



THE MEDIA OBSERVER

A PUBLICATION OF THE MEDIA COUNCIL OF KENYA

April - June 2013

Kenya General Election: How Responsible was the MEDIA ?





About Us

The Media Council of Kenya is an independent national institution established by the Media Act 2007 as the leading institution in the regulation of media and in the conduct and discipline of journalists.



Vision

A professional and free media accountable to the public.



Mission

To safeguard media freedom, enhance professionalism and arbitrate media disputes.



Our Core Values

The Council is committed to the following guiding principles:

1. Integrity
2. Independence
3. Professionalism
4. Transparency and Accountability



Council's Role, Mandate, Functions and Authority

The Council draws its mandate and authority from the Media Act CAP 411B. Its functions are to:

- Mediate or arbitrate in disputes between the government and the media, between the public and the media and intra-media.
- Promote and protect freedom and independence of the media.
- Promote high professional standards amongst journalists.
- Enhance professional collaboration among media practitioners.
- Promote ethical standards among journalists and in the media.
- Ensure the protection of the rights and privileges of journalists in the performance of their duties.
- Advise the government or the relevant authority on matters pertaining to professional, education and the training of journalists and other media practitioners.
- Make recommendations on the employment criteria for journalists.
- Uphold and maintain the ethics and discipline of journalists.
- Do all matters that appertain to the effective implementation of this Act.
- Compile and maintain a register of journalists, media practitioners, media enterprises and such other related registers.
- Conduct an annual review of the performance and the general public opinion of the media, and publish the results.

Media Council of Kenya

P.O. Box 43132 - 00100 NBI
Tel: +254 20 2737058, 2725032
Cell: +254 727 735252
Email: infomediacouncil.or.ke

Editorial Team

Chief Executive Officer
Haron Mwangi

Editorial Board

Joseph Odindo
Mitch Odera
Levi Obonyo
Martha Mbuggus
Otsieno Namwaya

Consulting Editor

Gathenya Njaramba

Editorial Coordinators

Victor Bwire
Jerry Abuga

Contributors

Alex Chamwada
Anne Kiguta
Erick Oduor
James Ratemo
Jerry Abuga
Joe Kadhi
John Gachie
Haron Mwangi
Ken Ramani
Mark Oloo
Prof Ben Sihanya
Roy Gachuhi
Ruth Kwamboka
Peter Mwaura
Tom Olang'
Victor Bwire
Wellington Nyongesa

Design & Layout

Lavinda Limited
Tel: 020 311 275
Email: info@lavinda.co.ke
Web: www.lavinda.co.ke

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Editors Note

MEDIA ON THE OTHER SIDE AS SCRIBES SELF-EVALUATE COVERAGE OF MARCH ELECTIONS



Constructive self-criticism is one of the hardest tasks a human being can undertake honestly and objectively. It is always easy to pontificate and praise oneself than admit palpable flaws. Indeed, many are the times the Kenyan media has been accused of sitting on a high pedestal and acting like it has no faults.

The March 4, 2013 General Election provided the Kenyan media with the sternest test ever on how to cover an election. Besides the colossal number of contestants, Kenyans had huge expectations on the highly acclaimed Independent Electoral and Boundaries Commission (IEBC). After the disgraced Electoral Commission of Kenya (ECK) bungled the 2007 presidential polls, the IEBC worked

hard to instill public trust in the electoral process. The IEBC led by Chairman Issack Hassan exuded confidence going to the polls and Kenyans strongly believed in his team's integrity.

But as soon as the whistle was blown, that obtrusive whiff of mishaps began emerging. Promised technology to make the process foolproof failed from day one and it took an inordinately long time for Kenyans to know the final outcome. And that is where Kenyan journalists, the supposed public watchdog, come in. They were to keep the public up to speed with the process bearing in mind Kenya's electoral realities. The jury is still out on how the Kenyan media performed through out the electioneering period.

In this second issue of 'The Media Observer', this year, we have invited seasoned journalists to self-critique the way the media covered the

historic elections. There are those who argue strongly that the scribes let the IEBC off the hook by not asking 'tough' questions. They feel reporters should have prodded Mr Hassan and team harder to explain in detail the numerous failures starting from the infamous Voter Identification kits, which cost the taxpayer a fortune. Some also feel the tallying process was delayed unnecessarily and the media should have raised the alarm.

Equally, there are those who opine the media did the best under the circumstances, by not 'throwing out the baby and the bath water.' They write in that all Kenyan media houses behaved responsibly, avoiding sensational headlines or stories overly criticising IEBC's missteps. They feel by being extra careful they helped the nation oversee a delicate transition of power and thawed feelings of anger, frustrations and huge disappointment, which usually burn a country.

Welcome to this insightful discourse as journalists argue their case out on the coverage of the last elections. And keep in mind that our main aim as 'The Media Observer' is to instill professionalism and promote ethical conduct among Kenyan journalists, through providing a neutral platform. As always, we invite your objective take on the issues tackled herein.

The IEBC led by Chairman Issack Hassan exuded confidence going to the polls and Kenyans strongly believed in his team's integrity.

Gathenya Njaramba
Consulting Editor

INSIDE THE COUNCIL

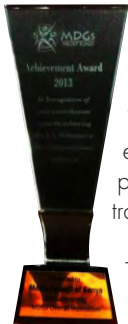
By Jerry Abuga and Ruth Kwariboka

Media Council of Kenya wins Press Freedom Award

The Media Council of Kenya won the Overall Institution award in the Media Category during the Millennium Development Goals Awards gala held at Crown Plaza in Nairobi on April 26, 2013.

The Council has been steadfast in efforts aimed at enhancing professionalism in the media through training, promotion of safety and protection of journalists and trauma counselling.

The award came a week to this year's World Press Freedom Day marked on May 3.



Kenya's Finest Scribes Feted at Colourful Gala



Curtains came down on the 2013 World Press Freedom Day celebrations in Kenya with the crowning of the country's best journalists. The Media Council of Kenya's second Annual Journalism Excellence Awards (AJEA) gala night was held in Nairobi on Friday, 3 May 2013. The Media Council of Kenya has been running an annual awards and regional convention for journalists since last year to coincide with the World Press Freedom Day celebrations.

In marking this year's World Press Freedom Day, the Media Council of Kenya organised a Regional Journalists' Convention, which focused on Safety and Protection of Journalists, Media Regulation in Africa and Professionalism in the industry. The Council also hosted the World Association of Press Councils General Assembly and Executive Committee meeting on May 4, 2013.

Media Council Contributing to the HIV/AIDS Fight

In promoting high ethical and professional standards amongst journalists as well as enhancing professional collaboration among media practitioners the Media Council of Kenya in partnership with the National AIDS Control Council (NACC) conducted a journalists' training on the coverage of HIV/AIDS between 16 and 17 May 2013 in Nakuru.

Twenty six journalists who attended the training were taken through the latest developments on HIV/AIDS and the ethical considerations for journalists when covering the disease and issues around it. The journalists were also trained on interviewing skills among other articles in the Code of Conduct for the Practice of Journalism.





We will fight bid to gag media,

President Uhuru pledges at Journalists Convention

The Media Council of Kenya hosted President Uhuru Kenyatta at celebrations to mark this year's World Press Freedom Day in Nairobi. The Head of State presided over the official opening of a Regional Journalist's Convention organised by the Media Council of Kenya as part of activities to mark the day at the Kenyatta International Conference Centre on May 2, 2013.

He said the Government will entrench independence, safety and protection of the press. "My Government will fight any attempts to gag the media or any other action that will cripple its operations," he said. He promised to fast-track four Bills geared towards entrenching media freedom so that they are debated and enacted by Parliament within the timelines set by the Constitution. "Among other measures, we will do this by fast-tracking media related Bills including the Media Bill, Data Protection Bill, Access to Information Bill and Communications Commission of Kenya Bill as provided for by the Kenya Constitution 2010 Articles 33 to 35", he said.

He said the legislation would provide for independent bodies in the regulation of the media sector and strengthen professionalism in the industry. As a country and an emerging democracy in Africa, President Kenyatta said Kenya will fight any form of gagging the media, harassing of journalists, constraining media space and violation of media freedom that are fundamental to good governance. "Indeed, Kenya has set an example for Africa in terms of non-interference in media freedom. We will uphold this proud reputation," the President said.



President Uhuru Kenyatta officially opened the Regional Journalist's Convention organised by the Media Council of Kenya as part of activities to mark this year's World Press Freedom Day at the Kenyatta International Conference Centre, Nairobi on 2 May 2013.

"My Government will fight any attempts to gag the media or any other action that will cripple its operations,"

He, however, urged media to uphold the highest standards of professionalism as they discharge their duties. "We expect the media to remain free, fair and objective. The sense of responsibility in the media must expand to social media and other emerging forms of media," he added.

Information Permanent Secretary Dr Bitange Ndemo and Nairobi Governor Dr Evans Kidero urged the media to foster responsibility while reporting. Other speakers were Media Council of Kenya CEO Haron Mwangi, Media Council of Kenya Chairman Joseph Odindo and Media Council member and Media Owners Association chairman Kiprono Kittony.

The Journalists' Convention under the theme: *Safety, Security and Protection of Journalists in a Self-Regulating Context: Implication for East Africanisation of the Media* had about 500 delegates comprising media practitioners, trainers and policy makers from Kenya, Tanzania,

Uganda, Rwanda, South Sudan, Zimbabwe, Malawi, Senegal, Ethiopia, Somalia and Burundi among others with other speakers coming from Europe, America and Asia. Kenyan delegates were drawn from the media, civil society, donor agencies, institutions of higher learning and Government agencies among others.

Delegates at the two-day event deliberated on several topics including safety of media practitioners. Various speakers unpacked Safety and Security through presentations on areas such as: Emerging threats to media freedom in Africa, safety, security and protection of journalists and media workers, implication of safety and security of journalists on media investment and regional media development and democracy. Participants also deliberated on emerging concerns on safety and security of journalists in digitalised media environment as well as media responsibility in peace building, with lessons from the coverage of the 2013 General Election in Kenya. Other areas deliberated upon were Media Regulation in Emerging Democracies, East Africanisation of the Media, Benchmarks for Regional media Integration and Harmonisation and Media and Communication Integration in Africa.

The Star Ordered to Publish Public Apology to President

The Complaints Commission of the Media Council of Kenya on 28 May 2013 ordered the Star Newspapers to publish a public apology to President Uhuru Kenyatta over an article it published in February last year.

President Kenyatta had complained to the Council that an article titled: "What if Uhuru, Ruto Win" authored by the Star Newspaper columnist Mr Jerry Okungu and published on 6th February 2012 was offensive and biased in breach section 35 (1) of the Media Act Cap 411B and article 1 (a) on Accuracy and Fairness of the Code of Conduct for the Practice of Journalism. He had complained that the newspaper and the writer failed to maintain the Code of Conduct in and in breach of Section 35(2) of the Act.

In the article, Mr Okungu had written that: *"the rest of the world (if Uhuru and Ruto are elected) will be stunned because their trial for crimes against humanity will probably be in progress unless their appeal against confirmation hearings succeed. Their elections will remind the world of populist Adolf Hitler of Germany in the early 1930s when he won the German elections in a landslide."*

President Kenyatta complained that the article was provocative and alarming, saying that the newspaper and the writer failed to exercise decency and integrity in publishing the article in breach of Article 3 (Integrity) of the Code. Further, the complainant said the newspaper and the writer engaged in activities that compromise the integrity or independence of journalism in breach of Article 2 (Independence) of the Code.

He had also complained that the said article was published in a manner likely to inflame passions, aggravate



The Media Council of Kenya's Complaints Commission delivering the decision at the Council's premises on 28 May 2013.

President Kenyatta complained that the article was provocative and alarming, saying that the newspaper and the writer failed to exercise decency and integrity

the tensions or lead to strained relations among the communities involved in breach of Article 11 (c) on Covering Ethnic, Religious and Sectarian Conflict of the Code. At today's ruling chaired by the Complaints Commission Chairperson Grace Nekoye Katasi, the Commission also ordered the newspaper to publish the apology on their website version for a period of seven days from today. It further ordered that the article complained of, be pulled down from the Star Newspaper website immediately.

"The Commission publicly reprimands the 1st and 2nd Respondent for vilifying the Complainant and failing to respect his reputation, in breach of Article 33 (2) (d) (i) and Article 33(3) of the Constitution. The Commission shall issue a statement of public reprimand to be published by the Media Council of Kenya in at least two newspapers of wide circulation", read part of the 23-page decision.

However, no damages will be paid to President Kenyatta since the Media Act 2007 does not provide for monetary compensation. The Star Newspaper was accorded an opportunity to appeal to the Media Council of Kenya within two weeks of the ruling.

Media provoked premature celebrations, overlooked tallying process



During the historic March 4, 2013 General Election, the local electronic media kept the audience updated on the vote tallying from polling stations. KEN RAMANI assesses the performance of the media at the polls.

In parts of the country where opening and closing of polling stations complied with the 6am to 5pm official voting timelines, tallying started at 7pm. The media released presidential results minute-by-minute from different constituencies. Independent Electoral and Boundaries Commission chairman Issack Hassan had initially said the results would be relayed 48 hours after polling, but that was not to be. The electronic voting system was designed to eliminate the chance of vote-rigging and with it any risk of a repeat of the post-poll violence of 2007. But the count was plagued with technical glitches, including a programming error that led to the number of rejected votes reportedly being multiplied by a factor of eight. By Wednesday March 6, the electronic system was abandoned for a manual count. In the meantime, as stations beamed a live feed from Bomas of Kenya, TV pundits kept the audience entertained analysing the unfolding events, giving diverse scenarios, and voting patterns.

Anxiety among Kenyans was growing as minutes turned to hours and hours turned into days. The IEBC Chairman went to great lengths to explain what was happening and kept on reminding Kenyans that constitutionally, the commission had seven days from the polling day to announce the results. He said although the electronic system had collapsed, the Constitution recognised the signed manual results for final announcement to be made. On Wednesday, March 6, Raila Odinga's running mate, Kalonzo Musyoka addressed the media and complained over what he termed "serious" anomalies with the tallying system. He, however, cautioned that

Cord will launch a court action and asked supporters to remain calm. He signed off with a rider by saying: "By no way am I calling for mass action". On Thursday March 7, IEBC announced that they expected to be through with the tallying on Friday night. Come Friday late evening, the tallying had not been finalised. At midnight, Commissioner Yusuf Nzibo came to the podium and said tallying had temporarily been suspended to allow political party agents to scrutinise documents before the final announcement at 11am on Saturday. There was a heated exchange between IEBC and party agents who later retreated to the backrooms to verify the tallying process.

The live feed from the tallying centre was left to continue running on the screen. At about 1.30 am, another IEBC commissioner came on air and announced more results.

Local media declared Uhuru Kenyatta winner moments after the final tally. This was in spite of IEBC warning against such an action. Packaged as

Local media declared Uhuru Kenyatta winner moments after the final tally. This was in spite of IEBC warning against such an action

BREAKING NEWS, at 2.50 am, NTV announced: "Uhuru scores 1st round win over Raila" but with a rider: "IEBC, party agents verifying the presidential vote."



The results showed Kenyatta had surpassed the 50 per cent threshold (50.03 per cent). Mr Kenyatta had won 6,173,433 (50.03 per cent) votes out of a total of 12,338,667, well ahead of Mr Odinga, who polled 5,340,546 - or 43.28 per cent of the vote. KBC switched to BBC at 1.58 and. During the 3 am news bulletin, BBC also announced Mr Kenyatta had won the poll with 50.03 per cent. By 3.30 am, NTV announced Mr Kenyatta had been elected president. At 5.24 am, NTV anchors Mark Masai and Victoria Rubadiri were in the studio discussing Mr Kenyatta win. K24 was on a spin with the big story of how Mr Kenyatta had beaten Mr Odinga in "an epic race".

In the meantime, following the midnight results, supporters in pockets of President Kenyatta's strongholds in Central and parts of Rift Valley started celebrating. The rest of the country was mute. Kenyans woke up to TV

stations beaming live celebrations from pockets of Jubilee strongholds in Central and Rift Valley.

Online editions of both Saturday Nation and The Standard posted pictures from the celebrations. At about 9am on Saturday, The Standard online edition posted a huge picture of Kenyatta and referred to him as the "4th president of Kenya". Next to Mr Kenyatta's photo was a smaller picture of William Ruto as Vice-President Elect (not Deputy President). Moments after about 10am, the pictures were withdrawn. No explanation was given.

Stations such as Citizen Radio entertained listeners with music and calls for peace (*Roga Roga Show* which ran from 11 am to 2pm was outstanding with message of peace and commentaries by the host, Fred Obachi Machoka). Classic 105 FM's Ciku Muiruri who was the breakfast show host up to 10am, was ecstatic, reminding listeners again and again about Mr Kenyatta's win. She was inviting callers chance to express their views over Jubilee victory.

IEBC continued running paid for advertisements asking Kenyans to accept the election results and move on, notwithstanding the legal/constitutional provisions for court action should candidates feel aggrieved. Kenyans waited for the promised 11 am final announcement. Dignitaries including foreign diplomats arrived on time at Bomas of Kenya and took up their seats. The waiting continued while some choirs entertained the audience. By 1 pm, nothing seemed to be moving. In between, an IEBC official kept the audience informed saying "the Chairman and commissioners are in a "small meeting...they will be here shortly..."

