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Media and the 2013 Kenyan election: From hate speech to peace preaching

Kurzfassung: Im März 2013 wurden in Kenia die ersten Wahlen seit den Gewaltausbrüchen im Anschluss an die Wahlen von 2008 gehalten, zu welchen die Medien beschuldigt worden waren, durch parteiische Berichterstattung und Hassreden beigetragen zu haben. Im Vorfeld der Wahlen von 2013 arbeiteten verschiedene Organisationen daran, die negativen Konsequenzen von Hassreden und die Notwendigkeit eines verantwortlichen Journalismus ins Bewusstsein zu rücken.
Der vorliegende Aufsatz beleuchtet, wie kenianische Journalisten ihre Rolle aufgefasst und ihre eigene Berichterstattung über die Wahlen von 2013 bewertet haben und ob sie durch die Erfahrung der Gewaltausbrüche von 2008 beeinflusst wurden.
Der Aufsatz zeigt, wie die Gewalterfahrungen von 2008 zu einem Bezugspunkt für die Auseinandersetzung mit der Wahlberichterstattung und der Rolle der Journalisten geworden ist. Einige Journalisten räumten ein, aus Angst vor dem Schüren von Emotionen wichtige Themen vermieden zu haben.

Abstract: In March 2013, Kenya held its first election after the post-election violence (PEV) in 2008, which media were blamed for contributing to by partisan reporting and hate speech. Prior to the 2013 election, several organizations worked to raise awareness of the negative consequences of hate speech and the need of responsible journalism.
This article sheds light on how Kenyan journalists perceived their role and evaluated their own reporting of the 2013 election and whether they were influenced by the experience of the PEV.
The article shows how the experience of the PEV became a reference point when discussing the election reporting and the role of journalists. Several journalists admitted that important issues were avoided due to fear of steering up emotions.

1. Introduction

In connection to Kenyan general election in 2007 violence erupted when Mwai Kibaki was sworn in as a President and his competitor Raila Odinga and his supporters claimed that the election results had been manipulated. International observers later confirmed that the election was flawed and that the tallying process was not credible. The violence resulted in the death of 1,200 Kenyans and left more than 400,000 displaced (Njogu, 2011: xi), others estimate the number as high as 660,000 (OCHA, 2013).

The worst effected area was Rift Valley, due to the unequal distribution of land between different ethnic groups who live there. Other hotspots of riots and violence were Kisumu, Mombasa and the slums in Nairobi. Initially the unrest was ethnically driven, yet criminal gangs also took advantage of the situation to loot and rape in the later phase of the crisis (Lafargue & Katumanga, 2008: 14ff).

Ethnicity has been an important factor in shaping the political sphere in Kenya since independence. Even though Kenyans do not exclusively identify themselves in terms of ethnicity, many tend to vote in line with their ethnic belonging (Bratton & Kimenyi, 2008: 6). One reason is that the political elite use ethnicity to manipulate ordinary Kenyans, who belong to the same ethnic group, especially during election times (Atieno-Odhiambo, 2002: 232). Subsequently, many Kenyans believe that other groups will organize themselves "along exclusive ethnic lines, and govern in a discriminatory fashion" (Bratton & Kimenyi, 2008: 6).

Since the inception of multiparty politics in 1991, political violence with ethnic undertones has been common during election times (Lafargue & Katumanga, 2008: 12) and has killed 4,433 people and displaced over 1.8 million in Kenya (Halakhe, 2013: 6). Many politicians "employ" youth during elections time to act as supporters during political campaigns. Except dancing and chanting party slogans they also intimidate opponents (Adar, 2000), and in extreme instances use deadly violence against their competitors or individuals from rivalry ethnic groups (Halakhe, 2013: 6). Several reports suggest that the violence in 2008 was planned and deliberately used for political ends (Somerville, 2008: 82). Human Rights Watch states that Kenya since 1990 has had a history of organized political violence, yet the politicians who have instigated it have never been held accountable (HRW, 2008: 2). In September 2012, water and land caused a dispute between the Orma and Pokomo communities in Tana River delta, which killed more than 100 individuals. The Assistant Livestock Minister, Dhadho Godhana, was detained for inciting violence between the two groups yet he was later freed from the accusations (Halakhe, 2013: 6).

The International Criminal Court (ICC) started an investigation in order to find those guilty of the 2008 post election violence (PEV). As a result six individuals were accused of crimes against humanity, among them Uhuru Kenyatta and William Ruto who were rivals in 2007 election. Prior to the 2013 election the two ICC suspects formed a political alliance and won the election (idea – international justice project homepage). Since then several of the Kenyan ICC cases have been dropped due to lack of evidence and among them the case against president Kenyatta. The prosecutor blames the failure of the cases on Kenyan authorities lack of collaboration

and for intimidating and bribing witnesses. The cases against the deputy president William Ruto and Jushua Arap Sang are still ongoing (HRW, 2014). Sang was the head of operations at the vernacular radio station Kass FM and is accused of inciting violence during his morning call-in show (Benesch, 2012).

The Sang case draws attention to the important role media played in the conflict, and a BBC Worldwide report concluded that media did fuel the conflict in 2008 and blames vernacular radio stations in particular for reinforcing the tumult by partisan reporting and airing hate messages and incitements to violence (Abdi & Dean, 2008).

