

**VIOLATION OF MEDIA FREEDOM IN KENYA  
A CASE STUDY OF THE STANDARD MEDIA GROUP RAID**

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**A RESEARCH DISSERTATION SUBMITTED TO THE FACULTY OF  
SOCIAL SCIENCE IN PARTIAL FULFILLMENT OF THE  
REQUIREMENTS OF AWARD OF BACHELORS DEGREE IN MASS  
COMMUNICATION**

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## DECLARATION

I EMILY MWIHAKI KIMANI do declare that this research work is my original work and has never been presented to any institution for an academic degree.

Signature ..... Emily Kimani

Date ..... 11 September 2006

## APPROVAL

This is to certify that this work has been submitted for examination with my approval as supervisor.

Sign \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'J. Ongora', written over a horizontal line.

Dr. ONGORA JEROME

LECTURER SOCIAL SCIENCES AND LAW

Date: \_\_\_\_\_

14.09.06.

## DEDICATION

This work is dedicated to my mother, Mrs. Margaret .W. Kimani.

## ACKNOWLEDGEMENT

My sincere gratitude to Mr. Ongora for the assistance and guidance he accorded me as I carried out my research.

To my facilitators in the field, Alan Mulobwa and My Darling Sister Catherine Wambui. To all my friends Wanza, Lyn just to name but a few.

To Mr. P. D. Kimani, Joyce Kimani, Peris Kimani, Ruth Wambui and all my family, members for their financial support and loving care to the success of this research and all who participated in having me achieve my goal of presenting a research document.

May God Bless You.

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## ABBREVIATIONS

IFJ	International Federation of Journalists
IPI	International Press Institute
NGO	Non-Governmental Organization
NMG	Nation Media Group
SMG	Standard Media Group
UNESCO	United Nations Education Scientific and Cultural Organization
WAN	World Association of Newspapers

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## **ABSTRACT**

In relation to the recent Standard Media Group raid, the question of the government's dedication to upholding media freedom was voiced. It is because of the above need that the researcher undertook to examine the case and various factors contributing to media relations with the government.

The major aim of this paper was to examine the various incidences of media violations in the past few years in Kenya. This study looked at the predisposing factors and the different views and opinions of the various stakeholders on the issue.

The analysis helped look at the problem, its views and opinions from a heterogeneous population and help identify possible solutions to the situation. The findings of the study led to the recommendation that there is need to advocate for training of both sides: the media and the government to foster good working relations which is paramount for development.

## CHAPTER ONE

### INTRODUCTION

#### 1.0 Background

Midnight march 2006, the public watched in horror as masked gunmen in commando style operating under the instructions of the government , raided the standard media group .the premises at IBM building along Kenyatta avenue was raided paralyzing the operation of KTN station. Their press on Likoni road was also raided where they disabled their printing press where they burnt copies of the *Standard* Newspaper which were just rolling of the printing press known or unknown to them were CCTV cameras that recorded everything as it happened. In an interesting twist the police commissioner, Major General, Hussein Ali who is the overall officer in charge of security in Kenya, was not informed. In fact, the swoop took place when he was outside the country. The squad known as kanga squad receives orders and are answerable to him .they were instead receiving orders from the minister of internal security.

Much uproar from the public including the public politicians, media houses etc was voiced. They questioned the current governments stand to uphold media freedom which it came on riding on into power in 2002, culminating to this standard media group raid, three of their journalists had been arrested the previous week for alleged reporting of a fictitious new story that the president had held a secret with a member of the opposition, one of his hardest critic to Kenya as a democratic country.

However, how far a country's government has a history of respecting media freedom will reflect its democracy. Yet media freedom is always relative where by its under the danger of political denomination and frail due to the excess of the media themselves according to Duplat (2003).

With the end of the cold war, the USSR collapsed .it could no longer finance the third world countries it was financing and whose regime relied on this financing and keep afloat. Western countries are the superpowers and the force to reckon with. They encouraged the African counterparts to start democratization .This went hand in hand with media freedom. Through lobbying, fighting and crying many countries revised their constitution and recognized freedom expression and abolished censorship, panorama reined many new newspapers and radio stations flourished. Though television took longer, newspapers started publishing different stories and circulation shot up. The role of journalists was no longer the medium between government and the public. They now choose the content of news. They were no longer passive but took on investigative journalism, a powerful tool for searching for news, however, this new found the freedom of the press is in a way relative. The media is always under the danger of political domination and frail due to the media excesses when it fails to act responsibly and professionally.

Physical attacks on the media journalists is one of the most common ways where by the media can infringe on media freedom. IPI World Press Freedom Reviews (2004) says this is meant to silence and intimidate them. Journalists can be beaten, killed or made to disappear, media premises are also attacked or even fire bombed. April (1992) the society magazine premises were bombed, their printing press systematically disabled and journalists later arrested and harassed.

In the name of the seditious law and national security, media freedom has been curtailed. in the recent standard media group raid by the government , the minister of internal security said in scarce words that raid was in the nations best interests and they found materials which he did not describe that could jeopardize it. This is a common occurrence in Africa where raids and arrests are said to be in public interest.

Even in democratic Kenya the previous government controlled a large section of the media and exercised tight control over the system of broadcasting licenses especially

media on divergent views. In a recent ended case lady justice Mary Kasongo said Kenya was one ruled by a clique of political elites and where that elite group did not tolerate divergent views as a consequence, the media was effectively muffled by denial of awareness for broadcasting (Nation newspaper p.g. 7).

