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The Role of the Media in influencing the war against Terrorism

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DECLARATION

I, MARTIN MUTUA hereby declare that this research proposal is my original work and has not been presented for a degree in any other University.

Signed: ___________________________ Date _________________

This research proposal has been submitted for examination with our approval as University supervisor.

Prof. Marie Nzomo.

Signature: ___________________________ Date _________________
DEDICATION

This work is dedicated to former Minister for Justice and Constitutional Affairs the late Mutula Kilonzo SC who apart from encouraging me to undertake this course was a very good friend of mine whom we shared a lot of intellectual and social experiences. I knew the late Mutula from the time he practiced as a lawyer then joined politics and until the day of his untimely death as the first Makueni Senator on April 27, 2013. I had the privilege of interacting with him on very many occasions particularly during the implementation of the new constitution, which he was instrumental as the Justice and Constitutional Affairs Minister that saw the country attain the new charter. Being a fearless defender of the new constitution and the minister charged with ensuring implementation of the new charter Mutula stepped on many toes of those in power that were opposed to the new document and as a journalist I was privileged to work closely with him as he had so much confidence in me and together we pushed a lot of legislation through parliament that went along to operationalize the new constitution. It is my hope and prayer that his killers will one day be brought to book. May his soul rest in eternal peace.
ACKNOWLEDGEMENT

My acknowledgement goes to my supervisor and lecturer Professor Maria Nzomo for her guidance, encouragement and support which she rendered to me from the initial preparation of the study upto to the end and ensuring its upto the required standard of the institute.

Special thanks go to my entire family and friends who offered me the support that I needed during my study. To my wife Everlyn, children Robert and Derrick for their perseverance, support and understanding when I was pursuing my studies at the UON. I will also not forget my elder sister Bernadette Owino for encouragement, advice and support to me to undertake the course. May the good lord continue to bless all of your abundantly.
ABSTRACT

The aim of this study is to underline the role of the media in influencing the war against terrorism in Kenya. It seeks to present the current status of the fight against terrorism in Kenya against the background of the Global War on Terror since the first major terrorist attack in Kenya on August 28, 1998, and subsequently the redefining events in the United States on September 11, 2001. Since then, terrorism incidents have attracted rolling media coverage. Terrorist and terrorist networks, along with counter-terrorist organizations (Governments), seek to exploit extensive global media networks and New Media highways instantly to carry news of their violence and to spread political propaganda in order to generate support for their cause.

The media often finds itself in the middle of debates over this issue. Apart from the role of informing the public, the media has a responsibility of avoiding the creation of animosity amongst the audience, and with government. This study seeks to explore ways in which the Media, the public and government will have symbiotic relationship in the War against Terrorism to avoid an atmosphere of mutual distrust and often hostility that at times characterize the relationship.

Employing both primary and secondary data, the study seeks to contribute to the growing discourse and ultimately supplement available literature on relationship between the Media and the Global War on Terror with a unique Kenyan experience.
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CHAPTER ONE: INTRODUCTION

1.1 Background of the Study
For the last two decades, the influence of the mass media has grown enormously. People from all over the world are now able to access information on a lot of issues from a wide variety of sources, including television, the internet and newspapers. Apart from the role of informing the public, the media has a responsibility of avoiding the creation of animosity amongst the readers and viewers. The choice of language used by the media especially in Africa can create a negative attitude towards one another among the readers and the public in general. On the other hand, terrorism has existed and presented itself in various shapes and forms throughout history. Since the 1960s however, terrorism has undergone profound transformation as a result of technological advancement in form of transportation and the influence of the mass media globalization; the scope of terrorist attacks has broadened.

In essence, terrorists want attention. They commit violent acts to cause fear – terror, disrupt normal life, all in the hope of gaining attention for a cause. Cronin asserts, “Terrorism achieved a firmly international character during the 1970s and 1980s, evolving in part as a result of technological advances and partly in reaction to the dramatic explosion of international media influence”. Thus, terrorism too has prospered from the rapid technological advancement especially in mass media since the turn of the Century. Terrorists seek to publicize their cause, influence public opinion and have become aware of the impact of mass media. Terrorists’ means

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2 ibid
of communication greatly vary.\textsuperscript{5} Indeed, the above mentioned technological advancements and changing audience behavior in the past decade enabled terrorist groups to utilize media tools with greater convenience. Specifically in the years since the Berlin Wall came down and the Soviet Union crumbled, the mass media of communication have changed in dramatic ways, such as the advent of 24 hour cable television news channels like CNN, Fox and BBC. Since the turn of the Century, Mass Media and Terrorism have mostly been dictated by the global reach of the Internet and Cellular Phones.\textsuperscript{6}

1.1.1. Terrorism Redefined

The September 2001 attacks on the World Trade Center in New York and on the Pentagon near Washington, DC marked a redefining moment in the relationship between mass media and terrorism.\textsuperscript{7} The 9/11 terrorist attacks were shocking global media events that dominated public attention and provoked reams of discourse unimaginable a few years back.\textsuperscript{8} Obviously, terrorists were aware of the fact that attacking the symbolic targets in the US, killing thousands of citizens, and causing a tremendous amount of damage to the American and international economy, as well as the image of the US would be headline news around the globe.\textsuperscript{9}

Terrorists were also obviously aware of the scale of sensation their attacks would create such that in retrospect, the way media covered news and stories rendered it possible for the terrorists to conceive an unimaginable victory in terms of penetrating into the daily lives of a huge

\textsuperscript{6}Nacos, Brigitte L. and Oscar Torres-Reyna. 2002. “Muslim Americans in the News before and after 9-11.” Prepared for presentation at the Symposium “Restless Searchlight: Terrorism, the Media & Public Life,” co-sponsored by the APSA Communication Section and the Shorenstein Center at the John F. Kennedy School, Harvard University.
\textsuperscript{7}ibid
audience.\textsuperscript{10} They attracted global attention, obtained global recognition, received a degree of respect among sympathizers, and gained legitimacy in the eyes of supporters and potential recruits, through the fear narrative the media employed.\textsuperscript{11}

1.1.2 New Media and Terrorism

Brigitte L. Nacos argues that terrorist and terrorist networks, along with counter-terrorist organizations, are now able to exploit extensive global media networks and information highways instantly to carry news of their violence and to spread political propaganda in order to generate support for their cause.\textsuperscript{12} Specifically, the goal of acquiring publicity for their cause has been made much easier with the many forms of media and instant reporting. Until the advent of the Internet, terrorists’ hopes of winning publicity for their causes and activities depended on attracting the attention of television, radio, or the print media. Such attention remains attractive but, as Weimann points out, “these traditional media have ‘selection thresholds’ in terms of multistage processes of editorial selection that terrorists often cannot reach”.\textsuperscript{13} The same criteria do not, of course, apply to the terrorists’ own websites. The Internet thus offers terrorist groups an unprecedented level of direct control over the content of their message(s). It considerably extends their ability to shape how different target audiences perceive them and to manipulate not only their own image, but also the image of their enemies.\textsuperscript{14}

In other words, the Internet has arguably replaced the role of the printed media in the field of terrorism, as, for the first time in history, terrorists can take whatever message and images they

\textsuperscript{10} ibid
\textsuperscript{11} ibid
\textsuperscript{13} Weimann, Gabriel. 2004a. WWW.terror.net: How Modern Terrorism Uses the Internet.
\textsuperscript{14} ibid
decide to straight to the online world, which is global in reach.\textsuperscript{15} As their stories and messages reach the general public either through the traditional media or the new media, terrorists use this publicity specifically in their recruitment efforts. In brief, the Internet clearly increased the scope of terrorist propaganda and activities, and became a perfect tool for terrorists in terms of advancing their operational goals with little expense and risk.\textsuperscript{16}

1.2 Problem Statement
The war on terror in Eastern Africa is best captured by the incursion of Kenyan troops in Somalia since late 2011.\textsuperscript{17} Since the Operation Linda Nchi began Al-Shabaab vowed retaliation against the Kenyan authorities.\textsuperscript{18} Since then, several attacks attributed to Al-Shabaab targeting Kenyan security personnel and civilians have occurred. At the militant group's urging, a significant and increasing number of terrorist attacks in Kenya have since been carried out by local Kenyans, many of whom are recent converts to Islam.\textsuperscript{19}

These incidents have attracted rolling Media coverage. Indeed even Al-Shabaab have posted several recruitment, promotional and propaganda media content on YouTube, Twitter and Websites which keep cropping up despite the concerted efforts to pull them down.\textsuperscript{20} Al-Shabaab has also been involved in piracy activities in the Indian Ocean, off the Somali coast where they have captured and executed a number of their hostages, and posted the gruesome videos on the web. Closely linked to this is the growing insurgency at the Kenyan Coast linked to Mombasa Republican Council (MRC).

\textsuperscript{15}Kavoori, Anandam P. and Todd Fraley, eds. 2006. Media, Terrorism, and Theory. USA: Rowman and Littlefield.
\textsuperscript{16}ibid
\textsuperscript{17}Ali, Noor (16 October 2011). "Kenyan ramps up security at Somali border, eyes al Shabaab". Reuters
\textsuperscript{18}Somali rebel commander urges Kenya attacks". Yahoo! News. Agence France-Presse. 27 October 2011.
\textsuperscript{19}Chonghaile, Clar Ní (28 September 2012). "Kenyan troops launch beach assault on Somali city of Kismayo". The Guardian.
The controversy as to whether the media influences the war against terrorism is critical in Terrorism discourse and therefore needs to be studied more particularly in the Horn Africa as it has emerged to be the new frontier on the Global War on Terror. In Kenya for instance, there have been a lot of terrorist attacks since the 1998 August bomb blast at the former US embassy building that was located along Haile Selassie Avenue.\textsuperscript{21}

The Kenyan media in particular found itself having to devise ways of dealing with the new phenomenon to avoid playing to the terrorist agenda.\textsuperscript{22} Reports of how families had lost their loved ones in the tragedy most of whom happened to be breadwinners and the heroic efforts of first responders to the tragedy are given more emphasis than the ideological bent of the terrorists.\textsuperscript{23} Despite all this the Media more often than not, has been accused by governments for being a catalyst for terrorist activities and by their being a propaganda mouthpiece.

Media outlets in the meantime are caught in a dilemma as they seek to meet the needs of their audience by providing stories that contain a number of specific elements: dramatic incidents, emotional resonance, or some highly disturbing aspect that at times cause anxiety or given Kenya’s ethnic, religious and racial diversity, may cause resentment and play in the hands of terrorists.\textsuperscript{24} The study explores ways that will help media practitioners and government have symbiotic relationship in the War against Terrorism instead of the atmosphere of mutual distrust and at times hostility that characterizes their relationship. The problem therefore is that this study seeks to investigate the answers to is the role the Kenyan media plays in enhancing or mitigation against international terrorism.

\textsuperscript{21}David Fox, Reuters Limited 1998, “80 feared dead, 1,000 hurt in Africa blasts.
\textsuperscript{22}“The day Kenya stood still.” East African Standard, August 15, 1998, Saturday
\textsuperscript{23}Peter Orego, “Tears as blast victims commemorate 1998 bombing.” East African Standard, August 7th 2011.
\textsuperscript{24}Seib, Philip and Dana M. Janbek. 2011. Global Terrorism and New Media. GB: Routledge.
1.3 Objectives of the Study
The general objective of the study is to determine whether the media has been able to influence the war on terrorism in Kenya. The study also seeks to determine;

1.3.1 To what extend the public relies on the media in the fight against terrorism.

1.3.2 Whether the various incumbent governments have found the media useful in the war against terrorism.

1.3.3 Whether new media strengthened the capacity of terrorists to organize, recruit and spread propaganda.

1.3.4 Whether the targets of terrorism use the media to manipulate public opinion and advance their own agenda.

1.4 Hypothesis

1.4.1 The media have no influence in war against terrorism.

1.4.2 The Kenyan public does not need the media to be able to fight the war on terrorism.

1.4.3 The government has enough machinery and resources to deal with terrorism and as such does not require the media.

1.4.4 The media is influential in the war against terrorism.

1.5 Justification of the study
In response to the terrorist attacks of September 11, 2001, the US government advanced a “War on Terror” to justify security policies at home and military intervention abroad, exemplified by continuing conflicts in Iraq and Afghanistan. As a rhetorical device for marshaling resources and
defining the terms of debate, the War on Terror has emerged as a global powerful ideology. Whether it is called the war on terror, the war on terrorism, or the war against terrorism the frame put forth by the Bush administration, beginning the day after 9/11, was the same: The tragedy required an immediate war-like response against the perpetrators, states or institutions that protected or promoted terror. The role of the media as an institution has emerged as a key component in the war on terror.

While this subject has received considerable academic discourse in the West and Middle-East, it has received limited coverage in Africa and Kenya in particular. Most studies in Kenya are concerned with the subject of terrorism but little exists on role of the media on the war on terror. The study aims at benefitting a large number of people both in the media fraternity as well as government in understanding the role the media plays in this phenomenon and also as a resource in devising policies that neither hinder nor muzzle the freedom of the media. Consequently, the study seeks to contribute to the growing discourse and ultimately supplementing available literature on the role of the Media in the Global War on Terror with a unique Kenyan experience.

1.6 Scope and Limitation
The study will be undertaken within the confines of media practitioners, government officials.

Also to be interviewed will be a cross section of members of the public

1.8 Literature Review

Terrorists, governments, and the media see the function, roles and responsibilities of the media when covering terrorist events from differing and often competing perspectives. Such perspectives drive behavior during terrorist incidents-often resulting in both tactical and strategic gains to the terrorist operation and the overall terrorist cause. The challenge to both the

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governmental and press communities is to understand the dynamics of terrorist enterprise and to develop policy options designed to serve the interests of government, the media, and the society.\textsuperscript{26} This section examines the impact of media on terrorism and government actions (war on terror) and vice-versa through reviewing some of the available literature.

### 1.6.1 Terrorism

The definition of the concept terrorism has long been disputed by academics, politicians and philosophers. One of the earliest and most reliable documented forms of terrorism occurred in the first century B.C.E.\textsuperscript{27} Initially, the term ‘terrorism’ was coined in 1795 to refer to a framework of policies used to protect the escaping French republic government against the counterrevolutionaries. Furthermore, Robespierre’s use of revolutionary tribunals “as a means of publicizing a prisoner’s fate for broader affect within the population … can be seen as a nascent example of the much more highly developed, blatant manipulation of media attention by terrorist groups in the mid- to late twentieth century”.\textsuperscript{28} Thus, terrorism has formed new meanings and has developed in the pace of all other developments.

According to Wilkinson, terrorism can be conceptually and empirically distinguished from other forms of violence and conflict by the following characteristics: it is premeditated and designed to create a climate of extreme fear, it is directed at a wider target than the immediate victims, it inherently involves attacks on random or symbolic targets, including civilians, it is considered by the society in which it occurs as ‘extra-normal’, that is, in the literal sense that it violates the norms regulating disputes, protest and dissent, it is used primarily, though not exclusively, to

\begin{itemize}
  \item \textsuperscript{26}ibid
  \item \textsuperscript{27}Audrey Cronin ‘Behind the Curve: Globalization and International Terrorism’, in International Security, Vol. 27, No. 3 (Winter 2002/2003)
  \item \textsuperscript{28}ibid
\end{itemize}
influence the political behaviour of governments, communities or specific social groups.\textsuperscript{29} Although, this is a definition broadly agreed upon, some ‘postmodernists’ simply reject the term altogether on the grounds that the term is subjective, “implying that there are no independent objective verifiable criteria to enable us to distinguish terrorism from other forms of activity”.\textsuperscript{30} Perhaps this is what Coady agrees on when he states that “a further complication is that the definitional question is essentially irresolvable by appeal to ordinary language alone since terrorism as a concept is not ‘ordinary’ in even the way that intention, guilt, and dishonesty are”.\textsuperscript{31}

The incentives of terrorist acts can be motivated by various reasons and be triggered by various emotions and can be perceived differently, which makes it much harder to give it a general meaning and definition. Simultaneously, terrorism and terrorist attacks often trigger strong emotional reactions amongst spectators. Furthermore, the problem is that some of the organizations committing political violence rather than viewing themselves as terrorists view themselves as freedom fighters. In this way, they attempt to justify their actions by claiming that they have been unfairly treated or have somehow been subdued to malpractice, which must be fought. According to Cronin, “Terrorism is intended to be a matter of perception and is thus seen differently by different observers”.\textsuperscript{32}

\textsuperscript{29}Paul Wilkinson, 2006; Terrorism Versus Democracy: The Liberal State Response (Political Violence)
\textsuperscript{30}ibid
\textsuperscript{31}C. A. J. Coady, 2004, Terrorism, Morality, and Supreme Emergency
1.6.2 History of War on Terror

While nations have been combating terrorism for decades; the global war on terrorism is considered to be a recent endeavor. After the terrorist attack on the US on September 11, 2001 President George W. Bush decided to use his position and the wave of nationalism that resulted after the attack; to start what he called the "War on Terror". Bush decided to adopt the Marcus Cicero philosophy of war that suggests the only acceptable war is one of justified vengeance and self-defense.\(^{33}\)

The War on Terror began as a supposed attempt to seek out and bring justice to those believed to be the instigators of the attack and their leader Osama bin Laden. These goals were soon transformed into: bringing democracy to Middle Eastern countries, destroying terrorist networks there, overthrow and capture Saddam Hussein.\(^{34}\) A decade later and the international community is still fighting global terrorism; a concept was introduced to a few Middle Eastern countries has spread throughout the world leaving in its wake thousands of casualties; billions of dollars spent by the many; billions made by the few, and perhaps the greatest effect is how this war has influenced human rights and civil liberties on a global scale especially the freedom to information. This is perhaps one of the more tragic consequences of this war, and has created such a profound effect that is has changed not only how nations interact with each other but also how they interact with the fourth estate. Exactly what effect has the right to information (Media freedom) on global war on terrorism requires a thorough examination so as to be better understood.\(^{35}\)

\(^{33}\)C. A. J. Coady, 2009, Ethics and the “War on Terrorism”

\(^{34}\)ibid

\(^{35}\)Paul Wilkinson, 2006; Terrorism Versus Democracy: The Liberal State Response (Political Violence)
1.6.3 Media and Government

Media influence on public opinion impacts not only the actions of governments but also on those of groups engaged in terrorist acts.\textsuperscript{36} From the terrorist perspective, media coverage is an important measure of the success of a terrorist act or campaign. In hostage-type incidents, where the media may provide the only independent means a terrorist has of knowing the chain of events set in motion, coverage can complicate rescue efforts. Governments can use the media in an effort to arouse world opinion against a country that supports terror or terrorists. Public diplomacy and the media can also be used to mobilize public opinion in other countries to pressure governments to take, or reject, action against terrorism.

A former UK Premier, the late Margaret Thatcher's metaphor that publicity is the oxygen of terrorism underlines the point that public perception is a major terrorist target and the media are central in shaping and moving it. A widely known media theory is the CNN effect.\textsuperscript{37} It is described as the global mass media ability to affect the conduct of foreign policy as well as diplomacy. It implies the loss of independent thinking in policy making by decision makers due to the immediacy and power of media reports.\textsuperscript{38}

Stephen Livingstone distinguishes three characteristics of CNN effect. The first aspect entails "a policy setting agent", the second aspect is "a hindrance to the attainment of desired objectives." and finally, "acceleration of policy decision making".\textsuperscript{39} The policy setting part often rearranges the government foreign policy priorities such as when an American soldier was murdered and dragged in the streets of Somalia, the media coverage successfully mounted pressure on the government to withdraw from that country.\textsuperscript{40}

\textsuperscript{36}ibid
\textsuperscript{37}Owen (2009)
\textsuperscript{38}ibid
\textsuperscript{39}Livingstone (2006)
The hindrance to the attainment of desired objectives means that media coverage leads to the loss of morale due to the tendency for live coverage to create threats to security operations. For example, during the hijacking of Kuwait airliner, international media prevented security forces from carrying out rescue operations because such an operation could be broadcasted immediately and alert the hijackers. Many other rescue operations have gone wrong due to media coverage especially in the war in Afghanistan. The accelerant effect is the last aspect of the CNN effect. This effect reduces the reaction time of the authorities such that they have no time for deliberation and consultations because they are pressured by the media to react soon. This increases the chances of sloppy and hasty decision making.

In fact, high ranking officials and politicians themselves have openly stated that they are influenced by the media. For example, in the 1980's a United States Deputy Secretary of Defense said that the media was one of the key sources of intelligence. It is therefore likely that politicians use media coverage of terrorism as a policy making foundation. It is worth noting that how the government and public opinion is influenced by the media is not always a one way street. Terrorism reports created by the media are used by the government to propagate, explain and enhance the governments counter terrorism efforts. Such was the case when the Bush administration made a lot of efforts to link 9/11 attacks to Iraq, before the invasion. An important part of the Bush strategy was to use the media to explain why the invasion was necessary.

