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Caught Between Information and Condemnation

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Caught Between Information and Condemnation

The Kenyan Media in the Electoral Campaigns of December 2007

Brice Rambaud

- 1 The Kenyan media played an instrumental role both during campaigns leading to the country's general elections in December 2007 and the ensuing political mess that the country was plunged into following the disputed re-election of President Mwai Kibaki. Strategically placed in both occasions, it ably performed the double task of keeping the public well informed of the political events as they unfolded and at the same time condemning wrongs by the political elite.
- 2 In its functional role as a civic educator, factual reporting took centre stage especially during meetings and rallies. The print media presented a platform for debate, where political activists and the civil society engaged each other in discussing key issues on the political agenda (devolution of power, tackling corruption, etc.). M. Kibaki, the Party of National Unity (PNU) candidate, seemed to receive more media coverage than his adversaries by virtue of being the sitting president. Nevertheless, it was felt that there was balanced coverage and his two main opponents—Raila Odinga of the Orange Democratic Movement (ODM) and Kalonzo Musyoka of the Orange Democratic Movement-Kenya (ODM-K)—were given ample publicity.
- 3 Since November, the media fraternity in an act of condemnation spearheaded by the press strongly denounced the strategies used by the two rival camps PNU and ODM. It was felt that propaganda and ethnicisation of issues were the driving force in strategies to gain mass support. As the violence progressed in the Rift Valley, they repeatedly exonerated the political community. Reading the gravity of the postelection violence, the main media houses made a concerted effort to promote responsible journalism. They appealed for dialogue and national unity.
- 4 This ambivalence in the coverage of the elections that tore the media between informing and condemning that will be focus of attention. The first highlight will be the enormous attention the media gave politics during the electioneering period. Secondly, a spot light on the print media will make it possible to analyse the stakes and

debates in the election campaigns. The final point of focus will be media reaction to the political turbulence that rocked the country after 30 December 2007, a period marked by state clampdown on media freedom and unanimous condemnation of the violence and an unprecedented professional unity.¹

Politics—Kenyan media's favourite theme

- 5 Kenyans show keen interest in their country's politics. The local dailies jokingly refer to them as "political animals"² and the media understood this perfectly. There was demand for complete coverage of the three main candidates, party news, candidate's campaigns or the campaign strategies of their respective teams. The media took full advantage of these elections to advance real media freedom they enjoyed during the five years of M. Kibaki's presidency, which was characterized by an expanded democratic space.

The growth of Kenyan media under "Kibaki I"

- 6 The Moi regime (1978–2002) was characterised by many attempts to gag the media. The government exercised a stranglehold control on the audio-visual sector until late 1990's. M. Kibaki's first directive (2002–2007) was to allow full freedom of expression and the emergence of private radio and television stations.³

Freedom of the press

- 7 In December 2007, the media, which plays a major role in providing checks and balances against M. Kibaki's presidency, lauded the wider democratic space achieved in the last five years. According to *The Daily Nation*, Kenya's leading daily newspaper, one of the main contributions the Kibaki regime made was to nurture greater freedom of expression⁴. In fact, State House no longer interfered with media content was the case before; wider variety of opinions could be expressed; the government could tolerate criticism; the civil society could speak with a stronger voice; and there was tolerance for a flurry of opinions often bordering on defamation. Furthermore, the availability of information and images in *The Daily Nation* and its close competitor *The Standard*, strengthened the case for a stronger opposition. There was mushrooming of commercial private radio stations broadcasting in English, Kiswahili and local vernaculars, which had been disallowed during the Daniel arap Moi era. These made it possible to disseminate information, especially to the rural fraternity. This greatly reduced monopoly of the state owned *Kenya Broadcasting Corporation*.
- 8 The war had not been won yet. Attacks on press freedom were witnessed following reports on M. Kibaki's Cabinet and the first lady Lucy Kibaki. These were isolated cases but they had a great impact. The so-called gutter press—sensationalist opinion press and the multimedia outfit Standard Group suffered regular raids by the in 2003⁵. Tension between the government, which had been accused of being deliberately slow in reacting to criticism since losing in the referendum of 2005, and the press, which appeared extremely unwavering towards the Kibaki administration, reached its peak on 2 March 2006. For no clear reason, the police raided *The Standard* printing press in the industrial area and the KTN television station, owned by the same group⁶: copies of

the daily were burnt and production equipment confiscated. KTN had to suspend broadcast until the following day. The raid provoked demonstrations throughout the main cities and towns across the country. The Standard Group registered huge losses in advertisement revenue. The government called on all public service organisations to boycott the media house and instead channel their advertisement through media that was sympathetic to the government...⁷

The economic boom

- 9 Greater freedom of expression led to significant liberalization of the electronic media sector and the print media remained a beehive of activity. From 2002, the Kenyan media registered unmatched economic growth. The number of media stakeholders grew further emphasizing their role in the democratization process which began in 1991.
- 10 The print media continued to dominate. The movers in the sector remained the two dailies, *The Daily Nation* and *The Standard*, rivalling each other in distribution and influence over the Kenyan elite. *The Daily Nation* boasted the sale of 190,000 copies⁸ while *The Standard* registered 80,000 copies⁹ sold. Both belong to the two great historical multimedia houses—Nation Media Group (NMG) and Standard Group. Their editorial approaches are not similar but they both made a remarkable effort at giving a balanced coverage of the 2007 General Elections.
- 11 Reaffirming dynamism in the market in year 2007, three other dailies emerged, increasing the total number to eight. NMG launched the *Business Daily* specialising in economic affairs and finance. This was followed shortly by *The Daily Metro*. Patrick Quarco—the proprietor of the commercial radio stations Kiss FM and Classic 105—launched *The Nairobi Star*. The last two were tabloids that drew inspiration from the English experience; they offered the younger public a less political content in terms of “lifestyle, music, sport and news in brief.”
- 12 The print media remained vibrant and quite diversified. In April 2007, the three-month publication *Expression Today* by the Media Institute Organisation owned by David Makali made a comeback into the media circles. It had been closed down in early 2003 when M. Kibaki ascended to power.
- 13 Only the so-called “gutter” press seemed to be losing ground. Despite its availability in Nairobi, (*The Independent*, *Kenya Confidential*, etc.), the public was no longer drawn to this sensationalist press as they were in the sunset days of the Moi era (1997–2002). The leading newspaper in this category, *The Weekly Citizen*, seemingly came off better than the others, producing 30,000 copies a fortnight.¹⁰
- 14 The growth in the media greatly benefited the electronic media sector, starting with the radio. Since the liberalization of the airwaves just after 1996, the sector experienced rapid expansion after 2003, with the Kibaki government allocating numerous frequencies to private investors. As a result more than fifty stations were in operation in 2007. Alongside KBC, many national and regional radio stations sprung up. Since 2003 privately owned radio stations broadcasting in vernacular have mushroomed, initiated mainly by private individuals, for example Kameme FM which transmits in kikuyu, Kass FM in Kalenjin, Radio Victoria and Fish FM in Dholuo as well as a number initiated by the Royal Media Services, which also founded Citizen FM and Citizen TV. In 1999 the group ventured into radio broadcasting in vernacular

languages: Inooro FM in Kikuyu and Ramogi FM in Dholuo, then Mulembe FM in Luhya, Musyi FM in Kikamba, Chamegi FM in Kalenjin, etc.

- 15 The television sector saw the arrival of new players into the market: Sayare TV in 2004 and K24 in 2007. KBC still enjoyed the lion's share of the market, but the Kenyan public seemed to prefer the privately owned Kenya Television Network (KTN, started in 1990) and Nation TV (NTV, since 1999). The two stations under the ownership of these highly placed business rivals continue to thrive due to a growing advertising market. Other stations—the state controlled KBC and the privately owned Citizen TV, Stellavision TV and Family TV seemed to be way behind in comparison to the quality of information and “modernization”¹¹ of programmes achieved by KTN and NTV.
- 16 The growth of the electronic media added a new dimension to the 2007 general elections. The reader, the listener and the television viewer had a wide range of sources of information in English, Kiswahili and other local languages to choose from. Furthermore, advertising by political parties, which had been confined to the print media since the return of multiparty politics in 1991 was redirected to the radio and to a lesser extent, the television in the wake of the 2007 elections. Only an advert or two per day was dedicated to advertising the big parties (especially PNU and ODM): much less than in 1992, 1997 and 2002, when parties used to spend record sums of money just to get an electronic media presentation of their power structure.
- 17 Economic growth greatly favoured the three media powerhouses, the NMG, Standard Group and Royal Media Services. With the general elections round the corner these three adopted diverse editorials which were greatly influenced by their owners.

Media integrated in politics

- 18 Electoral campaigns largely dominated media content and the Internet was not left out. Certain editorial columns featured prominently during the electioneering period and many journalists contested the polls as candidates.

A largely election-oriented content

- 19 The Kenyan media mobilized to cover the 2007 election campaign. Politics dominated their content, especially after Kalonzo Musyoka announced he was running on the ODM-K ticket.
- 20 For a period of five months, the print media, radio and television carried out a crucial task of gathering information and comments.¹² Journalists covered many meetings across the nation. In a polarized field, PNU and ODM traded political blows to exhaustion with mudslinging targeting politicians in rival camps. Franck Ojiambo Wanyama, Editorial Administration Manager of NMG, admitted the fatigue of their journalists at the beginning of December 2007. He explained that large political parties were monotonous in the way they held their meetings and that the journalists felt obliged to follow the proceedings, all in the name of maintaining equal coverage of the two principals.¹³
- 21 The print media was particularly interested in the election campaigns: rallies, statements, scrutinizing strategies, etc. In November and December 2007, nearly all the dailies and weekly newspapers carried headlines only related to the campaigns. During the two months, *The Daily Nation* set aside 5 to 13 pages of printed material on this one

topic (a varying total of 60 to 72 pages). *The Standard* gave it even more: from 6 to 15 pages per day (a sum total of 40 pages)!¹⁴ Other newspapers *The People Daily* (50,000 copies) and *The Kenya Times* (15,000) bore the same “electoral gravitation.” A tendency with two consequences: a rather monotonous content and the impression that Kenya had no other news other than politics.