Finally, when IEBC commissioners walked into the auditorium, the clergy were invited to pray for the country then gave way for entertainers. Given the context and timing, the choirs disappointed since their songs were too long with debatable creativity and relevance. The organisers seemed oblivious of the fatigue of wider

audience and all Kenyans. Finally, the announcement was made a few minutes past 2pm. Kenyatta was declared the winner and moments later, the president-elect turned up to collect his certificate then drove to Catholic University of East Africa to address supporters.

At about 4pm, Mr Odinga addressed a press conference to reject the declaration of Kenyatta as president-elect. His address was entitled "democracy on trial". He said there had been "massive tampering" with the IEBC final Register of Voters. "Voter registration numbers were reduced in our strongholds and added to Jubilee strongholds! To give just one example, Ndihiwa constituency had 61,339 voters listed in the IEBC Final Register. But in the votes and election results that IEBC announced, it indicated Ndihiwa had only 48,535 voters! At the same time, other constituencies saw the numbers of registered voters rise. On Friday, the IEBC announced the results of the presidential vote for Laikipia North constituency. In the Friday announcement, I had 11,908, and the Jubilee candidate had 11,361," said Odinga. He promised to move to court to seek nullification of the announcement.

The Danger of Inciting Premature Celebrations

When the media announced the "final tally", ahead of the Saturday 11 am proclamation promised by IEBC, no disclaimer was put that even though the tally had shown Mr Kenyatta with an unassailable lead, the votes were to be verified before the winner would be proclaimed. Going by the framing of the news reports and commentaries by hosts, the media made the public believe Mr Kenyatta was to be declared the 4th president no matter what. The media never took on IEBC following Mr Nzibo's announcement the previous night that the final tally will be given by 11 am on Saturday yet another commissioner came on air hours after Mr Nzibo to announce more results. The media could have also sought comments from the CORD agents who verified the documents

before the announcement was made to shade light as to what had happened behind curtains. The agents could have also made the public aware of the cause of the delay of the final announcement. No journalist took an interest and report on the midnight altercation between IEBC and party agents in the auditorium that was screened live.

What Journalists Did Not Do

It has been argued that the Kenyan media's self-restraint reveals a society terrified by its own capacity for violence. "What maturity is this that trembles at the first sign of disagreement or challenge?" asked cartoonist Patrick Gathara in citing a national "peace lobotomy." He went on: "What peace lives in the perpetual shadow of a self-annihilating violence?"

Shortly before handing Mr Kenyatta his winner's certificate, the chairman of the election commission congratulated the Kenyan media on their "exemplary behaviour." As he did, the screen above his head was showing figures that did not add up. "Any journalist worth their salt should start feeling itchy when praised by those in authority. The recent accolades will chafe as more polling irregularities become public. The media should be asking themselves whether, in their determination to act responsibly, they allowed another major abuse to occur right before their eyes," opined Wrong.

A disturbing question has since March 9 lingered in my mind: Was Mr Hassan being sarcastic and mocking the local media for their complacency that had led IEBC get away with so many errors of omission and commission? Shall Kenyans know the truth behind the total collapse of the BVR kits? What about the actual number of voters who turned up on March 4, 2013 and actually voted? Which register of voters was used? When was the last voter registered?

Dr. Ken Ramani teaches Communication and Conflict Management at Mount Kenya University. Ken.ramani@gmail.com

Journalism VS Patriotism in Highly Competitive Poll



In covering the polls, journalists had to weigh journalistic ethics against their responsibility to the country. JOE KADHI reports on the numerous conflict-sensitive reporting and challenges of peace journalism that emerged.

Nothing tested the adherence by editors to the ethical principles and the *Media Council of Kenya's Guidelines for Election Coverage* more than the manner in which the print media covered the presidential election results this year. The outcome of the March 4 event took a week to cover beginning from the polling day until March 9 when it was quite clear the Uhuru team was headed for victory.

Compared with the manner in which the 2007 presidential election results were covered by the print media, this time editors made deliberate attempts to be more professional and less sensational. In 2007, there were a number of screaming headlines that drew severe criticism from the Kriegler and the Waki reports.

A day after the polling day for example, The Standard of Friday, December 28 had a headline reading "Tight Race as Giants Fight for survival". While the whole headline was on white on black tone to emphasise its importance, the word Fight was on yellow on black tone to highlight the significance of hostility surrounding the process.

When the results were delayed the Sunday Nation of December 30 had a one word screaming headline reading "STANDOFF". Needless to say the headline was so provocative and alarming it led to the criticism by Waki and Kriegler. The story below

talked of chaos and angry protests.

A day before, when the country was still waiting for the results The Daily Metro was even more angry with screaming headline crying "WHY? WHY? WHY?" The paper played with the people's emotions and raised their temper when it asked: "Why were polling centers still not open until 9am? Will ECK ever get polling stations to open on time at 6.00 a.m.?" It further heightened the anger by asking: "Why would ballot papers for one constituency end up hundreds of kilometers away? Or disappear? How, after months of preparation don't we have names of hundreds of people, including Raila Odinga on the register?"

The coverage of presidential

election results in 2013 was extremely different from that of 2007. This time, editors made deliberate efforts to avoid controversies that would lead to any form of instability caused by confrontational disagreements between contesting parties. A number of papers went out of their way to remind the people of the importance of peace. The deliberate attempt to avoid a repeat of the 2007 bloodbath was conspicuously noticeable. It was a thoughtful departure from dramatic reporting that concentrates on sensational events of conflict and disagreements characterised by the PEV of 2008. Long before the 2007 elections, however, the Media Council had elaborate guidelines to journalists about how to cover the events. Among other things the guidelines advised the media not to run or broadcast stories, commentaries and/or graphics that promoted or seemed to promote individual parties or candidates on the eve of elections. Needless to say not much was done to abide with this directive and the consequences are still fresh in many professionals' minds.

In an effort to avoid the repeat of the 2007 blunders, editors must have looked at the political division with a clear determination of doing everything possible to avoid plunging the country into another bloodbath. Realising Kenya was hopelessly torn along tribal lines and therefore potentially facing a conflict situation they consciously evoked the

In 2007, there were a number of screaming headlines that drew severe criticism from the Kriegler and the Waki reports.

guideline that instructs editors on how to handle stories about Covering Ethnic, Religious and Sectarian Conflict.

Whichever way one looks at the situation in Kenya on March 4th the veneer of ostensible peaceful atmosphere hid a bitter division based on ethnic loyalty along which political leaders had mobilised the whole nation. Appealing to the people to avoid the 2007 situation, therefore, was the most patriotic decision by newspaper editors, which was in fact in conformity with the demands of ethical principles of the profession in Kenya.

This trend was followed by all the editors the very next day when they decided to put national interests first while determining the news of the day. On this day, March 5th, the papers had two major stories whose news values were strong enough to be excellent page one splashes under normal circumstances. The stories had combined news values of Timeliness, Human Interest, Proximity, Consequences as well as Prominence, which would be used to determine lead stories of the day anywhere else in the world.

But Kenya was going through a delicate period and editors had to be sensitive to the possibility of causing unnecessary anxiety by publishing the two stories. The first story was about terror attack in Mombasa that claimed the lives of six policemen and the second was about the failure of the Independent Electoral and Boundaries Commission (IEBC) to deliver the results as fast as possible through electronic communication system. The fact something had gone wrong with the rapidity of announcing election results was a reality experienced by all Kenyans.

Yet journalists, and particularly editors, downplayed this story for the sake peace and stability. The alternative was to blow up the story like in 2007 with obvious risks of facing similar consequences. Though the noticeable failure of hi-tech system that caused the delay in releasing the election results was indeed a significant story on March 5, editors' decision to downplay it was more patriotic than the journalistic ubiquitous urge to "publish and be damned."

As far as the Daily Nation was

country, forcing the electoral commission to use manual registers. This is the development that made journalists in 2007 extremely angry leading to sensational headlines, which were later bitterly criticised. Naturally this time editors decided to play the story down and instead splashed a neutral story about "Uhuru, Raila race" on page one.

Very much like the Daily Nation, The Star decided to put the Mombasa attacks story on page six. With a headline reading "MRC Kills Police Officers", the paper talked of at



Media Council of Kenya members Nation Media Group CEO Linus Gitahi (right) and Information Secretary Ezekiel Mutua at a meeting with Parliamentary Committees on Administration and National Security and Defence and Foreign Relations at Parliament Buildings.

concerned the Mombasa attack story deserved to be the page four lead with a soothing headline saying "Military sent to bolster security in Volatile Coast". The story's intro talked of contingents of defence forces being posted to the coast after nine policemen were hacked to death. It dramatically described simultaneous raids in parts of Mombasa, Kilifi and Kwale counties, which also saw the death of ten raiders and three residents.

Placing the poll kit hitches delay story on page five, the paper talked of technical hitches involving voter identification kit delaying voting in various polling stations across the

least 22 people, including ten security offices, being killed in the Coast before voting started at 6am. According to the story the attacks on polling stations were suspected to be the work of the outlawed Mombasa Republican Council, but they did not dampen the spirit of residents who still turned up to vote in large numbers .

The paper decided to scatter technical hitches stories in its different inside pages, killing the impact it would have created if they were merged into one story that would obviously have exposed a major failure in the entire electoral process. On page two the paper

splashed a story about "Jubilee Complains of Delayed Voting" which was different from a page seven filler talking about "Hitch in Embakasi". The Embakasi story revealed that electoral officials in Kayole north were forced to resort to manual voting system after the electronic voter identification device failed to work.

If The Star combined all its electronic failure stories into one big splash on page one it would have been an



extremely powerful story that would probably have had the effect of telling Kenyans the entire electoral process was about to collapse. The consequences of such a story could have been as devastating as what happened in Kenya during the 2007 PEV. The decision to downplay the story was as patriotic as the failure to marry all the electronic disappointment ones was unconventional as it indeed avoided sensationalising the major event of the day. On page one the paper splashed "Uhuru Take Early Lead" story which was not new to the people.

Following the same trend as the other dailies The Standard of March 5th used the Mombasa killings story on page six and that of electronic failures on page seven. Headlined

"Ten Security Officers Killed in MRC attack on Polling Stations" the terror story talked of police officers killed in Mombasa and Kilifi counties hours before polling centres opened , in a wave of violence targeting security officers.

Headlined "Voter verification slows election" , the electronic failure story talked of residents of Embakasi Nairobi being frustrated early in the day by the sluggish movement of long queues caused by slow

verification of voters. Under normal circumstances these two stories would most certainly have been placed on page one with serious consequences of drawing the attention of Kenyans that all was not well with the electoral process. Instead the paper splashed on the front page a none story telling its readers that Uhuru and Raila were leading in early poll result-a fact that all Kenyans had known for a long time.

The manner in which the papers handled the delay in the presidential election results showed clearly that all editors were well equipped with some basic knowledge of conflict sensitive reporting. Bearing in mind that it was election results delays that led to the bloodbath of 2007/8 PEV the country was, for all practical

purposes, in a conflict situation on March 6th 2013. All stories about the failure of electronic gadgets that were supposed to deliver the results abruptly had to be handled with a lot of care.

Throughout the coverage of the entire electoral process in 2013, journalists in Kenya never missed any major story and accusing them of pushing any story under the carpet would be most unfair. Though no major story was killed by the editors, there was a noticeable practise of conflict sensitive journalism by downplaying sensitive stories that were likely to incite the already animated Kenyans as they were waiting for the presidential election results.

Downplaying such negative stories was a welcome exhibition of professional commitment to vital ethical principles that are internationally supported today by all studies of conflict sensitive journalism. Naturally the sadistic international correspondents who had assembled in Nairobi with the expectation of covering another bloodbath in Kenya were extremely disappointed. These must have included the CNN correspondent who had in fact already filed stories indicating that Kenyans were preparing for war whatever the outcome of the election results. Many believe the footage accompanying the story was stage managed.

A good number of international media organisations today accept that journalistic ethical responsibility includes the mastery of conflict sensitive journalism which Kenyan editors showed a considerable level of understanding while covering the entire electoral process in 2013. But to what extent does conflict sensitive journalism embrace Peace

Journalism and what is the difference between the two?

The one scholar who has looked at the difference between the two terminologies in our profession is Michelle Betz. In a paper titled "Conflict Sensitive Journalism: Moving towards a Holistic Framework" and published by the International Media Support recently, she says it has generally been acknowledged that conflict coverage, whether by international news agencies or local reporters, produces its own significant impacts on conflict.

As such, she explains, more and more local and international groups, media trainers, media institutions and

others have developed methodologies for interventions aimed at countering the dangerous effects of poor or deliberately manipulated conflict coverage or for media interventions designed to reduce conflict through a change in the way the media work.

These and other approaches, she says, have already been translated into numerous seminars, training sessions, booklets, handbooks and other products for journalists, editors and publishers across the globe. But about Peace Journalism, she says in light of the conflicts of the 1990s, journalists, academics and conflict researchers began to consider the role of media in conflict more seriously. As such, she

elaborates, there were largely two schools of thought which emerged: Peace Journalism, advocated by Johan Galtung and Jake Lynch, and conflict sensitive journalism presented by, for example, Ross Howard. Peace journalism, she concludes, advocates that journalists take a more active role in finding solutions to conflict.

The question we have to ask now is to what extent did Kenyan editors spread their wings to cover conflict sensitive journalism and peace journalism? The jury is still out.

Mr Joe Kadhi is a Journalism Lecturer at the United States International University.
joekadhi@yahoo.com

New Staff at the Council



Kibet Amos Korir has joined the Media Council of Kenya as the Research and Media Monitoring Supervisor. He has over three years experience in Media Monitoring and Research. He previously worked at Ipsos Synovate as Client Service Executive. He has also worked at Kenya News Agency as a correspondent and writer for Kenya Today. Amos holds a degree in Communication and Media with IT from Maseno University. He also holds a diploma in project management from the Kenya Institute of Administration. He is a CPA-K finalist and currently pursuing a masters degree from the University of Nairobi. He is a member of the Marketing and Social Research Association



Bernard Gori is the new Records Assistant. He has a wide experience in records management having worked the Registry Officer at the Kenyatta University Sacco for five years and at Kenyatta University library for three years as a Library Assistant. Bernard holds a diploma in Information and Library Studies from the Technical University of Kenya.



Gideon Mwanzia Nzioki has joined the Council as the Internal Auditor. He has wide experience in Internal Audit, having previously worked with Newsread International, Ministry of Finance Department of Internal Audit and Tana Water Services Board. Gideon is a holder of Bachelor of Business Administration (Accounting and Finance) from Kenya Methodist University and a (CPA, K). He is a registered Member of the Institute of Certified Public Accountants of Kenya (ICPAK) and a member of the Global Institute of Internal Auditors (IAA).



Did the media censor itself during polls? In whose interest?

Questions have been raised on the conduct of the media during the elections, with some quarters accusing the media of failing to champion public interest. WELLINGTON NYONGESA dissects the thoughts.

Shortly before handing Jubilee presidential candidate Uhuru Kenyatta his victory certificate, IEBC Chairman Issack Hassan congratulated the Kenyan media for their "outstanding conduct at the election." As he did, the screen above his head was showing figures that did not add up. Strangely, no journalist pointed the discrepancy in simple arithmetic at the Bomas of Kenya. Later, at President Kenyatta's inauguration April 9, Ugandan President Yoweri Museveni had a few good words about the Kenyan media; that it had not "inflamed" ethnic passions "this time round."

Any journalist worth their salt should start feeling uneasy when praised by those in authority. As most aspiring journalists usually find out during their early days at journalism school, journalism is not a friend of those in authority. One definition of news is "news is what someone somewhere does not want you to publish, everything else is advertising." That definition was given by a Cuban critic whose name has never been known, but I have considered it one of the key journalistic principles. A question therefore arises: Did local media work on a story that someone did not want published, during the 2013 election? Are Kenyan journalists

feeling uneasy following that "good boy" pat on the back by those in authority?

The March 4 ballot gave the country a different kind of media. Right from pre-election, the election itself and after, the Kenyan media portrayed a character that was the exact opposite of its usual self. During the tightly controlled KANU regime Kenyan journalists fought hard against the club wielding riot police, they hit hard at the government of the day; they investigated grand scams (Goldenberg) and told Kenyans what they had gathered. During the Kibaki administration they revealed scandals (Anglo leasing), shouted loud about any shortcomings in public affairs and even did not spare the first family when it washed its dirty linen in public (for instance president Kibaki's 'I have only one wife' press conference in 2009). The same spirit and drive had guided the media through the 2007 election coverage where its broadcasting wing was accused of overreaching itself. Vernacular radio stations were not entirely blameless over the post election mayhem in Rift valley, Nyanza, parts of Nairobi and Western regions.

Now comes the 2013 ballot and local and international observers are left wondering; why is local media not saying it? The experience below is quite telling especially as it is a true one.