40 Hoffman (2006)  
41 Wilson (2008)  
42 Livingstone(2006)  
43 ibid  
44 ibid  
45 ibid
As the media coverage of war on terror continues to increase however; it has prompted a thorough media policy review by most governments as a vital part of counterterrorism strategy as well as ensuring the public is fully informed.\textsuperscript{46} In addition, the mass media seems to be entangled in the middle by all the agents involved in terrorism and warfare and attempts to persuade the media to report or behave in a particular manner in order to influence public opinion persist.\textsuperscript{47} Consequently, the media has been massively influenced by military acts against terrorism as well as during other battles and wars.

Shortly after the September 2001 attacks, the United States faced a rash of anthrax-laced letters, which claimed the lives of five Americans and, according to the Federal Bureau of Investigation (FBI), constituted the worst biological attack in the country's history. The confluence of these events led to sweeping changes in the United States' foreign and domestic policy, including the drafting of the USA Patriot Act and the formation of the Department of Homeland Security, both of which were designed to overhaul the country's surveillance and intelligence operations.

It can also be argued that, modern warfare has been tremendously changed by technology as well as by the media coverage on warfare. Technology has enabled the media to become an influential and active observer in armed conflict by informing the public.\textsuperscript{48} Public opinion and support is vital to military activities and the military has in several occasions used the media to erode public criticism or gain public support. This can be traced back in history. For instance, during World

\textsuperscript{47}Seib, Philip and Dana M. Janbek. 2011. Global Terrorism and New Media. GB: Routledge.
\textsuperscript{48}Hoffman (2006)
War II, the Vietnam War to the war on terror; furthermore, media's influence on policies and national politics was evident during the Spanish-American war; the owner of the New York Journal who supported the American intervention in war used headlines which inflamed the public.\footnote{ibid} Soon after, the US became involved in the war.\footnote{ibid}

The media was also used to spread propaganda and censorship throughout World War 1.\footnote{ibid} The British actually targeted the media in America in order to garner support for American entry into the World War II.\footnote{ibid} Therefore as early as the 1930's, the public in America has been an influential target. Overall, during these wars and at the prompting of authorities, the press knowingly published content intended to maintain the vital public support high, therefore losing their impartiality along the way.\footnote{Hess (2005)} In spite of the enemy propaganda campaign during the early wars; the war in Korea represented a point where the US enemies realized that the free media in the US was a weapon against the American public support.

For example, the Chinese negotiators stopped negotiations in order to lengthen the stalemate war so as to increase UN casualties as well as wear down US public opinion. During the gulf war, Saddam Hussein used the tricked the media to advance his own propaganda.\footnote{ibid} Later on, media influence has been brought into the lime light through the media coverage of genocide in Rwanda, Darfur and the starvation in Ethiopia and Somalia. Public outcry arose after the media broadcasted footage of a dead American soldier being dragged through streets of the Somali capital Mogadishu.\footnote{Nacos (2007)}

\footnotetext{49}{ibid}
\footnotetext{50}{ibid}
\footnotetext{52}{ibid}
\footnotetext{53}{Gerges (2005)}
\footnotetext{54}{Nacos (2007)}
Television influence on military events burst into the scene during the war in Vietnam.\textsuperscript{56} Television channels played a huge role in shaping the way Americans viewed the conflict. The media influenced the public to shift away from supporting the war by publicly criticizing the poor military and political strategies used in Vietnam which lead the public to question US involvement in the war.\textsuperscript{57} In 1967, Walter Cronkite commented on national television that, "It's time for all Americans to accept that we are in a no-win situation in Vietnam and it's time for us to leave". Many American citizens once again got interested in Vietnam and supported Cronkite's views. After all, he was one of the most trusted media pundits in the US.

This "trusted media representatives" feature, exemplified by Cronkite came to be known as "television personality".\textsuperscript{58} Every news network employed a military analyst who became household names instantly. Their analysis was broadcasted to Americans even before actual war events were broadcasted. This lead to the generation of perceived truths which could not easily be countered especially in information intensive, fast paced, war environment.\textsuperscript{59} The television medium has become an intelligence source even for state security department such as the department of defense. General Powell referenced the Cable News Network during the Gulf War period as an intelligence source.\textsuperscript{60} In addition, defense officials often used the media to become updated on current affairs. For example the navy made CNN available in all their vessels to keep sailors informed.\textsuperscript{61}

\textsuperscript{55}ibid \textsuperscript{56}ibid \textsuperscript{57}Ganor (2002) \textsuperscript{58}ibid \textsuperscript{59}ibid \textsuperscript{60}Muella (2008) \textsuperscript{61}ibid
This raises the question; should the military rely on commercial news to gather intelligence? Owen argues that if the US military continues to use such sources then, the next military operation or war may be a response to “a news special report.”\(^{62}\) The media has even been turned into a diplomatic tool by actions of George Bush and the Congress.\(^{63}\) The US used the public media to communicate to Saddam Hussein throughout the Gulf war period via televised press conferences as well as televised floor debates. Is television really an effective diplomatic channel in the war on terrorism? Hardly, as it can lead to the sending of mixed opinions from the wrong people or even affect military outcomes when media orchestrations come into conflict with military strategy.\(^{64}\)

According to Wilson, there are a host of reasons why; First journalists must submit stories on a daily basis based on incomplete information yet they do so with an air of authority.\(^{65}\) Secondly, live TV coverage increases the problem since video images have their own perceptions. Thus, Television adds particular bias since a normal footage is about fifteen seconds yet it carries with it immense perceptions of wording and video. This huge compression of video, information as well as concise wording often distorts the original reality. Therefore TV sends the message out quickly but insufficiently.\(^{66}\)

\(^{61}\)ibid
\(^{62}\)ibid
\(^{63}\)Owen, (2009)
\(^{64}\)ibid
\(^{65}\)ibid
\(^{66}\)Wilson,(2008).
Thirdly, competition also develops media coverage bias; the "scoop" is perceived as success.\textsuperscript{67} However, it's often based on incomplete and inaccurate reports. Finally, personalities lead to bias too. The tendency for people to focus on television personalities often lead to broadcast decisions which are based on fame motivations rather than facts. Journalists are normal people and they develop their stories based on their own views, comprehension and experiences of the situation.\textsuperscript{68}

Any military, enemy or friendly, uses the media in times of war.\textsuperscript{69} Most militaries spread propaganda through the national media usually glossing over their losses but exaggerating that of their enemies. But there have been some instances where, adversaries may take advantage of a free and independent media like that of Western countries to advance their interests. For instance during the Korean War, Communist countries constantly attacked the public opinion of Americans; the Chinese orchestrated the Korean stalemate so that the media coverage of American casualties could wear out public support. In addition, the North Vietnamese used the media to spread propaganda.\textsuperscript{70,71}

Other influences created by the media are noble.\textsuperscript{72} A genuine use of television is to communicate American military objectives to the public as well as to the enemy. When the American public becomes informed; it enables the public to understand the ensuing military events.\textsuperscript{73} On the other hand, informing the enemy can help avoid hostilities through airing evidence of resolve. This was the case when Saddam Hussein first suggested negotiations over television during the end of

\begin{itemize}
\item \textsuperscript{67}Ibid
\item \textsuperscript{68}Ibid
\item \textsuperscript{69}Ibid
\item \textsuperscript{70}Kavoori, Anandam P. and Todd Fraley, eds. 2006. Media, Terrorism, and Theory. USA: Rowman and Littlefield.
\item \textsuperscript{71}Bandura, (1988).
\item \textsuperscript{72}Ibid
\end{itemize}
the Gulf war. Therefore the media can ease the progress of conflict termination. The media also influences public relations efforts which are aimed at achieving military recognition which helps the soldiers in the field to sustain their determination.

1.7 Theoretical Framework
Theories are a vital component in any academic assignment. They help organize the thesis based on concrete hypotheses, and provide the paper with an analytical framework. This assignment will investigate the role of media in influencing the war on terror in Kenya. Firstly, it sets out how various forms of media have influenced terrorism and vice-versa. It also investigates how terrorism and its / their target(s) have been able to utilize new media to achieve their objectives. Towards this end this study will employ two theories; the Agenda setting theory and the Critical Discourse Analysis Theory.

Agenda-setting theory was formally developed by Dr. Max McCombs and Dr. Donald Shaw in a study on the 1968 presidential election. The theory describes the "ability of the news media to influence the salience of topics on the public agenda." That is, if a news item is covered frequently and prominently the audience will regard the issue as more important. By comparing the salience of issues in news content with the public's perceptions of the most important election issue, McCombs and Shaw were able to determine the degree to which the media determines public opinion.

ibid

ibid
Two basic assumptions underlie most research on agenda-setting: first the press and the media do not reflect reality; they filter and shape it; and two; the media concentration on a few issues and subjects leads the public to perceive those issues as more important than other issues. "Mass Communication plays an important role in our society its purpose is to inform the public about current and past events." Mass communication is defined in “Mass Media, Mass Culture” as the process whereby professional communicators use technological devices to share messages over great distances to influence large audiences. Within this process the media, which can be a newspaper, internet news platform, magazine, journal and television, takes control of the information that is seen or heard.

International terrorism is one of the issues that for the past decade have often been highlighted by the media in Kenya and other parts of the world. In this instance, to understand how the media portrays terrorists and covers related stories and news, one should take a closer look at the mediums the media employs. Using agenda setting theory, the study illustrates how terrorism news has dominated the media and subsequently public discourse for the past decade at the expense news unrelated to terrorism. In Kenya, there have been incidents of terrorism; for example the Norfolk Hotel bombing in 1981 and the August 7th 1998 bombing of the American embassy in Kenya and Tanzania, but it is the events of 9/11 and the bombing of a tourist hotel at Kikambala at the Kenyan coast in 2002 that saw local media preoccupied by the war on terror narrative.

The author argues that; in media reports regarding the war on terror, the language used is chosen by the news reporters, the people or any other media quoted. The choice of language has effect

79 ibid
on the audience. As a result of language used, attitudes towards certain states, religions, communities and races arises friendship, enmity, suspicion and other problems. Thus, because language used often creates bias that is responsible for developing such attitudes. This is critical especially when viewed against the background of the fragile ethnic and cultural relations characteristic of the society in Kenya. To this end, the study employs Critical Discourse Analysis theory (CDA).\(^1\) CDA is concerned with studying and analyzing written texts and spoken words to reveal the discursive sources of power, dominance, inequality and bias and how these sources are initiated, maintained, reproduced and transformed within specific social, economic, political and historical contexts. The idea here is to explain ways in which dominant forces in the society such as governments, construct versions of reality that favour their interests through subtle and overt means by influencing the media and other governments’ policies.\(^2\)

There is a relationship between this bias and ideologies of leaders of nations where various media are published. This is because while, many countries have laws that protect freedom of the press, the ideologies of leaders and security agencies of many nations tend to undermine this freedom. Considering the development of the Kenya media since independence, the study advances the argument that; given Kenya’s past authoritarian regimes where freedom of the press was severely curtailed by the state and other vested interests, and the local media reliance on foreign media for its international news content such as CNN, BBC and Al Jazeera for electronic media and AFP, Reuters, Time, Washington Post, the Mail and Guardian for print media (it is mostly reported verbatim); local media have hoisted on the Kenyan audience the West’s terrorism dominant news reinforcing the perception of terrorism as the most significant threat to national security. As a result there is pressure that often influences choice of language

\(^2\)ibid
that satisfies the desires of the government agencies and the political class. This pressure often manifests itself in various legislative and other extrajudicial means aimed at influencing media coverage on subject of terrorism. Since the advent of the war on terror, there has been a clamour for and proliferation of legislations ostensibly to combat terror aimed at both the media sector and the public at large. As Williams affirms, the most important thing to note when utilizing and mass medium is that news is often lopsided and that many times the views expressed in the news reflect the political ideologies subscribed to by the owners of the media house.83

Thus, dominant forces (governments) within a framework of the war on terrorism discourse structures have created bias in terrorism news. This poses a serious risk on the fundamental press freedoms; an important element in democratization of any country as an active, engaged press that can uncover and analyze issues that have been sensitive or silenced.84 Given the agenda setting role also provides a theoretical assumption of the responsibility of the media in preserving rights and freedoms, the study examines how the media has reported various human rights infringement in the course of war on terror. The study holds that the media’s agenda to promote human rights can only be achieved within an independent free media guarded by working legislations and effective monitoring systems. Repressing information and silencing discussion on politically sensitive issues such as terrorism could have a diametric opposing effect and lead instead to growing misconceptions and illusions based on anecdotal rumours rather than on facts. This in turn may foster die-hard myths that take root in a community and even discolour political discourse

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83 Williams (2002)
84 ibid
By utilizing Agenda setting theory and critical discourse analysis, the study argues that by paying more attention to the terrorism related incidents and quoting verbatim from western media sources, the words and images used in the local media had the capacity to stimulate support for or opposition to the terrorism agenda.

1.8 Methodology of the Study

This section outlines the methods of collecting, assembling and analyzing data. It is divided into research design, data collection and data analysis.

1.8.1 Research Design

The research adopted the survey design which is a study concerned with finding out what, where, and how of a phenomenon.\textsuperscript{85} A cross-sectional descriptive survey design will be used in this study and information collected using questionnaires, key informants and observations. A descriptive study is undertaken in order to ascertain and be able to describe the characteristics of the variables of interest in a situation.\textsuperscript{86} A descriptive research attempts to collect data from members of a population in order to help the researcher to get a description of the existing phenomena by asking individuals about their perceptions, attitudes, behaviour or values.\textsuperscript{87}

i. Population of the Study.

The population of the study will comprise of a total the forty respondents; distributed thus-5 respondents each from six licensed Media Houses in Kenya including the official Public Broadcaster KBC, Nation Media Group, Standard Media, Royal Media Services, Group Africa and Media Max group. Two respondents each from three International Media Houses based in

\textsuperscript{85}Nachmias (1996), \textsuperscript{86}Sekaran (2003)\textsuperscript{87}Mugenda and Mugenda (1999)
Nairobi –BBC, SABC and Reuters. Four respondents; two each from key government agencies representing –Ministry in charge of Information and Ministry Foreign Relations.

ii. Sampling

Purposive sampling will be adopted in selecting respondents for the survey to be administered to by the semi-structured questionnaire. The study targeted the News editors and reporters covering terrorism related assignments in respective media organizations.

iii. Criteria for Inclusion

An overview of all licensed media organizations that fulfill the following desired selection criteria will be considered. Firstly, the media organization must have print or broadcast news component, especially a hard news unit at the time of the study. Secondly, the particular media must have wide coverage and use English or Kiswahili as the main language of communication.

1.8.2 Data Collection

Data will be collected both from primary and secondary sources.

i. Primary Data

The primary data will be obtained through semi-structured questionnaires with both open-ended and closed questions. Closed ended questions will be used to allow the interviewer to control over the type of data and information to be collected while open-ended questions will facilitate the collection of qualitative data thus allowing the respondents to express their views. This type of data collection allows for clarification of ambiguous answers.
i. **Secondary Data**

Secondary sources of data entail the analysis and review of published books, journals, papers, periodicals, and unpublished works; Government documents including policy documents and Sessional Papers, media sources and the internet. The study used secondary data in the form of documented information from libraries and other relevant institutions.

1.8.3 **Data Analysis**

This study will use both qualitative and quantitative methods of data analysis. The qualitative and quantitative methods of analysing data will be used to help the researcher in discovering how the social situations translates or contributes to the problem of the study. Qualitative analysis on the other hand helps to give description of the situation of the study and any variations; while quantitative analysis will helped to look into how many people (Media Houses) are of a particular view (Editorial policy), qualitative questions will help deduce why they are of such view.

1.9 **Chapter Outline**

Chapter one: Introduce the topic of research by first setting out the broad context of the research study, problem statement, research hypothesis; objectives of the study, justification and scope of the study are presented here. The chapter also provides literature that was reviewed that provides a theoretical framework for the study. It identifies research issues to be addressed and provides the conceptual framework and a detailed outline of the underlying concepts and variables.

Chapter Two: Will provides the historical background of the war on terror from a Global Perspective. It will further give a presentation of knowledge gained through literature on the
War on Terror.

Chapter Three: Will explore the role of the media in Kenya in the face of War on Terror. The chapter will seek to highlight Media/Public/government relationship in the War on Terror.

Chapter Four: Will provide an analysis of the Government of Kenya legislative response to Terrorism. It will evaluate it’s the impact and effectiveness in deterring terrorism and its limiting nature to both Human Rights and Civil liberties especially the freedom to access and impart information.

Chapter Five: Will provides the summary, conclusions of the study, gives recommendations and provides suggestions on areas for further study. The chapter will hopefully provide a better understanding of the role of media in the war against terror and, how terrorists and government have misconstrued the understanding of the media as an essential tool to achieve the power to influence and gain support for each of their campaigns.
CHAPTER TWO: TERRORISM & THE MEDIA; A GLOBAL PERSPECTIVE

2.1 Terrorism; Historical Background
The history of terrorism is as old as humans' willingness to use violence to affect politics. The Sicarii were a first century Jewish group who murdered enemies and collaborators in their campaign to oust their Roman rulers from Judea.\(^\text{88}\) The Hashhashin, whose name gave us the English word "assassins," were a secretive Islamic sect active in Iran and Syria from the 11th to the 13th century. Their dramatically executed assassinations of Abbasid and Seljuk political figures terrified their contemporaries\(^\text{89}\).

Zealots and assassins were not, however, really terrorists in the modern sense. Terrorism is best thought of as a modern phenomenon. Its characteristics flow from the international system of nation-states, and its success depends on the existence of a mass media to create an aura of terror among many people. The rise of guerrilla tactics by non-state actors in the last half of the twentieth century was due to several factors. These included the flowering of ethnic nationalism (Irish, Basque, and Zionist among others), anti-colonial sentiments in the vast British, French and other empires, and new ideologies such as communism.\(^\text{90}\)

International terrorism became a prominent issue in the late 1960s, when hijacking became a favored tactic. In 1968, the Popular Front for the Liberation of Palestine hijacked an an El Al Flight.\(^\text{91}\) Twenty years later, the bombing of a Pan Am flight over Lockerbie, Scotland, shocked the world. The era also gave rise to the contemporary sense of terrorism as highly theatrical, symbolic acts of violence by organized groups with specific political grievances. The bloody

\(^\text{89}\) ibid
\(^\text{90}\) Thalif Deen. "POLITICS: U.N. Member States Struggle to Define Terrorism", Inter Press Service, 25 July 2005
\(^\text{91}\) ibid
events at the 1972 Munich Olympics were politically motivated. The terms counterterrorism and international terrorism formally entered the Washington and other capitalist leaning states’ political lexicon, according to counterterrorism expert Timothy Naftali. Terrorists also took advantage of the black market in Soviet-produced light weaponry, such as AK-47 assault rifles created in the wake of the Soviet Union's 1989 collapse. Most terrorist groups justified violence with a deep belief in the necessity and justice of their cause. Terrorism in the United States also emerged.

A state can sponsor terrorism by funding or harboring a terrorist organization. Opinions as to which acts of violence by states consist of state-sponsored terrorism vary widely. When states provide funding for groups considered by some to be terrorist, they rarely acknowledge them as such. As with "terrorism" the concept of "state terrorism" is controversial. The Chairman of the United Nations Counter-Terrorism Committee has stated that the Committee was conscious of 12 international Conventions on the subject, and none of them referred to State terrorism, which was not an international legal concept. If States abused their power, they should be judged against international conventions dealing with war crimes, international human rights and international humanitarian law.

Thus State terrorism can be used to refer to terrorist acts by governmental agents or forces. This involves the use of state resources employed by a state's foreign policies, such as using its military to directly perform acts of terrorism. Michael Stohl cites the examples that include

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92 Timothy Naftali (200), Blind Spot: The Secret History of American Counterterrorism
93 ibid
94 Thalif Deen. "POLITICS: U.N. Member States Struggle to Define Terrorism", Inter Press Service, 25 July 2005
95 "Pds Sso". Eprints.unimelb.edu.au.
96 “Addressing Security Council, Secretary-General Calls On Counter-Terrorism Committee To Develop Long-Term Strategy To Defeat Terror”. Un.org.
Germany’s bombing of London and the U.S. atomic destruction of Hiroshima during World War II.\textsuperscript{97} He argues that “the use of terror tactics is common in international relations and the state has been and remains a more likely employer of terrorism within the international system than insurgents.”

In this analysis, state terrorism exhibited as a form of foreign policy (deterrence) and was shaped by the presence and use of weapons of mass destruction, and that the legitimizing of such violent behavior was accepted form of state behavior.\textsuperscript{98} This was the predominant foreign policy characteristic of the Cold War era as practiced by the US and her allies (NATO) and the United States of Socialist Republics (USSR) and her allies(Warsaw) as manifested in the Arms Race.

