting ethnic communities seen to have supported Kibaki in the elections before entering a second phase of retaliatory attacks targeting migrant⁶ workers from communities seen to have supported Odinga in the presidential elections.

³ Kriegler Commission report.

⁴ Daily Nation newspaper of January 1, 2008.

⁵ Maupeu, H. 'Revisiting Eost-election Violence,' in Lafargue, J. (Ed.) *The General Elections in Kenya, 2007*. (Dar es Salaam: Mkuki na Nyota Publishers, Ltd. 2008). pp. 187-223.

⁶ "Migrant" workers, does not refer to foreigners in the strictest sense. It is the people who work very far away from their native homes; and home refers to where the rest of the members of their ethnic community are domiciled

These retaliatory attacks were mainly carried out by government supporters and militia mainly in the Rift valley, Central Province and in the slums of Nairobi⁷. The magnitude of the trauma and structural violence took both Kenyans and the international community by surprise.⁸ A total of 1,133 people died as a consequence of the violence with most killings concentrated in the provinces of Rift Valley (744), Nyanza (134) and Nairobi (125).⁹ The causes of deaths were burns, arrow shots, mob- injustice, strikes with blunt and sharp objects, assault, drowning, hypothermia, suffocation injury, stoning, shock, hanging, gunshots and unknown causes.¹⁰

International and local efforts to promote a cessation of violence and foster dialogue between the opposing sides started almost immediately the chaos erupted. Among the first initiatives to find a solution to the crisis was by African Union (AU) along with a combined team of the French, British and US diplomats.¹¹ The visit, from January 8-10 2008, of John Kufuor, the then President of Ghana, in his capacity as Chairman of AU was one of the rapid efforts to reconcile Kibaki and Odinga camps and end the ethnic violence that was now almost taking the shape of a civil war. Other third parties that were involved in the initial stages included Archbishop Desmond Tutu of South Africa, the Former Presidents Forum (FPF), consisting of former Heads of State in the continent including Ketumile Masire (Botswana), Joachim Chisano (Mozambique), Benjamin Mkapa (Tanzania) and Kenneth Kaunda (Zambia).¹²

⁷ United Nations High Commissioner for Human Rights (OHCHR). *Report from OHCHR Fact Finding Mission to Kenya 2008*

⁸ Maupeu, H. 'Revisiting Post-Election Violence,' op cit pp. 187-223.

⁹ Commission of Inquiry into Post-Election Violence (CIPEV) (Nairobi, Government Printer, 2008). The commission is commonly referred to as the Waki Commission. p 345.

¹⁰ Ibid, 311.

¹¹ Lafargue, J. & Katumanga, M. 'Post-Election Violence and Precarious Pacification' in Lafargue, J. (Ed.). *The General Elections in Kenya, 2007*. (Dar es Salaam: Mkuki na Nyota Publishers, Ltd. 2008) p 13.34.

¹² Mwangiri, M. *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya* (Nairobi: Institute of Diplomacy and International Studies, 2008) p. 32.

They facilitated discussions with some moderate members of Parliament from both PNU and ODM in efforts designed to lay a common ground for the mediation that was later to be led by former United Nations Secretary General, Kofi Annan under the panel of eminent African personalities that also consisted former South Africa's first lady, Graca Machel-Mandela, and former Tanzanian president, Benjamin Mkapa.¹³

On February 28, 2008, two months after the presidential election and its resultant violence, Annan successfully brokered a deal between the contending parties, and President Kibaki and Odinga signed a pact to restore peace in Kenya. A ceasefire arrangement was established, illegal armed groups that had organised to advance the interests of the various groups retracted.¹⁴ A Grand Coalition government was formed in April 2008 under the National Accord – an agreement that underlined power-sharing as a device of ending the political crisis, and there was calm in the country.¹⁵ In the whole approach to the unfolding conflict, many observers took sides, and seemed to conclude from the outset that only the government side had rigged the elections basing their view points on the report of the European Union observers' findings which detailed the anomalies and inconsistencies in the elections, particularly in the tallying of the results.¹⁶

Before the violence, the country was highly polarized as PNU and ODM campaigned. While for ODM capturing presidency was the ultimate prize, for PNU, the goal was to retain it. Since independence Kenya had experienced personalization of presidential power and deliberate weakening of public institutions with laws routinely enacted to increase executive authority

¹³ Ibid, 32.

¹⁴ Karuti, K et al. 'Contradictions of Transition to Democracy in Fragmented Societies: The Kenya 2007 General Elections in Perspective' in Karuti, K & Okello, D (ed) *Tensions and Reversals in Democratic Transitions; The Kenya 2007 General Election* (Nairobi: Society for International Development Eastern Africa Regional Office, 2010) pp. 1- 28; 15.

¹⁵ Ibid, 15.

¹⁶ Mwangi, M. *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya* op cit p. 33

while legislations perceived as impeding an imperial presidency being amended or even ignored.¹⁷ This increased the stakes for the presidential contest.