On the other hand the media is accused of using their freedom in excess, hence creating tension between the government and the media .This is inevitable and not entirely undesirable, after all the media is meant to act as watch dog over the government The journalists in their daily work must make immediate decisions concerning validity , reliability and truth in order to meet the problems imposed by the nature of his job in processing information called news, a depletable consumable product made every day . Howard Tumbler (1999) says unlike social scientists, news men have limited reporting which to define their objectivity unlike the social WHO scientists the thinker, the news man a man of action. This coupled with other factors for example unprofessionalism, sensationalizing news, irresponsible coverage of news etc have led to unhealthy relations between the government and the media. Three journalists of the standard published a story alleging that the president had held a secret meeting with an opposition MP one of his harshest critics. The government said this story was fictitious and it later culminated to the standard media group.

Often a mixture of these incidences has led to media freedom in Kenya. This is contrary to the various national and international documents advocating for media freedom and professionalism among journalism .Journalists are supposed to follow international and national codes of conduct which in 1983 UNESCO facilitated. The government on the other hand is supposed to support international instruments that advocate for freedom of speech and expression, for example, the First Amendment of 1791.

## **1.1 Research Problem**

There exists an unhealthy relationship between the government and the media. This at times leads to media violation. The recent Standard Media Group Raid arose suspicion among the major stake holders about the government's position to uphold media freedom.

This research proposed to look at the problems;

The government's intolerance on the media and media excesses that may lead to violation of media freedom.

It sought to address on already known information on this field while looking for information from the field that can help us understand and offer solutions to it.

## **1.2 Objectives**

The objective of this study was as follows;

### **1.2.1 General Objectives**

The research proposed to investigate the government's relationship with the media in relation to the Standard Media Group Raid. This was through looking at the various views, ideas and factors from both the media and the government. This would then help in developing an understanding of the perceptions of the various stakeholders. From the later, possible solutions can be suggested, hence minimising the conflict.

### **1.2.2 Specific Objectives**

- To examine reasons for violation of the media in Kenya. This was by looking at various factors that may play a role in violation of the media.
- To look at the governments view of the media
- To look at the medias view on the government
- To examine the proposed media bill tabled in parliament
- To access, if any, measures taken by the government to mend their relationship

- To explore how the government can uphold media freedom
- To explore ways of imposing professionalism among journalists in their every day work leading to self regulation
- To look at ways to enhance a good working relationship between the media and the government

### **1.3 Significant Justification**

- The study proposed to provide a base for individual and society's academic fulfilment on issues of media freedom
- This study will be of political, economical and social benefit to the society. This is because when freedom of the press is observed so can the other human rights and freedoms are also observed.
- The government and the media are partners to the development process. The government has resources for example man power, finances etc while the media has channels of communicating to the masses. Therefore the two parties need each other as they are paramount for development.
- The good working relationship can not be understated for when freedom of the press is not respected, other human rights and freedoms are difficult to be met.
- Also, if the two do not work together, development will be slow and laxed because the two need to work together so as to realise development. Hence it calls for studying of how to find possible solutions.
- This study will not only project possible solutions but can be used as the basis fore future research.

#### **1.4 Theoretical Framework**

The research was underpinned by media studies and the theory of social responsibility. J. Baran (2002) emphasises that the media should remain free from government control and for this to be achieved it must fulfil some obligations to the society, these are; setting high standards of professionalism and ethical operation based on truth accuracy and objectivity in going about their operations. This in turn helps them act socially responsibly and maintain an independent press.

#### **1.5 Hypothesis**

- i. Freedom of the press is always relative because it is a freedom always under the dangers of political domination and frail due to the excesses of the media themselves.
- ii. The way to a self regulating media is through a link between freedom and responsibility. Freedom from political domination as well as the media acting responsibly by reporting with clarity and objectively.
- iii. The government in power mainly at times intimidates and manipulates the press to their own benefit.
- iv. Professionalism among journalism is reflected on how they perform their roles. The more professional they are the better they are at acting responsibly.

#### **1.6 Scope of the Study**

- i. The research was limited to Dagoretti Division, Nairobi Province, the capital city of Kenya. Dagoretti is a sub urban division on the outskirts of Nairobi Central business area. It has more than 200,000 people. Also a heterogeneous population of various income levels, tribes, religion, house hold literacy etc of

both men and women. It has a large manpower, mainly the youths compared to many other sub-urban places.

- ii. The study proposed to use random sampling in carrying out the research. The sample size was composed of a hundred people due to time constraints and limited resources, but nevertheless it was of high quality.

### 1.7 Time Frame of the Study

Activity	Time
Proposal Writing	June 2006
Questionnaire Design	June 2006
Data Collection	June-July 2006
Data Analysis	July 2006
Dissertation Writing	July 2006
Dissertation Submitting	September 2006

## CHAPTER TWO

### LITERATURE REVIEW

#### 2.0 Introduction

Ideally the media should operate in a system where it remains free from government control and in rejecting the government control it should operate responsibly and ethically. (J. Baran, 2002) advocates for social responsibility theory where the media should be left to operate without interference from the government and in return it should accept to fulfill its obligation to the society. This entails high standards of professionalism, truth, accuracy and objectivity in carrying out its role.