- 22 The political debate took centre stage in the press. Newspapers reported and commented on positions of political activists and the civil society (mainly lawyers and members of various churches) on the main campaign issues and the Kibaki-Raila confrontation. They assessed the first five years of Kibaki’s presidency and stressed the change in the Cabinet, from the euphoric ascent to power with NARC to the 2005 constitutional referendum defeat. They scrutinized “*the Kibaki legacy*,” which according to them constituted five years of sustained economic growth but poor performance in the fight against corruption.
- 23 The electronic media sector equally gave excellent coverage to the elections. The morning, midday and evening bulletins as well as the endless talk shows gave prominence to the campaigns. Every piece of material was discussed, contested and politicized. Commercial radio stations, which owed their growth to advertisements (talk-shows, music), found it difficult to ignore the subject. Thus, Kiss FM, among the first commercial radio stations in Kenya,¹⁵ started a half hourly report or news on the elections “Kiss 100 Election Update”; the closely followed Sunday talk show *Crossfire*, was nothing but politics! Its sister station Classic 105 redirected “Kivumbi”—a talk-show in English and Kiswahili on social issues to concentrate on a sole topic, politics.
- 24 Television was also dominated by election campaigns. Alongside the newspapers, television stations carried reports on rallies held by the three main parties. Government controlled television station, KBC followed M. Kibaki’s rallies closely. Private television stations were more inclusive. Generally speaking, most of the rallies held by M. Kibaki, R. Odinga and K. Musyoka were covered, but the sitting president, by virtue of his position often stole the headlines. The two market leaders, KTN and NTV, had comprehensive coverage of election news.
- 25 The two groups behind these stations invested in ultramodern technical equipment to stay on top of the television sector in order to find a place in this fast expanding market. There were huge financial implications enabled by a large advertising budget. NMG purchased 10 Outside Broadcasting Vans (OBV) while The Standard Group bought eight. These vans were equipped with satellite antenna and would allow a team composed of a cameraman and an editor to transmit live broadcast and record pictures, run a commentary on a topic before sending it for editing¹⁶. KTN and NTV also acquired lighter equipment for their cameramen, notably the Broadband Global Area Network (BGAN), to record and send images via wireless Internet. These two technological investments allowed the stations to cover the campaign throughout the country. The electronic media battle continued to heat up in Kenya.
- 26 What is more, the initiative in the television sector and the political programmes broadcast throughout the year, demonstrated the private stations’ eagerness to inform the public about the stakes in the elections. A case in point is the NTV productions of several special weekly programmes at its Nairobi studio and in the field: *The People’s Voice*, *On the Spot*, *Turning on your vote*, *Agenda Kenya*. *The Making of a Nation* was a new weekly political programme, produced under the auspices of Hillary Ng’weno, a renowned Kenyan political analyst. This historical programme lasting 30 minutes, with

images and interviews, retraced the political path of Kenya through its memorable events (independence, the assassination of Tom Mboya, the 1982 coup attempt, etc.). The aim was to place the 2007 election on a global context and to understand the history of issues introduced in the campaign (Majimbo, the Kikuyu–Luo rivalry in Kenyan politics, etc.). *The Making of a Nation*, adapted from a publication by Ng'weno, was published every week in *The Daily Nation*.

Mobilisation of NTIC

- 27 In 2007, the electoral campaign the New Technologies of Information and Communication (NTIC) widely used, in particular the Internet and the SMS,¹⁷ at best (news and debates) and at worst (shunning others on ethnic grounds).
- 28 The Nation Media Group and *The Standard* group, had vibrant Internet sites for their dailies—<http://www.nationmedia.com> and <http://www.eastandard.net> respectively, which were specifically set up for the elections. NMG's *Kenya Elections 200'*¹⁸ combined articles on election campaign as published in *The Daily Nation*, NMG journalists' weblogs and NTV video reporting, which was aired in partnership with the YouTube site. These were essentially a collection of reports on meetings, party press conferences and the satirical political programme "Bull's Eye." This multimedia site proved quite popular with the Kenyan Diaspora judging by the comments after each video,¹⁹ which was the ultimate goal of the group. The Standard Group on the other hand launched a platform on the Internet to cover the elections.²⁰ It reviewed newspaper articles by order via special manuals. There was good coverage of the elections on this website.
- 29 The internet was also a platform for debates and expression of opinions. Consequently Kenyan blogs increased in 2007. The one that caught the media's attention was that of Joe Kadhi²¹ a renowned journalist. Candidates in the elections had their websites too.²²
- 30 The NTIC were also used with hostile intentions. Towards the end of 2007, mailboxes of Kenyans were full of spams and "black mails" from political activists. The PNU–ODM war really took root on the net. Spams and correspondence from one camp spread rumours and ethnic attacks on the rival camp. Similar techniques of misinformation about opponents aimed discrediting them were used through the SMS.
- 31 The "Black SMS" or "Black Propaganda SMS," circulating through mobile phones, became the subject of numerous articles in the press. For example in early December, an SMS announced the sudden death of an ODM representative, Fred Gumo, candidate for Nairobi's Westlands constituency when he was alive and well.²³ Other rumours circulating via SMS included the plot to rig the elections, by printing "parallel" ballot papers in Belgium,²⁴ a PNU minister implicated in this scheme to steal the election and members of the Electoral Commission of Kenya (ECK) were supposedly in cahoots with the government.²⁵
- 32 On a positive note, the SMS did not only serve the propaganda of political activists, but the media used it to interact with the public. The NMG launched a service to send information in real time via SMS (Nationmobile, Break 6667). Other tabloids *Daily Metro* and *Nairobi Star* followed suit with their special columns (SMSChat) which allowed readers to express themselves. Some electronic media talk-shows encouraged the public to give their views about topics of discussion via their mobile phone.²⁶

Media as political players

- 33 The role of the Kenyan media was not limited to covering the election campaign and informing the citizen: certain groups or editorials clearly took sides with candidates in the race; some media were directly created by parties they supported; journalists even contested for seats in the elections. In Kenya, the media became a political player in every sense of the word.²⁷
- 34 The first evidence of the relationship between the media and politics, as is always the case during each election period in the multiparty era, newspapers and radios were created by political parties during campaign periods to offer support for their candidates. This was clearly obvious in the press: PNU launched *The Jamhuri Magazine*, entirely dedicated to M. Kibaki, *The News Review* published every two months was pro-ODM and *Newsbreak*, ODM-K. In the electronic media, we see the radio *Umoja*, started three months before the elections by R. Odinga's allies, with massive pro-ODM content.
- 35 The second indication is that the 2007 general elections were characterized by a number of journalists seeking parliamentary and civic seats mostly on the small party tickets. From the managing editor to an ordinary reporter, many media professionals joined the fray to campaign for an elective post. Chacha Mwita, Managing Editor of Standard Group up to September 2007, contested the Kuria constituency seat. Yusuf Hassan of the BBC sought to capture the Kamukunji seat. Moses Kanyira, of Kameme FM, eyed Tetu. Pamela Mburia, radio journalist at KBC, was a candidate in Nithi constituency. Njoroge Karanja, formerly of Royal Media Services, contested in Subukia constituency against incumbent MP Koigi wa Wamwere, immediate former Assistant Minister of Information, himself a prolific editorialist (for *The People Daily*). In the gutter press, Tom Alwaka, managing editor of *Weekly Citizen*, contested the Emuhaya parliamentary seat while his editor-in-chief, William Kyavi, stood as councillor at Makina Ward.
- 36 A highly politicized profession notwithstanding, political ambition by journalists indicated that their work could be seen as a springboard to political careers. The journalists took advantage not only of their technical know-how and political activists' ability to communicate, but also of their popularity among the masses to launch a political career. In the end, numerous media were partial. There was need to look deeper into the media structures, notably the strategic groups—to know what was at the core of their political orientation that influences their news reporting.
- 37 M. Kibaki dominated coverage in the electronic media category, with the state-owned KBC and the Royal Media Services ensuring his domination. The Standard Group and the daily *The Kenya Times* fluctuated between criticizing the Kibaki government and pro-Kibaki reactions by KANU activists. This gave them a balanced outlook with regard to the campaign and an incisive endeavour in analysing the Kibaki administration. *The Daily Nation*, like all the NMG media, was perceived to be in favour of the incumbent due to numerous state advertisements but deeper analysis of the content showed that the group had widespread coverage of the two principals; meetings with the directors of the group revealed that NMG did not take sides due to economic reasons. As for the other media, notably the commercial radio stations like Kiss FM, the NMG media, through *The Daily Nation*, *Taifa Leo*, *Business Daily* newspapers, the weekly *The East African*, NTV television Easy FM radio took extra care to give equitable coverage to M.

Kibaki, R. Odinga and to a lesser extent K. Musyoka in order to show support for all their clients' parties.

- 38 With regard to television, a study on media monitoring led by the Strategic Research and Public Relations and financed by the United Nations Development Program (UNDP), from 27 November to 10 December 2007, confirmed some hidden dispositions:

	M. Kibaki	R. Odinga	K. Musyoka
KTN	35	33	26
NTV	33	37	27
Citizen TV	56	27	12
KBC	54	29	15

Source: UNDP and Strategic Research PR in *The Daily Nation*, 14 December 2007: 'You're biased, Kivuitu tells KBC'

- 39 While KTN and NTV made an effort give a balanced coverage of the electoral campaign, Citizen TV (belonging to Royal Media Services) and KBC restricted themselves to information adversely in favour of the PNU camp. In the two stations, M. Kibaki appeared twice as much as R. Odinga. These quantitative statistics are similarly reflected at the qualitative level.
- 40 KBC radio and television became the government's mouthpiece after the defeat of M. Kibaki at the 2005 referendum. Former Managing Editor of Standard Group, Wachira Waruru, headed KBC from 2003 to 2005. This was a major step in the profession. But W. Waruru was shown the door after the "NO" campaign triumphed and was promptly replaced by David Waweru. Editorial and production policy gradually became biased along ethnic lines.²⁸ In 2007, KBC extensively campaigned for M. Kibaki, covering PNU rallies live for hours in the afternoon while R. Odinga only got a few minutes in the evening bulletin. This propaganda was disheartening for the profession, according to Mugo Theuri, editor-in-chief of *People Daily*:
- KBC is a tragedy. It used to be better before, but once again it is a propaganda tool. There are many well trained journalists, but they do not want to do journalism, they want to be public servants above all!²⁹
- 41 Even Samuel Kivuitu, Chairman of the Electoral Commission of Kenya (ECK) confessed disappointment by the partiality displayed by the state media.³⁰ His letters of protest to the government yielded nothing.
- 42 M. Kibaki could also bank on undying support from Citizen TV and to a larger extent all the media owned by Royal Media Services group, print media through *The Leader* weekly and various radio stations (Citizen FM and the nine vernacular radio stations). The group proprietor, Mr. S. K. Macharia is a close friend of Kibaki and they are both from Nyeri. He supported M. Kibaki's campaign in the 2002 elections. Five years later he is back again. This shrewd businessman was able to expand his chain of companies during the Kibaki era, thanks to radio frequencies allocated by the government from 2003. During the 2007 electoral campaign, the boss gave the client a boost. Mr. S.K. Macharia was known to pry into affairs of his chain of companies, according to Benjamin Wangari, a radio presenter in kikuyu Inooro FM:

Yes, he interferes. Just like everyone else! Royal Media Services is pro-Kibaki, not openly, but indirectly. Macharia decides the editorial policy and he can call me this morning and say: 'Kibaki is in Kitale for a rally, go to Kitale and report on that.'

