TABLE OF CONTENTS

ACRONYMS

MCK	Media Council of Kenya
BBC	British Broadcasting Corporation
AMDI	Africa Media Development Initiative
CCK	Communication Commission of Kenya
ICCK	Independent Communications Commission of Kenya
BCAC	Broadcasting Content Advisory Council
IEBC	Independent Electoral and Boundaries Commission
NCIC	National Cohesion and Integration Commission
GoK	Government of Kenya
CIPEV	Commission Investigating Post Election Violence
MOA	Media Owners Association
NMG	Nation Media Group
KBC	Kenya Broadcasting Corporation
KUJ	Kenya Union of Journalists
NARC	National Rainbow Coalition
ODM	Orange Democratic Party
PNU	Party of National Unity
AWC	African Woman and Child Feature Service

SUMMARY

This thesis, titled "**Normative Media Theory and the Rethinking of the Role of the Kenyan Media in a Changing Social Economic Context,**" is a theoretical study that discusses the role of normative media theory in shaping and guiding debate on the role of the media and attendant policy making processes in a changing Kenyan social economic context. This is done against the background of acknowledgment of the general state of flux that characterizes normative media theory in a postmodern, globalized and new media landscape.

The study thus extensively describes the Kenyan media landscape, with a view to demonstrating how it has and is continuing to be transformed by a variety of developments in the social economic set up of the Kenyan society. In order to provide a theoretical basis for explaining these developments, the study then indulges in an extensive theoretical discussion that presents a synthesis of current arguments in the area of normative media theory. This discussion fundamentally brings to the fore the challenges which characterizes normative media theory in a changing social economic context and therefore the inability of traditional normative theory to account for new developments in the media and society in general.

In an attempt to integrate normative media theory and practice, the study then discusses (against the backdrop of theory) the views and opinions of key role players in the Kenyan media landscape, in regard to how they perceive the role of the media. Particular attention is given, inter alia, to matters such as media ownership, media accountability processes, changing media and communication technologies, a changing constitutional landscape, the role of the government in the Kenyan media landscape, the place of African moral philosophy in explaining the role of the media in Kenya, and the growth of local language radio.

Finally, on the bases of theory, experiences from other parts of the world and the views of key role players in the Kenyan media landscape, the study presents several normative guidelines on how normative theory and media policy making

in Kenya could meet each other, taking into account the changes occasioned by globalization and the new media landscape. These proposals are essentially made to enrich general debate on the role of the media in Kenya, as well as attendant media policy making efforts.

LISTS OF TABLES

CHAPTER ONE

INTRODUCTION TO THE STUDY

1.0 Background of the study

The following thesis – **Normative Media Theory and the Rethinking of the Role[1] of the Kenyan Media in a Changing Social Economic Context** argues that given the changing nature of the Kenyan society and media, mostly as a result of globalization[2], it is necessary to re-think the role expected of the country's media. As the study will demonstrate, this is a vital pre-condition for leading towards a pragmatic understanding of the place of the media in society while at the same time enriching general debate on the media. More importantly, it is expected that the inclusion of new perspectives to such debate will ultimately have a positive bearing on future media policy making in Kenya.

Today, the Kenyan society in general and its media in particular, is in a state of tremendous change. In broad terms, this change has manifested in a number of ways. The expanding media and communications sector, for example, is now largely characterised by mergers and takeovers; national and cross-border expansion, corporatisation and globalisation; a blurring of the distinction between private and public media; and convergence among other transformations (see, for instance, Ali 2009; Mbeke 2010; Iraki, 2010). The social segment too has undergone several discernible

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[1] Roles of the media may refer to the purposes or services that media provide to society. Christians, Glasser, McQuail, Nordenstreng & White (2009) observe that public debate about the media makes similar references, although more likely in a prescriptive way, about what the press ought to be doing. Christians et al (ibid) therefore isolate the following as important roles of the media: the monitorial, facilitative, radical and collaborative functions. It also suffices to mention here that in the context of this study, reference to the media is effectively limited to the established or mainstream media where the work of the professional journalist is embedded

[2] This study is mostly concerned with globalization of communication. For this reason, it adopts Thompson's (1995:149) definition of the term globalization. Thus according to Thompson, this term refers to the growing interconnectedness of different parts of the world, a process that has given rise to complex forms of interaction and interdependency across the world. He further notes that globalization arises when a) activities take place in an arena which is global or nearly so (rather than merely regional) b) activities are organized, planned or coordinated on a global scale, and c) activities involve some degree or reciprocity and interdependency such that localized activities situated in different parts of the world are shaped by one another.

changes; foremost being an expanding economy and a growing middle class, a change in tastes and preferences for media products, and the gradual emergence of multiple social groupings that are actively seeking to establish their own identities.

These transformations have, for instance, been noted in the Kenya Country Profile Report for 2008 by the British Broadcasting Corporation (BBC) in which the picture of a changing Kenyan society characterised by not only a growing diversity of the country's media, but also the changing tastes and preferences of an expanding middle class is clearly emerging (BBC 2008). The gradual economic shift from state-based control to a more liberalised model has also seen the country develop a relatively vibrant economy whose strength is mainly derived from private investment. Over the last two decades, this shift has stimulated increasing levels of private control as the government continues to gradually loosen its hold on the various sectors of the economy.

The cumulative result of these developments has been an expansion of private investment in the Kenyan media and communications sector making it one of the most vibrant in Africa (see, for instance, Deanne & Ismail 2008; Iraki, 2010). Phenomenal growth has particularly been witnessed in the radio sector, which is now characterised by public radio, community radio, ethnic language broadcasting, and the mainstream privately-owned Kiswahili and English language stations. The country currently has slightly over 63 radio stations on air (cf. Mbeke 2009).

It is, however, noteworthy that the FM radio continues to be the chief instigator of virulent media debates in the country. Writing about the emerging reality of FM radio in Kenya and the attendant ethical questions that have come to the fore, Odhiambo (2007:151), for instance, notes the ease with which traditionally taboo topics such as sex and female-male relationships are now discussed openly on these radio stations. Indeed, this demolition of 'cultural walls' is in itself indicative of the cultural change that is now transforming the Kenya society.

Odhiambo (2007:152) further observes that FM radio stations are emerging as influential agents in what he describes as the task of "imagining communities, cultures and sub-cultures, nationalism and sub-nationalism (ethnic consciousness) and

localisation, apart from altering and shaping of perceptions towards socio-economic and political transformations." The immediate inference from this analysis is that heterogeneity appears to be a defining feature of the Kenyan audience; a characteristic which, in turn, seems to greatly influence the media landscape.

On a positive note, though, the growth and expansion of media has generally made it possible for ordinary Kenyans to access many sources of information (see also Ali, 2009). In essence, therefore, media expansion has created increased possibilities for participating in national and global information flows irrespective of the traditional limitations associated with literacy and class distinctions (see, for instance, the discussion on local language radio stations in chapter 4). It should, however, be noted that along with each advantage that may be said to accrue from the pluralised and diversified media scene, several questions have also emerged that urgently demand answers.

One such question relates to the definition of what the media's role should be in a changing Kenyan context. Indeed, several stakeholders have already raised questions (in various public debates on the media in Kenya) regarding the role of the media in the Kenyan society (cf. Media Council of Kenya 2005)[3]. Similarly, several writers on the Kenyan media such as (Mwita, 2009; Makokha, 2010; Iraki, 2010) have separately explored this same question of role of the Kenyan media.

It is noteworthy that the current study considers this to be an important question because national media policy frameworks are typically structured on the basis of what is perceived to be the role of media in any particular society (cf. Fourie 2005). Moreover, many processes attendant to media policy making such as media regulation are likewise informed by particular thinking about the roles of media in a given society.

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[3] This is a documentation of one –year long series of public debates organized by the Media Council of Kenya. These forums provided a platform for debating issues related to the media in Kenya. Topics such as the role of media in good governance, media and ethics, the emerging FM sub culture and media and politics were covered.

It would probably be easy to talk about the role of the media if the society in question can identify one particular overriding expectation, or standard, of what the media should do for it. It is, however, difficult to do the same in a context that is characterised by what Ang (1997: 57) refers to as "the new cultural politics of difference." This phenomenon describes a society that is increasingly characterised by multiple identities, needs, tastes, and preferences. Indeed, the Kenyan society today cannot be regarded as culturally homogenous given the various interests and identity groups that continue to seek recognition at every level and in every other process. Such developments (as discussed in chapter two) must have considerable implications for the media and its place in society.

Moreover, in circumstances where policy ought to ideally provide a common direction for society, the aggregated interests often turn the task of negotiating a compromise into a very difficult and challenging one. Media regulation in Kenya, which continues to raise debate, is an apt case in point (see the discussion in chapter 4). The Kenyan government's past attempts to dominate or even take a lead role in this exercise have been met with opposition, particularly from the media industry and other interest groups that would also like to play an active part in this process. While the reasons for regulation may legitimately be explained in the context of the need to serve public interest, this very concern has and continues to be at the centre of the global debate on normative media theory. This is partly the reason various scholars such as McQuail (2003), Wyss &Keel (2009) Dunn (2011) among others have for instance openly questioned whether media accountability was inconsistent with freedom. Zelizer (2011:63) in particular has argued that the notion that media need to be accountable to the public interest is an assumption riddled with several questions.

Zelizer's (2011:63) argument on media accountability is however better understood in the context of the postmodern reality of media cultures (stated here in plural - to emphasize the dynamism, diversity and sense of difference which defines today's media landscape) as opposed to a unified and static reality of a unified media culture (in singular) as encapsulated for instance in Siebert, Peterson & Schramm's (1956)

thinking of the four theories of the press. Thus, while in the case of the four theories of the press, structural elements such as the nation state, ideology and other assumptions regarding notions such as secularism, democracy, totalitarianism and rationality among others provided a basic frame within which public interest could be defined, today's reality however makes it difficult to locate public interest on the ground. In a sense therefore, Zelizer (2011) not only points to the inadequacy of traditional normative media theory, but potentially also alludes to the fear and anxiety that has gripped the academy, especially, as scholars realize that the nation state can no longer contain the world's future major predicaments and crises(see also Rao 2008). A detailed discussion of the concept of postmodernism and its possible impact on normative media theory is presented in section 2.4 of chapter two of this study.

Thus for instance, in the case of contemporary Kenyan society, contemplating the notion of public interest will immediately raise several questions. One may want to know, for instance, which public interests should be protected. Linked to this is the question of whose interests will be given priority in a context that is defined by a multiplicity of ever shifting interests. Indeed, the Kenya government's past reactive approach to dealing with these questions aptly demonstrates the complexity of the question of public interest and the difficulty involved in dealing with it (see discussion in chapter 4).

The Government of Kenya (GoK) has, in recent years, introduced a raft of legislations aimed at regulating the country's media sector. The Communications (Amendment) Act 2008[4], discussed in chapter four, may serve as one of the best examples. Other attempts to control the expanding media and communications sector have taken the form of deliberate efforts to strengthen regulatory institutions such as the Media Council of Kenya and the Communications Commission of Kenya (CCK) and the creation of new ones such as the Broadcasting Content Advisory Council.

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[4] This law is now being revised to align it to the new constitution. Chapter six discuses in great detail the effects of the new constitution on various media laws in Kenya including the communication amendment Act 2008.

While these may be feasible measures for ensuring media accountability, this study argues that a more deliberate and informed response is required because the transformational forces at play are quite complex.

Consequently, to provide a theoretical baseline, and a point of departure for this study, chapter two makes reference to, albeit in a summarized way, first, the original work of the four theories of the press by Siebert et al (1956) and Jurgen Habermas's (1989) theoretical thinking on the pubic sphere. It is however critical to mention at this juncture that discussion of these older theories is approached from a postmodern perspective (see detailed discussion in section 2.5 of chapter two). In other words, the basic concern for this study is not with the four theories of the press or Habermas's thinking on the public sphere per se, but with a postmodern critic of the same[5]. After all, as Dahlgren (1991:2) for instance observes, "there is perhaps little value in merely repeating Habermas's conclusions." History as Dahlgren (1991:2) further asserts, "is not static, therefore old normative theories are conditioned by other circumstances."In our case, focus is on the changing social economic and technological circumstances occasioned by globalization.

Consequently, in view of the fact that this study considers the role of media in a changing Kenyan society, it is necessary to provide a theoretical basis upon which the essence of the present media age can be understood, and ultimately implications for media policy can be discerned. For this reason, this study makes reference to the thoughts of critical postmodernist thinkers such as Giddens (1990); Albrow (1997) and Woods (1999) among others to provide a theoretical focus for such critic (see detailed discussion in 2.4).

In further developing a systematic theoretical understanding and critic of the older normative media theories, this study has variously made reference to the views of

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[5] It suffices to add that there is need to take cognisance of Bignell's (2000:3) assertion that the postmodern is a flexible and often useful conception which both allows discussion of disparate developments in media culture relating to production, texts, consumption, and performs a role in theoretical discourse which has been left empty by the supposed demise of other theoretical models(in the case of this study, the four theories of the press and the ideologies which underpinned this theoretical framework).

several scholars including Calhoun (1992), Curran (1993), Sreberny-Mohammadi, Winseck, McKenna & Boyd-Barrett (1997); schudson (1992) Aslama (2006) and Dahlgren (1991). Other key authors in this respect include Nordenstreng, (1997); Blumler (1998); Ang, (1998); Nerone, (1995); Thompson, (1995); Curran and Park, (2000); McQuail, (2003a); McQuail (2003b) Fourie, (2002; 2005; 2006; 2008; 2010; 2011) among others.

In particular, from Giddens (1990) and indeed, other scholars on postmodernism (see detailed discussion in chapter two), this study has sought concepts for explaining or creating understanding on today's changing social economic context and its implication on the role of the media. Such ideas include Gidden's (1991) reference to the current social economic and technological transformation of society as "*globalizing modernity - a terminology that he uses to point to the changes in society occasioned by globalization. Other useful but closely related concepts include the view that the postmodern moment approximates a collapse of cultural hierarchies; a sense of placelessness and a generalised substitution of spatial for temporal coordinates (see also Woods 1999).

The history of modernity (see also Thompson 1995; Habermas 1989) mostly associated with the European society of the 17th century has largely been associated with the need for order and predictability in human actions. It is for this reason that state nations were formed as a basis for bringing about order and systems of governance. In the same vein, ideologies were fashioned to inform political actions and the running of governments and economic systems. This age is also associated with enlightenment and the establishment of centres of learning.

It is this same conception of society that spilled over into the 19th and 20th centuries to influence the ordering of the world geopolitically into what Curran & Park (2000:1) have referred to as an influential geopolitical view of the world's media system - as encapsulated in the four theories of the press. Moving forward, the world was divided into three camps that included the free world of liberal democracy, the Soviet – Totalitarian sphere and authoritarian societies. These divisions would later provide a

basis for classifying media systems (according to the four theories of the press) since all one needed was an understanding of the prevailing philosophies and political systems (see also Siebert et al 1956). Post modernity however presents a more complicated social economic and political context that ultimately challenges this traditional order (modernity).

The nature of this challenge is further captured in two other concepts used by Giddens (1990) - disembedeness and reflexity[6]- terms that are used to bring attention to the state of upheaval and anarchic change of the post modern condition. Harping on the same sense of breaking with past orders and structures, Albrow (1997:1) for instance asserts; "a sense of rapture with the past pervades the public consciousness of our time. It extends beyond the national and ideological differences."

These concepts are important in helping us to understand, among other concerns, Zelizer's (2011) dismissal of the concept of media accountability in today's age, but also more importantly the many questions which now characterize the global debate on normative media theory(see also references to McQuail 2003, Fourie 2005). Giddens (1991:64) further observes that "the undue reliance which sociologists have placed upon the idea of society as a bounded system, should be replaced by a starting point that concentrates upon analysing how social life is ordered across time and space- the problematic of time-space distanciation (cf Thompson 1995).

Generally, the theoretical discourse on postmodernism (as we have shown in 2.4) provides a critical frame not only for locating the present age, but also fundamentally moving closer to understanding communicative relationships between people, particularly when references like postmodern media culture are applied to refer to

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[6] According to Moores (2000: 106) the concept of time-space distanciation which is central to Gidden's theory of modernity, refers to a process in which social relations are lifted out of immediate interactional settings and stretched over potentially vast spans of global time-space - a dramatic dis-embedding of social systems - but it is also one that involves a secondary, complementary moment of re-embedding. For it is on this basis that one can actually draw a contrast between people who lived in pre-modern cultures where time was experienced as connected to a sense of place. Modernity, on the other hand as Moores (2000:106) explains, is empty time, uniformly measured by the mechanical clock and standardized across space with the adoption of international time zones and a common calendar. The advent of modernity, tears space away from place by fostering relations between what Giddens (1990) refers to as absent others, locationally distant from any given situation of face to face interaction.

changes in media technologies, production of media content and modes of consumption and audience relations (see also Bignell 2000). Consequently, from the foregoing, one notes that although Giddens's analysis does not specifically address the media and communications, it however provides a conceptual framework within which to consider whether current social, economic and technological developments in the Kenyan society and media landscape indicate a shift to a postmodern society(see also discussion in sections of chapter four). Further, it provides a theoretical dimension within which one may discuss the role of the media today and attendant policy considerations (see detailed discussion of the concept of post modernity and its implications for normative media theory in 2.4).

Communication scholarship has traditionally acknowledged the importance of the media in society. However, the current transformation of society and the media pose new dilemmas that communication scholars are forced to grapple with. This may indeed be the reason why McQuail (2003:40), argues that there is need to seek new horizons for communication theory to account for a socio-economic and communications environment that is now increasingly defined by unbounded freedom and diversity-indeed, the same situation that Giddens(1991:65) has referred to as characterized by disembedness and reflexity.

Even earlier glimpses into the future of mass media can be found in the works of Kovach and Rosenstiel (1999:2), who have made accurate descriptions of this changed media situation by defining it as "the age of the mixed media culture – a diversified mass media in which cultures of entertainment, infotainment, argument, analysis, tabloid and mainstream press not only work side by side but intermingle and merge." This reality poses a great challenge not only to communication systems but to communication theory as well.

In the global search for a normative framework that is capable of accounting for these developments, communication scholarship is compelled to respond to a host of complex questions. For instance, how should we explain the disorientation that now characterises modern journalism as a result of rapid technological change, declining

market share, and growing pressure to operate with economic efficiency? Ultimately, how does this situation affect society's notions on the role of the media?

While these are obviously challenging questions for media policy, this study argues that the answers lie partly in recognising, for instance, that although Kenya's media are national institutions whose character is constantly being shaped by local pressures; local culture/cultures are in themselves also subject to the transforming forces of globalisation.

The media's role in society will, ultimately have to be analysed in the context of globalisation – a phenomenon that has played a significant role in extending the bases of communication and cultural exchange thus enabling what Giddens (1991:65) refers to as the intensification of world-wide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa. Thompson (1995: 149) defines this new reality as a reordering of space and time so much so that media have now become part of a broader set of processes that have transformed, and are transforming, the modern world (see also Giddens, 2002).

For the purpose of understanding the complexity inherent in these transformational globalising forces, this study advocates a broadening of the conceptual frame within which the media's roles have traditionally been viewed in Kenya. This implies that newer frames of thought must take cognisance of the emerging realities of a fluid post-modernist cultural orientation characterised by what Ang (1998:83) as well as Fourie (2005:17-18) refer to as pluralism, heterogeneity, ambivalence, hybridity, and hesitation.

By and large, these characteristics not only suggest dynamism within media systems, but that they also affirm the notion that journalism is indeed in a state of change (see also McChesney 2003; Fourie 2010). It is from this perspective that Nerone (1995:7) for instance argues for the need to rethink the normative framework within which the role of the media can be understood. Indeed, his posit that each age shapes society's interpretations of the media carries critical relevance to the central thesis of this study. To prove the validity of his claim, Nerone (1995:7) demonstrates how the Cold War era characterised by a global expansion of the US model of privately-owned-for-profit media

produced the *four theories of the press* schema, to account for the socio-economic and political reality of the time.

In equal measure, therefore, the changing circumstances of the present age demand new thinking on the vital connections between society and the media. Scholarship, as is the case with the present study, can contribute to this endeavour by affording the space in which to imagine how these possibilities can be brought into being. This line of thought is also supported by Ostini & Ostini (2002: 41) who argue that new thinking and new frameworks are absolutely critical if we are to cogently explain the phenomenal changes that have brought about a new world order within the last decade.

Several other scholars such as (Fourie 2002; McQuail 2003; Tomasselli & Shepperson 2000; Curran & Park, 2000) rightfully admit that the changing social and cultural context has significantly annulled the explanatory power of the old theories, including *the four theories of the press.* To a good extent, these admissions validate the central argument of this study, which calls for a rethinking of the roles of the media.

Ostini & Ostini (2002: 42) for instance contend that only fresh thinking and new ideas can help us to understand, as well as account for, the development of internationalised and diverse forms of media. These authors are however quick to warn that such (new) theoretical models must go beyond state-based policy interpretations and normative focus of *the four theories of the press* in their conception of what the press should be and what it should do.

At this point, it would be worth noting that though the current study refers to *the* four theories of the press, scholars are however in general agreement that such conceptualisations of the media have gradually diminished in importance with time (cf. Curran & Park 2000; Nerone 1995). Nevertheless, the persistent search for a normative media theory that can take into account the challenges of the modern age makes it imperative to look back, even as we look forward, to new ways of understanding (cf. McQuail 2003).

Admittedly, at the time of writing the four theories of the press, Siebert et al (1956) were indeed relevant to the specific circumstances (social, economic and political) of their time. And as they rightly note in the introduction to their book, this effort was mainly motivated by the need to understand the different colorations of the press in different parts of the world. They further assert that such differences in the press of different countries reflect simply what people do in different places and what their experiences leads them to want to read about (Siebert et al, 1956:1). Their central thesis therefore is that the press takes on the form and coloration of the social and political structures within which it operates.

The foregoing assertion lays bare the assumptions which formed the basis of the four theories of the press and how today's changed social context has and continues to challenge them. The first assumption is one that views society as a static bounded unit. Further to this is the assertion that different societies across the globe are organized differently and that this provides a convenient basis for comparative analysis. Arguably, more recent scholarship by Hallin & Mancini (2004) is based on a similar assumption. The second assumption is a derivative of the first; that to see the differences between press systems in full perspective, then one must look at the social systems in which the press functions (Siebert et al 1956:2).

It is thus not difficult to see why these assumptions have become the basis of criticism by several scholars such as Nerone (1995), Curran and Park (2000), and Ostini & Ostini (2002) among others over the recent decades. Critics of the four theories of the press variously argue that these theories offer a very limited frame from which to explain the roles of the media in society, particularly in the current globalised circumstances. This schema of theories has also been criticised for presenting the Western experience as the standard to which all other societies should aspire (see detailed discussion in chapter 2). Nerone (1995:7), for instance, argues that the four theories of the press are inextricably bound to the historical period that produced them. In view of the changes taking place in society today, the model's relevance is particularly limited.

In similar vein, Ostini & Ostini (2000:42) argue that theoretical models should neither be bound to dominant ideological perspectives nor be hinged on any particular historical blocs – in this case to Communism and the Cold War. This is because the ultimate demise of such ideological positions (as was the case with the Cold War and the Communist World) invalidates these frameworks and renders them incapable of explaining media behaviour in the changing reality of the twenty-first century.

Nerone (1995:9) further notes that though *the four theories of the press* may appear as a value-free scholarly production, a strong argument could however be made that the theories are driven by an agenda; one that is rooted in the context of its composition, specifically the Cold War era global expansion of the American model of privately-owned for profit media.

Arguing from similar perspective, McDowell (2003:6) insists that the modernisation model of development should likewise be viewed in the context of purposes and goals set in the Cold War framework. First articulated by President Harry Truman, in the aftermath of the Second World War, this model set to counter the spread of communism among the countries of Europe and the South. Again, the implication here is that the modernisation framework was heavily influenced by the age and political circumstances that produced it thus rendering it inapplicable to a different time and cultural context.

The four theories of the press and the developmental or modernisation perspectives have also received criticism from developing societies, particularly for ignoring the experiences of non-western societies. Ayish (2003:79), for instance, condemns the tendency by Western scholarship to obfuscate the cultural peculiarities of non-Western societies regardless of the fact that such peculiarities are an important aspect of communication theorisation(see also Curran and Park, 2000; Gunaratne, 2007; 2008). The current study, in effect, therefore explores the possibility that other non-dominant perspectives (particularly those drawing from local experiences) could be used to enrich debate on the role of media thereby enabling a more comprehensive evaluation of the media's role in the Kenyan society.

In similar vein, Nyamnjoh (2005:3) laments that the Western standards of media analysis being adopted in Africa have unfortunately narrowed the understanding of journalism's roles with the result that Africans now aspire a conversion into "one-best way of being", in the name of modernity and civilization. This interpretation has subsequently led to what Nyamnjoh (2005:3) describes as the "professional and ethical dilemmas" that haunt journalism in and on Africa. It has also inevitably led to a type of journalism whose tendency is to debase and caricature African humanity, African creativity and African realities; where mimicry is the order of the day and more emphasis is placed on "doing" than on "thinking" and more stress on being "led" than on "leading".

In summary, the foregoing section provides a brief theoretical and contextual prism within which debate on the role of the media in a changing Kenyan socio-economic context may be undertaken. Specifically, it provides a brief background to the study and shows how the reality of change complicates understandings about the role of the media in Kenya today.

At the same time, this section demonstrates- albeit briefly, the challenges facing current normative media theory in explaining this new reality. Lastly, the section makes general mention of some of the core concepts in the media-society debate such as public interest, media accountability and diversity whose meanings remain contested given the social, economic and technological transformations that are shaping society and the media today. These concepts and the broader global debate on normative media theory are discussed in detail in the subsequent chapters of this study.

1.1 A mapping of the Kenyan Media Scene

For introductory purposes, this section provides an overview of the Kenyan media and social context. A detailed analysis of the Kenyan media landscape and attendant issues is contained in chapter four.

Kenya is divided into forty seven counties, created under the new Constitution adopted in August 2010. According to the 2009 national census the country's population stands at close to 40 million people (Kumba 2010). A majority of the population lives in the rural

areas with approximately three million residing in the country's capital city, Nairobi. Exhibiting most of the characteristics of a developing country, Kenya's GDP stood at approximately USD1100 in 2005. By the year 2000, about 50 per cent of the population was living below the poverty line (BBC World Service Trust 2006:3).

The standard of living once relatively high compared to most other sub-Saharan countries has been declining in recent years mainly due to corruption and mismanagement. The 2006 Kenya Country Social Analysis therefore reveals that the populace has, over the last two decades, suffered serious reverses in economic and social well-being (World Bank 2006).

In the early years of independence, the country boasted a rising GDP per capita reaching a high of 38 per cent between 1960 and 1980. The subsequent decades, however, saw a steep decline in GDP per capita that culminated in zero growth by the year 2000 (World Bank 2006). This slow-down in economic growth was blamed on the gradual collapse of vital institutions in the country and on poor governance.

These statistics may serve to explain why the December 2002 general elections were seen as a landmark opportunity to break away from years of near economic collapse and high poverty levels, which had reduced the majority of Kenyans to a life of misery. In the same context, the new government's promise to take a bold stand against corruption and restore the rule of law was seen as an important step to reforming the country while at the same time putting it back on course for economic growth (cf. Mbeke 2008).

Though almost 75 per cent of the Kenyan population remains unemployed, literacy rates in the country are quite high. In the year 2003, the World Bank estimated literacy rates of up to 73.6 per cent (BBC World Service Trust 2006). An estimated 42 ethnic groups are to be found across the country and these also constitute the major ethnic language groups. English and Kiswahili are the most common languages spoken across all ethnic boundaries. Like most former British colonies, Kenya retained English as the official language and the medium of instruction in its institutions of learning. Business

transactions and government information and documentation services are mainly conducted in English (BBC World Service Trust 2006).

When Kenya gained independence from the British Crown in 1963, it first became a *defacto* state but soon reverted into a *dejure* one-party state under the Kenya African National Union (KANU) party. This status was retained until 1992 when President Daniel Arap Moi oversaw the introduction of multiparty politics by repealing section 2A of the constitution (Moggi & Tessier 2001: 3). This phenomenal change in the country's form of governance occurred at a time when most African and Eastern European countries were also undergoing transformations occasioned by the effects of a gradual wave of democratization. Significantly, this wind of change would result in the toppling of dictatorial regimes across Africa and much of central Europe.

The 2002 general elections marked an important transition in the political governance of the country. The National Rainbow Coalition (NARC), an amalgamation of several opposition political parties, won the elections and effectively put to an end KANU's dominance of political power. Mwai Kibaki was elected president at these polls, defeating the KANU candidate (Uhuru Kenyatta) by a wide margin (BBC World Service Trust 2006: 4).

According to a report by the BBC World Service Trust (2006) the Kenya's transition to multiparty politics (in 1992) resulted in profound effects on the Kenyan media. A contrary view, however, is that the Kenyan media was instrumental in pushing for society-wide change. Ochilo (1993:25-28), for example, notes that the Kenyan media played the critical role of sensitising the population on the virtues of a democratic system of government. Nonetheless, one of the major outcomes of the 1992 political turnaround was the registration of new FM radio stations; a situation that increased the freedom of the public (and other institutions) in airing their views through the media. It also increased the amount of political content in the media and correspondingly nurtured public demand for information and news (BBC World Service Trust 2006; Makokha, 2010).

Additionally, this political change also saw the proliferation of news-sheets and magazines, which were thought to provide alternative sources of news apart from the mainstream media (Odero, 2000: 5). However, it is the political transition of 2002 in which Kibaki became president that is widely believed to have played a key role in the recent growth in the media sector in Kenya (BBC World Service 2006: 6).

Kibaki's campaign for the presidency was largely based on the promise of change (Mbeke, 2008). In the initial months of 2003, his government indeed appeared to be reformist by decisively addressing the legal, regulatory, and policy flaws that had for a long time undermined governance and socio-economic development in Kenya. An important key to realising these reforms was a new constitution,[7] which his campaign promised to deliver within the first one hundred days of taking office. One of the key issues to be addressed by the new constitution would be the provision of progressive laws on the media (cf. Mbeke 2008).

Several sections of chapter six of the proposed constitution (which was rejected in a referendum in October 2005) stipulated the rights to freedoms of religion, belief and opinion; freedom of expression; freedom of the media; and freedom of access to information (Kenya Gazette 2005). Contentious sections on the powers of the executive and the resulting acrimonious debate on devolution of power to the grassroots created a division in the country pitting the two opposing sides in the October 2005 national referendum. The side opposed to a centralised presidential system of rule carried the day, thus defeating the proposed constitution.

The hitch in efforts to realise a new constitutional dispensation for Kenya notwithstanding, the Kibaki government generally remained as has been observed by Mbeke (2008) ambivalent towards the media. Thus for instance after the 2005 national referendum the government became increasingly jittery about the media because of increased pressure from the opposing Orange Democratic Movement (ODM) and a national media that was becoming more critical of the state. The actions that the

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[7] A new constitution for the nation was promulgated after a national referendum held on 4/8/2010. The first referendum, held in October 2005, failed to give the country a new constitution. The new constitution has been hailed as the most progressive in Africa with an expanded Bill of Rights which expressly makes provisions on Freedom of Expression, Freedom of the Media, and Access to Information.

government took henceforth, in respect to the media only confirmed this sense of ambivalence while clearly demonstrating the limited understanding within which the government sought to frame the debate on the place of the media in the Kenyan society (Mbeke 2008).

In 2007, ongoing efforts to institutionalise media self-regulation in Kenya were dealt a blow when the government (through an Act of parliament) created a statutory media council of Kenya. This action was widely condemned as an affront on self-regulation, as it was construed to have given the government a certain amount of leeway to exercise control over the conduct of journalism in the country[8].

To ensure that it significantly controlled the media council, the government took on the responsibility of funding the council as well as appointing members to its core committees. According to the Media Act (2007)[9] that created the statutory council, the functions of the council have been outlined as promotion of ethical standards among journalists and the media; advising the government on matters pertaining to professional education and the training of journalists and other media practitioners; and conducting annual reviews on the state of journalism practice in the country (Kenya Gazette 2007).