There are various international instruments that advocate for-media freedom. This can be traced to the First: Amendment 1791, which says, "congress shall make no law in respect to the establishment or religion or prohibiting the free exercise therefore abridging the freedom, of speech or the press...".The royal commission in the United Kingdom defines press freedom as the freedom from restraint which is essential to enhance proprietors, editors and journalists advance their public interest by publishing facts and opinions without which a democratic electorate cannot make a responsible judgment.

The Universal Declaration of Human Rights, Article 19 upholds"... to seek, receive and impart information and ideas through any media regardless of frontiers...." The Kenyan Constitution also enshrines this freedom. The UNESCO declaration on mass media, Article 11 calls for the exercise off this freedom as an integral part of human rights and fundamental freedoms, a vital factor for strengthening of peace and international understanding.

However the freedom is always relative (Duplat, 2003). This is because it is a freedom under the danger of political domination on the excess of the media themselves. Tension between the government and the media is inevitable though not

totally undesirable, after all the media are meant to act as the "watchdog" over government. These tensions are not entirely healthy. This was what was witnessed in Kenya in the Standard Media Group raid. The tension between the government and the media culminated to the conflict. Following this outlook, the then Minister in charge of internal security said that they were looking for evidence and they found material in national security.

However, it is clear that the notion of national security is nothing new, not even in the U.S.A. However this reason is misused by government in their intimidation techniques on the press.

### **2.1 The Plight of the Media and Journalist in Kenya**

There are varieties of means where the government can infringe on media freedom. The Most serious attack on the media is usually aimed at silencing some critics or intimidating others. This physical attack saw the attack of the "*Society Magazine* 1992, during the former regime. The Standard Media Group was attacked in a similar fashion. Journalists were harassed and arrested. Their media premise was systematically disabled. They went further in the (*Society Magazine*) to fire bomb on their premises. News vendors are not spared either for they are also rounded up and arrested for possessing alternative newspapers or those deemed to be unlicensed. These legal measures toward printers and distributors are a practically effective way of hampering the operation and the independent minded media (IPI, 2003).

The government still maintains legal monopoly over licensing. Hence, it can control and curb alternative papers from being started. Also a whole battery of laws may be used to restrict the freedom of the media often on the ground of national security. On response to the Standard Media Group raid, the minister for internal security said that the raid was done in the interest of national security and that they had found material that posed a threat to notational security (*Nation*, March 5<sup>th</sup> 2006). However, he was

extremely scarce in details of what that would have been in national security that has not been disclosed up to date.

The International Press Institute (IPI) whose director is Johann P. Fritz and the World Association of Newspapers (WAN) whose chief general is John Keisser, both condemned the raid on the Standard Media Group. These groups which represent thousands of media professions also demand that charges made on three journalists be dropped. The journalists had earlier been arrested for publishing a false story about the president culminating to the raid.

## **2.2 Government Guarantee of a Free Press is always relative**

Press freedom is one of the cornerstone of democracy African media plays a pivotal role in democratization of their countries. (Duplat, 2003). By the early 90s most African countries had democracy rule and press freedom to match. However this freedom was under the danger of political domination and frail due to the excess of the media.

In a twist of events, the current president, who was at one time an opposition member to the past regime advocated for freedom of press. After the attack of the *society Magazine* in 1992, he was among the opposition leaders who demanded for the arrested journalists release and compensation for the damage caused to the publication and its printing press. In an interview later by the magazine, he was portrayed as the leading, champion of freedom of the press.

Fast forward 2002, the president rode to the state house on the wheels of reforms and expanded civil liberations. He was even dubbed "the second liberation struggle leader" but alas! How the more things change the more they remain the same. Fast forward, March 2<sup>nd</sup>, 2006, the Standard Media Group Premises was police raided. The bad old days of the 90s, of media gagging, were back with us.

This always goes further that freedom is always relative. Even in developed countries, their freedom is not absolute. Through justification, National security or public interest, they succeed in controlling the media sometimes. In the case of Kenya where a democratic government exists, where they are no longer able to use same legal measure to control the media, they resort to secret and informal means of repression.

### **2.3 The Government Grievances on the Media**

The government on the other hand claims that the media do not act professionally and objectively. Their wrath was seen to be directed to the Standard Media group after a story published by three journalists that the president had held a secret meeting with an opposition leader, who was one of the fieriest critics. This led to the arrest of the journalist and later to the raid of the printing premises.

The government also complains that that they only publish negative news about them and little on the positive and development issues. (J. Baran, 2000) indicates that bad news sells. So the paper may concentrate more on their flaws than their strengths (Howard Tumbler, 1999) reports that people are more inclined to scandalous and negative news and out of the ordinary news than others.

However, though sometimes the press does not uphold journalistic ethics, it is and that it frequently gets carried away by sensationalizing news. It is sometimes to fill in for the lack of transparency, other times, to sell the paper. Yet neither of the two reasons justifies violence. It did not seem palatable that the media house was being punished for an inaccurate story. Rather the story was mere excuse, an opportunity to send a brutal message to the media. (*Nation*, March 3<sup>rd</sup> 2006).

This was a warning to the media who had been lately unearthing massive corruption like the Anglo Leasing scandal, Goldenberg, incompetence and other awful drama. This had characterized certain individuals in the current regime. Having been caught and exposed, the regime is naturally angry.

The rally held by government ministers and MPs in support of the government in support for the raids said that the press should act more responsible. They also indicated that they did not want to create animosity and ethnicity among the public which could lead to a conflict like the Rwanda genocide. This view however is untrue. Kenya does not face the same social problems like Rwanda nor does it have the savage ethnic divide that existed in the country before the advent of the genocide.