- 43 S.K. Macharia avoids bureaucracy, choosing to manipulate the work of his editorial manager through internal memos and sanctioning any deviants.³¹ In the group's vernacular radio stations, M. Kibaki is represented in positive light. Only one station Ramogi FM, which transmits in Dholuo in the Nyanza region, covered R. Odinga more, as he proved very popular in the region.

Radios and "ethnic disposition" in the voting process

- 44 The final level of politicization of the electronic media is evident in Ramogi FM. The local radio stations broadcasting in vernacular languages provided immense coverage for the preferred party and politician in their area of broadcast.

- 45 Kenyans voted in blocs and in most cases for the representative of their ethnic group at the national level. Therefore, in line with the political majority strength and listener representation in that community, it appeared that local language media was biased towards a particular candidate. The electoral mood of the public in support of any of the three main candidates directly influenced the editorial orientation of a regional radio. M. Kibaki seemed to be overwhelmingly preferred by listeners in Central Province: his campaign was largely covered by the radios transmitting in kikuyu like Inooro FM and Kameme FM. R. Odinga was super popular in Western and Nyanza provinces: Fish FM and Ramogi FM raised his mast higher than his contestants. K. Musyoka was favoured in his native Eastern Province: Musyi FM strongly covered his campaign. Radio stations transmitting in vernaculars treated the election with partiality, but in Kenya economic motives prevail, as Benjamin Wangari shares:

Yes, the political editorial of a local radio station depends on the vote in the area of transmission. Most of the people who understand Kikuyu were for Kibaki. He will probably have 90% of the votes in Central Province, his stronghold. Therefore we cannot give much information about Raila, otherwise we lose audience.³²

- 46 While the voting took an ethnic twist, some stations were careful not to irk their listeners. This is the case of Inooro FM. B. Wangari explains the necessity of caution in the administration of vernacular radio stations in a country where the ethnic background is politicized and the scope of an electoral campaign plays strongly on the sentiments of the community: thus at Inooro FM, very little was said on the land issues between Kikuyu and Kalenjin or even the implication of the Kikuyu in the national economy, to avoid inciting the two groups.
- 47 But this consideration does not apply to all. Some stations carried messages of hate. This was the case with Kass FM (in Kalenjin), which heavily campaigned for ODM and was accused of carrying materials of xenophobic nature vis-à-vis other communities (especially Kikuyu) and even individuals (mainly from the Kibaki administration).³³ There are two sides to the problem: the lack of education on the part of journalists or presenters and the increase in talk-shows which gave voice to listeners holding opposing views, without a real anchor³⁴. Chris Odwesso, editor-in-chief of *Kenya Times*, had a word of advice on the orientation of these radio stations during the electoral period.

Local radio stations have advantages: they encourage community participation in politics, promote their culture and language. This is a new market for the Kenyan

media. But during the elections period, the tribal interests were at their strongest. They toyed with ethnic loyalty to win the audience. They had a negative campaign³⁵.

- 48 The dichotomy existed between professionalism displayed by some stations and radical utterances on the part of others. Then there was the ambivalence of reaching the public and handling news, which was equally mirrored in the print media.

The election campaign in the press (*The Standard* and *The Daily Nation*)

- 49 In the analysis of election campaign coverage by the print media for the period between 27 November and 27 December 2007, specifically in *The Daily Nation* and *The Standard*, the role of the press fluctuated between providing mass information and condemning rising violence in the country. While the task of correcting injustices seemed to be yielding fruit, media attacks became more aggressive as the campaign gained momentum at the start of December 2007.

Ethnic case for informing and condemning

Editorial directives in the print media

- 50 The Kenyan daily newspapers were well prepared to cover the election campaigns. All editions carried rallies and statements and their management teams during in the summer of 2007 implemented their editorial policy. Some groups like The Standard Group organized special training for their reporters. The newly formed Media Council, a self regulatory media body,³⁶ in partnership with the (UNDP), also organized training for journalists who needed it. It also released a code of conduct to cover the elections, which was accepted in all the big media houses. The code of conduct appealed for the respect of the freedom of expression of all, a balanced and non-partisan coverage of the principal candidates and the admonition of ethnic strife. These were observed in the course of November and December 2007 by the leading newspapers in Kenya. On the global scale, the print media treated the elections in a balanced and responsible manner, even though M. Kibaki had a little edge over his opponents mainly due to his position as incumbent president.
- 51 M. Kibaki, R. Odinga and K. Musyoka regularly appeared in the news pages. The opening pages of the dailies for the next two months only reported on their rallies and party press conferences, where comments on their proposals often attracted debate. In *The Daily Nation* and *The Standard*, we generally found the same level of reporting on the campaigns by both M. Kibaki and R. Odinga. These dailies also selected headlines where both candidates appeared together in a photograph. This effort towards “quantitative impartiality” could be viewed in two ways: a poor coverage of parliamentary candidates and the virtual insignificance of “small” candidates in the presidential race. The specialized dailies, the business-oriented *Business Daily* (of NMG), *The Nairobi Star* and *The Daily Metro* tabloids gave little attention to the campaigns.
- 52 The study of press content carried out by Strategic Research for UNDP³⁷ by Steadman and Associates³⁸ during the campaigns confirm that the press was balanced in its coverage of the elections. But the Kenyan reader perceived *The People Daily* as a pro-

PNU paper, *The Kenya Times* and *The Standard* seemed pro-ODM while *The Daily Nation* leaned towards PNU.

53 Why these perceptions? *The People Daily* belongs to Kenneth Matiba, a Kikuyu political leader, like M. Kibaki. *The Daily Nation* was less critical of the state and the incumbent, if the advertisements published in it were anything to go by. It seemed like a Kikuyu stronghold, therefore certainly PNU.³⁹ The forces behind *Kenya Times* and *The Standard* were indigenous to KANU, the opposition party from 2003 to 2007.

54 But the findings contradict this public perception. K. Matiba did not turn *The People* into a political instrument, and his rivalry with M. Kibaki is well known.⁴⁰ *The Kenya Times* was sharply critical of M. Kibaki until the realignment of KANU with PNU in September 2007, which called for a less aggressive shift in editorial positioning. The main force behind *The Standard* was the retired president D. arap Moi, who sided with M. Kibaki's in the 2007 elections. But, if it is true that D. arap Moi's support made M. Kibaki more noticeable in this daily and "reduced" its criticism of the incumbent remains a weighty issue. Preferences of *The Standard* journalists signified determination to "side" with M. Kibaki who had, according to them, done little to fight corruption and poorly redistributed wealth.⁴¹ Furthermore the newspaper seemed to forget the constant efforts to gag the freedom of the press which was their favourite subject since 2003. Finally, in the matter of radio stations transmitting in vernacular, *The Standard* covered the election as part of its public objective. Douglas Okwach, News Editor of the daily, corroborates it:

In terms of editorial policy, we cover the two candidates as fairly as possible. We try to give them equal space and content. But we are seen as an opposition newspaper... it is a question of perception and communication. If you follow our operations you will notice that we sell more in the opposition regions: Nyanza, Rift Valley, and Coastal Provinces. Therefore if we carried a positive story on the government, we would sell less!⁴²

55 In Kenya, the opinion polls conducted by the media concluded that it was the readership that determined editorial orientation of a newspaper and not the reverse. Consequences in the perspective: though M. Kibaki and R. Odinga were covered equally *The Standard*, consideration for the electorate determined the choice of headlines and a critical angle against M. Kibaki and pages filled with commentaries from the civil society criticizing developments in Kenya in the last five years. Economic consequences: apart from public advertisements in *The Standard*, the paper attracted election announcements by ODM but M. Kibaki's campaign team seemed to avoid advertising in *The Standard*, preferring *The Daily Nation*, which sold well and had other strongholds (Nairobi, Central Province).

56 42 The editorial orientation of *The Daily Nation* was a lot more consensual. Avoiding unsettling anyone, the leading daily in Kenya reported more on ECK's meetings and the preparation of the election itself while the number of opinion articles on the political situation decreased and seemed to have less significance. Each day, the publication took calculated measures to ensure equitable reporting for both PNU and ODM. The same economic reasons were given by NMG. According to F.O. Wanyama, "if *The Nation* publishes pro-Kibaki stories, those supporting Odinga will not buy the paper: that has no economic weight!"⁴³ This was confirmed by Jaiindi Kiseru, Managing Editor of the regional weekly of NMG, *The EastAfrican*, confiding that when a paper chooses a political camp it loses on the commercial front.⁴⁴

- 57 In certain articles by Nairobians, it was reported that the Aga Khan, the majority shareholder of NMG, asked the group management not to take sides, in order to safeguard the future of his multiple interests in Kenya.