In yet another development, the government established the Broadcasting Content Advisory Council of Kenya in the early part of 2010 (discussed in detail in chapter four). The mandate of this body is to maintain ethical and professional standards in broadcasting. The government's decision to create this body as Choto (2010) observes in a newspaper article was motivated by the increasing number of complaints against broadcasters, especially FM radio stations. Taking a comparative view, one may rightly conclude that this move pushed the country in a policy direction almost similar to most European countries where regulation of the broadcast media is stringent while little or

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[8] It should however be pointed out that the country's new constitution has since addressed this loophole by providing for the creation of a national media council that is independent from state and or commercial oriented influences. A detailed discussion of these changes is made in chapter six.
[9] As noted in chapter six, this law is now under review to align it to the provisions of the new constitution that came into effect in 2010. Chapter six presents a detailed discussion of the effect of the new constitution on various past laws on the media in Kenya.

no legislation is directed towards print media (see for instance Czepek, Hellwig & Nowak 2009). However, the difference between Kenya and most European nations that exercise heavy regulation of the broadcast sector is that Kenya's public broadcasting sector is weak in relation to private broadcasters. The European context however presents a different scenario where in most cases public broadcasting is often strong and well funded to insulate it against the pressures of the market (see also Humphreys 2009; Vedel 2009; Padovani 2009). Detailed case studies from these countries are presented in chapters six and seven.

Generally, however, media policy, law, and regulation in Kenya have remained a bone of contention mainly pitting the government against the media and civil society (Oriare 2008). The oftentimes tense relationship between the government and the media attests to this. The latest of these debates was occasioned by President Kibaki's signing into law of the Kenya Communications Amendment Act, 2008 (see detailed discussion in chapter four). In its defence, the government said that this piece of legislation was meant to facilitate development of the information and communications sector, including broadcasting, multimedia, telecommunications and postal services, and electronic commerce in Kenya (Kenya Gazette 2009).

This new law, however, was opposed by the media and civil society, particularly due to the various provisions it made on broadcasting services in the country. These contestations centred on what was seen as a tough licensing regime and undue control over content among other factors. The media in Kenya – through various organs such as the National Editors' Guild, the Media Owners' Association, the Kenya Union of Journalists, the National Media Correspondents' Association and several media-related non-governmental organisations – complained that this law was punitive and was aimed at reducing the gains already made towards media freedom (see Mureithi 2008).

One of the areas contested by the media was Section 46A of the Act, which empowered the Communications Commission of Kenya to promote broadcasting services in Kenya. Significantly, the section also carried a rider that empowered the commission to only promote that which it deemed to be in the public's interest. Those opposed to this law

19

were particularly slighted by this provision on public interest because it indicated that the government had adopted a prescriptive approach apart from arrogating itself the sole responsibility of defining what is good for the public with respect to media content

Those opposing the Act were of the opinion that on the question of the public's interest, government was flexing its dictatorial muscle without listening to the people. Inevitably, this impasse prompted thoughtful reflection on whether negotiation between government and those opposed to the new law would have provided a useful opportunity for approximating the various social and political interests represented in this debate.

Section 46H of the same piece of legislation was also widely contested because it conferred enormous powers on the Communications Commission of Kenya (CCK), especially with regard to the nature of programmes to be broadcast as well as the times for broadcasting certain types of content(see Mureithi 2008). This part of the law required the CCK to prescribe a code and ensure compliance. Stiff penalties were spelt out for those deemed to be in contravention of the code. Another section of this law (under Section 88) also empowered the Minister for Information and Communication to confiscate broadcast equipment from licensees who contravene this law.

Section 88 was however already in existence and was therefore not part of the amendments that were being sought by the Minister for Information and Communications (GoK 2008). Thus, according to the permanent secretary in the Ministry, the new Act provided the country with the timely opportunity for enacting a comprehensive set of laws that would regulate the electronic media, promote ethical standards in the media, and enhance moral values.

The media's role in the country's disputed December 2007 General Election and the attendant outbreak of violence in the early part of 2008 has probably provided the greatest opportunity for debating the media in Kenya(see Ismail and Deane 2008). This tumultuous moment in the country's history generated an enormous amount of interest in Kenyan media expressed by different institutions and authorities from within and

without. These organisations published numerous reports in an attempt to explain the role of the media in the period before, during and after the 2007 elections.

A few of the key internationally-published documents include reports by the BBC World Service Trust (in March 2008), International Media Support (in February 2008), the Commonwealth Observer Group (in December 2007), and the United Nations High Commission for Refugees (in April 2008). Other valuable local publications include reports from the Kenya National Commission on Human Rights, the Kriegler Commission Report (in late 2008) and the Commission Investigating the Post Election Violence (CIPEV) or the Waki Commission Report.

A quick glance at most of these documents shows that they were based on circumstantial evidence, public views on the media, and comments by different political players, media reports, and comments by different groups in Kenya. Others incorporated a measure of structured interviews with media players, politicians, and ordinary citizens. It is however instructive to note that most of these documents were published during the politically tense period spanning the first quarter of 2008. Consequently, they appear brief and are mainly reactive.

Thus from the foregoing, a few of these analyses were well thought out, none the less, they made an important contribution to the ensuing debate. Makokha (2010: 271), for instance, attempted a detailed analysis of the role, impact, and effect of mainstream media in the elections and its aftermath. His analysis sheds some light on the circumstances that defined the role of the media in the electoral process, the tensions that were in existence between media ideals and political interests, and how these shaped the communication environment before the elections.

The Kenya government's position on the media immediately after the elections however did not surprise many. Soon after the disputed results of the elections were announced (on 29 December 2007), the ensuing outbreak of violence across the country prompted the government to slap a ban on all live media coverage. This action was taken by the Ministry of Internal Security and was quickly supported by officials from the Ministry of Information and Communication (Ugangu 2008).

However, the greatest outburst of public wrath came from the government's announcement of its intention to establish a task force that would audit the media's performance prior to and during the period of post election violence. The proposed audit was dismissed as unfounded in law (Warsama 2008). In defence of the media, Warsama, writing in a newspaper article narrates how journalists were whisked away from the national vote tallying centre at the Kenyatta International Conference Centre (KICC) prior to the announcement of the disputed election results. In similar fashion, the electoral commission chair was whisked off to a secret location where, under exclusive coverage by the state-controlled Kenya Broadcasting Corporation, he went on to declare Kibaki the winner. These events gave rise to much scepticism as evinced in an opinion piece (published in the *Sunday Standard*) that saw political motivation behind the proposed media audit (see also Ugangu 2008).

Similarly the government's decision to single out local language radio stations also raised concerns about a possible plot to kill diversity in the media while simultaneously suppressing press freedom. The most serious charge levelled against local language radio stations implicated them in the fanning of ethnic hatred and the inciting of communities to violence (BBC World Service Trust 2008). Local language (or vernacular) radio stations are a product of the recent liberalisation of media space in the country (BBC World Service Trust 2008). In the year 2000, KAMEME FM became the first radio station licensed to broadcast in a local ethnic language (BBC World Service Trust, 2008).

The problems regarding the place of media in Kenyan society can also be witnessed in the shifting positions taken by the Ministry of Information and Communication during the period of violence from the day the disputed election results were announced. Notably, wavering government positions betrayed a reactive and knee-jerk approach to the situation. For instance, the CIPEV report records that upon cross examination, the Permanent Secretary in the Ministry of Information and Communication, Bitange Ndemo, revealed that his Ministry supported the order to ban live broadcasts from 31 December 2007, saying that this action was taken in good faith and with the overriding national interest in mind (CIPEV 2007: 297).

22

Separately, the Kriegler Commission Report attempts to make an impartial judgement of the media's actions during this period by simultaneously isolating the positive and negative actions of the media. The report, for instance, commends the media for effectively mobilising voters. However, instances of hate speech on some of the radio stations are also pointed out with these being directly linked to the influence of ownership. The report particularly singles out the incidences of politicians who own radio stations and how they used them to promote ethnic hatred between communities. In light of these considerations, the Kriegler Commission recommended a review of the Kenya Broadcasting Act to make it more independent. Additionally, this commission recommended that the provisions on freedom of expression be fully interrogated in the subsequent constitutional review process, and a full discussion of hate speech legislation be encouraged by all stakeholders.

1.2 Statement of the Problem

The last two decades have seen great transformation of the Kenyan media scene (BBC World Service Trust 2008). The wave of liberalisation that began from the early 1990s did open up the space for an increased number of players, while creating variety and choice for different categories of media consumers. Consequently, the plurality of voices that occupy the public sphere has grown with the media continuing to exert unprecedented influence on various social processes. Despite these unprecedented developments the country neither has a national media policy nor any form of general consensus about the role of media in society.

As mentioned in the preceding section, the debate that has been witnessed with regard to the role of the media in the Kenyan society has mainly been informal based on comments and observations by individuals either in their personal capacities or as representatives of particular interests and institutions. Most of these comments have taken the form of reactions to government efforts to control or regulate the media in Kenya. Different institutions including those concerned with the media such as the Editors' Guild, the Kenya Union of Journalists, the Media Council of Kenya and several

civil society organisations have also expressed their views about the role of the media in Kenya.

Several interesting moments in the country's history have also provided opportunities for debating the media in Kenya. Two of these include the period immediately after a highly divisive vote on a new draft constitution (in October 2005) and the aftermath of the post-election violence period (in the first quarter of 2008). Both periods have been given detailed treatment in the preceding chapter.

An interesting observation on the character of these debates is that they have tended to last for very short periods of time after the events that provoked them thus pointing to their unreliable and unsustainable nature. It is thus for this reason that the central problem of this thesis can be isolated first as an attempt to build a rationale for rethinking the role of the media in a changing Kenyan society. This is indeed a vital exercise given that the way the roles of the media are conceptualised in society ultimately bears direct consequences for the way media policy is structured. Secondly, based on this analysis, this study hopes to make proposals that are capable of informing current and future media policy debates in Kenya.

1.3 Objectives of the Study

The study thus aims to:
  a) Discuss theory about the role of media in society
  b) Present the rationale for rethinking the role of the media in Kenya
  c) Discuss the changing role of the media in the Kenyan society
  d) Make recommendations for future media policy development initiatives in Kenya

1.4 Statement of Research Questions

This study sets out to answer the following research questions:
  a) Does traditional normative theory of the media adequately explain the role of the media in present day Kenya?

b) Why is it important to rethink the role of media in contemporary Kenyan society?

c) What is, or should be, the role of media in a changing Kenyan social and economic context?

d) How could such rethinking contribute to local media policy formulation efforts in Kenya?

1.5 Methodology

The basis for choice of research methodology for this study has been influenced by the fact that this is primarily a literature study. It is in essence a discussion of normative media theory in which critical issues and themes with relevance to Kenyan media policy are brought to the fore, ultimately with a view to demonstrating the link between normative media theory and media policy discourse in a changing Kenyan social economic context. In some cases however, the views of key role players in the Kenyan media landscape (see chapter six), have been sought ostensibly to inform the theoretical stance already taken by the study.

For this reason, qualitative research techniques such as literature and document review, as well as open ended interviews with key role players in the Kenyan media landscape have been applied as primary data gathering tools (see also chapter 5). The primacy of literature as a critical aspect of scholarly research has been underscored by O'Leary (2004: 74) who contends that research may be done alone, but it is never done in isolation. Implied here is that the production of new knowledge is fundamentally dependent on past knowledge. Past knowledge, in the form of already available literature, not only provides a basis for research but in fact plays the important role of inspiring, informing, educating, and enlightening the researcher.

In addition, existing knowledge helps in the generation and focusing of ideas, provides ground for forming significant questions, argues out the societal and scientific relevance of the work being undertaken, and is ultimately instrumental in the process of research design. In many ways, therefore, it contributes to the development of a clear rationale, which ultimately assists in establishing the researcher's credibility. Thus, in the case of

this study, an extensive study of different literature ultimately helps in responding and or shading light on a basic concern; the implications of normative media theory for media policy.

It suffices however to further mention that review of literature also informs all the stages of a research process. Apart from contributing to the formal literature review section, it provides background and context to the study while also offering relevant theoretical and methodological directions. Some critical sources of literature might include discipline-based reference materials, subject-specific books, research reports, journal articles, official publications, and seminal and foundation works among others. The literature selected for review in the current study draws from the accumulated body of relevant works written at the local as well as global level on normative theory of the media and the attendant debates particularly in a changing globalizing environment.

1.6 Structure of the Study

The chapters of this study have been organized to respond to the research problem and its attendant research questions. Chapter one (the introduction) gives a preview of the arguments in favor of the need to rethink the media's roles in society. This chapter makes reference to the views of several scholars who continue to grapple with the question of the media and society, particularly in relation to the role of the media in a changing socio-economic context. The chapter then presents the research problem, methodology, and a brief overview of the Kenyan media scene.

Chapter two of the study (the literature review) extensively discusses theory on the role of media in society. In this regard, the chapter opens with a general discussion of normative media theory followed by a brief historical account of normative theory in Western and African settings. It then takes the *four theories of the press* as the point of departure for a discussion on seeking new directions and understandings on the role of media in a changing socio-economic context. The chapter further considers the post-modern situation and the attendant questions that it raises because these have significant bearing on the applicability of traditional normative theories on the media.

This chapter makes reference to the work of several authors such as McQuail (2003, 2005); Christians et al (2009); Thompson (2005); Nerone (1995); Curran and Park (2000); and Fourie (2002, 2005, 2006, 2007) among others. On the whole, this chapter provides a context and basis for acknowledging the general flux which characterizes normative media theory in a postmodern, globalizing and changing media and social economic landscape.

Chapter three explores the applicability of the Afro-centric approach in explaining the role of the media in African societies today. The chapter explores Afro- centricity as a world view by borrowing from arguments propounded by authors such as Asante (1998), Okafor (1994), and Oyebade (1990) among others. Building from this perspective, the chapter then considers *ubuntu* as a case study in Afro-centric thought. The chapter then makes an attempt to create understanding on what might constitute *ubuntu* journalism and how this philosophy may contribute to a uniquely African form of journalism.

The chapter further explores the possibility of using an African normative framework as the basis for media policy making in Kenya. Equally, the chapter considers universal concepts relating to the media such as public interest, objectivity, and social responsibility – and how these should be understood from an African normative perspective. The chapter finally concludes that ethnocentric interpretations may not provide a useful framework for defining the role of the media in Kenya today since they fail to take cognizance of the current changes occasioned by globalization.

Chapter four presents a description of the Kenyan media scene. The chapter outlines the changes that have taken place since liberalization of the media in the early nineties. This presentation serves to demonstrate the dynamism of the Kenyan media landscape by highlighting those landmark changes that have made impact on the media and its place in society.

The chapter, for instance, explores the growth of local language radio stations and the attendant debate that these radio stations continue to elicit; ownership, access and control of private media in Kenya; and the policy and legal media environment in Kenya.

The chapter then presents what are considered the problems of the Kenyan media system for which solutions have to be found.

Chapter five presents a detailed discussion of the research process- basically affirming that this is a literature study and therefore providing a rationale for the choice of qualitative research techniques. Chapter six is an attempt to integrate theory and practice. In this regard, the chapter is presented in two parts. The first part is a synthesis of the theoretical arguments in the earlier chapters. This provides a theoretical basis for discussing, questioning and ultimately assessing the opinions and views expressed by the different role players in the Kenyan media presented in the second part of the chapter.

Chapter seven concludes the study by providing a way forward regarding how normative media theory and practice can meet each other in a changing globalizing African context such as Kenya. The chapter thus lays out several broad proposals that could enrich media policy making in Kenya, based on theoretical discussion in the preceding chapters, experiences from elsewhere in the world as well as the views of key role players within the Kenyan media landscape.

CHAPTER TWO

THEORITICAL DISCUSSION ON THE ROLE OF THE MEDIA IN SOCIETY

2.0 Introduction

In summary, this chapter presents a discussion of theory on the roles of media in society. The chapter, therefore, is an attempt to explore normative media theory with a view to establishing the extent to which existing theoretical explanations remain relevant to present changing socio-economic circumstances in Africa in general, and Kenya, in particular. The discussion in this chapter is (as indicated in chapter one) however anchored on a postmodern critic of the older normative theories of the media such as the four theories of the press.

The Kenyan society today has gradually evolved, largely due to influences exerted by the phenomenon of globalization[10]. This evolution started in the early nineties, a period that saw new developments in communication systems across the world. These changes manifested in a number of ways in the case of Kenya. Significantly, one such change was in the kinds of technology predominantly associated with communication. And accompanying this technological change was a simultaneous shift in political ideology, culminating (in 1992) with Kenya's shift from a single-party state to a multiparty democracy (which is discussed in detail in chapter four). Notably, this shift in political ideology would lead to many changes in the way media were governed.

Among such changes was the move towards deregulation, and the attendant liberalization of the media sector. State monopoly on communication - through the Kenya Broadcasting Corporation (KBC) – was also reduced, as new players took advantage of this change to enter the media scene (cf. Mbeke, 2010). As a consequence, the years following 1992 have gradually witnessed a transformation of the media sector in Kenya (cf. chapter 4).

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[10] Albrow's (1997) thinking on the new age is critical to the understanding of globalization that this study will follow. Albrow (1997:8) considers globalization as a form of radicalizing of modernity or even the self – undermining of modernity.

These developments, however, have raised new questions regarding the roles of media in the Kenyan society; questions which require answers. Notably, most of the questions that have inevitably come to the fore seek to address emerging patterns in media freedom, diversity, access, accountability and quality. In order to respond to such issues, which are emerging in a changed socio-economic environment, new arguments are needed. This chapter thus attempts a nuanced discussion of the corpus of existing theory and its relevance to these developments, in a bid to build a case for rethinking the roles of media in the Kenyan society.

The need to re-evaluate the roles of mass media in contemporary society (as propounded by this study) is, however, not a new concern. Nevertheless, it is an urgent one. Indeed, such an undertaking is further validated by the realization that typically, traditional normative theory of the media has, as this study shall later demonstrate in chapter three, not adequately accounted for the African experience. Due recognition must therefore be given to the fact that in this age of globalization, the African perspective should also be considered in the global remaking of normative media theory.

This study, however, does not intend to propose a new normative theory of the media. Instead, this chapter specifically aims at presenting key thoughts and ideas that can assist the rethinking process being urged by this study, more so within the Kenyan context. Such ideas, it is hoped, can help form the building blocks for continued debate on the media-society relationship, apart from informing media policy formulation efforts in Kenya, in particular and Africa, in general.

In terms of organization, the chapter opens with a general mention of the core concepts related to normative media theory. This is followed by a brief historical overview of the origins of normative media theory. The aim here is to demonstrate the theories' conceptual progression through time, while also indicating the need for new arguments that can adequately explain the newly-emerging and changing circumstances.

The historical evolution of normative media theory is subsequently followed by a brief overview of the four theories of the press. A detailed critique of these four theories is

then undertaken, which serves to demonstrate their inadequacy in explaining the media-society relationship today. This dovetails into a critical assessment of the media's responsibilities in a post modern context, further demonstrating the inability of the four theories to offer a useful framework for reconsidering media's roles in a changing Kenyan society.

Additionally, much attention is given to the study's attendant concerns, particularly with regard to how concepts such as freedom of expression, public interest, media accountability, diversity and difference should be interpreted in these changed circumstances. Ultimately, the chapter concludes by asserting that a rethinking of the media's roles in a changing society is completely necessary. It is however posited that the accomplishment of this task will only be possible by a methodical search for alternative ideas; since (the older) normative media theories have proven themselves inadequate.

2.1 Some Conceptual Considerations

Concern surrounding the media's position in changing socio-cultural and economic environments is not a novel phenomenon. Indeed, communication scholars like Christians, Glasser, McQuail, Nordenstreng and White (2009) have already carried out exploratory studies on the question of change and the media. Significantly, these authors conclude their arguments by the observation that in the contemporary age, both journalism and democracy are continually being challenged by great changes in information technology and the global economy.

One also discerns similar concern in Murdock's (1990:3) earlier analysis of what he refers to as "old problems, new contexts." Murdock is concerned with the phenomenon of media mergers and acquisitions which currently characterize global media ownership. Reflecting on the significance of these developments in global media ownership, Murdock rhetorically poses the question: why does this matter? In the context of this study, one may want to extend this line of questioning, by posing an additional but related question: to who does this matter? As this study demonstrates, these questions

have great import for media and communication scholarship as well as media and communication policy today.

Murdock (1991:3) sees the current changes in the media and communications as having direct implications for media ownership structures and therefore for social theory. He argues that the structure of media ownership is a critical determinant of how a media system will act (Murdock 1991:4). It is thus easy for instance to doubt that a communications system that is dominated by private ownership can guarantee the diversity of information and argument required for effective citizenship and therefore the evolution of a democratic culture that is premised on participation. However, in keeping with its postmodern thrust, this study explores in chapter seven, several plausible proposals on how private media institutions could serve public goals. Nonetheless, this and many other attendant questions such as media freedom and accountability, provide impetus for critical examination of the media's place and task in society (Christians et al, 2009: 4).

It is no easy task, however, to carry out such examination. This is mainly due to the fact that in a changing environment (such as what presently obtains in Kenya), the ability to effectively theorize on media-society relationships is complicated by the transient and fluid nature of the prevailing social economic and technological environment. Matters are made more complex by the realization that existing normative theories of the media may not adequately account for this dilemma. It is in this regard that Elliott (1995:260) for instance reminds us of the erosion of what Habermas called "the public sphere." Today's market dynamic as Elliott (1995:260) asserts "provides not for participation but for consumption." The relevance of this observation comes into focus when one is confronted by the commonly held assumption that new technologies will increase access to information and people's participation in the communication system.

It is not surprising, therefore, that the best known textual attempt at a theoretical analysis of the media-society relationship is now considered as outdated. It is partly for this reason that, Siebert, Peterson and Schramm's, *Four Theories of the Press* (1956), has been repeatedly criticized for its inadequate response to a changing environment,

which is predominantly defined by a clashing of cultures and the convergence of media systems. Admittedly, however, when Siebert et al (1956) proposed the four theories of the press, the historical circumstances of the time were different from today's reality. The three authors did not for instance anticipate today's changed communications environment, or generally the chaos which define today's globalized age as argued for instance by Giddens (1991). It is a reality that is manifestly difficult to decipher and adequately describe as Albrow (1997) contends.

In it, one sees the positive possibilities of difference, multiplicity, and de-centredness, a destabilization of old hierarchies of power; and at the same time, the negativity of disorder and neutralization of age old principles of organization, a collapse of boundaries, and a challenge to the old dualisms of the west and its post colonial, private and public, self and other among others (see also Collins, 2000). This situation, ironically presents a challenge that scholarship should embrace (see also Ang 1999). Indeed, it is for this same reason that Giddens (1991:1) writing a few years to the close of the twentieth century asserts "today we stand at the opening of a new era, to which the social sciences must respond and which is taking us beyond modernity itself."

This study suggests that the way to respond to this challenge, as posed by Giddens is to seek alternative arguments/ideas to answer those basic questions that Siebert (et al) had hoped to address in the *Four Theories of the Press*. Without such measures, it would be difficult indeed to adequately define the media's basic responsibilities to society, in today's changing socio-economic context. Siebert (et al)'s work was informed by two fundamental questions. These were – *"what is and what should be the media's role in society?"* And, secondly, *"how do we classify media systems and journalistic traditions?"*[11]

Admittedly, it must be pointed out that these questions remain as relevant today as they were fifty years ago. However, it is clear that global communication scholarship has yet to find widely acceptable answers to them. Moreover, even Christians et al, (2009: 4)

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[11] It is however important to consider the historical moment that produced the four theories of the press. Nerone (1995: 7) contends that *Four Theories of the Press* was driven by an agenda rooted in the context of its composition, specifically the Cold War era and a global expansion of the US model of privately-owned for-profit media.

admit to a deficiency in the four theories paradigm, by noting that the framework of the four theories was not sufficiently open to the whole range of values, traditions and socio-political philosophies underlying public communication throughout the world. This is partly the reason why the four theories were unable to account for media systems outside the Western orbit and the prevailing ideology of the day.

These authors see the need for alternative thinking on the role of the media in such changing times. Others such as Nerone (1995); Nordenstreng (1997) have also suggested the need for alternative normative media framework that would go beyond the limitations of the four theories of the press. Similar concern is expressed by Ostini & Ostini (2002:41), who warn of a changed global order characterized by the fall of communism, a new millennium and new hopes for the world's peoples. Such an environment, they argue, necessitates the need to ponder over the existing social, media and information order; with regard to how these may be reinterpreted using newer conceptual frameworks.

To these thoughts one may also add a dimension as argued by Giddens (1991) – regarding the phenomenon of "time – space distanciation" which has inevitably transformed our relationships with others such that, as Moores (2000:106) also observes, "we are no longer confined to the locale" (see also Thompson 1995) In practical terms, this means that our day to day lives are touched and greatly influenced by forces and happenings from far away. New communication technologies have extended and stretched existing connections into a global maze of interconnections thus altering some of the most intimate and personal features of our day today existence (see also Giddens 1991).

2.1.1 The importance of discussing theory as regards the roles of media in society

There are several reasons that favour the prioritization of discussion on normative media theory. One such reason, for example, is the need to generally demonstrate that discussions on theory in the social sciences provide the critical bed-rock for any academic exploration or engagement. It is indeed for this reason that Nwosu, Onwumechilli & M'bayo (1995: 9 argue that theory provides the common sense,

assumptions and the intellectual guidance upon which research, and ultimately, social experience, is based.

Thus, to successfully build a case for re-thinking media's role as envisioned by this study, one requires an understanding of the intellectual perspectives and theoretical traditions that have guided thinking on media's roles in society, as a first step towards discussing their appropriateness in a changing socio-economic context. Based on this, it may then become possible to consider alternative perspectives and how these can shape new understanding on the roles of media in Kenya for instance.

In doing this, the present chapter and indeed the entire study substantially draws from the thoughts of Denis McQuail on normative theory of the media. This is because although McQuail has extensively written on the theories of mass communication in general, his thoughts on normative theory of the media provide an important starting point for the present study. At the 2010 International Association of Media and Communication Research (IAMCR) annual conference hosted at the University of Minho in Portugal, Denis McQuail was feted for his contribution to the field of communication (Golding 2010). In referring to McQuail's book; *Media Performance: Mass Communication and the Public Interest*, Golding (2010:123) for instance singles out the thorny issue of balancing freedom of expression with social responsibility noting that it has and continues to give a headache to theorists and policy makers, and that although there are yet no clear answers, "we are much more able to understand it through the work that Denis has undertaken."

It is in similar spirit that Brants, Hermes and van Zoonen (1998), for instance, acknowledge and pay tribute to McQuail's interest and concern for the performance and accountability of the media and their practitioners. To show their respect and honour, the three authors have dedicated all the chapters of their book, *The Media in Question: Popular Cultures and Public Interest* (1998) to him.

Additionally, McQuail has in recent years been vocal in urging a rethinking of media theory in the face of the changes that now characterize society in the age of globalization. As early as 2003, for example, he was already arguing for the need to set new horizons for communication theory, given the changing circumstances of the new media age (McQuail 2003b:40).

More importantly, McQuail has further admitted that there is no perfect state of communication, in which theory can completely identify or accurately predict the course of human affairs. This is an important concession to make while considering the media's social responsibilities in this new age, because it also prods us into discerning the new questions that media scholarship should follow in the search for a new understanding.

Moreover, if we are to conceive the process of rethinking media's social responsibilities as an expedition or a journey to a particular destination, then (according to McQuail, 2003b; 40-49), theory should serve us as a navigational tool. Consequently, the purpose of discussing theory - as explicated in this chapter and indeed throughout this study is to provide ideas and concepts for understanding what is going on with the Kenyan media; particularly regarding the various ongoing public debates on the roles of the media in the country; and to inform the path towards a more acceptable policy for the media at the national level.

Additionally, such thinking provides useful and relevant tools for working towards national media policies that are congruent with the diverse expectations of the Kenyan society. Indeed, the lack of a coherent conceptual frame of reference has been identified as one of the major weaknesses in the search for acceptable policies on the media in Kenya.

The rethinking of media roles, as conceived by this study, also entails exploring those alternative interpretations that may be far removed from generally accepted standards. Thus according to McQuail (2003b: 40), theory can provide a useful means for thinking

about alternative scenarios of what might happen under given conditions, apart from continuously guiding the task of scientific inquiry.

It is important to note, however, that the rethinking of media's roles in society is in itself not a simple task. This is why exploration of a multiplicity of viewpoints becomes necessary. Recent debates on the media in Kenya have indeed given credence to this concern, with the differing views expressed by interested groups pointing to the difficulty of getting easy consensus on the issue. This may partly explain why the country, to date, does not have a national media policy despite all the efforts and resources that have gone into this endeavour.

The Kenyan government's 'lone ranger' tactics in pushing for media reforms, particularly soon after liberalisation in the nineties, were seen by many as being too prescriptive. Moreover, several core questions regarding the media and the changing socio-economic situation were largely ignored, pointing to a certain conceptual inability on the part of those concerned.

From a theoretical point of view, however, the concept of multiplicity underscores the need to move away from certain stereotypical or even universally accepted positions that are based on one particular perspective or the experiences of one authority, institution, culture or region of the world. This is important given the concern that normative theorizing on the media has mainly been based on Western society's interpretations (see, for instance, Curran & Park, 2000; Ayish 2003; Gunaratne, 2007).

It therefore suffices to mention that a lot of literature on the media points to the urgency of rethinking the media-society relationship in this new age (see Hachten, 1993; Blumler, 1998; Curran and Park, 2000; Ostini & Ostini, 2002; McQuail, 2003; Fourie, 2005; 2010). This sense of urgency in itself calls for media scholarship to provide useful platforms for rethinking and suggestions towards new directions of thought.

Earlier, McQuail (1987:110) had observed that the recent decades since the Second World War have seen the media develop new features that have been considered 'problematic' for the rest of society, a situation which stimulated the move towards policy-making by governments and other supra-national bodies. This reality has brought to the fore several problems which provoke a re-examination of normative principles and proposals for reform. Some of these changes include a concentration of the press, which poses threats on diversity and independence of information and opinion, the increase in trans-national and multimedia operations, among others.

Wasserman and Ward (2008:1) have in more recent times similarly raised concern about current urgent global issues and the power of global communications, which points to the need for new thinking about the media. The two authors propose new frameworks for media ethics that are based on and informed by a global outlook. While, this is a worthy goal, this study argues that it cannot happen without an attempt to analyze existing theory, which not only provides a point of departure, but also illuminates the path towards alternative interpretations.

This may be the reason why McQuail (2003:45) warns that discussion on normative theory has to take consideration of the broader field of communication science. This is important because developments in the broader area of communication science affect interpretations of normative theory in certain ways. For example, the current state of fragmentation and vulnerability of the field of communication (due to key social and technological changes taking place in the information society) has major implications on communication theory.

One such direct implication for theory is the fractured and disconnected nature of theoretical paradigms in the field of communication sciences, mostly brought about by tensions between the new and old intellectual traditions. These tensions, according to McQuail (2003: 43), are encapsulated by the modernist – post modernist divide. It is therefore important to acknowledge such possibilities in a discussion on theory regarding the media-society relationship. It is only by doing so that the gaps then become more visible to mass media scholarship.

In a nutshell, the relevance of examining old theories as well as new and emerging directions of thought remains a basic consideration in motivating a re-thinking of the media's responsibilities in society. The questions that arise as a result of this endeavour provide, as Fourie (2005:17-18) argues, a rationale for questioning the continued value of normative theory in its present form, while inviting critical thought on new directions.

The following section provides an overview of the understandings that inform normative theory of the media today. This endeavour is important in providing a point of departure in our analysis of existing theory, apart from helping in the task of providing useful ideas for rethinking the media-society relationship in a changing Kenyan society.

2. 2 Introduction to Normative Media Theory

According to Fourie (2005:163), normative theory of the media provides a yardstick against which media performance, accountability and quality could be measured and if need be, controlled. In other words, normative theory is concerned with the roles that media ought to play in society. These roles are defined variously, from one society to the other. The four theories of the press by Siebert, Peterson and Schramm (1956), for instance, identified 'freedom of expression' as an important tenet that sets one media system apart from another.

Normative theories are, however, significantly different from other theories. Baran and Davies (2000:88) point this out by noting that normative theories do not describe things as they are, nor do they provide scientific explanations or predictions. Rather, they describe the way things should be. In other words, they set out an ideal by which some principles or values could be realized.

Some of the core questions embodied in normative media theory seek to address the type of content that media publishes the degree to which this concerns the public and how the media reflects different perspectives in society. Other concerns include perceptions about public interest and the reasons for this, definitions of public interest and the social responsibilities of the media (Fourie, 2005:19).