Similarly, Rambaud (2008) suggests that media, especially vernacular radio stations became political players themselves by showing clear biased towards the preferred politician within the constituency (Rambaud, 2008: 74). Sometimes this bias turned into hate directed towards the rivalry candidates and their followers. Rambaud explains the occurrence of hate messages and incitements of violence on two different but related circumstances. First, many journalists working for these radio stations lack sufficient training and second, the increase in talk shows where listeners could participate contributed to an intensification of opposing views and due to the journalists' lack of training they could not properly moderate these discussions, which consequently were allowed to turn both negative and hateful (Rambaud, 2008: 75).

The PEV was resolved in March 2008, after Kofi Annan helped the rival parties agree on a power sharing deal and a coalition government was formed. Although normal life in Kenya resumed, the situation remained unpredictable as the underlying problems such as unequal distribution of land and wealth, corruption and tribalism persisted (Halakhe, 2013: 6). Many thus feared that the 2013 general election would once again engulf Kenya with violence and consequently several organizations, both local and international, sensitized journalists on the danger of using hate speech and trained journalists in election reporting and conflict sensitive reporting to prevent history from repeating itself.

Due to central role media played before and during the PEV, it is interesting and important to look closer how Kenyan journalists perceived their role during the 2013 election. Thus this article will discuss the following questions: How did journalists perceive their role during the 2013 election? Were journalists influenced by the experience of PEV? How did they, according to themselves, report about the election?

2. Theory

2.1 Journalism and elections in transitional democracies

The relationship between democracy and journalism is often described in terms of a social contract. It is democracy that ensures journalism its freedoms and independence and in turn journalism provides citizens with information, a platform for discussion and keep those in power in check (Strömbäck, 2005: 332).

When discussing theories on the relationship between media/journalism and democracy it is important to keep in mind that they are normative. In other words they suggest how media and journalism ought to operate and act rather than describe how media in fact operate (Huang, 2003: 455; Josephi, 2005: 576).

Several scholars (Strömbäck, 2005; Christians et. al., 2009) argue that the democracy model that one chooses as the starting point has implications for the roles ascribed to the media. Yet others (Wasserman, 2006; Voltmer & Kraetzschmar, 2015) stress that western democratic models rarely are unproblematic applied in non-western settings and that media in new democracies often fall short when being assessed from a liberal democracy point of view. Berger (2000) on the other hand claims that despite the fact that some countries lack the democratic pre-conditions, the journalistic ideals can still be relevant at the ideal normative level.

As this article focuses on election reporting, it mainly draws on the competitive democracy model, which place elections and the role journalism ought to preform during election times at the center (Strömbäck, 2005: 334). In addition, studies conducted in new democracies will provide insights to the obstacles that journalists in these settings face that might prevent them from fulfilling these normative ideals.

The core idea of the competitive democracy model is that in order for citizens to be able to make informed political choices the media have to provide them with the necessary information to be able to do so. The choice of leader can either be retrospectively or prospectively. Thus the citizens need to have knowledge on how those in power have preformed and the political agendas of political alternatives. Moreover they need the knowledge to evaluate different political proposals (Strömbäck, 2005: 338f). Thus journalists need to, in an unbiased and objective manner, inform about different political alternatives, the performance of elected politicians i.e. act as watchdogs, but also provide accurate information about the society in general and the functions of the political system (Strömbäck, 2005: 339). Another crucial task for journalists during elections is to "question the transparency of the elections and freely inform voters about any possible dysfunctions in the organization of the elections" (Frère, 2011: 6).

Yet, in new or transitional democracies it can be difficult for journalists to execute these duties. Rather than performing the watchdog role, journalists often become lapdogs or guard dogs of those in power (Berger, 2000: 84; Carpentier, 2007: 152). One example is 'protocol news', which refers to the practice when the official version provided by the authorities is regarded trustworthy and credible instead of information that has to be handled critically (Hanitzsch, 2007: 374).

Moreover, independent media and watchdog journalism are often labeled oppositional by the sitting government, as a way to diminish the criticism directed towards them (Berger, 2000: 92). Furthermore, maintaining stability and social unity is in some countries a higher priority than free and critical media (Hanitzsch, 2007: 374; Josephi, 2005: 577). Yet, the danger with journalism that has an interventionist agenda is that it often ends up being hijacked by those in power to serve their interests and needs (Berger, 2000: 94).

Elections in transitional democracies can often function as a Pandora's box by show-casting weak institutions, legacies of authoritarian regimes and unresolved conflicts (Voltmer & Kraetzschmar, 2015). Similarly Frère (2011), who has studied media in elections in post-conflict countries in central Africa, argues that elections in post-conflict settings are high stake elections, as they can either help the country to move one step further towards democracy or send the country back into conflict (Frère, 2011: 5).

Frère identifies nine obstacles that prevent fair and professional election reporting in post-conflict settings. The first obstacle is that media in many of these countries have not developed into media enterprises and that journalists lack sufficient journalistic training (Frère, 2011: 9). Second, the connection between media and the political elite is often strong and during elections some media outlets easily become mouthpieces for politicians (Frère, 2011: 11). Third, public media are often in reality government media and serve the interests of the rule rather than the public (Frère, 2011: 12f). Forth, a large part of the population in these countries, especially in the rural areas, have very little access to media, no matter if the public media is biased or not (Frère, 2011: 14). Fifth, the freedom of the media is often violated, especially during elections. Sixth, the experiences of hate media "has led the broadcasting regulatory bodies to be overly cautious, to the extent that one could suspect them of "overdoing it" and of restricting the freedom of the press" (Frère, 2011: 18). Seventh, media sometimes report rumors such as fake opinion polls and unreliable forecasts due to lack of public information. To prevent this electoral commissions can ban the media from reporting the results while the tallying process still is ongoing (Frère, 2011: 20). Eight, as a result of uneven campaigning budgets; it can be a challenging for the media to give all candidates equal coverage. This often favors the incumbent president. Moreover, campaign strategies can also directly influence the media coverage, especially when politicians use inflammatory speech during the campaigns, which then might be channeled by the media to the audience (Frère, 2011: 21). Ninth, information and communication is often confused so that media is perceived as channels through which those in power can communicated their message. For example paid journalism still is a widespread phenomenon in many new democracies (Frère, 2011: 21).