#### **2.4 Relationship between the Government and Independent Press**

The government and the media have a relationship where they need each other and also there is tension. (IPI, 2000) reports that this relationship is not completely understandable, since the media are meant to act as a watchdog over the government. But these tensions are not entirely healthy. This is because physical threats and infringement on their rights by the government leads to intimidation of journalists as they are afraid for their lives and property. They also have to contend with legal actions. For instance, compelling them to reveal confidential information and also their sources.

Both parties have an upper hand in their fields J. Baran say that the government from way back have used national interest or society security to curtail media freedom. In the Standard Group and the society magazine, the proprietors were charged with sedition acts which carry very hefty penalties. Though they were later released, this prompted self regulation and intimidation to the press in general.

The media on the other hand has resources to meet the media. The government has the resources necessary which combined with the media development can be achieved. The media communicates the government and what the leaders have to say to the masses through their channels. This gives them an upper hand. They are also the gatekeepers who choose what will be heard, seen and read. They play an important role of shaping our views, opinions and in agenda setting too. One way of the government to deal with the media is to befriend them. (Nation 5th March 2006) a journalist X .N. Iraki said that there was a difficult proposition because the

government had already burnt too many bridges. Another reason is that the media houses are independent. They get their own revenue and they depend on their own pockets to run. The press has almost got nothing to gain from the government and a lot to lose if it flirted with it.

## **2.5 Professionalism and the Media**

The lack of media objectivity and professionalism in their reporting has been a major concern. The media is blamed for not following its codes of ethics and conduct in undertaking their role.

H.L. Turnes et al (2000) reports that if the media must remain free from government control and in rejecting government control it should accept and fulfill certain obligations to the society. This is by setting high standards of professionalism, truth, accuracy and objectivity. They should be pluralistic and accountable to the various stakeholders and should be self regulating within the framework of the law.

This sometimes is not observed as newspapers are sometimes manipulated by people in powerful positions. Finances also have a role to play and so are sensational headlines which may lead to untruthful stories. The story the Standard Group published was allegedly untruthful. This led to the Standard Group Raid (Ochieng Philip, 1992) accused the press of being one sided instead of being pluralistic. (Mwangi, Michael 2002) calls for the training of journalists in Africa as a whole so as to minimize conflict. It calls for the adherence to laws and ethics to minimize charges like defamation which make them spend too much time in court, taking a toll in their time, work and finances. (Friedrich Stiftung, 2001) also with a committee wrote down the codes of conduct and practice of journalism in Kenya. All this is generated to maintain high standard of professionalism.

However, meeting objectively with the task of a dilatable consumer good called news everyday is not easy. (Howard Tumbler 1999) says, unlike- a social scientist, news

men have a repertoire with which to define and defend their objectivity. The social scientist is a thinker; the newsman is a man of action. Unlike a social scientist who must engage in reflective epistemology examination, a newsman can not. He must make immediate decisions concerning validity reliability and truth in order to meet the problems imposed by the nature of his task.-processing everyday news. This can sometimes lead to mistakes and some "untruthful" stories. Coupled with some of the points mentioned in this chapter, violation of the media in Kenya occurs.

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## **CHAPTER THREE**

### **METHODOLOGY**

#### **3.0 Introduction**

This chapter presented methods of data collection and analysis. It pointed out details of the research design, study area, sampling techniques and instruments for collecting data.

#### **3.2 Area of study**

The study was conducted Dagoretti Division in Nairobi District. The division is on the outskirts of Nairobi Central Business District and Borders Central Province. The population is made up of diverse cultures and tribes who have settled here. They exist both rich and the poor people inhabiting it. The youth here are quite a number owing to the fact that housing here is cheaper here than in other sub-urban places.

#### **3.3 Research Design**

Both qualitative and quantitative methods of reserved were employed. Questionnaires were administered to the selected samples. The design was most appropriate because it employ both qualitative and quantitative methods of data collection for quality data. The interview schedule was also employed to get in depth knowledge of the issue at hand. It was more inclusive and conclusive since there was discuss involved.

#### **3.4 Sample size and selection**

Because of the large number a sample size had to be selected. Out of 20,000 inhabitants, a representative of 100 was selected because coupled with finances and time it was not possible to conduct the study on the whole group of the inhabitants. The sample will be selected using simple random technique so as to reduce bias.

#### **3.5 Research method**

This included the instruments that were used in the study and also the sources of data.

### **3.5.1 Questionnaire**

The researcher used questionnaires that were explained to the respondents what the research was all about to help the respondent answer the questions accordingly. The researcher found it easier to distribute the questionnaire via hand delivery and collect them at an agreed date. This was done to initiate a formal inquiry and also to supplement and check data previously accumulated by the researcher.

### **3.5.2 Interviews**

This method of data collection involved conversation between the researcher and respondent as a way of acquiring first hand information. A well worked out document; in this case an interview schedule was used. This method was also preferred because the researcher anticipated that the key informants were busy people and did not have a lot of time to fill in the questionnaires. This also helped the researcher to obtain information that supplemented the questionnaire method.

### **3.5.3 Source of data**

Primary source of data was gathered through practical participation of the interviewees.

The secondary source of data was mainly gathered from the school library, the internet and the various newspapers, magazines and past documents and studies on similar topics that were pointed out as sources of data collection.