Additionally, normative theory provides understanding about the very organization of the media in legal and financial terms, and how this fundamentally touches on their core roles as carriers of values. Principles such as accuracy, objectivity and public sensitivity are thus emphasized.

Normative questions are also linked to the day-to-day operations of the media. For instance, questions are constantly raised about how media management and production jobs should be structured, the moral and ethical standards that should guide media professionals and the essential meaning of serving in the role of a journalist, among others (Baran & Davies, 2000: 88- 89).

In any given society, there is always a multiple set of views regarding what the media ought or ought not to be doing and on how well they are performing (McQuail, 2005:162). These views normally tend to be public, institutional or private. Seen from this point of view, normative theory of the media may therefore refer to ideas of 'right' and 'responsibility' which inform those expectations expressed by individuals and society at large.

It is thus proper to argue that the criteria used by society to judge media performance, as well as the concepts that are used to describe such assessments, mainly draw upon some sort of value judgement. McQuail (2005:162-163) identifies concepts such as freedom, identity, integration, diversity and information, to illustrate this point. In other words, these are value-based categories which translate into roles for the media in society. Rethinking of media roles in, and for, society has to take cognisance of these categories.

By and large, the task of rethinking media's social responsibilities is partly motivated by the fact that normative obligation, on the part of the media, originates from a given source. This may, for instance, include governmental regulation on the media on behalf of society. In such a case, the media then tends to adhere to laws set by the state or relevant agents of government.

McQuail (2005: 162) however observes that in free societies, the media – for the most part - do not have any obligation to carry out many of society's positively valued purposes. In such a social context, the media can choose to follow the normative goals set in the expectations of different groups in society, or not.

The MacBride Commission Report (1980) on global communication problems therefore recommended direct regulation of the media, as a strategy for ensuring that they work towards the realization of societal goals (see also Gerbner, Mowlana & Nordenstreng 1993). However, debate on self regulation by the media, particularly in the era of liberalization, has seen the media collectively oppose any attempts by governments to interfere with their freedoms.

Self regulation notwithstanding, there still exist several unwritten standards that media tend to adhere to in their bid to respond to societal expectations. According to McQuail (2005:165) these obligations can be found in the history, constitution and conduct of the media institution. It is however important to note that even in free societies, certain external pressures provide reason for normative obligation on the part of the media.

McQuail (2005:163) further identifies two general sources of normative obligation on the part of the media. This categorization includes internally defined purposes within individual media institutions and the external expectations from society which suggest how media should conduct themselves.

The four theories of the press also suggest that the historical context within which interpretations of the role of the media have been shaped is an important source of normative obligation (See Nerone, 1995). This is, for instance, the case in most democracies where there is a discernibly close link between democratic political institutions and the role of the media as a shaper of public opinion (McQuail 2005:164).

However, this role is not constitutionally provided for in the laws of such societies. Tradition, though, provides a case for aligning journalism to the democratic ideals of society. This inevitably becomes a measure for evaluating media's roles in and for society. Additionally, it provides a reference for professional and non professional

practice of journalism in such societies. And over time, this thinking becomes appropriated by media institutions nationally, thus establishing a national custom or norm (See McQuail, 2005).

Another example of how media will approximate the state's democratic interests can be seen, for instance, in the expression and defence of national interest in relation to international affairs, particularly by media in developed democracies. Gikaru (1994:36) has analysed the manner in which the *Guardian* Newspaper in the UK and the *New York Times* covered Kenya's first multiparty elections of 1992, to demonstrate how mass media have become important instruments in today's process of foreign policy formulation and how this is driven by a strong sense of national interest.

As a former colonial force in Kenya, Britain has traditionally maintained a strong economic interest in the country. This very factor has been at the centre of Britain's foreign policy on Kenya. Consequently due to this self interest, Britain has traditionally preferred that socio-political changes in Kenya be gradual, in order to avoid the disruption of the country's economic and political system. Gikaru's (1994) study thus showed that the *Guardian* newspaper adopted this stance in its coverage of the 1992 elections, which were marred by numerous complaints of electoral malpractices - particularly vote rigging.

Gikaru's findings further show, for instance, that while the *New York Times* relied more on opposition voices to authenticate claims of electoral fraud, the *Guardian* initiated an interview with the Vice President - a senior government official - to counterbalance the opposition's claims of electoral fraud (Gikaru 1994:36). On the other hand, the main interest of the United States of America in Kenya at the time was the installation of a multiparty system of government. The author further notes the following in regard to how the *New York Times* covered this election:

> The *New York Times* exhibited a pattern very similar to that pursued by the US government. It raised a lot of concern on election fairness but once the results were out and it was clear that a multiparty system had been established, its tone of coverage and its commentary seemed to say, "If nothing else you have a multiparty system and you can proceed from there" (Gikaru 1994:36).

Public pressure or concerns expressed by the public in regard to what media should do for society is also an important source for normative obligation on the part of the media. McQuail (2005:165) argues that if expressed coherently, the view of the public about what media ought to be doing has a more binding effect. This effectively means that media will in many cases tend to be more sensitive to those expectations being expressed by their audiences. The motivating force in this regard is self preservation on the part of the media, as they fight to keep their loyal audiences, whom advertisers are quite keen to see.

Separately, the state - as a source of normative obligation - is an important authority to consider. McQuail (2005:165) mentions, for instance, the ability of the state to punish and reward the media in a bid to force them to behave in a certain desired way. This means that circumstances will determine the extent to which media institutions will be independent of the desires of the state. Where, for instance, matters of public order and security have been given priority, media institutions are required to behave in ways that are supportive of positions taken by the state.

On this basis, Ochillo (1993:21-22) argues that there is a direct relationship between press freedom, the role of the media and the nature of the government in power. Ochillo's analysis in this regard approximates or agrees with a basic assumption of the four theories of the press, which links political systems or structures to media structures (see also Siebert et al 1956:1). Giving the example of Africa, he observes that, media political controls, the state and party ownership of various channels of communication have greatly hampered and generally tended to reduce the roles of media (as the fourth estate) acting on behalf of society.

Generally speaking, thus, African media systems have since independence been tied to the interests of the state. Ogbondah (1994:3) explains this by observing that African leaders have always been of the view that a free press, based on the Western model, can too easily lead to instability of government and to internal chaos. This is the primary reason for ensuring tight controls over the media, as a necessary condition for national

development and political stability. Notably, this position has not changed much under the new liberalized context. In Zimbabwe, for instance, a report on how the media covered the 2002 national elections reveals the state's continued intolerance towards an independent media system in the country (see the Media Monitoring Project - Zimbabwe; 2002).

A last source of normative obligation for the media involves the pressures that come to bear on the media from various institutions and influential individuals in society (McQuail 2005:164). These are mainly non-state players, with the capacity to exert tremendous cultural, economic and social influence. Significantly, such actors may need the media to further their interest in certain directions, in order to achieve their desired economic, cultural and social goals. Examples of such institutions include national business lobby groups, and religious and cultural organisations. Admittedly, their influence ultimately determines understandings regarding the roles of media in society.

In a nutshell, the foregoing discussion has provided an introductory overview of current perspectives on normative theory of the media. This understanding is an important step in the rethinking of media roles in Kenya, as urged by this study. The following section builds on this discussion by providing a historical perspective to the development of normative theory in the Western, as well as African, contexts.

Indeed one may be tempted to ask, 'why the need for a historical angle to this discussion?' The point here is simply to give an overview of the development of normative media theory over time. Such knowledge is important because it further helps the case of laying bare the inadequacies of older theoretical frameworks, while preparing ground for the development and elaboration of postmodern criticism of these theories. Consequently, knowledge of history ultimately helps affirm the case for newer thoughts on normative media theory in a changing society. It provides an important launching pad for new thoughts on the future.

2.2.1 A brief history of normative media theory

Although it is not in the interest of this study to detail the entire history of the development of normative media theory, a brief overview of the same can provide a critical context to the core arguments made by this study. In the case of Africa, in general and Kenya, in particular (as indicated in the next section), history provides critical information on the forces that have shaped our understanding on the roles of media in society over time. Any attempt to rethink the role of the media in Kenya has therefore to take cognisance of significant trends through time.

In the case of the Western world, Siebert et al (1956:2) observe that normative theory dates back to the Renaissance, a period that was characterized by two basic theories of the press; the Authoritarian and Libertarian theories. The authors of the four theories of the press further assert that the oldest of these theories is the Authoritarian which came into being in the authoritarian climate of the late Renaissance. In this historical period, truth was a product of a select few in society- those in power and the aristocracy. It is this group at the top that was charged with the responsibility of guiding the rest of society hence their control over information and the means of communication.

The media of the time were therefore essentially closely allied to those in power. The powerful aristocratic regimes of the time, in turn used them (media) as tools for communicating to those at the bottom of the social hierarchy, hence the observation by Siebert et al (1956:4) that the press of this age functioned from the top down. This structuring of power and relations between the media and the polity had implications for freedom of the press, ownership and independence. Thus, as Siebert et al (1956:2) further assert, the permission for private ownership of the press(which was only allowed under special circumstances)could be withdrawn any time the obligation to support the royal policies was considered to have been dishonoured. Consequently, throughout most of the sixteenth and seventeenth centuries the press acted and behaved as a servant of the state.

The growth of political democracy and religious freedom, expansion of free trade and travel and the general acceptance of free economics and the setting in of the period of

enlightenment in the eighteenth century, dealt a blow to the authoritarian spirit of the Feudal age thus paving way for libertarianism. Siebert et al (1956:3) assert that this changing reality called for a new theory of the press hence the gaining currency of libertarianism.

The Libertarianism approach considers man as a rational being able to discern between truth and falsehoods and between a better and worse alternative (Siebert et al 1956:3). Nowhere else is this concept of man's freedom to the right of choice and expression better illustrated than in the words of John Milton, a proponent of the libertarian school of thought who wrote the *Areopagitica* - a landmark piece of work in which he argued that pre-censorship was little more than an excuse for state control of thought. This was in response to Parliament's order of June 16th 1643 that brought publishing under government control, by creating a number of official censors to whom authors would submit their work for approval prior to having it published. Milton (1644) thus for instance asserts:

> Many there be that complain of divine Providence for suffering Adam to transgress. Foolish tongues! When God gave him reason, he gave him freedom to choose, for reason is but choosing; he had been else a mere artificial Adam, such an Adam as he is in the motions. We ourselves esteem not of that obedience, or love, or gift, which is of force: God therefore left him free, set before him a provoking object ever almost in his eyes; herein consisted his merit, herein the right of his reward, the praise of his abstinence

The point being made is that, truth and the search for it should not be a monopoly of any one person rather an inalienable natural right of every man. All men are free to pursue it. The press is therefore seen as a partner in the search for the truth. Milton's (1644) argument was that control by government of publication was in essence control over this inalienable right to free expression. He felt that control could be achieved by simply allowing publishers and authors the responsibility of ensuring that the content of what was published was for instance not libellous.

Libertarian theory also saw the press as a tool for holding government to account. Based on the information available, people (assumed to be rational) would then make up their minds as to whether government policy and other related actions made sense

or not. It is for this reason that, it was imperative for the press to remain free from governmental control and influence (see also Siebet et al, 1956). For truth to emerge all ideas and all points of view had to be heard. In other words, a free market place of ideas in which all views representing minority and majority positions, the weak, as well as the strong had to find way to the press.

Nonetheless, and as noted by Siebert et al (1956:4-5) the twentieth century witnessed a number of transformations which forced a new theoretical paradigm for the press. In much of the Western world, media institutions were growing big and diverse. It was getting more difficult to get into media business as it entailed huge sums of money. In other words, the few with money were therefore owning and controlling the media. As a consequence, the libertarian "free market of ideas" was now in danger of being dominated by a few people. In these circumstances, protection from government alone could not ensure that all views are given space in the press given that the owners of the media and managers had the power to determine (Siebert et al, 1956:4-5) which persons, which facts, which versions of these facts shall reach the public.

In view of the enormous power that was in the hands of the few media owners, there was need for a framework that could commit them to responsibility towards society. According to Altschull (1983:179) in the years after the Second World War, the term social responsibility appeared as a goal model for institutions in the United States. However, it was in the press that this term gained wider acceptance mostly because unlike most other institutions, the press's freedom was guaranteed under the First Amendment. However, at the same moment, the press was coming under increasing attacks particularly from the Democratic Party and leading trade unions. These two groups were vocal in accusing the press of being unfair and slanted in its political coverage, spreading gossip, trash and trivia in its news to the public.

Fearing that if these criticisms were to continue, then the press would come under governmental restraints, some of the leading media owners of the time such as Henry Luce of Time Magazine decided it was time for a counter strategy (Altschull 1983:180).

47

Henry Luce thus provided the finances to aid the setting up of a commission to study the state of the press in America. This commission headed by Robert Hutchins was established in 1946 and given the task of coming up with recommendations for improving the quality of the press in an effort to pre-empt any interventionist move by the government.

Consequently, and as Altschull (1983:180) writes, the Hutchins Commission played a key role in writing the term "social responsibility" into the world of the US media. This term would later dominate global discussions on press philosophy and ethics in later years. In its report, the Hutchins Commission concluded that freedom of the press was in danger in the US for three main reasons. These were isolated as follows; a) in the modern world the press had increased in importance and visibility; b) the few who ran the press had not provided a service adequate to the needs of society; and c) the few had sometimes engaged in society condemned practices which if continued, would lead inevitably to government regulation or control.

In view of these observations, the commission recommended that there was need for the press to assume responsibility and that the public was also expected to play an active role in ensuring that the press lived up to its responsibility to society. According to the commission, the press was sensational and irresponsible. Concentration of ownership in the hands of a few people was also a concern that the commission noted, warning that such a trend would inevitably lead towards the establishment of a monopoly. Freedom, the commission concluded was only meaningful and essential to political liberty if it was "an accountable freedom" - to the conscience and to the common good (Altschull, 1983:181).

Consequently, according to the Hutchins Commission, the public had a right to expect certain fundamental services from the press. These were outlined as follows; a) an accurate, comprehensive account of the day's news; b) a forum for exchange of comment; c) a means of projecting group opinions and attitudes to one another; d) a

method of presenting and clarifying the goals and values of the society; and e) a way of reaching every member of the society.

Contrasting the libertarian tradition with the new culture of social responsibility, Theodore Peterson one of the writers of the four theories of the press asserts that "nothing in libertarian theory established the public's right to information or required the publisher to assume moral responsibilities" (see also Nerone, 1995). Under the libertarian set up, the press were basically conceived of as being private enterprises which owed nothing to the public and therefore were not affected by the sense of public interest. The press was basically the property of the owner, who engages in business at their own risk (Siebert et al 1956:72).

Central to the idea of social responsibility is therefore a free and responsible press. It is however this balance between responsibility and freedom which has preoccupied media and communication scholarship to date (see also McQuail 1992). Social responsibility according to the four theories of the press entails the following six roles for the press; a) servicing the political system by providing information, discussion and debate on public affairs; b) enlightening the public so as to make it capable of self government; c) safeguarding the rights of the individual by serving as a watchdog against the government; d) servicing the economic system, by bringing together the buyers and sellers of goods and services through the medium of advertising; e) providing entertainment; f) maintaining its own financial self- sufficiency so as to be free from the pressure of special interests.

Despite this renewed consciousness (renewed, because this was not a new idea at the time of the establishment of the Hutchins Commission in 1946). Several writers, including the authors of the four theories of the press have argued that social responsibility grew out of the ideas of many persons. For instance, John Milton had already advanced the idea of a self righting or regulating process) about the value of social responsibility. What is however critical is that the press in America never really changed from the bad habits that had been condemned by the Hutchins Commission. Indeed, writing many years after the publication of the four theories of the press, Nerone

(1995:101) wonders whether social responsibility was ever embraced in practice. He thus poses the question; are media really more socially responsible now than during the 1940s and 1950s?

Indeed, this question is just one among many that have been posed in regard to the four theories of the press. In the context of the goals of this study, this question acquires critical importance, particularly when considered against the backdrop of current social, economic and technological transformations. Nerone (1995:104) has for instance voiced concern about the effect of changing technologies in the media. He rhetorically asks: will technology make responsibility obsolete? Like Murdock (1990) Nerone, foresees a situation where new communication technologies may produce change in communicative structures. The effect of which is abundance of information, amplifying the voices of the few and that overall, such a change would render the responsibilities of the old media redundant and obsolete.

Bardoel and d'Haenens (2004: 5-25), have been more straight forward arguing that a single coherent theory of media's social responsibilities does not exist today despite the fact that it has been fifty years since the Hutchins Commission made its recommendations. The two authors observe that this is happening at a time when there is greater urgency for social responsibility in the media given the ongoing structural changes related to competition, commercialization and globalization.

This assertion also foregrounds the problematic of demanding responsibility from the media in an age when it is not even clear what the standard for service to society should be. It is thus difficult to see how feasible certain recommendations that were made by the Hutchins Commission would be in today's circumstances (see also previous references to Zelizer 2011). For instance, Hutchins Commission identified the need for the media to provide entertainment as one of the basic roles, but with the proviso that such entertainment be "good" Today, in a world that Giddens (1991) has characterized as defined by chaos and disorder, a question that begs attention is; so what would amount to good or bad entertainment?

In a nutshell, therefore, although the history of traditional Western normative theory of the media is long and rich as we have attempted to demonstrate, albeit in a summarized way, it is clear that increasingly the moment for this rich heritage is gone for there is a new force that is shaping society. In noting the power of this force, Shaw (1994:5) for instance asserts that globalization is a radical issue for sociology, international relations but more fundamentally for the social sciences as a whole.

Globalization is challenging prevailing conceptions, especially many of those that are implicitly assumed in social theory and analysis about the very nature of society, the state and civil society. This is precisely the reason why Albrow (1997) invites us to see that the modern age has actually finished, but that history has not ended. Another age has only taken the place of the previous bringing with it its own dominant features and shape. The challenge is how normative theory of the media can anticipate and subsequently deal with this new reality.

2.2.2 The post independence reality and normative directions for the media in Africa

In contrast to the Western experience already described, normative roles of the media in Africa soon after independence[12] were shaped by different forces and realities. At the outset, for example, most of the newly-independent African states put in place national policies that compelled mass media to play a purely developmental role for society (see for instance Wilcox, 1975; Burton 1979; Bourgault, 1995).

It is important, however, to frame our thoughts on the media's normative directions in post-independence Africa within the context of the four theories of the press. This affords the opportunity to see the extent to which this schema of theories has influenced debate and issues around the media in Africa since independence.

Thus, Heath's work on the Kenyan media - though a bit dated - remains authoritative in informing such discussion. She isolates three traditions under which the Kenyan media

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[12] Kenya got its independence from the British in 1963. The country became a republic in 1964.

may be categorized (see Heath 1997). These are the totalitarian/developmentalist, commercial/liberal and advocacy/protest traditions (Heath 1997:47).

Similarly, Wilcox's thoughts on the African media, published in *Mass Media in Black Africa* (1974), offer a useful though dated reference. Wilcox's analysis, makes an attempt to isolate a press philosophy for mass media in Africa, It is however important to note that other African scholars have also made useful contributions to this discussion in recent years (cf. Bourgault, 1995, Eribo & Jong- Ebot: 1997) Heath's categorization of the mass media in Kenya is however most useful in considering the traditions that have characterized mass media development in Africa and how these approximate the thoughts of Siebert et al in *the four theories of the press*.

2.2.3 The totalitarian/ developmentalist tradition

The totalitarian tradition in Kenya (and in much of Africa, as well) was mainly informed by the colonial thinking that mass media were important tools for persuasion and control. Under this tradition, it was also assumed that mass media would provide useful tools for educating and modernizing the traditional man (see Wilcox, 1975; Nwosu et al: 1995). In this way, state control of the media was seen as necessary in redirecting media towards development priorities.

In the case of Kenya, Heath notes that by the time of independence, the thinking that broadcasting was a powerful tool for state administration was well grounded in the minds of the political elite. To confirm this notion, the author cites Ochieng Oneko, Kenya's Minister for Information, Broadcasting and Tourism at the time, as quoted in Kenya House of Representatives Official Record, Vol 3, pt 1, of 24 June 1965. The Minister is quoted saying:

> Our primary objective is not profit-making but rather that these powerful weapons should become instruments for the constructive development of our country…

Indeed, from 1964 to 1989, the Kenya Broadcasting Corporation was run as a government department under the Ministry of Information and Broadcasting. In practice this meant that the government had a big role to play in determining the goals and

functions of the Kenya Broadcasting Corporation. The tendency here was for editorial staff to follow the edicts of government without question.

Thus for a long time, particularly during the dictatorial years of former President Moi's tenure, the Kenya Broadcasting Corporation's Swahili Service came to be regarded as the principal channel of political and economic integration (Heath 1997: 37). And given that the service enjoyed government support, it had the most powerful transmitters, which allowed it to have a nationwide reach. It carried national news and exclusively reported on national ceremonies. It also - in the words of Heath (1997:37) - carried "development" programs, within which the ideology of the national elite was embedded.

Faringer (1991: X), explains this situation by pointing out that the media at independence was expected to promote national integration, development, ideological mobilization and contribute to education regarding basic economic needs. In other words, deliberate emphasis was being placed on a press that would address Africa's unique objectives and goals for development. Similarly, other authors such as Mutere & Abuoga (1988), and Mak'Ochieng (1996) note that the media were required to act as agents for social change, by supporting government initiatives geared towards improving ordinary citizens' lives. Expectations for the media were thus informed by this goal.

Consequently, several decades after most African countries became independent from colonial rule; one still finds that developmental roles of the media are still being expressed with great zeal by political leaders. Eribo & Jong-Ebot (1997: X), note that:

> As late as 1990, Ghana's Minister of Information still expected his country's journalists to act as partners in development.

The Minister, as quoted by Eribo & Jong-Ebot (1997) continues to say:

> What we need in Ghana today is a journalist who sees himself as a contributor to national development. This country does not need watchdogs

In other words, the Western conception of the media acting as a watchdog has never really been emphasized as an important role for the media in Africa. This sheds some light on the direction that national discourses on media policy have taken in most African countries. Beginning at independence, national media discourse was taken up

by inspirational nationalist African leaders of the independence generation; such as Kwame Nkrumah of Ghana, Sekou Toure of Guinea, Nnamdi Azikiwe of Nigeria and Jomo Kenyatta of Kenya; who became instrumental in campaigning for and openly urging a developmentalist media system for their respective societies (See Wilcox, 1974; Ugboajah, 1985).

In taking this stance, the leaders' prevailing argument was that the achievement of collective goals - such as national economic development – was more urgent in comparison to securing individual based rights such as freedom of expression and the right to participate in civic processes (Mak'Ochieng 1996). It is within this context that appropriate understandings of concepts such as press freedom, social responsibility (and where it lay) and whether or not journalism could play a watchdog role were defined in the decades after independence in Africa.

Things started to change, however, after the initial years of independence. Kasoma (1995:536) notes that during the first few years after independence, African leaders were still accountable to the people. But dictatorship soon crept in, also accompanied by the urge and tendency to control the media. Wilcox (1975:23), commenting on the media scene in Africa in the early seventies, therefore notes that:

> Indeed, the roles and responsibilities of the African mass media are highly correlated with the attitudes and goals of high government officials.

More recent literature shows that this situation remained the same, at least until the age of liberalisation in the early nineties (see for instance Ochillo, 1993: Ogbondah, 1994: Bourgault, 1995). The Kenyan media, for instance, soon became an appendage of the ruling class. This educated select group had assumed political leadership at independence and soon realized that the media was a good tool for entrenching themselves in power (see Abuoga & Mutere, 1988).

This they did by ensuring that ordinary people's voices were shut out of national debates. As such, the political elite became the main subjects for the news while issues affecting people's lives were relegated on the media's news agenda.

Despite this, there was however an element of using the press as channels through which the techniques, life style, motivations and attitudes of the modernizing sector could be diffused to the more backward traditional sectors of society. Abuoga and Mutere (1988:78) therefore observe that "the issues which arose in the Kenyan press not only reflected these priorities, but also the relationships that evolved within an elite-dominated capitalist social structure such as the one that existed in Kenya."

This developmentalist approach played a major role in influencing the evolution of the communication and information sector in Kenya, in the years following independence. Notably, The Ministry of Information and Broadcasting was, for instance, still the government's main arm for pursuing developmentalist goals (Abuoga & Mutere 1988).

This department had been chiefly tasked with the responsibility of ensuring a link between the government and the people. It was also solely responsible for informing the citizens about government policies and decisions, mobilizing them towards various development priorities, as well as generally informing them about what was happening in the country and the world at large (Abuoga & Mutere 1988:80)

However, the stringent control of the media by the state in post independent Africa may have reduced the media's potential to aid development efforts. Mak'Ochieng (1996) especially laments the suppression of the press in Kenya, a situation which he says served to limit its role as a public sphere instrumental in the evolution of democratic values. Similarly, Ogbondah (1994: 13) has argued that the curbing of press freedom in Sub Saharan Africa only worked against the valued goals of socio-political stability and national development.

In this environment of strict control, the ability of the press to be useful in unearthing political and economic scandals in the post colonial African state was not seen as a priority; neither were there pressures for the media to deliver on this important watchdog responsibility. The end result, it may be argued, was a disempowered mass audience whose cause the media ought to have been promoting.

The Kenyan independence constitution of 1963 however carried a direct proviso on freedom of expression. Ideally, this meant that Kenyan citizens had a right to freedom of expression, and the right to seek, receive and impart information through any medium. This is however an ideal that has only been realized in a minimal way.

Ochilo (1993:25-26) has ably described the various challenges that the Kenyan media has faced in respect to press freedom since independence. He particularly singles out the challenge of state interference as having limited the media's ability to execute the fourth estate role. And despite the perceived benefits of a free press to a developing society, Ochillo concedes that many African countries sought instead to limit the role of the media in this respect.

Other authors, such as Farringer (1991) and Heath (1997), have also lamented the stringent rules that media have been subjected to by overzealous governments. According to Faringer (1991), this has been done under the guise of promoting development and in many cases the press in Africa have been subjected to censorship pressure from governments for failing to report positively on public affairs in their countries (chapter four presents useful case scenarios on Kenya)

Ogbondah (1994:13), too, has argued that a free African press would have been in a better place to assist in the development of the political economy of the Sub-Saharan region. The media would have played this role by exposing ineptitude, corruption, graft and mismanagement of public resources by those in positions of responsibility.

But the state's distaste for a free press in Africa has, over time, translated into fear and intimidation against journalists (Ogbondah 1994:14). Thus (for instance), many of the journalists who attempted to criticize the government and leading politicians during Presidents' Kenyatta's and Moi's regimes in Kenya always found themselves on the wrong side of the law (See Abuoga & Mutere, 1988).

Ironically, the fight for independence in Africa had been motivated by the need for greater human freedom. The post independence reality, however, did not bring this

hope for a majority of the people on the continent, as the emerging crop of African leaders started to cultivate a culture of political suppression and intolerance.

Alternative view points were gradually shut out, while the majority of the citizenry were denied the opportunity to participate in democratic debates on governance and important civic processes (Mak'Ochieng, 1996:25-26). Subsequently, the roles of the media in and for society were greatly narrowed, even as the state increasingly became the primary source of normative obligation for the media.

The prevailing argument being offered at the time was that given the myriad development challenges that Africa was facing, it was necessary to downplay, or give little emphasis, to the people's civil and political rights. In other words, the media were required to prioritize economic development over and above other needs of society. This inevitably constrained the development of the media as a viable public sphere in which citizens could obtain access to information and participation in public issues (Mak'Ochieng 1996:26).

Ample evidence of this ideology is available from Wilcox's (1975:24-25) samples of the views of some key African leaders of the time on the question of press freedom. Kaunda of Zambia, for example, decided in 1972 that the Zambian press would no longer be allowed to mislead the masses through misrepresentation or distortion of facts. Consequently, the two leading newspapers in Zambia; *The Daily Mail* and the *Times of Zambia,* had government appointees in the senior editorship positions. Objectivity in this regard was thus decided on by Kaunda's United National Independence Party.

In Tanzania, Julius Nyerere viewed press freedom along what Wilcox describes as "a narrow framework." Nyerere compared new developing countries to countries at war - "and in war time, newspapers everywhere accept limitations on their freedom."

For this reason, Nyerere argued that an irresponsible press could not be allowed to deflect government from its responsibilities to the people by creating problems of law and order. Nyerere's attitude here betrays the tendency of African of the time to act as both judge and accuser.

Apart from promoting each country's development agenda, cultural consciousness was another major influence in determining the roles of media in and for society immediately after independence. Ugboajah (1985) therefore argues that the independence movements of the 1940s and 1950s had played a big role in legitimizing this thinking among Africans. This would later (in the seventies) become a big agenda for Africa as well as other developing countries under the New World Information and Communication Order debate (NWICO).

Significantly, the emphasis on cultural preservation provided a means for redressing the effects of colonialism, which had not only denied colonized persons the right to creatively express themselves but led to the gradual fading of valued cultural traditions and the setting in of a dependency syndrome (Nwosu et al 1995). Deliberate measures were thus introduced to encourage local media content that would serve to perpetuate African values (See for instance Abuoga & Mutere, 1988).

In most cases, therefore, the politics of independence was marked by what Ugboajah (1985) has referred to as 'cultural management'. In some cases, several African countries (particularly in West Africa) started urging a deliberate perpetuation of African cultural systems through radio and television programming.

Separately, the years of colonialism had not only served to culturally debase the African person, but also provided an important lesson regarding cultural roots and the need to preserve them. UNESCO's McBride Commission Report of 1980 gave recognition to this need by asserting that cultural promotion should be a core function of communication. The Report thus notes the importance of:

> Cultural promotion: the dissemination of cultural and artistic products for the purpose of preserving the heritage of the past; the development of culture by widening the individual's horizons, awakening his imagination and stimulating his aesthetic needs and creativity (UNESCO 1980: 14).

Consequently, governments across Africa deliberately appointed themselves as promoters of cultural traditions through policies that required the media to give more attention to programming that promoted cultural traditions and languages. In Kenya, Mutere and Abuoga (1988) have noted the government's deliberate efforts to promote

58

local languages which had otherwise been relegated during the colonial era. The two authors point out that:

> The most insidious aspect of the language problem is the extent to which British colonialism managed to brainwash Africans into believing that English was the language of the educated, the sophisticated and the intellectual (Abuoga& Mutere, 1988: 99).

Indeed, the whole process of rejuvenating and reclaiming valued cultural symbols across Africa was not just a reaction to the colonial past, but an important step in nation building (Ugboajah 1985). In West Africa, for example, some of the new states (such as Ghana, Mali and Benin) adopted the names of important pre-colonial states and Kingdoms. This cultural renaissance was also discernible in dress codes, adaptation of cultural organisations in urban areas as well as a change of personal names (Ugboajah 1985).

2.2.4 The liberal tradition

According to Heath (1997:30), the liberal tradition in Kenya has mainly been characterized by private commercial ownership of the media, which rely heavily on sales and advertisements as opposed to government support (see discussion on liberalization and the media in Kenya in chapter four). Under this fashion, the two leading media institutions in Kenya are the Standard and Nation Media Groups.

The Nation Group was founded in 1960 by His Highness the Aga Khan. The company launched three newspapers in that same year and has ever since been growing. As Odero (2000:11) aptly observes, the company has indeed grown to be the biggest newspaper group in East and Central Africa. It is therefore accurate to state that the expansionist tendencies currently exhibited by both the Standard and Nation Media Groups speaks to the reality of a truly liberal press that is focused on profits as well as domination of the market.

Kariithi (2006) however points out that these expansion tendencies present challenges, as well as opportunities. The challenges are mainly in regard to policy directions that should be adopted to address these changes. A key problem identified by Kariithi,

therefore, is in regard to the dangers of media conglomeration at both national and regional levels.

There are opportunities, though, that come as a result of conglomeration of the media. According to Kariithi, such opportunities include the establishment of stronger and more viable media institutions, a broadening of perspectives on issues covered by the media and a diversity of media content. The availability of cheaper   technology, capital as well as a liberalisation of regulatory policies all make this possible.

Liberalisation of the media in Africa and other parts of the world has however not only presented opportunities but has also created new challenges. In most cases these challenges present a strong normative character. Questions about ethics and the role of media in society dominate debate on the media in this new age. In Kenya, new legislation has been introduced to deal with an ever expanding media sector.

2.2.5 Advocacy Tradition

It is difficult to say whether the social responsibility tradition; as explained by the *Hutchins Commission* of 1947 in the United States of America, or even the *four theories of the press;* has manifested in African media practice. Even Heath's (1997) categorization of press traditions in Kenya does not pointedly recognize the existence of a social responsibility tradition.