State terrorism has also been used to describe peacetime actions by governmental agents such as the bombing of Pan Am Flight \textsuperscript{103}99 Charles Stewart Parnell described William Ewart Gladstone's Irish Coercion Act as terrorism in his "no-Rent manifesto" in 1881, during the Irish Land War.\textsuperscript{100} The concept is also used to describe political repressions by governments against their own civilian population with the purpose to incite fear. For example, taking and executing civilian hostages or extrajudicial elimination campaigns are commonly considered "terror" or terrorism, for example during the Red Terror or Great Terror.\textsuperscript{101} Such actions are often also described as democide or genocide which has been argued to be equivalent to state terrorism.\textsuperscript{102} Empirical studies on this have found that democracies have little democide.\textsuperscript{103104}

\textsuperscript{98} ibid
\textsuperscript{100} “The "No Rent" Manifesto.; Text Of The Document Issued By The Land Leag... – Article Preview – The”. New York Times. 2009-08-02.
After the end of Cold war, it became commonplace to say that terrorism has replaced communism as the new enemy of western democracy. Washington’s characterization of a foreign government can change radically when little or nothing has changed in that country. The Clinton administration’s pledge of more billions for defense came as the Pentagon upgraded North Korea, Iran, Pakistan, Libya, Sudan and Iraq, which were called “rogue” states and state sponsors of terrorism. They were therefore no longer “distant” threats of possible nuclear missile attacks, an official position they had held only a few weeks before the August 1998 bombing of US installations in Eastern Africa.

As previously stated, the September 11 terrorist attacks changed the world dramatically, that nothing has been the same as the world entered into a new and frightening “age of terror”. Historically, Religious terrorism (as illustrated by 9/11 attacks) is terrorism performed by groups or individuals, the motivation of which is typically rooted in faith-based tenets. Terrorist acts throughout the centuries have been performed on religious grounds with the hope to either spread or enforce a system of belief, viewpoint or opinion. Religious terrorism does not in itself necessarily define a specific religious standpoint or view, but instead usually defines an individual or a group view or interpretation of that belief system's teachings. Religiously motivated terrorism is considered the most alarming terrorist threat today. Groups that justify their violence on Islamic grounds- Al Qaeda, Hamas, Hezbollah, Al Shabaab-come to mind first.

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Terrorist attacks are usually carried out in such a way as to maximize the severity and length of the psychological impact. Each act of terrorism is a “performance” devised to have an impact on many large audiences. Terrorists also attack national symbols, to show power and to attempt to shake the foundation of the country or society they are opposed to. This may negatively affect a government, while increasing the prestige of the given terrorist organization and/or ideology behind a terrorist act. These attacks are also used to draw international attention to struggles which are otherwise unreported such as the Palestinian airplane hijackings in 1970 and the South Moluccan hostage crises in the Netherlands in 1975.

2.2 The Media; Terrorism’s Oxygen?
In the course of the last decade revolutionary changes have occurred in the mass media, especially in the news media. These changes have been illustrated by Ignacio Ramonet, editor of Le Monde Diplomatique, and Professor of communication theory at the Université Denis-Diderot thus;”...growing in parallel with increasingly fierce competition and commercial pressures and complicated by the fact that many top media executives today come from the corporate world, and no longer from the ranks of journalists, has been the burgeoning dominance of the visual”.

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108 ibid
110 Rick Hampson (2009-07-06). "Statue of Liberty gets her view back". USA Today
Television has become the leading news medium, with newspapers only supplementary to TV’s instant, live, emotional coverage. Ramonet feels that “we are at a turning point in the history of information” in which TV news shows “have set up a kind of new equation for news, which can be summed up like this: ‘if the emotion you feel by looking at the pictures on TV news programmes is true, then the news is true.’ This has given rise to the idea that information-any information, can always be simplified, reduced, converted into mass pictures, and decomposed into a certain number of emotion-segments. This he labels “emotional intelligence.”

“Emotional intelligence”, if it exists, would be the justification for always allowing any news material to be condensed, simplified, and boiled down to a few pictures, to the real detriment of actual analysis, which can be summed up thus; ‘if the emotion you feel by looking at the pictures on TV news programmes is true, then the news is true.’ In Ramonet’s view, “television imposes its own perversions on the other information media, beginning with its fascination with pictures. And the basic idea that only what is visible deserves to be news.”

Television thus tends to set the agenda of all news media, focusing all other media on the spectacular events on which TV itself thrives. Events which produce strong pictures consequently go to the top of the news hierarchy even if, in the absolute, their importance is secondary. The emotional shocks that these pictures produce is altogether on a different scale from that which the other media can bring about. He argues that while terrorism has been practiced throughout history, it has taken on special characteristics in recent decades, largely due

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114 ibid
115 ibid
116 ibid
117 (Ramonet 2002)
118 ibid
to its interaction with the modern mass media, whose recent evolution can only be described as phenomenal.

Brian Jenkins asserts flatly that “terrorism is a product of freedom, particularly freedom of the press”\textsuperscript{119} Something Birgitte L. Nacos acknowledges; “…. getting the attention of the mass media, the public, and decision makers is the raison d’etre behind modern terrorism’s increasingly shocking violence.”\textsuperscript{120} In a 1976 article in Harpers magazine, Walter Laqueur said that “the media are the terrorist’s best friends . . . the terrorists’ act by itself is nothing, publicity is all”.\textsuperscript{121}

On the other hand, although Grant Wardlaw had earlier seen a symbiosis between terrorism and media, he later disqualified that, disagreeing with Jenkins by saying that “there is no clear evidence that publicity by the media is responsible for significantly affecting the occurrence of terrorism”.\textsuperscript{122} Many authors have however agreed with Jenkins than with Wardlaw. Miquel Rodrigo quotes three prominent modern thinkers, Umberto Eco, Jean Baudrillard, and Marshall McLuhan as positing an intimate causal relationship between the mass media and terrorism, although Rodrigo, himself, holds the opposite view.\textsuperscript{123} Indeed, government functionaries have tended to link the media with terrorists’ success or failure, as then-British Prime Minister the late Margaret Thatcher expressed her view, “democracies ‘must find ways to starve the terrorists and hijackers of the oxygen of publicity on which they depend’.\textsuperscript{124} More recently, Peter C. Kratcoski has wryly commented that, “if one of the elements of terrorism is the wish to obtain publicity for

\textsuperscript{119}Jenkins, Brian. 1983. “Research in Terrorism: Areas of Consensus, Areas of Ignorance.” In Terrorism: (Nacos1994: 8)
\textsuperscript{122} Rodrigo, Miquel. 1991. Los medios de comunicación ante el terrorismo (The Media of Communication Confront Terrorism). Barcelona;
\textsuperscript{124} (New York Times article, dated 1985).
a cause and create propaganda, the media has obviously overreacted in responding to this desire”.

The French sociologist Michel Wieviorka denied that terrorism and the media are in a “symbiotic relationship,” arguing that terrorists relate to the media in any of four different ways, from “pure indifference” to media, through “relative indifference,” then to a “media-oriented strategy,” and finally to “coercion of the media.” Paul Wilkinson directly challenged Wieviorka’s four grades of the relationship, saying that channels of communication always are used by any terrorist. In the first case, “pure indifference” to any desire to terrorize a population beyond the immediate victim of violence, Wilkinson says that “if there is no aim to instill terror then the violence is not of a terroristic nature.” The “instrumental relationship” between the terrorist and the media, which Wieviorka places only in his third category, is said by Wilkinson to be “intrinsic to the very activity of terrorization”.

A perusal of scholarly publications on terrorism and the media in the 1970s and 80s, as annotated by Signorielli and Gerbner, the following opinions are indicated: Yonah Alexander says that the media provide terrorist groups with useful tools that serve their propaganda and psychological war ends. M. Cherif Bassinouni says that the psychological effect of a particular violent act may be considerably more significant than the act itself, and that that effect may be largely a creation of the media. J. Bowyer Bell saw the media-terrorist relationship as symbiotic, with the media coverage spreading the effect of a spatially limited act to a wide

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127 Wilkinson (1997)
128 Signorielli and Gerbner (1988)
129 ibid
public.\textsuperscript{130} Ralph E. Dowling characterized terrorism as a rhetorical genre, whose violence gives it access to the media that its perpetrators cannot achieve through ordinary forms of discourse.\textsuperscript{131} Walter B. Jaehning says that terrorists recognize that their best route to public recognition is through appealing to traditional news values: drama, conflict and tragedy—as fueled by competition among the media.\textsuperscript{132} Patricia R. Palmerton sees the rhetoric of terrorism as in part depending on media coverage for its impact while Alex P. Schmid and Janny de Graaf discerned certain elements in the Western media that encourage the use of violence and can “‘to some extent precondition the response of readers to terrorist news’’.\textsuperscript{133} Bell has said that the key to the success or failure of a terrorist act can be measured by its media coverage. He holds that; “….once a terror-event is launched before the camera, the drama by definition is a success”.\textsuperscript{134}

Robert G. Picard and Miquel Rodrigo agree more with Wardlaw’s position than with that of Jenkins, both saying that although the mass media form an important part of the environment in which terrorists operate there is no credible scientific evidence that establishes “a cause-effect relationship between media coverage and the spread of terrorism”\textsuperscript{135} Rodrigo goes further, to say that not only can the mass media not be scientifically shown to be the sole source of the complex phenomenon of terrorism, but that terrorism cannot even be shown to be “fundamentally” an act of communication.\textsuperscript{136} He bases this latter position on the grounds that although some terrorist acts clearly are done with the intention of seeking publicity, others are done without that intention, and some are even done in secret

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\textsuperscript{130} J. Bowyer Bell (1978)
\textsuperscript{131} Ralph E. Dowling (1986)
\textsuperscript{132} Walter B. Jaehning 1978
\textsuperscript{133} Signorielli and Gerbner 1988
\textsuperscript{134} Hocking, Jennifer Jane. 1992. “Governments’ Perspectives.” In Paletz and Schmid 1992:
\textsuperscript{135} (Picard 1991[1986]:51).
\textsuperscript{136} Rodrigo, Miquel. 1991. Los medios de comunicación ante el terrorismo (The Media of Communication Confront Terrorism). Barcelona: Icariia.
\end{flushleft}
2.3. Modeling Media and Terrorism Relationship

Kevin G. Barnhurst has distinguished two models of the media-terrorism relationship that divide authorities on the topic.\(^{137}\) The culpable-media model sees “a causal link with terrorism that calls for regulation.” The media are an intrinsic part of a vicious cycle: “As media cover terrorism, they incite more terrorism, which produces more media coverage.” But a second dilemma uncovered by this model involves a cycle of control: If government or the media censor coverage, the controls tend to harm the credibility of the government and/or the media. The terrorists may resort to even greater violence.\(^{138}\)

On the other hand, the vulnerable media model sees the media as only victims, not causes of terrorism: Any control on coverage, even a natural one, will be ineffective because terrorists can shift to other forms of communication by striking vulnerable points in the infrastructure of liberal societies, although the mass media are involved; they present no escape from terrorism.\(^{139}\)

Barnhurst reviews some of the most significant research up to that time, but has to conclude that, although a causal link may exist it cannot be firmly established.\(^{140}\)

2.3.1 New Age Terror

Peter Kratcoski believes that the world, at the turn of the twenty-first century, is on the “threshold of a new era in the relationship between terrorism and media reportage,” and bases this view on H. W. Kushner’s emphasis on the increasing competition among media and on their ability to broadcast live from any part of the world.\(^{141}\) Kratcoski goes on to assert that “research has demonstrated a link between media coverage of terrorism events and the creation of


\(^{138}\) ibid

\(^{139}\) ibid

\(^{140}\) (Barnhurst 1991: 126)

traumatic reactions from those who view them.” Viewers not only react in fear of further victimization, but they also undergo desensitization to depictions of violence and reduced concern for its victims”.¹⁴² Nacos has outlined a “calculus of violence” that distinguishes among different “target types that enter into the terrorists’ objectives.”¹⁴³

While domestic terrorists tend to target high-level political, diplomatic, military, or corporate leaders as immediate victims, international terrorist spectacles directed against the United States and her allies in the war on terror, have mostly affected random victims who happened to be in the wrong place at the wrong time. In most instances the immediate victims identities do not matter, but their nationality, their presence in certain locations, or their professions place them automatically into an identifiable ‘enemy’ category.¹⁴⁴ In both domestic and foreign cases, however, the media are a significant factor, advertising the act and setting a media agenda focused on the terrorists’ goals. Nacos quotes George Habash, leader of the Popular Front for the Liberation of Palestine, as saying “we force people to ask what is going on”, and another terrorist, “We would throw roses if it would work”.¹⁴⁵ Schlagheck asserts that, “the free press is the primary conduit connecting terrorists, the public, and governments,” and adds “violent incidents can advance the terrorists’ goals only if these kinds of incidents are widely reported”.¹⁴⁶

2.3.2 Media Centrality

Hocking downplays the centrality of the media in terrorism. She cites M. Stohl’s list of ‘eight myths’ found in the orthodox literature on terrorism: that terrorism is exclusively antigovernment, its purpose is chaos, terrorists are madmen, it is criminal rather than political

¹⁴² ibid
¹⁴³ ibid
¹⁴⁴ (Nacos 1994: 8)
¹⁴⁵ ibid
¹⁴⁶ ibid
activity, all insurgent violence is terrorism, governments always oppose nongovernmental terrorism, it exclusively relates to internal political conditions, and “political terrorism is a strategy of futility”.¹⁴⁷ Then Hocking adds a ninth myth of her own: “To these eight a further common myth should be added: that terrorism depends for its success on media coverage”. She goes on to criticize the “prescribed counterterrorism measures in liberal democracies” as having been fallaciously “devised to counter these nine mythical dimensions of terrorism.” This, in turn, leads to a situation in which “incidents may be responded to as terrorism through the activation of counterterrorist procedures, rather than on the basis of the recognition of determining features in the incidents themselves”.¹⁴⁸

2.3.3 Media Labeling

Picard and Paul D. Adams have shown how journalists, in their reporting of violent acts, can choose words that are either straightforward descriptions, on one hand, or that contain implicit judgments about the act, on the other.¹⁴⁹ Brian K. Simmons applied a similar approach to three major U.S. newsmagazines’ reporting on terrorism.¹⁵⁰ Simmons tested three hypotheses: One U.S. newsmagazines will label terrorists with a more negatively perceived term when their acts impact U.S. citizens. Two; U.S. newsmagazines will label terrorists with a more negatively perceived term when their acts oppose U.S. foreign policy. Lastly, there will be a significant positive correlation between the degree of carnage resulting from a terrorist act and the use of a negative label by U.S. newsmagazines.¹⁵¹ Statistical analysis of the findings showed support for the first hypothesis, but failed to support the second and third hypotheses. With regard to the

¹⁴⁸ ibid
¹⁴⁹ (Picard and Adams 1987)
¹⁵⁰ (Brian K. Simmons 1991)
¹⁵¹ (Simmons 1999).
second hypothesis, the author concluded that his “study found the media to be admirably fair in their treatment of those groups favoring, opposing, and neutral toward U.S. policy.” 152 The findings concerning the third hypothesis led to the conclusion that “neither the positively perceived nor negatively perceived labels seemed to have a monopoly on any level of carnage.” 153

Although Simmons’ findings gave the three U.S. newsmagazines credit for fair labeling of acts opposed to American foreign policy, American news media have drawn increasing fire since the September eleventh events, both domestically and internationally, for allegedly distorting their coverage of the “war on terrorism” in ways that support U.S. government policies. Tim Franks of the BBC has remarked how the use of patriotic logos by American television networks has been criticized by his BBC colleagues as threatening those networks’ reputation for impartiality.154 Mike Wendland reports on efforts to track instances of retaliation, usually by media management, against reporters who write pieces critical of the government’s anti-terrorism policies.155 One journalist was even fired for simply criticizing President Bush’s lack of visibility in the hours immediately following the attacks, flying as he did to Louisiana and Nebraska before returning to Washington.156

2.3.4 The Social Matrix of Terrorism

Imbalances in the flow of news and information among nations have been spotlighted by advocates of a “New World Information and Communication Order” (NWICO) since the 1970s.

152 ibid
153 ibid
156 ibid
Alex P. Schmid and Janny de Graaf related this issue to insurgent terrorism in their book, Violence as Communication.\textsuperscript{157} Although recent developments such as computer based communication have brought the technologically less developed and more developed countries into closer contact than they were two decades ago, conditions in the two “worlds” remain so dissimilar that mutual understanding still is difficult.

Schmid and de Graaf say that their “basic premise is that insurgent terrorism can be better understood if it is viewed in the first instance as communication rather than as mere violence”\textsuperscript{158}. They therefore feel “that this type of terrorism has to be explained in relation to the prevailing information order and the news values that are paramount within this order”.\textsuperscript{159} The same authors point out that, while an international “free flow of information” sounds like a principle that cannot be contested on democratic grounds, in practice it gave freedom of communication chiefly to those who controlled the media. Quoting A. J. Liebing, they note that “Freedom of the press is limited to those who own one”.\textsuperscript{160}

Since that control was centered in the West, chiefly under private management in the United States, the international media came to be dominated by western interests and perspectives-and “news values” that pandered to sensationalism and entertainment, to the exclusion of the interests of poor people in the less technologically developed nations.\textsuperscript{161} The serious needs of those nations are generally neglected in the Western media, prompting a violent response which will attract the attention of those media; thus the genesis of contemporary insurgent terrorism, as it

\textsuperscript{157} (Schmid and de Graaf 1982).
\textsuperscript{158} ibid
\textsuperscript{159} ibid
\textsuperscript{160} (Schmid and de Graaf 1982: 177, citing Mander 1978: 19).
\textsuperscript{161} (Schmid and de Graaf 1982).
has manifested itself in the Western World since the late 1960s, primarily as the outgrowth of minority strategies to get into the news.\textsuperscript{162}

\section*{2.5 The Media and Counter Terrorism}
Noting the irreconcilable goals between the military and the media, Phillip Knightley writing from London for The Public: “An Investigative Report of the Center for Public Integrity” recognizes the obvious conflict between the legitimate goals of military leadership, on the one side, and journalists, on the other.\textsuperscript{163} “Governments and their armies go to war to win and do not care how they do it. For them, the media are a menace”. Governments usually have the upper hand and easily go beyond the reasonable need to control information that would endanger their own forces. They often approach this process with subtlety.\textsuperscript{164}

In democracies like Britain and Australia, with a powerful press and a tradition of dissent, or like the United States, where freedom of expression is constitutionally guaranteed, the media cannot be coerced into supporting the war. They have to be seduced or intimidated into self-censorship.\textsuperscript{165} Knightly lists civilian casualties, antiwar marches, and the motive of using a pacified Afghanistan as a route for a pipeline to bring Central Asian oil to the sea, as topics studiously avoided by the U.S. and British media. He cites as a symptom of general distrust in both government and media an occasion in 1999, when an American congressional fact-finding mission visited Yugoslavia “because they felt that they could trust neither their own government nor the media to tell them what was really happening there.”\textsuperscript{166}

\begin{flushright}
\textsuperscript{162} ibid
\textsuperscript{164} ibid
\textsuperscript{165} Knightley, 2002.
\end{flushright}
While recognizing that “secrecy is, of course, often essential for intelligence work and for military planning,” Maxine Singer emphasizes that different conditions prevail in the case of domestic security in a free society. When possible chemical or biological attacks are an issue, Singer postulates; “…..there is a tremendous advantage to a well-informed public”. For example, the many thousands of local officials and other emergency personnel must be prepared to deal with emergencies on site and at short notice. The author notes that chemical companies, for example, may be happy to conceal from their neighbors the dangerous potential of their plants, but then widespread and detailed knowledge about such locations is essential for effective local responses to terrorist attacks as well as to other crises.

She faults the U.S. government for removing information about such dangerous sites from websites supposedly “….to keep the information from would-be terrorists,” and for calming protestors against this policy by insisting that the government was prepared to cope with any contingency. Local officials, especially in dispersed locations, need immediate access to the fullest possible information in order to react effectively to emergencies. People “….are also much less likely to panic if they know what is going on”. The fundamental conflict between a government’s need to protect sensitive information and the mass media’s responsibility to report the news as fully and accurately as possible has been mentioned, above.

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167 ibid
168 ibid
In the eyes of public opinion, it might be noted, the government is at a disadvantage, since the press has the last word. The government’s awareness of this disadvantage can lead to “overkill” in efforts to protect sensitive or not-so-sensitive information. Phillip Knightley quotes an American censor at the height of the Second World War as saying his policy toward the public would be: “I’d tell them nothing till it’s over and then I’d tell them who won.”\textsuperscript{169} As mentioned earlier, fear of a “Vietnam effect” still influences the U.S. military’s relations with the media and more so with regard to the war on terrorism.\textsuperscript{170} BBC broadcaster Sir Robin Day is quoted by Phillip Knightley as doubting whether a democracy could ever successfully fight another war, given the negative impact television news seemed to have had on the American effort in Vietnam.\textsuperscript{171}

This led to Hocking argument that “the development of a detailed framework for media cooperation or voluntary restraint in reporting incidents of terrorism” has become “of crucial importance in contemporary counterterrorism techniques”. Openness or at least the appearance of openness with the press is increasingly recognized as a desirable policy in government counterterrorist efforts. Sir Robert Mark, who headed the London Metropolitan Police in the early 1970s, is cited by Hocking as showing special sensitivity to this, not only regarding counterterrorism but in all police work.\textsuperscript{172}

There were two main strands to Sir Mark’s media strategy: the establishment of direct personal links between higher police officials and media executives, together with the more specific tactic of limiting access to certain information to select journalists through the use of special police

\textsuperscript{169} (Knightley 2002).
\textsuperscript{170} ibid
\textsuperscript{171} (Knightley 2002
\textsuperscript{172} (Samuels 2002: 59).
press passes. This approach today will obviously limit access to selected journalists from established media, to the exclusion of free-lancers and fringe media so prevalent on the internet. An effort to transplant Mark’s strategy to Hocking’s home country, Australia, involving special identification cards for selected journalists, met with only limited success. “After several years of operation the police press card system was abandoned in 1985, and replaced by police recognition of the standard Australian Journalists’ Association membership card.”