## **CHAPTER FOUR**

### **ANALYSIS, PRESENTATION AND DISCUSSION OF FINDINGS**

#### **4.1 Introductions**

In this chapter the researcher got down to analyze data and looked at the various views and opinions of respondents on media freedom and the recent SGM raid. The researcher took to analysis whether the respondents thought that the government intimidates the media in general, whether professionalism was maintained by journalists and the way forward to finding a possible solution.

#### **4.2 The Interview Schedule**

This was used to supplement the questionnaire tool from the interview schedule the selected topics were more exhausted with in depth discussion of the issues at hand. There were varying opinions and ideas. However, most questionnaires had a point of contention though not necessarily the same answers.

#### **4.3 The Questionnaire Tool**

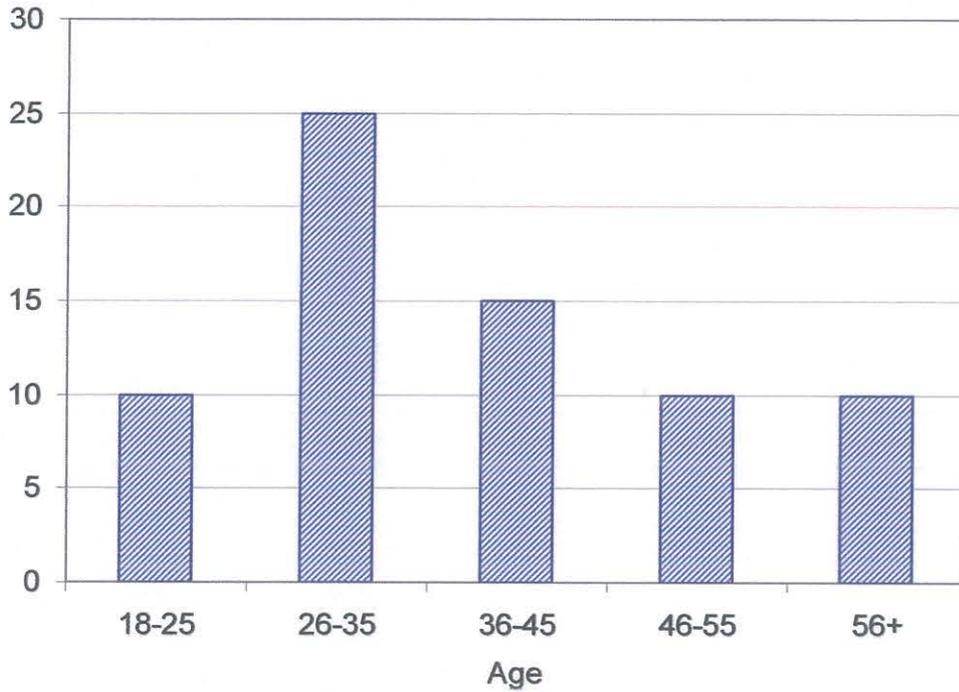
The sample size for this was 100 respondents. Out of the 100 questionnaires given out, only 70 of them were returned and could be used in encoding data. Ages varied between 18 years and 56 and above. It was found out that a majority was between the 26-35 age groups. They accounted 25 out of the possible 70 respondents. This reflects on the vibrant youth age in Kenya who is a force to reckon for they are employed or self employed. To add to this 16 out of the possible 25 had tertiary institution training. The rest of the age groups were also well distributed in answering the questionnaires, however, they declined as bit of the age increased.

#### **4.4 The Government Attitude towards the Media**

The way the government deals with the media after there is some tension between them sometimes leaves a lot to be desired. According to the data 47 people thought that the government ought to be more considerate while dealing with journalists and

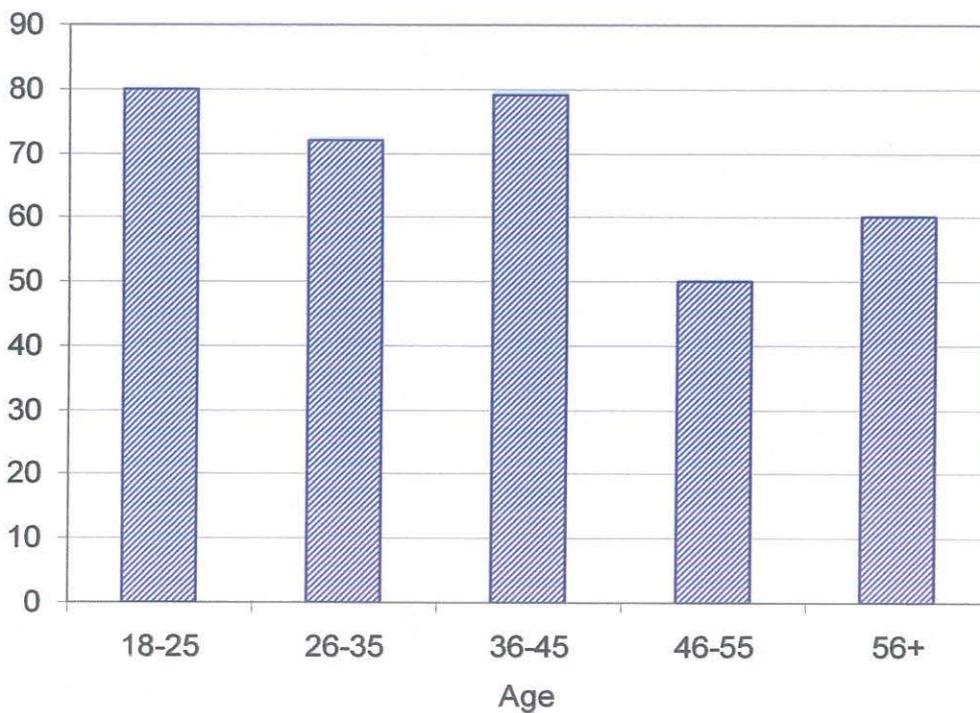
the media. Various factors may have had a role to play in this like educational level and age but there was no definite factor.