In the case of Kenya Heath (1997) talks of the advocacy tradition- to refer to the advocacy role that media have played particularly in supporting calls for social change and democracy. In other words, the advocacy tradition in Kenya has mainly been characterized by a press that upholds the voices of ordinary people in the face of perceived state oppression.

Heath (1997) identifies the vocal non mainstream publications of the nineties under this category. Similarly, most of the African press that characterized the struggle for independence fall in this category. Notably, this kind of media was purposely driven by the desire to represent the interests of Africans in the face of colonial power.

Kasoma (1995: 536) has analyzed the role of such independent media in Africa's change to democracy in the 1990s. He mostly observes that many in government criticized such media as fomenting political trouble. Kasoma further points out that such media were regarded as political opposition capable of fostering discontent and disunity in a nation. Finally, he rightly asserts that this reality has been true for the period before and after the fall of the one party state in Africa.

In conclusion, the discussion on the media's normative foundations in Africa brings to the fore two critical points. The first is in regard to the contrast between media in Africa and those in the Western world. While it may be easy to see the foundations that informed the four theories of the press and their consequent popularity in the western world, this is not the case for Africa. In fact as early as 1974, Wilcox's attempt to delineate a press philosophy in what he refers to as '*Black Africa*' ended without much success. He notes:

> An attempt to delineate and conceptualize the emerging press philosophies of independent Black Africa confronts the researcher with a complex array of variables and somewhat arbitrary decisions. Any classification, however well conceived, becomes a simplistic conceptualization of complex social, political and cultural forces that have shaped the press differently in every nation.

Wilcox's early effort clearly shows the futility of applying previously conceived theories of the press - that are based on Western values and concepts - to analyze African press systems. Heath's 1986 study of the Kenyan media further vindicates this assertion (see Heath; 1997).

It however suffices to add that this concern is not only limited to Africa. Current scholastic discussion on normative media theory continues to question the relevance of normative media theory in the face of postmodernism, and where the alternatives might lie (see Fourie 2002).

A second but interlinked problem is in regard to the peculiarities that inform the African context, within which the roles of mass media should be interpreted. It is clear that any analysis of the roles of media in African societies must take cognisance of the social

realities within which media operate. As shown by Heath's pioneering work on the mass media in Kenya, an attempt to classify media traditions in Africa does not easily realize the clear-cut categories that Siebert et al had anticipated in the four theories of the press.

The following section thus undertakes a critical analysis of the four theories of the press. In this exercise, it also considers the particular gaps that have already been elicited, while building a case for rethinking media normative theory.

2.3 An Overview of the Four Theories of the Press

Although, the four theories of the press as authored by Siebert et al (1956) have been mentioned rather extensively in a previous section of this study (see section 2.2.1) this current section briefly considers these theories mostly drawing from McQuail's(1987) analysis of this schema of theories. This helps us to see the thinking of more recent scholars (see also Hachten 1993) on these theories while also preparing ground for a critic of the same.

In his early work, McQuail (1987) has identified six normative[13] media theories (as opposed to the four theories of the press by Siebert et al 1956). These include the

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[13] The major assumptions of the four theories of the press have been summarized as follows by McQuail (1987:111-121) a) Authoritarian theory -media should do nothing which could undermine established authority or disturb it, Media should always or ultimately be subordinate to established authority, unacceptable attacks on authority, deviations from official policy or offences against moral codes should be criminal offences, journalists or other media professionals have no independence within their media organization. b) Libertarian or free press theory - publication should be free from any prior censorship by any third party, the act of publication and distribution should be open to a person or group without permit or license, attack on any government, official or political party as distinct from attacks on private individuals or treason and breaches of security should not be punishable even after the event, there should be no compulsion to publish anything, publication of error is protected equally with that of truth in matters of opinion and belief, no restriction should be placed on the collection by legal means of information for publication. c.) Soviet media theory- media should serve the interests of, and be in control of the working class, media should not be privately owned, media should serve positive functions for society by socialization to desired norms, education, information, motivation, mobilization, within their overall task for society, the media should respond to wishes and needs of their audiences, society has a right to use censorship and other legal measures to prevent or punish after the event, anti social publication, media should provide a complete and objective view of society and the world, according to Marxist-Leninist principles d) Social responsibility theory- media should accept and fulfill certain obligations to society, these obligations are mainly to be met by setting high or professional standards of informativeness, truth, accuracy, objectivity and balance, in accepting and applying these obligations, media should be self regulating within the framework of law and established institutions, media should avoid whatever might lead to crime, violence or civil disorder or give offence to minority groups, the media as a whole should be pluralist and reflect the diversity of their society, giving access to various view points and to rights of reply, journalists should be accountable to society, employers as well as the market.

authoritarian theory, free press theory, social responsibility theory, soviet media theory, development media theory and the democratic participant theory. Other authors, though (such as Hachten, 1993) prefer to group normative media theory into five categories, as follows; the authoritarian, western, communist, revolutionary and development concepts of the press. Siebert, Peterson and Schramm (1956), however, are credited with presenting the earliest categorization that contained only four distinct dichotomies – hence, the four theories of the press (see 2.1.1).

In proposing the additional normative categories to the original four, McQuail (1987) explains that the two added categories were only meant to supplement the original categorization by the authors of the four theories of the press. McQuail has further explained that these added categories are important in explaining some of the inconsistent characteristics exhibited by media systems, since no actual media system is governed by any one pure theory of the press.

An analysis of existing normative frameworks shows that mass media systems serve different purposes as required by the host society. Siebert et al. (1956) and McQuail (1987) have already indicated this, in their argument favouring unique functions for media systems. Thus, processes such as practical media work as well as policy formulation efforts at the national level may be said to largely draw from the kind of normative formulation that a society has chosen to up hold.

Generally, the four theories of the press have received praise from several authors for providing a useful framework for explaining the media-society linkage. For instance, Ocitti (1999), in considering the media democracy relationship in Africa, singles out the four theories of the press as offering the best philosophical and analytical base for explaining this dimension of the media-society relationship. Several other authors such as Nerone (1995) also do acknowledge the significance and impact of the four theories of the press on teaching and thinking about such important concepts in the study of the media, such as freedom of the press.

It is also worth noting that McQuail (1987:111-121) identifies the development and the democratic participant theories as additional schemas to the original four theories of the press.

Curran and Park (2000:1) nonetheless also concede that the four theories of the press essentially did offer an influential geo-political view of the world's media system. According to these authors, the world- in the case of the four theories – was roughly divided into three camps: the free world, which encompassed libertarian and social responsibility models; the Soviet-Totalitarian sphere; and authoritarian societies, which mostly included the developing world. However, Nerone and several other authors (e.g. Ostini & Ostini 2002; Curran & Park 2000) also acknowledge the inadequacies inherent in the four theories of the press as a normative framework, particularly in today's changing social economic context. These criticisms are discussed in detail in the following section of this chapter.

2.3.1 A critique of the Four Theories of the Press

Several scholars have generally questioned the popularity and universal applicability of the four theories of the press. Curran and Park (2000:1), for instance, derisively dismiss this schema of theories and wonder how they could have been taken seriously over the last forty years.

Nerone (1995) however presented a more elaborate critique of the four theories of the press, by isolating the inherent analytical inadequacies, as well as political bias, of the four theories of the press (see also Nordenstreng, 1997). He argues that Siebert et al mainly drew from classical Western libertarian philosophy. In this way, the four theories only but presented a perspective that was based on prevailing Western thought. The experiences of non western societies were not considered.

Consequently, several scholars have picked on these points to argue that the four theories of the press were not theories in a proper sense, but descriptions of four types of media systems, with guiding principles of their operation and legitimation (Christians et al, 2009). This raises questions about the assumed universality of the four theories, as well as their ability to comprehensively address normative questions regarding the media's place in society.

In attempting a new beginning for normative theory of the media, Christians et al (2009: xi) foremost recognise the fallacy of pretending to offer a universal typology, as was the case with the four theories of the press. Instead, the five authors suggest a framework that prioritizes dialogue between different traditions. In doing this, they acknowledge the fact that each tradition has its roots in different civilizations and religio-philosophical systems. Ultimately, this has a bearing on the way different societies will view the roles of media.

In this regard, the five authors willingly accept that their perspective is equally subjective, for it is informed by the traditions of the Western world. In a sense, this provides reason for exploring other cultural traditions for alternative thoughts on media normative theorizing. Ultimately, and in the context of this study, such perspectives can only further expand the discussion on normative theory beyond the limitations of the four theories of the press.

On their part, Hallin and Mancini (2004) are of the view that the four theories schema cannot guide media scholarship towards finding appropriate answers to the question regarding "why the press is as it is." This, incidentally, is the core question that Siebert et al, set out to discuss. The two authors further put the blame for this deficiency on the fact that most of the available literature on the media is ethnocentric, in the sense that it is based on the experiences of a single country or society.

Such literature, unfortunately, has been used to explain the realities of media in other societies - as if such works have universal applicability themselves. Undoubtedly, this has been the case with the application of the four theories of the press. And according to Nordenstreng (1997:104), Third World countries have been the most disadvantaged, given that they have not nurtured indigenous innovations in theory that can inform realities in their own societies.

Nordenstreng (1997:104) therefore concludes that contributions by Third World scholars are mainly restricted to reflections on the four theories of the press, or its revisions. Inevitably, this has resulted in the kind of perpetual dependency that Nyamnjoh (2005)

has vocally decried. Separately, Nordenstreng suggests that it is possible that other traditions such as *Islam* can give rise to concepts that can explain normative aspects of the media, in a different way from Western theories (See also Mowlana, 1998). Based on this argument, *Ubuntuism (*as proposed elsewhere in this study) can, for instance, be regarded as a source of useful understanding about the place of media in the African society.

It is also important to take cognisance of the fact that normative media theories are culturally bound paradigms, and not just systems that exist free of cultural constraints (Nordenstreng 1997:106). The four theories of the press did not take this understanding into account, hence the erroneous assumption that they could be universally applied.

The very fact that the four theories of the press were driven by an agenda grounded in the historical moment that produced them has also been heavily criticized (see, for instance, Nerone: 1995). Indeed, the Cold War agenda not only informed the basic thinking on political systems that underlies the four theories of the press, but to a large extent also seemed to provide the overarching ideological frame within which they were formed.

In the eventual analysis, the four theories of the press were reduced to what Nordenstreng (1997:107) terms "an affirmation and strengthening of the prevailing ideology". But to be of any use, normative theory should ideally stand back from prevailing ideology. It should act as an emancipating tool that guides media and its professionals away from the influence of such ideologies. The four theories, however, did not show this distinction as they unfortunately became co-opted by the prevailing ideology in the USA.

In looking beyond the four theories of the press, Nordenstreng (1997) has suggested an alternative approach to a new theory of the media; an approach based on addressing the question of the 'real' versus the 'ideal'. The 'real', in this case, should strictly relate to the media's observed practice. This insistence is explained by Altschul (1984:298) who observes that "press practice always differs from press theory"

In other words, other than focusing on how things ought to be, normative theories of the media ought to move towards explaining things as they are. The four theories of the press, however, tended to focus on how media ought to be under different political systems (see Hallin and Mancini 2004). In this orientation, the four theories did not only lack explanatory power, but were ultimately reduced to an ideal that media systems across the world had to strive to achieve.

The four theories also tended to focus more on the state–press relationship. This approach obviously narrows the scope within which the media-society relationship should be considered. It is also a one- way and linear approach to normative media theorizing, which narrows and undermines the applicability of the four theories of the press beyond the state–press relationship.

Notable critics in this respect include Nordenstreng (1997), Ostini & Ostini (2002), as well as Christians et al (2009). According to Ostini and Ostini (2002: 46), this approach mostly ignores the dynamic micro-level interaction among organizations, journalists and the state. However, these relationships are very instrumental in giving an accurate picture of the media's place in society.

At another level, it has been argued that the four theories of the press did not anticipate change in the nature of society and media systems. This oversight therefore makes it difficult to use this schema of theories in explaining current developments in media systems and society. To respond to this situation, Ostini and Ostini (2002: 42) repeatedly urge for a new set of ideas that can better account for new developments in the media and society in general. The two authors base this argument on the belief that the explanatory power of the older theories - which tended to privilege traditional mass media forms - has been annulled by new developments in communications technology.

A final criticism to consider is the fact that the four theories of the press tended to take, in the words of Nordenstreng (1997:107), "a pigeon-hole approach." This means that these theories were narrow and tended to place each media system in one category only. But in the period of forty years since the four theories of the press was written, society has transformed a great deal. It is thus unrealistic to consider any one national

media system from one given perspective. Nordenstreng therefore argues that it makes better sense, instead, to consider individual media systems as sharing more than one paradigm. The categorization of media systems should thus not serve the purpose of "totalizing labels" Nordenstreng (1997:108).

The foregoing critical discussion of the four theories of the press has exposed the yawning need for a new normative theory of the media, which can explain the media-society relationship in a wholesome way. The following discussion on the changed social economic reality (post modern moment) further helps to show the challenges and contradictions that inherently face normative media theorizing in today's world.

2.4 Post modernity and Implications for Normative Media Theory

The preceding discussion has critically considered the applicability of the four theories of the press in today's new reality of social economic and technological change. This section seeks to place this earlier discussion in the context of the broad theoretical discussion on postmodernism[14].This section is mainly concerned with the implication of the postmodern on normative media theory and by extension discourse on the role of the media. To provide foundational understanding to this question, this study draws extensively from Giddens (1990; 1991). This is largely because Giddens has, as argued by scholars such as Moores (2000:105) done perhaps more than any other contemporary social theorist on the issue of modernity. His arguments therefore provide a useful grounding for the present discussion.

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[14] It is however critical to consider the distinction between the terms post modernity and postmodernism as applied in this study. We have adapted Woods (1999:10) distinction of the two terms. He argues that postmodern is a concept that is used to describe the current social economic and political condition. For instance, the Western world is now increasingly seen as a post-industrial, service-oriented society in which mundane tasks such as shopping are increasingly mediated through the computer interface. It is also a world in which people increasingly communicate with each other via email, video conference and generally access the wider world via the internet and for entertainment, people choose pop music and video and watch anti-narratives such as the X-files. These conditions of living are referred to as post modernity. Postmodernism on the other hand describes the broad aesthetic and intellectual projects in our society, on the plane of theory. Postmodernism may also be defined as incredulity towards meta - narratives and a challenge to totalizing discourses which is a suspicion of any discursive attempts to offer a global or universalist account of existence.

Foremost however an attempt is made to understand the postmodern condition and how it contrasts (if at all it does) with other phases of history and what the implications generally are for the social sciences. In the latter stages of this chapter, focus then shifts to implications for normative media theory. A further concern is to ponder whether; there is one particular definition that captures the current moment of modernity.

For many scholars and writers on the postmodern, it is arguably easy to define modernity. For instance Giddens (1990:1) notes that modernity refers to modes of social life or organization which emerged in Europe from about the 17th century onwards, and which subsequently became more or less worldwide in their influence. It is however not easy to do the same in the case of postmodernity. Noticeably, the definition of modernity associates it with a time period and an initial geographical location, thus affording it a state of permanency in time and space. Postmodernism on the other hand, is a difficult concept to define. Its origins as Woods (1999) argues "appear to be confused and underdetermined; and appropriately so since postmodernism denies any idea of knowable origins. It has acquired a semantic instability or a shifting meaning that shadows and echoes its notes of indeterminacy and insecurity.

It is for this reason that metaphors have for instance been used to describe the postmodern condition. Woods cites a couple of these metaphors. For instance, postmodernism is viewed as "a sinuous and even tortuous path, twisting to the left, then to the right, branching down the middle, it resembles the natural form of a spreading root or a meandering river that divides, changes course, doubles back on itself and takes of in a new direction. This metaphoric allusion gives a sense of how postmodernism's cultural and social elements and activities are dispersed, decentred and divergent.

The period starting from the late 20th century has according to Giddens (1990) marked the start of a new era to which the social sciences have to respond. This new age is not easily delimited in time and space as was the previous. It can also be described as an experience whose boundaries remain fluid. Several terms have been used to refer to this new phase, none however captures its full essence (see also Albrow 1997).

Giddens for instance notes that terms such as "consumer society", "information society", "post industrial society" and "post capitalism" among others, have been used to explain or define this new age.

This is however not coincidental because the postmodern moment, as Giddens appropriately observes, continues to pose an epistemological challenge to the status quo. Indeed, Barker (2012:199) sees postmodernism as marking the end of epistemology or a lack of universal philosophical foundations for human thought or action. This may be the reason why Lyotard (1993:3) has questions for Habermas's theoretical position of the public sphere. Lyotard observes:

> My problem is to be positive about what sort of unity Habermas has in mind. What is the end envisaged by the project of modernity? Is it the constitution of a social cultural unity at the heart of which all elements of daily life and thought would have a place, as though within an organic whole?

Albrow (1997:3) expresses similar view, asserting that "we are at one of those moments when we have to recognize that our ideas have stayed still for too long and we need a new beginning." The "moment" Albrow refers to has downed, with its own distinct character and shape. It is one in which we (human society) mostly find ourselves caught up in a universe of events that we do not fully understand and which largely also seem to be out of our control (see also Ang 1997). According to Giddens (1990:2) the postmodern condition is distinguished by an evaporating of "the grand narrative" – the overarching story line by means of which we are placed in history as beings having a definite past and a predictable future. In other words, and as McQuail (1992:303) also recognizes, postmodernism is in opposition to the traditional notion of fixed and hierarchical cultural values and beliefs.

McQuail (1992:303) further views postmodern culture as being volatile, illogical, kaleidoscopic, inventive and hedonistic. Such characterization of the present moment certainly has implications for media policy discourse. The same may be said in regard to media and communication scholarship given the basic research impulse for rationality. Ang (1999:367) however offers a perspective that may have relevance for media and communication scholarship. She argues that communication theory founded as it is in

the logic of reduction, if not elimination of uncertainty cannot deal with uncertainty as a positive force and a necessary and inevitable condition in contemporary culture.

For Ang, the uncertainty which defines the present moment is a phenomenon that media and communication scholarship cannot ignore. Ang further explains that "to understand for instance the essence of the global village - a reference that is rightly and frequently used to refer to the current integrated global system(see also Thompson 1995), one has to see that this assumed totality of unity is in fact a diversity of connections among phenomena once thought disparate and worlds apart." Consequently, the global village as Ang (1999) further explains, is a paradoxical place, unified yet multiple, totalized yet deeply unstable, closed and open-ended at the same time, ultimately presenting a picture of a chaotic system where uncertainty is a built-in feature.

Uncertainty it would seem also implies difference, plurality and innovation (what ordinarily may be referred to as thinking outside the box). The postmodern thus forces us (media scholars and those involved in media policy discourses) to find alternative explanations in the unfolding moment. This is the only way we can deal with the policy challenges of the day (see for instance proposals made in chapter seven), for grand narratives and theories no longer have the explanatory capability to help us deal with uncertainty.

Grand narratives may nonetheless, also refer to the sociological and other historical accounts that have traditionally been used to explain the organization of societies through time (see previous reference to 17th century European society). These narratives reflected man's desire for unity, organization, identity and security among other concerns. Unfortunately, in the postmodern moment, these narratives of stability and centeredness are now being challenged, and distorted.

It is partly for this reason that Giddens argues that social science should view social organization in a new way and to contemplate the postmodern as a plurality of heterogeneous claims to knowledge in which science does not have a privileged place as was probably the case in the past. Thus for Giddens (see also Barker 2012)

contemporary knowledge is a condition of a radicalized modernity, and that this condition is defined by relativity, uncertainty, doubt and risk. Both Albrow (1997) and Giddens (1990) however agree that entry into this new age, is not exactly a movement to a postmodern reality from an earlier historical period, but into a phase of being in which the consequences of modernity are becoming more radicalized and universalized than ever before.

The fading of the grand narrative is perhaps also better illustrated in the movement towards what Albrow (1997:5) refers to as globality. In practical terms, globality has and continues to manifest in the form of global communication systems(see also Thompson 1995), global environmental consequences of aggregate human activities, loss of security where weaponry has the potential for global destructiveness and the reflexity of globalism where people and different groups now refer to the globe as the frame for their beliefs.

Consequently, the questions that have been raised in regard to the four theories of the press (as discussed in 2.3.1) and more generally about traditional normative theory, may indeed be viewed as an attempt to question an established order or grand narrative. In similar vein, this study's central thesis of rethinking the role of the media is premised on the understanding that an old narrative has faded (as argued in 2.2.2) and that the present circumstances require new ideas.

One could therefore isolate certain points of difference between the present age and previous ages, despite the fact that the postmodern (as argued by Albrow and Giddens) is not the historical phase after modernity, but a corruption or distortion of the latter. For instance modern social institutions are different from those of the past mostly due to the sheer pace of change that is shaping and reshaping them. The rapidity of change in the current conditions is extreme making it difficult for one narrative to linger and therefore contributing to what Giddens (1990) appropriately refers to as the dis-continuist character of modernity.

This state of rapid change is for instance noted in respect to technological changes but also in many other spheres of life. Another aspect of this change is its scope seen for

instance in global interconnections that have unleashed waves of social transformation covering the whole of the earth's surface (see also Thompson 1995). This sense of discontinuity can also be discerned in the nature of modern institutions which exist in forms simply not known in former historical periods. Perfect illustrations of this changed nature include for instance, commodification of products and wage labor, the growth and spread of urban centres among others.

Giddens's analysis of the postmodern is obviously broad and therefore carries relevance for the entire field of the social sciences. This study however isolates a few issues as discussed by Giddens which have relevance for media and communications. One critical point raised so far is the very characterization of globalization as the transformation of communicative spaces and social relations (see also Thompson 1995, Moores 2000). This issue is better illustrated in the context of the transformations that have happened in regard to the nation state.

2.4.1 The challenge to the nation state

There is no doubt that the social transformations set in motion by the current moment of globality have and continue to pose great challenges to the nation state. Albrow (1997:4) notes that the current extensive global interconnections have instigated widespread movements where citizens and other social agencies are forced to cross and transgress their physical and conceptual boundaries. National administrations have on the other hand been forced to reduce the size of government while in the process administering a global rationality that has resulted in central governments losing touch with their populations.

In Giddens (1991: 64) view however, it is the movement towards "a global nation state system" or "one world" that has confounded the traditional nation state. He argues that as the nation state develops from the stage of a national sovereign system characterized by a more or less complete administrative control within its borders to a global nation state system, patterns of interdependence become increasingly developed (see also Nerone1995). These interdependencies can be seen and are largely

expressed in the ties that states form with one another in the international arena, as well as in the growth of international organizations.

As a result, nation states have become less sovereign than they used to be particularly in regard to the level of control that they have over their own affairs. Such transformation no doubt is also illustrative of the fading of the grand narrative referred to earlier. As this process of disempowerment takes place, globalized relationships have and continue to grow strong. These global relationships are further shaped and bolstered by a system of a world capitalist economy mostly integrated through a system of commercial and manufacturing connections (Giddens 1991)

What is however critical to the central thesis of this study is the fact that given the fading of the power and influence of the nation state, analytical models that were traditionally based on the nation state system (another example of the grand narrative) have but lost relevance. The challenge therefore is to find a normative foundation that can capture this new reality and that will ultimately serve as a basis for media and communication policy discourse at the national level.

Sreberny-Mohammadi, Winseck, Mckenna & Boyd-Barret (1997: xiii) have also illustrated the link between globalization and its transformative effects on communication spaces and social relations. They note for instance that the nation state (in its traditional sense) fostered vertical integration of society whereby communication flowed from a small number of national communication/media institutions both private and public to audiences within defined national boundaries thus enabling the formation of a national political and public sphere. These communication institutions mostly served to transmit images and other information that was defined by national political and cultural agenda. From an economic perspective, vertical integration brought together the functions of financing and production of media messages and control over the networks through which such messages were relayed.

Additionally, the nation state exercised certain prohibitions against foreign ownership, cross media ownership, the contents of communication and other operational details such as frequency allocations among others. This arrangement was largely motivated

by the nation state's desire for order in the media and communications landscape. For this reason, Sreberny-Mohammadi et al 1997:xiii) note that the vertical integration system was supported by a hierarchical policy process   that defined the structural framework and normative goals of the communication system from the top and on behalf of less than well defined notions of the public interest.

The new reality of globality is on the other hand characterized by what Sreberny-Mohammadi et al (1997: xiii) refer to as horizontal integration of media structures, processes and audience/media interactions. Horizontal integration may in this case refer to the process by which people are being inscribed into transnational patterns of marketing and political communication, alterations in flows of media products and information that integrate local spaces across national boundaries, harmonization of regulatory and legal frameworks and new models of ownership and control in the communications industries that supplement traditional patterns of vertical integration.

Consequently, horizontal integration distorts and transforms previous vertical arrangements where the focus of control was entirely national. Horizontal integration also involves and is mainly characterized by international communication flows in which the key players (producers and distributors of information products) have a global outlook. Also underlying this process is the globalized political economy of communication which is reflected in the form of ownership and control of the means of communication, the political and legal systems that protect and stabilize the environment in which communication systems operate (Sreberny-Mohammadi 1997: xviii).

These globalized media and communication developments, are reflective of the condition that Albrow (1997:1) has described as "a sense of rapture with the past that has pervaded the public consciousness of our time. It is a reality that extends beyond the national and ideological differences." To deal with these transformations, media scholarship will need to look beyond traditional limitations associated with accepted universalized ideological bases and other forms of traditionalist thinking regarding the

place of the media in society. Additionally, debate on normative media theory will to into account the intricacies of the global age.

2.4.2 Post modernity and the Kenyan media context

The foregoing discussion has outlined several key arguments espoused by Giddens and others in regard to the postmodern condition. In this section, we consider the specific case of Kenya and the extent to which it is illustrative of the post modern reality described by Giddens and others. This is done by isolating or pointing to particular aspects of the Kenyan society and media landscape that can provide examples on which to base our conceptions of the postmodern. Additionally, an attempt is made in this section to apply some of the concepts borrowed from the broad theoretical debate on postmodernism to the Kenyan media and social context.

The Kenyan society today (and most African countries) to a large extent are now seen to be gradually transforming into post modern societies, mainly as a result of the influences of globalization (see also Odhiambo 2007). The reality of change in Kenya; as manifested in changing lifestyles and consumer habits, particularly of media products; does seem to vindicate this claim. Additionally, the growing influence of globalisation on media and communications has potentially contributed to the rise of popular culture as a major artistic form in the country. The proliferation of media channels has not only increased consumer choice, but has also created cultural spaces in which the 'local' meets the 'global'. The phenomenon of FM radio stations in Kenya is perhaps one of the best examples so far of this phenomenon.

Consequently this section discusses how core concepts about the media - such as press freedom, media social responsibility, public interest and diversity - should be understood in a post modern Kenyan scenario. The section also considers the applicability of traditional normative theory of the media in explaining these new developments.

Recent thoughts by McQuail (2003; 2005), coupled with Thompson's (1995) thinking on media and modernity among others, can provide a useful conceptual background for this discussion. Indeed, some of the core tenets from Thompson's argument for a social

theory of the media – as explored in this section - clearly prove the constraints of existing normative media theory in addressing the new media reality.

Similarly, McQuail's (2005) characterization of the technological changes taking place today provides an idea about the complex backdrop against which any rethinking of media's roles in society should take place. Towards the end of this section, we finally show the relevance of these developments to the core question of rethinking the media's social responsibilities, in the Kenyan context.

Today, as was the case in medieval Europe, developments in communication media continue to affect society in different ways. These effects can be analysed from a number of viewpoints. However, in seeking to understand the implications of the contemporary social situation on normative theory of the media, we will limit ourselves to several questions raised by Thompson (1995) regarding the roles of media in modern societies.

First and foremost, he begins by arguing that the use of communication media has created new forms of action and interaction in the modern world. By this, he implies that developments in communication media have made it possible for individual members of society to interact in ways that are radically different from traditional face to face communication. Perhaps more important is the fact that people do not have to share physical space to interact. In a sense, social interaction and communication, for that matter, has become separated from physical constraints (see also previous references to Giddens, 1990).

The resultant forms of interaction assume a new character. Unlike in face to face communication, they are extended in space. Individuals can, for instance, act in response to actions and events taking place in distant locations. The US president (Barack Obama)'s relatives, located in his late father's village of Kogelo in the Western part of Kenya, were thus able to instantaneously follow events around his historic election in 2008, distance not withstanding.

Secondly, given the global nature of communication and the multiplicity of communication channels, it is difficult for any one authority including governments - to exercise control over this extensive, complex and global space of interaction. A resultant effect is that individuals will receive unlimited amounts of information at any one time. This does not only open possibilities for choice, but also democratizes the whole process of information flow while simultaneously creating new possibilities for expression.

The sophistication and degree of efficiency with which information flows, coupled with the different ways in which individuals and groups react to this information, is a manifestation of the changes wrought on society by communications media in this age. The point to note from the foregoing is that these new kinds of interconnectedness raise several questions for normative media theory, which are yet to be fully answered.

In the case of Kenya, concerns have, for instance, been raised about the influx of foreign media content. To date, local radio and television stations have found it cheaper to use foreign-based programmes in favour of local productions, which are considered expensive to produce. Mexican soap operas and West African movies have thus become a common scene on Kenyan television stations, while foreign music has found a permanent home on local radio stations.

Concerns regarding media content are inherently sensitive, given the impact of the media in a post modern society such as Kenya. This is probably the reason why the Ministry of Information and Communications has been keen to intervene on content and programming matters. In the latest regulations issued by the Ministry, part four, section (35), of the Kenya Communications (Broadcasting) Regulations 2009, the government exhaustively addresses the question of local content (GOK 2009)[15].

This section requires broadcasters to commit a certain amount of time, specified in the licence document, to broadcast local content. Similarly, the same section requires foreign broadcasters to dedicate time to local content. However, globalization and the

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[15] See the Kenya Communications Broadcasting Regulations 2009. These regulations were gazetted by the Ministry of Information and Communications of Kenya in early January 2010.

attendant free flow of information may act as an impediment to this regulation (discussed in detail in chapter 4).

Indeed, the one outstanding characteristic of globalisation is the fact that media products circulate in an international arena (Thompson 1995). This implies that media products generated in one country are not only distributed within the borders of that country, but find their way to an international market. Thompson (1995:150) refers to this process as 'globalized diffusion'.

Countering globalized diffusion, is the equal but opposing force of 'localised appropriation'. Thompson (1995:174) therefore argues that a comprehensive understanding of globalisation should ideally take into account the relation between structured patterns of global communications, on the one hand and local conditions under which media products are appropriated, on the other.

This is because globally generated media products are received by individuals who are located in specific spaces that have a historical, sociological, political and economic character, among other distinctions. A comprehensive understanding of globalisation and its effects on communication should therefore take into account the fact that the appropriation of media products is a localized phenomenon (Thompson 1995).

In the Kenyan case, it remains unclear to what extent such thinking has informed the Ministry of Information and Communication's actions on content. It is also worth noting that generally, public debates on this subject have remained narrow and based on moralistic principles, which may not carry much relevance in a changing social economic context. It is however obvious that this free flow of information within and from outside a country's territorial borders must present serious challenges for media policy formulation (chapter 4 examines these challenges within the Kenyan context).

Thus according to McQuail (2003:40), new directions of thought are needed. In this regard, McQuail calls for new horizons for communication theory, an exercise that implies seeking new conceptual frameworks that can account for a rapidly changing socio economic and technological reality. He notes, therefore, that:

The basic dimensions of theory concerning the media and society will not be so different from the way they have been in the past, but both the social context and the communications system will be different, so that fundamental rethinking is necessary (McQuail 2003: 48).

Such an undertaking would have been easier in the past, since it was probably easy to deal with traditional media systems which were sheltered and controlled by societal expectations and rules. Such systems were subject to the laws of their countries, where they were established (see Siebert et al 1956).

Social controls on the operations of media institutions were clearly stipulated, and these dictated that media be run by professionals with a certain level of training, who were also ready to accept limitations and controls embodied in national or industrial codes of ethics and practice, typically implemented by national or industry self- regulatory agencies (McQuail 2003). In a post modern orientation characterized by confusion and a blurring of boundaries between what is private and that which is public, codes of conduct for journalists may not seem to make sense.