A reporter at a local broadcaster who had been sent to Kilifi County for the March 4 ballot was in Kilifi town when she received a call from a correspondent who had toured Chumani secondary school, Kilifi North; a group of marauding youths chanting slogans of '*pwani si Kenya*' had attacked the school that was to be used the following day by IEBC to tally constituency votes. Four policemen and two civilians, one of them an MRC adherent, had been killed. In total six people lay dead at the centre even before the voting had begun. She called the editor who asked her to get to the scene. She arrived at the scene at dawn on the day Kenyans were trooping to polling stations to begin casting their ballots. The bodies were still at the scene. She counted five and was informed that the marauding gang had taken off with one of the bodies claiming he was a comrade who "died in the line of duty." She called her editor in Nairobi, but was informed that there had been clear instructions that the event is not aired on a day when Kenyans had just begun casting their votes to elect a new president. The big story of the hour must be the ongoing voting. She was asked to wait for an official statement from the Provincial Police boss Aggrey Adoli. The reporter had bumped against a story that she later learnt "could not have been aired live by mainstream broadcasters" on the eve of the 2013 election.

Was media truthful in covering 2013 elections? Now that's the question. The guiding philosophy of journalism is the pursuit of truth, but as you can see from the above experience truth was forced to take a back seat. March 4 has been a time when big players in the media industry especially broadcasters wanted to depart from past 'mistakes'. And there was no other time to undergo a total metamorphosis than at the 2013 election. Memories of 2007 and its repercussions where a broadcast journalist (Joshua Arap Sang) had a noose around his neck at an international court were cascading through the minds of editors and their writers/ broadcasters. Media owners were worried about their businesses.

The March 3 Kilifi killings a few hours to the actual polling were therefore a bad omen and could not be magnified by a live report or commentary. For broadcasters who take pride in breaking the story and taking the viewers to the scene, the Kilifi story on the eve of a historic election had to wait for clearance, for no one wanted to raise tension in the country.

The attack was seen as a clear message to the government by a section of disgruntled masses in the marginalised districts of coast province. The message was that thousands of them perceived the government as an extension of colonial slavery rather than a deliverer of services and a benefactor of its people. Mainstream media (mostly broadcasters) therefore felt that there was no way they would quickly relay live reports of such attacks when Kenyans were left with a few hours to vote. This meant that by the time news of that event hit the airwaves and printers in the local media, Kenyans had gotten it all and more through social media and the ever-critical international broadcasters.

That therefore caused skepticism among Kenyans of how media was going to cover the March 4 election. They began wondering whether indeed the local media was going to tell them the truth at all. As it turned out, at the close of the exercise and filing of the presidential petition at the Supreme Court, media was receiving stinging criticism on social platforms and in several forums analysing the entire election.

"You guys have been merely relaying what the electoral commission was telling you" read a text message sent to an editor at a local television station by a frustrated Kenyan. Another one tweeted: "You did not cover people who were complaining about the elections, you are afraid things will be like in 2007"

"Even though it was good for media to be cautious on peace, they were not supposed to withhold information," said a blogger who sought anonymity.

Speaking at a forum in Nairobi to discuss the media's performance during the election period, Henry Maina, director of an election observation group, said journalists failed to raise pertinent questions with the IEBC. "If numbers were not adding up - it is a basic arithmetic question - why would the media not say, there is a problem here, these figures don't add up," Mr Maina said. "Asking such a question does not mean you have caused unnecessary tension in the country. You would be helping the country, and probably you would have saved us from going to the courts," he added.

The question of why media went soft on IEBC is turning out a ghost that may haunt journalists who covered the 2013 polls. It can now be revealed that all media suspected problems at IEBC during its formation. Most journalists actually investigated and found indisputable facts about outright camps and political interference within the body that was to preside over the first election under the new constitution.

Problems at IEBC did not end there. After its formation focus now moved to the manner in which it handled the procurement of election materials. A lot of glaring mishaps were clear. However, media had reached an understanding not to reveal the undercurrents fearing that an early push to discredit the body would mess up the election even before it was held. It was resolved not to reveal such signs at a time when the country was trying to heal from the effects of the post-election violence that followed the 2007 election. Fear of 2007 was real within media circles; you could feel it in newsrooms. It was real in terms of media as a business and as a forum for public relations in society. After 2007 the commercial performance of most Media organizations went down by 60% while editorial teams were left with a bitter taste in their mouths when the nation was ethnically torn down the middle. That indeed strongly informed Media's performance at the last (2013) election. The Standard Group Editorial Director Bernard Nderitu said the Kenyan

media wanted to hold the nation together. "We have left it to history to judge us whether we were right to play wise or we were wrong," said Mr Nderitu adding media operates within a context and it lives in the society it reports about. "The Kenyan context is different from the American one, you cannot for instance declare your support for a particular presidential candidate as happens in America and hope to remain relevant," said Mr Nderitu.

Kenya Editors Guild Chairman Macharia Gaiho feels the local media's coverage of the last election was "not perfect and yet not imperfect. What is it that we were supposed to report that we did not?" he asked. "The media questioned the IEBC over the process of acquiring the biometric voter registration kits. When the systems failed during the election, the media reported. Even when the petition challenging the result was taken to court, the media was still reporting," said Mr Gaiho. He said the Kenyan media has been caught between two contending forces, the losers at the election and the winners, whereas the winners will praise it, losers will raise all manner of objections over the manner in which it performed its core duty.

While in the past the country's local media worked in harmony with their international counterparts, this time round their prudence made the international media look negative and sensational. Western journalists reporting on Kenya became pariahs, lambasted on Kenya's social sites such as twitter and Facebook. Some blogs even went ahead to claim the government had threatened international reporters with deportation.

In an opinion published by the International Herald Tribune Michela Wrong who has worked in Kenya and covered the country for over two decades complains rather tellingly that "Western reports have attracted undue interest, I'm convinced, because domestic coverage, while increasingly slick, has been so lifeless. It sometimes feels as though a zombie army has taken up position where

Kenya's feisty media used to be."

The writer, remembered for her book about former advisor to President Mwai Kibaki, John Githongo, *It is Our Turn to Eat*. "This malaise was most obvious during briefings by the Independent Electoral and Boundaries Commission at the tallying center in Bomas, just outside Nairobi, when what had been billed as a high-tech, tamper-proof election began to unravel spectacularly. The Kenyan media of old would have gone for the jugular. But when the commission chairman, Issack Hassan, after describing yet another puzzling technical glitch or mysterious delay, asked, 'Any questions'? The response was stunned silence. Given just how many anomalies were surfacing, the upbeat assessments of observers from the African Union, the European Union and the Commonwealth seemed inexcusably complacent. Yet, Kenyan journalists left their western counterparts to ask the key questions. Michela Wrong says that this self-censorship always comes at a price: political impartiality. The decision not to inflame ethnic passions meant that media coverage shifted in favor of whoever took an early lead, in this case Uhuru Kenyatta. Hours after the CORD alliance of the Prime Minister Raila Odinga announced that it wanted the tallying of ballots stopped and an audit conducted, Kenyan radio D.J.'s were still cheerfully assuring listeners that everything was on track. That may have prevented passions among Odinga's supporters from exploding, but it was a massive distortion of the truth.

The wise, rational and careful local media that did not want to cause tension in the country swiftly fell into the habit of brushing off CORD's declarations. Television broadcasts of Odinga's announcement that he would challenge the outcome of the election before the Supreme Court switched to Uhuru's acceptance speech before the question and answer session.

Over and above the local media's self-restraint reveals a society terrified by its own capacity for violence

during an election. And that is where it got it wrong. Was media holding the country together by not revealing all or it was washing the surface of a boil rather than break it open? It is common knowledge that the best way to treat a boil is to break it open. If media had interrogated IEBC over the false arithmetic at tallying, would Kenyans have killed one another? If media had showed clearly that IEBC had too many problems even at inception and so was not best suited to manage the first election under the new constitution would that have sparked ethnic tension? If media had questioned the manner in which IEBC handled the process of procuring election materials, would that have caused tension in the country?

A society cannot be said to be free without a free and independent media speaking clearly about the ills in it. The best way of solving problems in society is to speak clearly about them. One of the reasons why Kenya has ended up having a most progressive constitution on the African continent is because the local media has been one of the most outspoken on the continent. It's better for society to fight amongst itself because of some truth spoken by media rather than to unite over a falsehood. Germany united over Hitler's falsehoods through Dr Josef Goebel's propaganda in media and later paid a huge price. America fought among itself in the 1861 civil war partly because of an outspoken media. It later united as one strong and very free society that allows men to air their views, including racial stereotypes, freely. It's a country's capacity to withstand truth said about it that shows how united and peaceful it is. The role of media in society is to give facts that later show the truth. It is media's key duty to pursue truth.

Mr Wellington Nyongesa is the News Editor at Radio Maisha.
wnyongesa@standardmedia.co.ke

The path Kenyan media must travel to secure electoral justice

Freedom of expression and the media on elections is adversely influenced by the state elite and media ownership and control. PROF BEN SIHANYA examines this contentious subject.

Freedom of expression and the media regarding elections is adversely influenced by the state elite and media ownership and control. It is noteworthy that freedom of expression and the media has largely improved since 1988 in the pre-election phase. However, these freedoms have been curtailed by the politically and ethnically affiliated state elite and media owners or journalists in contexts where Kenyans have to make major decisions especially in the processing of the results of major elections.

The media began to play a significant role in Kenyan elections during the 1988 General Election. Democracy and reform activists used the media to criticise the KANU regime, with serious consequences. Beyond, an NCKK publication, as well as the critical Society and Nairobi Law Monthly were banned for exposing fraud in the 1988 elections, contrary to section 79 of the 1969 Constitution. The editor was jailed for allegedly failing to remit returns to the Registrar under the Books and Newspapers Act. Many other media houses, journalists, politicians, academics, students and individuals were prosecuted for sedition during this period and for their political views.

Then President Daniel Moi told BBC if they read such publications they would ask themselves which Government would allow such publications. Such fetters to freedom



Training is key to enhancing professionalism among journalists.

of expression and harsh repercussions for opponents of the incumbent increased media (self) censorship.

During the 1992 elections the media disadvantaged the opposition. KBC and KTN were the only TV channels and KTN was limited to Nairobi. KBC began each news session with about ten minutes of what Moi had said. Their news was so pro-Moi that FORD filed a civil suit seeking to compel KBC to stop campaigning for Moi. The suit was dismissed on technical grounds. However, after these elections, the media promoted gender balance in politics. The 1997 Inter-Parties Parliamentary Group (IPPG) deal secured some concessions from the state and political elite when the KBC Act was amended to require KBC to capture

the diversity of political opinion (section 8(j)).

Things changed remarkably in the 2002 elections. In May 2002, Parliament passed a media law that required publishers to pay a hundred times more libel insurance than before (now \$12,800). Officials claimed this was to eliminate gutter press. This was criticised as being too restrictive and a means of muzzling voices in a critical election year. The Kenyan media was arguably freer. This was partly because it was apparent that the Nyayo era was coming to an end since Moi could not constitutionally vie again and had not groomed a competitive successor. Moreover, the competition was between MwaiKibaki and Uhuru Kenyatta who had essentially the same support base among the Kikuyu and the associated media establishment. The media's role in 2002 was majorly confined to civic education. And ICT use by some media and citizens helped in transmission and verification of results thereby putting pressure on ECK.

By 2007, freedom of expression had suffered unprecedented attacks when KTN and the Standard were vandalised, and taken off air with Internal Security Minister, John Njoroge Michuki, an affiliate of former president Mwai Kibaki, arguing that the media had rattled a snake. There was preferential media coverage. According to an EU

study, Kibaki's PNU received significantly more coverage than Raila Odinga's ODM. PNU and ODM received 46 per cent coverage on KTN and 50 per cent on NTV; 39 per cent and 28 per cent, respectively. These statistics exclude paid political advertising.

During the post-election violence (PEV) period, certain mainstream and social media outlets were accused of having fuelled the violence by inciting listeners and mobilizing them to attack other communities verbally on air. The state security and administrative elite (or kiama) put Kenya on the counter-constitutional, counter-factual and counter-intuitive mode of peace-security-development; a move-on mode. Not the truth or justice that is proclaimed by the Constitution, the national anthem, many affiliated politicians, media and practitioners.

International media has always covered electoral malpractices and injustices in Kenya. In 2007, it portrayed Kenya as a war-torn and genocidal situation. In 2013, many international journalists were conditioned to expect violence. There was also debate on a Hague war crimes indictee running for president. Thus local and international media did not pay sufficient attention to the unfolding electoral injustice and malpractices.

It is also noteworthy that Kenyan media conducted Presidential Election Debates for the first time for all eight candidates. In the US and other jurisdictions only the two main candidates are involved. This was perhaps a strategy to reduce the impact of the debate on the ethnically instigated war crimes and land question. The moderators mainly asked short-structured questions requiring short simple answers. Candidates were not given a significant chance to challenge one another. It was largely a Q & A session rather than an issues-based debate. The "debates" did not delve into the technical feasibility of the

When the tallying reached a critical threshold with numerous "spoilt" votes, and the "plan" not working, media stations stopped adding up their statistics and began featuring the official IEBC results as they began the official final tally from scratch well after polls had been closed

aspirants' pledges and candidates who did not have even 1 per cent of national support had significant periods of time.

Social media including Facebook, Twitter, blogs and wiki sought to address the mainstream media's injustices. Social media has promoted voter education and political awareness among Kenyans, particularly the youth. Social media facilitated information flow with people across the globe in real time. Three challenges persist: first, social media opinions do not give a cross-sectional accurate representation of peoples' political standing. Second, social media cannot so far help the majority to appreciate the electoral fraud that IEBC was engaged in. Third, social media could not reverse the parties affiliated to the Kibaki-Kenyatta faction that determined the results.

With the advent of social media and the Internet as tools for dissemination of political ideas, came further fetters to freedom of expression. The state, political and ethnic elite have used scare mongering strategies arguing "hate speech" would lead to a Rwanda-like situation. Yet they are responsible for hate acts and

omissions including socio-economic and political oppression, exploitation, manipulation, intimidation, bribery and stealing (MIBS) that lead the criticism or "hate speech." Their abuse of office is not prosecuted but protected by impunity. During the campaigns in January 2013, Information and Communication PS, Bitange Ndemo, accused Prof Makau Mutua of hate speech because Makau had criticised the IEBC in a heated Twitter exchange they had. This started when Mutua accused the Ministry of taking sides with a particular presidential candidate. According to Makau Mutua, a bureaucrat like Bitange should not have used the pretext of "hate speech" to curtail speech that was targeted at educating and informing Kenyans.

Similarly, NCIC Chair, Mzalendo Kibunja, singled out four bloggers yet there were many individuals "guilty" of hate speech (by the faction's or parties' standards) on social networks. Kibunja claimed that the four would teach a lesson to the rest (but is it fair that only a few are charged)?

Control of the media heralded the March 2013 elections. The Kibaki-Kenyatta faction and CCK attacked Royal Media Services (RMS) verbally, by poaching journalists or disabling RMS's facilities in the electoral cycle. RMS v. Attorney General was partly a protest against CCK's regulatory and political injustice. The electoral process was to be free, fair, transparent, accountable and verifiable. The results were to be transmitted electronically under Arts 10, 38, 81, 83, 86 and 88 and the Elections Act. This was not done and the media did not publish what they had nor allow critical comments. This is despite the fact that all media houses had been receiving data on voter turnout and preferences from tallying centres in real time.

When the tallying reached a critical

threshold with numerous "spoilt" votes, and the "plan" not working, media stations stopped adding up their statistics and began featuring the official IEBC results as they began the official final tally from scratch well after polls had been closed. The media did not actively challenge the process and did not allow third parties with critical opinions on the voting, tallying and verification process to express them on air. This author was told while in a studio: "no critical comments. We have moved on to outcomes and feedback. We have a moral obligation."

IEBC Chair, Issack Hassan, had said presidential results would be released first and within 48 hours of close of polls. They were released last and after six days. They were not transparent, accountable nor verifiable. The media continued the state and self-censorship. It was suggested that the censorship was to prevent the raising of tension or political temperatures around Kenya. What about the public's right to information? Who decides what information to air or not to air? Airing of information favouring one side of the political divide? While results were awaited, IEBC Chairman, Commissioners and officials addressed the public on what they deemed fit. They refused to answer some questions during official Q&A sessions and did not address them later as promised. Observers could not access him nor the tallying centre although they had been accredited and promised. A heavy contingent of security officers generally protected IEBC officials from discussion with presidential or party agents, or observers. It is the duty of the media to provide accurate information to citizens. It did not during the March 2013 elections.

Media in US elections

The media has played a significant role in influencing the outcome of presidential elections in the US.

George Washington was apprehensive of running for a second term due to having been badly featured in the media. John Quincy Adams blamed the press for not having supported him enough when he lost his re-election bid in 1829.

The media facilitate the presidential and vice-presidential debates. These are actual debates between the two major candidates and are facilitated by independent media anchors in university venues. The questions are objective and seek to delve into prompting the candidates to articulate their policies and qualify their opponents.' Kenya is light years away from reaching the US benchmark set for quality presidential debates.