Adjustments to meet criticisms and special Australian needs also proved problematic. The government approach that prevailed in 1979 included controversial provisions that “suggested action against media organizations that do not cooperate with government and security guidelines.” Another suggestion distasteful to the media was that “if the media use their own equipment to monitor police and other official communications, the police ‘must have the necessary technical resources and capacity to counter such monitoring.’

Brigitte Nacos closed her book with a recommendation that democratically-elected officials in a free society should do all they can to give their people as much information as possible about terrorist threats, and then trust them to make the right decisions. When terrorists strike, the president should use the bully pulpit to explain the terrorist scheme and the pros and cons of various response options at hand. Of course, such an approach will only succeed if the public is convinced that the intention is to educate, not to manipulate or to lie, as has occurred in the past.

173 (Hocking 1992: 89)
174 ibid
175 ibid
176 Brigitte Nacos 1994
177 ibid
Miquel Rodrigo has likened the relationship of the media to terrorism and to the underlying social causes as that of a thermometer to a fever and to the disease of which the fever is only a symptom. The media detect the presence of the fever of terrorism and aid in diagnosing the underlying socio-political disease and thus; “….it would be an absurd prescription to break the thermometer”.\textsuperscript{178} In a speech to a meeting of airport security personnel, in 1987, James E. Lukaszewski, a security and crisis management expert, frankly described challenges to accurate media coverage of terrorist acts that impact business organizations.\textsuperscript{179}

While critical of news people, he recognized their legitimate complaints in trying to achieve accurate coverage of crisis events in general and terrorist events in particular. He told the assembled airport security officials that “75 percent of your media relations problems” could be solved if they did three simple things in responding to reporters’ questions: One; package information into little stories with beginnings, middles, and ends. Two; anticipate the kinds of questions you know reporters are going to ask and prepare yourself to respond. And three; eliminate jargon from your answers and talk more about people and in terms people can understand. Lukaszewski closed his talk with the following recommendation: “The best way to call your tune successfully is to be on-the-record, on-the-table, in the open and as responsive as possible.”\textsuperscript{180}

From the foregoing, possibly the most accurate description of the relationship between the mass media and terrorists is that the media have come to constitute such a major portion of modern culture that most of today’s terrorists have factored them into their tactics in one way or another. This incorporation creates the impression of a symbiosis: that terrorism requires the participation

\textsuperscript{178} Rodrigo 1991.  
\textsuperscript{179} Lukaszewski 1987  
\textsuperscript{180} ibid
of the media, and that the media, in their turn, rely on terrorist acts to provide much of the sensationalism upon which the media thrive. This impression fails to take account of the long history of terrorism prior to the development of mass media and of the occurrence of terrorist acts which do not seek, and may even avoid, publicity. One could as easily say that government officials and insurgent terrorists are in some kind of symbiotic relationship, the officials using the terrorist threat in one way or another to strengthen their own hold on power, and the terrorists referring to officials’ wrongdoing to justify their own violent acts. In fact, the interrelationships among media, terrorists and government are therefore extremely complex and multivalent.

2.6 New Media, Citizen Journalism and Cyber Terrorism

One of the oldest and most critical issues of modern conflicts, domestic or international, is the question of who owns the press and other means of spreading information.\(^{181}\) The development of the printing press, radio and television all improved the ability of a nation to mobilize its people during times of strife or otherwise manipulate popular sentiment. In their own way each of these earlier forms of information sharing was centrally controlled allowing for the shaping of public knowledge and by extension conflicts, for better or worse.\(^{182}\) However, the rise of New or social media alongside mobile Internet, smart phones, and consumer geolocation has created a worldwide sensor network of society, a live historical documentary, powered and largely funded by citizens themselves, that offers first glimpses into the global heartbeat.\(^{183}\)

"New media” which in this case refers to the use social networks such as Facebook, Twitter, YouTube, SMS Texts, Instagram among others, differs sharply from the earlier forms of large-

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\(^{182}\) ibid

\(^{183}\) “Terrorism and Media”. Encyclopedia Britannica
scale information sharing. Indeed, to attest how powerful this new media have become, most traditional media have interactive or feedback platforms on the internet ostensibly for their audiences or citizen reporting. Though all news is influenced by those who present it, the sheer volume of information sources now available makes any expectation of centralized control daunting at best and impossible at worst. Oppressive regimes and terrorists try to suppress citizen reporting through Internet blackouts, as was in Tunisia, Egypt, Libya and currently Syria or worse-by arresting, kidnapping, torturing, or and murdering those who post critical comments via social media.

Nation states are stunned by the swiftness with the social media change the outcome of world events and are struggling to cope. Through the digital world, people can attain real power to speak beyond their own biological and geographical constrains. Erstwhile unknown singers and performers can become famous practically overnight with a well placed YouTube video. And haters can press the right button at the most vulnerable time that has catastrophic impact on international relations. The Internet can thus make that which is on the opposite end of the world seem very local. Yet this can either distort or amplify reality. For example, while the 2012 “Innocence of Muslims” video served as a catalyst for the dissatisfaction felt toward the lack of Western support toward the Arab world, the protests and riots would not have occurred without YouTube and facebook. The ways by which newer and older media come together can turn slander into reality, changing what counts as truth in today’s world.

Michael Saylor, author of The Mobile Wave and CEO of MicroStrategy comparatively illustrates man’s known historical revolutions thus; “The Agricultural Revolution took thousands of years

185 ibid
186 ibid
to run its course. The Industrial Revolution required a few centuries. The Information Revolution, propelled by mobile technology will likely reshape our world on the order of decades….but despite the turbulence ahead, we live at one of the greatest times in history. Software will suffuse the planet, filling in every niche, and exciting opportunities will lie everywhere.” Unfortunately, there are risks to the magic wand as history is bestowing incredible power to private citizens, farmers, pastoralists, fruit vendors, hateful wannabe filmmakers and yes terrorists. Smart phones and smart tablets can also make average citizens super martyrs and super villains.

In 2011, a fruit vendor made the cut; Mohamed Bouazizi, a Tunisian who set himself on ablaze protesting police corruption, became literally the torch that lit the Arab Spring revolution that spread quickly throughout the Middle East.\textsuperscript{188} Bouazzi achieved this in his very public death because many who had cell phones recorded his protest and the subsequent videos kick-started the uprising. The revolution took all governments by surprise. But revolutions against autocratic governments aren’t the only way social media are being used.

Al-Shabaab, a Somali-based Islamist terrorist group, uses Twitter to announce assassinations and bombings.\textsuperscript{189} Indeed, who needs pamphlets when 140 characters of militant propaganda attract followers by the tens of thousands on Twitter? After al-Shabaab threatened to kill two Kenyan hostages and tweeted pictures of dead French commandos killed in 2012 January’s failed hostage rescue, Twitter removed their account.\textsuperscript{190} But two weeks later, the group had a new Twitter account, gaining over 1,100 followers in just two days. Al-Qaeda has also jumped on the social media bandwagon. The terrorist group increasingly uses social media to recruit, train, and

\textsuperscript{188} Michael Saylor (2012)
\textsuperscript{189} ibid
\textsuperscript{190} CIA Fact Book 2012
coordinate members. Recruits can watch training videos on YouTube and connect with terrorist leaders on Facebook.

Thus, social media have even created new fronts in armed conflict. When Kenya invaded Somalia in October 2011 to oust destabilizing Al Shabaab insurgent elements, the international community paid scant attention. Apparently more newsworthy was the “Tweet-off” a couple of months later between the Kenyan Army’s spokesman Colonel Cyrus Oguna and a spokesman for Al Shabaab that touched on issues as mundane as goat killings and as contentious as the ethical permissibility of war tactics. The episode was a reminder not only of the prevalence of the internet even in the world’s failed states, but, more importantly, it underscored how social media might be used as a tool in the conduct of international wars or in the pursuit of peace.

While Cyber activists keep leveraging social networks as tools for change; authoritarian governments are developing increasingly sophisticated means of limiting Internet freedom. Palestine sentenced a man to a year in jail for insulting President Mahmoud Abbas on Facebook. Syria turned off electricity and telephone service to anti-regime neighborhoods to cut off their access to social media. Iran is even attempting to eliminate the Internet entirely in favor of a national government-controlled intranet. As social media become an increasingly common forum for cyber activism and even warfare, developing technology will continue to alter how people and governments face change.

Writing in New America Media; From Arab Spring to Autumn Rage: The Dark Power of Social Media, Andrew Lam argues that "Facebook is now the third largest country on earth and surely

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191 ibid
192 Andrew Lam (2012), "From Arab Spring to Autumn Rage: The Dark Power of Social Media"
has more information about its citizens than any government does," the magazine noted.  

“Mark Zuckerberg, a Harvard dropout, is its T-shirt-wearing head of state.” Julian Assange, founder of the whistleblower website Wiki Leaks, on the other hand, undermined entire nation states' public narratives of themselves by providing a platform where individuals can anonymously whistle blow and show their government's dark underbellies by uploading top secret documents. Spy agencies can only look on with envy and alarm.  

Catherine O’Donnell speculates in regard to this new found citizen power that; “In the 21st century, a revolution may not be televised – but it likely will be tweeted, blogged, texted and organized on Facebook as recent experience suggests.” After analyzing more than 3 million tweets, gigabytes of YouTube content and thousands of blog posts, she finds that social media played a central role in shaping political debates especially with regard to terrorism worldwide. Conversations about conflicts often preceded major terrorist events, and social media has carried inspiring stories of protest across international borders.  

The Internet has become a central forum in a global scale for debate among numerous communities that are being directly affected by the global political violence. The communication of violent and oppressive groups has also heavily relied on the Internet. In other words, the age of the Internet has brought an age of online terrorism and enabled terrorists to use the web to recruit, raise money, and spread their messages. Even though the regulation of the media, specifically the Internet, presents a fundamental dilemma due to the inherent tension between  

193 ibid  
194 ibid  
195 http://www.internationalreportingproject.org/fellows-editors/profile/15/  
196 ibid  
197 ArdaBilgen; Terrorism and the Media: A Dangerous Symbiosis July 22, 2012
censorship and the democratic tradition of free speech, privacy, and press freedom, it is crucial governments take countering measures against the cyber activities of terrorists.

These measures include tracking terrorism activities on online forums, following their conservations and activities on social media, and prevent the spread of radicalizing materials from specific websites.\textsuperscript{198} In addition to that, enacting laws at national level to punish the ones using the Internet to provoke the public, recruit and train, and propagandize can identify terrorists and prevent a potential attack. It is against this backdrop that the US Data mining operation-Prism should be looked at. In what has been described by a coalition of Internet and civil liberties groups as the greatest assault on civil liberties worldwide; US intelligence apparatus developed a program to access and store private communication on telephone and online platforms.\textsuperscript{199,200} They assert that the dragnet surveillance violates the First and Fourth Amendments of the US constitution, which protect citizens’ right to speak and associate anonymously and guard against unreasonable searches and seizures that protect their right to privacy.

\textbf{2.7 Conclusion} \\
Without a doubt, the 9/11 attacks on the World Trade Center in New York and on the Pentagon near Washington, DC were shocking global media events that dominated public attention and provoked reams of discourse. Obviously, terrorists are aware of the fact that attacking the symbolic targets like US Embassies in Kenya and Tanzania, the World Trade Centre in New York in the US, killing thousands of citizens, and causing a tremendous amount of damage to the

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{198} ibid
\item \textsuperscript{199} Rob Lever; Civil Liberties Groups Protest U.S. Surveillance ProgramTuesday, June 11, 2013-12:23 pm
\item \textsuperscript{200} Teresa Welsh; The government is collecting user data from nine major internet companies, The Washington Post; June 7, 2013
\end{itemize}
\end{footnotesize}
American and international economy, as well as the image of the US would be sensational news around the globe.

It is can also be safely concluded that, terrorism is a category of political violence, which is intended to influence foreign and domestic governments, as well as communities. It uses its immediate victims and material targets for semiotic and symbolic purposes.\textsuperscript{201} Attacks are designed to create an atmosphere of fear or a sense of threat. In the same vein, terrorism can also refer to politically motivated deeds perpetrated by groups or individuals for the sake of communicating messages to a larger audience.\textsuperscript{202} In any case, the terrorists’ need for media publicity and media’s need for a greater audience and profits form a symbiotic relationship between terrorism and the media.

To understand how the media portrays terrorists and covers related stories and news, one should take a closer look at the mediums the media employs. The media generally uses agenda setting and framing to highlight and make certain issues more prominent than others. In this case, the media traumatizes the audience by exaggerating the threats, or, as it was in the case in the US after 9/11, showing nonstop footage of violent scenes. This underlines the fact that the politics of fear is a dominant motif for news and popular culture today. Moreover, within this framework, news reporting about terrorism is linked with victimization narratives that make crime, danger, and fear very relevant to everyday experiences.

The picture above suggests that the architects of the 9/11 attacks achieved their media-centered objectives, as the media world over conveyed the message that even the US was vulnerable to terror attack, that terrorists could create great harm, and that anyone at any time could be subject

\textsuperscript{201} Lewis (2005).
\textsuperscript{202} Nacos (2002)
to a deadly terror attack. They also succeeded in immersing the US government in a global information war to promote the interests, values, and the image of the US.\textsuperscript{203}

In Kenya, the rapid uptake of ICT even in the most remote areas has the potential of spurring socio-economic growth but is also source of security concern. Internet platforms in particular, have significantly increased the opportunities for terrorists to secure publicity. This can take the form of historical information, profiles of leaders, and manifestos among others. But terrorists can also use the Internet as a tool of psychological warfare through spreading disinformation, delivering threats, and disseminating horrific images as various Al shabaab and other terrorism radicalization sites have shown. This in turn has exacerbated the threat to the country’s fragile ethnic and cultural cohesion especially with the rise in cases of domestic terrorism.

The reality is that the media often absorbs so many different viewpoints and perspectives that the supposed standard of objectivity that exists in journalism becomes an arbitrary concept. In many senses, the notion that the media shouldn’t cover terrorist attacks poses a direct threat to a population that depends on the media to deliver important and timely news. While it is important for editors, reporters, and journalists to adhere to as many ethical guidelines as possible when covering these events, it is also essential that these events are indeed covered, and that the public has full access to the information as it is received. In the next chapter, the study explores the unique heritage of the media in Kenya; its development, challenges and the legislative framework within which it operates since independence; that has inevitably shaped its role in the war on terror.

\textsuperscript{203} Kavoori and Fraley (2006)
CHAPTER THREE: THE MEDIA AND WAR ON TERROR IN KENYA

3.1 Media Centrality in Public Discourses in Kenya

Although Kenya remains East Africa’s economic hub, its system of governance is riddled with rampant corruption, impunity and ethnic divisionism. The media remains one of the most vibrant institutions largely due to revolutionary changes and growth in the telecommunication sector, and the promulgation of the Kenya Constitution 2010. Kenyan media is vocal on political and socio-economic developments. In so far, much has been written on the role of the media in the conflict in Kenya, but little on their role in influence the war on terror. Yet, war on terror remains the most significant concern for both the media and public locally and internationally.

Kenyan media has perfected its role as a platform where the public can exchange diverse issues from those that foster productive debates to security concerns in the society. Essentially, the media particularly its live interactive segments on electronic media and its on-line interactive platforms is regarded as a citizen’s parliament or square in which the population gathers to discuss affairs of the state. The principle of the public sphere shapes the way the media influences both government policy and public opinion on various issues including terrorism.

Given Kenya’s authoritarian heritage, the media can be seen to contribute to public good by defending, protecting and promoting human rights. The media has a duty to facilitate the “public sphere” against the encroachment of the state and corporate powers that is, performing the role of the watchdog. But as it is illustrated briefly, this has not always been the case; government and other authorities have used national security and unity themes to manipulate or inflame public

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204 Watson (1998)
205 ICHRP(2001)
opinion to favour their political venture or during periods of political conflicts such as the war on terror.

Despite advances noted above in media freedom in Kenya which has several competing radio, print, and television news groups, the mass media remains hostage to many institutional, political and cultural pressures including influence from western media whose major narrative for the past decade has been the war on terror. This chapter illustrates how Kenya’s unique history of colonialism, post-independence political authoritarianism, subsequent political and economic liberalization, its influential role in shaping public opinion and internal challenges have shaped its role in the current war on terror.

3.1.1 Colonial Period

The modern media in Kenya and in Africa, as known today are a creation of European missionaries, immigrants and the colonial administrations as the chief actors. They were responsible for the introduction of the printing press in many countries in Africa and in many other parts of the developing World from which the present Media Systems in Africa grew. They used the media primarily for the dissemination of news and information among the European residents and settlers. Besides, they also used the media as "a device to maintain the status quo." In other words, the media in this setting had very little to offer to the indigenous people during the colonial period as the media remained in character and function European oriented and reflecting basically the dominant influence of the West.

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Later, in response to African publications perceived as nationalist or revolutionary, the government enacted a series of restrictive laws and Emergency Orders to address the political challenges of the time.\textsuperscript{209} As early as the 1920s, African nationalist movements used independent or alternative press to instigate dialogue challenging paternalist colonial policies such as displacement from land, forced labor and taxation, and racial segregation.\textsuperscript{210} Fearing that a free press would push for Kenyan independence, the government enacted the Penal Code of 1930, which barred not only the publication of anti-colonial material but also criminalized possession of the same, as well as defamation.\textsuperscript{211} In 1952, in response to the Mau Mau uprising, the government banned all indigenous publications and intensified propaganda against nationalist movements through a Declaration of Emergency. Wireless and broadcasting were similarly controlled by the Empire. The government rigorously controlled and censored radio programs, using them as pro-colonial anti-nationalist propaganda tools.\textsuperscript{212}

In 1960, however, it became apparent that Kenyan independence was inevitable. Fearing the power of mass media in an African government’s hands, the colonists hurriedly formed the Kenya Broadcasting Corporation (KBC) to take over broadcast from the government-controlled system -Kenya Broadcasting Corporation. Not only did the KBC monopolize the radio sector, it would also have the same power over television.\textsuperscript{213}

\subsection*{3.1.2 Post-Colonial Period}

A few years after independence, as the country witnessed fallout between Kenyatta and Jaramogi Odinga- Kenyatta’s vice president turned opposition leader, the presidency of the Kenyan state

\begin{thebibliography}{11}
\bibitem{209} ibid
\bibitem{210} ibid
\bibitem{212} Mshindi, T. and Mbeke, P.O., 2008, Kenya media sector analysis report, a research report prepared by the Canadian International Development Agency (CIDA), Quebec.
\end{thebibliography}
became defined by its use of “repressive state apparatuses rather than representative institutions as instruments of legitimizing its their rule”\textsuperscript{214} Kenyatta utilized state machinery, including the police and the judiciary, to alienate political rivals. Often the media were targeted or manipulated to achieve this end. Of significant influence on Kenya’s repressed freedom of expression was Kenyatta’s “ideology of order”.\textsuperscript{215}

Kenyatta introduced a nation-building project fueled by the theory that unless they were checked, competing cultural interests; religious, ethnic, and regional would impede the country’s development. The Kenyatta government co-opted and controlled the media for propaganda purposes.\textsuperscript{216} The factors that shaped the development of media during the Kenyatta era were largely driven by the ideology of order, the push for development, political contention, and ideological issues surrounding media ownership.\textsuperscript{217} Significantly, the independent government was intolerant towards the Press and enacted the Official Secrets’ Act in 1968 to deal with a series of leaks that made the government vulnerable to political pressure. The political rivalry and fall out between President Kenyatta and Oginga Odinga, the Vice-President in 1969, played itself in the Press and set the tone for future government engagement with media at large. The government’s ban of its own mouthpiece the \textit{Pan African Magazine} because of fear of internal criticism illustrates its intolerance towards media.\textsuperscript{218}

\begin{thebibliography}{9}
\bibitem{215} Atieno-Odhiambo (1987)
\bibitem{216} ibid
\bibitem{217} ibid
\end{thebibliography}
Daniel Arap Moi became president in 1978 in a constitutional succession following Kenyatta’s death.\(^{219}\) Four years later, Moi forced through parliament a constitutional amendment that created a one-party state.\(^{220}\) Under the Moi administration, the government restricted and limited political freedoms, especially in terms of the press and expression. Dissent was criminalized and open reprisal toward critical media intensified. Independent and critical publications were banned outright. The government harassed the media through sedition trials of the underground press and later banned independent and critical publications such as “Beyond” magazine in 1988; the “Financial Review” in 1989; “Development Agenda” and “Nairobi Law Monthly” in August 1989 September 1990 respectively.\(^{221}\) Between 1988 and 1990 about 20 publications were banned in Kenya. The government also targeted the foreign press. It ordered local media to stop publishing news by foreign wire services and deported foreign correspondents.\(^{222}\)

Several issues influenced Moi’s attitude towards the mass media, particularly the intense political rivalry between Kenyatta and Odinga, an attempted military coup in 1982 military coup, economic recession that led to International Monetary Fund’s structural adjustment programs, and popular agitation for economic and political liberalization and globalization. The eight-hour battle for the control of the airwaves at then Voice of Kenya (VOK) during the 1982 attempted couple especially hardened Moi’s position towards the mass media.\(^{223}\)

\(^{220}\) ibid
\(^{221}\) Mshindi, T. and Mbeke, P.O., 2008, Kenya media sector analysis report, a research report prepared by the Canadian International Development Agency (CIDA), Quebec
\(^{222}\) ibid
\(^{223}\) ibid
The introduction of multi-party politics in 1992 widened the scope of political and press freedom. After the fall of the Berlin wall- from in 1990, the United States and other donors spoke out increasingly against perceived economic mismanagement, growing human rights abuses including the freedom of the press, and restricted political opportunities. Public opinion and budget deficits in donor countries- among other motivations, prompted bilateral donors to factor in Kenya’s domestic politics when formulating their aid allocations.