It is in this context that Kenyan FM radio stations continue to be accused of employing disc jockeys with little or no sense of media ethics (see Media Council of Kenya: 2005). The owners of these stations have however openly stated that they are not interested in ethics or professional training in media. Similarly, a study commissioned by the Friedrich Ebert Foundation in 2005 and which was aimed at assessing the degree to which Kenyan journalists used the media code of conduct found out that most journalists were aware of the existence of the code, but they did not find it useful (FES 2005:1)[16].

Part of the blame for the failure of this code introduced in 2001 by the Media Council of Kenya can be attributed to the influences of globalization and the changing needs of Kenyan audiences, as already indicated and the new responsibilities that this changed reality puts on the media and journalists in particular. Another key reason evinced

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[16] This researcher participated on this study as principal researcher. The study sought to generate answers to the following questions: Who has access to the code? Has use of the code enhanced levels of knowledge and awareness of the cardinal principles of ethical journalism among Kenyan journalists? The perceptions of editors, suggestions from different groups on how the code should be used were also sought.

relates to media ownership in the country; most of the owners are driven more by the profit motive than what society may hold as quality journalism.

It must be admitted, though, that several key challenges have made it difficult for ethical codes to have an impact. These factors, however, have their roots in the post modern condition and its effects on the media. Such factors, as existing within the media today, are identified by McQuail (2003:41) as follows:

   a) the increasing proliferation of channels of communication and the abundance of a supply of information
   b) the many new kinds of communication channels and spaces and a continually changing map of uses
   c) the re-institutionalization of communications in new forms of organization
   d) The changing pattern of information flow; from the "many to the one" form of traditional mass media, to consolatory and interactive forms
   e) The speeding and delocalization of communication
   f) New technology systems which are offering more freedom and opportunities for surveillance and control
   g) The huge amounts of flux and uncertainty that come along with innovation.

Indeed, McQuail's characterization of the current media and communication scene in many ways describes the Kenyan media scene today, and these developments may be said to be the prompters of several questions being asked in and about the media in the country (see also discussion in chapter 4). One such question specifically enquires on regulation of the media, and how this should be managed in this changed situation.

Several fragmented efforts in the Kenyan context demonstrate just how difficult the question of regulation can be in this transformed set up. The Kenya National Media Owners Association (MOA) for instance has always strongly advocated for media self regulation. And not surprisingly, the MOA played a lead role in the setting up of an Independent Media Council of Kenya (in 2001) to assist the country's media establishments towards self regulation. The argument then propounded by MOA was that in a globalizing context, state regulation of the media would curtail basic freedoms. But as we shall later see (in chapters 4 &6), the culture of self regulation has not taken root in the Kenyan media.

Eventually, the apparent failures by media to self regulate coupled with continued criticism from proponents of state regulation, would force several issues to the fore. Interested parties began asking, for instance, "where should - in such a changed context - control of the media emanate from?

On the whole, therefore, what is being witnessed today can only be described as a form of decentring of power; from the old totalitarian grip of the sixties and the seventies, when the Kenyan government (as we have shown in earlier sections of this chapter) was the sole controlling authority to a media system that is largely controlled by the private sector. Media in this new context, as McQuail (2003: 45) ably notes, enjoy unbounded freedom and diversity; characterized by new beginnings, free from old commitments, ties and loyalties. They are, in other words, free from governmental and societal rules or regulation.

One may also add that they (media) are increasingly becoming non-institutionalized and delocalized. In terms of utility, they are considered to have no larger purpose in society than their users choose to give them. This has, by way of example, been demonstrated in the way FM radio stations in Kenya operate (see, for instance Odhiambo: 2007)

From the foregoing, it may be concluded that complexities occasioned by the social and economic transformation of the Kenyan society call for a rethink of media policy at the national level. Ultimately, efforts to bring media to account are dependent on how well this new condition is understood. Bardeol and d'Haenens (2004:19) have in fact already argued that there is need for new accountability mechanisms that can take cognisance of this changed reality.

The Kenyan government's efforts to regulate the media have mainly been reactive and largely driven by the fear that the power of the media is increasing. In a presentation to the Fourth African Media Leaders Forum in Nairobi, Onyango-Obbo (2006) touched on this fear in his discussion of an emerging reality; in which the media have become even larger national institutions, the only sources of continuity, and has even taken monopoly of countries' institutional memory - which is a great threat to the status quo.

It is in light of these concerns that the next section looks at the concept of the media as a public sphere, in a changing social context. More importantly, the section considers the Habermasian view of the public sphere and its applicability to a changing Kenyan situation.

2.5 Habermas's Public Sphere

The concept of the 'public sphere' as proposed by Jurgen Habermas provides a basic normative understanding of the role of media in society (see Habermas 1989). It is however critical to note at the onset that the intention here is not to dwell on or expound in detail Habermas's theory. In addition, it is also important to mention that a deeper analysis and reflection on Habermas's theory can for instance be found in the works of several authors such as Calhoun (1992), McCarthy (1992), Schudson (1992) and Dahlgren (1991) who are mentioned in this section.

We however make reference to these authors to get an idea of the scholarly interest that Habermas's theorization has generated, and its significance for the present study. Garnham (1992: 359) for instance underscores the centrality of Habermas's work by noting that its continuing relevance can be discerned in the fact that it has taken over a quarter of a century for an English language version of Habermas's structural *Transformation of the Public Sphere* to be developed and that through the length of this period, this theoretical framework has continually been subjected to criticism. What follows is thus a summarized introduction to the roots of Habermas's public sphere theory.

2.5.1 A brief historical view of the public sphere

According to Habermas (1989:1) the usage of the term "public" and "public sphere" betrays a multiplicity of meanings. Nonetheless, the historical roots of the usage and application of these terms shades some light on the critical understandings that underlie the theory of the public sphere. For this reason, Habermas has referred to earlier references to the term within the German society where the term "public sphere" was specifically a part of civil society- which had established itself as the realm of commodity

exchange and social labour. In other words, this was a self governing entity with its own laws.

Even earlier references to the term can be found in the history of the Greek city state. According to Habermas (1989:3) it is from here that one begins to discern distinctions between that which is public and what is not. Thus, the sphere of the *polis* which was common to the free citizens was strictly different from the *Oikos* – the individual sphere (private space). The *polis* although commonly associated with the market place (*agora*) was not limited to a specific location. In other words, it was not defined by physical space; rather its distinguishing character was the fact that it was constituted in discussion (*lexis*).

The Greek public sphere provided its membership with room for self interpretation and expression- and in this respect; it was regarded as a realm of freedom. The discussions in the public sphere gave topicality and shape to particular issues of the moment. Citizens[17] interacted as equals and debated with the best excelling and therefore gaining honour among their peers.

However, according to Habermas (1989:14) the genesis of the Bourgeois public sphere is to be found in the rise of capitalism in much of Europe from around the 13th century onwards. By around the 15th century companies were expanding and looking for markets for their products. This expansion was also characterized by the need for news on new and potential financial opportunities. This historical period also incidentally was the root of the nation state as small home towns were replaced as bases of operations by the state territory. The emergence of the state thus created a basis for delineating that which was public from private. In this regard, Habermas (1989:18) notes that the term public was thus used in a narrow sense to refer to, or was synonymous with "state related."

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[17] It is however important take note of the limited reference to citizen. According to Habermas (1989:3) slaves and women were not part of the polis as they were not regarded as citizens. The political order of the day rested on a patrimonial slave economy. Citizens (slave owners) were set free from productive labor. Their private autonomy as masters of households is what gave them membership to the polis and therefore participation in public life. In other words, poverty and lack of slaves would prevent an individual from gaining access to the polis.

In the 17th century, the traffic in news had become an important aspect of commerce whose boundaries now extended beyond the small towns and nation states. News was not just a facilitative aspect of commerce, but a commercial product (see also Thussu, 2000). The emerging nation states thus started to use the press for purposes of state administration. The press was in this regard used to publicize government actions and instructions to the rest of society. Thus, other than the government, Habermas (1989:22) notes that a new strata of bourgeois people arose which occupied a central position within the public. These group included doctors, pastors, officers, professors and scholars. This is essentially the group that Habermas has characterized as the real carriers of the public.

This group did not only possess the ability to read, but were fundamentally well schooled to see loopholes in government actions and regulations and therefore inclined to offer criticism. As a result, Habermas (1989:25) notes, their critical reasoning made its way into the daily press (see also Calhoun 1992).

The emerging bourgeois public sphere of the time was thus a sphere of private people who came together as a public. This space provided opportunity to engage in debate about various issues such as commodity exchange and social labour among others. What distinguished this sphere is what Habermas (1998:27) refers to as "peoples use of their reason-" to imply that those participating in the public debates were men of ideas and that reason was key to their engagement. In a sense therefore, membership to the public sphere was limited to the learned thus discriminating against other voices particularly those of the poor citizens. At the same time, it was dominated by men to the exclusion of women.

In time, the public sphere started to seek its autonomy by gradually separating itself from government thus potentially becoming its counter piece. By implication, this meant that debates in the public sphere became the means by which government could be criticized, if not checked in its actions by private citizens (see also Calhoun 1992). In terms of physical space, the public sphere came to be associated with the town. Other than being the centre of culture and commerce, the town was also the centre of life for

the civil society thus providing an ideal setting for the public sphere. Among its important features were the coffee houses, the salons and table societies which were used for sociable discussions whose character quickly developed into public criticism. Through such criticism, the public sphere served the purpose of putting the state in touch with the needs of society.

In the salons, the nobility and the bourgeois met on an equal footing. Critical debate that was mainly motivated by works of literature and art provided a basis for such debate. In time topics for discussion expanded to include economics and political disputes. Habermas (1998:33) observes that, "in the salons, the mind was no longer in the service of a patron; opinion became emancipated from the bonds of economic dependence."The place of the salon in the academy was so revered that there was hardly a writer in the 18th century who would not have submitted his ideas for discussion before writing them out. The salons therefore held the monopoly of first publication where any work of art or the academy had to legitimate itself first.

On the whole though, ideas about the nature and constitution of the bourgeoisie public sphere as espoused by Habermas have received much attention in recent scholarship. Dahlgren (1991:1) for instance notes that the public sphere is a concept which in the context of today's society points to the issues of how and to what extent the mass media, especially in their journalistic role can help citizens learn about the world, debate their responses to it and reach informed decisions about what courses of action to take. Implied here is a normative dimension to understanding the media and its role within society. Calhoun (1992:6) on the other hand asserts that the importance of the public sphere lies in its potential as a mode of societal integration. Such integration is made possible by what Habermas has referred to as communicative action which makes it possible for individuals to debate issues, inform each other and generally be a part of social processes.

Calhoun (1992:2) goes further to demonstrate the connections between Kant's earlier analyses of the bourgeoisie public sphere and Habermas espousal of the same. Nonetheless some of the critical questions on the public sphere which have concerned

scholars include the idea of its collapse. Habermas has attributed this to its continued expansion through time to bring about a level of inclusivity but which in turn led to its the degeneration.

A critical argument regarding the demise of the public sphere relates to the commercialization of the press (Habermas 1989:181). Habermas notes that "to the extent that the press became commercialized, the threshold between the circulation of a commodity and the exchange of communications among the members of the public was levelled." Further to this, in the private domain, the clear line separating the public sphere from the private became blurred. Habermas also further notes that the rise of ideology as a basis for the operations of the press would also later add a new element of politics to the economic one, thus further bringing down the elitist and unfettered public sphere of the 17th century bourgeoisie society.

From the foregoing discussion, one would agree with Garnham (1992:360) that Habermas's thinking on the public sphere, has despite the criticisms levelled against it many virtues. One such virtue is its ability to illustrate the link between the institutions and practices of mass public communication and the institutions and practices of democratic politics. A second virtue relates to what Garnham (1992:361) refers to "as its focus on the necessary material resource base for the functioning of the public sphere." Here, Garnham is concerned about the issue of people's access to the material resources (access to relevant technologies of communication) that are needed in all cases of mediated communication.

A third virtue or advantage observed by Garnham is that this theory escapes from what he refers to as "the simple dichotomy of free market versus state control that dominates much of the thinking about media policy." Habermas was able to distinguish the public sphere from both the state and market. In this way, he created possibilities for theorizing about the threats to democracy, media's role in society and the effects of politics and commercialization on the functioning of the public sphere.

Nonetheless, Garnham's (1992:362) observations regarding the global transformations currently underway and the impact this might have on the traditional public sphere are

instructive. He for instance notes that an increasingly integrated global market and centres of private economic power are steadily undermining the nation-state and yet it is within the political structure of the nation state that the question of citizenship and of the relationship between communication and politics has been traditionally been posed.

Further to this, one also observes that traditional mass media institutions involved in the construction, distribution and consumption of information are in themselves undergoing profound change. This undoing of the grand narrative (see also previous reference to Giddens) is characterized by a reinforcement of the market, and the progressive destruction of public service in most parts of the world as the preferred mode of allocation of cultural resources, a growing focus on TV as the locus for an increasingly privatized, domestic mode of consumption, by a shift from largely national to largely international markets in the informational and cultural spheres (Garnham, 1992:362).

2.5.2 The case of a changing public sphere

The foregoing analysis has provided a summary of Habermas' theory of the public sphere. In the context of this study, this theory generally offers useful tools for explaining related concepts such as press freedom, public interest and media's democratic responsibilities for society. As demonstrated above, Habermas built this model on the development of the bourgeois society of the 17th and 18th century Europe (see also Dahlgren 1991; Calhoun 1992; Aslama, 2006).

However, in furthering the case for rethinking media's roles in a changing Kenyan and African society, we find it useful to review Habermas' thoughts against the broad conceptual arguments from the debate on postmodernism. This is because it is generally accepted that the nature of the public sphere in a changing modern world ultimately has a bearing on how the roles of the media should be conceived, in a democratic society (see previous reference to Garnham 1992).

Secondly, rethinking the social responsibilities of the media in Kenya to a good degree also means considering the Kenyan media's function as a public sphere.[18] This section discusses this concern, in the context of a globalising Kenyan media environment. A critical question which then comes to the fore is the extent to which Kenyan media approximate the Habermasian public sphere in the face of new developments such as deregulation, new communication technologies and convergence, among other concerns.

A Kenyan writer, Ali (2009:73) ably describes the changes that have taken place in Kenyan media, noting that the period 1990 to 2008 saw unprecedented growth of the media sector in Kenya. He attributes this growth to the influences of global media and the advancement of the globalizing media technologies. However, as noted in an earlier section, it is not the Kenyan media alone which are changing. The Kenyan public, too, is in a state of change. These changes are discernible; for instance in the new patterns of life, changing tastes and preferences among ordinary people.

In this whole context of social cultural change, the Kenyan media today provide the ultimate social platform on which popular culture is played out. It is thus common, for example, to hear Kenyans from all walks of life participating in morning and evening talk shows, daily hosted by radio presenters on various Kenyan FM radio stations (cf. Odhiambo, 2007).

In most cases, the topics of discussion on these radio stations typically revolve around sensitive topics related to sex, marital issues and relationships. Traditionally, these issues would not be aired out in the open, as this was considered indecent. Instead, they would be discussed by adults sequestered away from the ears of those considered young. This has however changed, with private matters (such as sexuality) being brought to the open without fear. The traditional respect for age and status in society has also been trashed, with elderly people too showing active participation in these

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[18] See Mak'Ochieng's (1996) discussion on the African and Kenyan media as the political public sphere. His discussion, to an extent, assumes a single idealized Habermasian public sphere. This study contends that it may be difficult to talk about a singularized sense of public sphere as audiences are ever fragmenting, hybridizing and changing.

open conversations or if not, being willing listeners to them - on their car stereos, as they drive to work in the morning.

Generally speaking, therefore, it is now almost difficult to talk of a coherent Kenyan population that ascribes to shared values. While there are those who relish the sensual sex talk on radio, there are those opposed to it and prefer religious radio stations, while others will be found listening to music of different kinds and orientations (chapter four discusses this diversity of media in Kenya, in greater detail).

In other words, tastes and preferences for media content are constantly changing. And as a direct consequence, it is very difficult to identify one particular interest that the media should serve on behalf of society. The emergent picture is thus quite different from Habermas' public sphere which assumes an almost homogenous audience whose interest in the media is premised on the spaces that they provide for democratic engagement.

Habermas had significantly envisioned the public sphere as a space where people could get information, discuss, and arrive at decisions that were informed. In other words, he expected the media to serve public interest by availing the critical information that people would need in order to engage in debate on critical issues involving governance and other such important processes in society. According to him, the ideal tools for this communicative space included books, newspapers, salons and debating societies.

By and large, this ideal communicative space was thought to play a key role in the empowerment of people, by making it possible for them to participate in civic matters in an informed way. Alternatively, this space was believed to provide a vehicle for driving democracy (Aslama 2006). However, this traditional (or ideal) understanding of the public sphere - as proposed by Habermas has increasingly come under stringent questioning, in this new media age (Schudson 1992; Fourie, 2005; Aslama, 2006). Making reference to the American case, Schudson (1992:143) for instance notes that the opportunity to exercise the (Habermasian) virtues associated with deliberation and participation in public debate has been lost. Could the reasons for this lie in the complex

challenges facing the American media today ably discussed by Kovach & Rosenstiel (1999)? Garnham (1992:363) is similarly worried noting that in a situation of deregulation, the result is a trend where there is a shift in the balance between the market and public service with the latter gaining more favour. This development further shifts the dominant definition of information from that of public good to that of a privately appropriable commodity (Garnham, 1992:363).

It is worth mentioning, too, that Habermas' theory of the public sphere was based on the postulations of the western liberal democratic tradition. On the other hand, Africa's experience with democracy, since the institutionalization of multiparty politics in the early nineties, tells a different story. It is in this dialectic that Nyamnjoh (2005:1) noted the difficulties of implementing liberal democracy in Africa (see also Fourie, 2005; Osaghae, 1999). In addition, and as noted by Dahlgren (1991:2) how well the public sphere functions is a concrete manifestation of society's democratic character and therefore in a sense the most visible indicator of our admittedly imperfect democracies.

Nyamnjoh for instance argues that the democratization project in Africa has been stunted by a major clash in values. While liberal democracy puts focus on the individual, the African reality - on the other hand - is based on what he (2005:21) refers to as the "sociality, negotiability, conviviality and dynamic sense of community."

And although several other scholars (such as Mak'Ochieng, 2006) have explored the possibilities of media in Africa serving as public political spheres, it remains difficult for this to be realised; given the very nature of the African society, as postulated by Nyamnjoh. In Kenya (which, incidentally, forms Mak'Ochieng's case study), the age-old ethnic differences between different tribal groups have resurfaced in political discourse, thereby raising new questions about conventional assumptions on nationalism, citizenship and (therefore) the existence of one national public sphere that the media should serve.

Elsewhere in the Western world, disillusionment has also set in with the spread of a consumerist lifestyle that has reduced citizens to consumers of media products; hence negating the Habermasian expectation of rational-critical citizens engaging in debates

and processing information in ways that enable them to participate actively and meaningfully in society's democratic agenda (Aslama, 2006).

Apart from the differing conceptions of democracy, the present state of change has also raised doubts about the existence of a homogenous public sphere. Aslama (2006) points this out by noting that that the present context with its technological advances (such as digitalization), coupled with debates on globalisation, as well as discussion on cultural, economic and political neo-liberal tendencies, have tampered with the original understanding of the public sphere. This situation, he insists, necessitates new approaches in understanding the role of media as a public sphere.

However, post modernity's greatest influence on Habermas' conception of the public sphere, concerns the definitions of the boundaries of this sphere. Aslama (2006) identifies two critical terminologies which approximate this new reality; *'fluidity'* and *'plurality'*. Modernity, in this sense, can in fact be described as a potentially fluid situation that is constantly changing.

In the case of Kenya, the boundaries of the public sphere (as defined by Habermas) may not be clear any more. Technological developments, particularly in media and communications, have already blurred such boundaries. Kenyans, for instance, now have access to the internet and the communicative possibilities that it creates. Important developments in society are constantly being discussed and debated in these spaces which, significantly, defy geographical and ideological boundaries.

Another good case in point can be found, by way of example, in the use of mobile phones and internet during the post election violence period (discussed in detail in chapter four). In the heat of the violence in the early part of January 2008, the Kenyan minister for internal security had put an indefinite ban on live media coverage, thus denying many people the opportunity to know what was happening. To circumvent the ban, ordinary people found a way of innovatively sending messages and pictures of the violence to their friends and even alerting them about impending attacks in different parts of the country (see Ndunde 2008).

It is however important to mention that some people negatively utilised the communicative powers of these new information and communication technologies to spread hate, ethnic stereotypes and rumours. Nevertheless, the possibilities created for reaching a global audience using these technologies not only provided a solution to state-imposed censorship, but also expanded the limits of the public sphere as had traditionally been defined by Habermas.

In concluding his argument for turning the Kenyan media into a political public sphere, Mak'Ochieng (1996) calls for the establishment of private radio and television stations, to facilitate media's role in democracy. In the year 2010, though, the number of radio stations operating in Kenya has now increased to slightly over sixty, yet that ideal public sphere is still contestable.

2.6 The Concept of the Public Interest

Although McQuail's (1992) work on the concept of the public interest is arguably one of the most authoritative writings on the subject in recent years, the ideas which form the basis of this concept date back to the classical age. Habermas (1989) has for instance elaborated on the classical definitions of the public sphere particularly for the bourgeoisie European society of the 17th century (see previous reference to Habermas). From Habermas, we thus see that the media were expected to serve the primary role of providing citizens with relevant information to enable them participate in public debates about various issues affecting society. McQuail (1992:5) has in providing grounding for his analysis of the concept of the public sphere acknowledged these early beginnings as well.

The word "public" which is at the core of the concept of the public implies, according to McQuail (1992:2) that which is open rather than closed, that which is freely available rather than private in terms of access and ownership, what is collective and held in common rather than what is individual and personal. Consequently, in applying this term to the media, a link has been established between the media as a public space and the rights of citizens to be informed through such space. It is for this reason that McQuail

(1992:3) notes that public interest has provided a basis for unjustified regulation of the media by governments, as they seek to control/regulate this space for "common good".

The Hutchins Commission of 1947 (see previous reference in 2.2.1) in its analysis on the state of press freedom in America provided a most nuanced and historical understanding of the concept of the public interest. The press in America had been accused of sensationalism and irresponsibility. It was largely seen to serve the interests of its few owners at the expense of the general public (see Altschul 1984). The commission's view of the role of the press at the time, in many ways did approximate overriding public interest concerns. Thus, as the commission stated in its report, the press was (in the interest if society) expected to provide an accurate account of the day's news, serve as a forum of exchange of comment (see previous reference to Habermas's public sphere), a means of projecting group opinions and attitudes. The commission further was of the view that the public had a right not only to expect the fact to be presented in a meaningful context but also the truth about the fact (Altschull, 1984:181).

Although the Hutchins Commission did not recommend regulation of the media as a means for safe guarding the public interest, this debate has characterized much of the discussion on media governance and policy to date. A most current case in point is the ongoing Leveson Commission of Inquiry in the United Kingdom[19]. Although, it is not in the interest of this study to reproduce entire submissions made to the inquiry so far, it is however useful to look at one or two cases as a demonstration of current efforts to understand but also grasp the concept of the public interest in the context of different media systems such as the British.

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[19] The British Premier, David Cameroon, appointed a commission to enquire into the phone hacking scandal involving Rupert Murdoch's leading paper *"News of the world"* on 13/7/2011. Among other tasks, the commission was tasked to examine the culture, practices and ethics of the media in Britain. The commission was also to examine the relationship of the press with the public, police and politicians. Ultimately, the commission is to make recommendations on the future of press regulation and governance in Britain. More information on the Leveson Commission of Inquiry as well as the various proposals presented by different groups and individuals including those cited by this study can be found on the commission's website available [o] www.levesoninquiry.org.uk

Consequently, in its submission to the Leveson Commission, the Coordinating Committee for Media Reform in Britain currently headed by James Curran for instance proposes the need to regenerate public interest journalism in the UK as a means of ensuring that public interest remains a cornerstone for modern journalism. In its submission to the commission, this group for instance proposes that diversity in the media be promoted by placing market caps to ensure that no single media company gains control of more than 20% of any particular given media market share or 15% of the revenue of the core media industry. This committee further proposes that levies be imposed on media companies including those operating in the online domain such as *Facebook* and *Google.* Monies collected from these levies should then be invested in a broad range of public interest media ranging from individual blogs to a system of public commissioning for investigative journalism.

Other areas of investment proposed include co-operative local newspaper ventures, community radio stations with a local or investigative news focus, and local and national news gathering hubs. In other words, the Committee on Media Reform proposes the establishment of a third sector of media services (the other two are the public and private services) that functions exclusively in the public interest and not for profit and to support those areas of for profit journalism that are being squeezed in the current (economic) crisis[20]. Overall, these proposals by the Coordinating Committee for Media Reform in Britain recognize a basic premise that has also been pointed out by McQuail (1992:4) when he asserts that "some aspects of public communication are of wide concern to the society and may have to be looked after by some other authority such as government, especially where the needs of the democratic political system are concerned."

2.6.1 Media and Public Interest in a Changing Globalizing Context

The foregoing discussion puts focus on the centrality of the concept of public interest; in relation to the roles of media in and for society. This section therefore explores various

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[20] Europe has and continues to endure its worst economic crisis in decades. This crisis has seen most Euro zone countries struggle with debt, lack of jobs and a generally slowed economic growth that threatens the very existence of the European regional economic bloc.

theoretical arguments on the question of the public interest, as it relates to the media in a changing globalizing context. An attempt is then made to relate these arguments to the case of Kenya.

Generally speaking, any attempts at understanding the concept of the public interest of the media are usually likely to encounter several dilemmas (see also McQuail 1992). One of these problems, for instance, relates to how this concept should be defined or understood, given the changes that are taking place in society as a direct effect of globalisation.

In the Kenyan case, one may seek to answer this question by uncovering those forces or issues that are currently at play in regard to media and public interest. In more specific terms, one may wish to inquire into the extent to which transformations in Kenyan journalism; such as the increasing relevance of popular culture in public life, and the changed nature of the public itself; are affecting and influencing the public interest issue(as shown in chapter four).

This present section begins by giving a general overview of different thoughts and ideas (as expressed by various authors) on the question of media and public interest in a changing socio-economic context. In this effort, the section draws rather heavily from Ang's (1998) and Blumler's (1998) thoughts on the topic. One reason for this is that both Ang and Blumler have been quite vocal on this subject. Ang, for instance, has particularly explored a closely related concept – hybridity[21] - in several published works (see, for instance Ang, 1997, 2003).

In their work, Brants, Hermes and van Zoonen (1998:2) have noted the difficulty of defining public interest, especially in a social context where it is not easy to define

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[21] Ang (1997:57) uses the term hybridity to refer to the current post modern condition characterized by "multiplying claims to difference and proliferating pluralisms." In these circumstances, a generalized view of "we" becomes contentious and problematic. This understanding can be applied to media audiences whose tastes and preferences keep changing while new audience groups keep emerging. Ang further makes the point that the new cultural politics of difference has bred a profound suspicion of any hegemonizing, homogenizing, or universalizing representation of "us".

prevailing public interest concerns. Ever changing audience interests thus make it hard to pin down one particular general interest that each member of society subscribes to.

Traditionally however, the concept of 'the public' assumed a unified homogenous audience group (see previous reference to Habermas 1989). However, the very fragmented nature of society today and the multiple interests that keep forming each single day have forced a new understanding of the concept (see previous reference to Giddens 1990). Brants, Hermes and van Zoonen (1998:5) therefore propose that given the many 'publics,' emerging today, it might be more appropriate to talk about 'public interests', instead of making reference to a generalized or homogenous sense of 'public interest.'

Undoubtedly, subsequent debate on the concept of public interest continues to be defined by what Ang (1998:81) has referred to as "uncertainty, instability and contention"(see also previous references to Giddens, 1990; Albrow 1997). Ang (1998), further notes that, as the world becomes more complex and diverse, the very effort to be comprehensive and to include all interests becomes more difficult to realise. The author thus refers to this self-contradictory scenario as 'the post modern predicament.'

Separately, Blumler (1998:58) has also grappled with the dilemma of defining public interest in media matters and in a changing social context. He contends that it is currently difficult to settle on one clear understanding of this concept. There was a time, he observes, "when the public interest in media matters was as clear as the sun." This was the age when public broadcasting was in its infancy in America and much of Europe, in the first quarter of the twentieth century. The same cannot be said about current times.

The early days of broadcasting, saw its providers unquestionably upheld as trustees for a public interest (Blumler 1998:58). The only contentious issues then were ownership, organization and control (Ibid). This scenario did not pose complications for normative theory. This is probably the reason why theoretical frameworks such as *the four theories of the press* were uncritically regarded as the most fitting in explaining the media society relationship.

In the United States, the establishment of the Radio Act of 1927 and the Communications Act of 1934 were meant to secure this unanimous understanding on public interest (Blumler 1998: 51). It also felt safe, at this time, to think of media under the collective umbrella of public interest; given their pervasiveness and socio-cultural and political importance.

However, recent developments in communications and the attendant social political and economic changes happening in society have forced new understandings of the concept of public interest. Blumler (1998: 51) observes that these changes have not only upset the traditional understandings of public interest, but have increasingly left media scholars wavering between four different kinds of interpretations of public interest.

These interpretations include 1) to phase it out; 2) to hold onto as much of it as possible in more difficult conditions; 3) to adapt it here and there; 4) to fashion a new version of the public interest capable of encompassing the new opportunities and hazards. These differing positions not only underlie the enormous challenge for media normative theory, but more importantly, they justify new directions in thought.

Ang (1998:81) further notes the challenge of defining a common standard for what should be considered good for society, in respect to media performance. In other words, to effectively measure media performance, one ought to have an idea about what exactly needs to be assessed. Unfortunately, public interest matters relating to media in the present changing society cannot be easily assessed. It is in fact difficult to get consensus over what exactly needs to be assessed.

Yet, as Ang (1998:81) indicates, issues of quality and diversity remain primary to media policy discourse. And arguments regarding quality have been particularly most vibrant in the age of media liberalization in Africa (See, for instance Nyamnjoh 1999). But the notion of quality cannot be pinned down to one standard. This situation becomes more complex given that quality is one of the vaguest but most powerful terms used in media policy discourse today (see for instance Ang 1998).

The differentiated nature of society, and the constant state of change which characterizes social life today, makes it difficult to uphold one particular definition of quality. The implication here is that different standards will be used by different people, in different settings. These varied definitions are however generally defined by certain subjectivities, which relate to the political, environmental, social and cultural context.

Dominant discourses on quality, though, hardly take these subjectivities into account. Ang's (1998) concern is that despite this observed weakness, such discourses end up being presented in objectivist terms and are ultimately taken for granted as true. The implications of this for media policy formulation efforts at the national level are enormous.

Evaluation of media performance can only be done in the name of society. Yet, as McQuail (1992:11) has noted, society cannot speak in one voice about a single identifiable interest. And in an increasingly post modernized world, the number and diversity of voices is continuously proliferating (Ibid).

This conundrum then raises questions as to what normative standard may be applied in any given situation. Additionally, it poses a big dilemma for existing normative theoretical frameworks. Ultimately, the entire complexity raises questions about the continued relevance of normative theorizing in an age predominantly defined by multiple characterizations of reality and fickle audiences, whose expectations of the media are never definite.

Blumler's work identifies some of those critical changes taking place in society, which contribute to this fluidity. These include the following:

a) Individualization - this refers to the elevation of personal aspirations, fragmentation of communal experience, reduced conformity to the traditions and demands of established institutions
b) Consumerism - the increased channelling of personal goals towards the consumer role and the pervasive encouragement of commercialism that results from it
c) Privatization - greater preoccupation with personal domestic pursuits and reduced involvement in public communal ones

d) Specialization and social complexity - increased differentiation of functions performed by social sub systems and the emergence of more sub groups with their own formed identities, goals and political strategies
e) Anti authoritarianism - increased scepticism about the credentials, claims, and performance of authority holders in all walks of life
f) Globalization - increased awareness and engagement with events, personalities and ways of living and cultures beyond one's national borders (Blumler 1998: 53)

This characterization (of the changes happening to society) clearly points to a fundamental shift in values and priorities. Here, older interpretations of public interest are rendered obsolete, while new meanings are fashioned. Growing individualism then makes it highly difficult to arrive at one common understanding of the common good. Media institutions, on their part, find themselves under immense pressure to serve individuated demands from society.

More importantly, these arguments elicit intense intellectual curiosity; particularly with regard to the media-society connection in African societies. If media theory has traditionally been dominated by Western thinking, it may be of interest to explore the understandings that inform concepts such as public interest of the media within a changing African society.