The US media is also involved in predicting results. It does so in at least three ways. First, analysts predict before the polls who is likely to win. Second, some undertake exit polls where they ask voters whom they voted for. Third, many media stations tally as results come in and predict a win. These roles were transparent and accountable in 2008, 2012 and in numerous elections but problematic in the flawed Florida polls of 2000. It is arguable that early predictions influence of those who have not yet cast their votes. Some major media houses have made flawed predictions. Social media prevalence has also risen significantly in the US. There are few fetters to freedom of expression in the US mainly due to a strong First Amendment, governance and institutional culture.

Media in South African elections

The South African media triggered most friction with the Government in 2011 when many media houses were accused of frustrating the ANC campaign by painting it in bad light. 2011 was probably the first time South Africa's most popular party, ANC, faced significant

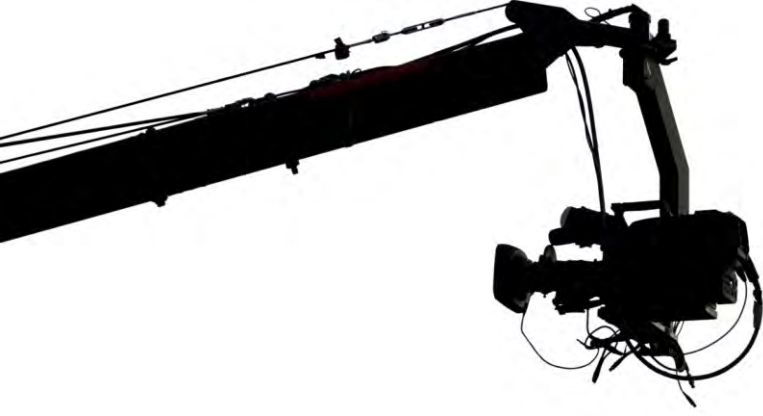
negative media portrayal because of governance challenges. And, leadership in the party and state has deteriorated under Jacob Zuma hence the detrimental press coverage.

Prof Anton Harber of Witswatersrand University argued in an interview that being in Government the ANC was bound to get more media scrutiny. This was part of democratic debate and the media needed to enhance voter education.

My take

Kenya's media has become more independent since 1992. However, during the 2013 elections and their aftermath, freedom of the Kenyan media has been attacked. The "public interest" should not unnecessarily fetter freedom of expression as provided for under Art 33 of the Constitution 2010. Freedom of expression and the ability to disseminate ideas and receive information is crucial for constitutional government, the rule of law, human rights, democracy, sustainable development and electoral justice. The state, political and ethnic elite must address concerns about equity for survival, in development, and participation by ethnic groups, as well as electoral justice. National security agencies should work under the law. Citizens will then have confidence in governance and electoral institutions. They will enjoy freedom of expression without resort to "hate speech" and without the fear of unrest. Progressive Kenyans must seek alternatives within and to the mainstream media and courts to secure electoral justice.

Prof Ben Sihanya, JSD (Stanford) is a constitutional scholar. Part of this article was presented at Oxford University as "Hate speech v. Freedom of expression in the context of the 2013 Kenyan Presidential Election," on April 9, 2013. sihanya@innovativelawyering.com



Media embraced peace drive, turned blind eye to core role

After the experiences that followed the 2007 General Election, the Kenyan media approached the subsequent one with what Americans call "an overabundance of caution." ROY GACHUHI reports.

Fingered as one of the institutions that failed the country then, the media went out of its way to keep its hands clean in the 2013 elections. If there has been any criticism levelled at the media, it is that it turned pacifist. Some have even accused it of usurping the traditional role of the Church in enthusiastically jumping into peace campaigns while abdicating its watchdog mandate.

True or otherwise, the media was coming from somewhere.

In "Tensions and Reversals in Democratic Transitions: The Kenya 2007 General Elections", journalist and communication expert Kwamchetsi Makokha writes: "The mainstream media in Kenya emerged from the 2007 election mortally wounded. Although surveys in 2008 and 2009 show that the media continue to enjoy the highest public confidence when compared to other (failed) institutions such as parliament, the police and the electoral commission, they have lost the moral high ground they once occupied. "The media have been severely criticised for their role in shaping the aftermath of the elections. They were accused of providing propaganda, incitement and inflammation of tribal tensions."

The Independent Review Committee of that traumatic election (commonly known as the Kreigler Commission) observed: "Even though the leading newspapers, television and radio stations were not very openly biased for or against any of the candidates, there were discernible preferences shown by the tilt they gave in favour of or against the candidates and their campaign issues. Most media houses avoided hate speech but several FM stations incited ethnic animosity, particularly during call-in programs."

As for the Commission of Inquiry into the Post Election Violence (CIPEV), or the Waki Commission, this is what the commission that introduced the ICC process to Kenya had to say: "Diverse views are held about whether and how the spread of information through the print and broadcast media had contributed to the 2007 post-election violence. Many recalled that some of the vernacular FM stations contributed to a climate of hate, negative ethnicity and may have incited violence.

"CIPEV concluded that it believes that speech in the media, including in vernacular FM radio stations, aiming to foment ethnic hatred and/or incite, organise, or plan for violence should be investigated thoroughly in a timely fashion when it occurs. Submissions to the Commission called for legislative framework governing the media to clamp down on media misconduct and against hate speech."

Against such a background, the media was going to change course in the run-up to and during the 2013 elections. Of course, so much has changed since 2008. The country followed through on the recommendations of the two commissions leading to sweeping changes in the political and legal



landscape. And Kenyans passed a new constitution that fundamentally altered how the country is governed. Meanwhile, the media went through painful soul-searching. While it did not go so far as to issue a public apology as the Church did to do penance for dividing Kenyans along tribal lines, it quietly embarked on a remedial course. First, it acknowledged there were bad elements within the industry that needed to be reined in.

In apparent reference to the more rabid FM stations, which spewed ethnic hate propaganda, Nation Media Group Editorial Director Joseph Odindo posed the rhetorical question: "When does dog bite dog?" It was a dilemma faced by the more level-headed media practitioners during those heady days. Mr Odindo was speaking at an international symposium marking the Nation Group's 50th anniversary.

The mandate for straightening out errant watchdogs fell upon a revamped Media Council of Kenya (MCK), an independent entity created by an Act of Parliament. MCK quickly hit the ground running and instituted a robust Complaints Commission, which addressed a plethora of citizen grievances with the media. That it has teeth to bite and is to be taken seriously is illustrated by the fact some of the personalities who have sought its intervention when they felt wronged include

former First Lady Lucy Kibaki and now President Uhuru Kenyatta. In terms of operation and decision-making, the Commission is independent of the MCK. It has occasionally levied hefty fines on practitioners deemed to have been professionally negligent.

The Kreigler Commission had made eight tough recommendations for the media to clean house before the 2013 elections. They were that: The MCK should oversee the conduct of media and enforce its Code of Conduct, a media and elections policy be developed to include guidelines for verifying data before going on air, vetting live broadcasts and screening of paid-for advertisements, responsibility to announce accurate results and training of journalists on the Electoral Code of Conduct, and elections reporting and the manner of reporting on opinion polls. Further, it recommended that the disclosure of the real owners of media to be made on a regular basis; that the KBC Act be amended to provide the ECK (subsequently the IEBC) with commensurate power to compel KBC to act in accordance with the law and that mechanisms be set up to ensure the independence and public accountability of KBC. The Commission also recommended that access to KBC by the Presidential Press Service be reviewed, particularly on an election year and

that the key provisions in the KBC Act pertaining to free access slots for party political broadcasts be clarified and precisely defined as to the rights of the parties and candidates in law. It also called for the enactment of a substantive Act prohibiting hate speech be drafted and enacted.

Many of these were followed through. There was a hate speech law in place although many Kenyans found the performance of the NCIC in enforcing it wanting.

Mobile service provider Safaricom enacted severe rules governing the transmission of messages on its short message service facility, all directing at detecting and turning purveyors of hate speech. And the Nation Media Group published detailed guidelines regarding the content of paid-for advertisements for such to get acceptability. KBC, an institution of widespread detestation following the 2008 conflagration, worked hard to appear even handed. It seemed to convince many of its good intentions. Most of the media worked hard to follow a similar middle of the road course and the vitriol coming out of vernacular radio stations was largely absent. The media consciously tried to give a lie to the observation that though pretending to be non-partisan, their preferences of candidates and parties was there for all to see.

The exception was the Royal Media Group, owners of Citizen Radio and television and a dozen or so vernacular stations. The group announced it was supporting the Cord Alliance headed by Raila Odinga and Kalonzo Musyoka. This is a common practice in established democracies in the West. But in Kenya, it was a curious first. Neutrals could not begrudge the group its freedom of choice but the jury is still out about the wisdom of taking such a course in a country as ethnically fractious as Kenya. Certainly, the managers of the media house have no doubt seen the ramifications of

their decision in the indices of the commercial returns from their customers.

In following this cautious approach, the media teamed up with a wide variety of groups to propagate a peace message. Newspapers, radio and television stations inundated Kenyans with the peace mantra. Kenya was awash with prayers and the call to stay clear of violence. Some people believe this message; important as it was for the country, was overdone. It subtracted from the media's watchdog role. The media was accused of glossing over actions of public officials who should have been censured.

It has, according to some critics, had the effect of sweeping festering issues under the carpet. Academic and newspaper columnist Godwin Murunga gave vent to these sentiments when he wrote after the elections and before the Supreme Court adjudged the Cord petition challenging the outcome:

"There are two statements I have heard in the recent past that are simply infuriating. The first claims that all Kenyans won in the last election. Well, let's be clear about this. I did not win anything. They won and I lost. I also feel they don't care about my feelings or me.

"The second refers to calls to keep peace. In Kenya, we have turned the old notice declaring 'Silence, Meeting in Progress' into 'Silence, Peace in Progress.' Eventually, we have traded peace for justice and absurdly convinced ourselves that the two cannot co-exist. This trade-off also happened five years ago."

There are many people who challenged this view, arguing a tenuous peace is better than a large body count. But in there lay the predicament of the media. During the election count, the Cord Alliance held a news conference at the Serena Hotel, making a litany of complaints directed at the IEBC. None of the media houses carried it

live. Its content was broadcast in delayed portions as the days wore on.

There are many Kenyans who believe that the media acted responsibly on not just this particular occasion, but throughout the elections. The end, as one big school of thought argues, justifies the means. A fiercely contested election, expected to result in violence of the scale of 2008, went off peacefully. The international media, taking their cue from every multi-party Kenyan election since 1992 - except the one of 2002 - expected this one to descend to the same lows of deaths, dislocations and destruction of property. It didn't. For that reason, there are many who believe that Kenya is better off in the aftermath of this election than it could possibly have been with a freewheeling media that exercised no self-restraint. Being alive is supreme.

When he was once asked about his greatest achievement after being toppled in a military coup in the 1980s, James Mancham, the former President of the Seychelles, replied: "Being alive. Not many former African presidents can tell you that."

In Kenya, too, there are many people who were not satisfied with the outcome of the election but have raised their eyes in gratitude for being alive. There is one aspect of media coverage of the election that irked some in a very different way. The seemingly interminable waiting for the results which started soon after the ballots were cast on Monday, March 4 and did not end until the announcement of the results on Saturday March 9, forced all television networks to improvise on how to fill up the massive airtime. Without exception, they settled for political analysts who said so much but, like other Kenyans, did not know what would happen next.

Some views could not excuse what they saw as a lost opportunity. Dr Joyce Nyairo, a former lecturer at the University of Nairobi and a

renowned cultural analyst penned a furious op-ed piece saying: "For all the enriching ways in which our media has affirmed the dignity of the Kenyan voter this week, it is important to acknowledge that it has also been a week in which local TV missed a wonderful opportunity to show-case quality home-grown content. Instead, they have given us lousy "stomach fillers" in the name of political analyses.

"Here was a brilliant opportunity to air all manner of documentaries (re) affirming our nationhood. With bold, dynamic producers and inquisitive buyers, media houses will find that there is actually no shortage of such enriching broadcast material. The examples are legion. Stories of global icons like Wangari Maathai and Kipchoge Keino; sporting stories from Harambee Stars in the early 1980s when they regularly did us proud, to our 2003 cricket team, our Rugby 7s and the exploits of our women's volleyball team.

"There are fascinating social histories on our music, even local music videos from Christian choirs to irreverent kapuka. We could even have gone back to 1963 Independence Day clips, the Maasai Mara's wildebeest migration and other nature tales. Why did our media choose the far lazier route of stretching us out over the coals of great expectations from the tallying centre?"

This is definitely food for thought for the media. Meanwhile, we have a peace to be cherished because for some, all Kenyans won or a peace to be endured because for others, only some Kenyans won while others lost. This will be the debate of the next five years.

Mr Roy Gachuhi is a writer with The Content House. gachuhiroy@gmail.com

Peace Journalism Gaining Root in Kenya



In the aftermath of the March 2013 general election, debate has ensued within and without the media sector on the performance of the media in covering the exercise. Media monitoring undertaken by the Media Council of Kenya point to the reality that peace journalism is gaining root in Kenya. HARON MWANGI and VICTOR BWIRE implore players in the industry to accommodate it.

A number of people have advanced several positions on how the media in Kenya covered the period prior to, during and immediately after the March 4th general election. There are diverse assertions and feelings in some circle including civil societies and foreign observers that the media failed to provide a genuine platform for debate. Another view is that by restraining themselves, the media and journalists responded responsibly to the national desire for peace and therefore contributed to 'peaceful' outcome of the election.

The historic general election was complex and highly competitive owing to the enormous number of elective posts and the subsequent sensitive transition. As with every other political process, the media bore the heavy responsibility of ensuring free and fair elections.

Among the crucial role expected to be played by the media include watchdog role, dissemination of information, entertainment, education and sensitizing the public to take action including participating in elections. The flow of information is important for the citizen participation in events including voter registration, voting process, reporting transmission of results and election outcome and the media facilitates this. Without a wide array of information, people's opinions, ideas and views would be limited and their impressions, understanding and conclusions of the world around them stunted.

Journalists are in essence interpreters of information and occurrence

significant in their lives and elections are major facets in the complexity of social relations that because they influence liberty, resources distribution, human rights and equity. In this way, the media keeps us focused on the issues that matter in a surveillance-type way.

A number of international and regional bodies have particularly emphasised the role and importance of the media to governance and accountability often realised in liberal societies through open, free, fair and participatory democratic election

The European Court of Human Rights has consistently emphasised that "Freedom of the press affords the public one of the best means of discovering and forming an opinion of the ideas and attitudes of their political leaders. In particular, it gives politicians the opportunity to reflect and comment on the preoccupations of public opinion; it thus enables everyone to participate in the free political debate which is at the very core of the concept of a democratic society."

The Inter-American Commission on Human Rights has recognised that: [Freedom of the press is essential for the full and effective exercise of freedom of expression and an indispensable instrument for the functioning of representative democracy, through which individuals exercise their right to receive, impart and seek information. (Inter-American Declaration of Principles on Freedom of Expression 2000: Preamble) The European Court of Human Rights has also stated that it is incumbent on

the media to impart information and ideas in all areas of public interest: Whilst the press must not overstep the bounds set [for the protection of the interests set forth in Article 10(2)] ... it is nevertheless incumbent on it to impart information and ideas of public interest. Not only does the press have the task of imparting such information and ideas: the public also has a right to receive them. Were it otherwise, the press would be unable to play its vital role of "public watchdog".

The African Commission has highlighted the role of the media in similar terms. In the Declaration of Principles on Freedom of Expression in Africa, it stresses "the key role of the media and other means of communication in ensuring full respect for freedom of expression, in promoting the free flow of information and ideas, in assisting people to make informed decisions and in facilitating and strengthening democracy".

However, in the aftermath of the March general election in Kenya, debate has ensued within and without the media sector on the performance of the media in covering the exercise. Some have applauded the media for its excellent performance and commitment to peaceful election while others have accused the media of self-censorship and therefore failing in its central role of democratization.

Questions have been raised on the conduct of the media during the elections, with some quarters saying the media failed to champion public interest by not questioning the efficiency of the electoral system, particularly the registration of voters,

the biometric voters registers, the automated results transmission processes and failure to cover whistle blowers on the flaws of the electoral system in general. These, they argue, culminated into disputed elections, petitions in the Supreme Court which had media acted responsibly and in good time could have been avoided. It has been claimed therefore that the media was timid in its coverage of the elections in March 2013.

To some, the media was held hostage by the overwhelming public demand for peace thus largely practiced wholesome conflict sensitive journalism to a level of sacrificing the same public interest. That the quest for peace and the commitment to ensure that there was no repeat of the 2007/2008 conflict were key social-political barriers to true media freedom in a democratic process. To others, the media was alive to its social-cultural-political context/environment and engaged in a measured and contextual covered exposition of the national issues freely, adhering to the existing nation laws and administrative election coverage codes so developed by relevant players in the industry. There is a serious need for a dialogue and research on this dilemma of

perception(s) on the role and place of the media during this election a situation that has triggered a fundamental question; what is the role of media in election coverage in post conflict situations in Africa? Following the post 2007 election violence- the media was by large accused by many having been, irresponsible and contributed to the mess - the veracity of these accusations and counter-accusations of about the media during this time contributed largely to the manner in which the media behaved in 2013 elections. Both the Krieglner and Waki Commissions accused the media plus the indictment of a journalist at the ICC in The Hague. The Kenyan media has largely been in self-denial over their performance in the 2007-2008 post-election violence. They were accused of irresponsible journalism characterised by sensationalism, hate speech and for playing divisive politics.