Divisions between Kibaki and Odinga camps started in early 2003 after the National Rainbow Coalition (NARC) ascended to power under Kibaki after trouncing the Kenya African National Union (KANU) that had ruled the country since independence. Within weeks of the December 2002 election, the Memorandum of Understanding (MOU) that forged the tribal factions into the NARC alliance and that got Kibaki elected in a landslide victory collapsed. Contents of the MoU included creation of the position of Prime Minister after the election. As soon as the MoU was scuttled, a group led by Odinga left the NARC coalition government.

Even though the MoU was not a legal agreement, the Kibaki government's turning away from it and removing from government the group of ministers associated with Odinga had the effect of increasing the polarization of politics along ethnic lines.¹⁸ The faction led by Odinga felt betrayed and started rocking the NARC government including publicly opposing its policies. The key one was the constitutional referendum of 2005 in which Odinga led the camp that vigorously campaigned against proposed Supreme law which Kibaki wanted adopted. The referendum drew the ethnic political fault lines that came to haunt the country come the 2007 presidential elections. The election campaigns were verbally very virulent and shortly after the nominations for parliamentary elections, human rights organizations in Kenya denounced the instances of intimidation and murder.¹⁹

¹⁷ Waki Commission p. 28.

¹⁸ Ibid, 30.

¹⁹ Lafargue, J. & Katumanga, M. 'Post-election Violence and Precarious Pacification' op ct pp. 11-32; 12.

4.3 Kenya Media as actors in 2007/08 electoral violence

The Kenyan media played an instrumental role both during campaigns leading to the country's elections in December 2007 and the ensuing political crisis.²⁰ The reader, the listener and the television viewer had a wide range of sources of information in English, Kiswahili and other local languages to choose from.²¹ However, the manner in which the media covered the presidential elections and subsequent violence has remained a topical issue with media being accused of having fuelled tensions and contributing to the violence.

Lafargue and Katumanga for instance state that the way the media covered the election contributed to the violence as there was outright bias in political debate and analysis weeks before the polls.²² The release of election results was characterized by inaccuracies, skewed pattern of analysis of results and incitements.²³ Many witnesses who appeared before the Waki commission recalled with horror, fear, and disgust the negative and inflammatory role of vernacular radio stations in their testimony and statements to the commission.²⁴ The witnesses indicted journalists for having contributed to a climate of hate, negative ethnicity and incitement to violence.²⁵ Media houses were divided right in the middle with others supporting ODM and others backing PNU.²⁶

²⁰ Rambaud, B. 'Caught Between Information and Condemnation. The Kenyan Media in the Electoral Campaigns of December 2007' in Lafargue J. (ed) *The General Elections in Kenya, 2007* (Nairobi Kenya: Institut Français De Recherche En Afrique (IFRA), 2008) pp 57-108; 57

²¹ Ibid, 63

²² Lafargue, J. & Katumanga, M. 'Post-Election Violence and Precarious Pacification' op cit pp 11-32; 12.

²³ Interview with Haron Mwangi Executive Director Media Council of Kenya (MCK) conducted on 13 September 2012.

²⁴ Waki Commission Report.

²⁵ Ibid.

²⁶ Interview with Paul Ilado, the Radio Africa Group political editor. Interview conducted on September 24th, 2012. Radio Africa Group runs several FM stations include the *Kiss 100*, *Classic 105*, *Radio Jambo*, *Kiss TV* and the *Star Newspaper*.

Nearly all media coverage was split into two distinct ideological formations or two distinct competing political groupings, pitting the PNU against ODM, instead of framing the coverage with the greater concern for national good.²⁷ The media, and particularly local language media, influenced or facilitated the influencing of communities to hate or to be violent against other communities with radio stations broadcasting in Kalenjin and Kikuyu languages being culpable.²⁸ Live phone-in programmes were particularly notorious for disseminating negative ethnic stereotypes, cultural chauvinism and the peddling of sheer untruths about the political situation of individual politicians.²⁹

The triangular relationship between other actors in the conflict, the media and the public was very clear in this case. While the public depended on the media to know what was happening, the leaders depended on the media to communicate their positions to the public. For instance, at the height of the violence, Kibaki convened a press conference at State House Nairobi where he pointed an accusing finger at his opponents, saying those with vested political interests orchestrated the violence.³⁰ Odinga also the same day convened a press conference and told journalists that his team had identified former UN Secretary General Kofi Annan, South Africa's Desmond Tutu and the then Ghanaian President and African Union (AU) chairman John Kuffour to mediate but the government was dragging its feet.³¹ This shows that during conflicts, the warring groups depended on the media to know the positions of the opposing side.

²⁷ Ibid, 633

²⁸ Kenya National Commission on Human Rights (KNCHR). *On the Brink of the Precipice: a Human Rights Account of Kenya's Post 2007 Election Violence*. (Nairobi, 2008). p5.