The following section thus discusses the public interest question in the context of Kenya, in particular and Africa, in general. In so doing, it considers some of the questions that have so far been raised within the African context about the effects of globalization on media's role in society.

2.6.2 Public interest and the media in a changing Kenyan society

The public interest question, in relation to the media, has been and remains a contentious one in Kenya and most African countries today. The changes that have taken place since liberalization of the media in the early nineties have - to a large extent - contributed to this situation and the increased debate about it (discussed in detail in chapter four). This section looks at some of the recent questions and understandings that have come to the fore in relation to the public interest question in a changing Kenyan society.

A speech delivered to an International audience in Nairobi, Kenya (in May, 2007) to mark the International Press Freedom Day, by the then Minister for Information and Communications, Mr. Mutahi Kagwe, explored some of the critical issues surrounding debate on public interest and the media in the country. His speech was appropriately titled; *Post Liberalization Dilemmas in Africa: the Case of Kenya.* The conference to which he was speaking had an equally provocative theme; *"East African Media at the Crossroads."*

The minister's speech outlined several concerns related to a post modern Kenyan media scene, and the attendant ethical questions raised. He, for instance, talked about the spectre of programme presenters and radio talk show hosts who have no training in journalism, the impact of digital connectivity on the practice of journalism, as well as the ideological consequences surrounding the comparative volumes of local content versus international content on Kenyan television. He also expressed his personal opinion on the media and the question of national interest.

Freedom of expression, he argued should not be used as a tool for endangering the national integration and sovereignty of the state. As regards local FM radio stations - itself an important subject in the Kenyan media debate - the minister posed the following rhetorical questions to the conference:

> Should local FM radio stations be allowed to turn into political propagandists for their ethnic chauvinists? What should be done about FM stations that are trivializing serious issues in the society? Should the new breed of presenters in FM stations, who have no professional training in journalism, expect their voices to be allowed to discuss each and every subject under the sun, even when it is obvious that they know nothing of the subject they are discussing? Should media houses develop election guidelines that will outline how they should cover the General elections this year? (Nguri and Kamweru 2007: 9).

In a sense, these series of questions by the Minister point to the difficulties of debating the public interest in a changed Kenyan social context. The questions also single out specific issues in the practice of journalism in Kenya today, and how they relate to the public interest question.

Indeed, past debates on the media in Kenya have mainly been characterized by comments from various groups about the conduct of the media. The church, political leaders as well as ordinary people have commented on the media at different times. Cumulatively, these concerns have mainly centred on whether the media were serving society as they should. There are those, for instance, who expect the media to highlight graft in the public sector, serve to publicise the case of minority groups and play a role in governance, among other related concerns.

And whenever the media have been seen to act contrary to these developmentalist expectations, they have been labelled as unbecoming (see previous reference to MCK 2005). The fact that FM radio stations in the country will dedicate entire mornings to sensual sex-talk or general lifestyle issues, at the expense of these concerns, has therefore not gone down well with these critics. For the media, though, it would seem that public interest concern in this respect is more influenced by market dynamics, than by ordinary people's concerns.

It is in this dialectic that the country's media critics have concluded that liberalisation has not translated into what they refer to as quality journalism. Quality journalism, from this perspective, equates to developmentalist journalism. It is thus from such a belief that many have wondered whether the media are simply taking advantage of increased freedom in the country to misbehave.

These escalating concerns were soon made the subject of discussion at a public media forum hosted by the Media Council of Kenya, in 2005. Participants were asked to debate the question: *is the media in Kenya abusing its freedom*? Coincidentally, one of the speakers at this event was the government spokesman. The other was a leading journalist, Mr. Kwamchetsi Makokha- then attached to the Standard Media Group (Media Council of Kenya 2005:20).

At the public forum, several issues of concern were raised about the media in Kenya. These included inaccuracies in reporting, a lack of balance in stories, dirty and profane language (especially on radio), too much focus on the elite, and the erroneous conversion of disc jockeys into journalists, among others (comparisons can be made

102

here to the Hutchins Commission previously referred to in the previous section). The government spokesperson, on his part, pointed out that despite the fact that the operating space for the media was much freer under the National Rainbow Coalition government[22] (as compared to the past), the media in the country were yet to translate this gain into quality journalism.

It is noteworthy that most of the concerns presented on the quality of journalism in the country mainly revolved around practice and ethics. There was little or no mention of the changing social context within which media are operating today, and the challenges this may pose for the achievement of "quality journalism."

We however contend in this chapter that the public interest debate in Kenya should not be restricted to the narrow confines of media practice and ethics alone. It is also important to consider journalism and the freedom question in the context of globalization, and the attendant effects it poses on the public interest question.

Ali (2009:76) attempts to reach this balance, by discussing the effects of globalization on the Kenyan media scene. In this exercise, he notes that the inflow of news and programmes into the country has rapidly increased, in the age of liberalisation. One reason for this massive inflow of foreign content, he suggests, is the inability of local producers to match the demands of the market. Secondly, he observes that the emergence of audience groups - particularly among the younger generations - that prefer to listen and watch Western (rather than local) content may have further stimulated the trend.

The net effect has been an uncontrolled flow of cheap foreign media content into the country. This scenario poses both a challenge and an opportunity, although the government's reaction to this has been knee-jerk; with the publishing of the Kenya Communications (Broadcasting) regulations of 2009(discussed in chapter four).

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[22] The National Rainbow Coalition (NARC) was a loose coalition of like-minded political parties that came together just before the 2002 general elections to unseat KANU- the political party that had ruled the country since independence. NARC'S coming to power also marked the end of former president Moi's totalitarian rule. Public perception was that KANU was a retrogressive and authoritarian party, while NARC was progressive and democratic.

Separately, the effect of new communication technologies on the Kenyan media has also greatly affected the question of public interest. The leading media institutions such as the Nation, Standard, Royal Media and the Radio Africa groups have, for instance, launched interactive services to complement traditional mass media forms of radio, television and newspapers. In many ways, these interactive spaces have not only made it easy for ordinary people to actively participate in information flows (both locally and internationally) but have more fundamentally resulted in what Ali (2009:110) refers to as a "growing plural and dynamic public sphere".

It is also worthwhile to indicate that the growth of the media sector in Kenya, particularly radio, has been chiefly prompted by the need to respond to an ever growing list of audience demands. Thus today, there are radio stations that primarily cater for the interests of sports lovers, different genres of music such as reggae, rock and oldies, religious content, among others. And new radio stations keep popping up, each inaugurated in response to a particular felt audience need.

Indeed, Ang's (1997:57) assertion of the contestation between 'we' and 'together' provides an interesting frame within which the Kenyan society today can be described. The growing numbers of audience groups in Kenya, true to the character of a post modern condition, are ever demanding different kinds of media content. Media, on the other hand, have to grow to accommodate this complex reality of mixed-up differences.

This changing reality is however also marked by competition and creativity. Private commercial media institutions in the country have thus learnt to invest in inventive products aimed at wooing new audiences, while simultaneously retaining the old ones by offering entertaining and well produced programmes. In other words, public interest is being conditioned and shaped by new demands that have been brought about by societal changes. Radio stations, for example, now have to invest in research to understand audience needs, while traditional mass media forms such as the newspaper have been forced to adapt to the communications environment by introducing online versions, as well as various interactive features.

Traditionally, as noted in earlier sections of this study, the Kenyan state has monopolized discussion on media regulation and the creation of systems for ensuring media accountability to society and ultimately the definition of public interests. The emerging situation, as described above, however makes it difficult for the state in Africa to continue playing this dominant role. In Kenya, for instance, media expansion has also inevitably put a lot of power in the hands of media owners, whose interests ultimately have a big impact on the question of public interest.

This new power-elite operating under the aegis of the Media Owners Association (MOA) put across their point on various sticky issues relating to the media in the country. It is also clear that operating on the MOA platform, media owners in Kenya have become extremely assertive to the extent that they can openly challenge the government on various issues. In 2009, for instance, they petitioned the president not to sign into law the controversial Kenya Communications (Amendment) Bill, which they decried as an assault to press freedom in the country.

Other than the media owners, several other groups in Kenya have increasingly joined the debate on the media; thus forcing new understandings on traditional concepts such as press freedom and public interest, among others. Such groups include media non governmental organisations such as the African Woman and Child Feature Service (AWC), the Media Institute (MI) apart from non-media related bodies like the International Commission of Jurists-Kenya (ICJ-Kenya), among others.

The involvement of these groups not only underscores the importance of the media in the Kenyan society, but also the complexity of issues that have to be managed. It becomes clear here that in a changed context marked by the forces of democratization and globalization, the state alone may not have all the answers on the question of public interest and the media. In other words, conversation about the roles of media in society has to draw in more voices, representing different interest groups, if compromise is to be attained at all.

This point is, however, yet to be fully embraced in most African countries. Cases of intolerance have been witnessed for instance in South Africa, where former President

Mbeki's government did not take kindly to media reporting that was critical of the government. Given the delicate transitional reality that the South African society was navigating soon after the end of apartheid, former President Mbeki's administration felt that the media had to prioritize what was in the national interest (see, for instance Duncan :2008).

From the Mbeki regime viewpoint, the media were expected to play the role of reconciliation, peace building and national integration. Criticisms by the media of the president's position towards Zimbabwe, as well as his views on HIV/AIDS, were thus highly frowned upon (Wasserman and de Beer: 2005).

In Kenya, the Internal Security Ministry quickly suspended live media broadcasts after the results of a disputed presidential poll sparked off country-wide violence, in December 2007. This action was apparently taken in the name of public interest (CIPEV 2008). Such intolerance by the state has been witnessed in many other African countries. The Media Institute of South Africa, for instance, has in its yearly report (on the state of media freedom and freedom of expression in Southern Africa) documented many cases of state intolerance and affronts on the media. The yearly report, titled '*So is this Democracy?'* and published by MISA has helped to focus international attention on those responsible for such violations (MISA 2005).

The case of Uganda, Kenya's East African neighbour, is not any different. Robins (1997:120) writes about a troubled relationship between the government and the media in Uganda. The author notes that although new liberties have been allowed under President Museveni, Uganda's journalists cannot full fill the true call to duty as espoused in the watchdog principle.

According to Robins (1997:121), the two common charges brought against Ugandan journalists by the government include publishing of seditious material or false news, and criminal defamation. As a result, the writer records that some thirty (30) journalists have so far been arrested and detained during Museveni's rule.

It is however important to note that the developmental context of most African countries forces a certain understanding of the concept of public interest, which is sometimes far removed from the basic realities of the day- particularly the changed nature of society as a result of globalization. In other words, disagreements - as observed by Wasserman and de Beer (2005) - are constantly coming up because the prisms through which these interpretations are being made are quite different.

Consequently, to get over the challenge of giving relevance to key concepts such as public interest and press freedom, among others, Berger (2002) urges a re-engineering of traditional normative theories to fit the African condition. Other scholars, however, have suggested alternative ways of thinking about the media's roles, where the primary focus is not placed on the media-state relationship; as conceived in most of the Western based normative theories; but on a media-society one. From this approach, models such as *Ubuntuism* have been explored by several scholars, including Fourie (2007) and Christians (2004).

Ubuntuism, together with other related concepts of African communitarianism, provide possible alternative frameworks within which the media's roles in African societies can be explained. Fourie (2007) however cautions that *Ubuntuism,* for all its attractiveness*,* may not possess all the answers and that in fact, as a moral framework it can pose a threat to freedom of the press. The next chapter considers the *Ubuntuism* moral framework in greater detail.

Nyamnjoh (2005), on the other hand, avoids the *Ubuntuism* perspective and instead engages in a nuanced discussion on the role of media in African societies; urging that for this to be a meaningful relationship, the focus must be shifted towards more domesticated ideas of democracy in Africa. He further dismisses the current modes of journalism in and on Africa "as mere caricatures of another social orientation and therefore not in tune with the quest by Africans for equality of humanity and for recognition and representation."

Implied here is a kind of dependency relationship that should not be encouraged; instead, if the true value of African journalism is to be realized, then an African media

system should endeavour to celebrate the African person and creativity. This should, ideally, be the criterion for evaluating media performance in Africa, while attendant meanings to concepts such as public interest and the media should also be motivated by similar thinking.

However, as already noted in earlier sections of this study, Western based theoretical frameworks do not give due attention to such unique aspects of the African society. Nordenstreng (1997: 105) thus notes that developing countries, in many cases, end up being intellectually dependent on Western political philosophies and media theories.

The foregoing discussion illustrates some of the potential difficulties that modernity has posed for normative theorizing on the media. We are thus forced to dig deeper into the philosophies that hold society together, for meanings that can provide alternative thinking on what should ideally be the place of media in society.

The subsequent chapter therefore considers those African-based explanations that are capable of informing normative media theorizing. In particular, the concept of 'Africanity' is singled out as an alternative source for normative thinking on the roles of media in the African society.

2.7 Conclusion

This chapter has discussed the relevance of normative theory in understanding the media-society relationship. The chapter has affirmed the centrality of media normative theory in the definition of the roles of media in and for society. It has also illustrated how theory is central to this endeavour, by its provision of the basic navigational tools that guide such discussion.

The chapter has also shown that older theoretical frameworks may not be able to explain the roles of media in today's changing world. The *four theories of the press* (by Siebert, Peterson and Schramm) is one such example of a normative media theoretical framework whose relevance in today's media and communications scholarship has gradually diminished. In an attempt to understand the challenges which face traditional normative theory of the media, this chapter delved into a discussion of the post modern

as espoused by Giddens. This discussion not only provides a theoretical basis for understanding the present moment, but it also provides a focus for understanding current criticisms of traditional normative theory and the direction (if any) that global debate on normative media theory could take in view of the transformations already described.

Consequently, the chapter has introduced concepts such as public interest, and freedom of the press, and their relation to the changes being witnessed in society today. It has also been illustrated that at independence, the media in most African countries were mostly expected to serve a purely developmental role. In the specific case of Kenya, however, this expectation has continued to change; particularly with the opening of the media space to private players and the increasing demands by different audience groups in the early 1990s. Again, the chapter proves that ironically, the state in Africa has continued to resist change. In so doing, they have failed to manage media reform in ways that take cognisance of the current changes taking place in society and the media.

Separately, the chapter has shown how the demands that society brings to the media are as multiple in character as society itself. The immediate consequence of this is that no one particular normative standard for the media can hold. We have seen how this situation not only strains existing theory, but also raises questions about the relevance of the whole enterprise of media normative theorizing in a society that is defined by what Ang (1998) has also described as ambivalence, hybridity and hesitation.

Moreover, there is recognition throughout this chapter that traditional normative theories of the media tended to privilege the state-press relationship as the basis for explaining media's roles in society. This, however, has been proven to be a narrow and constrained way of considering the media–society relationship. It reduces the explanatory power of existing normative media theory by rendering it as merely prescriptive. New ideas that will transcend the state press relationship are thus needed to give a holistic picture of media's place in society.

Relating this discussion to Kenya, the chapter affirms the need to rethink the way media's roles have traditionally been defined, if agreeable evaluative frameworks and measures for media accountability are to be realised. As asserted by Ang (2003), the current changed social and economic situation has propagated tensions and created new challenges that have to be addressed. This is only possible through a common evaluative framework for the media at the national level, which can only be realised if there is a conscious effort to embrace difference and diversity.

Ang (2003) in fact poses the question; how do we live together in this new (twenty-first) century? For Ang (2003), the solution might lie in embracing hybridity. In the context of this study, we are thus forced to think about how hybridity as a concept could inform debate on the media as well as attendant processes, such as media policy formulation at the national level.

CHAPTER THREE

CONSIDERING AN AFRO-CENTRED NORMATIVE APPROACH

3.0 Introduction

The preceding chapter argued for the necessity of alternative thinking on the role of the media in society given the reality of globalisation and the resultant socio-economic change. Additionally, the chapter discussed the various criticisms that have been advanced against traditional normative theory of the media; particularly the "Four Theories of the Press", which over time have come to be regarded as the most popular framework for explaining the media-society relationship.

In the search for new directions and alternative thoughts on the role of the media in Kenya today, the present chapter considers the merits and demerits of an Afro-centric normative approach. This analysis is however guided by the postmodern conceptual framework already developed in the previous chapter. In this regard therefore, key arguments by Giddens and others[23] are critical in guiding our assessment of afro centred normative philosophies as a possible basis for normative theorizing in the present age. The chapter begins with an overview of Afro centricity as a worldview together with attendant arguments as advanced by authors like Asante (1998), Okafor (1994), Appiah (1992) and others and how this worldview relates to the changing media situation in Kenya today.

From this general overview, the chapter then develops into a detailed analysis of *Ubuntu* (an African moral philosophy) as a specific case study in Afro-centric thought. In subsequent sections of the chapter, *ubuntu* is discussed and attempts are made to create understanding of what might constitute "*ubuntu* journalism". The chapter further explores how the "*ubuntu* philosophy" could contribute to a uniquely African form of

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[23] This chapter thus will labor to discuss key afro-centric arguments in the context of some of the arguments already attributed to postmodern thinkers such as Giddens. One such argument with relevance for this chapter is the assertion attributed to Giddens (1990) and others such as Lyotard (1993) that the postmodern condition implies the end of epistemology and the subsequent denial of a universalizing epistemology and that there are no universal philosophical foundations for human thought or action (see also Barker 2012). This position provides a critical basis for discussing the afro-centric theory and attendant ethno-centred moral philosophies such as *Ubuntu* in a changing social economic context.

journalism in Kenya by considering the merits and demerits of applying an ethno-centred moral philosophical framework to a changed Kenyan media and socio-economic context (as described in chapter four).

Generally, the relevance of such an undertaking is partly drawn from the realisation that to propose an African normative framework is to presuppose that African media practices are, or should be, different from what obtains in other societies (see, for instance, Mfumbusa 2008). The choice of *ubuntu* is also motivated by the perception that Western-based libertarian frameworks have not adequately accounted for non-Western realities (see, for instance, Gunaratne 2007).This post-colonial assertion does indeed underlie the interest already demonstrated by several African scholars who are keen to address this yawning gap by exploring the wisdom of applying a purely African communitarian ethics to African media practice (see, for instance, Christians 2004; Mfumbusa 2008; Fourie 2008; White 2008).

The chapter concludes with a critique of *ubuntu* as a basis for normative media theorising in Africa, particularly in the context of the present global push towards remaking normative media theory, and its relevance to media policy in Kenya today.

3.1 A Critical Discussion of the Afro-centric Perspective

In general, the African reality may be perceived in terms of the African continent's cultures, its people, belief systems, philosophies, family values, and knowledge of the world among other considerations. As a theoretical framework, Afro-centricity thus provides an African-centred prism through which the African reality may be analysed. Indeed, several authors assert that Afro-centricity[24] approximates a unique worldview

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[24] This chapter adopts Asante's (1998:2) definition of Afro-centricity, where the term is taken to mean 'a moral as well as an intellectual location that posits Africans as subjects rather than as objects of human history and that establishes a perfectly valid and scientific basis for the explanation of African historical experiences.' In other words, Afro-centrism is a frame of reference wherein phenomena are viewed from the perspective of the African person. Also important to take cognisance of is the fact that Afro-centricity places African ideals at the centre of any analysis that involves African culture and behaviour. Afro-centric theory refutes the argument that civilisation started in European countries as the rest of the world waited in darkness for the Europeans to bring the light. The Afro-centric argument is that Africa is indeed the cradle of mankind and therefore the origin of human civilisation. Afro- centricity thus posits that African peoples should see themselves as active participants in the process of change, rather than passive spectators. Their rich cultures, languages, and belief systems bear witness to a complex social order.

that best defines the African reality (see, for instance, Oyebade 1990; Hoskins 1992; Okafor 1993; Winters 1994).

According to this understanding, the African person occupies a central place in the creation and realisation of the African worldview (see, for instance, Hoskins 1992; Bekerie 1994; Winters 1994). This central position is what affords African peoples their identity and pride and is the reason why Okafor (1993: 196), in a critique of Appiah's (1992)[25] apologetic case for colonialism and how it possibly opened the doors of modernity for Africa, asserts that Africa should hold its own in the world. In other words, Okafor believes that Africans are not inferior to any other race.

Even more compelling is Asante's (1998: 14) attempt to justify the African person's quest for recognition. He points out that the whole idea behind Afro-centricity is for the African person to find a base or place to stand. He further contends that the need to find an African identity cannot be any more essentialist than the positions taken by the feminists, gays/lesbians and other groups that question established social hierarchies.

History, however, shows that the identity and pride of the African person have been variously taken for granted, particularly through slavery and colonialism; these being the two phases of history in which the African was used and abused by others. Significantly, it is these lowly phases of African history that have, in fact, motivated the need for an African response (Okafor 1993:199).

Another motivation for creating an Afro-centred perspective stems from the nature of the Eurocentric paradigm[26], which in the history of intellectual thought has often assumed a hegemonic universal character. Essentially, Eurocentrism believes that European cultures are the reference point or yardstick by which other cultures are to be defined. It

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[25] This argument is developed by Anthony Appiah in his book *In My Father's House: Africa in the Philosophy of Culture* published in 1992 in which he dismisses Cheik Anta Diop's African historiography as 'a fancied past of shared glories (cited in Okafor, 1993).

[26] The term 'Eurocentric paradigm' is used here to refer to the ethno-focused thinking that promotes Western thought and world view as the best, if compared to other ethno-cultures across the world. According to Hoskins (1992), Eurocentrism thrives on exclusiveness while simultaneously insisting on its global dominance. Non-western peoples are thus relegated to servitude and second-class citizenship. This author further notes that Eurocentric ideology has refused to accept Africans on the basis of their humanity because of the colour of their skin.

is the dominance of this paradigm that prompted scholars such as Oyebade (1990:234) to demand an alternative that begins with Africa as the point of departure for African studies. As Bekerie (1994:135) argues, Afro-centricity offers an alternative to this hegemonic influence. It is, in fact, a source of emancipatory knowledge which, in essence, should provide a reference frame for evaluating African creativity and defining life experiences.

The foregoing arguments, however, put to test the assertion that globalisation has levelled those cultural differences that traditionally separated people. From an Afro-centric perspective, history and culture are still strong considerations in the global structuring. This viewpoint is particularly visible in the case of Africa where the experiences of slavery and colonialism have created a perpetual need for self-preservation (see, for instance, Fourie 2008).

This may explain why criticisms against the perceived bias in Western media's portrayal of Africa are always followed by calls for more home-grown content in African media. Implied here is the fact that Africa is better positioned to tell its side of the story to the world because this would help in asserting its sense of pride. The perceived misrepresentations of Africa and its peoples would also be corrected through such home-grown content. It is in this regard that the Kenya government introduced new regulations in 2010 requiring media institutions, particularly radio and television, to ensure that a certain percentage of their broadcasting time was devoted to local content as one way of counteracting the flow of foreign-based media content into the country.

This effort to give space to the African content in the media may approximate what Bekerie (1994:132) refers to as "the shedding of the imperial burden", or even "a moving of the centre." It may also be regarded as a form of emancipation and an assertion of Africa's ingenuity and innovation. This emancipation may, however, not succeed, particularly if there is no deliberate and determined effort by Africans to define and understand themselves and to exercise their agency (see, for instance, Bekerie 1994). Afro centricity thus urges for proactive engagement or the conscious effort by Africans to locate a base. As argued by Asante (1998), this effort should be reflected in social

114

organisation, promotion of indigenous knowledge systems, preservation of African culture, and the perpetuation of African ethical and moral standards among other requirements.

If we are to assume the possible existence of some kind of African journalism, then such journalism would, from an Afro centric perspective, be required to serve as the vehicle through which emancipatory knowledge may be transmitted to African peoples (see also, Blankenberg 1999). African national media systems would, in this regard, serve as vehicles for promoting national ideals, culture, and identity (see also Kasoma 1994).

In the same vein, African media systems would be required to act as the platform for propagating African history; for this is considered critical to framing the African reality and understanding the African person and the place of the Africa person in the world today (Diop 1974). Furthermore, African history would provide an important premise for dispelling the myth that African peoples have been passive in the creation of their own world; let alone the bigger global space to which they belong. Asante (1990), as cited in Bekerie 1994:131) thus asserts that Afro- centricity is about promoting the centrality of African peoples as active and primary agents in the making of their histories.

However, in order for the enterprise of African journalism to actively promote the contributions of Africa to world history and civilisation – and thereby prove that Africans are progressively engaged in the creation and recreation of their world – African journalists would be required to learn more about African history, culture, and conditions of life. In playing such a role, African journalism would, in fact, end up serving as a tool for defeating the dominant paradigm (read, westernisation) which, according to Bekerie (1994:132) "is now being subverted by people's deliberate and determined efforts to define and know themselves, or to exercise their agency."

Another core argument in Afro-centric thought, but one that carries much relevance for African journalism, is the need to move Africa to the centre where it rightfully belongs, according to Diop's (1974) argument, given its place as the cradle of human civilisation. However, by taking this path it is feared that African journalism may end up being a

reactionary and narrow enterprise dedicated to the primary mandate of promoting ethno-nationalism (see, for instance, Tomasselli 2003).

Considerations surrounding the concept of "worldview" and its influence on journalism practice may also be seen in the same light. One may, for instance question the extent to which the African worldview does determine (or influence) the roles of media in an African society such as Kenya. Further questions would relate to whether it, indeed, makes any sense to talk about an African journalism in the first place. Secondly, what does the concept of "worldview" mean in this regard and how is it affected or shaped by globalisation and change, particularly in the context of Africa?

Ayish (2003:81) defines a people's worldview as that fundamental assumption they hold about the nature of the world. It is systematically expressed in a people's philosophy, ethics, ritual, and scientific belief. It is therefore assumed that if African journalists are to work within an African worldview, then their expression of the world should be influenced by the basic philosophy that underlies the African experience. In other words, their output should be clearly definable as uniquely African, thereby constituting a form of "African journalism." Ideally, this uniqueness would be reflected in the way they write stories and the purposes for which those very stories are written.

If Afro-centricity is also about asserting Africa's pride, then the African journalistic enterprise would be expected to promote Africa's beauty. African journalists would be required to search for African motives in stories to give them relevance and context (see, for instance, Sesanti 2008:366). Indeed, the assertion that African peoples should be judged by internally-generated evaluative mechanisms presupposes a universalised claim to a common African value system. However, the present post-modern society, such as what obtains in Kenya today, is not only marked by multiple communities, but also what Ang (2003:141) has referred to as "rampant division and fragmentation."

In this context, it is not easy to establish a common measure of quality that journalism should aspire to achieve. Equally, it is difficult to isolate particular African experiences that may be used as measures for what is "good' or "bad" for journalism. For instance,

should African journalism look the other way when an elder misbehaves simply because the respect for elders is a canon within African moral philosophy?

Further questions regarding the concept of freedom of expression and how it relates to the media also linger. According to the Afro-centric argument, African media institutions would have to work on the basis of one common understanding if they are to successfully deliver on the society's demands. All news, for instance, would have to be seen through an Afro-centric prism. Apart from being an infringement on freedom to explore the different perspectives of a particular issue, this approach is tantamount to constraining the media's operational space. Additionally, such thinking is at variance with current developments on the continent where, in many countries, there is increased clamour for freedom of expression and independence of the media. These demands are subsumed under the argument that a free media can serve society better than a fettered one.

In a changing globalising world, the concept of freedom of expression has acquired new meanings. These meanings are closely informed by the free flow of information irrespective of cultural and physical borders, people's ability to freely participate in these information flows, and the ability of the media to service the emerging needs and demands of new audience groups. One may then rightfully ask whether the Afro-centric framework is adequate to explain this dynamic of change let alone its effect on the African society. Or is Afro-centricity merely engaged in singing praises and romanticising an African past that may no longer be relevant to the present?

Indeed, one may also want to consider whether the basic arguments of Afro- centricity are more concerned with defending the African case against hegemonic Eurocentric thought rather than explaining the African society as it is today. Moreover, current developments in the Kenyan society may not be supportive of the idea of one unified society, but rather the accommodation of differences and diversity. The rise in Kenya of the "sheng" language and its attendant culture, for instance, illustrates this view.

"Sheng" as a language borrows from several local ethnic languages, as well as English and Kiswahili. It is mainly spoken in urban areas, which in this case also serve as the

main social sites for the post-modern culture in Kenya. Sheng, however, has gone beyond the confines of urban towns and is now in common use in rural areas as well. It has also surmounted the generational gap, and is used by both young and old alike. Significantly, this language represents a local attempt at addressing the dilemma of "we" and "together," that is, ensuring diversity in difference.

Moreover, sheng represents a mixing that defies logic. Given its popularity, many radio stations have adopted it for use as they attempt to reach out to a large section of the Kenyan population. In this state of change, it is difficult to perceive a unified African society characterised by the kind of unity, harmony, spirituality, and organic inter-relationship that Okafor (1993:205) refers to. Instead, we see the formation of a new identity that is based on compromise and the need to live together in a rapidly changing world.

On the question of asserting Africa's sense of family and moral uprightness, Okafor (1993) notes that Africa is defined by a closeness of values, norms, and practices that draw from African culture and tradition as well as the warmth of African peoples. These features not only sets the African person apart, but in many ways dispels the colonial assumption of a crude Africa that is bereft of the values of humility and a kindred spirit. Applied to African journalism, these are the very values that African journalism, in its emancipatory role, would be required to uphold.

Other than the centrality of family and community, Afro-centricity also assumes the existence of one Africa, whose history has been collectively defined by the experiences of slavery, colonisation, and the influences of Western Christian missionaries and education. In other words, this is a static Africa, whose fate is bound in its cultural roots and history.

The truth, however, is that Africa is not one (see, for instance, Appiah 1992; Fourie 2008); it is a multiplicity of identities. Globalisation has accentuated this reality and African journalists cannot concern themselves with African history and pride as their primary subject when, indeed, there are a myriad number of challenges (such as

HIV/AIDS, poverty, terrorism and global economic recessions) that face the African society today.

In conclusion, therefore, it may be argued that although Afro-centricity (as a worldview) presents an interesting spectrum for analysing the role of media in African societies, it fails to provide the broad conceptual base necessary for thinking about the changes that are taking place in the same African societies. As such, any attempts to seek answers from Afro-centric thought merely raise more questions as the arguments in this section have amply demonstrated. The lack of agreement, however, is a positive thing since it further highlights the need for more concerted debate on the role and value of ethno-centred media theory in this new age.

In the search for alternative thoughts on the possible role of the media in Kenya today, the next section examines *ubuntu as* an example of an African moral philosophy[27]. It must however be emphasised that the choice of *ubuntu* here does not preclude the existence of other worldviews in Africa. There are several others in existence, including those philosophies that draw from Christianity and Islam as a result of the continent's contact with these religions at different moments in its history (see, for instance, Fourie 2006). Rather, the choice of *ubuntu* is motivated by the fact that this philosophy represents a communitarian consciousness that purely arises from African tradition, without emulating versions from other global cultural blocks such as the Islamic, European, and Asian systems (Christians 2004). Moreover, despite the fact that *ubuntu* has found different forms of expression among the various ethnic communities across the continent, the philosophy's basic tenets nevertheless remain the same (Kamwangamalu 1999).

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[27] An African moral philosophy may refer to African conceptions of what constitutes 'right' or 'wrong', and 'good' or 'bad' in human actions. Generally, a 'good' action is that which is performed for the benefit of other persons, either individually or collectively. Kasoma (1994) adds that arising from the instinct of self-preservation and well-being, communities have developed norms and customs which all their members are expected to follow. Scholars such as Appiah (1998) have, however, questioned whether African thought can be equated to a philosophy. The argument made is that although traditional African thought possess complexity, richness, and depth, it has not been articulated in the form of explicit and systematic expositions and therefore cannot be said to have the discipline of philosophy, even though its originators (the ancestors) may have been philosophers themselves. This line of argument has been carried forward by several authors (such as Fourie 2007) who question the validity of the so-called African moral philosophy and its place in normative media theorising in Africa.

At this point, it must be noted that the topic and goals of this thesis limit the discussion of *ubuntu* to addressing specific aspects of the failure of Afro-centric arguments to offer a coherent basis for normative media theorisation in Africa. This kind of reasoning is, however, not supported by many other scholars (such as Blankenberg 1999; Kasoma 1994), who strongly argue in favour of African communitarian ethics.