Journalists' version of ethnicity

- 58 The ethnic angle in the 2007 election campaigns was ever-present—ODM, and to an extent PNU, conducted their campaigns with ethnic inclinations—compared to the 2002 election, where this was non-existent.⁴⁵ Despite certain laid down principles, the media themselves could not escape unscathed. This was evident in the relationship between the editorial orientation and the audience of the radio sector.
- 59 In December 2007, the print media clearly portrayed in an opinion poll that people were going to vote in blocs along ethnic lines. Thus on 10 December, *The Daily Nation* revealed in a headline the results of opinion poll on the intentions of voting by region. It was evident that: *“the candidates’ strongholds. The supporters of the principal aspirants in the race to State House expect to receive from their leaders a big share of the national cake if they win the presidency”*:
- 17 days to the general election, observations by the opinion pollsters show that the principal candidates in the presidential race enjoy a near-fanatic support in their area of origin (...). According to the last opinion poll by Steadman, President Kibaki enjoys 91% popularity in the Central province; M. Odinga enjoys 78% of intended vote in Nyanza, while M. Musyoka would obtain 45% of the votes in Eastern. The Executive Director of the Strategic PR Research firm, Mr. Caesar Handa, said the distribution of the national resources represents the main reason why the individuals prefer to vote for someone from their community, especially in the presidential elections.
- 60 This regional support almost cost M. Kibaki and R. Odinga the campaign in their respective strongholds, as they chose to concentrate their efforts in the areas which were undecided, like the Rift Valley. The reintroduction of the ethnic argument in the general elections constitutes an extension of the “NO” campaign camp (Orange) during the 2005 constitutional referendum, which rested on the exacerbation of a parallel between “them” (the Kikuyu who were accused of amassing the wealth of the country) and “us” (all the other ethnic groups, which felt dispossessed). ODM, a party that emerged from the 2005 “NO” movement, the campaign strategy did not change: the concept was to appear as representative of the groups marginalised from power and those from least developed areas. In fact, the campaign became an attack on the “Other” (the Kikuyu clan in power accused of not redistributing the wealth). Numerous articles appeared in the print media condemning the use of ethnicity by politicians. This condemnation amounts to double speak. On the one hand, journalists criticized M. Kibaki of having mostly appointed the political elite from his group (Kikuyu) to his Cabinet and his administration and specifically from his area (Nyeri), especially after defeat in the 2005 referendum. According to them that constituted a fatal political error and it frustrated the elite from other groups not represented in the government. This engraved in the people’s spirit the idea that it is only through the presidency that the redistribution of public resources is possible.⁴⁶ On the other hand, the campaign strategy and utterances of ODM were outrageous: in its rallies and proposals, the pentagon was stirring up of sentiments against Kikuyu elite in power and the central government.⁴⁷

- 61 Ethnicity was a regular theme in the press, particularly in the Opinion pages. *The Daily Nation* and *The Standard* denounced its over-hyping in an aggressive campaign where every tool was used; massive use of ethnic identity, propaganda and misinformation, accusations and counter-accusations of fraud dictated the rhythm of the campaign coverage in the media; one expression featured constantly in the dailies: “Dirty politics”⁴⁸. The editorialists of both papers expressed a common dissatisfaction: personification of parties and the lack of truly competitive manifestos; polarisation of discussions, with a strong PNU-ODM presence crystallised around identities leading to obvious voter response (the Kikuyu overwhelmingly voted for PNU, the Luo ODM, the Kamba ODM-K, etc.); the creation of perceptions of passion that are beyond description or rationalization, but which signify a potential ticking bomb. By invoking ethnicity, a politician seeks to create “loyalty by obligation” of the individual in relation to the ethnic community, which robs democracy of its essence because it impairs debate. Arguments only appeal to the emotion and the irrational.
- 62 The two dailies made a special effort to enlighten the masses in order to place ethnicity on the historical map of Kenya as a state⁴⁹, and above all to explain that it can only be seen as an electoral lever⁵⁰ for the individuals. *The Daily Nation* recalled that: “*Ethnic hatred is perpetuated to win votes.*”⁵¹ In the same daily, Philip Ochieng’, a columnist, calls for understanding and unity between the groups in order to fight the real enemy of the state, the post colonial economy, in a column entitled “*Do not be afraid of the other tribe, embrace it.*” He wishes that the educated always aspire to this “most basic passion” and warns the reader:
- The leader of a large ethnic group is never really motivated by the suffering of his community. His interest is only to excite the group in order to enhance his personal political power and his financial ambitions. That is why the leaders agitate to raise a mass of social imbeciles.
- 63 The newspapers also called for individual responsibility on the part of voters, to vote for ideas and not identity affiliation⁵². Professional in its effort to inform and condemn, the daily press attacked ethnicity with great discretion. Journalists chose in some instances not to reproduce the equivocal utterances of certain politicians at rallies. *The Opinion* and *Letters to the Editor* pages of the leading newspapers were also closely monitored to sieve any hate messages so as not to fan any differences in an already polarized political environment.⁵³
- 64 As for the vernacular radios, there was however some detour in the press. Even as the dailies exercised responsibility in covering the campaigns and dealing with the issue of ethnicity the basic moral principles of the profession were trashed by the “gutter press.” Every “gutter” newspaper took sides with a political party. Being pro-Kikuyu, *The Independent* (8000 copies a week) by Mburu Muchoki carried out a spirited campaign against R. Odinga, which culminated in the 17 December 2007 edition in which the ODM leader was compared to Hitler in the paper’s headlines.⁵⁴ On the other hand, *The Weekly Citizen* continuously attacked M. Kibaki: the headlines of the issues preceding the election said that R. Odinga was only a few days from a historic ascension to power⁵⁵ and that M. Kibaki was preparing to vacate State House.⁵⁶ This biased treatment of the campaign was accompanied by ethnic accusations. The 10 December edition of the same weekly, for example, wanted to prove in page 3 that 80% of officers of the City Education Department were Kikuyu from Mount Kenya region. There was a list bearing name, designation and ethnic group of each employee to drive the point home.

Information and condemnation of violence

- 65 The print media without a doubt played its role of informing, covering the electoral campaigns of the three main parties (PNU, ODM, and ODM-K) and their preparation for the elections, by informing the public about the strategies of political players. The press also provided a platform for political debate. Finally, in the face of escalating electoral violence, it transformed itself into a campaigner for moral issues.

Information role

- 66 *The Daily Nation* and *The Standard* carried out a significant task of gathering information. From 27 November to 27 December 2007, an averagely high number of 18 reports were published per day in *The Daily Nation* and 15 in *The Standard*. Articles containing analysis material featured less prominently. During that period, the average was 3.3 articles of daily commentaries in *The Daily Nation* and 2.5 for *The Standard*.
- 67 Certain trends in this prolific covering of the campaigns have been ignored. The two dailies closely followed the PNU and ODM campaigns, as they held rallies throughout the country and ODM-K campaigns to some extent: reports, recorded speeches, press conferences, and detailed pledges by candidates. The election by the Electoral Commission of Kenya (ECK) was also closely monitored, especially the technical preparation (printing and distribution of the ballot papers, polling stations, etc.) The chairman of the electoral commission, Samuel Kivuitu, featured a lot in the print media. He frequently spoke on developments in the preparation for the elections to allay uncertainties since ODM and ODM-K campaign teams had expressed possible election fraud on the part of PNU. Throughout the month of December they questioned Kivuitu on the matter. From the allegations relayed in the press and to which S. Kivuitu's response remained: "Prove what you are saying," R. Odinga's campaign strategy seemed to be three-fold: occupy the media playing field; discredit PNU, which had been accused of using state machinery (police and provincial administration) to seek M. Kibaki's re-election; to pose as the victim.⁵⁷
- 68 Worth noting is that the ECK placed many advertisements in the two dailies appealing to Kenyans to vote, with bold slogans in both English and Swahili: "Don't complain about corruption if you don't vote," "Elect leaders who don't buy votes," "Elect leaders who don't incite violence" and explaining how to vote using sample ballot papers. The print media also took part in the publication of official announcements. On 30 November 2007, *The Daily Nation* published a list of all parliamentary candidates, over 2000 names on three pages.
- 69 On the other hand, we ought to acknowledge the efforts by the print media to shed light on predictions and strategies of various political players in the elections, especially in the Sunday papers and in disapproving certain prevalent practices in Kenya like buying of votes. There were also articles which exposed ineffectiveness of electoral programmes, on the one hand, and their feasibility, on the other.⁵⁸ *The Standard* expressed scepticism on the promise by the opposition to deliver a new constitution after only six months if elected.⁵⁹
- 70 The press called for more transparency in the elections and in some daily editions they denounced undemocratic practices by Kenyan politicians. *The Daily Nation* dedicated a pull-out report in its 15 December edition on the buying of votes by parliamentary

candidates, after a study carried out by the African Centre for Good Governance.⁶⁰ An article revealed that almost Ksh 900 million was used to bribe voters in the selection of candidates during party nominations. UNDP figures show that rich politicians spent up to Ksh 80,000 per day in buying votes. *The Daily Nation* also claimed that many voters accepted the money but were free to make their own choice at the ballot box. Another short article gave examples of politicians who invested a lot in this practice in 1997 and 2002 and still lost in the elections.⁶¹

- 71 On 18 December *The Standard* criticized the secret use of public funds and resources by ministers during the campaign.⁶² The front pages and three inside pages carried a report by the Kenya National Commission on Human Rights (KNCHR) highlighting seven ministers of the and public service employees in illegitimate use of state resources (money, vehicles, etc.) in election campaigns. The article demands a thorough and transparent investigation by the government.⁶³
- 72 Finally, media coverage the 2007 election campaigns was marked by significant opinion polls that were conducted by media groups and well covered by all the media. This is not a new practice but it was the first time pollsters in Kenya, notably Steadman Research, Consumer Insight, Infotrak Harris, Gallup and Strategic Research—conducted the polls with dedication and their results so widely documented.
- 73 From September 2007, opinion polls on voter intentions concerning the presidential election was carried out and published in the leading dailies. Soon afterwards they were conducted and announced weekly. *The Daily Nation* showed the greatest interest in the results of the surveys.⁶⁴ Changes in the results of surveys on voter intentions were minimal. R. Odinga systematically took the lead. The distribution of results by province revealed the high popularity of the ODM candidate in Nyanza, Western and North Eastern provinces while M. Kibaki's strength was in the Central Province.

The press a channel of the civil society

- 74 Beyond their initial role of informing, *The Daily Nation* and *The Standard* provided a forum for broad political debate in the Kenyan media.
- 75 Opinion pages of the leading dailies were full of writings on the principal parties in the elections. Special pages were created specifically for political debate. There was 'Election Platform' in *The Daily Nation* or the 'The Big Three debate' in *The Standard*. On one page, and in three separate articles, the leaders or representatives of the three leading parties engaged each other on a particular issue and outlined their agenda. These debate pages, which were published weekly and nearly daily closer to the elections, were reduced to a PNU-ODM battlefield towards the end of the campaign rather than platforms of proposals or explanations.⁶⁵
- 76 Letters to the editor in the two dailies were equally politicized and allowed the public to express themselves on events making news. One page 'The people's voice,' carried comments and was frequently read. This was a way for the newspapers to pass on findings and messages. Thus, when Lucy Kibaki increased her allowance as First Lady before the elections from Ksh 350,000 to Ksh 500,000, *The Standard* published a letter entitled 'First Lady's allowance increase is ridiculous,'⁶⁶ revealing the papers' stand on political issues.
- 77 The dailies acted more as a mouthpiece of civil society that was deeply involved in the elections. Various activists were featured in the media: the Christian churches, the Law

Society of Kenya (notably its chairman Okong'o O'Mogeni) and the Kenya National Commission on Human Rights (led by Maina Kiai). The first two activists were quite conversant with the political debate in Kenya since the struggle for democracy in the late 1980s.