Economic liberalization during this time led to the proliferation of independent newspapers and magazines such as Economic Review and Finance, Nairobi Law Monthly and Society. Ownership bases expanded and content became bolder and more diversified. Yet many obstacles to media freedom remained, in particular, criminal libel laws and the Official Secrets Act. Also troubling was the Kenyan media’s proclivity to lobby on behalf of political parties, becoming a mouthpiece for government and rival parties rather than a purveyor of the Fourth Estate. Media ownership influenced content as well. Moi, recognizing the power of media in politics, tried to take indirect control of the two largest circulations, The Standard and The Nation. Through proxies he bought controlling shares in the former and asserted influence over the latter using his business relationship with the principal shareholder.

In 2002, opposition leader Mwai Kibaki unseated Moi’s chosen successor-Uhuru Kenyatta. Kibaki took power, promising a new constitution within 100 days. It was however eight years later that a new constitution was ratified. Under the Kibaki regime, there were a number of incidences of press repression. In 2005, First Lady Lucy Kibaki stormed the premises of an independent news paper, the Daily Nation, with her security personnel. As reported by the

224 ibid
225 Mshindi, T. and Mbeke, P.O., 2008, Kenya media sector analysis report, a research report prepared by the Canadian International Development Agency (CIDA), Quebec
226 ibid
Standard, an independent newspaper, she stayed in the newsroom for five hours, confiscating notebooks, mobile phones, tape recorders, cameras and other equipment, claiming that the press lied to the public about her family. She slapped a cameraman on her departure.\textsuperscript{227}

In March 2006, security personnel raided the offices of the Standard after it published stories alleging mass corruption and revealing a multimillion dollar scandal. The police beat journalists, burning newspapers, destroyed paper and dismantled equipment. The action “shocked many Kenyans and alarmed western donors”.\textsuperscript{228} During the 2007 election period and post-election violence of 2007, the Kibaki administration instituted a 24-hour media blackout. According to Tom Rhodes, East Africa consultant for the Committee to Protect Journalists (CPJ), a non-profit organization working to promote free press worldwide, a number of journalists working at the Nation Media Group and Standard Group media houses received death threats and have been victims of abuse.\textsuperscript{229}

Beyond these instances of overt oppression, politicians continued to use the media in ways that favored their campaigns leading up to the presidential election of March 2013. The media continue to align with one party or the other, compromising the independence of the media and journalists, and the quality and credibility of information received by Kenyan citizens.\textsuperscript{230}

Kenya’s political history in particular is an important consideration when investigating any aspect of the media. The development of the Kenyan media, and successes and failures thereof, may therefore be attributed to the nation’s political, cultural, economic and colonial heritage. Consequently, despite the fact that Kenyan media is considered one of the most respected and

\textsuperscript{227} ibid
\textsuperscript{228} Pan-African News Wire, 2008
\textsuperscript{229} ibid
\textsuperscript{230} ibid
thrusting systems in sub-Saharan Africa, it is still ranked “partly free” in Freedom House estimates.\textsuperscript{231}

Considering the foregoing, it is clear the centrality of the media as an important tool in shaping public opinion; especially those that reflect the ideological views of various political administrations as evidenced by the efforts of various incumbent regimes to exert total control over it. Thussu and Freedman argue that “government leaders and civil servants have come to understand that in order to achieve their objectives they need to make use of the media to mobilize support and defuse criticism”.\textsuperscript{232} Thus, in today’s modern technological world with the increasing involvement of the public and interest groups, governments are relying on the media for communication. Just how the government in its and counter terrorism efforts has used the media will be presented in detail later in this chapter.

\textbf{3.2 Overview of the Media in Kenya}

The media in Kenya includes more than 90 FM stations, more than 17 TV stations, and an unconfirmed number of print newspapers and magazines. Publications mainly use English as their primary language of communication, with some media houses employing Swahili. Vernacular or community-based languages are commonly used in broadcast media; mostly radio.\textsuperscript{233} One unsettling feature of the media in Kenya is the extensive cross-media ownership and media concentration within the market and a small, elite group dominates the newspaper, television and radio landscape.\textsuperscript{234} This raises concerns about its objectivity on controversial

\begin{footnotesize}
\footnote{\textsuperscript{231}ibid}
\footnote{Thussu and Freedman (2003)}
\footnote{\textsuperscript{233}Bowen, H., 2010, ‘Information at the grassroots: Analyzing the media use and communication habits of Kenyans to support effective development,’ research report prepared InterMedia, African Development Research Series, London, UK.}
\end{footnotesize}
subjects like terrorism as most are seen to have state/elite connections may invariably advance state agenda.

Television broadcasters include KBC, NTV, KTN, Citizen TV, and K24 as the biggest TV stations in Kenya in terms of coverage and viewers. Recently entertainment TV began to pop up in Kenya with the inclusion of Kiss TV, a 24 hour Music TV Station and Classic TV which airs African movies, programs, and music. Digital TV is also available in Kenya with two different distributors Smart TV and DSTV. Television ownership lies at roughly 58 percent and nearly all television owners use antennas. Direct television connections via satellite or cable are rare and found mostly in urban centers. The four most popular television stations are Citizen TV, KBC, Kenya Television Network and Nation TV. As illustrated in the section below, media ownership is an issue of concern. The major broadcast corporations control several media platforms, including radio, television, and print.

Direct television connections via satellite or cable are rare and found mostly in urban centers. The four most popular television stations are Citizen TV, KBC, Kenya Television Network and Nation TV. As will be illustrated shortly, media ownership is an issue of concern. The major broadcast corporations control several media platforms, including radio, television, and print. At the Communication Commission of Kenya (CCK), more than 100 applications for radio and television licenses are currently pending before the Communication Commission of Kenya. The CCK is the independent regulatory authority for the communications industry in Kenya. Its

235 InterMedia Survey Institute, 2010, ‘Kenya Media and ICT Use in Focus,’ Audiencescapes.
236 ibid
237 ibid
238 ibid
239 ibid
role is to license and regulate telecommunications, radio-communication and postal/courier services in Kenya.\textsuperscript{241}

Government-owned Kenya Broadcasting Corporation (KBC) runs the widest radio and TV network in the country with more than 100 frequencies. KBC is the oldest and largest public service radio provider, with 17 regional radio stations, three commercial radio stations and three TV broadcast services.\textsuperscript{242} KBC remains the only broadcaster with countrywide coverage. It broadcasts in English and Swahili plus various vernacular languages. It has a long standing partnership with UK based broadcaster BBC which not only airs every night, but has other news programmes like BBC Focus on Africa aired prime on KBC Radio and TV. It is important to note that other KBC owned stations (vernacular) usually link up with BBC World Service Radio or basically translate BBC News for their international news segments.

Royal Media services are the largest private national broadcaster with countrywide coverage. It also broadcasts in English and Swahili plus various vernacular languages. A dozen private radio and television stations have ranges that are limited to the Nairobi area. Royal media had a partnership with pro Arab, Qatar based cable TV station Al jazeera. Though not publicly acknowledged, it was suspended in 2012 due to what is seen as Al jazeera’s critical stance of Kenya’s military offensive in Somalia dubbed “Operation Linda Nchi” aimed at defeating Al shaabab. Since then, it airs CNN on its TV channel and links up with Voice Of America (VOA) for its Swahili and Vernacular Radio stations. The same applies Standard, Nation, Media Max and Group Africa.

\begin{footnotesize}
\textsuperscript{241} Bowen, 2010
\textsuperscript{242} AudienceScapes.com, 2010, Mobile Communications in Kenya, viewed March 13, 2011
\end{footnotesize}
A dozen other private radio stations have ranges that are limited to the Nairobi area specializing in news and a variety of music entertainment genres.\(^\text{243}\) They include; Kiss FM (pop), Classic FM (classics), Capital FM (rock and pop), Easy FM (R&B), Metro FM (Reggae), X FM (Rock), Homeboyz Radio \(^\text{243}\). A number of established private radio stations broadcast in local languages, including Kameme FM and Coro FM (Kikuyu), Metro East FM (Hindi), Chamge FM, Kass FM and Rehema Radio (Kalenjin), Lake Victoria (Luo), Mulembe FM (Luhya), Mbaitu FM (Kamba) amongst others. The radio market seems to be over-saturated and does not offer many opportunities for new development or investment, while television lacks adequate local content and focuses on general issues. Internet and satellite radio listening lags far behind other media.\(^\text{244}\) However, Media investment is moving towards new platforms based on mobile phone technologies and the internet, with the expectation that the data mobile market will increase in the years ahead.\(^\text{245}\) The most prevalent method of listening to radio broadcasts is FM radio; AM waveband is a popular second. Shortwave and mobile phone listening are also alternative listening methods used on a consistent basis.

\(^{243}\) ibid
\(^{244}\) ibid
\(^{245}\) ibid
Kenya’s print media are diverse, ranging from well-respected newspapers and magazines to an expansive tabloid press. Newspaper made up of two independent national newspapers in Kenya, the Daily Nation, and The Standard. Minor players include; The Star and The People Daily. The top regional and specialized papers are the Business Daily, The East African, several entertainment and Sports Magazines, and professional publications. Just like TV and Radio, most print media in Kenya quote verbatim from international print media like The Mail, Telegraph, Washington Post, AFP, Reuters, the published CNN and BBC content for their international news contents. At times such news –especially concerning terrorism incidents make headlines in local dailies. Thus, Western news regardless of its biases are hoisted on the public through local media through primetime radio and TV broadcasts and top headlines in local News papers.

Source; AudienceScapes National Survey of Kenya (2009)
Just like elsewhere in the world, although radio broadcasts has play a significant role in relaying news by the level of penetration even in remote areas in Kenya; on the subject of terrorism, television has prevailed over the radio. It basically agenda sets terrorism as a trending topic for electronic and print mass media. In today’s world, the medium of choice for both counter terrorists and terrorists is television. As Martin notes; “It provides immediate visibility and increases the size of the audience. It also allows for dramatic images, many of which are relatively uncensored in sympathetic markets”. Televised news is now broadcasted worldwide and provides their audience with audio-visual images and dramatic scenarios. Martin further states that “if successful, terrorists can bring images of their war into the homes of hundreds of millions of people worldwide nearly instantaneously – possibly with content that might sway large audiences to their cause.” The television is important to counter terrorists, who utilize the forum to gain national support for their response to terrorist threats and attacks.

### 3.2.1 Media Ownership

The media in Kenya have been moving towards monopoly, concentrating ownership in a few hands and producing duplicative and biased content. A few corporate organizations and individuals own most of the media houses across the country. Media owners are profiting from the convergence of ownership and have avidly and so far successfully opposed government proposals to curtail or limit cross ownership. Though Kenya has more than a dozen daily newspapers, over 90 radio stations, 17 television stations and over 13 weekly and monthly papers, the market is dominated by five media owners; the Nation Media Group, the Standard

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248 Martin (2008)
249 ibid
Media Group, the Royal Media Group, Media Max and Radio Africa, each combining print and broadcast media, distribution and publishing. There is concern as to whether given such

This environment, in which only a handful of players are shaping the media ownership structure, is reinforcing barriers to market entry in the media sector; major media houses are using methods ranging from interference with licensing procedures to monopolizing advertising and distribution networks. Still, the entry of a big regional media player has, in some cases, had beneficial effects on the quality of journalism. Attempts to regulate media ownership in the region have been unsuccessful to date, a testament to the influence of powerful media players on the political climate.252

The Kenya Communications (Amendment) Act of 2008 is perhaps most illustrative of this.253 A presidential directive was issued shortly after it was signed in order to review elements that many media houses felt were restrictive, such as provisions limiting foreign stakes in the media. This was attributable to an aggressive lobbying campaign that was successfully executed by the Kenya Media Owners Association.

In 2008, a CIDA-conducted analysis of Kenya’s media sector revealed media ownership consolidation patterns and linkages between the media and government elite.254 The latest in this trend has been the acquisitions of several media such as Milele FM- community radio station by Media Max LTD; a company associated with the current Kenyan president. This cross-media ownership in Kenya has raised concerns regarding the motives of media owners with political

252 ibid
253 Government Printer; Kenya Communications (Amendment) Act of 2008
254 Mshindi, T. and Mbeke, P.O., 2008, Kenya media sector analysis report, a research report prepared by the Canadian International Development Agency (CIDA), Quebec
and business interests and the concentration of media outlets in politically influential hands that could pose a threat to the objectivity of the media on controversial subjects such as terrorism.255

As with many nations following a neoliberal liberalization model, Kenya now faces potential crises in media ownership concentration, as there have been no ownership regulations or restrictions imposed (or proposed) upon corporate or political interests. There are prospects however that, if the constitution is implemented with the corresponding institutional infrastructure, Kenya will most likely see a jump in the Freedom House “Freedom of the Press” ranking.256 If the political bias and corruption that remain a socio-cultural fundamental in Kenyan society will remain an issue, as will the concentration of media ownership that currently limits the voices of the Kenyan press and thereby the choices of the Kenyan people.

3.2.2 Professional & Ethical Challenges

By the end of the Kibaki administration in March 2013, the media demonstrated greater editorial independence than it has in previous years, and the number of press freedom abuses declined.257

This vibrancy in Kenyan Media environment has however not been without internal challenges. Standards of professionalism vary from one organization to the next, but the overall vibrancy of Kenya’s media sector is facing a struggle over journalists’ professionalism and ethics, political bias, corruption and violence.258

Generally, larger media organizations such as the Nation Media Group and the Standard Group tend to recruit and employ professionally-trained journalists. This is not the case with smaller

255 ibid
256 ibid
Many of these journalists fail to consult experts when reporting on serious matters, leading to the dissemination of false or misleading information. Some reporters rarely verify or check their facts. Often, political or ethnic bias slants the news reported; competition among media, corruption and incompetency compromise objectivity and journalistic integrity.

Coverage is also heavily skewed toward business interests and entertainment. Entertainment accounts for 80 percent of content on FM radio. State media may not be considered editorially independent, serving as the government’s mouthpiece in most cases. Furthermore, journalists tend to cover urban matters, rather than rural, as media consumption is higher in urban areas.

Self-censorship is widely practiced. Journalists also self-censor for a variety of reasons, including the fear of losing their jobs, opportunity for financial gain, editorial policies, business interests and political pressure from media owners and advertisers.

The most common accusation against Kenyan media has been that of biasness. Bias in this context is the way news reporters tilt the public opinion by choice of news and how they make decisions on what and how to present the news. There are various types of bias. These are mostly classified according to the cause. Some of these are: Political bias. This shows bias due to political reasons such as support for a political party; a politician or a political policy. To be fair though, this phenomenon is found all over the world. The United Kingdom for instance, *The Daily Telegraph* and *Daily Mirror* are known to have an inclination towards Labour Party. The moment a media house gets inclined to a political party, its choice of language is carefully done to avoid appearing unpleasant to that party.

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259 ibid
260 ibid
261 Maina, L., 2006, Kenya, research report prepared by the African Media Development Initiative (AMDI), London, UK, BBC World Service Trust
262 ibid
263 ibid
Commercial bias is as a result of Media Companies’ dependence on commercials to stay afloat. This can create a bias as none of them would like to annoy their sponsors. In Kenya for example, the government pays a lot of money to advertise in the dailies. These include job opportunities and some documentaries about government policy. This can easily be used as a bait to make such media houses conform to government opinion on some issues. During the Moi administration, there was a time that all government advertisements were placed in a daily called “Kenya Times” which was very close to the ruling party then known as K.A.N.U.\textsuperscript{264}

Today, Kenyan media operate as an economic institution in the business of cultural production, where news about the operation is treated as a “commodity for sale”.\textsuperscript{265} Journalists construct news stories that appeal to readers but can also attract advertisers. To some extent, media owners are in a position to offer the kind of news stories that appeal to their readers’ interests, but at the same time do not offend their advertisers. Kenyan media coverage of the war on terror; for instance the military Operation Linda Nchi, focused on Kenyan soldiers on the battlefield and emphasized their advances towards the “enemy” stronghold.\textsuperscript{266}

Sometimes the media focused on feature stories accompanied by large photographs of women soldiers on the battlefield. Such stories were meant to challenge Islamic perceptions of the “right place” of women in society.\textsuperscript{267} On the other hand, Kenyan television bombarded audiences with frequently repeated visuals of Kenyan fighter jets maneuvering in the enemy’s air space, while tanks rolled across the rugged Somali terrain.\textsuperscript{268} Kenyan journalists accompanied the soldiers and seemed to report from the ‘front’ to give an impression of the ‘reality’ of the situation, as argued


\textsuperscript{265} Williams,(2003).

\textsuperscript{266} The Standard, Monday,17,2011 ”Action Begins”

\textsuperscript{267} The Standard,Wednesday October 19,2011”Inside the Battle Zone”

\textsuperscript{268} “Kenyan troops pursue al-Shabab into Somalia in Operation Linda Nchi”. Al Jazeera English. 16 October 2011
above. All these strategies were employed to appeal to a Kenyan audience. The newspapers thus manufactured news as a product with a market value to sell to the Kenyan audience, thus to maximize profits, like any other capitalist business enterprise.\textsuperscript{269} News and investigative reports that journalists produce have a value attached to them for maximizing profits.\textsuperscript{271}

Ownership bias usually occurs when there is a friendly relationship between the media owners and those that are quoted in the news. The media are investments owned by people. The owners can therefore have a heavy influence on the news reported in the media.\textsuperscript{272} Religious bias is where news seems to glorify or scandalize a religious group.\textsuperscript{273} There are quite a number of media-print and broadcast owned or with a bias towards certain religions. When a terrorist incident occurs, there are often complaints that Muslims are suspected to be terrorists without any logical reasons. This suspicion makes reporters to write news that can sometimes appear to be biased against Muslims. While it is true that there are some Muslims who have been involved in acts of terrorism, there are many others who are opposed to it. It is also not true that all Christians are peace loving and good people, for there have been criminal acts where Christians have been involved.

There are also biases based on ones ethnicity, race, gender, age and social class. Accusations of ethnic bias or even hatred have been labeled against some Kenyan media especially community radio stations.\textsuperscript{274} Indeed after the post elections violence of 2007/08, a media personality was indicted at the ICC for crimes against humanity. In many countries with people of mixed race, the race that also belongs to a lower social class is often discriminated against gender bias is

\textsuperscript{269} Williams, (2003)
\textsuperscript{270} Hesmondhalgh,(2007)
\textsuperscript{271} Chambers,(2000)
\textsuperscript{272} ibid
\textsuperscript{273} ibid
\textsuperscript{274} ibid
often seen when writers of news items use he or she without considering that there is more than one gender. In many newspapers, the opinion of people of a higher social class is often given more emphasis.\textsuperscript{275} In regard to war on terrorism in Kenya, people of Somalis and people of Arab descent are often viewed with suspicion which has led to claims of discrimination and bias reportage in the media.

\section*{3.3 The Role of the Media and Conflict in Kenya}

The new constitution of Kenya, promulgated in August 2010, is considered a major positive development in ensuring the free flow of information. It provides for freedom of media as a right and fundamental freedom. Section 34 guarantees the independence of electronic, print, and all other types of media.\textsuperscript{276} The government has also pledged to enhance Kenya’s technological infrastructure by investing in the roll-out of fiber optic cable throughout the country and working on “digital villages” to enable people in remote parts of the country to access broadband internet.\textsuperscript{277} Stiff competition in the mobile phone market has also lowered access costs and there is a significant increase in news diversity as a direct result of the convergence of internet, television, and radio on mobile platforms. With such vast investments in ICT infrastructure, various sectors and the media in particular, are posed for enormous gains that will influence policy makers and public perception on critical issues including public order.