**Figure 1: Age Groups**



In analysis, the figure 1 above represents the Age distribution of the participants to the study. The majority of the participants were between 26-35 years old.

**Figure 2: Unfairness of the Government toward the Media**

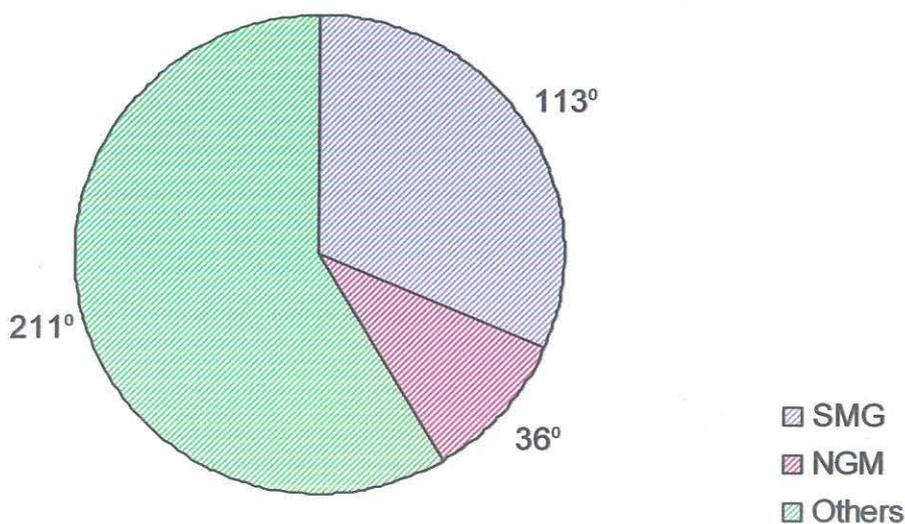


This analysis on the different views and opinions of the respondents in conjunction with their age reveals a lot. The age 18-25 shows that the government has not been just while treating the media. It can also be noted that as the ages increase, so does the percentage about the government not treating the media justly. However, it's interesting to note that the 56 plus age group raises up a bit. Either this is due to their experiences or educational level where seven of the respondents out of the 10 have acquired tertiary level education. the general idea here as found out the in depth interviews is that the government was a bit too harsh on the standard media group irrespective of whether they were on the right or wrong. The reasoning here being they were more subtle ways of redress rather than their commando style attack.

#### 4.5 Professionalism among the Media Houses

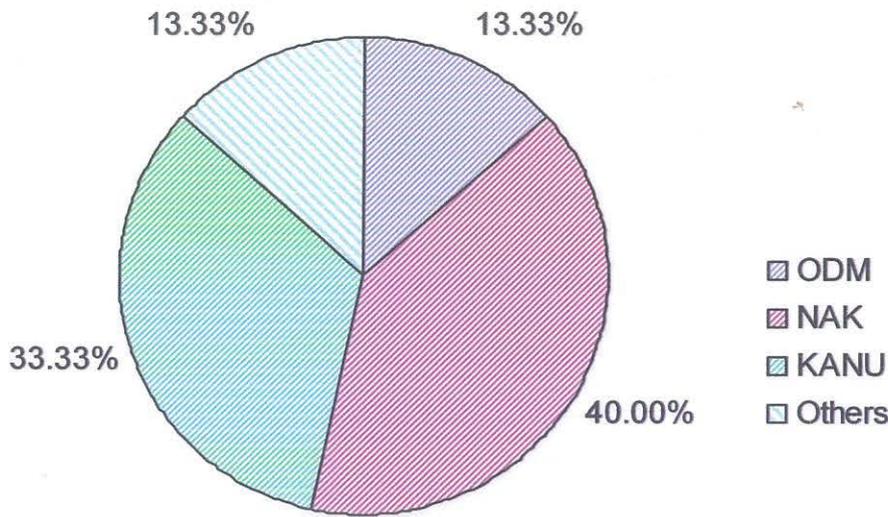
The SMG raid was alleged to have been started by a story that was covered in their daily's that was wrong. According to the ethics in journalism, they call for objectivity truth telling and ethics while doing their every day work. They were hence accused of being unprofessional in their reporting. There have also been cases of where other media houses have been thought to be unprofessional. The nation media group was considered by the government of treating the president and his family unethically by airing reports about the first lady.

**Figure 3: Professionalism among the Media Houses**





**Figure 5: Percentage of Political Inclination**



**4.7 Understanding between the Media and the Government**

On analyzing data about this issue, it was found that there is need for the two functions to work together to achieve their development. These two functions have different resources necessary for this. The government has the resources: financial, man power, know-how etc while the media has the means to reach the masses, so they need a good working relationship between the two although not necessarily of best friends. Honestly the government has more to gain from this and also the media though to a less degree.