2.2 Hate speech and inflammatory media content

During and after the PEV, academics, politicians and human rights groups began discussing the role of hate speech and inflammatory media content in the conflict. Some even went as far as drawing comparisons between Kenyan vernacular media, and the role radio played in the Rwandan genocide in 1994 (Somerville, 2011: 83). As mentioned before, the outbreak of violence in connection to the 2007 general election is neither an anomaly in Kenya's post-independent history, nor is it the first time that hate speech has been identified as a threat to social harmony in Kenya (KNCHR, 2006: 37).

The need to address and combat the use of hate speech was obviously crucial. In February 2008 the National Cohesion and Integration Act was accepted by the Kenyan parliament. It included laws restricting religious and ethnic discrimination and introduced penalties for hate speech (Halakhe, 2013: 10). Moreover, the government repeatedly reminded Kenyans about the legal repercussions of using hate speech before the upcoming election in 2013 (Halakhe, 2013: 5).

According to Susan Benesch, the problem is how one should define and measure hate speech. It is often difficult "to draw the line between speech, which should be sanctioned, and speech that must be tolerated in the name of freedom of expression, no matter how ugly it may be" (Benesch, 2012: 11). Moreover, different communities will most likely disagree on what constitutes offensive speech, and therefore it has to be regulated by clear and concise laws.

The Kenyan National Cohesion and Integration Commission Act defines hate speech as "the use of threatening, abusive or insulting words or behavior commits an offence if such person intends thereby to stir up ethnic hatred, or having regard to all the circumstances, ethnic hatred is likely to be stirred up" (National Cohesion and Integration Commission Act, 2008: 13). The definition is somewhat vague and provides little information on how explicit the incitements of violence need to be, in order for it to be labeled hate speech. Susan Benesch (2012) stresses the importance of context in order to understand what type of speech that sparks violence and identifies

five criteria for this purpose: the speaker, the audience, the speech itself, the social and historical context, and the means of dissemination (Benesch, 2012: 11).

Drawing on Kellow and Steeves (1998) study about the role of radio in the Rwandan genocide, Somerville (2011) identifies some characteristics of how framing and representations of the enemy often are used to wipe up hatred between different groups:

- Set an agenda of suspicion and ultimately hatred of a target group(s);

- Attribute malign motivations to those groups;

- Relate the long-term threat and/or grievances against a group to current developments

- Prepare people to 'defend' themselves and their community against this threat;

- Incite actions

Somerville (2011) argues that due to the fact that few vernacular radio stations keep archives of their broadcast, there is little empirical material that could be used as evidence of them using hate speech during the 2007 election. However, the existing material together with personal communication with journalists who declared that hate speech was used, suggests that vernacular radio, especially in their call in shows indirectly or directly, unconscious or consciously, became a platform where hate could be disseminated. Yet due to the limited empirical material, it is impossible to know to what degree hate speech was incited through radio and therefore Somerville is very skeptical of the term "hate media"[1] and comparing vernacular radio in Kenya with Radio Television Libre de Mille Collines (RTLM) in Rwanda (Somerville, 2011: 90).

3. Methodology

This article is based on an interview study with Kenyan mainstream journalists and representatives for organization that train journalists in Kenya in election reporting and conflict sensitive reporting. Between January 2013 and March 2013, seventeen semi-structured interviews with journalists and six interviews with representatives for organizations were conducted. The study used semi-structured interviews, as it is a methodology that provides an open yet at the same time focused space where interviewees can elaborate on and share their views and experiences (Bryman, 2001: 314). In this case it offered the journalists a space where they could openly discuss and reflect on their experience of reporting about elections and the role they ascribe to media and their profession. For this purpose an interview guide, consisting of themes relevant to the subject studied was developed. It contained four broad themes (Coverage of the election, Journalism's role during election time, Objectivity vs. responsible journalism and Social media/interaction with audience). At the end of the interviews the journalists were given the opportunity to add aspects that might not have been covered during the interviews but they considered important (Kvale, 1997: 133).

No names are revealed in the analysis, as the aim was to give all informants anonymity in order for them to openly share their experiences and perceptions on the subject discussed. Apart from encouraging the journalists to talk about their own personal experience of reporting on the election they were also asked to reflect on the media coverage of the election in general, as it might be easier to be critical about this fairly sensitive issue when discussed from a general rather than personal point of view.

The interviewees were asked to decide the venue for the interview. The reason for this was two-fold, first it allowed them to choose a place where they felt comfortable but also a place that was convenient consider their hectic schedule at the time.   Some interviews were therefore conducted at their workplace, whereas some chose to meet up in a neutral place like a nearby café. The interviews were between 30 to 90 minutes in length, yet the majority lasted approximately one hour.

The journalists interviewed were selected on the basis that they were reporting on the election for mainstream media in Kenya and that TV, radio and print press should be represented. Snowball sampling was used in order to identify the interviewees. It is a sampling strategy where one interviewee points you to another candidate that fulfill the basic requirements (Bryman, 2001: 98). Unfortunately, the majority of journalists interviewed were male. To a large extent this is a reflection of the reality, as journalism is a male dominated profession in Kenya, especially political reporting. Yet, it can also partly be a consequence of snowball sampling, as male journalists might recommend other male journalists.