From the media monitoring done by the Media Council of Kenya, which is based against the Code of Conduct for the Practice of Journalism in Kenya, we noted a marked improvement by the media in adhering to the established norms. While there were incidences where the media were

hostages to the usual personality oriented rather than issue oriented presentation of news, there was marked improvement in moderation skills of radio presenters as they played a more participatory role in ensuring constructive discussions during their shows to enhance civic education and information to their listeners. Indeed, we observed that vernacular radio stations were alive to the expected positive role they were to play in fostering constructive discussions. Presenters focused on positive discussions and did not use their shows as platforms to disseminate hate speech. Either due to the many trainings held by the Media Council of Kenya and other players on conflict sensitive reporting and in respecting the guidelines to elections reporting earlier released by the Council and other stakeholders, it was noted that peace journalism is gaining root in Kenya and players in the industry must accommodate it.

Mr Haron Mwangi is the Chief Executive Officer of the Media Council of Kenya. haron@mediacouncil.or.ke

Mr Victor Bwire is the Deputy CEO and Programmes Manager of the Media Council of Kenya. victor@mediacouncil.or.ke

Was it a Shrill Voice or a Muted Voice in the Defence of Public Interest?

Was it a muted and a compromised media performance or was it a responsible media pursuing a social responsibility theory of the press? JOHN GACHIE poses.



In the wake of the March 4th General Elections in Kenya, a vibrant and even at times shrill debate has ranged both within and without the media sector regarding the media's performance, role and responsibility to the Kenyan media consumer. Different views and positions have been expended and at times, with accusatory claims being made that the Kenyan media was compliant and was beholden to certain "dark forces" within and without the state and become handy-maidens of the political class.

The moot point has been that the Kenyan media, in particular the main stream Media (most of them) failed to Defend, Entrench, Serve and Protect Public Interest and sought to engage in the Manufacture of Public Consent under the guise of Media Social Responsibility Theory and in the process engaged in censorship or became complicit and or allowed themselves to become Praise-Singers in the search of National Cohesion/Unity and or became Peace-Mongers.

To some, the Kenyan media was held

hostage by default and even by design if not by Commission by a nebulous and untried concept – Conflict Sensitive Reporting – that seeks to numb or control and imbue within the Media Corps – the Cardinal Role of the Media – Social Accountability and Transparency by all and sundry in the Defence of Public Interest.

To others, the Kenyan Media was alive to its social-cultural-political and economic context and engaged in a sober and contextual exposition of the national discourse devoid of conflictual narrative that has been framework and prism through which the Kenyan media had hitherto been accused of.

However, one thing is clear and certain, the Kenyan media did not and were not keen to be so adjudged and accused this time around the veracity of the accusations notwithstanding.

If the media was compromised – why, when, how and by whom – rather, if so, was this state by consensual or by threats – state or commercial or by political and or ethnic affiliations and was out (or due to) of unethical and unprofessional conduct?

If by Social Responsibility Theory of the Media and consent – why, when, how and by whom what was the social-political and economic imperatives?

Indeed, is there a historical context of the Kenyan media having been accused of having been irresponsible?

What is the role of the media in society – What is expected of the media in national debate – especially



A photographer at work during the Election Day.

so, in the exercising of political, democratic and power competition and public outreach and education and ultimately, in conferring legitimacy to the governance, power assemblage and projection and finally, in empowering the public with actionable, accurate, appropriate and context knowledge and intelligence if not information (news)?

In the post- December 2007 general elections and the subsequent post-election violence that consumed the country shortly afterwards up- early months of 2008 – the Kenyan media was adjudged by many as complicit, by others as irresponsible if not active in fanning ethnic violence by their performance and lack of thereof – indeed, the media sector and in particular, journalists are still furious with these accusations of partisanship and complicity and have never really accepted their complicity – instead, insisting that Kenyans were engaged in national scape-goating and wanting to killing messenger to atone for their individual and collective guilt.

The veracity of these accusations and counter-accusations of media complicity notwithstanding and despite their being alluded to, and isolated by both the Kreigler and Waki Commissions including the induction of a journalist at the ICC in The Hague, the Kenyan media has largely been in self-denial over their performance and lack of in the 2007-2008.

The Kenyan media under Pressure

The Nairobi Round Table Recommendations of February 12th the 2008 published by a consortium of

international and local media support organisations rapid response investigation report was categorical – The Kenyan media performance was less than exemplary indeed, it was adjudged as having been plagued by a litany of unethical and unprofessional misconduct and verged on the brink of professional partisanship and piracy that almost brought the country to the brink of a precipice.

It was a very harsh Judgment (perhaps), that the Kenyan media has persistently sought to deny complicity and keenly aware that they must strenuously guard against in any future accusations – sadly, the Kenyan media has as yet to arrive at the right mix – at least not with the claims of their lack of courage and or conviction this time round.

However, one thing is clear and certain, the Kenyan media did not and were not keen to be so adjudged and accused this time around the veracity of the accusations notwithstanding. The media in a democratic society is expected to provide – a platform, a view, an alternative, a sounding board in which to interrogate the salient issues in a national debate without fear or favour. But most importantly, in a fair and balanced manner devoid of bias and partisanship paying homage to facts – to do otherwise, is to enter the realm of truth well-told or advertising or propaganda which is the domain of manufacturing consent, an entirely different profession from journalism.

*Mr John Gachie is a Media Consultant/Trainer.
gachie_john@yahoo.co.uk*

How Scribes Were Caught Between a Rock and Hard Place

The complexity of the 2013 elections and harsh lessons from the 2007/8 post-election mayhem posed serious challenges to journalists. As ERICK ODUOR reports, this situation conflicted with their watchdog role while covering the historic elections.

Starting from condemnations that landed radio presenter Joshua Sang at the International Criminal Court, facing charges of crimes against humanity alongside President Uhuru Kenyatta and his deputy William Ruto, journalists exercised self-censorship that in some instances whittled down their role as 'eyes of the public'. While journalists have been blamed for not pointing out anomalies during the tallying of presidential votes at the Bomas of Kenya, campaigns for a united Kenya and responsible media by State and non-state actors piled pressure on members of the Fourth Estate.

"Apparently due to the ugly background of the 2007 elections, the media was notably self-restrained in covering heated issues touching on lead presidential candidates, to a point of self-censorship. An example is when Uhuru Kenyatta and Raila Odinga squared off on the issue of land, coverage and analysis across the board was visibly subtle, especially when the Police and NCIC warned the issue was sensitive," said Maina Muiruri, Managing Editor of The People newspaper.

Campaigns by police and the National Cohesion and Integration Commission that identified sensitive issues as land, placed journalists in a catch-22-situation when the country's interests clashed with their professionalism. For example, journalists were confined to projecting results from the IEBC system despite failures as well as heavy investment by majority of media houses in equipment and state-of-the-art studios to rely results from polling stations in



real time.

Kenya Association of Manufacturers [KAM had warned investors were monitoring closely through the media campaigns and preparations for the March 4 General Election and irresponsible media could hurt the economy. KAM's CEO Betty Maina told an investors' meeting in January that some were holding back their investment plans and monitoring events in the country through the media.

The polls were also complex being the first under the new Constitution and exposed journalists to unprecedented challenges like proper interpretation of several pieces of legislation to present accurate stories within fixed deadlines. For instance, journalists worked under intense pressure to meet tight deadlines in the wake of prolonged process of going through various election laws as well as looking for experts to interpret them before filing their stories. Unlike in

previous elections where there were few laws governing management of polls, the new Constitution introduced various laws, needing more time for research and interpretation. Among such laws include Elections Act, Political Parties Act, IEBC Act and devolution, which journalists had to be familiar with.

Devolution also presented a new dimension in the country's politics that required special attention amid limited resources and space. This presented a challenge to editors and sub-editors required to allocate equal space to cover all the 47 counties.

"The magnitude of the six-tier election meant we could not cover all regions, participants and issues adequately. Eight presidential candidates, most of them fanning out their campaigns on choppers were hard enough to keep up with, not to mention 47 counties, 290 constituencies and other campaign stakeholders like IEBC, other State agencies and observers. A

The journalists were clobbered and lost a camera, memory card and cash

lot that happened in this General Election is yet to be told. Majority of elected Members of Parliament are still strangers to Kenyans, we continue to dig out information on them because they were never covered during campaigns," said Mr Maina.

Journalists were also subjected to hostilities orchestrated by political players and Government agents during the campaigns and some even lost valuable equipment. In the run to political parties' primaries and after some journalists were victims of violence directed to them by state security agents and politicians. For instance, police officers unleashed terror on Nation Media Group journalists in the politically charged Kibera slums. The journalists are still waiting for justice, as investigations are still ongoing.

A journalist who asked not to be named was on assignment in Kibera when the officers descended on them to protest media coverage of confrontation between them (officers) and supporters of Orange Democratic Movement, a day after chaotic party primaries. The journalists were clobbered and lost a camera, memory card and cash.

Like other professionals, journalists are not immune from infiltration by quacks and security agents especially in an election year, where crooks take advantage of unsuspecting politicians and the public to engage in unethical practices. While the Media Council of Kenya has been accrediting journalists across the country to weed out quacks and instill discipline, campaign rallies and press conferences called by political players attracted dozens of fake newspeople who take advantage to engage in unprofessional activities. For instance, during the launch of The National Alliance, at the Kenyatta International Conference Centre and release of Jubilee coalition election manifesto, journalists were accredited journalists to bar crooks from infiltrating the functions. Journalists also complained of security agents who masqueraded as members of the Fourth Estate. These security agents monitored the work of journalists and

in some cases followed them to social places to gather intelligence reports. These acts infringed on the privacy of journalists and prevented journalists from discharging their duties. In Parliament for instance, journalists protested when the Media Centre was invaded by security agents who exposed their work to a third party without their consent.

Media ownership and open support for various media outlets opened floodgates for intimidation and segregation of journalists over perceived bias. For example, when Royal Media Services proprietor SK Macharia was named a member of the CORD Summit for, Citizen TV crew started experiencing hostile reception from supporters of other political parties. Royal Media Services journalists were denied access to Moi Avenue Primary Polling station by suspected supporters of The National Alliance (TNA) because the station was deemed to be supporting CORD presidential candidate Raila Odinga. The journalists had arrived at the polling station during the TNA nomination before the unruly party supporters charged towards them, branding them traitors.

Whereas journalists tried to remain professional and impartial in their work, political actors associated them with positions taken by investors. "Our media house met hostile reception in some instances when covering the CORD side, due to apparent perception of being associated with Jubilee candidate Uhuru Kenyatta. On the day of presidential nominations at KICC, CORD candidate Raila, after being cleared, gave short interview to TV teams present, but on reaching the K24 desk, his media team shepherded him away, despite him showing willingness to speak in the live coverage," observed Mr Maina. UDF supporters nearly ejected

Mediamax and Citizen journalists from a press conference at the party headquarters in Nairobi on claims they were affiliated to Jubilee and CORD respectively. Mediamax owns K24 television station, The People newspaper, Kameme FM, Meru FM and Milele FM. A journalist who attended the function recounted how party supporters charged at them, branding them as Raila and Uhuru stations. Mediamax is associated with President Uhuru Kenyatta.

Political parties also restricted journalists from accessing some areas during the campaigns especially near podiums from where politicians addressed gatherings, making it difficult for photojournalists to get perfect shots. In addition, some political parties, for example TNA procured signal distributor, barring TV stations from directly covering their events, leaving them at the mercy of event organisers. This made it difficult for journalists to get out of their way to go for pictures during the live event.

Fatigue also affected the performance of journalists towards the end of the election period, where some worked for long hours and moved from one place to the other to file reports. Movement characterised by scorching sun and poor infrastructure also exposed journalists to exhaustion. Journalists reporting from the national tallying centre at the Bomas of Kenya spent close to five nights instead of a maximum of two that had been envisaged had the Independent Electoral and Boundaries Commission of Kenya released results as earlier planned.

When the release of the results delayed, journalists extended their work at Bomas to keep updating the public. This happened hot on the heels of a grueling campaign covered by the same journalists for over one year since politicians hit the campaign trail as early as January 2012 in anticipation election would be held in August as the Constitution had set before the High Court moved it to March 2013.

Mr Erick Oduor works at The East African Newspaper. oduorerick@gmail.com



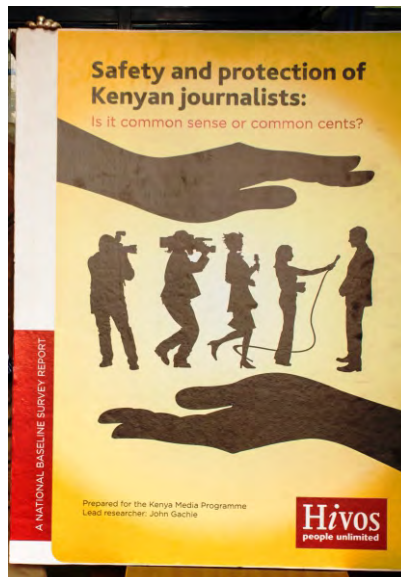
Kenyan Journalists Still at Risk

The working environment for journalists and media workers in Kenya is increasingly becoming hostile. VICTOR BWIRE advocates for the development of a comprehensive national safety and protection training program for journalists.

A new study has revealed that the working environment for journalists and media workers in Kenya is increasingly becoming hostile with 91 percent of journalists working for local media houses indicating having faced security threats in the course of their work. The Attacks against and harassment of journalists with nearly 40 % coming from politicians calls for urgent attention from both State and non-State actors if press freedom is to be guaranteed in the country.

Participants in the study that had 282 journalists revealed that more than 50 % of respondents had received threats at once in their working life, which according to the study was "a confirmation that journalists are increasingly working in a hostile environment in Kenya".

In the study entitled "Safety and protection of Kenyan journalists: Is it common sense or common cents?" commissioned by the Working Group on the Media and undertaken by the Media Council of Kenya released on 2nd May, 2013 to mark the World Press Freedom Day, it was disclosed that more than 70 per cent of the journalists in Kenya are dissatisfied with the level of safety and security measures accorded to media workers in place



it was disclosed that more than 70 per cent of the journalists in Kenya are dissatisfied with the level of safety and security measures accorded to media workers in place by their media houses.

by their media houses.

According to the report, "not many of the respondents were satisfied with the response mechanisms for complaints and they did not trust that their complaints would be adequately addressed because most editors and employers were ranked very highly as sources of threats to journalists".

That 62 per cent of the journalists reported receiving threats at least monthly, 35.8 % receiving threats twice in a month while 27 receive several threats in a month is a clear testimony that there is an urgent and immediate need for media houses to put in place safety and protection measures of journalists and other media professionals. Similarly, the study notes that the security agencies in Kenya need to thoroughly investigate cases involving harassment and attacks against journalists while at the same time asking stakeholders to develop a safety protocol for the safety of journalists.

Respondents say "the concern that if something is not done in time, the harassment of journalists will become the norm and lead to self-censorship and eventually thwart the spirit of media freedom and freedom of expression".

James Wakahiu, a victim of aggression says "the aggression started by receiving threatening messages about a story I had done on the International Criminal Court cases, first as short text message via my phone, followed by an email to our newsroom before they missing me several times visited our offices threatening to bomb it".

Among the reasons cited as major challenges facing journalists in Kenya is lack of or inadequate facilitation for journalists while in the course of duty, poor pay and wanting working conditions, working under managers who were not trained journalists, and, in some extreme cases, taking instructions from unethical editors. The findings suggested there wasn't enough public and official awareness of the safety and protection concerns of media practitioners. The lack of awareness was reported to be at both the journalists and non-journalists levels.

Among the findings was that the use of ICT had exposed journalists to extreme safety and security risks. The most reported cases of threats in Kenya were through mobile telephony - mostly text messages and phone calls.

Safety and protection of journalists and media practitioners was not part of the public discourse, thus pointing to an urgent need to highlight the issue. The available support mechanisms were found to be inadequate, ad hoc and largely unknown to the majority of journalists who needed them. The existing support initiatives seemed to focus more on the upstream, employed journalists covering big investigative stories.

Media Council of Kenya CEO Haron Mwangi says the findings are valuable in the sense that they provide baseline information on the safety of journalists, which forms the basis of interventions industry players will put in place. Mwangi

says "we have picked up some of the recommendations from the report and started implementing some at the Council. We already done some trainings on safety and protection for journalists, set up a safety fund, a hotline and web based alert system for journalists in distress in Kenya".

The Council has already conducted two 2-day basic trainings courses of total 280 journalists on safety and protection before elections. The themes included Law, etchics, risk management, first aid, and elections reporting in Nairobi and Kisumu.



Members of the Media Council of Kenya with the Standard Group CEO Mr Sam Shollei (second from right) during the launch of a study on Safety and protection of Kenyan journalists at this year's World Press Freedom Day.