3.2 Ubuntu as an African Moral Philosophy

In any analysis of *ubuntu*, the first question that begs attention is, "what is *Ubuntu*?" Ramose (2002:230) begins by arguing that *ubuntu* lies at the root of African philosophy and further asserts that this philosophy is deeply embedded within African culture. According to Ramose (2002:230), therefore, this means that one can only experience *ubuntu* through living it. More importantly, it implies that one needs to be African in order to fully understand *ubuntu*.

This argument, however, raises problems for critical intellectual and systematic analysis of the concept of *ubuntu*. For instance, Fourie (2006:8) points out that in order to define the concept of *ubuntu* as recommended by Ramose (2002:230), it is necessary to acquire a sound knowledge of the ontology and epistemology of traditional African culture, philosophy, and ethics. Notably, though, the amount of leeway for this kind of exploration has been significantly narrowed by the purpose of this study (cf. chapter one).

Generally, the *ubuntu* tradition is closely associated with the Bantu[28] ethnic groups found across the African continent. *Ubuntu* is the bond that unites them. According to Ramose (2002: 230), this approximates a kind of philosophical affinity and kinship among and between indigenous people of Africa. This kinship bond determines the significance of individual effort within the context of the social system and how life is ordered in the community.

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[28] Bantu ethnic communities in Africa mainly cover the area south of the Sahara desert. These communities share common linguistic features. The commonest is the reference to person and personhood. Kamwangamalu (1999) for instance observes that among the Nguni, *ubuntu* translates as personhood. Humanness consists of the augment prefix "u", the abstract noun prefix "bu-", and the noun stem "–ntu," meaning person in Bantu languages.

120

Accordingly, the collective knowledge that informs social processes, particularly those that relate to morality, social and legal judgement, human worth, and conduct is based upon the *ubuntu* philosophy. Furthermore, *ubuntu* provides a spring from which knowledge is derived. Members of society benefit by drawing from this spring of knowledge. In essence, this ensures that the actions of individuals are in sync with the general societal goal.

According to Fourie (2007:10), *Ubuntu* is therefore a moral philosophy, a collective African consciousness, a way of being, and a code of ethics and behaviour deeply embedded in African culture. *Ubuntuism* approximates such values as compassion, dignity, harmony, reciprocity, and humanity that are considered important building blocks for realising social harmony.

Kamwangamalu (1999:18) has isolated several key values associated with *ubuntu* including humanness, which means treating all people with respect. *Ubuntu* also encompasses values like universal brotherhood for Africans, sharing, respecting, and treating other people as human beings. *Ubuntu* is also regarded as a process and philosophy that reflects the African heritage, traditions, culture, beliefs, value systems, and the extended family structures. In other words, *Ubuntu* is, and could or should be seen as, a valid frame of reference.

The values inherent in *ubuntu* are expressed in different ways by various African communities. A proverb from the Akan tribe in Ghana, for instance, states that a person is not like a palm tree which grows alone. This proverb underlies the important communitarian value of interdependency in the African society. It also means that human dispositions, goals, and needs are met during interaction with others in society.

Appiah (1998:98) also makes reference to the communal characteristic of the African society where the group takes precedence over the individual. Communication between individuals within such a social context is not top-down, but occurs both at vertical and horizontal levels. This kind of association ensures that the individual is not only supported by the group, but he is also bound to it. This relationship is formulated as "I

am because we are, and since we are, therefore I am". In other words, man can only live and realise himself in and through society.

Ramose (2002: 231) further observes that since all society is based on human relations, then such relations must affirm the common good. Individuals are, therefore, left with no choice but to work towards the communally-accepted measure of common good. In this regard, being human is not enough; one's humanity can only be affirmed by recognising the humanity of others. This is the basis upon which human relations ought to be established. From the foregoing, it is clear that real power rests with the people and the actions of individuals are judged based on what society deems useful, acceptable, and beneficial to the common good. *Ubuntu,* when seen in this light, therefore serves as a basis for judgement. Individual action is then adjudged as being right if it is in support of the communally defined need.

Consensus building is also considered an important element of *ubuntu* because consensus building is a primary motive in African life. According to Ramose (2002:235), consensus is important for establishing social harmony, and harmony in turn ensures peace, fairness, and beauty. Linked to harmony is the question of truth and what it means for society. The quest for harmony ultimately determines what should be considered as fact or truth. Truth does not exist independently of society. Likewise, human beings are not made by truth; rather, they are makers of the truth. Depending on the dictates of the moment, that which society upholds as true is what ultimately stands.

Ultimately, since human beings are involved in shaping and reshaping society truth becomes participatory, active, interactive, continual, and the discerning perception that leads to action (Ramose 2002: 236).

Additionally, *Ubuntu* philosophy provides a context for understanding and subsequently dealing with the instabilities of life. Such instabilities may relate to hunger, disease, poverty, fear and sorrow among others. To adequately address these questions, one must embody the values of *ubuntu*. In this way, the ensuing debate and the solutions that ultimately come to the fore draw from the well of knowledge that is *ubuntu.*

It is important to note that the concept of *ubuntu* can be analysed from various perspectives. Kamwangamalu (1999) has, for instance, looked at this concept from a linguistic perspective. Separately, Fourie (2006, 2007, 2008) considers *ubuntu* as a potentially viable framework for South African media practice. Indeed, other useful applications of the concept could be found in economics and politics as Kamwangamalu (1999) attempts to show.

Although we have strongly asserted (in the present section) that *ubuntu* as a moral philosophy is uniquely African, it is important to acknowledge the work of scholars who have argued that the spirit of *ubuntu* may, in fact, exist in other cultures. For example, Christians (2004:235) asserts that there is a commonality between the *ubuntu* of Africa and the communitarianism of Europe and North America and argues that for both continents, the community is ontologically prior to persons. This implies that libertarianism, which is a Western philosophical concept, can also lay claim to the same humanistic principles that are core to *ubuntu* (cf. Fourie 2008).

The foregoing discussion demonstrates *ubuntu's* Afro-centric character. This is aptly illustrated in Asante's (1998) argument about the centrality of identity for the African person, which is reflected in the notion of locating one's Africanity, that approximates *ubuntu's* prioritisation of the community as the base from which individuals can define themselves. Given the topic and overall purpose of this thesis, however, the question that stands out relates to the place of an ethno-based philosophy, such as *ubuntu,* in informing journalistic practice in this new age. The subsequent section, therefore, explores the possibility of using *ubuntu* as the basis for African journalism and media policy development at the national level.

3.2.1 Ubuntu as a Basis for Journalism Practice in Africa

The prospect of a kind of journalism practice that is based on the *ubuntu* moral framework immediately raises several questions (cf. Christians 2004; Fourie 2006, 2007, 2008; Banda 2009; White 2010). One such question relates to the form that such journalism should take. Would it, for instance, be distinctly different from journalism that is based on Western libertarian ideals? What then happens in non-Western settings,

such as Kenya, where a fourth estate kind of journalism[29] has developed? And can the adoption of *ubuntu* provide a useful framework for dealing with the frequently asked questions regarding media performance, ethics, public interest, and press freedom in Kenya?

In other words, how feasible is *ubuntu* as a model for media performance in the context of a changed Kenyan socio-economic context? Can *ubuntu,* as a moral framework, address this challenge? While attempting to respond to these questions, it is important to acknowledge that several scholars (such as Kasoma 1994, 1996; Fourie 2006; 2007; 2008; Banda, 2009) have posed the same questions and offered varied suggestions several of which will guide the present discussion. Blankenberg (1999), for instance, explores the possibility that *ubuntuism* could provide a basic philosophical underpinning for African journalism. He takes a strong Afro-centric orientation (see discussion in 3.2) by arguing that Africa's media systems should serve as platforms for liberation, education, and promotion of African culture and sense of pride. This contention is mainly informed by Africa's historical experience with slavery and colonialism and the post-colonial dilemmas of disempowerment and passivity.

According to Blankenberg (1999), the struggles against poverty, illiteracy and other ills associated with underdevelopment in Africa place a special responsibility on the media to serve as an emancipator for African peoples. The media, in this context, can support efforts aimed at triggering the continent's potential by bringing to fruition the emerging calls for an African renaissance as proposed by several African leaders (such as former South African President Thabo Mbeki).

Blankenberg (1999) further envisions a link between this emancipator role and Paulo Freire's theory of conscientisation and dialogue. Conscientisation, as propounded by

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[29] Kenyan journalism and practice media has largely been seen and described as " fourth estate" in keeping with Western traditions mostly because of its adversarial stance in relation to other centers of power such as the executive. However, as already discussed in chapter two, there was a period particularly the decades after independence when the Kenyan media played to the whims of the state and did little in defense of the oppressed voices in society (see also Mutere & Abuoga 1988). However, in the years after liberalization in the early 1990s, a more assertive press begun to emerge in the country and this is what could rightfully be described as a fourth estate kind of journalism. For it is only in the 1990s, that the Kenyan media was bold enough to cartoon a sitting president, or even openly criticize leading members of the government in newspaper editorials.

Paulo Freire, implies an awakening of consciousness. Blankenberg (1999) applies this precept to the argument that the media in Africa can better serve the conscientisation role by facilitating widespread participation in the political system and in all aspects of the public sphere.

However, in order to awaken social consciousness, African media reportage should strive towards motivating social debate on various issues affecting society. Media content should be empowering and not escapist. Conscientisation also implies a strong sociological role for journalists who must have adequate knowledge of the local context and of the collective aspirations of society. Additionally, they must play an active role in the creation of general consciousness about dignity, pride, nationalism, and patriotism that are needed to hold society together.

Ubuntu journalism is also expected to promote discussion and give credence to the views of everyone in society. In order to effectively do this, journalists are expected to enter into dialogue with the community. They must operate within, and not outside, the society (see also Kasoma 1994). As members of society, journalists cannot purport to operate outside it, but have a responsibility to promote social processes and transmission of information through their reportage. In this way, they will be in a better position to follow the challenges facing society and being part of the collective drive for solutions.

Ubuntu journalism further asserts that freedom of expression and participation are only to be endorsed in so far as they are seen to foster the common good. In this manner, the media will only be able to assert its freedom through reporting stories that are of benefit to society. Therefore, journalists should not investigate and run controversial stories that can lead to social disharmony. This is considered tantamount to misbehaving in the name of "freedom". A good example is cited by Mfumbusa (2008:152) of local language FM radio stations in Kenya that were accused of broadcasting hate messages after the country's disputed general election of 2007. He

observes that some of these FM stations justified their controversial broadcasts in the name of "freedom of expression".

Under *ubuntu,* therefore, the concept of freedom should be understood in the context of the community and not from the individual point of view. In other words, *ubuntu* believes that freedom is expected to benefit the community rather than the individual and that the individual only experiences (and benefits from) a free media through the community and not the other way round. This perspective differs markedly from western culture, where the individual's freedom is privileged. Furthermore, the *ubuntu* framework does not expect the media to publish content that is lacking in educational value because such content would not be supportive of communal development. This, for instance, explains the incessant criticism of FM radio stations in Kenya for privileging of entertainment and music at the expense of culturally relevant content.

Under the libertarian view, however, media are free to choose content that meets the needs of their audience at any one time. In other words, while libertarian journalism is responsive to market forces as expressed through audience tastes and preferences, *ubuntu* journalism privileges the needs of the community and which are not necessarily commercial or profit oriented. Ultimately, under *ubuntu* public interest is seen in the context of what is good for society. This implies that information disseminated through the media should not merely be what society desires; it should also carry utilitarian value for the same society (see also Kasoma 1994).

The collective communitarian ethic is likewise applied to the values of neutrality and objectivity as guiding principles in journalism practice. Here, journalists are required to always remember that social progress and common good cannot be subordinated to neutrality and objectivity. In fact, as aptly argued by Christians (2004:247), objectivity is neither necessary nor desirable. By overcoming the strictures imposed by neutrality and objectivity, *ubuntu* journalism succeeds in bringing out the richness, emotion, and depth of life's experiences thereby ensuring that the challenges of life are fully appreciated.

It should be noted, though, that some of the values that are central to *ubuntu* are in fact universal since they are also stressed upon by other cultural systems. For instance, it may be argued that Western journalism's emphasis on facts, truth, accuracy, and neutrality is equally motivated by the desire for the common good. Western journalists will thus pursue truth because it is an imperative for the democratic development of society.

This view approximates Kasoma's (1994:41) call for African journalists to practice all the moral virtues that make African society tick. They should, for instance, be brave in the search for truth and make it known regardless of the consequences as long as knowledge of the truth serves the community. The emphasis on morality also implies that for journalism to be useful to society, it should not act merely as a conveyor belt. Journalists and media institutions should instead be moral agents for society. The media should inform, educate, and serve the extra function of promoting desired moral attitudes in society.

Consequently, African journalists should lead the way by demonstrating proper moral behaviour in the manner in which they carry out their work. According to Kasoma (1994), their actions should be "good". In this context, a good action is one that is performed for the benefit of other persons and for the betterment of society as a whole. Thus, a reporter who knowingly falsifies information is regarded as a bad journalist. Equally, one who takes bribes in order to slant information in favour of particular individuals is regarded a misfit. Kasoma (1994:30) therefore emphasises that journalists have a moral duty to their society, to tell the truth.

Ubuntu journalism is also about a concern for the welfare of all members of society. Journalism's core roles should therefore include a caring attitude for the poor and marginalised in society. Kasoma (1994: 31) adds that in order to give a voice to the voiceless, the African journalist should be a friend to vulnerable groups, such as the poor, whose issues tend to be drowned by focusing on the rich in society.

In the communal spirit of *Ubuntu*, journalists should be available for all members of society. They should facilitate communication between classes by bringing out their common points and exposing differences. They should expose greed and corruption among the rich and the powerful as well as condemn defeatism and laziness among the poor.

It is on this score that we revisit the question of ethnic influence over the media in Kenya. In the *ubuntu* view, media should speak for all members of society. However, the tendency for the (Kenyan) media to support ethnic positions defeats this purpose. Okigbo (1994:73) also argues that ethnicity remains a critical ethical issue for African journalism. For instance, he notes that some journalists, in their representation of stories, are influenced by the selfish desire to defend the ethnic group. Soon, ethnicity comes to provide the critical evaluative criteria upon which media stories are judged.

From an *ubuntu* point of view, the reality that African communities are divided along tribal or ethnic lines is an undeniable truth. In fact, the various tribal differences approximate the rich variety of culture that is Africa. As such, journalism should be able to creatively celebrate this wealth of culture. Ethnicity, however, should by no means be the only criterion for evaluating social and journalistic issues. If *ubuntu* approximates the best in human values such as fairness, truth, humility, and sense of community then journalists who retreat to defend narrow tribal ethnic positions in a national debate ought to be condemned.

The foregoing discussion has shown that *ubuntu* as a moral philosophy may have several practical implications for journalism practice, media ethics, and policy in Africa in general, and Kenya in particular. Indeed, from what has been discussed here, it seems as if *ubuntuism* and its values could also be interpreted to underwrite the universal principles of ethical journalism

Thus, the virtues of harmony, brotherliness, and peaceful coexistence that are at the core of *ubuntu* as a moral philosophy do, indeed, approximate the desires of other non-African societies across the globe. When terrorists attack the United States of America,

or blow up buildings in central Nairobi, killing thousands and destroying property, the pain suffered from such events is felt and shared by many and the ensuing condemnation of such acts is not only limited to the affected, but also becomes a concern for humanity. Indeed, it is such basic thinking that has led several scholars (such as Christians 2004) to explore the possibility of an ethics of universal being[30] as an alternative in the search for a global normative theory of the media. *Ubuntu* as a basis for journalism, however, does have several limitations. The next section puts most of these weaknesses in context.

3.2.2 A critique of ubuntu as a framework for normative theorising on the media

The preceding section has outlined the numerous possibilities to be found in a wholesome application of an ethno-centred moral philosophy to (African and) Kenyan media practice. Such a proposal, however, raises several questions particularly in today's changed socio-economic context that make it a salient topical subject for African media and communication discourse. This is illustrated, for instance, in Banda's (2009: 227-243) reappraisal of Kasoma's *Afriethics*[31]*,* Fourie's (2008) critique of *Ubuntu* as a

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[30] Although it is not within the scope of this study to discuss the concept of universal ethics, it is however useful to mention that the urge to move beyond ethno-centred frameworks, in a globalizing world, has led several authors to explore the possibility of a global media ethics – which ideally draws from universally accepted truths. One such truth is the sacredness of human life – a fact that is acknowledged across cultures. Other universal values might include the commitment to peace and harmonious co-existence, among others.

[31] The key features of Afriethics. as proposed by Kasoma (1996: 109-113), include the following:

• The basis of morality of African journalism should be the fulfillment of obligations to society and to the journalistic corps. The emphasis on societal as opposed to individual morals by journalists can only work if the journalists develop a deep sense of right and wrong so that they are able to feel guilty for behaving unethically and try to correct colleagues who falter in their journalistic performance.

• There is need for dialogue among media people so that the practice of mass communication becomes a democratic and participatory one drawing its strength from the African cultural heritage.

• Journalism must be treated as 'a communal profession in which the wrongs of an individual journalist have a capacity to tarnish the image of everyone who practices it'.

• The 'ethicality' of the individual acts of the journalist should be first and foremost measured against whether or not they serve the wider community and the journalism profession. If they do not, there is every likelihood that they are unethical.

• Erring journalists or media houses should, in the true African spirit, be counseled by the other journalists to behave well and not be immediately condemned as misfits in the 'family' of African journalism.

• Journalists must cultivate a deep sense of solidarity and oneness of voice. Only in this way can African journalism 'put its house in order'.

• African journalists should revere and canonise their own predecessors instead of leaving the North to do it for them. It is not Northerners but Africans that these journalists serve and it should be Africans first and foremost to accord them the honor and dignity they deserve for being outstanding journalists. African journalists can learn from the emphasis on the community and society in *Afriethics*.

potential basis for media practice in South Africa, and White's (2010) argument that foundational values for ethics could be inferred from practical ethical decision-making in news rooms and other media production practices.

In considering the suitability of *ubuntu* as a basis for media normative theorizing in Africa (as earlier mentioned), it is important to keep in mind that African countries are rapidly changing even as African peoples continue to face the challenge of dealing with the local as well as the global. Today, the things that African people aspire to in their everyday life are determined by this maze of interactions. It is thus difficult to uphold *ubuntu* as the sole perspective that can inform social actions, including the place of media in society.

One may, for instance, question the extent to which *ubuntu* can address questions relating to the global processes (such as internationalisation, liberalisation, convergence, commercialisation, diversity and difference) that now characterise the media scene. As we will see in chapter 4, these aspects of change continue to present serious challenges to national media policy formulation efforts in Kenya and across the globe.

It is partly for this reason that Banda (2009) has dismissed the possibility that moral philosophy, as expounded by Kasoma (1996), could provide the needed answers to these questions. For him, African moral philosophy is a mere romantic reconstruction of the pre-colonial situation and a frozen view of harmony in rural Africa, which does not approximate the globalising changes that continue to redefine mainstream Africa.

Applied to African journalism, this means that promoting African culture as the basis for media accountability may create problems for African journalists who are confronted with an ever-changing and dynamic socio-economic reality. Indeed, this is why Kasoma's (2006) *Afriethics* has received much criticism for not anticipating the new reality of difference and diversity beyond the limitations of the one-party state that characterised his time.

Present day Kenya (see the discussion in chapter four) is a microcosm of a new globalising African society. Contrary to the expectations of *ubuntu*, this new reality has implications on the definition of the "social" or "public" good that journalism should be serving. As pointed out earlier, *ubuntu* assumes one measure of common good that all in society should subscribe to; a situation that is at variance with today's fluid social order that Aslama (2006), Ang (1998) and Fourie (2011) have ably described (see chapter two). By assuming a static puritanical social order, *ubuntu* makes a priori assumptions about what media should or should not do for society. Today's post-modernist environment, however, suggests otherwise.

The fluidity of social conditions has, in essence, triggered a hybridisation process in which cultures are synchronising, while allowing for mutual learning. Thus, the promotion of *ubuntuism* as the only approach to media ethics and practice in Africa ignores the fact that Africa's recent history has actually been marked by a variety of cultural interferences that took the form of colonialism and globalisation. This mixing continues even today as Africa and its peoples continue to interact with cultural others. Appiah (1998:97) recognises this dynamism and asserts that contemporary African philosophy is in a state of flux occasioned by the transition from a traditional condition to modernisation.

To find balance, African societies have to move towards accommodation; probably through hybridisation. Nyamnjoh (2005: 92), in fact, argues that being African is not a static or frozen state of existence, but a dynamic identity that keeps redefining itself with new experiences and contacts with other peoples and cultures. Kasoma's (1996) *Afriethics* and such other ethno-centred frameworks would thus do better if there was an accommodation of the cultural influences that have continued to reshape African identities in this age of globalisation.

More significant is the realisation that the sense of community promoted through *ubuntu* – although a positive attribute – can be misused. The recent history of conflict in Africa and other places in the world has shown how this sense of community and belonging has been negatively exploited through intolerance to outsiders. The spectre of hate

radio in Rwanda during the 1994 genocide, for instance, may be seen in this light. Similarly, the need for a collective voice may provide reason for shutting out alternative voices, hence creating an atmosphere of intolerance. This, in essence, negates the conscientisation role that Frieire has supported in addition to making it difficult for the media to fulfil its emancipatory role on behalf of society.

Additionally, as argued by Fourie (2007) and Gunaratne (2007), the promotion of one particular perspective, or one science, as the basis for journalism practice and policy formulation fails to acknowledge the growing diversity in society, hence limiting the full potential of any given system. For instance, if Kenyan media policy was to be entirely based on an Afro-centred framework, the country would run the danger of overlooking other suggestions that might be useful.

On his part, Tomasselli (2003: 437) argues that the insistence on culture as a way of life does assume an unchanging and totally bounded reality, which is poised in a defence mode against foreign culture. This view may not only limit the role of journalism, but also curtails the freedom that journalists require to explore the breadths and lengths of the profession. In fact, as Tomasselli (2003:436) further expounds, culture can be manipulated to mean different things to different people. Therefore, African journalism should be in a position to represent all these facets of society without inhibition.

Nyamnjoh (2005:1), too, talks about the new possibilities in which Africans are busy "Africanizing their modernity and modernizing their Africanity". In this analysis, we discern a sense of change embodied in the possibility of appropriating new knowledge from other sources and fusing it to local understandings to address emerging challenges.

While *ubuntu* may prescribe a media that is responsive to society, it is difficult to see how feasible this would be in a commercialised and competitive media environment such as Kenya. The realities of the market, for instance, have forced media institutions to narrow their focus to specific audience groups. Thus, the notion of the "mass audience" and one common national community that media should be talking to is no

longer feasible. The traditional supra-national mass community has now been replaced by many small audience sub-groups whose interests the media have to respond to.

Democratic governance requires that media act as a watchdog for society. The *ubuntu* developmentalist view of media as a nation builder, however, confines it to performing a guide-dog role. In this case, the media is expected to highlight only the positive while avoiding conflict and generally ensuring harmony in society. In this regard, the adversarial character of the relationship between media and state is to be avoided (see Tomasselli, 2003).

 The watchdog role of the media is also further compromised by the requirement that elders and those in positions of leadership be accorded respect. Thus, it is common for journalists in Africa to be accused of disrespecting elders when they report on the negative activities of politicians. Significantly, such accusations are made in the name of the common good of the society. But Tomasseli (2003:431) argues that reporting on the incompetence; corruption, failure to deliver, and misbehaviour by a leader should not be automatically branded as disrespectful.

Ultimately, an *ubuntu* approach to journalism inevitably leads to the classic categorisations of "good' and 'bad' journalism. For instance, journalism that is not seen to promote the communitarian values of society is obviously labelled as bad. However, as Tomasselli (2003: 433) argues, in our post-modern world, bad journalism may, in itself, be a journalistic genre.

In summary, it is clear that moral philosophies, by their very nature, are prescriptive and therefore unable to offer a broad framework for understanding developments in the media today. *Ubuntu* as a case study in Afro-centric thought does not address the fundamental question of change, particularly in relation to society. This limitation reduces the philosophy to an ideal that is difficult to approximate in practice.

Despite these weaknesses, though, it is admissible that moral philosophies actually provide alternatives to hegemonic Western conceptions of the media's roles in society. Indeed, in a sense, they help to address the gap that Nordenstreng (1997) has talked

about with regard to the deficiencies in normative theorising in developing societies. This means that consideration of African moral philosophies provides an opportunity to look beyond Western theories of the press while acknowledging that other cultural experiences can bring value to the global debate on normative theory.

3.3 Conclusion

This chapter has discussed the Afro-centric perspective as a possible alternative in the search towards understanding the roles of the media in a changing Kenyan society. The core tenets of the Afro-centric argument have been explored and appropriately linked to the Kenyan situation.

The chapter has further demonstrated that discussion about an African contribution to the global media normative theory debate is timely and desirable. However, such discussion should also bear in mind the changes that are happening in the African society as a result of globalisation.

An important aspect of the Afro-centric argument relates to the urgent need to bring Africa to the centre. One of the tasks is to generate understanding on what the roles of media should be in this regard. For some, the role of the African media would be an emancipatory one and reflections on national media policies would have to be based on this understanding.

Afro-centricity also posits that African experiences are enough to guide African media practice towards what is bad and what is good. Ideas about regulation of the media should thus draw from this knowledge. As such, in a globalising context, African experiences/understandings may provide a sufficient normative base for media practice.

However, if one is to consider the possibility of using African centred moral philosophies as frameworks for informing media practice in Kenya, one has to regard the various weaknesses already noted in the preceding section. A primary question relates to the practical implications of an African-centred moral philosophy on journalism practice. Since the forces of globalisation have gradually eroded the cultural, historical, and ethno-centred differences which have in the past separated people, an alternative

framework for explaining the roles of media today should avoid a narrow prescriptive focus. Instead, a suitable framework should integrate all human philosophies on the core questions of freedom of expression, human good, histories, cultural traditions, and values.

The chapter that follows presents a description of the Kenyan media scene. This description exposes the opportunities, as well as the questions, that have come to the fore particularly with regard to the roles of the media in a changed Kenyan socio-economic context.

CHAPTER FOUR

DESCRIPTION OF THE KENYAN MEDIA SCENE

4.0 Introduction

The search for alternative viewpoints on the role of the media in the Kenyan society can only bear fruit if an inquiry of this nature is based on a clear analysis and understanding of the country's media scene. Such analysis would also provide the opportunity to discern the diversity of forces at play in shaping the Kenyan media sector; the broader social, economic, technological, and political context within which the media operate and public views on the place of media in a changing society.

The present chapter begins with a brief historical perspective of the Kenyan media scene, which then gives way to a description of the present media situation in the country, particularly after liberalisation of the sector from the early 1990s. A critical appraisal of the challenges and questions that have been brought about by liberalisation of the media sector is also presented. The chapter then enters into a nuanced discussion of some of the core issues that continue to define or underlie the changes being witnessed in the media sector.

Most of the issues for discussion on the subject of changes in the media sector in Kenya can be observed in the following trends: the call for media reforms; liberalisation of the media sector; changes in forms of media ownership; attempts to regulate the media sector; the emergence of local language radio; and the demand for press freedom. The chapter considers each one of these issues against a backdrop of the technological, social, and cultural changes taking place in the Kenyan society in general, and its media in particular. The chapter concludes by outlining a series of critical problems that characterise the Kenyan media sector and to which answers ought to be found.

Analysis of the identified issues has been deemed necessary for two reasons. Firstly, these issues have generally informed public debate on the role of the media in Kenya.

In turn, these very debates have at different times shaped media policy efforts through the establishment of institutions to control, or regulate, the country's media institutions. Some of the media regulatory institutions that have been established in recent years include the Media Council of Kenya[32] (which was created out of the need for self-regulation), the Communications Commission of Kenya[33] (which now carries a strengthened mandate after the introduction of new broadcasting regulations in early 2010), and the Broadcasting Content Advisory Council (BCAC)[34].

Secondly, as has been shown in previous chapters, these issues remain core to understanding the relationship between media and society. Consequently, the task of rethinking the role of the media in the Kenyan society cannot be accomplished without a comprehensive understanding of the outlined issues. In undertaking this discussion, it is also necessary to mention the key players or institutions that have continued to shape the evolving debate on the media in Kenya. Mbeke, Ugangu and Okello-Orlale (2010:14) have identified the critical players in the media and society debate as media lobby groups (such as the Editors' Guild), the Media Owners Association (MOA), the Media Council of Kenya (MCK), the Kenya Union of Journalists (KUJ), media civil society organisations such as the African Woman and Child Feature Service (AWC), and the Media Institute.

In summary, this chapter provides the opportunity to consider how the Kenyan media environment has helped to construct a paradigm for normative media theorising and

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[32] The Media Council of Kenya was first set up in the year 2002 by the Media Owners Association (MOA). The major goal of the MOA was to ensure that the country's media remains free from government interference. A self-regulatory mechanism, guided by the code of conduct and enforced by a non-statutory Media Council, was critical to this endeavor. However, the Media Act of 2007 changed the status of the Media Council from an independent institution mainly driven by the industry to a statutory body. The Act mainly establishes the Media Council of Kenya. It describes its membership, functions, and powers. Within the council, a Complaints Commission is established, which deals with complaints filed against media entities.

[33] The Communications Commission of Kenya is the independent regulatory authority for the communications industry in Kenya. Its role is to license and regulate telecommunications, radio communications, and postal and courier services in Kenya.

[34] The Broadcasting Complaints Committee began work in the first quarter of 2010. According to Frank Ojiambo, a member of this committee, its basic function is to ensure that broadcast media institutions are adhere to the code of ethics and are serving the public interest. This is, however, a huge task for the BCAC, since it is not possible to quickly get to know the motivations of those who own radio and TV stations in Kenya; it is even harder to determine whether these motivations fall within expressed public interests.

how such a paradigm is evolving into the new media age of the twenty-first century. In a sense, this kind of analysis provides a useful backdrop against which to examine (in chapter six) whether the "Four Theories of the Press" are still relevant in explaining the changing media reality in Kenya and, if not, identify where the gaps lie and whether alternative thoughts could result in more useful and acceptable answers for the media reform effort in Kenya. In effect, this chapter provides the basis for working towards proposals on how the various media policy challenges can be addressed in the Kenyan context (as discussed in chapter 7).

The Kenyan media scene has, however, undergone a long period of evolution dating back to the pre–colonial period (see Abuoga & Mutere 1988). Thus, as we examine the country's media landscape today, it is only sensible to acknowledge its beginnings, albeit in a summarised way. The next section, therefore, provides a historical perspective of the evolution of the media scene in Kenya.

4.1 Historical Perspective of the Kenyan Media Scene

Without necessarily repeating what has already been discussed in chapter two regarding the direction that normative media theory has taken in Kenya and, indeed, much of Africa since independence in the 1960s, this section summarises the historical character of the Kenyan media scene from the pre-independence days to the present because this historical context has a bearing on the form that the country's media has assumed from 1992. Consequently, this historical analysis is an appropriate launching pad for the present discussion, which emphasises a rethinking of the media's role in a changed social and economic Kenyan context.

Additionally, through such historiography, the study will attempt to affirm that the Kenyan media has a rich history that began much earlier than the age of liberalisation in the early 1990s[35] and that the complex media situation existing today is the result of social, political, and economic changes over time.

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[35] The early 1990s is regarded as a turning point in Kenya's social, economic, and political history. The media sector too, as will be demonstrated in a later section of this chapter, was reshaped by the ensuing wind of change.

For instance, the introduction of the printing press in Kenya is associated with the Christian missionaries whose primary aim was to open up what was perceived to be a conservative and closed traditional society to Christianity and the ways of modernity. Reverend Albert Stegal of the Church Missionary Society (CMS) is credited with starting the first newspaper in Kenya titled *the Taita Chronicle* in 1895 (see Abuoga & Mutere, 1988). Soon after the portioning of the African continent in the late 1800s and the establishment of a colonial administration, the White settler community also developed an interest in the media.

In 1901, *the East African Standard*[36] was established by the Asian trader Alibhai Mulla Jeevanjee, but was soon bought by people keen to promote settler interests in Kenya. Generally, the colonial press excluded Africans and was mainly used to promote settler interests and ideals in the country. However, from the late 1920s, growing disenchantment and agitation for self-rule and independence by the African elite led to the emergence of the early African press (see Ali 2009). One of the earliest such publications was *Muigwithania* (The Arbiter), which was started in 1928. Abuoga and Mutere (1988:15) note that this journal emphasised Kikuyu[37] culture and was published in the Kikuyu language.