In addition to the seventeen journalists, six interviews with representatives for organizations that train journalists were also conducted in order to attain a richer context of election reporting in Kenya at this specific time. These interviews were less structured and focused on the activities of the organization but the representatives were also

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[1] Media that encourage "violent activity, tension or hatred between races, ethnic or social groups, or countries for political goals and/or to foster conflict by offering one-sided and biased views and opinions and resorting to deception" (Somerville 2011: 85).

asked to reflect on how they perceived the role of the media during elections and how they assessed the performance of the ongoing election reporting.

All interviews were conducted in English and recorded. The interviews have been transcribed and systematically analyzed by identifying reoccurring themes in the data. The analysis below is structure along three themes that shed light and draw attention to interesting aspects of the research questions posted in the introduction. Quotes have been selected on the basis that they in an informative way shed light and illustrate interesting aspects of the selected themes and also show the complexity of the subject discussed.

4. Kenyan Election 2013: From hate speech to peace preaching

The following analysis sheds light on how Kenyan journalists perceived that the Kenyan media reported about the election, the complicated context that they operated in and how it affected what they chose to cover.

4.1 Reporting the election

Kenyan media in general focus much of their attention on politics and even more so during election times. The question though is what did they report about and how? The journalists interviewed were surprisingly open and self-critical and underlined several weaknesses in the 2013 election reporting:

> **Journalist, KBC Radio, Male:** *"I will give a punch to the media because the media hasn't done well in asking those key questions yes they cover them, follow their campaign trail but they really don't try to pin them down".*

> **Journalist, Capital FM, Female:** *"I mean there are a lot of stories under those stories but because the editor wants the rallies as the focus, and how huge the crowd was and what the presidential candidate says the journalist doesn't have enough time to investigate these other issues showing up (...) People don't ask how are you going to give us free education, or you can ask him he has been in government for this long, what did you do? We are not questioning...we are just saying oh he said, he is going to give us free education, oh he said we will get free food, we just say what he says, the media is not interrogating these things".*

The journalists' narratives stress that the media coverage of the election was extensive but simultaneously insufficient. During election times the media follow the politicians' campaigning trails which travel all over the country in the quest to attain as many votes as possible. The journalists write pages after pages or produce numerous items for the news broadcasts that recite the pledges and promises of the different candidates, but seldom shed light on whether these promises are possible to implement. Moreover, many journalists failed to hold politicians accountable, by putting the current pledges in relation to past deeds and achievements. In other words, it could be argued that media provided the citizens with the information about the different political campaigns, but failed to provide them with the context needed to evaluate the promises. Mildly put media fulfilled their role of disseminating information but did not perform their watchdog role to a satisfactory degree. In that sense the media failed to provide the citizen's with the needed information to make informed choices, whether retrospectively or prospectively (Strömbäck, 2005: 338f). It could even be suggested that the Kenyan media by uncritically disseminating the pledges of the politicians became megaphones for the politicians. The journalists blame this type of reporting on lack of time and editorial priorities, yet as the following quotes insinuate it could also be a symptom of something greater:

> **Journalist, The Standard, Male:** *There is the fear of being seen like you are being too critical of a particular person, then you may be viewed as having a soft spot maybe for the competitor, so what we have largely done is to let the politicians themselves query it out*

> **Journalist, Citizen TV, Male:** *For example it's indeed a disease whereby for a very long time journalists have been seen as having this sort of fear when it comes to interviewing all these bigwigs. (...) If we question them so much they might just come up with all these plays and we might just find ourselves in the black book of the government, what will happen to business and all that but that's changing...*

Both quotes touch upon the lack of critical journalism in Kenya. The journalist from *Citizen TV* suggests that in Kenya there is a tradition not to criticize people in authority, and therefore many journalists fear interviewing politicians. In order to understand this fear, one has to contextualize it historically. Kenya is a fairly young democracy, as it was a one-party state until 1991 (Wanyande, 1996). Even after the introduction of multi-party democracy, media have been suppressed by the state, and oppositional journalists and editors have been harassed, violated and arrested (Odhiambo, 2002; Wanyande, 1996). Since 2002, when Daniel Arap Moi was withdrawn from power as Mwai Kibaki the leader for NARC (National Alliance Rainbow Coalition) won the election, new media policies has resulted in a growth of the media market and increased media freedom. Nonetheless, as

late as 2006, the government in Kenya shut down *The Standard* and the *The Kenya Television Network* due to critical reporting (Maina, 2006).

Another important aspect to consider is that power and age is traditionally connected in Kenya (Kagwanja, 2005: 86). Even today, the majority of Kenyan politicians are old men. One example is the former president Mwai Kibaki who was 80 years old when he resigned. In this context, it becomes difficult for a 30-year-old journalist to criticize a much older, more powerful and more experienced person.

On the other hand, criticism in itself is perceived as somewhat problematic. As the journalist from *The standard* states, there is always a risk that by being critical of one person, you are automatically perceived as a supporter of their competitor. In order to avoid being accused of being biased, many journalists openly revealed that they decided not criticize anyone. Berger (2000) highlights this phenomenon and argues that critical media is sometimes labeled oppositional by people in power as a strategy to dismiss criticism.

Due to lack of critical reporting, it was up to the politicians themselves to keep each other in check, and draw attention to the weaknesses of their competitors. The risk of this practice is that media easily become a mere platform for political mudslinging, rather than one that scrutinizes the wrongdoings of those in power.