- 78 The clergy greatly intervened in the two debates that marked the campaigns: the issue of decentralization fronted by ODM and ODM-K and R. Odinga's agreement with Muslim leaders in a Memorandum of Understanding (MoU). These two elicited a lot of comments in the media. Members of the Clergy expressed themselves from the point of view of the institution they represented rather than their own behalf.
- 79 The debate on decentralization monopolized the commentary pages of the dailies from the end of October to early December 2007. Everyone took sides on a vaguely defined proposal (decentralisation? federalism? majimboism?). The Catholic, Anglican, Presbyterian, Methodist and the Episcopal Conference of Kenya registered their disagreement with this proposal, most critical being the Catholic Church, which at this point seemed to be in conflict with ODM.⁶⁷
- 80 The second debate, the signing of a Memorandum of Understanding (MoU), after an agreement between the ODM candidate and the National Muslims Leaders Forum: Muslim leaders declared their support for ODM in the campaign while R. Odinga would embark on incorporating the Muslim community in the state, in particular in the public sector employment, and develop the regions that are predominantly Muslim with his policy of decentralization.⁶⁸ This agreement was widely rejected by all the Christian churches (catholic, protestant, evangelical). They intervened through discussion forums in the press, in advertisements or via press conferences. They did not want an accord made in public between a political and a religious group as this raise tension between religious communities, or cause political conflict along religious lines.⁶⁹ The Christian churches know how to communicate with journalists, and their criticisms feature prominently in the media.
- 81 Another civil society activist which was active in the media was the Kenya National Commission on Human Rights (KNCHR) together with its chairman Maina Kiai. Despite his frequent appearance in the media M. Kiai had great difficulty in efforts to incorporate human rights into the political agenda of the campaigns. However, on 6 November, his organisation published a tragic report on the discovery of 500 corpses in Kenyan forests (Ngong, Naivasha, Machakos, etc.) The deaths could only have risen from extra-judicial killings, according to M. Kiai. The police were directly blamed in their fight against the Mungiki sect in 2007. M. Kiai spoke of crime against humanity.⁷⁰ Neither the police nor the government gave an explanation to confirm or deny implication in the matter. All the newspapers carried this report on 6 November. *The Daily Nation* went on to demand the truth from the government in an editorial⁷¹ but the press gave the matter little weight, and completely sidelined a few days later.⁷²

Condemnation of election violence

- 82 The final twist in the coverage of the campaign was violence. In November the party grassroots elections were poorly conducted and were characterized by chaotic scenes. As December approached, ethnic tension revived by politicians heightened in the Rift Valley. *The Daily Nation* and *The Standard* then raised moral issues in the wake of an escalating aggression that quickly degenerated from verbal to physical.

- 83 In mid-November 2007, the three large political fronts PNU, ODM and ODM-K organized primary elections to pick their flag bearers for parliamentary and civic elections. These elections turned out to be a fiasco:⁷³ delays due to disorganisation or missing ballots, missing election material, vote-buying, irregularities in the counting and even stealing of ballot boxes were reported in some areas. Violent scenes broke out at party headquarters. For five days the supporters of successful candidates and those of aspirants who felt they had been robbed of victory clashed in Nairobi (Westlands and Dagoretti), in Thika, Mombasa and Mt Elgon.⁷⁴ Some candidates were injured in the fights. The losers who refused to accept defeat lodged complaints with the ECK while most of them contested in the general elections on tickets of different parties. “*Democracy at its ugliest*” read an article in *The Daily Nation*, pointing an accusing finger at the parties’ incompetence in organising democratic and fair nominations. The daily equally lashed out at the weakness of parties and selfishness of Kenyan politicians who only seemed interested in their own ambitions rather than that of their voters.⁷⁵
- 84 The break-out of violence in the Rift Valley was a new development that the print media condemned and attempted to sensitize the political class about. In Kuresoi, the neighbouring Molo district and Mt. Elgon, trouble broke out between different communities (Kikuyu, Kalenjin, and Kisii) at the beginning of October. Fuelled by politicians during campaigns in their respective constituencies, they heightened towards the end of November and finally turned fatal in December. On 9 December, 25 deaths were documented in Kuresoi, 16,000 people were displaced and hundreds of houses torched, quite a “price” to pay for “tribal politics.”⁷⁶
- 85 These fatal methods by parties were widely condemned in the print media. Even more unforgivable was the lack of action by the state, notably the government and the provincial administration, which stands accused. The lack of action was both past and present, given that the violence were recurrence of 1992 clashes instigated by the KANU government under Moi to discredit multiparty politics.⁷⁷ The police were criticized for their inability and/or lack of goodwill to act in order to stop the crisis.⁷⁸ *The Daily Nation* urged the government to intervene fast and at all costs in Kuresoi and Mount Elgon.⁷⁹
- 86 *The Standard* was again heavy in its criticism of the government over its handling of the crisis, and published scathing opinion articles, as in the *Sunday Standard* of 9 December 2007: “*we are bleeding and dying in Kuresoi; and we are bleeding in the Mount Elgon region. The country burns while the government watches.*” Finally, the Minister for Internal Security, John Michuki, got round to visiting the affected areas and met the displaced families, but the clashes persisted.
- 87 Despite these incidences ahead of the elections, all the newspapers called on the voters to come out in large numbers and vote peacefully. They stressed that voting was the cornerstone of democracy. The 27 December front pages, however, revealed uncertainty in commentaries in light of the atmosphere of Manichaeism and the escalating violence: “*Stay calm and keep the peace*” in *The Nairobi Star*; “*We appeal to you to rely on your inner voice and to preserve harmony and security*” in *The Standard*; “*It’s not a war, it’s only an election*” warned *The Daily Nation*. The dailies were therefore not in doubt regarding the next course of events.

Pro-Active journalism by the Kenyan media following announcement of disputed results

- 88 The leading Kenyan media displayed professionalism during the election campaign. They continued to inform after the elections and the announcement of disputed results. They informed the public of developments, sought to understand political and social reasons behind the violence in the country. Cautiously, they broadcasted the clashes that claimed lives of hundreds of Kenyans. They condemned the two conflicting parties and called on the people to stay calm and be united for the good of the country.
- 89 This constructive strategy was referred to as “*pro-active journalism*,” inspired by the media activists. This term describes responsible handling of information by the journalists in conflict situation. Thanks to their presence of mind in urging the public and having a positive impact on the volatile situation by diligently carrying out the duty—through education, denouncing stereotypes, honest analysis of the causes of conflict, proposing alternatives to violence.⁸⁰
- 90 Pro-active journalism by the Kenyan media as witnessed during the crisis is a result of fine training of media players, particularly in the press groupings, and in professional unity in situations of crisis. It is rare to find this quality in a highly competitive environment. The re-establishment of the Media Council in 2007 was positive. This self-regulation body established to mediate between the government and the press was able to coordinate actions of the profession and defended it against attempts to curtail press freedom by “Kibaki II.”

The elections and parliamentary results

Coverage of elections

- 91 On the Election Day, 27 December, there was no need to look for something amusing on the radio or a Brazilian soap opera on television: every programme was dedicated to the coverage of the elections. The press used their “traditional” network of local correspondents and dispatched reporters throughout the country. Thanks to the mobile phone, they could keep in touch with the broadcasts and in the case of radio, be on air 24 hours. Television stations also carried out the important duty of covering the voting process in the capital and in the rural areas. As they did during the campaign era, NTV and KTN led in their presence in the country due to their superior technological capacity which made it possible to broadcast live from various polling stations and/or send images with their broadcasts.
- 92 Radio and television stations formed a network of reporters and correspondents who kept the listeners and viewers informed the whole day. In the evening, this network functioned in the same manner to report election results live. Due to competition each group made an effort to air news promptly and quickly analyse preliminary results. Due to this system, the initial test was passed. R. Odinga’s lead over M. Kibaki in the presidential vote was known, many members of the Kibaki government were finding the going tough in their constituencies. The pro-ODM wave in the Rift Valley remained strong despite problems related to the planning of elections and cases of fraud were quickly reported to the public, late opening of some poll stations, names missing from the registers, etc.

The defeat of sitting ministers in parliamentary elections

93 While waiting for results of the presidential elections, journalists ran a commentary on parliamentarians. The fall of almost twenty members of M. Kibaki's cabinet was seen as a political tsunami. The defeat of Nicholas Biwott and D. arap Moi's sons (Gideon, Jonathan and Raymond) in parliamentary elections marked the end of an era, that of the old KANU, and the end of a family dynasty.⁸¹ According to *The Daily Nation*, the Kalenjin vote against Moi's close allies and family was a strong sign of resentment for the former president. Clearly the community did not appreciate his alliance with M. Kibaki. In the meantime a new generation of Kalenjin politicians greatly undermined his political influence over the community.⁸² One *Sunday Nation* commentator could hardly believe that N. Biwott, the "Total Man" of the Moi era had lost.⁸³ The fine pen of Mutuma Mathiu, Managing Editor of the same Sunday paper mused:

I am excited because of new promises: where will the Kenyan politics be without the least liked of all politicians, Nicholas Biwott? (...) when I started as a journalist, we felt free to criticize Mr. Moi, but we never joked with M. Biwott.⁸⁴

94 Big men close to M. Kibaki were the biggest losers⁸⁵ of the parliamentary elections: Moody Awori, David Mwiraria, Chris Murungaru, Simeon Nyachae, Njenga Karume etc. and representatives of the "old guard" like outgoing Minister of Information Kagwe Mutahi and his predecessor, Raphael Tuju. The *Sunday Nation's* point of view on this turn of events was obvious. The 27 December 2007 election was a protest vote by the people against the Kibaki government.⁸⁶

95 Concerning the presidential election, journalists took great care in calming down emotions and spared no efforts to defend the ECK which delayed in announcing the results.⁸⁷ At end of December, television and radio stations carried out uninterrupted live broadcasts to report popular discontent, relay the statements by politicians, and recount proven cases of fraud and the eruption of widespread violent activities.