²⁹ Ibid, 5

³⁰ Standard Team. "A Slow start in Search for Peace," *The Standard* (Nairobi) January 4th, 2008. p. 1

³¹ Ibid, p.5

4.3.1 Media objectivity, accuracy and fairness during post election violence

By the time the country went to the polls on December 27, 2007, a code of conduct for the practice of journalism was part of the just enacted Media Act 2007 and it revolved journalism ethics including seeking truth, acting independently of all interests and remaining professional.³² This study, however, found that adherence to this code was poor. Only 13 percent of journalists interviewed during this study said the code was fully adhered to, 40 percent said the violation was minimal as many journalists tried to ensure code is adhered to while the greatest 46 percent stated the violation was extensive. The 2007 general elections were characterized by a number of journalists seeking parliamentary and civic seats a good example being the managing editor of Standard Group Chaacha Mwitia who contested during ODM primaries in Kuria constituency.³³ The study found that this in a way compromised neutrality in coverage of the elections and the subsequent crisis since such journalists wielded influence in the places they used to work, and were in a position to easily advance interests of their parties even during the conflict. The journalists took advantage not only of their technical know-how and political activists' ability to communicate, but also of their popularity among the masses to launch a political career and in the end, numerous media were partial.³⁴ By joining politics, these individuals were no longer journalists, but politicians with very strong relationship with newsrooms. Such politicians tended to leverage on this relationship to push their agenda albeit negative.³⁵

³² Makokha K. "Dynamics and Politics of Media in Kenya: The Role and Impact of Mainstream Media in the 2007 General Elections" in Karuti, K. & Okello, D (ed), *Tensions and Reversals in Democratic Transitions; The Kenya 2007 General Election* (Nairobi: Society for International Development Eastern Africa Regional Office, 2010), pp. 222 -305; 289.

³³ Rambaud, B. 'Caught Between Information and Condemnation. The Kenyan Media in the Electoral Campaigns of December 2007' op ct pp 57-108; 70

³⁴ Ibid, 71.

³⁵ Interview with Paul Ilado.

Half of the interviewed journalists admitted that their coverage of the events was influenced by the interests of the groups that were competing in the presidential vote. Cited interests included journalists associating themselves more with certain political parties as opposed to others. The journalists aligned themselves to either the Kibaki side or Odinga side and were ready to even “battle” for their respective camps. In some cases, this “battle” even came closer to being physical as captured in a story published by *the Standard* during the PEV and headlined “Ministers, Media Clash,” stating that:

“A press conference of nine cabinet ministers called over violence ended in disarray after they clashed with journalists. The ministers, who spoke at the office of Internal Security Minister Mr. John Michuki, almost came to blows with journalists after they were pressed to substantiate claims that the opposition was fanning post election violence.”³⁶

The fact that journalists were aligned to certain parties is well put by *Sunday Times* managing editor Ken Bosire when he states:

“this election was particularly difficult for the media to cover. I have been in the media for the last three elections and this was the most polarized of all. It divided the newsroom; within our own workforce people were taking every different political position. As an editor, I found myself receiving and having to tell people to go back and rewrite them.”³⁷

The study also found that promises politicians had made to some journalists, such as plum employment opportunities especially if Odinga won the presidency, also influenced the manner in which the election and subsequent violence was covered. This, in essence put the journalists as key actors in the entire conflict as they had direct interests of getting jobs.

³⁶ Otieno, S & Saulo, M. “Ministers, media clash.” *the Standard* (Nairobi) January 3, 2008. p 5.

³⁷ Interview with Bosire, K. the *Sunday Times* Managing Editor published in *the Expression Today* (Nairobi) March 2008; p 19.

73 percent of journalists interviewed admitted that political interests by journalists influenced the manner in which they covered the presidential elections and subsequent violence while 27 percent said there was no influence. The interviews revealed that most of the journalists felt aligned to certain politicians as opposed to others with ethnic considerations taking the centre stage. On the specific issue of being promised a job hence deep interest in a certain camp winning, only 7 percent of interviewed journalists admitted that they had directly been promised jobs incase ODM won, 10 percent stated that they knew colleagues who had been promised such jobs while 63 percent said they just heard of such promises being made with the remaining 20 percent stating they were neither promised any job nor did they know any journalist who was promised a job. The study found that the media engaged in hate speech and propaganda as they tried to push for their interests during the presidential contest and the subsequent violence. KNHCR for instance documents that:

“Local language media also disseminated hate speech to Kikuyu audiences in Central Province and in the diaspora. Call-in shows on radio stations enabled individuals to make unregulated hateful statements. Inooro FM put on air highly emotional and distraught victims of the violence, a factor that tended to whip up the emotions of its audience.”³⁸

Rambaud writes that some stations carried messages of hate citing *Kass FM* (in Kalenjin), which heavily campaigned for ODM and was accused of carrying materials of xenophobic nature vis-à-vis other communities (especially Kikuyu).³⁹ This shows element of bias by some media organisations. The study established that even in the eyes of the international law, the media are considered as key actors in conflicts.

³⁸ Kenya National Commission on Human Rights (KNCHR). *On the Brink of the Precipice: a Human Rights Account of Kenya's Post 2007 Election Violence*. op ct p. 127.

³⁹ Rambaud, B. 'Caught Between Information and Condemnation. The Kenyan media in the electoral campaigns of December 2007' op ct pp. 57-108; 75.