Infact the Constitution envisages such a scenario where paragraph (2) of Article 33 limits freedom of expression by stating that it does not extend to: propaganda for war, incitement to violence, hate speech or advocacy of hatred that constitutes ethnic incitement, vilification of

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\textsuperscript{275}ibid  \\
\textsuperscript{276}Government Printer; Constitution of Kenya 2010  \\
\textsuperscript{277}ibid
\end{flushright}
others or incitement to cause harm.\textsuperscript{278} In addition, such freedom of expression must not violate any ground of discrimination specified or contemplated under Article 27 (4) and must be exercised with respect to the rights and reputation of others.

However, access to media is only one side of the communication story; user patterns also require close study to understand how access translates into action either to attain good or bad objectives that may include terrorist activities. A survey by AudienceScope shows, word-of-mouth sources ("friends and family" and "other people in the community") are about as important to most Kenyans as are radio and television for staying informed.\textsuperscript{279} And though mobile phones have become more accessible for general use, they are not widely used for formal news collection via SMS services and other social media platforms such as YouTube, twitter and Facebook among others. Institutional sources, such as government officials or literature produced by public agencies, are also lower on the news and information totem pole for Kenyans surveyed.\textsuperscript{280} This raises the question of credibility of the most utilized sources (radio and word of mouth) and their vulnerability to be used as tools for insecurity.

\textsuperscript{278} ibid
\textsuperscript{279} InterMedia Survey Institute, 2010, ‘Kenya Media and ICT Use in Focus,’ Audiencescapes.
\textsuperscript{280} ibid
There is an ongoing debate in Kenya regarding the role of media particularly social media and vernacular/community radio in terms of its potential to strengthen governance and democratic consolidation verses promotion of negative ethnicity, sectarianism and terrorism that could create ethnic, religious and regional divisions that impede development and progress. A significant impact of the growing media environment in Kenya has been in the area of citizen participation in public matters, ranging from political debates to service delivery.

George Nyabuga, for example, points specifically to community radio stations and their success in engaging local people in public debates through their programs, which have then managed to...

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alert political leaders and state institutions about public sentiment on performance. Hannah Bowen, Research Analyst for InterMedia projects in Africa, supports this argument saying that the combination of mobile phones and community radio is enhancing public participation across divides such as income, gender, tribe, and age. The combination of the media and mobile phones, both to collect and disseminate news, is resulting in wider audience engagement, especially in rural or marginalized areas such as city slums.

Radio stations are no doubt a powerful medium in Kenya today and have started to work as spaces that can amplify citizens’ voice. They can allow citizens to raise issues; they can localize a national agenda; and they can set their own agenda. Cases of citizens holding their Members of Parliament accountable are increasing, asking, for example, how their elected representatives are using the constituency development fund (CDF). They also offer authorities to respond on-air; they are also becoming public fora where authorities can call back to give their version of a story when they are called into question.

Citizen journalism and the use of social media such as SMS text messaging became a topic of much interest after the 2007 elections. Meir and Brodeck conducted a quantitative crisis mapping study, comparing mainstream news media, citizen journalism, and a dedicated crowd sourcing platform. Makinen and Kuira also examined the role of social media in Kenya’s elections, in particular the dramatic elections of 2007, when platforms such as Ushahidi were created and mobile phones proved to be an effective resource to allow citizens to mobilize, denouncing cases of violence and facilitating the authorities’ responses, the constitutional referendum of 2010

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283 ibid
represented an opportunity to further test existing and new tools.\textsuperscript{285} In 2010, two different platforms were deployed to check on electoral offences such as intimidation, hate speech, or vote buying by two coalitions of organizations composed of local CSOs, donor agencies and volunteers’ networks.

The Institute Français de Recherche en Afrique (IFRA) published a special journal article which examines the role of the media in the 2007 elections, finding that the mainstream television and print media made a concerted effort to practice “responsible journalism” and contributed to the process by both providing credible information and critical political condemnation.\textsuperscript{286} Critical scholarly analyses of the Kenyan television broadcasting system include an examination into the failure of broadcast news to properly inform the public under Moi, due to political pressure; gender stereotyping in children’s television; and the growing popularity of satellite television and foreign broadcasts.\textsuperscript{287-289}

Several other assessments of Kenyan television are available through media reports issued by a variety of organizations. InterMedia’s “Audiencescapes: Kenya Media and ICT in Focus” concludes that while radio and television broadcasts remain the most popular media, the Internet and mobile phone use is changing the media landscape.\textsuperscript{290} “The BBC’s 2008 Policy Briefing: The Kenyan 2007 Elections: Their Aftermath and the Role of Media and Communications” asserts that although the mainstream media played a substantial and positive role in the 2007

\textsuperscript{285} Makinen and Kuira (2008)
\textsuperscript{287} Mak’Ochieng, M., 2006, ‘Sparse role for Kenya’s media during the reign of Daniel arap Moi,’ Ecquid Novi: South African Journal for Journalism Research: 27
\textsuperscript{290} InterMedia Survey Institute, 2010, ‘Kenya Media and ICT Use in Focus,’ Audiencescapes
election process, television broadcast news remains politically co-opted and exhibits a large amount of political parallelism.\textsuperscript{291}

The threat posed by irresponsible media was first brought to light through a report published by the Kenya National Commission on Human Rights following the ethnically-spiced propaganda that masked the 2005 Constitutional referendum campaign.\textsuperscript{292} The key role that the media played in enhancing such propaganda led, among other reasons, to the enactment of the Media Act in 2007.\textsuperscript{293} According to a joint BBC World Trust and UNESCO report following a conference in Nairobi in 2008, “The Way Forward in for Community Radios in Kenya,” notes that such debate often dilutes the distinction between vernacular radio stations and community radio stations.\textsuperscript{294} Vernacular stations are those commercial enterprises that broadcast to a certain ethnic community in their own language for profit. There is a body of literature addressing vernacular radio stations’ dissemination of hate speech and effect on ethnic/religious tensions in Kenya and elsewhere in Africa.

The threat posed by irresponsible media was first brought to light through a report published by the Kenya National Commission on Human Rights following the ethnically-spiced propaganda that masked the 2005 Constitutional referendum campaign.\textsuperscript{295} The key role that the media played in enhancing such propaganda led, among other reasons, to the enactment of the Media Act in 2007. A 2008 article by IRIN, the humanitarian news and analysis publication of the United Nations (UN) Office for the Coordination of Humanitarian Affairs, notes that vernacular radio

\textsuperscript{292} Kenya National Commission on Human Rights 2008, On the Edge of precipice
\textsuperscript{294} ibid
\textsuperscript{295} Siasa Duni, June 24, 2009, ‘Fear, loathing, intrigue and impending bankruptcy at the Standard Group,’
stations raise ethnic tensions through call-in radio programs and politically and ethnically charged music.²⁹⁶ The report, “Kenya: spreading the word of hate,” did however note a decline in incidents of vernacular radio hate speech, attributable to the presence of national and international monitoring.²⁹⁷ Somerville also found evidence of Kenyan vernacular stations’ use of broadcast to promote a partisan agenda and “set an agenda of targeted suspicion” toward outsiders.²⁹⁸ Weber found vernacular radio to be one of the root causes of ethnic politicization.²⁹⁹

While radio remains the most accessible form of media in Kenya today, broadcast television is popular as well. “The Kenya media and telecom landscape guide” provides a brief assessment of the broadcast television market, noting that international and domestic television is particularly important for communicating news and information in Nairobi and other large towns.³⁰⁰ This is critical in shaping local opinion on terrorism since the war on terror narrative is woven mostly by the Western press such as CNN, BBC, and AFP among others. Concentration of ownership has increased in the last five years and transparency in ownership of media has improved only slightly over the past five years. The government controls media licensing; a process that is shrouded in secrecy, so that it is difficult to establish who owns which media house.³⁰¹

Large media houses in Kenya have also mastered new ways to combine TV and radio with mobile phones to increase participation in debates and disseminate information more broadly, for

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²⁹⁷ ibid
²⁹⁸ Somerville (2011)
²⁹⁹ Weber (2009)
³⁰⁰ ibid
³⁰¹ ibid
instance through receiving text messages while on-air. They are increasingly using social media like Facebook and Twitter in radio and TV shows to engage the public in debates. One of the most successful forms of interaction that has been promoted by networks such as Royal Media, the Standard, Media Max, BBC and the Nation has been allowing citizens to participate in opinion polls and vote on critical issues by sending SMS to the studios, for example during the evening news bulletin.

But in this feedback interaction platforms and as in online journalism, the virtues associated with ethics; accuracy, honesty, truth, impartiality, fairness, balance and respect for autonomy of ordinary people are barely respected, largely because there is no effective way of policing this, and there are no legal penalties. In this case, the media coverage of Operation Linda Nchi offers an interesting scenario. A few weeks after Kenyan forces crossed in to Somali, the public was eager to follow the proceedings at the frontlines and several journalists were embedded with the soldiers and would regularly file news reports to Nairobi. In addition, the military leadership set up a weekly news briefing in which the military spokesman gave a report on the proceedings of the war.

For a while, partly due to a recurring public discourse on patriotism and coupled with predictable sources of news for the local media, the hegemonic version of events from the military was published uncritically as the only report of the war. This was equally reflected in opinion columns and other commentaries, with only the most cautious and sublime critique on the war. The threat to this hegemonic voice first came through tweets from humanitarian organizations

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302 ibid
304 ibid
305 ibid
working inside war torn Somalia. The instantaneity and convenience of Twitter on reporting the war became equally apparent to the KDF. In late October, the military spokesman Emmanuel Chirchir complemented the weekly briefings with almost daily tweets from the frontlines. At the time of this study he had made over 680 tweets, attached several pictures and videos through Twitpic and other links, all of which on several occasions converged to produce the major headlines or news accounts in the press and the broadcast media.

With more action increasing and the security situation on the ground becoming increasingly difficult for most humanitarian organizations to operate, the KDF held sway on Twitter in fortifying their hegemonic voice insofar as media accounts of the war proceeded. However, in early December of 2011, the al-Shabaab militants also created their own Twitter account and began tweeting under the handle HSM Press Office - an acronym for Harakat al-Shabab al-Mujahideen, or Movement of Holy Warrior Youth. From the onset, it was clear that al-Shabaab had set sights on a wider audience by using the English language. From then on the war included not just physical combat but also a virtual war that revealed the increasing role that the new social media is playing not only as an embedded practice of daily life, but as a pivotal tool in the war of hearts and minds of the public.

Thus, the spaces emerging at the intersection between broadcasting and mobile telephony seem to be offering new opportunities for democratic engagement, but it is important to stress how these spaces are also vulnerable to falling prey to advancing a partisan and possibly divisive interests such as terrorism.

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306 Arda Bilgen on July 22, 2012
307 ibid
CHAPTER FOUR: THE WAR ON TERRORISM; SECURITY VERSES FREEDOM

In Kenya, the diminution of fundamental freedoms in the name of an elusive peace or security has been characteristic of turbulent politics and the war on terror. By the 2012 general election the country has almost got used to the idea of trading innocent lives and the rights to a fair trial for the illusion of security due to the rising grenade attacks attributed to terrorists. Public support for the police as they announced their latest kills was palpable on social media. “Police gun down suspected terrorists in shootout,” was a regular headline. “Suspected” became more than a word. It became a means to strip people of their humanity.309

As in other parts of the globe, there is an effort to convince the public that fundamental freedoms need to be curtailed for the sake of security particularly in with regard to war on terror. Thus, security, rather than human rights, has emerged as the priority in many nations involved in the war against terrorism. This argument is dangerous for it seeks to mask the real causes of conflict and precludes effective remedy to both deliver justice and enhance security. The actions carried out under the cover of darkness or the cloak of secrecy, actions claimed to be necessary for national security, have time and again been shown to be neither necessary nor in the national interest. Revelations such convert US data mining program PRISM as exposed by US counterterrorism contractor Snowdon and those from Wikileaks have demonstrated the folly of putting faith in official pronouncements or in public professions of commitment to protection of fundamental freedoms.

309 Cyrus Ombati, “Centre to fight terrorism opened, East African Standard,” Wednesday, May 1st 2013
4.1 Current Legislative Framework

The momentum Al Qaeda has gathered would not be possible were it not for the technological advances in mass media dissemination today based on internet, telephone and video transmitters. For at least two decades the Al Qaeda network has waged a war against the western world and their allies. In 1998, the late Osama Bin Laden, the front figure of Al Qaeda, declared a “jihad” or holy war against the US and its allies, declaring “it is the duty of all Muslims to kill US citizens-civilian or military, and their allies everywhere”.\(^\text{310}\) The motivation and aim of this organization is complex, it entails deep-rooted feelings of injustice, a deep commitment to resurrecting the Muslim culture that is in danger of being dominated by Western media and culture, and the pursuit for political and economical independence from the Western world.\(^\text{311}\)

Kenya and other liberal states are grappling with how to devise a universal legal framework to fight an enemy who clearly has no regard to any rules of armed engagement. Al Qaeda, whose aim it is to establish a pan-Islamist caliphate (super state) uniting all Muslims, has become a global transnational movement different from traditional terrorist organizations.\(^\text{312}\) With a presence in over 60 countries, it is the most widely dispersed terrorist movement in history.\(^\text{313}\)

Thus, in light of modern globalized terrorism, targeted countries must meet new standards, and employ new security and safety measures in order to protect their citizens and their national interests. The role of the media, particularly New Media (internet) and Traditional (print and Broadcast), is central to both terrorists and counter terrorists, because it makes it possible for them to communicate their aims more effectively. Most states, Kenya included have made it their priority to curb and prevent Al Qaeda or any other terrorist organization from striking attacks.

\(^{\text{310}}\) ibid
\(^{\text{311}}\) ibid
\(^{\text{312}}\) Wilkinson (2006)
\(^{\text{313}}\) ibid
within their territories. However, serious legal questions arise in terms of the power a nation state employs in the fight against a non-state actor like Al Qaeda. The question is, given the amorphous nature of Al Qaeda and its affiliates, and its averseness to the laws of armed conflict, should targeted countries employ new standards, employ new security and safety measures in order to protect their citizens and their national interests devoid of adherence to fundamental human rights and liberties?

4.1.1 Counterterrorism in Kenya

The Republic of Kenya has in its young history been the victim of four major terror attacks in the capital city of Nairobi and Mombasa. The first terrorist attack took place in 1975 and subsequently in 1981, 1998 and 2002. The first terror attack was domestic but the issue remains unresolved to date while the 1981 and 2002 were external attacks targeting Israeli hotels and an Israeli airliner in Nairobi and Mombasa. The most significant attack was the US embassy bombing of 1998 in Nairobi. All these incidences are usually widely covered by the media and cause widespread public outrage such that initial counterterrorism measures receive unequivocal backing from the public. But there is growing concern about nature of such unlimited goodwill especially when it is used to justify draconian measures that substantially infringe fundamental rights.

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314 The Lewiston Daily Sun Vol 83 _27 Killed in Kenya terrorist Bombing’ (3rd March 1975) Available at: http://news.google.co.uk/newspapers?id=quYpAAAAIBAJ&sjid=KGYFAAAAIBAJ&pg=4574,200382&dq=bombing+kenya&hl=en
Previously, Ethno nationalistic terrorism was mostly experienced in Kenya towards the end of the country’s colonial rule in the 1950s when freedom movements such as Mau Mau used terror to hasten the country’s independence.\textsuperscript{317} Indeed, the UK government officially acknowledged that the British Colonial forces were equally guilty of atrocities hence an “expression of regret” by its Foreign Secretary in the House of Commons in 2013. The terrorist events that took place in Kenya at that time perfectly exemplify the maxim: “one man’s terrorist is another man’s freedom fighter”.\textsuperscript{318,319}

While the British sought to suppress the Mau Mau “terrorists”, natives oppressed by colonialism saw this ragtag army as freedom fighters and supported it, eventually culminating in the country’s freedom from British colonial rule. The success of this bloody ethno nationalistic movement lines up with Cronin’s characterization of such organizations’ as often being; astoundingly violent, durable, able to utilize traditional paramilitary structures and lastly having strong support among the organizations’ founders co-ethnics.\textsuperscript{320} This however, can not be equated to the current Al Qaeda led global terrorism that has consequently sparked a global counterterrorism response.

The war on terrorism today; the incidence of religious/sacred terrorism in Kenya is most bothersome because its perpetrators have no qualms about sacrificing civilians; anywhere in the process of achieving their objectives. To this end, Al-Qaeda agents and its affiliate terrorist groups like Al Shabaab have subjected Kenya to devastating terrorist attacks since August 7, 1998 bombing of the US Embassy in Nairobi, Piracy in the Indian Ocean, kidnapping of tourists

\textsuperscript{318} Edgerton (1989)
\textsuperscript{319} Sorel (2003)
\textsuperscript{320} Cronin’s (2002)
and government officials, to terrorist attacks on security installation and places of worship among others. These attacks continued for the past decade and ultimately culminated in Kenya’s military incursion in Somalia in 2011. Legally speaking however, Kenya joined the war on terror following the 11th September 2001 bombings in the US and subsequent UN actions and resolutions including UN resolutions 1373/01, 1377/01 and 1624/2005 constrained the Kenyan government to adopt counterterrorism strategies.

This included; legislative reforms, institutional building, trainings and bilateral and multilateral collaboration with like-minded states including the US and UK on the actions(s). Kenya has reported thrice pursuant to resolution 1373 of 2001 and none with regards to resolution on the 24th July 2002, 12th March 2003 and 2nd March 2004. It has not reported ever since mainly due to the failure to pass the then Suppression of Terrorism Bill due to concerns about its adverse impact on human rights as raised by Muslim lobby groups and other civil organizations. The media played a key role in this process by giving a voice to those opposed to it. This was however passed in 2012 albeit with a few amendments, at a time when the country was grappling with multiple terrorist attacks on government and civilians.

Despite the initial failure by Kenya to enact specific counter-terrorism legislation, it sought to fight terrorism in several other ways, including the establishment of the National Security

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322 ibid  
326 ibid  
327 ibid
Intelligence Service with support from the U.S. Anti-Terrorism Assistance (ATA) Program; creation of the Anti-Terrorism Police Unit (ATPU) in 1998, a Joint Terrorism Task Force (JTTF) and the National Counter-Terrorism Center (NCTC) in 2003; and the National Security Advisory Committee (NSAC) in 2004 which has since been scrapped. Additional measures include participation in the U.S. Terrorist Interdiction Program (TIP), which provides technology to screen travelers arriving at airports and border crossings.328329

As a result of the 9/11 attacks against the United States, Kenya and the Horn of Africa was under increased scrutiny as a strategic focal point in the war against terrorism.330 In this regard, Kenya increased her tempo in security cooperation with the United States and the international community in order to deter al Qaeda and its operatives' in the region as well as denying them access to possible safe havens in Kenya. Until 2011, Kenya's contribution towards this effort is in the form of information sharing, granting of US over flight rights, Basing facilities, liaison and diplomatic engagements in support of US forces, conducting and supporting maritime interdiction operations in the Horn of Africa.331

Before the close of 2011, Kenya launched its own local version of a 'war on terror' following persistent border incursions by the al-Qaida affiliated al-Shabaab militant group. In a conflict that was seen by many to be fought largely through modern military hardware, the emergence and effective use of social media as yet another site of this warfare reflected the growing influence of new media in mobilizing, debating and circulating issues of public.332 It has also

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329 ibid
331 Cyrus Ombati,“Centre to fight terrorism opened, East African Standard,” Wednesday, May 1st 2013
332 ibid
remained engaged in the anti-piracy campaign in an effort to eradicate piracy in its coastal/Territorial waters in close cooperation with other allies’ Maritime forces. Kenya forces in 2012 joined the AMISOM military operation in ensuring that Somalia and the greater Horn of Africa is stabilized and that the region is free of Al Qaeda and its associates in so as to have the regional states enjoy peace, security and sustainable development.\textsuperscript{333}

4.1.2 War on Terror and Human Rights in Kenya

Kenyan media operate in a political culture that shapes and influences their operations. The study premised on the fact that Kenya is a liberal democratic country, meaning that there is a low degree of political control of the media and a high degree of tolerance on the part of political elites for the unwelcome and critical topics about which journalists in such systems write and speak.\textsuperscript{334} A liberal democratic political system demands media criticism of elites as a condition of its legitimacy, meaning that journalists are expected to be watchdogs of democracy that criticize and warn against the state’s tendency to abuse power. Otherwise, they have no reason to exist. Thus by agenda setting human rights, critical, pluralistic media is regarded as a bulwark against the possibility of a state to turn to authoritarian rule and as a defense against the abuse of political power.\textsuperscript{335}

In democratic arrangements, the media have some degree of autonomy and freedom to report and even criticize the government, even though there are still certain authoritarian tendencies that find expression in censorship and media control.\textsuperscript{336} Political factors include the power of government officials to manipulate and exercise control over journalists through censorship and

\begin{flushright}
\textsuperscript{333} ibid
\textsuperscript{334} Ogenga, (2008); McNair, (1998)
\textsuperscript{335} ibid
\textsuperscript{336} Ogenga,(2010).
\end{flushright}
media regulation to safeguard national interests or national security and sometimes to serve selfish political interests – the Kenyan media representation of war on terror is driven by national security interests. This study employs the critical discourse analysis of the media as an analytical framework in order to gain an understanding of how politicians can shape media content through state apparatuses and the privileged access they have to the media as official sources. Both the political class and the Kenyan media shared the same agenda of proclaiming a need to protect the nation but ignored the horrific human rights abuses that have characterized the war on terror.