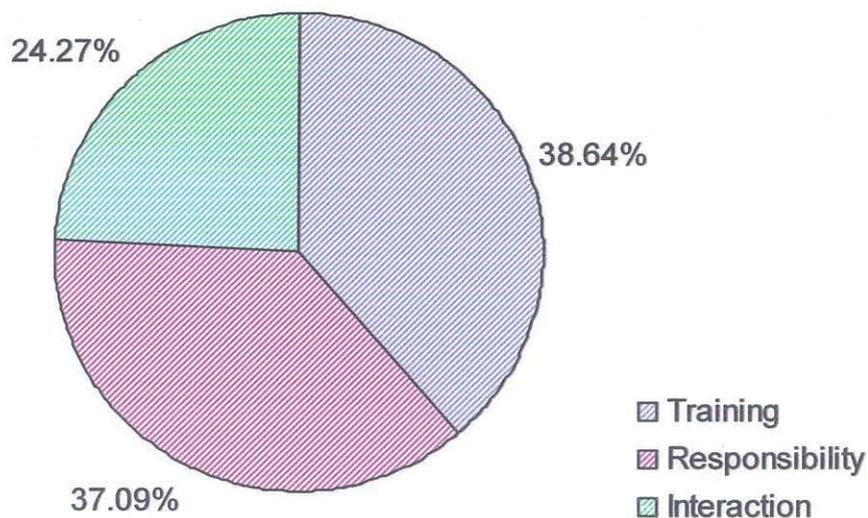
**Figure 6: Understanding between Media and Government**

	Training	Responsibility	Interactions
Primary Level	1	4	2
Secondary Level	6	10	5
Tertiary Level	20	12	10

From the above figure, one can learn that the higher ones education level is the higher the call for training of both the government and the media on how to handle each other. Also from the analysis of political parties' inclination most people belonging to

the government party call for responsibility in their every day work. This reflects or falls mostly on the media which were called on to report responsibility while bearing their code of conducts. Interaction is also another way forward seeking for various interactions between the two factors so as to know and learn about each other. This will enable them to deal with one another.

**Figure 7: Percentage of How to Foster better understanding between the Media and the Government**



**CHAPTER FIVE**  
**SUMMARY OF MAJOR FINDINGS, RECOMMENDATIONS AND**  
**CONCLUSIONS**

**5.1 Introductions**

The vibrant Kenyan media is often looked at as an exemplary example of high standards of professional standards in east and central and the horn of Africa. However, the recent showing of brutality from the government on the media has left a lot to be desired from Kenya, and as a model of many countries in upholding media freedom.

**5.2 Summary**

From the data collected and decoded it's found that the majority found out that the government was violating the freedom of the media from this year's incidence to the SMG raid. However, it has been viewed that there is a need to retrain journalists more frequently in order to maintain a high standard of professionalism.

There is lack of adequate literature to review the SMG raid .however the various news papers and internet documented the events and the various views from institutions, media, journalists, government and the public. The majority viewed that the government has been violating media freedom while at the same time the media should act more professionally. From examining the current situation, Kenya is being burdened by severe problems ranging from famine, drought and the massive corruption and embezzlement of public funds. The media plays an important role in reporting these issues to the nation. Therefore, also the governments should take this criticism and through their own resources look at what can be done to correct this issue. Hence the government and the media should look for ways to work together to ensure increased development in Kenya.

### **5.3 Recommendations**

This will be relevant to the following stake holders.

#### **5.3.1 The Government**

- Engage the media in dialogue to solve the various conflicts and look at how they can increase development in their country.
  
- Display greater tolerance to for the work of the private media in the recognition of the importance of press freedom and in accordance with Article 1 of the United Nations Universal Declaration of Human Rights as well as the media freedom protocol it has adapted.
  
- Refrain from jailing journalists for practicing their profession; instead they should use other forms of readdress.
  
- Undertake internal training to improve the appreciation and understanding of journalism and the media in general among those working in government. This should include discussions about the way the government communicates with the media.
  
- Allow the media to lobby for the new media bill which has some oppressive section before it's published by the attorney general. Refrain from intimidating the media as the government spokes man had started using cameras and photographs to be taken to the journalists reporting his weekly briefings to be taken. This creates an aura of mystery as he could be consolidating intelligence for future violence on these journalists. Also it's an unhealthy relationship if it leads to the intimidation of journalists which led to them being unable to perform their duties well. This then calls for problem solving to look for possible solutions to end their conflicts.
  
- Act in accordance with the UNESCO declaration. In it, Article 11 says that, the exercise of freedom of opinion, expression and information is recognized as an

integral part of human rights and fundamental freedoms is a vital factor in the strengthening of peace and international and international understanding of Kenya as a signatory to this declaration and so it should uphold freedom of the press, opinion and expression so that other freedoms may be realized.

- There is also little doubt that journalists need continuous training so as to take their level of professionalism higher. The government too needs to be trained in understanding and knowing how to deal with media although they are provoked. Proper forms of redress should be sought out to avoid full blown conflicts like what happened to the standard media group.
- It is paramount to remember this: the government and the media need each other. They need to work together in order to bring about development. The media has the resource of leading the masses while the government has the financial and material support. The media is an agenda setter and can also be used to mobilize the public.

### **5.3.2 The Media**

- Embark on self evaluation through “journalist research” certain professionals specialize on the evaluation of the media. They go over the reporting of the various media and critically review critically them.
- Guard their independence jealously and not allow any kind of interference by the government as the IFJ declaration provides.
- Lobby the proposed media bill already tabled in parliament awaiting publishing.
- They should lobby the various stakeholders from members of parliament to non-government organizations to abolish oppressive policies.
- Strengthen the media councils, whose functions includes to protected the media from political interference and arbitrate between the government, media houses and the public. Strengthening this media councils enable to contain with conflicts before they are blown out of proportion.