Already, a Kenyan journalist Joshua Arap Sang who is former head of operations at *Kass FM* in Nairobi is facing charges at the International Criminal Court (ICC) at the Hague in relations to the 2007-2008 PEV. Sang is accused of having otherwise contributed (within the meaning of article 25(3) (d) of the Rome Statute) to the commission of crimes against humanity that include: murder (article 7(1) (a) deportation or forcible transfer of population (article 7(1) (d); and persecution (article 7(1) (h)).⁴⁰ Article 25(3) (d) of the Rome Statute⁴¹ provides that a person shall be criminally responsible and liable for punishment for a crime within the jurisdiction of the court if that person in any other way contributes to the commission or attempted commission of such a crime by a group of persons acting with a common purpose. Such contribution shall be intentional and shall either: be made with the aim of furthering the criminal activity or criminal purpose of the group, where such activity or purpose involves the commission of a crime within the jurisdiction of the court; or be made in the knowledge of the intention of the group to commit the crime. The station was accused of even providing information to youths on where to attack. This means media was used to provide information to various groups on what the other group perceived as enemy was planning or doing. In a way, it acted as a source of intelligence for various actors during the PEV.

4.3.2 Media ownership and interests during the post election violence

Media ownership in many cases influences editorial policies and in many cases compromises the truth. These policies in turn influence the coverage of events by the journalists. One of the interviewed journalists put it that that:

⁴⁰ International Criminal Court official website: <http://www.icc-cpi.int/Menu/ICC/Situations+and+Cases/Situations/Situation+ICC+0109/>

⁴¹ Rome Statute of the International Criminal Court p 22.

“Ownership is usually exercised at the highest levels of the editorial department, and it is some sort of soft power. You know it is there, but you just cannot pinpoint it, unless, you are told that the orders have come down from the boss himself,”⁴²

Haron Mwangi Executive Director Media Council of Kenya (MCK puts it that:

“Media ownership influences coverage of conflicts especially where a media station is owned by a politician or an elite who is an acolyte of politicians of substantive influence in country politics and where such owners influence editorial policies.”⁴³

Ilado puts it that:

“Some media owners were used and abused by politicians to encourage violence against some communities. I know of one media owner who verbally instructed his editorial team to favour one side of the political divide and just before the post election violence erupted the presenters in that station were openly asking for their supporters to remove *madowadowa* (unwanted spots). Other media owners influenced the kind coverage that went on in their establishment but in a very discreet manner.”⁴⁴

50 percent of journalists interviewed said editorial policies greatly influenced how they covered the presidential elections, 36 percent said the influence was average, 10 percent said the influence was minimal while the remaining 4 percent said there was not influence at all. Mwita notes that the media compromised the truth in the 2007 due to pressure from higher quarters such as government and hence frustrated the genuine efforts of citizens to get the correct position of the happenings, a frustration that contributed to the violence.⁴⁵

⁴² Interviews with journalist Alphonse Shiundu (Daily Nation) conducted on August 4th 2012.

⁴³ Interview with Haron Mwangi.

⁴⁴ Interview with Paul Ilado,

⁴⁵ Mwita, C. *Citizen Power: A Different Kind of Politics, A Different Kind of Journalism* (Nairobi: Global Africa Corporation Ltd, 2009) p. 125.

He puts it that:

“By the time Kibaki was announced winner of the election, it was too late. The media were too deep in tribal murk and corruption to do anything. There was nobody who could stand up to the tyrants and petty thieves of collective dreams and aspirations. Of all media houses NMG (Nation Media Group) buckled first and stopped updating citizens with results from the ground. A senior employee of the group told me they received ‘orders’ from their bosses to stop the updates. Their bosses had ostensibly received similar orders from the government.”⁴⁶

The study found that influence by media owners was not explicit and this is what has been described above as “soft power”. The influence in some cases came from the politicians who used their friends who owned media houses. This soft power was then exerted to the editors who then influenced journalists on the ground.

Sometimes, the politicians themselves were exerting pressure directly to the editors without necessarily passing through the media owners. On political pressure, Managing Editor, Weekend Editions at *the Standard* Kipkoech Tanui puts it that:

“Of course there were pressures. But they were not overt. You would feel their demands. They would never say explicitly ‘do this for us’ or ‘do that for us,’ but they would accuse us of doing too much for the other side. This essentially amounts to political blackmail. It demonizes the media for something that is of the politicians’ making.”⁴⁷

The application of “soft power” by the state, the media owners and editors during PEV has been captured well by former managing editor at *the Standard* newspaper Chaacha Mwita⁴⁸ who narrates how editors were called to the Office of the President at Harambee House on December 30th, 2007 and met the then Head of Civil Service Ambassador Francis Muthaura and who told

⁴⁶ Mwita, C. *Citizen Power: A Different Kind of Politics, A Different Kind of Journalism* op cit p. 125.

⁴⁷ Interview with Tanui, K. Managing Editor, Weekend Edition, *The Standard*. Interview published in the *Expression Today* (Nairobi) March 2008; p 22.

⁴⁸ Mwita, C. *Citizen Power: A Different Kind of Politics, A Different Kind of Journalism* op cit p. 22.

them that Kibaki was going to be declared winner of the elections by ECK and hence should prepare for it.