The trainings targeted both mainstream, community and alternative medai workers, reporters, correspondents and freelancers and consideration given for gender balance. The 280 journalists who underwent the training have been equipped with medical kits. This was intended to enable the journalists, who in most cases are the first people on crime scenes or when they are injured, to conduct basic first aid on the site.

Similarly, the Council has established a rapid response mechanism for journalists in distress and danger- This include a hotline (0702222111), webbased alert system (freedom@mediacouncil.or.ke) and an emergency fund for small quick disbursements. In addition, we organised a media and security dialogue in Kisumu where the

leadership of the police and district security committees attended and shared challenges affecting media and security relations.

Majority of respondents who reported receiving work-related threats linked them to politicians and political goons, and some unethical editors.

Evidently, safety and protection of journalists and media practitioners was not part of the public discourse, thus pointing to an urgent need to highlight the issue.

The available support mechanisms

were found to be inadequate, ad hoc and largely unknown to the majority of journalists who needed them. The existing support initiatives seemed to focus more on the upstream, employed journalists covering big investigative stories. From the study, it is apparent for stakeholders in the industry to develop a common charter and agree on a national protocol and safety and protection standards, develop a comprehensive national safety and protection training program, engage in public awareness activities on the issue and mobilise resources to support the implementation of this integrated national safety and protection programme be mobilised.

Mr Victor Bwire is the Deputy CEO and Programmes Manager of the Media Council of Kenya. victor@mediacouncil.or.ke

Journalists could not be judge and the jury in last polls



Did we fail in our role? Absolutely not! ANNE KIGUTA holds the thought while also asking the media to do better in the next polls.



member of CORD's top organ, Summit. Mr Macharia had also declared his support for former Prime Minister Raila Odinga and vowed to support him through his media outlets. I am also reminded of a presser by former Vice President Kalonzo Musyoka where he claimed votes cast in some constituencies outstripped registered voters, but on cross-checking by the media it turned out he had misled Kenyans.

Further, I made reference to the fact that in many ways the Fourth Estate did this country a great disservice in

the last elections. And in part, our poor editorial judgement was because we hadn't witnessed violence on that scale before. There didn't exist a "how to" manual in as far as covering the bloody aftermath of the bungled poll. The jury is still out on how far we contributed to the spread of tension and violence. And of course a Kenyan journalist Joshua arap Sang is facing charges of crimes against humanity at the International Criminal Court. Since that article was published, I have had opportunity to read various opinions where the authors essentially said the 2013 elections was where Kenyan journalism died. What a loss for the continent and the world? The uniting thread in all these articles is we did not question the preparedness of the Independent Electoral and Boundaries Commission (IEBC), nor its technological failures and neither did we air CORD grievances. "Erring on the side of caution," wrote Michela Wrong.

But these claims are not true. There were various occasions during which we called out the IEBC on its failures even before the election began. In fact, video clips from various news bulletins attesting to the same, formed part of the evidence before the Supreme Court in CORD's election petition. Various deadlines were missed by the IEBC from the commencement of the civic education period, duration of voter registration and there was the questionable procurement process. Why do you know about all these

A week after the March 4 General Election, I congratulated my colleagues in the industry for a job well done. Not a perfect job but given the circumstances, pretty good. This was an unprecedented election after a highly divisive poll in 2007 during which the media was castigated for promoting negative ethnicity and airing pictures that fuelled violence.

In my article published by The Nairobiian, a publication of the Standard Group, I made reference to the following: First I pointed out that the CORD coalition, which spearheaded criticism of the media, was not honest. The coalition claimed the media did not cover their grievances. Also they were unable to answer rights activist Maina Kiai's question regarding how they could allege media bias against them when Royal Media Services CEO S.K Macharia was a

I have profound respect for some of my western counterparts. I have watched many of them in admiration as they report on conflict situations or conduct interviews. But there is another ilk of foreign correspondents who must wake up and smell the coffee.

things? Because the media covered them. How do you know about CORD's complaints over the electoral process? Because the media covered it.

What is annoying is the kind of activism that many writers have implied Kenyan journalists should have been part of. One article said we "backed whoever took an early lead." How so? By reporting he was in the lead? I was on air the night various party officials were kicked out of the IEBC tallying hall. CORD held a news conference and all the parties held a joint news conference. The media aired it. It wasn't live but it was aired. Who said such pressers must be live? When did live news coverage become of higher editorial integrity than packaged news? I wonder what exactly our critics expected us to do. I am yet to read an opinion that says the Fourth Estate should have done this story a certain way.

One writer says when Mr Odinga announced he would challenge the results at the Supreme Court, media houses cut him off to air President Uhuru Kenyatta's victory speech. I was on air that Saturday. First, Raila had finished his statement and answered a few questions when Mr Kenyatta began his speech. Now which has more news value? We had broadcast the fundamentals: Raila won't concede. That was no longer news. But a reaction from President-elect was equally important. Bottom line: We gave both sides of the story. We questioned what was going on but at the end of the day, the media cannot say an election shouldn't proceed because the IEBC missed deadlines. Neither is it for us to be judge and jury and decide the failure of the electronic kits made the exercise a sham.

One critic's headline read: "The most useless exercise in Kenya." Come now. Forgive me but it seems the writer was implying that based on 2007 and March 4, an election

would only be useful if Mr Odinga won. Folks we watched the vetting of judges. We watched the judicial reforms and lauded them until the point we didn't get what we wanted. It was for the Supreme Court to decide whether the election was valid or invalid - not the media. We think media is larger than life and can achieve anything. The truth is beyond reporting the facts, there isn't much more we can do. It is up to citizens to choose how to act on what we broadcast.

On the question of reportage of violence my position hasn't changed since my first article on this subject was published in March. "Editors must balance between public interest and public good." And let me add it is sometimes an impossible responsibility editors face. We cannot continue to air violence and expect it will not precipitate more violence. I don't know about foreign journalists but it is within reason to argue that should this country burn to the ground, they will be whisked away by their governments (using our security by the way) and report on Kenya from their South Africa bureaus. You and I will be left here to burn with it. Those are the hard facts. My interests are in the stability of Kenya. Period. I am not ashamed of this position. I too have a role in our country's development. That does not mean we turn a blind eye to what is going on but we must always have this question in mind: Public interest versus public good. And by the way, when did a desire to promote peace and cohesion become such a bad thing and unjournalistic? And while some say self censorship "reveals a society terrified by its own capacity for violence" I say self censorship is evidence that the media in Kenya has finally come of age. We set our own agenda. It is no longer dictated to us. We are responsible and can regulate ourselves.

I have profound respect for some of my western counterparts. I have

watched many of them in admiration as they report on conflict situations or conduct interviews. But there is another ilk of foreign correspondents who must wake up and smell the coffee. Ask yourself: Why do our holier-than-thou foreign counterparts black out dead bodies and stay away from alarmist headlines when reporting bloody events in their countries but seem to have no problem doing it in Africa? Why were the Boston bombings not reported as "Violence in America" while a bomb attack in Nairobi was headlined "Violence in Kenya" as if the entire country had turned on itself?

Kenyans have rightly taken exception to the deliberate pursuit of a bloody agenda by a section of the foreign press. Why do they no longer recall their brutal civil wars, slavery or bigotry? Countries like America have a democracy that is more than 100 years old. We only have half their experience and have produced a world class Constitution. For all their failures, the IEBC ran a mammoth of an election when it was barely two years old. Does the institution need reforms? Certainly!

My point is we are not perfect as an industry or a country but we have performed better than the naysayers with fewer resources and time than they had. Remember we have only had a free press for a little over a decade and look how far we've come. I believe what we've achieved makes some a little nervous.

Could the media have covered the elections better? Yes. I am the kind of person who watches recordings, takes notes and does some soul searching. We must do better next time because failure to grow is death. But did we fail in our role? Absolutely not!

Ms Anne Kiguta is a News Anchor at KTN.
annekiguta@yahoo.com



When Crowds Mattered Most: My Experience Covering the 2013 Elections

'The crowd' in a television news report was very sensitive when covering presidential candidates. As ALEX CHAMWADA found out, the sensitivity narrowed down to two main rivals.

How big was the crowd there? That is the question most viewers or put it this way followers of presidential candidates would ask as they monitored television news during campaigns in the run up to the March 4th 2013 elections. 'The crowd' in a television news report was particularly most sensitive when covering presidential candidates. Interestingly, the sensitivity was most glaring or rather it narrowed down to two main rivals, Uhuru Kenyatta of the Jubilee Alliance and Raila Odinga of the Coalition for reforms and Democracy, CORD.

If I covered a rally and filed a report that had talking heads with little colour and minimal cut aways of cheering crowds may be because of pressure for time, I would be in trouble. The candidates and their followers would take it badly seeing it as a deliberate move to 'finish' them. I would be attacked on social media or called directly by them. Others would complain to my editors. The good thing is that whatever went on air as news was a product owned by the editorial team and where possible we would respond to criticism appropriately.

If I covered a rally and filed a report that had talking heads with little colour and minimal cut aways of cheering crowds may be because of pressure for time, I would be in trouble.

To a large extent, issues were not as important as crowds in the eyes of politicians and their followers. But as a journalist I learnt to strike a balance between the two and in consultation with the news producers we would at the end of the day be guided by news values. My counterparts in the print media and radio, I guess, had a much more easier time tackling issue than giving more attention to attendance.

Politicians, their followers and viewers at large do not understand what it takes to have a three minute or five minute news item on air. A campaign rally for example ends a half past seven in the evening, close to the news bulletin and they expect to see a well-packaged story. Unfortunately may, that candidate's main competitor's rally ended an hour earlier. What would happen is that the reporter in the rally that ended an hour earlier would have enough time to package a better story than that who was in the rally that ended late. Depending on distance, the story could even fail to make it in the bulletin because of slow internet network or simply because the area has no network at all. You can imagine the consequences!

That leads me to the next issue of technology. Yes modern technology made my work easier, but could also be a let down. When I first covered elections for the Kenya Broadcasting Corporation in 1997, we did not have the luxury of modern technology. A tape had to be rushed to the station physically. A function covered in Busia for example would be aired a day or two days later because the tape

would have to be sent to Nairobi by road. On Election Day, I was in Turkana and to file a report, I had to rush to the nearest telephone booth with coins in my hand or ask for reverse call to be recorded before the report can be aired. Come 2013 elections, I could go live from any location using a mobile phone as long as there was network. My crew and I could also send video clips via internet directly to our server in the station. We able to cover several events live using mobile outside broadcasting vans.

However, technology is not everything. There was a day I wanted the earth to swallow me when I covered an eagerly awaited CORD campaign rally in Kapkatet one week to elections, packed the story but where I was sending it, the internet was terribly slow such that a

and the anchor had to tell the viewers that the CORD story would come shortly. It made it much later, towards the end of the news bulletin. In such a scenario, I got condemnation from both sides. The cord followers thought I had sabotaged the story while the Jubilee team thought Citizen TV had deliberately dilly-dallied on the story because the CORD team did not get a good reception in Kapkatet, so the station was saving them from embarrassment.

Above all, Royal Media Services suffered a perception problem. Jubilee supporters felt our coverage was skewed in favour of CORD. However, this perception in my view could not be justified in terms of content but just because RMS chairman Dr. S.K. Macharia was supporting the coalition. The

online editions of mainstream media and social media like face book and twitter; media through the news would be reported as it happened while in most cases I would be waiting for Prime Time news for my item to be aired. So New Media would scoop me to the extent that if I were not creative enough my item would be stale by the time it is being aired. However, on the flipside, that did not kill television because, at the end of the day, the masses wanted to see the real picture, which may not be easy to bring out in New Media. For me, I blended my reporting with analysis and background that would not be found in snippets of news on social media. Save for mainstream online editions, news on social media also would be distorted and ensuing debates would make it worse in blurring the news, hence that category of media lacked authority. A lot also in social media bordered on propaganda rather than substance.

As a journalist, there is however a way in which I would benefit from the social media. I would get a feel of what is trending and what people feel about a story and decipher various reactions that could even inform my story at the end of the day. I would incorporate some of the reactions in my story. I would also post my updates on my twitter handle and my Facebook page and get immediate feedback that gave me inkling into what my followers think. During the campaign period the number of my followers on social media increased tremendously.

Talk of my experience covering elections and I cannot leave out 'chopper journalism.' Royal Media Services occasionally facilitated reporters to access certain news locations by choppers. This sent a message of show of might in not only in the media industry but also among viewers. It was an exciting experience to land in remote places by the chopper with curious crowds waiting on the ground to receive you. The advantage of using the



Alex Chamwada reporting at a political rally in Nakuru.

five minute clip that would ordinarily take about ten minutes to send was going to take about one hour to send. That day CORD competitors, the Jubilee team, was in Meru and the reporter there had sent his package already. There was so much pressure from my editors to explain what happened, why I did not begin sending the story early enough, why I did not rush to Kericho for better network and so on. Now, the Jubilee story was aired

problem with perception is that whatever you do is viewed within that context. For instance when there was a technical error on a jubilee story or the story delayed genuinely, Jubilee viewers would always feel it was a deliberate attempt to tamper with the story.

Then the significance of New Media. As I covered politics as a television reporter, I was aware that I was competing with bloggers,

chopper is that one can access as many locations as possible within a short time; one can access remote areas where it may be difficult to access by road and your cameraman can capture unique aerial shots. But is not well organized, your competitor on the ground travelling by car could scoop you. Why? Because you may spend so much time in the air where there is no network coverage while your competitor on the ground is able to file quickly their story as it happens. (It is not easy to process and file a story while airborne).

When I covered political party nominations in January in the Western region in the country via the chopper, I did well on day one, stealing the show by my dramatic showbiz with the chopper. But on the second day, the show was not mine. Chaos erupted in Homabay over bungled ODM nominations. Citizen TV did not have a correspondent on location as I was expected to cover the region via chopper. By the time we left Wilson Airport around ten am, chaos had run for about an hour with our competitors having a field day. We looked bad on air! By the time I landed there, chaos had subsided and whatever I filed was already stale. So, the chopper is not everything!

My experience would not be complete without mentioning that I felt we became conveyer belt rather than watchdogs as political reporters. We reported political rallies as straightjacket reporting as investigative journalism took a back seat. I feel politicians violated electoral laws, bribery was taking place, hate speech was rampant, candidates ferried crowds to venues specifically to make an impression and some floundered in speeches and others made sweeping statements that needed to be countered by facts. We needed to be bold to expose politicians taking

Kenyans for a ride.

The coverage of the real election from voting, tallying, announcement of results to the post election petitions and the Supreme Court ruling is another whole chapter on its own. But just in a nutshell, there was stiff competition especially in live coverage among major stations, all was smooth as a journalist I feel I worked under a very peaceful environment as compared to the chaotic 2007 elections. Some have congratulated the media for a job well done especially in terms of exhibiting responsibility that contributed to that peaceful election. However there are those who feel we were too cowed up to tell the truth and expose electoral weaknesses and goofs by the Independent Electoral and Boundaries Commission. Some feel that media preached peace too much at the expense of justice. All that in my view is debatable.

Finally, one would probably want to know how I balanced between my social life, my family life and work during the busy campaign period. It was actually a period where I never knew where I would spend the next night. In fact in my car, I always had my traveller's bag packed with casual wear and toiletries just in case I did not go back to the house. However, my wife and children understand my work and I tried to make up time for them whenever there was an opportunity. I would be the one dropping kids to school and picking them later whenever I get some time off. I would always keep in touch with my wife on phone and keep providing whatever the family needed. I never allowed work to kill my love for family.

Mr Alex Chamwada, O.G.W, is an Associate Editor at Citizen TV and specialises in political reporting and analysis.
achamwada@royalmedia.co.ke





KENYA'S FINEST JOURNALISTS

Celebrating



ANNUAL JOURNALISM EXCELLENCE AWARDS (AJEA) 2013

The Media Council of Kenya runs the Annual Journalism Excellence Awards [AJEA] awards to coincide with the World Press Freedom Day celebrations. The awards endeavour to identify, acknowledge, inspire, support and promote media excellence in Kenya.

The Media Council of Kenya congratulates the AJEA 2013 winners



Nyambega Gisesa
Journalist of the Year Award

Journalist of the Year Nyambega Gisesa [centre] savours his victory with Media Council of Kenya Chairman Joseph Odindo [left] and Media Council of Kenya CEO Haron Mwangi.