Since 9/11, there has been growing debate amongst policy makers (governments), legal professionals and other academicians regarding the extent of the permissible restrictions on rights and freedoms perceived “necessary” to prosecute the War on Terrorism. Essentially, the debate has centered on whether any restrictions at all should be imposed, and, if they are, the correct balance between rights and restrictions in a counterterrorist situation. Experience since 9/11 has shown that the public has become more willing to accept restrictions on rights and freedoms. Messelken explains that “the first aim of terrorist violence is the production of fear and horror among a broad group of persons” and that the “terrorist calculation” relies on unpredictable random violence and the creation of insecurity and fear. That terrorist strategy can include rural and urban guerilla warfare and even full scale conventional war. These effects and the emotions generated by acts of terrorism can promote great public insecurity which in turn can spark harsh counterterrorism measures devoid of fundamental human rights including media freedom.

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337 Messelken (2005)
338 ibid
Wilkinson points out the belief that in the war on terrorism, terrorists must be suppressed “with crushing military force” on the assumption that “the only good terrorist is a dead terrorist”.\textsuperscript{339} Thus, some advocate that the ends justifies the means, that terrorists through their actions have forfeited constitutional and human rights, that the criminal courts are inappropriate for these prisoners, and that even torture can be justified in some circumstances.\textsuperscript{340} Others argue that the ends do not justify the means and that abandoning due process protection under international human rights law conflicts with the values and principles that are the foundation of the democracy being defended against terrorist attack.\textsuperscript{341} Wilkinson argues that abridging rights corrupts public officials and the military and promotes major injustices in the name of national security.

As noted earlier, the U.S. response to terrorism included the enactment of the Patriot Act, which introduced restrictions on some democratic rights, including giving the Federal Investigation Bureau (FBI) wide and unprecedented access to information previously kept private- the power that the FBI employed, using a so-called national security letter, to illegally accumulate intimate information about some 52,000 persons and store it in a database accessible to about 12,000 federal, state, and local law enforcement agencies.\textsuperscript{342,343} This voluminous law was passed only 6 weeks after 9/11. As well, a package of measures forming part of the overall counterterrorist strategy impacted rights and freedoms. Later on, the US National Security Agency (NSA) expanded this program in a communication surveillance operation dubbed PRISM.\textsuperscript{344} It is important to note that most counterterrorism legislation elsewhere in the world-including

\textsuperscript{339} Wilkinson (2006: 63)  
\textsuperscript{340} ibid  
\textsuperscript{341} ibid  
\textsuperscript{342} Patriot Act 2001  
\textsuperscript{343} Smith (2007)  
\textsuperscript{344} ibid
Kenya’s Terrorism Suppression Act 2012 borrows heavily from this legislation although it took much longer due to concerns about Kenya’s sovereignty and its impact on human rights.

The Kenyan government has been accused of violation of the fundamental rights of people suspected of terrorism and its presumption of entire communities especially Muslims, Somalis and people of Arabic descent as people harbouring terrorism elements. On other hand, in the wake of the a terrorist attack the mass media has been accused of being complicit by stirring up paranoia, fear, nationalism, xenophobia, and racist anti-Middle Eastern sentiment. That to the media, when the government acts to thwart "aggressors", it is deemed as a necessary countermeasure to terrorism committed against the state regardless of the atrocities committed by state agents. This has the net effect of alienating some communities and in itself poses a threat to national security.

The introduction of domestic satellite dishes in Muslim homes that broadcast Islamic programs from the Middle East and Asia has also impacted on Kenyan Muslims’ new understanding of Islam and their Islamic identities. It is via this global transnational Islamic networks mediated through the media that most educated Kenyan Muslim activists develop an interest to creatively use media outlets to engage in public discourses about the place of Muslims in Kenyan politics and the world as a whole. This trend has enhanced Muslims’ perception of their citizenship and it is steadily improving their political participation but has also been accused of radicalization of the youth. The militant Al-Shabaab movement has also built across-border presence and a clandestine support network among Muslim populations in the north east and Nairobi and on the

346 ibid
coast, and is trying to radicalize and recruit youth from these communities, often capitalizing on longstanding grievances against the central state.\footnote{ibid}

Marginalization sentiments make Kenyan Muslims’ grievances to be at times associated with what is happening to the Global Muslim Publics (Ummah). Conflicts involving Muslims in the Middle East, the Soviet Union, Somalia, Sudan and the global war on terror are viewed by Kenyan Muslims as a world-wide propaganda against the Muslims. These concerns of the Muslim Ummah elsewhere in the world attract sympathy of Kenyan Muslims and hence the notion of worldwide persecution of Muslims. Kenyan Muslims are not left out in their show of solidarity with other Muslims.\footnote{ibid}

As such, Kenya's Muslim community and lawyers have raised objections over the Prevention of Terrorism Act 2012, saying it infringes on constitutional rights of individuals. The Act is also opposed by a government human rights group Kenya National Human Rights Commission (KNHRC) that says the law would give the state sweeping powers that can be abused to intimidate political opponents.\footnote{ibid} They law gives discretionary power to the police and minister in charge of security to publicly declare a group a terrorist entity without proving it in a court of law. The law can also be used to hold suspects for long periods of interrogation without being charged in court, and some of the provisions can be used to compel doctors and journalists to give evidence against their clients and confidential sources. There is fear that the provisions of the bill that seem to legitimize arbitrary seizure of property, entry into a suspect's property and listening to private phone conversations without warrants expressly violet the constitution. But

\footnote{ibid}{ibid}
the government says it needs the current legislation to effectively punish perpetrators of terrorism activities.\footnote{Kenya National Human Rights Commission (2005)}

A report by Open Society Justice Initiative in 2012 concluded that looks at how the governments of Kenya, Uganda, the US and the United Kingdom responded to the 2010 World Cup bombing in Kampala, Uganda says counter-terrorism tactics and operations in East Africa have led to a variety of human rights violations.\footnote{Open Society Justice Initiative (2012)} The report is based on an analysis of dozens of sworn affidavits from Kenyan, Tanzanian, Ugandan, and United Kingdom legal proceedings. It is also based on interviews with a variety of civil society groups and lawyers; discussions with United States, Kenyan, and Ugandan government officials; and desk research into U.S. and U.K. funding of East African counterterrorism security forces.

Furthermore, the report also indicates governments in the region are abusing the need to fight terrorism as an excuse to crack down on political opposition, human rights defenders and lawful expressions of dissent. It cites the example of Al Amin Kimathi a renowned Kenyan Muslim rights activist who was detained by Ugandan authorities’ for speaking out against arbitral arrest of Muslims and their rendition to Uganda and the US.\footnote{ibid} The report found that Kenya and Uganda were willing to commit human rights violations as a means for countering terrorism. This approach, however, is undermining the rule of law in both countries, provides propaganda for militants, and alienates minority communities who, like the government, want to see an end to terrorism.\footnote{ibid}
Finally, the report highlights the fact that the United States and United Kingdom are providing substantial support, through training and equipment, to East African security forces. The report calls on both the United States and the United Kingdom to ensure that their support is not used to commit or legitimate human rights abuses in the region and notes that often, anti-terrorism legislation is a tool to legalize State actions that would otherwise be unlawful, such as prolonged periods of detention without charge or trial, lowering standards of evidence, or placing rigid limitations on freedom of expression and assembly.\textsuperscript{354} Also, anti-terrorism legislation provides definitions of “terrorism” that are overly broad and vague. This makes the law susceptible for abuse by governments that may want to attack political opponents or specific minority communities.\textsuperscript{355}

A brief review of the government’s war on terror prior to this legislation vindicates the said concerns. According to an Amnesty International report of 2005, it depends just how imaginative who is controlling the security apparatus is and as the history of various post colonial governments has shown, too much discretion is dangerous.\textsuperscript{356} As part of the response to “terrorism” in Kenya, extensive arrests were carried out throughout the decade long war on terror in coastal towns, areas bordering Somalia as well as in Nairobi. The aim of these operations was to locate those suspected of involvement in terrorism activities or alleged Al-Qaeda operatives. The report cites cases where suspects are detained without charge, held incommunicado and in undisclosed locations. They were often denied access to lawyers and some have stated that they

\footnotesize{\textsuperscript{354} ibid
\textsuperscript{355} Amnesty International report of 2005
\textsuperscript{356} ibid}
were tortured or ill-treated. Family members of suspects were also detained and harassed. Witnesses were also held.⁴⁵⁷

Amnesty International found that anti-“terrorism” measures generated fear among certain communities, especially on the Kenya coast, in view of the arbitrary arrests and detention, among other issues. Because of the possibility of harassment, some former detainees were reluctant to talk about their experience at the hands of security officials. In several cases, interviewees asked that their names and other identifying details be withheld as they feared for their own safety or the safety of relatives. In other cases, lawyers advised against making their clients’ names public.

4.2 Does Kenyan Media Abet Human Rights Violation?

While media is not duty bound to preserve human rights, the fact that it operates as a conveyor of information between states, the society and vice versa, requires media practitioners to act responsibly not just in instances where their coverage may promote a terrorist agenda but also where government action compromises citizen’s fundamental rights and freedoms. The International Council on Human Rights notes that press freedom is directly connected with human rights journalism practice, conditions without which, other human rights are endangered.⁴⁵⁸ It can therefore be argued that information as an aspect of media freedom is a right as vital as the right to life, or medical care. This study is premised on the idea that people have the right to know, it is their quest for human equality and justice. Abuse of media freedom that either furthers a terrorist cause or extrajudicial counterterrorism measures endangers essential human rights and goes against the spirit of a free

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⁴⁵⁷ ibid
⁴⁵⁸ ICHR (2001)
society, under which independent media are established. It imperils the very rights the media is expected to protect. Watson explicitly suggests that the subject of human rights is recognized in the field of journalism, especially if the media conditions are set to honour and defend against abuse.359

A few years after the global war on terrorism began; information started to be released about the possibility of people being tortured in various prisons by the United States and allies of which Kenya is one. There were many accusations such as the anti terror allies allowing for suspected terrorists to be flown to secret United States controlled "black site" prisons in other counties, or when the infamous Abu Ghraib prisoners’ of war abuse photos were leaked to the media investigations.360 The result was that questions about human rights and terrorism suspects (“enemy combatant”) treatment during the war were allowed to become more prevalent. Upon further investigations it was discovered that the United States and its allies had been using what is called enhanced interrogation techniques to obtain information for captives. Some of those techniques used were: Isolation, sleep deprivation, sensory deprivation or bombardment, forced nakedness, sexual humiliation, cultural or religious humiliation and a simulation of the experience of drowning, such as water boarding.361

Since the promulgation of the Constitution of Kenya 2010, the media have exposed several government malpractices, including the failure of a number of members of parliament to pay past taxes, and have fostered spirited discussions in the public around issues of political corruption

359 Watson (1998)
360 Soldz, Reisner, and Olson (2007)
361 ibid
and accountability. Journalists now can openly challenge the government and ensure a degree of public accountability. In this case therefore, there is concern that the media have not equally applied this zeal when covering terrorism and counter terrorism especially in ensuring that law enforcement agencies do not violate the fundamental rights and freedoms enshrined in the constitution as well as other international conventions. Indeed, human rights abuses by the state during counter terrorism operations have only been exposed by civil rights lobby groups long after favourable media coverage of such operations. This has raised the question whether by failing to highlight or delaying coverage of government abuses in counter terrorism operations the Kenyan media abets human right abuses due its manipulation by past authoritarian regimes, its centralized but cross cutting ownership by powerful political elite hence it could not speak objectively and independently for the general public.

Cases of abuse cited in this study only came to the limelight as a result of Human rights and Civil Society reports as opposed to direct media coverage. Under the Constitution and international law which Kenya has ratified, no person may be deprived of his or her liberty except on grounds and in accordance with procedures established by law. Such procedures must conform not only with domestic law, but also to international standards. Thus, International law also prohibits arbitrary arrests and detention. Due to a disturbing level of secrecy surrounding the arrests and detention of terrorism suspects, no official records are available as to the number arrested or even charged.

362 Government Printer, Constitution of Kenya 2010
363 ICHR (2001)
364 Article 9(1), of the International Covenant on Civil and Political Rights (ICCPR), ratification and accession by UN General Assembly Resolution 2200 A (XXI) of 16 December 1966.
A standard refrain from officials then was that as there was no specific crime of “terrorism” under Kenyan law, it was difficult to obtain disaggregated data. While it is recognized that governments need to investigate potential “terrorist” links and that this may require certain information to be withheld while investigations are in progress, the treatment of all suspects must fully comply with international human rights standards, including those related to the rights not to be subjected to arbitrary detention, not to held incommunicado, to challenge the lawfulness of detention, to humane conditions of detention and to freedom from torture and ill-treatment. Information provided by lawyers in an Amnesty International report, whose clients were arrested and detained, a large number of the arrests conducted in the context of counter-“terrorism” investigations could be termed as unlawful and arbitrary. The circumstances of arrests included heavily armed operations and deceit, intimidation. None were ever shown arrest warrants, even when they asked. They all stated that at the time of their arrests, they were not given the reasons for the arrests. Furthermore, many of those arrested are at the most, potential witnesses or people who might have been in touch at some point with persons suspected of terrorism.

Major operations by the Anti-Terrorism Unit and the General Service Unit of the Kenya Police Service were undertaken in Nairobi’s Eastleigh area, home to thousands of Ethiopian and Somali refugees in 2003. 150 people were reportedly detained. In a sweep in June 2003, over 100 people, mostly young men, were arrested and interrogated. Such operations reportedly continued throughout the year. Very little Information was made available in the public domain regarding these operations.

366 ibid
367 ibid
368 AFP, “More than 150 foreigners detained in Kenya amid terrorism fears”, 26 May 2003,
Arrests in Mombasa and other coastal towns were also frequent. The Muslim Lawyers’ Trust made available a list of 34 people arrested and detained in Mombasa and Lamu up to the middle of 2003 in the context of investigations into the November 2002 Kikambala hotel bombing. These were cases which were brought to the Muslim Lawyer’s Trust’s attention and represented a small fraction of the hundreds who were arrested and then released after nothing was found to link them to “terrorism”. Hundreds of arrests were also affected following the security incident involving a hand grenade detonation in Mombasa on 1 August 2003. Numerous respondents quoted by Amnesty International report expressed concern about what they termed as discriminatory effects of certain law enforcement measures in the aftermath of the Kikambala hotel bombing and the hand-grenade detonation. It was the view in some communities that people were suspected, stopped, searched, arrested and held in custody solely because of their ethnic, racial or religious origins. Dozens of people were reported to have been arrested on their way to or from the mosque after Friday prayers. Apart from circumstances of the above “arrests”; the police conducting anti-terrorism operations usually subject suspects to random searches. These ranges from; premises of the detainees, their documents, bank records, photographs and other items that are at times seized. Despite requirements in Kenyan law for a search warrant no search warrants were shown and, except in two cases, receipts for the items taken were not handed over. Indeed in many instances according to Amnesty International, such searches were not conducted in the houses of suspects or places where alleged crimes could have been committed, but in the homes of potential witnesses.

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369 AFP, “Kenyan Police detain 1,200 as part of an “anti-terror operation” 1 August 2003, in Mombasa
370 ibid
371 ibid
372 ibid
373 Amnesty International report of 2005
373 ibid
The law relating to search warrants is laid down in the Criminal Procedure Code of Kenya. A search warrant needs to specify “the thing” which is being searched for. According to Section 119 of the Criminal Procedure Code, a search warrant “may be executed on any day … between the hours of sunrise and sunset, but the court may by the warrant authorize the police officer or other person to whom it is addressed to execute it at any hour.”

The Police Act of Kenya makes provision for the power to search without a warrant in circumstances where the investigating officer “has reasonable grounds to believe that some thing necessary for the purposes of the such investigations is likely to be found in any place and that the delay occasioned by obtaining a search warrant … will substantially prejudice the investigation”. However, the law does not allow police officers to go on evidence fishing expeditions in people’s homes. Furthermore, Chapter Four on the Constitution of Kenya 2010 and Section 70(c) of the former constitution of Kenya provided/s for the protection of the privacy of the home and other property of every person and Section 76 provides for protection against arbitrary search or entry. Unlawful searches appear to have been a standard practice, contrary to the law according to the Amnesty International report.

There are also concerns by Muslim Rights lobby groups that, those detained have suffered violation of their human rights set out under Kenyan and international law. These include the right to humane treatment, as well as rights essential to protect from arbitrary detentions, such as the right of anyone deprived of their liberty to be informed of the reasons for the detention; to be able to challenge the lawfulness of the detention and to have prompt access to and assistance

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374 Section 118 of Criminal Procedure Code
375 Section 20 of Police Act, Chapter 84, Laws of Kenya
376 Constitution of Kenya 2010
377 ibid
378 Memorandum of Understanding between Honourable Raila Amolo Odinga and National Muslim Leaders Forum (29 August 2007)
from a lawyer. Dozens of suspects have been detained for long periods, in one case up to almost one and a half months, at undisclosed locations, not informed of the reasons for their detention, effectively held incommunicado in the initial stages after arrest as relatives and lawyers searched for their whereabouts. They were forced to undergo lengthy interrogations without advising them of their rights or allowing them access to a lawyer. These rights are important as they are essential protections against torture and ill treatment. Frequent transfers of detainees to different places of detention, sometimes away from their home provinces.\footnote{Kenya National Human Rights Commission, “Press Statement: Arbitrary Arrest and Illegal detention by Police of Alleged Terror Suspects” (31 January 2007)}

This flies in the face a cardinal international humanitarian law that requires anyone who is arrested, detained or imprisoned has the right to inform, or have the authorities notify, their family and friends. The information must include the fact of their arrest or detention and the place where they are kept in custody. If the person is transferred to another place of custody, their family or friends must again be informed.\footnote{Commission on Human Rights Resolution: 2004/41}

Another serious allegation against state security agencies is that it subjects suspect to torture and other inhumane and degrading conditions which is against the Bill of Rights in the Constitution and also violates Article 1 of the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment and Punishment.\footnote{Standard Minimum Rules for the Treatment of Prisoners, adopted by the First UN Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 1955.} According to a KNHR, several detainees were subjected to torture or other ill-treatment during questioning. Some said they were physically abused while in detention. One of them stated that an electric device had been used.\footnote{Kenya National Human Rights Commission, “Press Statement: Arbitrary Arrest and Illegal detention by Police of Alleged Terror Suspects” (31 January 2007)}
The report quotes detainees who suffered repeated verbal abuse during the period in custody at the hands of Kenyan and foreign interrogators. Foreign interrogators reportedly told a female detainee that they could keep her in detention for as long as they wanted; that they would arrest her whole family and they could blow all of them up. Another suspect said that though he had not been physically tortured, he was put under tremendous mental and psychological stress when the foreign officers allegedly threatened they could harm his family, his mother, wife and children.

When the Kenyan border was closed in January 2007, the UN High Commissioner for Refugees was reported to have “reminded Nairobi that it had an obligation under international law to protect civilians. ‘Kenya also has a humanitarian obligation to allow civilians at risk to seek asylum on its territory.’” Under international law, individuals enjoy the “right to seek and to enjoy in other countries asylum from persecution”. This right necessarily entails the right to enter a state for the purposes of making an asylum application and thus does not permit rejection at the border before the application has been processed and considered.

There have also been cases of illegal renditions. Human Rights Watch cites the case of the only Kenyan held at Guantanamo bay Mr. Mohamed Abdulmalik. On 13 February 2007, Mohamed Abdulmalik, a Kenyan citizen born in Kisumu in 1973, was picked up by the Anti-Terrorism Police Unit in a café in Mombasa. He was detained and held incommunicado in the Kilindini Port and Urban Police Stations in Mombasa before being transferred to the Hardy, Ongata Rongai and Spring Valley Police Stations in Nairobi. While detained in Kenya, Mr. Abdulmalik

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384 ibid
385 Article 14(1) of the Universal Declaration of Human Rights states
386 Human Rights Watch (2008)
387 Muslim Human Rights Forum (2008)
was not charged with any offence; was denied the right to challenge his detention by way of a habeas corpus application; was denied access to a lawyer and contact with family members.