“Although Muthaura had the audacity to do was a major affront on the freedom of the press and big news in its own right, the media as a safeguard of class interests did not deem it fit to publicize. As a result, the media in Kenya tried to falsify history.”⁴⁹

According to Rambaud, to the ordinary reader of the Kenyan newspapers at that time, *The People Daily* was mainly pro-PNU, *The Kenya Times* and *The Standard* pro-ODM while *The Daily Nation* was perceived as leaned towards PNU.⁵⁰ The leaning towards particular political parties by the media has been attributed to media bias in coverage of the entire conflict and hence the breaking of the code of conduct and this even led to some media houses even engage in romour-mongering to advance certain political courses which contributed to raising of tensions and polarization of the country. For instance, *the Standard* implicated a PNU minister as being behind the alleged printing of parallel ballot papers in Belgium in an alleged scheme to steal the election in cahoots with members of the ECK.⁵¹

The bias was in some cases manifested through the use of cartoons published by the papers. For instance, ahead of the elections *Daily Nation*⁵² published a cartoon depicting Kibaki as the “Devil We Know”, and Odinga as “the Devil we don’t know.” Such publication was biased against Odinga. On the electronic side, KBC which is owned by the state was perceived to extensively campaigned for Kibaki, covering PNU rallies live for hours in the afternoon while

⁴⁹ Ibid, 22

⁵⁰ Rambaud, B. ‘Caught Between Information and Condemnation. The Kenyan Media in the Electoral Campaigns of December 2007’ op ct.57-108; 70.

⁵¹ *The Standard*, December 4th 2007.

⁵² *Daily Nation* November 5, 2007.

Odinga only got a few minutes in the evening bulletin.⁵³ Further, Kibaki banked on support from *Citizen TV* and to a larger extent all the media owned by Royal Media Services group.⁵⁴

4.3.3 Media and promotion of peace during the post election violence

The study found that while the media did not focus more on promotion of unity and peace before the voting day, as it mainly dwelt on articulating the positions of the various parties during the campaigns, it quickly assumed the role of calling for calm and end to violence when chaos erupted. There was a common stand among print media, it featured peace initiatives by various groups and in some cases gave material support.⁵⁵ Haron Mwangi, the Executive Director of the Media Council of Kenya states that:

“Media are major actors in conflicts since media construct reality in people’s minds and life and if it repeatedly set the agenda for peace across, the media give people forum for dialogue and constructs reality on the same people tend to conform and create peace.”⁵⁶

The study found that after the eruption of violence, the media started putting pressure on the main protagonists, Kibaki and Odinga to urgently return the country to sanity and end the killings and displacements of populations. The media put pressure on these actors to dialogue. Analysis of the media content, especially newspapers published after December 30th, 2007 to the signing of the peace accord on February 28, 2008 reveal that the media took a strong position to push for negotiations between Kibaki and Odinga and an end to the violence.

⁵³ Rambaud, B. ‘Caught between information and condemnation. The Kenyan media in the electoral campaigns of December 2007’ op ct pp 57-108; 71.

⁵⁴ *Ibid*, 71.

⁵⁵ Interview with Haron Mwangi Executive Director Media Council of Kenya (MCK).

⁵⁶ *Ibid*

This was done through front page stories and editorials that started from page one. For instance, a joint headline was adopted by *Daily Nation, the Standard, the People, the Kenya Times* and the *Nairobi Star* on January 3rd headlined “Save Our Beloved Country.” The *Standard* wrote:

“There are only three ways of getting our beloved country through the current crisis, that is, put the General Election behind it and return to normalcy. We propose that President Kibaki and Mr. Raila Odinga talk to each other, that they agree to take an active part in stopping the violence gripping the country; and that they find a way to share power or agree a transition arrangement.”⁵⁷

A similar message was passed across by all the other daily newspapers. This pressure influenced the decision making by other actors during this conflict. 77 percent of journalists interviewed believe that the media did not play a critical role in calling for peaceful before the election with the remaining 23 percent saying media promoted peace before the disputed presidential election.

On whether the same media played a key role in cooling tensions and uniting the country after eruption of violence 98 percent of those interviewed said yes while the remaining 2 percent said the role was minimal as some media houses were still pursuing their interests. By relaying images of the suffering of those affected, including torching of their houses and brutal killings and suffering of children and women, the media played a key role in reaching out to key decision makers including at the international level. As a result of the images that were reaching them right into their living rooms, the leaders felt obligated to intervene and pile pressure on Kibaki and Odinga to dialogue and even agree on power sharing. This saw even leaders such as the then US President George W. Bush dispatch Assistant Secretary for African Affairs Dr. Jendayi Frazer and later the then US government Secretary of State Condoleezza Rice with local media publishing headlines such as “World Leaders Pile Pressure as Kenyans pray.”⁵⁸ The world

⁵⁷ *The Standard* (Nairobi) January 3rd, 2008. p 1.