The journalist from *Citizen TV* is however optimistic, and believes that this is about to change. An evidence of this change is according to him the first ever, live broadcasted election debate that took place in on the 11th of February 2013. It was a joint initiative by Kenyan media to organize this debate, allowing the eight presidential candidates to stand on the same podium and answer question posted to them. The debate was perceived as huge step towards issue based politics. The debate, that in fact consisted of two separate debates (11th February and 25th February) discussed issues like tribalism, the ICC case(s), resource allocation, corruption and salaries of politicians. No matter whether the politicians answered the questions honestly or not and whether the debate had any impact on the voting turnout, the debate was according to several journalists a symbol of changing attitudes towards the political elite and their task in the Kenyan society. It was not only traditional media in Kenya that focused much attention on this historical event, the debate rapidly became trending globally on both Twitter and Facebook. The following is a typical tweet about the debate:

> Daniel Ominde @OmindeNiMimi Thank you @AjEnglish for airing #KEDebate13 #Debate254 - showing the rest of the world that Kenya is a democratic society

The debate was perceived as a victory for Kenya, not only in relation to its own democratic development but also in relation to the rest of the world, as it was an event that portrayed Kenya in a positive manner.

Yet despite this, the televised debate can actually be used as an example to highlight the practice of writing off critical voices as oppositional. On 20th February, a few days before the second debate, Uhuru Kenyatta announced that he would not attend the debate as he argued that the debate was skewed, since he had been asked to answer how he planned to rule the country (if elected) while simultaneously having a case in Hague to answer to. Moreover, he felt that that other candidates' involvement in different corruption scandals was not interrogated to the same degree (Daily Nation 20/2 2013). He later changed his mind and did participate in the second debate, nonetheless his actions portrayal Kenyan politicians' perception of critical media.

4.2 Sensitive reporting

After the PEV, media were blamed for reinforcing the conflict by partisan reporting and the use of hate speech (Abdi & Dean, 2008; Rambaud, 2008). As a consequence, many organizations like Internews, Wayamo, Kenyan Human Rights commission, Media Council of Kenya and IEBC trained Kenyan journalists in election reporting and conflict sensitive reporting prior to the 2013 general election. The Radio trainer at Internews explain why it is important to train radio journalists:

> ***Radio trainer, Internews, Female***: *I come from the Luo community and this other person comes from the Kikuyu community so this person who comes from the Kikuyu community is a madoadoa, is some bad spots that we don't want to see in our community. So when a radio presenter goes ahead and says "we don't want madoadoas in our community". If I meet with you and you are a madoadoa I'll definitely do away with you. If I have a` panga, I'll just slash your head. Yeah so we really tried as much as possible. We held several workshops for radio presenters, talk show hosts to try and tell them look this is not the language that you need to use on radio.*

The quote draws attention to the ethnic tensions that permeate Kenyan society, and how little is potentially needed for these tensions to be acted upon. The radio trainer also stresses the impact that especially vernacular radio has on its audience. This could be connected to Susan Benesch (2012) idea of the importance of the speaker. The message becomes stronger if it is a well-known and respected person within the community. Radio presenters, in general and vernacular radio presenters specifically, are influential personalities and thus fall under this category. Moreover, radio also has the strength of addressing many people simultaneously which again can

be connected to Benesch (2012) other category of dissemination, which further stresses the power of radio in these instances. Consequently, it is according to the radio trainer crucial that radio journalists understand the power that they possess and use it carefully and responsibly.

Except avoiding certain value-laden words, like madoadoa, journalists also needed to make choices and decisions on how to report on on-going tensions between different groups and how to handle the spread of rumors. The following is the response by a journalist at *Citizen TV* on how they handle rumors that groups were arming themselves and whether they as a TV station would broadcast such story:

> **Journalist, Citizen TV, Male:** *It is dicey. It's a dicey one because the more you talk about, the more you publicize, the more you make it a reality. You can imagine if you're living a free life everything is all right, ready for 4th of March and then you watch people actually buying things (read: pangas or similar) from the supermarket. You won't even wait for that bulletin to end you'd rush so yes there's the place of yes, let's tell people what happening but then we still have to take our role as gate keepers, as critical responsible.*

The journalist never answers whether *Citizen TV* would broadcast stories on the increased tensions in Kenya as the country was preparing for the election. Instead he underlies the importance of keeping the public informed yet at the same time act as gatekeepers. The journalist thus suggest that there is some information that is best untold which suggest that the role of journalism in this instance is not mainly to objectively report about the society, but to act as "critical responsible" and select which stories that the public are presented with. The term "critical responsible" clearly suggests that he believes that journalism needs to be responsible. Moreover, even if he does not explicitly say it, maintaining social unity seems to be more important than reporting stories of this kind.

The fact that journalists are responsible for how they report is further underlined by the following quote:

> **Journalist, The Standard, Male:** *We are not blameless; we have been blamed so this is one time that we must exercise that responsibility in our utmost way.*

The 2013 general election is according to this journalist the time when journalists have the opportunity to show that they are responsible and that journalists as a collective have matured.

One aspect of being a responsible journalist that several journalists pointed out is to prevent hate speech. First of all compared to the 2007 election, politicians were not allowed to speak as freely through the media. Instead of broadcasting political rallies live, which was common in 2007, the media houses recorded the rallies and edited the material before airing it. If it contained sensitive sections these were either removed or the media house aired but condemned them. The latter strategy is often referred to as naming and shaming (Benesch, 2012: 10). The same procedure was used when dealing with comments and calls from the public. In other words, media used two different strategies; (self) censorship and condemnation/ naming and shaming to handle issues of hate speech.