David Herbling
(Business Daily) - ICT and Telecommunications Reporting Award [Print]



Janet Rop
(KNA) - ICT and Telecommunications Reporting Award [Broadcast: Television]



Hebron Kinyoda
(KNA) - ICT and Telecommunications Reporting Award [Broadcast: Television]



John Nene
Winner (BBC)-ICT and Telecommunications Reporting Award [Broadcast:Radio]



Rose Wangui & Wambui Kurema
(NTV) -Children and Youth Affairs Reporting Award [Broadcast: Television]



Diana Wanyonyi
(Baraka FM)-Children and Youth Affairs Reporting Award [Broadcast: Radio]



Brigid Chemweno
(Standard Newspaper)- Gender Reporting Award [Print]



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The Media Council of Kenya congratulates the AJEA 2013 winners



Angela Mueni Katusya
(KTN) - Gender Reporting
Award [Broadcast: Television]



Joyce Chege
(The Star Newspaper) -
Environment Reporting
Award [Print]



Violet Otindo
(Citizen TV)-Environment
Reporting Award
[Broadcast: Television]



Lynace Mwashigadi
(Pwani FM) -Environment
Reporting Award
[Broadcast: Radio]



Thorn Muli
(The Standard)- Sports
Reporting Award [Print]



Michele Katami Guda
(Kiss TV) -Sports Reporting
Award [Broadcast: Television]



Grace Wekesa
(Standard Media Group)-
Arts and Culture Reporting
Award [Print]



Nyambega Gisesa
(Daily Nation)
Tourism Reporting Award [Print]
Good Governance Reporting Award [Print]
Young Journalist of the Year Award [Print]
Reporter of the Year Award [Print]



Thomas Mukoya
(The Standard) -Photographer
of the Year Award



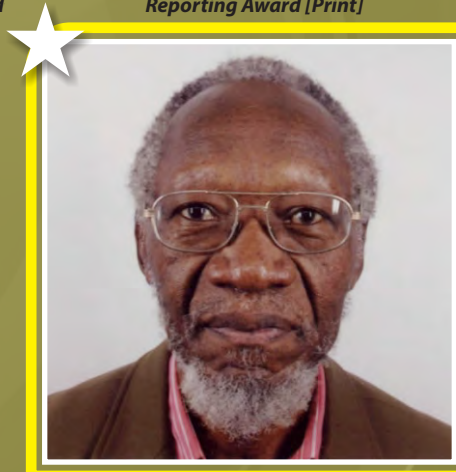
Michael Munene
(The Standard) -Cartoonist
of the year Award



Jevans Nyabiage
(The Standard) Business
Reporting Award [Print]



Bella Genga
(Kiss TV) -Business Reporting
Award [Broadcast: Television]



Hillary Ng'weno
Lifetime Contribution in
Journalism Award



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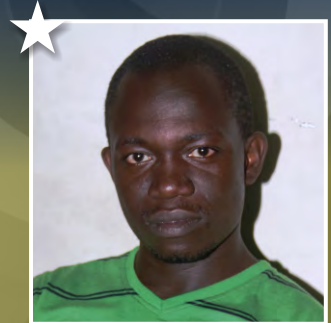
The Media Council of Kenya congratulates the AJEKA 2013 winners



Asha Mwilu & Dennis Onsarigo (KTN)
*Good Governance Reporting Award [Broadcast: Television]
Reporter of the Year Award [Broadcast]*



Mashirima Kapombe
(NTV)-Young Journalist of the Year Award [Broadcast]



Eugene Osidiana
(K24 TV)-Cameraman of the Year Award



Joy Wanja
(Daily Nation) - Health Reporting Award [Print]



Marie Yambo
(KBC)-Health Reporting Award [Broadcast: Television/English]



Judie Kaberia
(Capital Group)- Digital Journalism Award



Smriti Vidyarthi - Mohindra
(NTV)-Television and News Bulletin Award

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Why foreign media covered the elections with their minds *made up*

The run-up to the polls was characterised by amplified fuss over the behaviour of foreign press. However, as PETER MWAURA explains, the Western media covered the March 4th elections from the point of view of their countries foreign policy and relationship with Kenya.

In an article titled "Confessions of a foreign journalist" published in the Sunday Nation of March 17, 2013, Michael Holman, a London-based journalist, said that Western journalists anticipated violence that failed to materialise, identified "flashpoints" that didn't ignite, and were baffled by the bloodshed that never took place during the general elections that took place in Kenya on March 4th.

"Western commentators and columnists, foreign correspondents and analysts, experts and insiders, academics and ambassadors, we all, in our different ways, got it wrong," he said.

The foreign media, in particular the British and the American, got it wrong because of the way foreign journalists have traditionally covered Africa. In general, the foreign media report Africa through convenient stereotypes and biases. They bring to the coverage their governments' foreign policy, as well as their readers expectations and needs. It does not matter whether they are covering elections or other social issues such as poverty.

In an article titled "Hiding the Real Africa" published in the March-April 2011 Columbia Journalism Review, Karen Rothmyer, who until February 2013 was The Star public editor, writes that US journalism continues to portray a continent of unending horrors. "Last June, for example, Time magazine published graphic



Ugandan president Yoweri Museveni delivering a speech in Kenya at a national event.

pictures of a naked woman from Sierra Leone dying in childbirth," she writes. "Not long after, CNN did a story about two young Kenyan boys whose family is so poor they are forced to work delivering goats to a slaughterhouse for less than a penny per goat."

She states that this attitude in reporting Africa goes back to the 19th century when the New York Herald sent Henry Stanley to central Africa to find David Livingstone. The famous explorer had in 1864 returned to Africa to find the source of the Nile River but for years little was heard from him or his whereabouts. "Reporters' attraction to certain kinds of Africa stories has a lot to do with the frames of reference they arrive with. Nineteenth century New York Herald correspondent Henry M. Stanley wrote that he was prepared to find Zanzibar 'populated by ignorant blacks, with great thick lips, whose general appearance might be compared to Du Chaillu's gorillas,' she writes.

Rothmyer, who is now a visiting fellow at Cambridge University, further explains: "In Kenya, where I was a Peace Corps volunteer in the late 1960s and where I returned to live four years ago, The New York Times description of post-election violence in 2007 as a manifestation of 'atavistic' tribalism carried echoes of Stanley and other early Western visitors."

The Henry M. Stanley mentality is today manifested in terms of the Western countries national interests as well as their relationship with the African country concerned. There is what is now called the "CNN effect", or the theory that the Western media reflect, and affect, the foreign policy of their countries. This is so because the media informs the public, creates public awareness and prejudices, and informs public policy. The reverse is also true as the media reflects the needs and wants of their society or the influential people in their society.

At a very simple level, the "CNN effect" explains why it is almost



What with the government fuss on the performance of foreign press?

impossible to find a story about Uhuru Kenyatta published in the Western media during and after the March 4th elections which did not carry the appellation "ICC indictee", "indicted of crimes against humanity", or such epithets, very high up the story, often in the lead. For example, early in May, when Uhuru was invited to the United Kingdom to attend a UK-Somalia donor conference, the British media employed the epithets every time there was a Kenyatta mention. The British broadcasting organization, Sky News, even went further when it described Kenyatta as the "criminal president" in a headline. Kenyatta has not been tried leave alone found guilty; he faces trial at the International Criminal Court (ICC) over his alleged role in orchestrating violence after an election in 2007.

Of course, the foreign media is also afflicted by the tendency on the part of their correspondents to look for easy sources of information that require the least effort. And often the media carry stories that are not properly contexted, exaggerated or false. A famous example is the story -'Armed as Kenyan vote nears'- that CNN broadcast on March 1 about an armed militia preparing for violence, which many Kenyans deemed to be overblown and incendiary.

All the same, the Western media covered the March 4th elections from the point of view of their countries foreign policy and relationship with Kenya. Their coverage confirms the view that the mass media have become important instruments in foreign policy formulation, which is driven by national self-interest.

Mr Peter Mwaura is a Senior Lecturer at the Department of Communication and Journalism, Kenya Methodist University and a member of the Media Council of Kenya's Complaints Commission.
gigirimwaura@yahoo.com

As journalists file their stories, internal conflicts and complex international pressures are bound to arise. Moreover, objective media practice does not need justification for its existence since its service to society is justification in itself.
TOM OLANG' explores.

As far as giving a report card of the Kenyan media's performance in the 2013 General Elections is concerned, there have been mixed opinions, with one side feeling the Press lapsed into a 'loud silence' and others feeling the media was largely balanced in covering the exercise and the issues surrounding it. During the 2013 regional journalists' convention, the Media Council of Kenya Chair, Joseph Odindo, defended the media, stating that they conducted themselves responsibly and played an active role in propagating peace in the country to avoid a repeat of the 2007/2008 scenario when the Fourth Estate contributed to the polarization of the country. Granted, the media was considerably active in calling for a peaceful election in the run-up to the historical polls and during the polls, but there is a tag that will be difficult to shake off: they watched in silence as the vote tallying process raised serious credibility questions.

In the defining moment when the nation was waiting impatiently as the Independent Electoral and Boundaries Commission (IEBC) inexplicably kept postponing the release of the presidential results, the media seemed to have either looked the other way or just gone to slumber land, thus abdicating their traditional watchdog role. In the ensuing milieu and anxiety, keeping silent in the guise of averting panic and violence, silence was just as irresponsible as failing to ask hard questions. This was clearly an error of omission for it raised the suspicion of the public and watered down the public trust in the media. At one point, depending on what side of the political divide one stood on, talk was rife that one presidential candidate had literally 'bought the entire Press!' The foregoing assertion may or may not be true, but it is a pointer to the extent of the damage the media can incur if it relents on its usual aggressive stance on matters of public interest.



Media Council of Kenya member and Chairman of the Media Owners Association Mr Kiprono Kittony.

Kiprono Kittony, the Chairman of the Media Owners Association of Kenya refutes the perceived complicity of the local media in his blog. "The self censorship issue also needs clarification. There was no self censorship suggested by foreign media. Cognizant of the fact that we are key stakeholders in the process, we adopted a cautious approach to pronouncements from the political class. We took up the role of being custodians for peace alongside the usual watchdog role," he posits, a statement that he reiterated during the launch of a national baseline survey report on the safety and protection of Kenyan journalist during the regional media convention hosted by the MCK.

While supporters of the Jubilee coalition celebrated the outcome of the polls; another section was ambivalent, while supporters of the CORD Alliance felt the media was giving their man a near-blackout. Even before the Supreme Court made a ruling on the disputed victory of the Jubilee Coalition, it was clear it was a game-up for CORD given the body language of the 'winning' side. Sample this: UhuRuto and their allies were busy receiving dignitaries, getting security briefings and holidaying at the coast as they crafted the composition of

the Jubilee Government. Their composure, at least to the public, was a sign that the victory was a fait accompli and the election petition filed by their opponent was ostensibly a passing cloud. The media reported these issues but failed to interrogate them. Either out of ignorance or sheer conspiracy, the media failed to follow the lead that even as the petition filed by Raila Odinga and the civil society was being heard by the Supreme Court, the Government Press was busy printing and packing inauguration materials. What does this tell you? At the end of the day, both the IEBC Chair, Isaac Hassan; and the then President-elect Uhuru Kenyatta hailed the Press for a job well done. Again, I leave the readers to read between the lines and reach an objective conclusion.

All said and done, the local media was hailed for fair and balanced coverage. That much is granted but dare say-up to the point when there was a stalemate and a host of discrepancies and technological goofs and disasters at the presidential poll tallying centre at the Bomas of Kenya. That is when the game of silence by both the media and the IEBC began. Was it a conspiracy or a coincidence? Does it mean that all the stories that the foreign press corps filed back home were mere fabrication?

The credibility of the elections or lack of it is, however, not the thrust of this treatise. Perhaps what alarmed avid media consumers and critics like yours truly was the resultant hullabaloo when the foreign press told a different story that did not quite resonate with the official explanation of circumstances and the domestic media's version. For a government that has reportedly made great strides in granting freedom of the press and dubbed the hub of the foreign press in the region, the fuss was certainly unwarranted and misplaced, at best. It was evident that the foreign correspondents and their local

counterparts were reporting at cross purposes, at a critical moment when even a media illiterate Wanjiku in the village could read some mischief in the conduct of the media and the poll agency. There is an undocumented theory in the Kenyan press circles that if the Government denies it, then it is probably true.

And so it was not a surprise when the Government was incensed by the foreign media's reportage that the IEBC bungled the 2013 elections-again!-at a time when the commission had invested billions of shillings on 'foolproof' electronic polling and tallying gadgets. Furious government officials ran to the constitution, ready to invoke the law and punish the foreign hirelings who had the audacity to cause a breach of the prevailing 'peace.' Acting Director of Information, Joseph Owiti, threatened that the government would prosecute and deport foreign journalists operating illegally in the country. Which begs the question: is it only foreign journalists who are operating illegally in the country? In a story that was published in the Standard of March 13, 2013, Owiti directed that foreign media practitioners should obtain valid press passes issued by his department. Which raises another question: who should issue press passes? Even Information and Communications Permanent Secretary Dr Bitange Ndemo lambasted the foreign press, especially CNN, for misrepresenting the country.

The MOA Chair did not spare them either. "The foreign media, on the other hand, seems to have approached the Kenya elections with a predetermined narrative of doom and gloom. Nothing manifests this more than the unfortunate piece of journalism by the well-respected CNN, which purported to cover a group of youth in Rift Valley preparing for combat," he posted on his blog.

It is instructive that the Media Act (2007) instituted the Media Council of Kenya (MCK) and assigned it the role of official media industry watchdog. It draws its authority from the Media Act CAP 411B, which authority mandates it to accredit, compile and maintain a register of journalists, media practitioners, media enterprises and such other related registers. To keenly observes of Kenya's mediasphere, the ferocity with which the government reacted to the foreign media's editorial slant portends doom even for the local media. Though there was no widespread violence during the elections, it was evident that the country was and still is sitting on a powder keg. It was the duty of the media, foreign or otherwise, to duly inform the public and 'tell it as it is' without fear or favour.

Owiti's decree left everyone wondering who is fooling who in terms of accreditation. There is a serious conflict of interest within the Government regarding accreditation. The Director of Information insists on accrediting a journalist while the MCK is also mandated to accredit a journalist as enshrined in the Media Act (2007). This is unfortunate as the role should have been relinquished by any other government agency once the Act became effective. Threatening foreign journalists with deportation for lacking press passes is not really the issue; it could as well be a smokescreen. There are thousands of Kenyans practising journalism in the country but have never bothered to seek for accreditation.

The bulk of the unaccredited scribes are masqueraders who thrive on what has been dubbed 'Mpesa' journalism since even the media houses they string for hardly pay them so they live on handouts from news sources. The latter, in my view, are more dangerous than the handful of unlicensed foreign journalists. The tendency in the past has been for every successive government to seek total control of



the media either through enacting anti-press freedom laws or just 'buying' the press, or even withholding information.

While it is relatively easier to tame, gag, bribe or cajole the local media, the foreign ones are a bit rogue and like to have their will. The latter are bound to class with state functionaries when they keep playing the so-called 'CNN-effect' in packaging content. Former US Secretary of State James Baker said of the CNN effect, "The one thing it does is to drive policymakers to have a policy position. I would have to articulate it very quickly. You are in real-time mode. You don't have time to reflect." This is a brand of journalism that news makers in government do not appreciate since it exposes their soft underbelly. They want time to reflect and spin a yarn, probably issue a statement through a government spin doctor, conveniently away from public scrutiny.

Local journalists faced a conflict between responsibility and patriotism in covering the aftermath of the polls. While the foreign media felt compelled and duty bound to report and interpret events as they unfolded, the local journalists played a game of silence and urged the disgruntled electorate to "accept

and move on." But it is worth noting that there is a considerable number of local journalists who have a clear conscience and would have preferred to package news in a way that bore the harsh reality and asked the hard questions that the press was accused of shelving. Unfortunately, their hands are tied since there are gate-keepers and agenda setters who ultimately decide what is published or aired to the public. Who are the gate-keepers and the agenda setters? It is a complex web of tycoons, politicians, state functionaries and a clique of wheeler-dealers who are politically correct and, well, untouchable. They are joined at the hip by common interests and unfortunately they either own the media, are friends of media owners and media managers, or have tons of money to 'buy the entire media fraternity.' Which journalist can be against such an ogre? As a journalist, you either shape up or ship out. As veteran foreign correspondent Michela Wrong put it in an interview, "It sometimes feels as though a zombie army has taken up position where Kenya's feisty media used to be, with local reporters going glaze-eyed through the motions."

One of the best antidotes to the above coterie is the foreign press whom they can neither directly

control nor 'buy', as it were. The advent of multiparty politics in Kenya and the rest of Africa has seen the mushrooming of political or editorial cartoons. The latter genre has emerged as a critical instrument of the current democratic process and injected new life into the print medium, especially newspapers and magazines. For some time, the authorities have not complained about editorial cartoons in Kenyan newspapers, until recently when a cartoon on Deputy President William Ruto raised uproar in Parliament. Some analysts saw this as a thinly veiled attempt to gag the media and a sign that in the near future the government will lose patience with a critical media. It is emerging that caricatures of distinguished leaders in the country may not be welcome.

In his book, *Africa's Media: Democracy and the Politics of Belonging*, media scholar Francis Nyamnjoh cartooning stereotypes politicians as "completely selfish, self-centred, and self-indulgent, lacking in any altruistic thought, action or motive, and being completely at variance with those they purport to serve." Cartoons, broadcasts and stories have helped to keep the excesses of leaders in check. The fuss with independent media means that the leadership may become jittery when adversely mentioned in the local Press. But the flip side is that the foreign press may also be pushing an Anglo-Saxon agenda. In Kenya, the press was largely a European creation aimed at meeting the information, education and entertainment needs of the white settlers, leaving blacks at the mercy of irrelevant content.