⁵⁸ The Standard Team, “World Leaders Pile Pressure as Kenyans Pray. *The Standard*, (Nairobi) January, 7, 2008.

leaders also used the media to communicate to Kibaki and Odinga and exert pressure with President Bush saying it was imperative the two sit together to discuss how to end the PEV in a way that reflected the will of the people while UN Secretary General Ban Ki-Moon called on leaders to “urgently find an acceptable solution through dialogue to ensure resolving of the crisis and return of peace and democratic path.”⁵⁹ Similar stories were carried by all daily newspapers as well as radio and TV stations. For instance, *Kenya Times* wrote “Pressure Mounts,” as a headline and explained the positions by the various world leaders on the Kenyan crisis.⁶⁰ The world leaders also used the media to call for peace and calm. For instance, at the height of the violence, the UN Secretary General called on Kenyans to be calm, patience and to respect the law and advised the police to show utmost restraint.⁶¹ In an attempt to push for dialogue and peace, the media started framing the suffering of not only the ordinary people but also issues such as how the violence was ruining the country’s economy, all aimed at compelling the leaders to dialogue. *The Standard* for instance wrote:

“Time was of the essence last night as the economy faced a meltdown and the disruptive effects of the bloody post-election violence threatened all sectors. This renewed urgency for a solution to the impasse over the presidential vote outcome that has pushed the country to the brink emerged as international pressure piled on Party of National Unity’s President Kibaki and the Orange Democratic Movement’s Mr. Raila Odinga to chart a path out of crisis.”⁶²

Apart from clear cut straight news stories, the media further pushed for dialogue, peace and even inspire hope to the general public through commentaries, letters to the editor and peace messages on TV and Radio stations. For instance, in one commentary titled “It is still possible to save the

⁵⁹ Standard Team & Agencies, *The Standard* (Nairobi) January 13, 2008; p 1.

⁶⁰ *The Kenya Times* (Nairobi) January 6, 2008.

⁶¹ Opiyo, P. & Damary, R. “UN, Moi Appeal for calm, restraint.” *The Standard* (Nairobi) p. 5.

⁶² Standard Team, *The Standard*. (Nairobi) January, 7, 2008. p 1.

country,” the media inspired hope by stating that “the resolution of the crisis is still within reach.”⁶³ Another example of a commentary was titled “Yes, Kibaki and Raila should sit down and talk,” and where the author attacked the two leaders saying:

“both leaders, who both command huge following, have innocent blood on their hands. The country is burning as our President remains holed up in State House. Raila, on the other hand, has failed to restrain his supporters.”⁶⁴

In an article titled “Road Map to Peace,” the *Saturday Nation* explained to the country and the world at large that that The Kenya National Dialogue and Reconciliation (KNDR) had agreed on how to restore peace including holding of joint rallies to stop the violence. This was a case of positive information being explained to the public that all had not been lost in the conflict.⁶⁵ The media also brought in experts in conflict management to pen articles or talk shows on radio and TV on the possible ways of resolving the conflict. For example, Wainaina wrote a long piece in the media titled “Ethnicity, genocidal violence and the way forward,” explaining ways in which the country could resolve the crisis and return to peace.⁶⁶ In explaining the role of media in promotion of peace during PEV, Makokha states:

“Television stations also streamed the headline and private radio stations also streamed the headline and private radio stations broadcast the editorial. The radio and television stations also broadcast joint prayers. The fear to exacerbate the violence and ethnic division informed the heavy self-censorship witnessed in the media in the period after the elections. No journalist wanted the media in the ignominious role of Radio Television Libres des Mille Collines (RTL) during the Rwanda genocide.”⁶⁷

⁶³ Okech, K. “It is Still possible to Save the Country.” *The Standard*, (Nairobi) January 3, 2008. p.6.

⁶⁴ Mburu, N. “Yes, Kibaki and Raila should sit down and talk,” *The Standard* (Nairobi) January 3rd 2008. p. 7.

⁶⁵ Barasa, L. “Road Map to Peace,” *The Saturday Nation* (Nairobi) February 2, 2008 p 1.

⁶⁶ Wainaina N. “Ethnicity, Genocidal Violence and the Way Forward,” *The Kenya Times* (Nairobi) January 10, 2008; p 14. Wainaina is the Executive Director of International Centre for Policy and Conflict (ICPC) in Nairobi.

⁶⁷ Makokha K. “Dynamics and Politics of Media in Kenya: The Role and Impact of Mainstream Media in the 2007 General Elections.” op cit p. 222 -305; 296.

In addition, during mediation, the media influenced what was happening for example through editorials and commentaries and exerted further pressure to ensure that there is deal at last. An editorial by the *Daily Nation* titled "Tough talk could only undermine mediation," for example stated that; "We beg both parties to the dispute to play by the rules and avoid statements and actions that may scuttle the talks. This is the only chance Kenya has to save or destroy itself."⁶⁸ Parties engaged in the mediation process also used the media to communicate to the country that there was hope of emerging from the crisis and even paid for space in the media to issue public statement. These included statements by the KNDR published in the local dailies for instance *Daily Nation*⁶⁹ on the resolution of the political crisis, annotated agenda and timetable and signed by Government/PNU members of the dialogue team Martha Karua, Sam Ogeri, Mutula Kilonzo and Moses Wetangula and ODM side Musalia Mudavadi, William Ruto, Sally Kosgey, James Orengo and witnessed by Annan for the Panel of Eminent African Personalities. But it also appears that in pushing for peace, media organisations also wanted violence to end as it was also chocking them commercially. This has well been captured by editor Ilado when he states:

"After days of wanton destruction and senseless killing the media came together on several occasions to appeal to the country to restore peace. It was also involved in several initiatives aimed at helping those affected because most of the small media houses would have closed shop because advertisers were not advertising."⁷⁰

All in all, these initiatives, including media publishing photos or beaming images of the PNU leaders and their ODM counterparts shaking hands contributed greatly to cessation of violence and the signing of the National Accord on February 28, 2008.