4.3. The Dreaded Three: ICC, Land and the IEBC

Hate speech was not the only concern of the media. Through the interviews with the journalists three subject-matters could be identified, all highly relevant yet sensitive to the election that were handled with extra caution by the media, often by adopting self-censorship (level of the journalist) and sometimes even censorship (level of editor/manager/owners).

4.3.1 ICC

In 2010, the International Criminal Court (ICC) started an investigation in order to find those guilty for the 2008 PEV. The ICC case(s) was very central to the 2013 election. Firstly, because two of the suspects, Uhuru Kenyatta and William Ruto, were vying for presidency and vice-presidency and secondly, because one of the other suspects was a journalist accused for inciting violence through his morning show. His case therefore became a reminder to other journalists what could happen if they misused the power of their profession. The ICC case(s) was therefore a highly important issue connected to the election and the way media reported and handled the subject was outmost important:

> **Journalist, The Nation, Male:** *Kenyan media has succeeded in whipping up sympathy for the suspects, and so this issue which should have been a major issue in my view on this campaign election, we were asking so how will you run Kenya if you were elected. That is not discussing the ICC issue. The ICC issues people died, people were raped, people were displaced, people lost property, and now what is your contribution to that discourse? (.) Kenyans are not stupid; we are capable of having that conversation, so when did we have it? Why didn't we have it? Because the media decided they are going*

to frame their own issues, they gonna frame issues in a manner that gives advantage to those people that they like.

According to the Nation journalist, media in Kenya failed to discuss the real ICC issue, the fact that ICC is trying to prosecute those individuals who are responsible for over 1200 lives and the fact that 660000 Kenyans had to flee their homes. It could be assumed that it would be in all ordinary Kenyans interest to do so and therefore it is rather astonishing that media avoid discussing the issues. As the quote clearly underlines this is not due to lack of relevant information rather it is, according to the journalist, based on deliberate decisions in order to favor certain politicians. Instead of representing ordinary Kenyans in general and the victims of the PEV specifically the media sympathized with the suspects. The strong connection between media and politicians in Kenya (Nyanjom, 2012) can explain this behavior yet it is not a valid justification as media failed one of their crucial tasks in a democratic society – keep those in power in check.

The following quote from a journalist specialized on the ICC issue gives some interesting insights that further explain why individual journalists feared the issue:

> **Journalist, Capital FM, Female:** *When you write about the ICC in this country, it happened to me, people tend to believe you are an ICC sympathizer. Because of this controversy, there is fear, intimidation, threats and all that, you find that sometimes people chose to distance themselves from the ICC matter (…) In December, I had to sit down with the owner of the radio station and I don't know who he was talking to, but he must have been talking to somebody very big up there. Whether it is one of the suspects I don't know. He just came and told me that I want to see the story that you wrote.*

If you are targeted with intimidations and threat just because you as a journalist try to report about a court case that is highly relevant to the citizens of Kenya and to the upcoming election (since two of the suspects are vying for presidency and vice-presidency) the media situation in Kenya is troublesome. The ICC case is a topic of extreme news value yet journalists feared to cover it. The fact that a journalist is accused of being an ICC sympathizer purely on the grounds that she writes a critical story shows how politicized the issue is. Several other journalists interviewed, said that they reported "mandatory stories" on the ICC whenever something new happened connected to the trial yet they would never cover it out of their own initiative. Consequently, the context of the trial and the victims' perspective in particular was seldom covered and when a journalist wrote one piece about how some people in Rift Valley still fear to return to their homes, the journalist was called by the media owner and had to defend the story.

4.3.2. Land

Another highly relevant issue in Kenya that is also connected to the PEV is the land issue. To report about land in connection to the election was also problematic according to the journalists included in this study:

> **Journalist, the Nation, Male:** *The way the media approached this land question they published accusations and counter accusations, they never... Because that information is there in the archives. I mean how many squatters are there in the coast? The information is available. They never, there was no depth...Raila says something about land; tomorrow Uhuru answers Raila back on land.*

> **Journalist, The Star, Male:** *Again we have just been covering what they are saying, no one has gone down to ask are these claims really true, of course there is truth in it. It's true that land is problem in Kenya and that's what has been causing most of the clashes from 1992(…) it's like they are also afraid to touch on this land issue because, actually if you talk to an editor or media owner they will tell you that we don't want to be blamed again the same way we were blamed after 2007/ 2008 chaos so we are playing it safe, but land is a serious issue.*

Both the journalists above criticize media for failing to discuss the land issue in a satisfying manner. Instead of conducting independent journalistic work in order to be able to discuss the context and the underlying issues of land inequalities in Kenya the media merely reported what the politicians said about land during their rallies. Land inequalities dates back to independence and has since then regularly been causing tensions. Land and politics are highly connected in Kenya (Lafargue & Katumanga, 2008: 14ff). It is worth mentioning that the Kenyatta family is one of the biggest landowner in Kenya.

It is interesting that the journalist from *The Star* suggests that fear of violence and being blamed for the violence might be one reason why journalists did not address the land issue. According to the NGO, *The Kenya Land Alliance* there is a widespread misconception that addressing historical injustices like land will lead to violence, it is actually according to them the failure to tackle the land issues that has lead to several violent conflicts in Kenya (Kenya Land Alliance, 2013). Media could be used as a platform where historically injustices could be publically discussed (Voltmer & Kraetzschmar, 2015: 11), yet Kenyan media did not utilize this opportunity.