Results of the presidential election and violence: condemnation by the media and a call for peace

96 Activities of the media when the post-election violence broke out and the reflections of the two leading Kenyan dailies between 30 December 2007 and 7 January 2008 will be the focus of this section.

Kibaki II and the first attempts to gag the media

97 As the troubles broke out in the country due to delayed announcement of results, it was through government backed KBC that S. Kivuitu officially declared M. Kibaki winner of the presidential election on 30 December 2007, three days after the vote. Only KBC could run the picture of S. Kivuitu in the precincts of the Kenyatta International Conference Centre (KICC) and all the private television channels and radio stations could only retransmit the public station's signals to broadcast the ECK announcement.⁸⁸

98 This was a dark day indeed for press freedom in Kenya as the Ministry of Internal Security decided amidst the confusion to suspend live broadcast of all news bulletins in "*the interest of security and public tranquillity*,"⁸⁹ leading to country-wide protests. In a statement, the government spokesman explained that "*in the present atmosphere, some*

*people are using the media to incite violence,”*⁹⁰ any media house found in breach of this regulation would be closed down indefinitely.

99 This move was widely condemned by media professionals, various civil society bodies and foreign ambassadors. One radio station, Kiss FM did not conform and continued to broadcast live news broadcasts and relayed listeners SMS messages. Radio Lake Victoria situated in Kisumu, which openly supported R. Odinga, was shut down.

100 The following day, on 31 December, during a press conference, representatives of the Media Council and Media Owners Association⁹¹ denounced this measure as “*draconian, unrealistic and amounts to an insult to press freedom in the country.*”⁹² The chairman of the Media Council, Wachira Waruru, announced that a decision had been taken by the media owners to ignore the directive not to broadcast live. His defiance was as weighty as the determination of media players, as pointed out by W. Waruru in his statement:

We, the media owners and the Media Council, have decided today that we are not going to accept any effort by the government to silence us (...) the media industry is shocked by the directive of the Minister in charge of Security. We are not going to obey the slightest directive aimed at controlling the freedom of the press. (...) we hope the minister retracts this directive and allows us to serve the people of Kenya.

93

101 But the government reaction was categorical, making it clear that the media must comply and the stations had to stop any live broadcasts. The ban remained in place for over a month. Following this attempt to gag the media, the leading media powerhouses put aside their editorial differences and worked together to effect proactive journalism, even as violence spread throughout Kenya.

Confusion and restraint

102 Many deaths were reported during the campaign period (as in Kuresoi), on the Election Day and before the announcement of results, but it is especially after M. Kibaki’s acceptance statement that hatred and anger took root in Kenya. The private media portrayed two realities. On the one hand, M. Kibaki, being sworn in solemnly holding the Bible and, on the other hand, ODM leaders contesting his re-election and announcing that R. Odinga was the “*legitimate president.*”⁹⁴

103 Scenes and images of riots, looting, clashes with the police, displaced people filled newspaper pages, television screens and radio waves. Reporters from the three main media houses were dispatched throughout the country: first to Kibera then to other areas of Nairobi, Kisumu, Nakuru, Eldoret, Mombasa, Molo, etc. All over the same images, pictures were shown on television and sounds of brutality were broadcast on radios. The reports carried scenes of burning cars or looting (Kisumu was a case in point) sometimes with no commentary (for example on KTN and NTV).

104 Almost forty thousand women and children were burned alive in a church in Eldoret on 31 December and this caused an explosive effect on the reports. Days after this tragedy, commentaries in the press continued to compare it to the violence that took place in Rwanda and the Democratic Republic of the Congo.⁹⁵ Kenya became aware that ethnic tragedies did not only take place neighbouring countries. A report of NTV on 7 January 2008 about Kikuyus fleeing the Rift Valley was incredulously titled, “Refugees in our own country,” violent protests were strongly condemned by the media. There was

consternation and confusion everywhere. How did we get here? *The Daily Nation* seemed to ask.⁹⁶

- 105 To avoid stoking the fire, the media decided to be impartial over the regularity of the polls. There would be no analysis and limited news on election anomalies would be broadcast. *The Daily Nation* redirected focus on the M. Kibaki's re-election and pointed out that he was starting an illegitimate and "very gloomy" second term "*especially in the larger and more populated regions where the perception of a stolen election provoked deep anger*"⁹⁷. By 31 December, the paper pointed that it would be impossible to reverse the hand of time and find a procedural explanation of the conflict: only one "*political solution*" would suffice between M. Kibaki and R. Odinga, but the paper expressed doubt that the ODM would be able to calm its supporters.⁹⁸
- 106 In order to stay abreast with the irregularities, the newspapers chose to relate conclusions of the European Union observers and various foreign representatives, who unanimously condemned the elections as "*seriously flawed*."⁹⁹ Findings such as "*serious problems in the vote-counting process*"¹⁰⁰ with inflated figures in certain constituencies (Maragwa, Molo) were provided by the European Union and were published providing their source.
- 107 Thus, from reading the Kenyan papers of Anglo-Saxon origin and which separate fact and analysis, it is easy to see the subtle line between factual articles pointing clearly to an election that has suffered numerous irregularities in the vote counting process¹⁰¹—with various reports accusing observers of tampering with official figures but also commentaries in the foreign media replicated as "news"¹⁰²—and opinion articles which for the sake of quelling ethnic tensions, preferred to remain non-partisan but shift the blame of post election chaos to the two leading parties and the ECK.

Pro-active journalism

- 108 The Rwandan ghost and its "hate press" haunted Kenyan journalists. This called for professional unity and an appeal for calm remained their message in the wake of escalating violence.
- 109 On 3 January, the media made a decision to act jointly. The Kenyan newspapers agreed on one headline: 'Save Our Beloved Country.' The televisions carried the message 'Save Our Country' at the base of the screen throughout the day. The radios read editorials of *The Standard* and *The Daily Nation*, and used their influence on listeners to appeal for individual responsibility. On 6 January, three days after this measure, television and radio stations put on air a common programme of prayer for peace. The initiative came from the Media Council, and the Media Owners Association and religious leaders. From 6 to 7 am, pastors, priests, imams and artistes consecutively appeared to deliver messages of peace and to demand truth and justice on elections. Still in the interest of promoting pro-active journalism at a time of conflict, NTV ran a series of special programmes from 3 January 2008 entitled *Saving Kenya: Voices of Reason*, which aimed at demystifying the evolution of conflict. The NMG television channel also broadcast a five minute clip on peace, 'A Song for Peace,' at regular intervals.
- 110 The print media continued in its informing role. It is in *The Standard* that we learnt that S. Kivuitu announced results under pressure and that he himself could not tell the real winner of the elections.¹⁰³ The two leading papers acted jointly to bring about a sense of morality among politicians and readers and encourage negotiations between the two

conflicting political parties. The array of titles of their editorials following the announcement of election results is a clear indication of these efforts: 'Our leaders must now preach peace' (*The Daily Nation*, 31 December); 'Our leaders must make peace happen' (*The Daily Nation*, 4 January); 'Peace talks crucial to nation's survival' (*The Daily Nation*, 9 January); 'We must stop these poll chaos right away' (*The Standard*, 30 December); 'Violence does not help in this crisis' (*The Standard*, 1 January); "*Hardened positions will only fuel conflict*" (*The Standard*, 2 January); 'Let us join all join for the push for peace' (*The Standard*, 4 January); 'Let us all support mediation efforts' (*The Standard*, 7 January). The first person's plural (we, our, us) is used as source of empathy and persuasion to the reader.

A triple condemnation

111 In the wake of increasing post electoral violence, journalists accused neither camp in particular but laid blanket blame on both PNU and ODM who played an instrumental role in ethnicizing the campaigns,¹⁰⁴ while the ECK and its chairman S. Kivuitu continuously accused the profession of acting unanimously against them.¹⁰⁵

112 Media political analysts viewed the ODM campaign of "them-against-us" as highly incriminating. This accusation played a principal role in whipping up anti-Central Province and simply anti-Kikuyu sentiments in some communities and fuelling ancient frustrations. This political ethnicization had dire repercussions when it was apparent that the "Kikuyu party" had stolen the election. The second accusation coming rather late was that R. Odinga showed no goodwill to end the crisis and contain the violence. M. Kibaki was accused of playing the waiting game only making half-hearted attempts to quell the demonstrations. Turning to PNU and the ethnic issue, columnists drew a clear distinction between the Kikuyu as a people and the elite Kikuyu. The latter is accused of sacrificing everything to stay in power, driven by the fear of losing control of a "golden economic era" should the ODM come to power. According to the *Sunday Nation*:

The crisis in Kenya is not electoral in itself. It is a result of how this election has been presented, and it has been presented as a conflict between the Kikuyu—accused of stealing the country's fortunes and monopolizing power—and a coalition of other tribes. The ODM alliance appears incapable of convincing the elite Kikuyu that Raila's presidency will not signify their end, as they thought. The Kikuyu thought that if ODM wins the tribe will be destroyed, they will be dispossessed of their property and those who have settled in various parts of the country will be decimated.¹⁰⁶

113 The last collective accusation was against S. Kivuitu and the ECK over its work and especially the conduct of elections after the announcement of the presidential results. S Kivuitu's work, which had been considered "*efficient and independent*"¹⁰⁷ on the 28 December 2007 turned "*disastrous*" a week later.¹⁰⁸ The electoral commission which declared M. Kibaki winner is held directly responsible by the print media. Its members did little to resist pressure or manipulation; they hurried to make a proclamation of an election marred by irregularities, what a legislative mess.¹⁰⁹ An unwavering opinion article read 'Why Kivuitu must be held accountable for poll chaos.' According to the article, the announcement of M. Kibaki as winner was unconstitutional.¹¹⁰ Finally, The East African editorial on 7 January 2008 considers that the ECK lost all credibility in this election. The weekly carried statements by S. Kivuitu and other ECK commissioners, who failed to challenge the irregularities. They confirmed being under pressure from

the authorities, worse still they could not tell who won the elections.¹¹¹ And the final editorial pushed for a case to reconstitute the electoral commission. It would be suicidal to go into another election with the same commissioners and the same arrangements. Only Gado, a cartoonist with *The Daily Nation*, seems a little considerate with the ECK: a drawing on the 3 January 2007 depicted S. Kivuitu announcing the presidential results with a Kalachnikov pointed to his neck by a soldier.