- Retraining of journalists by media houses so as to establish and maintain high professional standards.
- Respect and practice the code of conduct and practice which guides the journalist in their day to day operations.
- Act socially responsible in acting with ethical consideration social responsibility calls for high standards, truth, accuracy and objectivity. They should be self regulating within the frame work of the law, remaining free from government control and in rejecting government control of the media.

### 5.3.3 NGOs

- Act as whistle blowers, where cases of media violation occurs.
- Willing to arbitrate conflicts between the government and the media
- Encourage and fund projects which aim at finding possible solutions to the existing problems.
- Advocate for peace and peaceful means of solving peaceful conflicts
- Shun violence between the media and the government

### 5.4 Conclusion

While it's a known fact that the media and the government are always at tension, since the media works as a watch dog to the government, it's not necessarily unhealthy. However this tension can turn to be unhealthy in areas where there is the use of force to mobilize people into action. Hence the need for a good working relationship through following their codes of conduct and the government being more tolerant to the media, then this can be achieved. However this does not rule out the chance of the conflict between the 2 groups. The conflict should be addressed and solved amicably with resulting to violence and abuse of the law. The media councils are there to arbitrate between the two warring factions and also help to increase the understanding of one group to another. When a good working relationship is formed both parties will benefit but mostly the public.

## REFERENCE

Baran J Stanley (2002), Introduction to Mass Communication, 2<sup>nd</sup> Edition, MacGraw Companies, New York.

Domtile Duplat (2003), Freedom of the Press: Responsibility of the Mass Media. Africa on the way to self regulation. Pauline's Publications, Nairobi.

Mwangi Michael (2002), Laws and Ethics of the Media; Media Training in Africa, Pauline's Publication, Nairobi.

Philip Ochieng (1992), I Accuse the Press; An inside view of the media and politics in Africa, Nairobi.

Stiftung Fredich .et -al (2001). Code of Conduct and Practice of journalism in Kenya.

Turnes H.L et-al (2000), Introduction Communication Theory analysis application, Mayfield publication Company.

<http://www.ipi.org>

X .N. Iraki, (5, March 2006), The Standard Raid, The Nation Newspaper, Kenya.

[www.standard .co.ke](http://www.standard.co.ke)

[www.Nation.co.ke.html.archieves](http://www.Nation.co.ke.html.archieves)

**APPENDIX 1:**  
**STUDY EXPENDITURE**

<b>ITEM</b>	<b>COST KSHS</b>
Pens & Pencils	100
Food and Beverages	1,000
Transport	1,600
Photocopying services	1,600
Printing and binding	2,000
Airtime	4,000
Miscellaneous	1,000
Research Assistant	2,300
<b>Total</b>	<b>13,600</b>

**APPENDIX 2**  
**QUESTIONNAIRE TO THE RESPONDENTS**

I Kimani Emily Mwhaki, a student of Kampala international university pursuing a Bachelors Degree in Mass Communication. I am carrying out a study on media freedom in Kenya. I here by requested for your cooperation and assistance in carrying out this study.

1. Age

- 18-25
- 26-35
- 36-45
- 46-55
- 56+

2. What education level have you attained?

- Primary
- Secondary
- Tertiary
- Others

3. Are you employed

- Yes
- Not

4. What is your occupation?

- Public sector
- Private sector
- Self employed

5. If employed in which category?

- Politician
- Financial sector
- Agricultural sector
- Lawyer
- Doctor
- Others

6. Do you have any affiliations?

Yes

No

7. Which affiliation?

Political

Religious

Professional

Others (Specify)

8. If political which of these prominent parties do you subscribe to?

KANU

ODM

NAK-KENYA

Others

9. Which of the following media houses do you subscribe to?

Standard

Nation

Others

10. Which section do you read a lot other?

Political

Sports

Financial

Agricultural

Medicine

Social

11. Do you think journalists are qualified enough to do their job?

Yes

No

12. Do you think journalists were fairly treated in the last 5 years while in clash with the government?

Yes

No

13. To what extent do you think there is media freedom?

Large extent

Good Extent

Some Extent

Little Extent

14. Do you think at time the government intimidates the media

Yes

No

15. How best do you think the government and media can come to an understanding?

By the acting responsibly

By training

By interactions

Others Specify

**APPENDIX 3**  
**INTERVIEW GUIDE**

1. Do you know of any cases in the last year between the government and the media?
2. Comment on the recent case of the standard media group raid.
3. Is media freedom maintained by the government?
4. How do you think its best for the media to operate?
5. Comment on the relationship between the government and the media.
6. Do the journalist conduct their work professionally?
7. Is there a need for the media training for journalist or the government?

## APPENDIX 4

### 1.7 Time Frame of the Study

Activity	Time
Proposal Writing	June 2006
Questionnaire Design	June 2006
Data Collection	June-July 2006
Data Analysis	July 2006
Dissertation Writing	July 2006
Dissertation Submitting	September 2006

### 1.8 Budget for the Study

Item	Cost (Kshs)
Pens & Pencils	100
Food and Beverages	1,000
Transport	1,600
Photocopying services	1,600
Printing and binding	2,000
Airtime	4,000
Miscellaneous	1,000
Research Assistant	2,300
<b>Total</b>	<b>13,600</b>