4.3.3 IEBC

The *Independent Election and Boundary Commission* is a body that was founded in 2011, in line with the new constitution, to arrange and manage Kenyan elections. According to one journalist from *the Nation*, media wrote a fair share about IEBC and how they prepared for the upcoming election, yet it was more information from the IEBC than critical reporting:

> ***Journalist, the Nation, Male:*** *There was no reporting that focused on the preparedness of the electoral commission. There were malpractices, there were offences that were being committed left right and center and the media was not reporting that. I think also media got intimidated significantly by a certain trap. There is a narrative that says media might have contributed to the violence in 2007, and that serves to mute the voices of critical media so that they went to the elections quite cowed and not as robust as one would have expected.*

The entire election process, from the primaries to the tallying process was full of scandals that according to the journalist were swept under the carpet by the media who did not fully report about and questioned how IEBC was handling its mandate. To examine the election process and inform the public about malpractices is an important role of the media during elections (Frère, 2011: 6), a function that Kenyan media presumably failed to perform. Again the journalist uses the experience of the PEV to explain the media coverage. The journalist from *The Star* has another theory:

> ***Journalist, The Star, Male:*** *One of the reasons why they are not so critical is because IEBC is a big advertiser (…) Yes this I can tell you for a certain when the procurement for BVR went haywire I had started covering IEBC, of course I had all the material, I was doing the story, I had all the facts, but then my CEO who is also the editor in chief told me that no we can't run this story like this. Of course later on I knew it was about adverts, IEBC was threatening to with drawl adverts, so from then on the criticism has been very mild.*

The journalist from *The Star* stresses the power the advertisers have over media in Kenya and underlines that *IEBC* was a big advertiser prior to the election, which according to him explains why his story about the malpractices was never published. In November 2012 the international NGO *Internews* released a report on media ownership in Kenya, which underlines the tight connection between media, the financial and political elite (Nyanjom, 2012). Whether it was due to political interest, financial interest or fear of violence, the fact of the matter is that the citizens of Kenya were denied this information even though it is the role of the media to provide them with it.

4.4 Why not discuss the important stuff?

The *Internews* report mapped the ownership of the media in Kenya and therefore it is no longer a secret that the majority of media is connected to or own by politicians (Nyanjom, 2012). Several journalists interviewed were fairly open about the ownership structure and how it influenced editorial decisions:

> ***Journalist, The Standard, Male:*** *It's a dangerous trend … very dangerous when politicians, involve themselves directly in the affairs of the media, the operations of the media. Well ownership may be there because they own it, but the least that you should do is try to ensure you do not influence the editorial content of it because that one becomes very unprofessional but fortunately I must admit, that one we have not had or rather we have so much of it being interference, media interference by the ownership of the companies.*

That politicians, would own media purely as a source of income and not use them as communication channels for their interest is perhaps rather naïve. The interesting thing however is that the ideal in Kenya is independent media without connections to political parties. To have a system where media openly are tied to political parties or ideologies is perceived negative according to many of the journalists included in this study. However, in reality media are tied to politicians and it does affect the way they report, the difference from 2007 is that it was concealed more.

One of the most dominant observations that I made between January and March 2013, which is also reflected in the material presented in this article, is that journalistic ideals were put aside in order for "peace" to prevail. Everywhere, at all levels of the Kenyan society people were preaching peace by organizing peace concerts and peace campaigns. From local initiatives on the ground to huge events in Uhuru park that was broadcasted on national television, Kenyans were told the importance of peace. Peace and Kenya's future was more important than anything else, in some instances more important than the truth:

> ***Radio Trainer, Internews, Female:*** *I think the media were too careful that they ended up suppressing some information, I think everyone kept saying for the sake of peace, for the sake of peace. There are few incidences, because I was at the field with a few of the reporters mentoring them, and I*

was able to observe some of these things. (...) At the polling stations the results were announced that he had garnered 19,000 votes but when the results came to the tallying center it changes to 30,000. From 19 it was inflated to 30,000 (...) there was discrepancy but that discrepancy wasn't aired, I know it because I was there but I never saw it anywhere in the media.

Journalist, Citizen TV, Male: *Preaching peace, I mean peace remains a non-negotiable imperative at this particular time. It doesn't matter who becomes leader by the way. You know they say, you marry a woman not a wife, you make a wife. So we will get a leader but how will we treat that leader. If we allow ourselves to be slaves then that leader will be a dictator. But if we put them to task, then we make a leader out of that person.*

5. Discussion

This study has revealed that the several journalists interviewed perceived the media coverage of the upcoming election as fairly uncritical, especially when reporting about ICC, IEBC and land. Before discussing this further it is important to underline that this does not mean that the Kenyan media is always uncritical. In fact several big corruption scandals have been revealed in Kenya thanks to good journalistic work, however during election time there seems to be too much focus on the campaigns of the politicians that there is no time or room left for investigative or critical reporting.

From a competitive democracy model and the functions it ascribes to media, the media coverage fell short in some aspects. It did provide the citizens with information about political alternatives by paying close attention to the political campaigns, yet it did not deliver the information needed to choose between candidates retrospectively (Strömbäck, 2005: 338f), as it did not securitize elected politicians pasts deeds.

Moreover, it could also be suggested that media did not provide citizens with satisfactory information to make prospectively choices (Strömbäck, 2005: 338f) either, since the context needed to evaluate political pledges often were lacking according to the journalists themselves. Yet, as several scholars (Wasserman, 2006; Voltmer & Kraetzschmar, 2015) have stressed, it is somewhat unfair to demand that media in new democracies should be able to fulfill these ideals, when the democratic infrastructure often is weak. Many of the shortcomings in the Kenyan election reporting identified by journalists themselves are similar to those highlighted in studies from other new democracies.