The state broadcaster degenerated to a propaganda tool and official mouthpiece. The blacks had to search for alternative press to express their dissent and agitate for independence and sought a chance to dignify themselves. One would have thought that the stringent control of the media would

change at independence. Nyamnjoh contends that while independence consolidated indigenous and private initiative in media ownership, it also "maintained and enhanced attempts by government to control the press." "Both as paymasters and gatekeepers of public interest, African governments have, almost without exception, kept the press in check. They have drawn inspiration from and added on to the rich repertoire of repressive colonial laws," he notes. In other words, the forest may have changed, but the monkeys of old remain the same. Just like in the Western world, there are several media owners and even practitioners in Kenya who have ulterior motives for engagement with the industry; they might be attracted to journalism for reasons other than to promote liberal democracy. This partially explains why they are jittery about the conduct of the foreign press.

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The role of the public broadcaster, KBC, as a government mouthpiece has not changed with the times, and the so-called independent media seems to be independent only in theory and not practice. Legal scholar Koki Muli, in an essay published in *Defining Moments: Reflections on Citizenship, Violence and the 2007 General Elections in Kenya*, writes that "privately owned media, allowed to operate only in the 1990s, generally censor themselves or adopt self-interested editorial policies. Therefore there is no free and balanced media house in Kenya." Meanwhile a BBC Policy Report released in London in April 2008, concluded thus: "The media has undermined as well as invigorated democracy. There is no independent public service broadcaster in Kenya. If there had been, the scale of violence and of the crisis may well have been much less severe."

State interference with the media is nothing new and is not confined to Kenya or the developing world for that matter. France and Britain are classic examples of developed countries where the state interferes with the media either directly or indirectly. The state attempts to control the media in the name of 'public interest.' There is a delicate balance between state and public interest. As journalist file their stories, internal conflicts and complex international pressures are bound to arise.

Objective media practice does not need justification for its existence since its service to society is justification in itself. While the media, both foreign and local, should conduct themselves responsibly, the government should also provide an enabling environment for media to thrive as a signpost for democracy.

Mr Tom Olang' is a freelance journalist and Mass Communications lecturer at the Technical University of Kenya. olangtom@yahoo.com



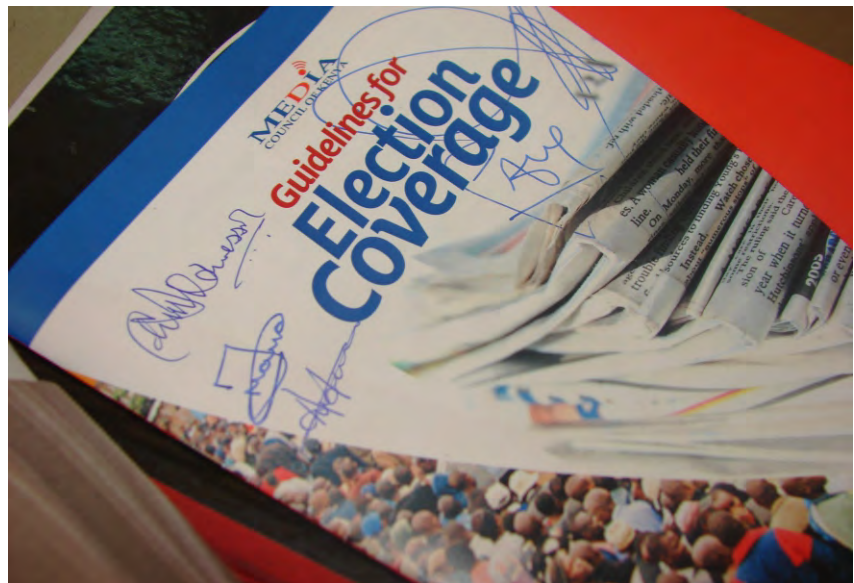
Why media should hold truth and objectivity in polls coverage

Elections are the pride of democracy through which citizens find the will to control a country's destiny. It is also true that autonomous and pluralistic media are essential to a true democracy. MARK OLOO examines the subject.

On December 14, 2007, Samuel Kivuitu, then chairman of the defunct Electoral Commission of Kenya lashed out at the Kenya Broadcasting Corporation (KBC) for not providing equal coverage to presidential candidates Mwai Kibaki and Raila Odinga. A tough-talking Mr Kivuitu said by engaging in deliberate skewed coverage in favour of Kibaki's 'sacred' side, the public broadcaster had breached the election code of conduct requiring the media to provide equal coverage to all presidential candidates. "KBC has let us down as tax payers," Mr Kivuitu said, adding: "In an election year, reporting should show competition, it cannot be that others are so stupid they have nothing which cannot be reported."

He retorted that in so doing, the public broadcaster was likely to influence the outcome of the poll dishonestly. Although no tangible action was taken against big guns at the public-funded media house, Kivuitu had done what he could - merely raise the red flag. Such professional goofs and ethical transgressions have been an acid test to the media every election year. Lack of fairness, accuracy and balance is known to not only affect the alternative or the so-called gutter press, but the mainstream media as well.

Though beset by various credibility questions, Kenya's historic March 4 General Election was largely peaceful; thanks to a responsible public whose opinion the media unflinchingly shaped. Jubilee's Uhuru



Kenyatta was declared winner by the Independent Electoral and Boundaries Commission (IEBC), which held he won with a margin of more than half a million votes against CORD's Raila Odinga.

Mr Kenyatta was sworn in weeks after the Supreme Court shot down petitions by Mr Odinga and the civil society, which sought to overturn the win. The petitioners had sought several declarations from the highest court, among them invalidation of the declared results. They also wanted a forensic audit conducted on all IEBC's IT systems, saying the systems failed, leading to massive rigging. There were tensions but peace carried the day.

Not lost to keen observers was the fact that the media offered itself as a focal point towards ensuring peace prevailed, effectively negating the likelihood of a repeat of the 2008 poll chaos in which more than 1,000 people were killed. Mr Kenyatta, his deputy William Ruto and journalist

Joshua Sang have been charged by the International Criminal Court with bearing the greatest responsibility for the chaos.

In the controversial 2007 poll, some media houses, especially FM stations, were roundly condemned for perpetuating ethnic animosity in hotspots such as Eldoret, Kiambaa, Naivasha and Mombasa. The Communications Commission of Kenya threatened to rein in on them while the Media Council Complaints Commission handled some cases. Industry stakeholders agree the media never conducts elections but it is often through responsible reporting that voters make informed choices and electoral laws are interrogated to avoid failures and bloodshed defined elections in most of Africa.

According to various theories by media scholars on elections coverage, the media has an obligation to support voter sensitisation, keep tabs with the campaigns and check the

conduct of electoral officials to ensure the delivery of a credible election. On the contrary, the media may also be fodder for massive public misinformation and propaganda, a trend blamed for the Rwanda genocide and politically motivated killings in the former Yugoslavia. The Vienna-based Organisation For Security and Development says that in addition to reporting on the performance of incumbents, providing a platform for debates, allowing candidates to communicate their message to the electorate, and reporting on campaign developments, the media should inform voters on how to exercise their rights, monitor the electoral process, including election-day proceedings, and report the results to the public. Editors and journalists interviewed for the purpose of this report agree that all news is important, but objective coverage of elections is most important because it entails the making of choices that shape a country's destiny.

Several questions have emerged as to how the Kenyan media covered the election and what the challenges were, if any. However, to gauge success and failure, it is important to consider the media's degree of autonomy, their freedom from political or other interferences, as well as the degree of diversity. Usually, the concerns range from negative ethnicity, skewed coverage, misrepresentation of issues, giving prominence to certain candidates and playing ball to news media proprietors and advertisers' vested interests.

Veteran media trainer and editor Joe Kadhi says it not unusual for journalists and editors in Africa to get caught up in ethical dilemmas during elections. In one of his presentations, Kadhi says local media houses cannot totally exercise editorial independence, especially during elections.

"There are many ethics related scandals involving top journalists in English speaking African countries that one hears about all the time but never reads about in the papers," he says in one of his papers *Anglophone*

Africa: Journalists - puppets of the proprietors?

He adds: "The range of ethical problems encountered by media reporters in most of these countries is somewhat startling. They include conflicts of interest, freebies, junkets, intellectual theft, deception, carelessness, kowtowing to advertisers and politicians, use of dubious evidence and outright bias."

In the year 1997 polls, Kadhi says there was considerable evidence that editors and media proprietors determined important issues that formulated the main agenda of the polls namely ethnic loyalty. In other words, the media did set some form of agenda in Kenya before, during and after the elections.

But even as the dust settles on the elections, there are those who have come out strongly in praise of the media over its conduct in the electioneering period. But some journalists say there were hidden hands that controlled content in some media houses.

Several journalists who sought anonymity due to the sensitivity of the matter say some editors determined story angles to advance particular political interests. Some say there are cases, though isolated, where stories would be pulled out at the last minute before going on air or being sent to press.

"Money was poured. One of the candidate's campaign secretariat budgeted to spend Ksh300,000 on journalists every week. This was purely to buy or influence favourable publicity," says a radio journalist. Some journalists also accuse some media houses of declaring the 'official' presidential results, usurping the role of IEBC chairman Issack Hassan.

Standard photo editor Jacob Otieno says even though vested interests may have been at play, journalists did their best under the circumstances. He, however, faults journalists for not having interrogated candidates enough on their agenda, saying much emphasis was put on speeches delivered at the campaign trail.

"This is quite uncalled for. The audience need to know candidates deeper beyond what they pledge by word of mouth. We need to transform journalism beyond the "he said" model of reporting issues. Give the public more interpretative pieces," he says.

Veteran editor Okech Kendo says all matters held constant, coverage of elections is a delicate affair that all journalists have to exercise caution over. He says despite individual biases, the overriding principle should be public interest.

"As a journalist you have a calling. You cannot seek to please any paymasters and fail to underscore your role of being a public watchdog," he says.

As far as elections coverage was concerned, there were also isolated cases of threats issued to journalists. Veteran journalist Peter Mwaura says threats from politicians and political goons are the biggest threats to journalists during elections.

Reacting to a recent survey the documents case studies of journalists threatened, Mr Mwaura says in an opinion piece that the findings are bold and surprising. The survey shows that based on responses from 282 journalists interviewed in all the 47 countries, 90 per cent had been threatened at some point in the course of their work.

Media Owners Association chairman Kiprono Kittony says contrary to accusations that the media was heavily censored, it solely did do to protect the nation's interests.

"The media decided to put the interests of the nation first, there was no censorship at all," Kittony said during the two-day convention hosted by the Media Council of Kenya as part of the World Press Freedom Day activities in Nairobi in May 2013. President Kenyatta is among those who have praised the local media over its conduct. "We expect the media to continue being free, fair and objective," Mr Kenyatta says, adding: "The sense of responsibility in the media must expand to social media and other emerging forms of media".

Mr Mark Oloo is an Editor at The Standard Group. markooloo@yahoo.com

Hate mongers took their trade to social media



The social media plugged in the gap created by self-censorship in the mainstream media to rein in spread of hate speech, widely blamed for the 2007/8 post-election skirmishes. JAMES RATEMO pokes into the subject.

Media houses were treading carefully as they tightened their gatekeeping to weed out provocative messages from politicians. It was an uphill task for the media to sieve messages from the over 16 million internet users in Kenya, some of whom browse anonymously.

The elections went on smoothly and the media houses invested heavily to ensure they had reporters and correspondents monitoring the elections across the country. The public was equally interested in the process and outcome of the election and the social media was abuzz with discussions about the historic elections. At one point, the social media discussions got so intimated to the extent of bordering on hate speech. Many analysts agree that social media has been a platform for hate speech around elections.

The National Cohesion and Integration Commission (NCIC), charged with facilitating and promoting peaceful co-existence, describes hate speech as "the use of threatening, inciting,

abusive or insulting words or behaviour, or display of any written material with the intention of stirring up ethnic hatred."

In January, the Government named blogs, Facebook groups and individuals allegedly perpetrating hate speech. This was the scenario journalists and media houses found themselves in and so everything had to be done to ensure hate speech did not spill into the mainstream media. The media was so cautious it blocked any form of protest from politicians and their supporters deemed as inciting. This gave citizens no option to air their grievances thus reverted to the social media.

In his blog, newint.org, Moses Wasamu a freelance journalist, argues the hate speech exhibited on social media was especially fierce between supporters of President Uhuru Kenyatta and his election rival, Raila Odinga. "Unfortunately in Kenya, political contests always take an ethnic dimension and the online hate

speech reflected this...after the 2007 General Election, some Kenyans went after each other with clubs and machetes. For the 2013 poll, the war took a different shape; it went online, in the form of "hate speech," explains Wasamu.

The NCIC had to issue stern warnings to curb the spiraling social media verbal violence. Information PS Bitange Ndemo was also loud in condemning spread of hate messages on the social media as he warned surveillance was in place to net culprits.

A random scan of the mainstream media in the social media platforms reveals that journalists and the general public actively participated in the election discourse on this new media frontier.

All media houses had elaborate publicity programmes for their social media platform. They invited audiences to join the election conversation via twitter hashtags and Facebook pages. Nation Media Group's Daily Nation for instance had

#KElections2013 as its Twitter hashtag, NTV used #Decision



2013, KTN #Choice2013. Citizen, K24, The People, The Standard Newspaper also had own hashtags which they promoted via Facebook and Twitter to promote interaction with the audience.

Most journalists were apparently monitoring activity on the social media since most of the stories during the election period carried Twitter and Facebook quotes from readers.

According to Peter Mwai, an online sub-editor at Nation Media Group, the social media was a key platform in disseminating election news and a place for key leads to stories. According to Mr Mwai Twitter, Facebook and the websites were the only channels newspapers used to disseminate election results and other breaking news especially after the papers had gone to press. He said some of the news covered by journalists were a product of twitter and Facebook leaders from citizens. "I remember there was a case of IEBC officials being roughed up at Kenyatta University over unmarked ballot papers. That story first broke on Twitter and Facebook," says Mr Mwai.



As the story developed on the social media, IEBC was forced to respond clarifying that its officials were just relocating election materials and there was no foul play. Readers on Twitter and Facebook even shared pictures of what was happening on the ground. The situation at one point got out of hand as a section of Kenyatta University students went on rampage, setting a vehicle ablaze and roughing up motorists. As it later turned out the information that was being shared on Twitter and Facebook was somewhat inaccurate but since neither the mainstream media nor IEBC had clarified the issue, the public

believed all that was being said on social media.

Later that evening on TV stations and the following day on newspapers, IEBC explained what was transpiring, completely changing the notion that had been created online. An important aspect to note is most journalists who ended up at Kenyatta University to cover the story got the lead from Twitter and Facebook highlighting the importance social media played in the election coverage.

TV and radio journalists were also interacting with viewers and listeners via Twitter and Facebook and often sampled some of the comments on air. Unlike in Live TV where it is tricky to censor hate messages from politicians, the media was able to sieve out hateful comments from their social media platforms. Anchors of Nation Media Group's NTV at one point named and shamed some of the hate speech perpetrators on screen. As Kenya enters a new political era, it will remain in history that the power of the social media cannot be underestimated.

Journalists and media houses must constantly crawl Twitter and Facebook for leads on what is cooking in various parts of the country since it is impossible to be in all places at the same time. It is also pertinent to learn that media political propagandists often use the social media to mislead and tilt public opinion thus it requires journalists to be hawk-eyed separate truth from mendacity.

Mr James Ratemo works at the Nation Media Group. jratemo@gmail.com

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Accreditation of Journalists

Accreditation is a yearly process undertaken to register all journalists practicing in Kenya. This process also facilitates the authentication of genuine journalists from the "quacks". One of its main aims is to improve professionalism among journalists as it ensures that all accredited journalists have the right skills to carry out their duties in a professional manner as accorded to by the Code of Conduct for the Practice of Journalism in Kenya.

In accordance to sections 4(k), 13(2), 19(1) and 36 of the Media Act 2007, the Media Council of Kenya, would like to inform all practicing journalists in Kenya that the Council is currently undertaking the Journalist Accreditation exercise for the year 2011.

Journalist means any person who holds a diploma or a degree in mass communication from a recognized institution of higher learning and is recognized as such by the Council, or any other person who was practising as a journalist immediately before the commencement of this Act or who holds such other qualifications as are recognized by the Council, and earns a living from the practice of journalism, or any person who habitually engages in the practice of journalism and is recognised as such by the Council.

Media Act 2007

Benefits of Accreditation

1. Helps to boost orderliness in the journalism profession.
2. It helps journalists to access information as it opens doors to various sources of information e.g. conferences, workshops, trainings and other gatherings.
3. It enhances the protection of the rights and privileges of journalists in the performance of their duties.
4. It allows journalists to participate in performance-boosting initiatives e.g. conventions, media awards and fellowships.

Requirements for Accreditation:

1. A letter from the employer.
2. Freelance/journalists accrediting for the first time are required to produce a letter of reference from the organisation they correspond for, a portfolio of work done and proof of professional training.
3. A clear passport photograph taken on a white background.
4. Accreditation fee (Ksh 2,000 for local journalists, Ksh 5,000 for foreign journalists staying for less than a year, Ksh 10,000 for foreign journalists staying for 1 year and Ksh 300 for students). Students should produce a letter from school and a student ID.

In case of any queries, contact us at: accreditation@mediacouncil.or.ke

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0702 222 111

freedom@mediacouncil.or.ke

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