⁶⁸ Editorial. "Tough talk could only undermine mediation," *Daily Nation* (Nairobi) "February 4, 2008; p 10.

⁶⁹ *Daily Nation*, Nairobi. February 7, 2008; pp 29, 30, 29.

⁷⁰ Interview with Paul Ilado.

4.4 Objectives and Hypothesis of the study

The objectives of the study as outlined in Chapter One included demonstrating that media are actors in conflict, finding out what role the media as actors in conflict played during the 2007-2008 violent electoral conflict in Kenya and explore how media can be involved in positive management of conflicts. It has been demonstrated that the media took sides in this conflict, either backing Kibaki's PNU or Odinga's ODM. Media were advancing various interests, leading to propagation of hate speech, bias and incitements—a demonstration that media were actors in the conflict—playing a negative role of fuelling the conflict to violence and killings. This is a demonstration that media as actors in conflict have significant impact on the course of a conflict as hypothesized in Chapter One of the study. While it has been demonstrated that the interests of the media played a negative role in the violence as hypothesized, the study has also demonstrated that media interest to see return of normalcy saw them actively engage in calling for peace and dialogue, which aided in ending the crisis. This was a positive contribution to the conflict. The media employed various methods to have the conflict positively managed as outlined in this chapter hence greatly contributing to signing of the peace accord. In pushing for peace, the media was also pursuing a commercial agenda. Sales were poor and advertisements were not coming in as a result of violence, and media organisations needed return of “business as usual” in the country. Makokha⁷¹ states that the mainstream media emerged from the conflict mortally wounded with national newspapers losing half of their sales as a result of the political turbulence and the depressed economy. The researcher holds that all the objectives of the study were achieved and hypothesis accepted.

⁷¹ Makokha K. “Dynamics and Politics of Media in Kenya: The Role and Impact of Mainstream Media in the 2007 General Elections” op cit pp. 222 -305; 304.

Chapter Five

Conclusions

5.1 Introduction

This study has investigated and analysed the media as actors in conflict with the Kenya's 2007-2008 post election violence as a case study. This has been done with a broad analytical framework as outlined in Chapter One. The study was conducted bearing in mind the moral injunction that it is not the role of media in the society to resolve conflicts but report responsibly, reliably, analytically and objectively as much as possible in a way that help other actors in a conflict mitigate these conflicts. Though the findings and conclusions made in this study are derived from the case study of the Kenya's 2007-2008 post election violence, they are relevant to any other conflict elsewhere. The chapter will note that there exists poor incorporation of media in conflict management not only in Kenya but also Africa in general. The Chapter will draw from the findings and conclusions outlined in Chapter Four and will make several suggestions on how media as an actor in conflict can aid in resolving differences between other actors rather than fuelling them. The way media operated during the Kenya's 2007-2008 post election violence has been generalized to help in advancing the discipline of conflict management with the media being the focus anywhere else.

5.2 Media influence on the course of a conflict

The study noted that the media are regarded as contextual elements that influence conflicts. This is so because the media are in themselves actors in conflict as they pursue various interests. As captured in Chapter Two and Chapter Three of this study, the media interacts with virtually all

other actors in a conflict either directly or indirectly, with the media themselves also pursuing certain interests in any given conflict hence making them key actors in conflicts.

By the virtue of the fact that media are always covering conflicts and interacting either directly or indirectly with all other actors, media cannot escape being actors too.¹ Often, this interaction goes beyond what an ordinary eye can see. The interaction, both direct and indirect, creates a relationship between the media and the other actors-a relationship which more often has compromised the media in covering wars and other conflicts. The study concurs with Pruitt and Kim that the mass media have allowed themselves to be abused for tit-for-tat contentious tactics and as mouthpieces for conflicting parties to issue threats and steer conflicts in escalatory and transforming manners-essentially transforming into a weapon on the frontlines of the information war.² As examples cited in Chapter Four shows, the media objectivity in conflicts can easily be compromised due to various interests and pressure from various quarters pursuing various interests in a given conflict. This, as demonstrated in the study, can increase the violence, killings and destructions. The study suggests that during conflicts, the media should report objectively about the events, regardless of the opinions or preferences of individuals within its ranks. However, as demonstrated in this study, this was not the case for Kenya media during the 2007-2008 election period and subsequent violence. As was noted in the study, the public's right to know and the need for objectivity should remain paramount. The future way lies in media houses ensuring that they remain objective with constant training and retraining of their journalists and editors on how to remain objective especially when covering conflicts. It is also suggested that media owners to avoid using their privileged positions to influence the contents of media as this, in many cases, injure objectivity of a media organization especially when covering

¹ See Chapter One p 5.