Nothing was heard of Mr. Abdulmalik until 26 March 2007, when the US Department of Defense issued a press statement announcing Mr. Abdulmalik’s detention at Guantánamo Bay.\(^{388}\) Although Mr. Abdulmalik had been held at Guantánamo Bay for more than one year, his US lawyer was allowed to meet with him for the first time only in April 2008.\(^{389}\) Almost two years later, due to US government delays, Mr. Abdulmalik has not been able to exercise his right to challenge the lawfulness of his detention in a US court nor has there been any decision issued by the less than adequate combatant status review process.\(^{390}\)

It is important to recognize that a blanket or draconian crackdown on Kenyan Somalis, or Kenyan Muslims in general, would radicalize more individuals and add to the threat of domestic terrorism. The increased ethnic profiling by security forces may appear relatively restrained – especially given past behavior; still, counterterrorism operations need to be carefully implemented and monitored by neutral observers and the media ought not to be gagged by contradictory legislation. Thus, with all the atrocities that have arisen with the United States lead war on terrorism another effect on human rights has emerged, and that is the effect of providing a precedent for other nation states to do the same.\(^{391}\) With America attempting to fight terror by essentially any means necessary; many countries used that time as an opportunity to further their

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389 ibid
390 US Military Commissions Act 2006
391 W.Brooke; Opportunism in the Face of Tragedy (2009)
own agendas such as cracking down on opponents, antagonistic religious groups, separatist groups, and overall "enemies" of various nation states.\textsuperscript{392}

Attention should therefore be paid to the negative effects of the war on terrorism on Kenya’s civil, human, and political rights and the media need to play a more pivotal role in safeguarding the rights of people suspected of acts of terror as much as it safeguards its freedom.\textsuperscript{393} This two are inseparable as each others mirror. This is important because the war on terrorism will not be won without the cooperation of citizens and media freedom plays a critical all in the fulfillment of these rights. Thus anti-terror war should not be used as a pretext to wantonly violate the basic rights of Kenyans which consequently could degenerate into a war on citizens’ rights, lest success on the former be found to be hollow in the end.\textsuperscript{394}

\begin{flushright}
\footnotesize
\textsuperscript{392} ibid
\textsuperscript{394} ibid
\end{flushright}
CHAPTER FIVE: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

This study acknowledges the relationship that exists between the government, the mass media, and terrorism. The media are the deliverers of a message, and through this message the audience comprehends and forms opinions on events. This makes the mass media both an opportunity and a threat for the sides engaged in a conflict.\textsuperscript{395} It is an opportunity if the power of the mass media can be harnessed to one’s advantage and the message relayed and a threat if this power is harnessed by an opposing party who would use it to generate negative sentiment and publicity for one’s cause.

In this case, terrorist and terrorist networks, along with counter-terrorist organizations, are now able to exploit extensive global media networks and information highways instantly to carry news of their violence and to spread political propaganda in order to generate support for their cause. Specifically, the goal of acquiring publicity for their cause has been made much easier with the many forms of media and instant reporting especially on live TV and internet based video streaming platforms such as YouTube and Twitter, which has strengthened the capacity of terrorists to organize, recruit and spread propaganda.

5.1. Media and Terrorism.

Terrorism is an instrument adopted to achieve multiple political goals which automatically brings both the government and the media into play by the very nature of the situation. The fact that most terrorist acts are rooted in a desire for attention puts the media in a difficult situation because basic news values would cause reporters to seek out these types of events. The study was informed by McCombs and Shaw’s Agenda Setting theory, on how the media can influence

\textsuperscript{395}
policy through shaping public opinions.\textsuperscript{396} It examined how media coverage has influenced the war on terror in Kenya and whether terrorist acts are fueled by the sure-fire expectation that such an act will make the headlines of all major news outlets within hours, or even minutes.\textsuperscript{397}

The study was unable to come to a groundbreaking conclusion about whether the media fed terrorist threats that terrorism analysts like Laquèr claim that they do.\textsuperscript{398} The reality is that as the expectations for news outlets become loftier, reporters have to meet audience demands in one way or another and this idea is not limited to terrorism at all. The media covers acts of terrorism the way it would any other event, only with more emphasis and with a lot more ethical questions arising along the way. An overemphasis on particular aspects of terrorism such as the sensational aspects tends to create an unbalanced picture of terrorism as shown on September eleventh terrorist attacks; the media broadcasted shocking footage which was too surreal to even be appropriate for a movie. Due to the US global dominion of mass media, sheer repetition of this terrorist incident helped weave the war on terror narrative into the collective imagination of a global audience. In essence, the media helped create an atmosphere of an ever-breaking story. Unfortunately, it was not just the media who wanted high viewer ratings but terrorist too.

Furthermore, live TV coverage increases the problem since video images have their own perceptions. Television adds particular bias since a normal footage is about fifteen seconds yet it carries with it immense perceptions of wording and video. This huge compression of video, information as well as concise wording often distorts the original reality. Therefore TV sends the message out quickly but insufficiently.\textsuperscript{399} Competition also develops media coverage bias; the "scoop" is perceived as success and it is often based on incomplete and inaccurate reports which

\textsuperscript{396} McCombs and Shaw (1972) Agenda Setting theory
\textsuperscript{397} ibid
\textsuperscript{398} ibid
\textsuperscript{399} Wilson (2008)
can lead to uninformed opinions among the audience especially immediately after a terrorist incident. However, the idea that conventional media outlets’ desire for profit can not hold weight in the face of the accusation that terrorism stems from the very fact that the media will cover these events. Placing full blame on the media fails to take into account the long history of terrorism prior to the development of mass media and of the occurrence of terrorist acts which do not seek publicity.\textsuperscript{400}

In this case, while certain acts of terror by Al shabab such as tourist kidnappings and attacks on Christian places of worship may be spurred by the idea that media coverage will shortly follow, it would be overly presumptuous to claim that mass media is single-handedly responsible for acts of terrorism in Kenya since other geo-political and economical factors contribute to this. Indeed, the threat of terrorism in Kenya is actually greater in perception than in reality mainly due to western media domination over local media. The issue of terrorism is perceived to be important locally because western news media programs are quoted verbatim or aired live and form the bulk of international news content across Kenyan media networks.\textsuperscript{401}

5.2 New Media and Terrorism
The Internet age has seen terrorists and terrorist organizations such as Al Qaida and Al Shaabab’s strategy for publicity in their causes and activities shift from attracting the attention of traditional media (television, radio, or the print media) to direct interaction with audiences via internet platforms. They have harnessed the new media’s lack of ‘selection thresholds’ that otherwise characterize traditional media due to multistage processes of government and editorial

\textsuperscript{400} ibid
\textsuperscript{401} ibid

112
selection that terrorists often cannot reach.\textsuperscript{402} This “selection” does not for instance; apply to the terrorists’ own websites. The Internet thus offers terrorist groups an unprecedented level of direct control over the content of their message and due to the internet’s flexibility to reach out to a wide audience in no time. It exemplifies the way in which terrorism functions with much success in a globalized world.\textsuperscript{403}

Online terrorist sites have thus considerably extended their ability to shape how different target audiences perceive them and to manipulate not only their own image, but also the image of their enemies. Although, for many groups, their target audience may be small, an Internet presence is nonetheless expected. Regardless of the number of hits a site receives, a well-designed and well-maintained Web site or Social Media platform such as Facebook or Twitter gives a group an aura of legitimacy and increasingly attracts attention from the mass media in and of itself.

Al Qaeda’s online presence is central to its strategy to ensure that’s its war with the U.S. and its allies such as Kenya in so far as its ideology continues even if many of its cells across the world are broken up and its current leaders are killed or captured.\textsuperscript{404} The site’s function is to deepen and broaden worldwide Muslim support, allowing terrorist groups to fish for recruits, money and political backing. Indeed the rise in Al Qaida and Al shabaab sympathizers in Kenya and elsewhere, otherwise called domestic/homegrown terrorists has been attributed to Muslim radicalization Websites.

Thus unlike governments, the internet make a far more useful forum for terrorists to inform, legitimize, and persuade their target audience of their cause than traditional media. It clearly has

\textsuperscript{402} Weimann (2004)  
\textsuperscript{403} ibid  
increased the scope of terrorist propaganda and activities, and has become a perfect tool for terrorists in terms of advancing their operational goals with little expense and risk. Obviously, the Internet is not the only tool that a terrorist group needs to ‘succeed.’ It only adds new dimensions to existing assets that groups can utilize to achieve their goals as well as providing new and innovative avenues for expression, fundraising and recruitment. At the same time, there are also tradeoffs to be made. High levels of visibility increase levels of vulnerability, both to scrutiny and security breaches. The proliferation of official terrorist sites like Al shabaab’s would nonetheless, appear to indicate that the payoffs, in terms of publicity and propaganda value, are understood by many terrorist groups to be worth the risks.

But just like the case of traditional media, there are other elements responsible for the terrorism occurrences of which new media is just a catalyst. In this case, anti-American sentiment is the main cause of the 9/11 terrorist attacks and the immense dissatisfaction with the US position in international affairs particularly its pro Israeli military and diplomatic has been a valuable component in the what terrorist consider to be a “holy war”.  

5.3 The Media and Counter Terrorism

The picture above shows that terrorists need the media to receive free publicity for their cause, transmit their messages, and garner support, recognition, and legitimacy. Given the emerging trends in the media and communications technology, terrorists employ more innovative tactics to achieve their goals. Here we examine how government portrays terrorism through the media and benefits from it. Governments seek understanding, cooperation, restraint, and loyalty from the media in efforts to limit terrorist harm to society and in efforts to punish or apprehend those
responsible for terrorist acts, specifically. While this may manifest itself overly through controversial legislations sometimes it happens covertly and at times illegally.

Governments usually want coverage to advance their agenda and not that of the terrorist. From their perspective, the media should support government courses of action when operations are under way and disseminate government provided information when requested. This includes understanding of policy objectives, or at least a balanced presentation such as why governments may seek to mediate, yet not give in to terrorist demands.

News outlets, both print and electronic, played a crucial role in developing the global war on terror narrative. Long after the 2001 attacks, and especially in the run-up to the US invasions of Afghanistan and Iraq to Kenya’s military incursion in Somalia pro establishment terror related news dominated local and international media.406 An important goal is to separate the terrorist from the media-to deny the terrorist a platform unless to do so is likely to contribute to his imminent defeat. Another goal is to have the media present terrorists as criminals and avoid glamorizing them; to foster the viewpoint that kidnapping a prominent person, blowing up a building, or hijacking an airplane is a criminal act regardless of the terrorists' cause.

Critical Discourse Analysis shows how the ruling elite use their agencies through the media to control the minds of masses for their own benefit.407 This greatly affects media texts and national perception of sensitive issues like ethnic and religious relationships. Questions about; Kenyan media ownership, political, commercial, cultural/religious and even professional biases influence media coverage of terrorism but does not initiate them. The society does not realize that they receive news from the point of view of the ruling elite thereby influencing their point of view

406 ibid
407 ibid
too. This explains why the media failed in the role as an agenda setter for human rights in the context of war on terror that has resulted in a significant threat to basic freedoms.

After the attacks on the world trade centers in New York there was a flood of questionable bills and acts were passed into law in the US; all of which were introduced at a time where the social and political environment of the country was united in a desire to get "justice", as a result it was seen as unpatriotic to raise too many questions.\footnote{Nyhedsavisen (4. April 2008) “Al-Qaedaas Nye Stil: De Ringer-Vi Jihad’er” by Michael S. Lund.} The same legislations have been adopted by US allies all in the name of forging a global partnership against terrorism. Most news organizations are predisposed to positive coverage of the war on terror such that they shielded their audiences from viewing the negative fallout of U.S. and its allies actions around the world promoted the image of "us verses them".\footnote{Kull, S., Ramsay, C. and Lewis, E. (2002) “Misperceptions, the Media, and the Iraq War,” Political Science Quarterly, 118}

More than a decade later, it is clear that the anti-terror rhetoric and policies developed by the United States after 9/11 have provided effective and enduring cover for the erosion of human rights and civil liberties around the world- including press freedom. The global fallout from 9/11 is a stark reminder that while the U.S. failure to uphold democratic standards has obvious implications domestically, the greatest long-term impact is likely to be in the many places where governments are always seeking justifications for unrelenting repression. Anti-state charges and "terrorist" labels have become commonplace and are used to unduly intimidate, detain and imprison terror suspects as well as journalists. Media blackouts and limited access to war and conflict zones have become routine, along with the extrajudicial killing of terrorism suspects. Recent reports indicate that the U.S. government has the ability to acquire and monitor the content of communications and other electronic data, including location data, from international users of popular Internet services in real-time. That capability allows for the monitoring of the
communications, movements, and associations of countless people around the world. Such vast and pervasive state surveillance violates two of the most fundamental human rights: the right to privacy and to freedom of expression.

Perhaps the most accurate description of the relationship between the mass media and terrorism is that the media have come to constitute such a major portion of modern culture that most of today’s terrorists and counter terrorists have factored them into their tactics in one way or another.\textsuperscript{410} Up to when and unless this changes, the media will continue to cover terrorism, no matter the implications. Both terrorists and counter terrorists can use the media to benefit their causes, because it has the power to influence their target audience. Terrorist attacks have a deep psychological impact on people. In the time of crisis, counter terrorists also seem to gain from the fear and terror felt by their nation. The government needs the public to support their subsequent counter attacks, thus are relying on the media to manipulate and persuade their audience.

5.4 Recommendations
There is no doubt that terrorism must be reported. However, the way a terrorism incident is covered and the extent to which it is covered is also important. Accordingly, in order to minimize the reliance of terrorists on traditional media, it is of high importance for the media to reevaluate and change its rhetoric when covering the terrorism-related news and stories. Just as the security elite can desecuritize issues in international affairs through speech-acts, media can adopt the same approach and desecuritize terrorism-related acts and stories through covering those incidents just as any other story in a more responsible and less sensational manner.

\textsuperscript{410} ibid
Achieving this may not only prevent terrorists from using media coverage as an important publicity and recruitment tool, but may also prevent the emergence of an atmosphere of fear at the public level. It may also force government and security elite to make more rational decisions regarding countering terrorism and dealing with public outrage. Hence, news coverage with less repetition of horrific scenes, less traumatic, less sensational and more informational and prudent is essential in the first place to minimize this impact.

The media should also have a conscious sense of its responsibilities to the public, as one of the goals of terrorists it to shake public confidence in their own security. Thus, objectivity and bipartisanship should be key when reporting a story. The media should present both sides of the story to the audience fairly and accurately without bias, so that the audience can make their own opinion of the news and/or story independent of the media’s negative influence. The media coverage of success stories should be balanced with the coverage of failure stories without speculation and dramatization in order to add to the credibility of the source and public order in the aftermath of an attack.

Since a critical part of counterterrorism is information warfare, it is among the goals of terrorists to misinform the public and exploit the uncertainty and suspicion emerged afterwards. Given these, the media should provide the clearest, most factual, and most balanced information to the extent it is possible to prevent the misinterpretation of terrorism-related incidents by the public and government officials who can possibly make suboptimal decisions regarding the countering moves. The media should especially avoid presenting extreme and blindly partisan viewpoints to raise ratings and use a plain language that everybody can understand in order not to invite panic.
The Internet has become a central forum in a global scale for debate among numerous communities that are being directly affected by the global political violence. The communication of violent and oppressive groups has also heavily relied on the Internet. In other words, the age of the Internet has brought an age of online terrorism and enabled terrorists to use the web to recruit, raise money, and spread their messages. Even though the regulation of the media, specifically the Internet, presents a fundamental dilemma due to the inherent tension between censorship and the democratic tradition of free speech, privacy, and press freedom, it is crucial to take countering measures against the cyber activities of terrorists. These measures can include tracking their activities on online forums, following their conservations and activities on social media, and prevent the spread of radicalizing materials from specific websites. In addition to that, enacting laws at national level to punish the ones using the Internet to provoke the public, recruit and train, and propagandize can identify terrorists and prevent a potential attack.

Governments can give assistance to media organs by giving the political context and background of any terrorism-related act or story, as it is ideally the ultimate goal of the media to correctly inform the audience. To this end, a government-media partnership that is better informing the public, refuting the arguments of terrorists, and depriving them of the publicity they need can be formed.
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APPENDIX I: DATA COLLECTION INSTRUMENT: QUESTIONNAIRE FOR MEDIA EDITORS

PART A: GENERAL INFORMATION

1. Please indicate your Gender. Male [ ] Female [ ]

2. Please tick the age bracket in which you fall.

   21-30 years [ ] 31-40 years [ ] 41-50 years [ ]
   51-60 years [ ] Above 60 years [ ]

3. Position in the Media

   House........................................................................................................................................

4. How long have you worked with the Media House?

   Below 3 years [ ] 3-7 years [ ]
   7-10 years [ ] Above 10 years [ ]

5. Are you aware of the War on Terrorism in Kenya? Yes

   [ ] No [ ]

6. How do you rate your Media Group’s coverage of the War on Terror?

   Excellent [ ] Very good [ ]
   Good [ ] Poor [ ]
SECTION B: IMPACT OF MEDIA ON THE WAR ON TERROR

EFFECTIVENESS OF MEDIA IN COVERING TERRORISM INCIDENTS
1. Does the Media Group have a designated Desk/Journalist responsible for coordinating /reporting Terrorism incidents?

Yes ( ) No ( )

2. In your opinion to what extent has the Media been effective in coverage of War on Terror Terrorism incidents/ counterterrorism?

Not at all ( ) Small extent ( ) Moderate extent ( )

Great extent ( ) Very great extent ( )

3. To what extent has the Media been effective in the following circumstances. ? Use the following scale:


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<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
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<tbody>
<tr>
<td>Coverage of Terrorism Incidents</td>
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<tr>
<td>Counterterrorism Operations</td>
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<td>Judicial Processes with involving Terrorism suspects</td>
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<tr>
<td>Human interest stories/Documentaries after terrorism incidents.</td>
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</table>
SECTION C: ROLE OF THE MEDIA PRIOTIZING NEWS ABOUT WAR ON TERROR

1. Does the Media Group prioritize Terrorism news over any other news?

Yes ( ) No ( )

2. Does the Media Group undertake its own coverage of local terrorism related incidents?

Yes ( ) No ( )

3. Does the Media Group undertake its own coverage of international terrorism related incidents?

Yes ( ) No ( )

4. If (No) above, do you have international sources or media organization that the Media Group relies on to bridge this gap?

Yes ( ) No ( )

5. Does the Media Group screen/censor/edit news on terrorism based on the existing Media and Terrorism Legislative rather than professional and ethical standards?

Yes ( ) No ( )

6. In your opinion to what extent does the following determine such screening/censorship/editing of terrorism related news? Use the following scale;
1. Not at all   2. To a small extent  3. To a moderate extent  4. To a great extent   5. To a very great extent

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<tr>
<td>Counterterrorism legislation(Suppression of Terrorism Act 2012)</td>
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<tr>
<td>Local Media Legislative Frameworks (Freedom of Information and Media / Media Act 2007)</td>
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<tr>
<td>Government Institutions/Functionaries.</td>
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<td>Media owners</td>
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<tr>
<td>International Media/ Partner Stations</td>
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<tr>
<td>Commercial Interests(Advertisements)</td>
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<tr>
<td>Audience Sensitivities(Religious/Ethnic considerations)</td>
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Others:(specify)........................................................................................................................................
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SECTION D: ROLE OF MEDIA IN UPHOLDING FUNDAMENTAL HUMAN RIGHTS IN THE WAR ON TERROR

1. In your opinion has the media been effective in reporting gross Human Rights Violations in the War on Terror?

   Not at all ( ) Little extent ( ) Moderate extent ( ) Great extent ( ) Very great extent

2. In your opinion how would you rate the impact of media in the coverage of gross human rights violations with regard to the following. Use the following scale;

   1. Not at all 2. To a small extent 3. To a moderate extent 4. To a great extent 5. To a very great extent

   
   | Local(Kenyan) Security Agencies | 1 | 2 | 3 | 4 | 5 |
   | US government and Allied Security Agencies |   |   |   |   |   |
   | Terrorists/Terrorist Organizations |   |   |   |   |   |
   | Local Communities Targeted by Terrorists |   |   |   |   |   |
   | International Human Rights Organizations |   |   |   |   |   |
   | Local Civil Society Lobby Groups |   |   |   |   |   |
3. Any other information you would deem useful to the study?

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Thank you for your co-operation.
## APPENDIX II: WORK PLAN

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>TIMEFRAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data collection</td>
<td>July 2013</td>
</tr>
<tr>
<td>Data processing</td>
<td>Early August 2013</td>
</tr>
<tr>
<td>Data analysis</td>
<td>Mid August 2013</td>
</tr>
<tr>
<td>Data presentation and Interpretation</td>
<td>Late August 2013</td>
</tr>
</tbody>
</table>
## APPENDIX III: BUDGET

<table>
<thead>
<tr>
<th>Activity</th>
<th>Cost (Kenya Shillings)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobilization of resources</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Travel costs</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Stationery</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Accommodation</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Secretarial and Internet Costs</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Data Collection Assistants</td>
<td>30,000.00</td>
</tr>
<tr>
<td>Data Analysis and presentation</td>
<td>10,000.00</td>
</tr>
<tr>
<td><strong>Sub-Total</strong></td>
<td><strong>110,000.00</strong></td>
</tr>
<tr>
<td>Contingency 10%</td>
<td>11,000.00</td>
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<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>121,000.00</strong></td>
</tr>
</tbody>
</table>