Conclusion

- ¹¹⁴ In general, the study of the coverage of the campaign, the election itself and the post-election chaos by the Kenyan media, specifically by the two leading dailies *The Daily Nation* and *The Standard* presented journalism with a double role; that of passing on information to the citizen and at the same time condemning the ever worsening misconduct of politicians. It brought to light the politicization of media players and their awareness that can have a great impact on the political and social arena. By carrying out its duty responsibly and repeatedly appealing for calm, the leading media transformed themselves into ambassadors in the interest of national unity, thus playing an important role meant for the opposition.
- ¹¹⁵ On the other hand the same responsible journalism was accused of unethical work in a few isolated areas—for example the gutter press and radio stations broadcasting in vernacular, like Kass FM—whose criticism was synonymous with the degradation of the mainstream media.
- ¹¹⁶ We can also point out that from the election campaigns to the post-election violence; the Kenyan media defended its freedom, its right to inform despite political pressure. The professional unity after 30 December 2007 and unity of purpose in practising proactive journalism represented a new chapter in this strongly contested environment for the future. Finally, the by launching the new Media Council, through the voice of W. Waruru, who was unanimously recognized as a reputable media icon, the profession in a way found its self-regulation footing that had eluded it for long... and this goes down as one of the rare positive points in Kenya following the 2007 general elections.

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NOTES

1. The study took the form of a three week survey in Nairobi where most of the media stakeholders are based, semi-informal meetings with journalists and managers of the three main media categories (print, radio and television) as well as observation of live broadcasts. A qualitative analysis of the press was carried out following the election campaigns through the country's two leading dailies, *The Daily Nation* and *The Standard*, from 27 November to 27 December 2007. This was also possible through the web sites of the two newspapers.
2. "Kenyans are political animals, almost to the last man and woman, and 14.2 million of them have registered to vote in the 10th General Election on December 27. They are avid consumers of media content." *The Standard*, 7 November 2007, 'The Kenyan media environment.'
3. B. Rambaud and A.-J. Tudesq, 2007.
4. *The Daily Nation*, 29 December 2007: 'Kibaki's greatest legacy is freedom of expression.'
5. B. Rambaud and A.-J. Tudesq, 2007.
6. An article of *The Standard*, published on 25 February 2006, on a secret meeting between M. Kibaki and his opponent K. Musyoka may have displeased some people at State House.
7. Reporters sans frontières, 'Le gouvernement ordonne un boycott publicitaire des médias du Standard Group.' 19 avril 2007.
8. Source: Nation Media Group (NMG) distribution department, December 2007. It is noted that *The Sunday Nation* distributes 220,000 copies every Sunday; it is the best selling newspaper in East Africa and one of the best selling in black Africa.
9. Source: Standard Group distribution department, December 2007. *The Sunday Standard* send out 100,000 copies.
10. Interview with Willy Kimanzi, editor in chief *Weekly Citizen*, 11 December 2007
11. For example, one of the legal battles between the two largest private stations that caught public attention was the right to air the successful American soap opera, *Desperate Housewives*. KTN emerged victorious.
12. Thanks to colonisation by England, journalism in Kenya is a mirror image of Anglo-Saxon tradition, distinctly separating fact and analyses.
13. Interview with F.O. Wanyama, Editorial Administration Manager of NMG, 6 December 2007. PNU and ODM put pressure on the giant media houses in an effort to influence them in the coverage of elections. ODM published an open letter to the Nation Media Group accusing it of openly covering the elections in favour of PNU (*Expression Today*, November 2007, pages 18–19: 'Kenya: ODM accuses major Kenyan paper'). PNU also sent a similar letter to The Standard Group in early November (*The Daily Nation*, 9 November 2007 : 'High poll stakes lead to in-depth media coverage scrutiny').
14. The prize goes to the latter newspaper which dedicated 40 out of 56 pages in its 23 December edition on election campaigns. Refer to *The Sunday Standard*, 23 December 2007: 'History in the making.'
15. Steadman and Associates International Research Center, Kenya Media Diaries, Quarter 4, Nairobi, 2005.

16. Interview with Emmanuel Juma, Head of TV News, NTV on 11 December 2007.
17. *The Sunday Standard*, 9 December 2007: 'Campaigns move to the Internet and cell phones.'
18. <http://politics.nationmedia.com> [archive].
19. Each video was seen by tens of thousands of surfers since the YouTube site registers 10 to 40,000 clicks per online video. After the troubles that broke out following the disputed presidential election results, the videos showing images of the demonstrations and looting scenes were the most popular. For example, the report 'Nairobi: Violence and Refugees' posted on the 2 January 2008 on the site was visited more 53,000 times in a week.
20. <http://www.eastandard.net/electionplatform> [archive].
21. Currently a journalism lecturer. <http://www.blogger.com/profile/13054323858001450971>. [archive].
22. <http://www.kibakiten.org> [archive]; <http://www.raila07.com> [archive]; <http://www.kalonzomusyokaforpresident.co.ke> [archive].
23. *The Standard*, 5 December 2007, 'We are not amused.'
24. The official ballot papers are printed in England. *The Daily Nation*, 5 December 2007.
25. *The Standard*, 4 December 2007.
26. This was the case with *Agenda Kenya* of NTV. Emmanuel Juma, Head of TV News for the station explains, "*the use of SMS is a success. The mobile phone is a phenomenal communication tool here, as you know Kenyans want to participate in debates, give their opinions. Ironically, it is the rural folks and those living in provincial towns communicate by SMS, not the Nairobians.*"
27. The Assistant Minister of information, Koigi wa Wamwere, also talks of 'political activists': 'Journalists enter politics as an instinctive confirmation of what they are—activists.' *The Standard*, 7 November 2007: 'From Newsroom to Parliament.'
28. We witnessed that in the promotion of journalists in KBC—notably in the KBC Board of Directors and in the managerial team and in the Ministry of Information, only the Kikuyu, from the president's ethnic group or close to his network of friends, benefitted.
29. Meeting with Mugo Theuri, editor in chief of *People Daily*, 4 December 2007.
30. *The Daily Nation*, 14 December 2007: 'You're biased, Kivuitu tells KBC.'
31. Kiruri Kamau, former editor-in-chief of the *Leader*, had to leave the group for disobeying his boss' orders not to publish an article criticizing M. Kibaki. Source: Interview with Kiruri Kamau, 5 December 2007.
32. Source: B. Wangari, *op. cit.*
33. *The Daily Nation*, 31 October 2007: 'Vernacular radio stations accused over hate speech.'
34. *The EastAfrican*, 20 November 2007: 'Let's check ourselves on hate speech.'
35. It is all a game. Source : Interview with Chris Odwesso, editor-in-chief of *Kenya Times*, 13 December 2007.
36. Reconstitution in accordance with the Kenya Media Act which came into effect in October 2007. The new Media Council brought together media professionals (media owners, journalists and the Kenya Union of Journalists), members of the civil society (like the Law Society of Kenya) and members of the government. Its objectives are not

only to sort out disagreements between the government and the media but also between the media and the public; to promote independence and freedom of the media; to encourage training and ethics among journalists. The reconstitution of this self-regulation body was a positive move: the Media Council earlier existed as an empty shell commanding little respect from the profession since its formation in 2000. See *Expression Today*, November 2007, 'Statutory Media Council is here.' pp. 4–5.

37. <http://www.strategicafrica.com/uploads> [not available. Website Archive].

38. <http://www.steadman-group.com/monitoring-index.php> [not available. Archive].

39. Newspaper readers have admitted not reading *The Daily Nation* because "it is a Kikuyu paper"...

40. According to *The Standard*, the surprise candidature of K. Matiba in the presidential election "has been viewed as not so much out of a conviction to win the race, or even become an MP, but a statement to spite President Kibaki" (*The Sunday Standard*, 2 December 2007: 'Matiba's feeble comeback could cause shockwaves').

41. These two critics are omnipresent in *The Standard's* opinion columns. During the elections campaigns, the daily for example published an interview with John Githongo, former Ethics and Governance Permanent Secretary in M. Kibaki government who had to go on exile after denouncing growing corruption in the NARC cabinet. On the first three pages, J. Githongo denounced "the arrogance and corruption of a clique of cynical old men"; he said that M. Kibaki did not honour the pledges in its 2002 election manifesto and should be judged on the strength of its failures on 27 December 2007. *The Sunday Standard*, 16 December 2007: 'Githongo breaks silence.'

42. Interview with Douglas Okwach, *The Standard* news editor, 10 December 2007.

43. Interview with F.O. Wanyama, Editorial administration manager of NMG, op. cit.

44. Interview with J. Kiseru, Managing Editor of *The EastAfrican*, 12 December 2007.

45. There was a unity among all the social groups to remove D. arap Moi from power and the two principal candidates M. Kibaki and Uhuru Kenyatta, were Kikuyu.

46. According to Chris Odwesso, of *Kenya Times*: "Every community should be represented in the Cabinet but it's not the case. It's driven by one region. The second Cabinet of Kibaki was a mistake, a frustration for many communities, which think their underdevelopment is due to this issue. Administration was seen as reserved to one particular ethnic group. Raila surfed on the wave of frustration in 2005, and he's been doing the same in 2007." Source: Interview, op. cit.

Journalists are not the only ones to launch this attack on Kibaki. During the electoral campaign, some civil society organisations under the watch of the Kenya Human Rights Commission (KHRC) denounced his political and administrative promotion of Kikuyu under M. Kibaki. Through its director, Muthoni Wanyeki: "Appointments to positions of influence in the cabinet and elsewhere have taken an ethnic angle. Allocation of public resources has depended on ethnicity," in *The Standard*, 5 December 2007: 'Rights body accuses State.'

47. Proof: Radio advertisements by ODM for example were bold—"It's time for a tribalism-free policy" and "It's time for a corruption-free government," signifying that the PNU camp was both tribalist and corrupt.

48. A example of special dossier on *Sunday Nation* of 16 December 2007: 'Battle of dirty politics.' Kipkoech Tanui, Managing Editor of *Sunday Standard*, makes the same observation: "The reality of our political campaigns, dirtier as it gets, is that they are outcome-oriented. [...] The thirst for victory kills conscience. [...] In all cases of dirty politics what is never

in doubt is that all the parties in the contest end up with egg on the face” (*The Standard*, 30 November 2007: ‘Propaganda wars spare no politician in dirty fights’).

49. *The Standard*, 24 December 2007: ‘Election is about legacy of ethnicity in the State.’ The rubric ‘The Making of the Nation’ in *The Daily Nation* supports it too.