Several studies (Berger, 2000: Hanitzsch, 2007) emphasis that media in transitional countries seldom manage to scrutinize those in power and in some instances rather than being watchdogs become lapdogs or guard dogs. Frère (2011) points out the close connection between media and politicians as a negatively influence on election reporting. Internews report (2012) revealed the strong connection between media, the political and economic elite in Kenya and when discussing how Kenyan media reported about the ICC case journalists suggested that the coverage could be a result of favoring certain politicians. Yet, as mentioned before, it was not only in connection to the ICC case that journalists feared to criticize those in power; rather it was a general characteristic of the general election reporting. One explanation was the fear of being labeled biased or oppositional, which Berger (2000) argues is a common strategy of politicians to minimize the influence of critical media.

Unfortunately, if media do not engage and critically examines the political campaigns media easily turns into a space where politicians set the agenda rather than being scrutinized. Here Frère's (2011) idea that information is confused with communication can be applied as media risk becoming uncritically communication channels for politicians. The idea of letting the politicians criticize each other, potentially saves the media houses from being blamed for biased reporting, yet it turns politics into a mere blame game and the media reporting becomes rather sensationalized as the focus is turned away from the political issues.

The televised debate was described as something that challenged the old routine. It was a great initiative that symbolically suggested a move towards issue based politics, it did discuss several important topics and the moderators tried to question the politicians' utterances. On the other hand, the debate can also be used as a good example of how politicians handle criticism and how media are blamed to favor one candidate if they criticize another candidate.

Hate speech contributed to the PEV, in 2013 media were very carefully not to channel hateful utterances from politicians and developed strategy to prevent airing inciting messages by recording and editing political campaigns before broadcasting or openly condemning occurrences of hate speech, a practice Benesch (2012) calls naming and shaming.

Apart from the above there was one thing that made this election special, something which more than anything shaped and influenced the way the media covered the election; namely the experience of the PEV. Violence in connection to elections is part of Kenya's post independent history, yet the violence in 2008 was substantial and happened during a time when Kenya as a country had started to take important steps to become a stable democracy. After the peaceful election in 2002 when Arap Moi was withdraw from power, the PEV took many by

surprise, even though Kenya in fact still had problems with corruption, tribalism and resource inequalities (Halakhe, 2013).

The experience of the PEV was central to the 2013 election in several ways. First it was the first general election after the PEV, second, two of the candidates who were accused of orchestrating the violence and had cases against them in ICC were also vying for presidency and vice presidency. The 2013 election was also a critical moment for media in Kenya. Media had received criticism for fuelling the violence in 2008 and one journalist was an ICC suspect, accused for inciting violence through his radio show. Prior to the election new laws had been past to control hate speech by criminalizing it. Therefore, the 2013 election was not only a high stake election for Kenya politically; it was high stake election for Kenyan media. The reputation of Kenyan media was threatened.

Several journalists included in this study are critical of the way media covered the election and repeatedly the PEV is mentioned not necessarily to excuse but explain the shortcomings. The fear of contributing to tensions and violence made journalists careful and they admittedly avoided discussing emotive issues and instead uncritically disseminating information about the different political campaigns. It is almost as if they admit that the reporting at the time failed normative democratic ideals because at this very specific time in history, Kenya needed social unity more than critical reporting. This idea is also supported by the fact that several journalists explicitly stated that journalists had to be responsible and as one journalist phrased it, be the "critical responsible".

Both Voltmer & Kraetzschmar (2015) and Frère (2011) claim that elections in transitional or post-conflict societies are high stake events. The election can either be an important step forward or it can open old unhealed wounds and underlying tensions can spark violence. The widespread practice of preaching peace, which permeated the entire Kenyan society at the election time, including the media, suggests that Kenya as a nation was determined to opt for the former option. In that sense media's uncritical reporting served national interest at the time. Critical media was set aside for social unity to prevail, and Kenya is not the first county were this priority has been made (Hanitzsch, 2007: 374; Josephi, 2005: 577).

The 2013 election was peaceful and considering that all elections in Kenya since 1991 have sparked violence, except the 2002 election, one should perhaps perceive this as a victory. Yet, the matter of the fact is that the underlying issues that repeatedly spark violence have not been solved (Halakhe, 2013: 6).

The new constitution is perceived as a step in the right direction as it devolves power and saw a new National Land Commission being formed that will deal with land issues in Kenya. The politicians repeatedly referred to the new constitution when land matters were discussed, which could be another reason why media chose not to dig deeper into the subject. However, it is naïve to believe that a new constitution and a new National Land Commission automatically will solve the issue that has caused tension and violence in Kenya for decades, it is the implementation that matters. In this process media can play a crucial role by watch guarding the interests of the citizens. Yet, the strong connection between politicians and media is a great challenge and so are the new draconian media laws that were passed in late 2013 to prevent critical journalism in Kenya.

In conclusion, one can suggest that the role media played in 2007 and 2013 elections represent two different extremes. If media contributed to the violence in connection to the 2007 election by biased reporting and hate speech, they preached peace and put journalistic ideals aside for sake of stability in 2013. In both cases the media failed the roles that democracy ascribes to journalism. Even though several studies have drawn attention to the difficulties of applying liberal democracy and the roles ascribed to media in a setting like Kenya, Berger (2000) have a point when arguing that theses journalistic ideals still are relevant at the ideal normative level – as something to strive for, despite difficult conditions, which make them harder to achieve.

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