² Pruitt, D and Kim, S. *Social Conflict, Stalemate and Settlement* (Boston: McGraw-Hill, (3rd ed), 2004) p 70.

conflicts. The media owners, whose main focus is profit, should indeed leave the decisions on content to competent highly skilled editors who have journalistic training. The editors accorded this privilege should as well adhere to journalistic ethics. Part of these ethics is to stand for truth as opposed to propaganda and lies. The truth aspect in peace journalism holds for all sides, just like exploration of the conflict formation and giving voice to all, including the ordinary people.

5.3 Specializing in conflict reporting

Just as media houses have specialized personnel to report on particular fields like courts, sports, health, parliament among other fields, media organizations should also have personnel who specialize in conflict reporting. And just as media houses prioritize constant training of their personnel on these bits, the study suggests that media houses to as well prioritize training of journalists on reporting conflicts. Such trainings will assist media practitioners to build on how conflict sensitivity can work without compromising journalistic ethics. The need to integrate conflict sensitivity into the culture of the institutions' operations, adopting a new institutional mindset which includes changing the way reporting of events is carried out remains paramount.

Despite media being key actors in conflicts, media organizations hardly hold meetings to discuss how their decisions and actions can influence peace and conflict. This is a major problem in today's media organizations and it is something that needs to be addressed. The sad state of affairs is that the media content continues to be mainly driven by interests such as commercial/sales aspect with crafting of headlines always being influenced by two questions: *Is it catchy? Will it sell?* In such a case, the risks are that decision makers in a newsroom, for example the editors, are likely to come up with sensational headlines to push the sales up and with impacts of such headlines being catastrophic especially in fragile societies.

5.4 Need for a manual on how to cover conflicts

Media houses ought to develop principles for maximizing positive and minimizing negative impacts during conflicts. These principles should be such that the cardinal roles of journalism, which include watch-dogging and informing the public are not compromised. This leads to a suggestion that media organizations to develop a manual on how to cover conflicts and especially where there is violence. Such a manual ought to as well provide for how media can constantly engage in conflict analysis. This is because if media are to improve on the way they cover conflicts, it is paramount that they prioritize conflict analysis. This is a systematic study of the profile, causes, actors and dynamic of conflict. This can help media houses gain a better understanding of the context in which they work and their role in that context. Such a manual can as well clearly guide on when a media organization should exercise self censorship in covering conflicts and its effects such as gory images and deaths. Self censorship has indeed happened in many other parts of the world including the developed nations without necessarily denying the audience their right to information. For instance, after the planes hit the twin towers in New York in 2001, journalists could have broadcast graphic images of the death caused by the towers collapsing but instead, many chose to keep such images for their unpublished archives, believing that their publication would only make the situation worse.³ This however does not mean that the public was denied the right to know the magnitude of this terror attack.

5.5 Media and Do No Harm framework

The study concludes that there is need for further analysis on how media can apply the “Do No Harm” framework for the society to have a deeper understanding on how actions and

³ Merchant, E. 'Have Objectivity and Fairness been sidelined in the quest for peace?' *Expression Today* (Nairobi) March 2008; p 23.

interventions by the media can be undertaken in ways that, rather than feeding into and exacerbating the conflict, help local people disengage from the violence that surrounds them and begin to develop alternatives that address the underlying factors of conflict. Such a deep analysis will contribute a lot in the field of conflict management and aid media houses to adequately apply the social responsibility theory of journalism.

The theory holds that the media has a moral obligation to consider the overall needs of a society when making journalistic decisions that will produce the greatest good.⁴ This will also entail incorporation of the teachings of Johan Galtung on peace journalism as well as conflict sensitive journalism as advocated by Ross Howard.⁵ As demonstrated in this study, and as held by Irvan⁶ if contemporary media as actors in conflict tend to play a negative role in terms of increasing tensions between and among the many sides of a conflict, media can also play a positive role by promoting peace and reconciliation. The study concludes that peace journalism can best enhance prospects for resolution and reconciliation by changing the norms and habits of reporting conflicts. This however is an area which needs a deeper analysis so as to help develop further the discipline of conflict management in Kenya and Africa in general. Indeed, this study was aimed at making a humble contribution to the field of conflict management and assist in advancing knowledge on promoting a violence free society where conflicts are resolved before they escalate to violence and if violence has started it is de-escalated before war.

⁴ See Chapter One p 17.

⁵ "Conflict Sensitive Journalism" handbook was by Ross Howard and published in 2004 by the International Media Support (IMS) and the now-defunct Canadian for Media, Peace and Civil Society (IMPACS). The handbook has served as a useful tool in training journalists on conflict sensitive reporting including Kenya.

⁶ Irvan, Suleyman. 'Peace Journalism as a Normative Theory: Premises and Obstacles', in *Global Media Journal: Mediterranean Edition* 1(2). (2006).

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