50. *The Daily Nation*, 24 December 2007: ‘We must strive to detribalise our political allegiances.’

51. *The Daily Nation*, 3 December 2007: ‘Spare youth your ethnic bigotry.’

52. *The Daily Nation*, 29 November 2007: ‘Why must we blame everyone but ourselves over tribalism?’ *The Standard*, 5 December 2007: ‘Resist ethnic pressure.’

53. Magesha Mguiri, Opinion Editor of the *Daily Nation*, 11 December 2007.

54. *The Independent*, 17 December 2007: ‘Raila and Hitler: are they alike?’ The comparisons are: like Hitler, Raila wants power at all costs; like Hitler, Raila does not believe in God; the hatred of Hitler towards Jews is the same as Raila towards the Kikuyu.

55. *The Weekly Citizen*, 10 December 2007: ‘Few days to power!’

56. *The Weekly Citizen*, 17 December 2007: ‘First family packing from State House.’

57. It is mostly ODM that accused the government of planning election fraud. We were then treated to an “attack-defence” match between ODM and the ECK, mandated to oversee the elections. *The Standard* on 4 December 2007, for example dedicated its headlines and its page 3 to a complaint raised by ODM against ECK: ‘Rigging probe. Free and fair?’ The ODM campaign team met S. Kivuitu to complain about fake ballot papers: according to ODM, the ‘parallel’ ballots were to be printed in Belgium. S. Kivuitu asked to be shown the facts of these allegations and gave assurances that he is going to carry out investigations for his part. Another attack by ODM: according to the R. Odinga-led party, 188,222 voters were registered more than once on the registers and that 100,000 registered voters were dead. S. Kivuitu defended himself and recalled that 20,000 international observers will be deployed locally.

58. *The Standard*, 20 December 2007: ‘Fantasy or reality.’

59. *The Standard*, 10 December 2007: ‘Campaigns are still not issue based or practical.’

60. *The Daily Nation*, 15 December 2007: ‘Money factor in Parliament race.’

61. *The Daily Nation*, 15 December 2007: ‘Leaders who invested big cash and lost.’

62. *The Standard*, 18 December 2007: ‘Behaving badly.’

63. *The Standard*, 18 December 2007: ‘We won’t stand for misuse of resources.’

64. See the article by Patrick Mutahi on opinion polls, published in this volume.

65. For example, 14 December 2007, in 3 articles published on the page titled ‘The Big Three Debate’ in *The Standard*, the article of PNU camp written by Muthui Kariuki (‘ODM proposals would increase national deficit’) strongly criticized the economic propositions of ODM, denouncing as impractical measures such as social protection for the poor and a new constitution in six months. On the ODM, side secretary-general Anyang’ Nyong’o wrote an anti-PNU commentary (‘PNU should not pass the buck on corruption’) which shows that M. Kibaki had lost the fight against corruption. He also said that PNU was planning to steal the election and compared this envisaged act to the 1982 coup d’Etat against D. arap Moi! Only ODM-K desisted from attacking opponents

and gave details of its policy: Samuel Poghio detailed the plans his party had for the Rift Valley, particularly in the agricultural sector.

66. *The Sunday Standard*, 2 December 2007 : 'First Lady's allowance increase is ridiculous.'

67. *The Daily Nation*, 26 October 2007: 'ODM and Catholics clash over majimbo.'

68. *The Daily Nation*, 28 November 2007: 'Revealed: Raila's real MoU with Muslims.'

69. *The Daily Nation*, 20 November 2007: 'ODM pact with Muslims denounced.' *The Daily Nation*, 29 November 2007: 'Now Churches condemn MoU with Muslims.' The Christian churches did not want to lose their political influence to Muslim leaders.

70. *The Daily Nation*, 8 November 2007: 'Rights body gives more evidence.'

71. *The Daily Nation*, 6 November 2007: 'Bodies: Kenyans want to know the truth.'

72. *The Daily Nation*, 9 November 2007: 'High poll stakes lead to in-depth media coverage scrutiny.'

73. *The Daily Nation*, 17 November 2007: 'Nominations fiasco shame for parties.'

74. *The Daily Nation*, 17 November 2007: 'Confusion and violence mar party nominations'; 'Chaos mars ODM primaries.'

75. *The Daily Nation*, 18 November 2007: 'Democracy at its ugliest.'

76. *The Sunday Nation*: 9 December 2007: 'Ethnic clashes. The price of tribal politics.'

77. *The Daily Nation*, 5 December 2007: 'Kuresoi: The State failed the people.'

78. The editorial of the *East African* of 10 December 2007, 'Govt inaction on Kuresoi is criminal' is clear: "Nobody disputes that the killings and destruction of property in Kenya's Kuresoi division are part of the election-related violence sweeping the country. What is worrying is the government has been palpably reluctant to deal decisively with the violence, which is likely to leave thousands of people disfranchised by disrupting voting in nearly 10 polling stations in the constituency. [...] It has been difficult to figure out who to blame, between a seemingly indifferent government deploying ill-equipped and outnumbered security forces, and the local population, whose differences run deep and who have ignore all appeals for calm in favour of setting votes."

79. Ibid.

80. L. Hieber, 2001.

81. *The Daily Nation*, 29 December 2007: 'Moi sons lose signalling end of family dynasty.'

The Standard, 28 December 2007: 'Moi sons, Biwott lose to newcomers.'

82. Ibid.

83. *The Sunday Nation*, 30 December 2007: 'A bit of drama as giants in politics bites the dust.'

84. *The Sunday Nation*, 30 December 2007, 'African voters are finding their own voices.'

85. *The Standard*, 28 December 2007: 'Big winners, big losers.'

86. *The Daily Nation*, 29 December 2007: 'Voters have spoken, let's all move on.'

87. *The Sunday Nation*, 30 December 2007: 'Announcing election results no laughing matter.'

88. *The Standard*, 31 December 2007: 'Fresh term for Kibaki as ODM reject results.'

89. Reporters sans frontières, 'A black-out on information decreed by the government.' 2 January 2008.

90. Ibid.

91. This comprises the proprietors and directors of publication of the large privately owned media (print media and electronic media).

92. *The Standard*, 1 January 2008: 'Media vow to ignore ban on live coverage.' A letter by a reader of the *Daily Nation* published on 3 January ('Media curbs are not justifiable') recalled that if the viewers cannot see pictures on Kenyan televisions they have access to various international channels that cover the post electoral violence like the CNN, BBC, Euronews, Al Jazeera, France 24 and CCTV.

93. *The Standard*, 1 January 2008: 'Media vow to ignore ban on live coverage.'

94. *The Daily Nation*, 31 December 2007: 'Violence erupts after Kibaki sworn in.'

95. For example in the editorial of *The Standard* of 2 January 2008 entitled 'Hardened positions will only fuel conflict': "*The nation is bleeding. The people are weeping. We are ominously moving towards the picture of war-ravaged nations such as Somalia and the Democratic Republic of Congo.*" Or later on in an article of *The Standard* 8 January 2008 ('Violence undoing economic success'): "*The images broadcast on international television paint the picture of a country at war with itself, drawing comparisons to Rwanda.*"

We must add that it is harder for the elite in this country, who considered themselves a model at the level of economic growth and stability for a sub-region spared of civil wars (cf. 'We're on the brink of becoming one of Africa's failed states' of the *Daily Nation* of 3 January 2008).

96. *The Daily Nation*, 2 January 2008: 'It is time we returned to our fundamental human values.'

97. *The Daily Nation*, 31 December 2007: 'President embarks on second term with tarnished mandate.'

98. Ibid.

99. *The Daily Nation*, 1 January 2008: 'Western nations declare poll gravely flawed.'

100. Ibid.

101. For example in *The Standard* of 1 January 2008: ('Death, chaos as ECK chiefs break ranks over results'): "*The United States and Canada, in separate statements, also expressed concerns over the serious problems experienced during vote-counting. The Kenya Elections Domestic Observers Forum (Kedof) said: 'In our view, considering the entire electoral process, the 2007 general election was credible in as far as the voting process is concerned. The electoral process lost credibility towards the end with regard to the tallying and announcement of presidential results.'*"

102. A technique of a Kenyan journalist of taking sides without doing so is to quote the foreign press, essentially English media, with regard to the election. Thus in a 'news' article of *Daily Nation*, the story reads "*London's Daily Telegraph newspaper says the handling of the election was a blow to Kenya's reputation as "one of the continent's most stable and open democracies."* UK's Observer newspaper suggests that the delay in announcing the election result was deliberate, designed to help Mr Kibaki's party manipulate the outcome. *The Guardian* said that many international observers had "*refused to declare the election free and fair.*" *The Times* said the whole democratic process in Kenya was now at stake" (1 January 2008: 'Western nations declare poll gravely flawed').

103. *The Standard*, 2 January 2008: 'I acted under pressure, says Kivuitu.'

104. According to an opinion article in the weekly *The EastAfrican*: “This fight to get a larger slice of the ‘Cake’ has been going in divisiveness and hateful rhetoric. [...] Kenyans for the past few years have worn tribal lens when looking at the political landscape. In this decoding by many of my fellow Gikuyu, ODM is perceived as an existential foe, not just an electoral one. To be anti-Kibaki, or at least opposed to him, as was the case with the majority of the country’s provinces and at least 45 per cent of the voters, was going to be regarded by many Party of National Unity supporters, particularly those from the Mount Kenya communities, as inimical to their existence and survival as a collective. A similar sense of drastic opposition applied to many ODM supporters. The stage was set for the violence seen across the country during the past week.” *The EastAfrican*, 7 January 2007: ‘Ethnic strife: How Kenya’s politics was tribalised.’

105. *The Daily Nation*, 7 January 2007: ‘ECK cannot escape blame for post-election violence.’

106. *The Sunday Nation*, 6 January 2007: ‘Sweet Jesus, give me tears to cry for my country.’

107. *The Daily Nation*, 28 December 2007: ‘It’s job well done despite challenges.’

108. “A disastrous performance and conflicting information from its chairman, Mr Samuel Mutua Kivuitu,” in *The Sunday Nation*, 6 January 2008: ‘ECK could go to court soon.’

109. Read the article by Anne Cussac, ‘Institutional shortfalls,’ in this volume.

110. *The Daily Nation*, 5 January 2007: ‘Why Kivuitu must be held accountable for poll chaos.’

111. *The East African*, 7 January 2008: ‘ECK has lost all moral authority.’

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