Gradually, as the clamour for independence gathered momentum in the 1940s, so did indigenous African publications increase in number. These publications mostly served as platforms for preaching and spreading the liberation gospel while simultaneously expressing the grievances of African peoples. Iraki (2010:143), however, notes that most of these publications were short-lived given the amount of colonial hostility directed at them and concomitant lack of editorial training.

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[36] Regarded as the oldest newspaper in East Africa, the ownership of *the Standard* has changed hands severally. Odero (2000:19) indicates that until 1997, the paper was owned by the UK multinational, Lonrho. Presently, the *Standard* is part of a media conglomerate, The Standard Group, of which former president Daniel Arap Moi, his close associates, and family are the major shareholders.

[37] The Kikuyu is one of the Bantu ethnic groups in Kenya. The Kikuyu tribe is the largest ethnic group in the country. The focus on Kikuyu culture was, by and large, considered a safe and non-controversial topic by the White settler administration. This would partly explain why *Muigwithania,* unlike most emergent African publications of the time, was never shut down.

In 1960, the Nation Media Group, founded by His Highness the Aga Khan, was established. Odero (2000:12) notes that the interest of the Aga Khan was to produce newspapers that were edited and staffed by Africans, containing news of specific interest to Africans, and expressing an African point of view for an African audience. This thinking clearly did anticipate the period after independence and the fact that the Kenyan people were going to assert themselves in a different way if independence was to have meaning for them. It may also be added, as already noted by Iraki (2010:143), that the establishment of the Nation Media publications at this point in time marked a break from colonial newspapers that had the main objective of muting African voices.

For the media, therefore, Kenya's independence in 1963 represented a new turning point with several implications; one of which was on the relationship between the media and the newly independent Kenyan society. Notably, the expectation was that the roles of the media would change upon independence. During the pre-independence years of the 1950s, African publications had played the collective role of providing a voice for colonised African peoples in Kenya (see also Abuoga & Mutere 1988). However, after independence, the media was expected to address itself to a host of new needs and primarily the need to articulate the agenda of a society that had just emerged from colonialism.

By and large, the collective drive at independence (as noted by Odero 2000:11) was the need to enable Kenyans to map out their own destiny. However, in order to play a useful role in this process, the country's media needed to closely identify with the needs of the ordinary people and to reflect these desires in their content. To a certain extent this did happen, as Abuoga and Mutere (1988:78) have pointed out. In fact, Odero (2000:11) further argues that newspapers such as the *Daily Nation, Sunday Nation,* and *Taifa Leo* (which were at that time judged to be sympathetic to nationalist aspirations by their readers) were highly acclaimed, while those like *the Standard*[38] (which were regarded as pro-colonial) were shunned by readers. However, this enthusiasm as we shall later demonstrate started to wane in the decades following independence.

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[38] Iraki (2010:144) notes that the *Standard* continued in its "great White way" even after independence. The company appointed its first African editor, George Gathigira, in 1975 while the Nation group had already pioneered by appointing Hillary Ng'weno as editor in 1965.

Nevertheless, at least into the first decade of independence, the Nation Media Group distinguished itself as a major player in the country's media sector. Thus by 1973, the company was the first media organisation to be listed on the Nairobi Stock Exchange. Odero (2000:13) indicates that the first public offer of the company's 1.2 million shares was made at five Kenya shillings per share and was over-subscribed. By the year 2000, about 10,000 individuals owned 55 per cent of the company's shares with the Aga Khan remaining as the principal shareholder.

The Nation Media Group's example aptly illustrates the early roots of private independent investment in the Kenyan media sector long before the advent of liberalisation in the early 1990s. It is, however, important to note that despite this early emergence of a private press, the government of the day still retained a stranglehold on the media's independence. This approach had consequences for the place of media in society. Reflecting on this, Opiyo (2010), a former director of information with the Government of Kenya (interviewed on 28 July 2010)[39] observes that the Kenyatta and Moi governments ensured strict control over the media for political reasons although publicly such domination was always portrayed as a question of national interest driven by the need to ensure harmony and to focus the energies of a young nation on development. Over the years, government control over the media gradually acquired the status of a silent national policy (Opiyo 2010). The irony, however, is that this situation persisted even as government officials routinely maintained that the government did not censor journalists and that a free press was a deeply cherished value (see also Odero 2000).

Both the Kenyatta and Moi governments, as has been demonstrated by several authors (for instance Abuoga & Mutere 1988; Odero, 2000), expected the media to promote the government's position at all times. A good case in point is the 1975 assassination of politician and legislator, J.M. Kariuki, and how this event was reported by *the Nation* newspaper whose policy at the time was to support the government's point of view on matters of national import. Odero (2000:17) writes that despite the rumours that were

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[39] This was a personal interview with George Opiyo, a retired director of information with the Kenya government.

now on everyone's lips, *the Nation* chose to carry the government's position that "JM", as he was popularly referred to, had fled the country to Zambia where his plane appeared to have crashed. This action would later prove costly for *the Nation* when it was established that JM had actually been assassinated at the Ngong Forest near Nairobi.

Meanwhile, an independent private publication, the *Target,* which had championed the search for the late J.M. Kariuki, suffered the government's wrath for its stand. The publication's editor (Mr. Okite) was removed from the newspaper and detained soon after. Later, the Kenyatta government jailed him without trial. He had turned blind by the time of his release (see Odero 2000:17).

Thus, according to Opiyo (2010), control over the media during the Kenyatta and Moi governments was never a matter to be taken lightly. For instance, to ensure that the private press spoke and promoted the government's viewpoint at all times, private media were required to pick information, particularly regional news, from the government-owned Kenya News Agency (KNA). According to Opiyo, this was another silent policy that did not exist in the statutes, but which was nevertheless obeyed. Indeed, on a daily basis both *the Nation* and *the Standard* carried several KNA stories even when they could have reliably obtained the same information from their regional networks.

On the other hand, public media (in this case the Kenya Broadcasting Corporation) remained under strict government control throughout Kenyatta's and later Moi's tenures. The government of the day had direct influence over the editorial agenda and by extension the role of KBC within the Kenyan society (see Heath, 1997). As noted in chapter two, KBC was mainly used to propagate the interests of the ruling elite with little or no interest in the plight of the rest of Kenyans.

Due to its strategic role, the national broadcaster remained the country's sole broadcasting service from the time of independence in 1963 to 1989 when a second broadcaster came onto the scene. The government's monopoly in the broadcasting sector was embodied in the Kenya Broadcasting Corporation Act, which clearly stated

that no other broadcaster would be licensed without the approval of KBC (read the government). The government, thus, used this law to control broadcasting content and other related concerns.

However, as Opiyo (2010) argues, this situation eventually created scarcity of information for ordinary consumers. Ironically though, this situation would later become the justification for information overload in the years after liberalisation. A hitherto information-starved Kenyan audience was now bombarded with different kinds of information leading to new questions for media policy in the country (Opiyo 2010).

The government's tight control over the media sector (during the 1970s and the 1980s) had created a kind of patron-client relationship between media owners and the government of the day. For this reason the Lornho Group, which owned the Standard Media Group, adopted the practice of appointing a chairman who had close links with the Head of State (Odero 2000:19). Such appointments were meant to serve as a safety net for the group's survival in a tightly controlled media environment. Thus, during Kenyatta's time Udi Gecaga, the president's son-in-law, served as Lornho's chairman while later during the Moi presidency a close relation of Moi's, Mark Too, was appointed chair of the media establishment.

One factor that greatly influenced former president Moi's attitude towards the media was the August 1982 coup attempt by disgruntled elements in the Kenyan military. Although the coup failed, the moment marked an important milestone for the Moi presidency. Opiyo (2010) has observed that the events of August 1982 had far-reaching consequences both for the politics of the country and on official government policy on the media.

Thus, Moi's resistance to a free and pluralised press in the years following the coup attempt was basically influenced by the desire to muzzle alternative voices through tight control over channels of communication. In 1983, the Moi government established *the Kenya Times* newspaper in a bid to counter the influence of established newspapers (such as *the Nation* and *the Standard*) while also ensuring the existence of a paper to serve as a government propaganda mouthpiece. At the same time, the government

exercised more control over the available space for freedom of expression and that of the media (see, for instance, Iraki 2010).

Henceforth, through the 1980s, the government did not hesitate to punish any journalist who attempted to criticise it. In 1987, for instance, Paul Amina (a local Kenyan journalist) was arrested and detained for following up on a story that was considered an embarrassment to the government. Odero (2000:19) writes that although Amina's disappearance was known to the local media, the local dailies did not report about it; apparently being careful not to publish any news that would have been considered offensive to the government. Before Amina's detention, three other journalists and tens of other Kenyans had been accused of being part of a clandestine opposition movement, *Mwakenya,* and had been subsequently jailed under the Preservation of Public Security Act[40].

The presence of such constant threat on the country's media led to the institutionalisation of self-censorship. Emerging local publications that did not toe the government line suffered and were mostly forced to close shop. A good example is *Beyond* magazine, a monthly publication of the Kenyan National Council of Churches, which suffered the wrath of the government in 1987 after it emerged that the magazine was going to publish an open letter to the then President Daniel Moi written by a leading opposition figure and former vice- president, the late Jaramogi Oginga Odinga. As the clamour for change increased in the late 1980s, the Moi regime showed increased intolerance towards the media in equal measure.

The punitive behaviour against local journalists was also extended to foreign-based media personnel in the country. Thus, towards the end of 1987, Moi announced that his government would review the work permits of more than 100 foreign correspondents based in the country. One casualty of this assault was Mr. Blaine Harden, a correspondent with the *Washington Post,* who was ordered to leave the country after

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[40] This law was regularly applied before 1997 with the intention of ensuring security. Mute (2000) observes that penalties for breach of this law have been excessive. Under the one-party regime of former President Moi, journalists were detained for spurious reasons under the Preservation of Public Security Act. This Act was however amended by the statute (Miscellaneous Amendments Act, 1997) forbidding the detention of persons for political reasons.

publishing a story that questioned the human rights situation in the country. Other than controlling the activities of local and foreign media personnel, the government also blocked the distribution of foreign publications containing articles that were considered as critical of Kenya and its leadership. As a consequence, several foreign publications were proscribed in the country.

Towards the close of the 1980s, sedition laws were increasingly applied to silence government critics, while the KBC remained a government mouthpiece. Odero (2000:24), for instance, observes that at this time, reports from the Presidential Press Unit (PPU) and Vice-Presidential Press Service (VPPS) were allocated air time as the major news items.

The foregoing description has covered the historical backdrop that informed clamour for a liberalised media space during the 1990s. Even more important to this study is the fact that these historical events created the basis (or justification) for the arguments that ensued after 1992 mostly on self-regulation, limitations on government control of the media, and press freedom in Kenya. Moreover, these historical events provided an important background that informed thinking on the role of the media in a democratised Kenyan society. Keeping these two factors in mind, the next section looks at the evolution of the Kenyan media scene in the period after 1992.

4.2 The Kenyan Media Scene After 1992

The period after 1992 heralded a new dawn for both the media and the Kenyan society. The global social, economic, and political transformations that began in the late 1980s were beginning to have an impact on Africa in general and Kenya in particular. In Europe, these changes were epitomised by the fall of the Berlin Wall and (with it) the East-West geopolitical divide[41].

In East Africa, and indeed much of Africa, the 1990s witnessed rapid changes at every level of society. According to Wanyeki & Lukalo (2000:1), movements for political

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[41] The fall of the Berlin wall was a purely symbolic event that marked the end of the rivalry between the East and the West. This, however, had particular repercussions for Africa, which had served as one of the arenas for feuding global powers. The dictatorships which had developed on the continent since independence were forced to give way to new democratic leadership.

pluralism were a major part of this change. Gradually, multiparty political systems were institutionalised not only in the region but also across the world. The clamour for political change was accelerated in Kenya even as the Moi regime (1978-2002) continued to show hostility towards reformist voices agitating for reforms (see also, Iraki 2010).

Throup and Hornsby (1998:2) observe that in the closing weeks of 1991, Moi (reluctantly) altered the country's political destiny by signing the law that institutionalised the multiparty political system. This action marked the death of the dictatorial one-party state that he had presided over since 1982 (the preceding section has mentioned how the attempted *coup de tat* of 1982 changed the country's political direction). The shift in the country's political system, however, was largely the result of two sets of forces that Throup and Hornsby (1998:2) have characterised as internal and external. The internal force comprised protests by radical Kenyan intellectuals and politicians pressing for reforms. Pressure from this group had been building since the late 1980s.

On the other hand, external pressure originated from Western donor nations that were keen to see the growth of a strong democratic culture in the country. Overall, however, Throup and Hornsby (1998:3) acknowledge that the dramatic changes occurring in the Soviet Union and Eastern Europe at the time were a major influence on the Kenyan situation.

The disintegration of the Soviet nation seemed to presage the fall of one-party dictatorships and the ascendancy of a new global democratic order. In the case of Kenya, Throup and Hornsby (1998:3) argue that Western nations were ready to prove the value of effecting such changes through foreign aid.

Although 1992 marks an important turning point in the history of both the Kenyan society and the media, it is important to appreciate the fact that the political events of that year triggered a whole range of other changes that helped to reshape the country's media landscape well into the late 1990s. It is, however, not the intention in this study to discuss all these changes in detail. Nevertheless, it is vital to note, as has been argued by Wanyande (1996), that the question of access to the media particularly for those agitating for political change during the transitional years of the 1990s assumed an

increasingly important role and seemed to influence perceptions about the role of the media in Kenya at the time.

In other words, mass media were now expected to serve as agents of change or some kind of civil society agitating for better conditions of life, greater political participation, and a new democratic order (Wanyande 1996:6). An important question, though, is whether the political circumstances of the time were conducive enough for the media to play this role. Press freedom, as most writers of the time have shown (see, for, instance, Odero 2000) remained a major constraint for the Kenyan media mainly because of the many prohibitive laws[42] (against the media) that still remained in place despite the changes that were taking place in society.

However, compared to the situation that had obtained in the 1980s, the 1990s witnessed the early beginnings of a freer media environment regardless of the initial difficulties, particularly the lack of legal reforms. This development was not only the result of a liberalised economic environment (see Ali 2009), but also the outcome of a constant din of animated calls for change from civil society, other organised groups, and individuals within the Kenyan society.

Indeed, one could rightly argue that the political changes of the early nineties were intimately linked to economic changes. For instance, Wanyeki & Lukalo (2000:1) notes that the political transition from single party to multiparty rule of the 1990s was accompanied by calls to free the airwaves in Africa. Governments that had previously restricted broadcasting as the preserve of the state were gradually being forced, due to internal and external pressure, to allow for the establishment of independent, private broadcasters.

The liberalisation of most sectors of the economy thus created room for players other than the state to participate in building commercial enterprise. Communications was one such sector that attracted interest, and as a result, was soon flooded by various private players. However, although some (such as Ali 2009:73) view the 1990s as the period of

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[42] Some of the laws considered prohibitive to the media included the Official Secrets Act, Cap 128 which prohibited public officials from divulging information, the Defamation Act, Cap 36 on invasion of property, Preservation of Public Security Act, Cap 57, and Public Order Act, Cap 56 among others.

rapid growth and the era of liberalisation for Kenyan media, questions linger about whether this could be described as true liberalisation when, in fact, radio frequencies were allocated mainly to political cronies and friends of the establishment at the expense of genuinely interested cases.

For instance, Opiyo (2010) affirms that well into the 1990s, the silent hand of government continued to influence the media sector by allocating radio frequencies to individuals with political and economic connections within the Kenyan society. Making reference to these underhand practices, Hassan Kulundu, in an interview, agrees that the Kenyan media landscape (even after 1992) has largely been shaped by the political context. Thus, in the absence of the totalitarian political arrangement of the single party era (which gave government the power of dominance over the media), senior government officials resorted to underhand measures to ensure that control of the communications sector was retained through determination of ownership.

However, despite this and many other weaknesses in policy (as discussed, for instance, by Mutere 2010), the expansion of the country's media sector has been monumental. By 2008, the country had 53 operational radio services up from one in 1989, more than 244 FM frequencies had been allocated, and television stations had increased from one service in 1989 to 12 in 2008[43]. By 2008, at least eight newspapers were being published in the country (Ali 2009: 73).

Generally, the expansion of FM radio has been the most phenomenal aspect of the Kenyan media scene in recent years. Presently, numerous radio stations cater to different audience groups. Mbeke et al (2010:39) thus note that Kenyan audiences are currently fragmented along various media channels. This expansion has, as noted by the Africa Media Development Initiative Report (2006:23), led to a relative increase in the number of media owners since the year 2000 (it should however be noted that a few individuals, such as Royal Media's S.K. Macharia, own up to several radio stations at the same time). AMDI further observes that the growth in the number of radio stations

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[43] See appendix for complete list of radio and TV stations in the country, broadcasters, and status (whether on air or not) by August, 2010

has also been accompanied by increased diversity in the types of programmes presented.

However, the AMDI report, and indeed most of the recent scholarship on the Kenyan media, has not critically addressed the question of access and diversity in relation to the expanded media and communications sector in the country. Mbeke (2010), for instance, tends to give a generalised description of the Kenyan media scene without a critical appraisal of this situation and its implications to people's participation in the communications system.

This study suggests that it is important to go beyond mere description and consider critically whether an expanded media and communications environment translates into access to media for all. A critical view of diversity, for instance, should avoid the simplistic equating of the number of radio stations for instance, to media performance. In fact, a crucial question that needs addressing is whether increased competition indeed brings about more variety in the media.

These contentious questions notwithstanding, it is apparent that the Kenyan media sector is highly dynamic. The changes in the sector can be seen, for instance, in the adoption of new technologies by the country's media institutions resulting in convergence, corporate concentration of media ownership, increased commercialisation of news and other cultural products, and cross-border ownership. The Nation Media Group owns media outlets in the neighbouring countries of Tanzania and Uganda with plans to expand to other regions of Africa.

The company's leading shareholder and owner, His Highness the Aga Khan, used the occasion of the company's fiftieth anniversary (marked in Nairobi in April 2010) to comment on the developments that have transformed the Nation Media Group into the giant monolith that it is today. In his speech, the Aga Khan stated that:

> What we may not have foreseen (at the time of NMG's formation), is how the company would diversify and expand – into the whole of East Africa – into television and radio,

149

and now onto the Internet – enabling us to connect our work intimately with the wider world[44].

This expansionist tendency is not limited to the Nation Media Group. Several other local media institutions have also expanded to become giant organisations. This growth has inevitably given private owners the biggest stake in the country's media sector (as discussed later section in this chapter).

It is partly for this reason that Ismail and Deane (2008:320) conclude that the Kenyan media sector has one of the most respected, thriving, sophisticated, and innovative media systems in Africa. This achievement, they observe, is largely due to the fact that Kenya has been a rather stable country with a conducive atmosphere for private media enterprise compared to its neighbors such as Somalia and the Sudan that have experienced many years of internal conflict.

The country, though generally poor by global standards, boasts of a high literacy rate and a dynamic economy that, according to Ismail and Deane (2008:320), has one of the most vibrant advertising markets on the continent and a population that voraciously consumes news and information. This description sums up the factors that have led to the evolution of the dynamic media landscape in the country.

4.3 Types of Media in Kenya

Broadly, the types of media in Kenya can be classified as private/independent media, the public state broadcaster, community radio, the alternative press, international media, and new media. Another school of thought has tended to broadly categorize the Kenyan media into two types as mainstream and alternative media. Makokha (2010) attempts to operationalise the two terms as used locally in Kenya by noting, for instance, that the term "mainstream media" refers to those media channels that are accessible to the greatest proportion of the population because of certain similarities in their professional pursuits.

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[44] This excerpt from the His Highness the Aga Khan's speech delivered at the Pan African Media Conference, held in Nairobi in March 2010, is available at http://www.akdn.org/Content/980/Conference-Marking-the-50th-Anniversary-of-the-Nation-Media-Group-Media-and-the-African-Promise--

Thus, according to this author Kiswahili and English language newspapers and radio and television stations with a national reach are mainstream media in the Kenyan context. Mainstream media are also those that are perceived to be run professionally[45] with a cadre of professionally trained journalists forming the core of their ranks in staffing. As a result of these attributes, mainstream media are therefore perceived as being ethical and professional in the way they operate. On the other hand, publications that reach only a small target group and are not published regularly have been referred to as alternative media. Alternative media are also generally perceived to care less about the norms of good journalism so that they will publish a story without due regard to accuracy of facts.

Okello-Orlale (2010), however, urges the need to also consider the history behind the usage of the two terms within the Kenyan context. She explains that the phrase "alternative media" was first used to refer to the underground media of the 1980s that were being used to crusade for political change in the country. Thus, publications such as *Pambana*[46] fall into this category. Later, with the advent of liberalization, the term acquired a new meaning as the monied media owners who sought to protect their (mainly commercial) interests began to label the smaller publications as "alternative," or even "gutter." In 2002, leading media owners in the country pressed for (and actually funded) the formation of an industry-run Media Council whose main task was to ensure self-regulation, but also (silently) keep a tab on the activities of the so-called alternative press that were seen as a blemish on an otherwise honourable industry.

The usage of the term "alternative media" was thus meant to be derogatory and therefore serve to discourage potential readers from turning to these publications. However, in the quest to survive, the alternative press has continued to publish the stories that mainstream media ordinarily will not touch, hence the distinction between the two.

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[45] This may refer to structured hierarchies in management
[46] *"Pambana"* was secretly published and distributed by dissident voices of change in the 1980s. One such notable group was *Mwakenya,* whose main rallying point was the introduction of plural politics in the country.

It is moreover important to note, as Makokha (2010) does, that developments in the media sector have interfered with the (formerly) clear-cut distinction between mainstream and alternative media. Each local language radio station, for instance, only targets a particular ethnic group, but together they reach a large portion of the Kenyan population. Similarly, several FM radio stations that are regarded as mainstream have on some occasions published stories that were not accurate or factual.

4.3.1 Television

Kenya has three types of television stations, namely, cable TV, satellite TV, and free-to-air television. There are about sixteen television stations operating across the country. Although about 3.2 million homes have television sets in Kenya, liberalization of the airwaves did not benefit the vast of majority of the Kenyan population in the rural areas. It is only recently that the government allowed the major television networks to expand into rural Kenya.

The cable TV market is the least developed and only serves a small population based in the city of Nairobi. Free-to-air TV is however the most developed in Kenya and comprises thirteen television stations including the Kenya Television Network (KTN), Kenya Broadcasting Corporation (KBC Channel One), Citizen TV, STV, Family TV, New Star TV, K24, Classic TV, KISS TV, Channel Five/East Africa TV, ODTV, and Sayari TV.

The satellite television market in Kenya is dominated by Digital Satellite Television (DSTV), a South African satellite television company. Locally, the DSTV signal is distributed by the Multichoice company. In recent years, Multichoice has expanded and now offers DSTV services through mobile telephone platforms. Additionally, several of the television stations are broadcasting on Internet through their websites. At the start of 2010, the country also set in motion plans to migrate from analogue to digital television. The year 2012 has been set as the deadline for the final analogue switch-off.

The shift to digital television is likely to see the country's television sector develop dramatically. Some of the anticipated benefits of digital broadcasting technology include superior image and sound clarity and interactive communication and data processing.

The digital broadcasting platform will also result in increased opportunity for innovation and creativity in the broadcasting sector and promotion of local content production[47]. The switch to digital broadcasting also means that broadcasters and investors can exploit the radio and television sectors to the fullest because the digital mode provides a spectrum that is limitless, which means that the country can have an unlimited number of channels for radio and television provided the right digital equipment is used.

4.3.2 Radio

The radio sub-sector has experienced the largest amount of growth in Kenya over the last fifteen years. Radio listenership in the country is quite high. The AMDI report (2006:18), for instance, cites an Intermedia (2005) study which notes that up to 91 per cent of the population had listened to the radio in the past seven days. This finding underlines the fact that radio has achieved immense penetration since liberalization of the media sector in the early 1990s.

Generally, the radio scene in Kenya is characterised by public radio broadcasting, commercial, privately owned FM radio (which broadcast in English, Swahili and the various local languages), and community radio broadcasting. The Kenya Broadcasting Corporation has remained the only public broadcaster operating about 19 public service radios in various ethnic languages in addition to Kiswahili and English.

According to Ali (2009:88), this phenomenal growth in radio has been made possible by the liberalized and competitive media environment that has developed in the country since the mid-1990s. From its rampant growth and compatibility with other technologies, such as the mobile phone and the personal computer, one may conclude that radio has been the most easily globalised medium in the country compared to other electronic media.

Other than the vibrant sector of private radio, the country also has community radio stations, but this sector is not well-developed. Some of the popular community radio stations in the country include Maseno FM, Mangelete FM, Shinyalu FM, KOCH FM,

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[47] See Communications Commission of Kenya website at www.cck.go.ke/news/2010/_08jan.html

Ghetto FM, and Mungabo weto. Although the various community radio stations have great potential for grassroots information dissemination and mobilization, their development in Kenya has greatly been hampered by scarcity of funding. Additionally, as Mbeke (2010:13) notes, the potential for community radio stations is further limited by the fact that they use outdated technologies and lack adequate expertise (in both media and management) to put them on the same competitive footing with the private commercial radio services.

Again, since most of the community radio stations target specific ethnic communities, they have become susceptible to manipulation by politicians whose intention is to control and use them to gain political mileage. Lastly, the unfair competitive environment that now defines the media industry in the country places community radio at a disadvantage compared to other private radio stations that generate profits from their activities.

Apart from the various locally owned private radio stations, the country also boasts of a number of international broadcasters operating FM radio stations outside Nairobi. Some of the international broadcasters include the British Broadcasting Corporation (BBC), Voice of America (VOA), Radio France International, Radio China, and East Africa Radio. Both the BBC and VOA broadcast in Swahili and English.

4.3.2.1 Growth of Local Language FM Radio

The growth of local language radio stations in Kenya has revolutionised the country's media scene in the most unprecedented manner. These radio stations have incited debate in recent times and sometimes attracted the wrath of government for their content. The disputed 2007 general election and its aftermath was probably the one moment when the spotlight was focused on local language radio stations. Yet, despite the various accusations from a cross-section of people in Kenya, local language radio stations have remained popular across the country. In the context of the goals of this study generally, and this chapter in particular, it is important to question the reasons behind such popularity.

According to Mbeke et al (2010: 47), the popularity of ethnic language radio stations might be attributed to their numbers and the fact that they are spread across the nation so much so that almost all the ethnic groups in the country have access to a radio station that broadcasts in their particular language. Secondly, recent trends show that listeners across Kenya are more inclined to follow local events in a language that they identify with. Thus, although Kiswahili and English are regarded as the country's official languages, most people prefer communication in their ethnic languages (Ismail & Deane 2008).

Local languages are however more popular in the rural areas of Kenya where up to 80 per cent of the country's population resides. According to Ismail and Deane (2008:322), access to information in local languages was, prior to liberalisation, only possible through a handful of government-controlled channels and other community networks. Liberalisation has however enabled rural people to access information through local language radio stations, hence eliminating the previous barriers, such as illiteracy, that limited their access to media.

In the year 2000, a Kikuyu language station, *Kameme* FM, was established as a pioneer privately-owned local language radio station. By 2004, several other local language stations had been established across the country. Mainly founded as commercial enterprises, local language stations have given the otherwise marginalised communities a voice through which to articulate their interests and participate in national debates.

In particular, local language radio stations are credited with the high levels of political participation witnessed in the 2007 general election. At the time, local language radio was used to for civic education among rural populations while also serving as a platform for political campaigns by contesting political parties and candidates. Political participation through local language radio was achieved (Ismail & Deane 2008:322) through the highly popular talk shows and phone-in programs to radio stations. These forums were popular with most Kenyans during the heated political campaigns of 2007.

Thus, for instance, Radio Ramogi, a Luo language radio station, had the popular morning show called *Baraza,* which means "informal assembly". Lake Victoria FM,

another Luo language radio station, calls its talk show *"Just say it!"* Similarly, Inooro FM, a Kikuyu language station, has *Hagaria,* which means "sharpen." Another Kikuyu language radio station, Kameme FM, has *Arahuka,* which means *"wake–up"* (Ismail & Deane 2008: 322).

These talk shows gradually transformed into platforms for expressing voices that had not been heard on mainstream media for years. Sometimes, these voices expressed anger and frustration, a fact that Ismail and Deane (2008:322) say should have prompted more careful and skilful moderation of the debates that were going on through radio. In some cases, however, radio personalities were blamed for lacking the skills for moderating discussions during such heated political moments.

Ethical concerns have also been raised when politicians who, either as owners or friends of the owners have co-opted these radio stations to campaign for them and their political parties. This co-option, unfortunately, takes a tribal and regional twist and has sometimes resulted in a climate of hate. In the run-up to the 2007 election, it was quite characteristic of these radio stations to label politicians from other regions and ethnic groups in the country and their supporters as the "other(s)."

It is for this reason that local language stations were accused of perpetuating hate speech while inciting communities against each other. Ceaser Handa as quoted by Ismail and Deane (2008:323), observes that:

> After the elections, when the results had been disputed, we saw a very clear turn of events; we saw clear positions taken against particular ethnic communities … and some of these positions taken clearly presented the position that certain communities were against their communities - and many of these bordered on hate and incitement by local language stations.

The issues underlined in Handa's views reveal the very nature of the Kenyan society and the age-old rivalries between its different ethnic groups. Indeed, one would need to understand the ethnic question in Kenya in order to discern its influence over politics and the media. Spalding, Azavedo, and Holmes (1993:93) support this contention by stating that "in Africa, politics is often the politics of defence against encroachments by others." This was true for Kenya during the 2008 post-election period in view of the violent contestation that ensued between the different ethnic groups in the country.

Local language radio was thus co-opted into the politics of "defence against encroachment" by various politicians and political interest groups. In response to these events, the government imposed an official ban on live coverage together with other forms of state intimidation. The then Minister for Information and Communication, Samuel Poghisio, was for instance quoted in a BBC World Service Trust Report (2008:8) as saying that the government was forced to impose a one-month ban on live coverage by the media because it was feared that the media were likely to inflame passions. The Minister stated that:

> Then, emotions were high and lives were at stake and as someone rightly said, desperate times call for desperate measures. Materials that were broadcast before the ban was imposed, especially on a few vernacular FM stations, were actually incitement to murder and mayhem.

Subsequently, the introduction of the new broadcasting regulations is regarded as one attempt by the government to regulate the behaviour of local language radio in Kenya. The regulations set out minimum standards in relation to content which, for instance, include unconfirmed reporting, reportage of controversial issues, and reportage during polling period among others. The challenge, however, is whether the Communications Commission of Kenya (CCK) has the capacity to undertake the work of content regulation. According to Ojiambo (2010), the CCK lacks the infrastructure to manage the enormous frequency spectrum in the country.

4.3.4 Print Media

Before liberalization in the 1990s, the print media in Kenya remained unchallenged as the most vibrant media sector. The sector was dominated by the Nation and Standard media groups that are still operating the main publishing houses in Kenya. Other actors included the government with its *Kenya Times* newspaper and a few other independent publishers of weekly newspapers. After liberalization, however, the number of players has increased tremendously. For instance, there are eight dailies and many weeklies in circulation in the country. Several other publications (including religious, political, community, and quasi-pornographic magazines and periodicals) have also come to the scene. Despite this increase, however, Mbeke (2010: 14) argues that the Kenyan newspaper scene is still relatively small compared to the population. The sector is also

largely urban-based and therefore limited in terms of access for the 80 per cent of the population living in rural areas. Table 4.1 summarizes the major newspapers in Kenya.

Table 4. 1: Major newspapers in Kenya

Frequency	Publication
Daily	*Daily Nation*, *Taifa Leo*, *Business Daily*, *People Daily*
Weekly	*Saturday Nation*, *Sunday Nation*, *Saturday Standard*, *Sunday Standard*, *Taifa Jumapili*, *The East African, Saturday Star*, *Weekly Citizen*

It suffices to mention that soon after liberalisation many publications appeared on the streets including political magazines, religious publications, pornographic magazines, and journals. Although newsstands may appear cluttered with these publications, many of them do not survive the stiff competition in a liberalised market. Most of the publications are of poor quality and lack a clear financial or marketing model to sustain them. In recent times, many online publications have also come to the scene such as *the Reject,* published by the non-governmental organisation, the Media Diversity Centre.

4.3.5 New Media

The Internet and the mobile telephone are the dominant components of the new media sector in Kenya. These two media represent what Ali (2009:105) refers to as "the most visible and dramatic indicators of the globalising world media". The Internet, for instance, has transformed the way news and other media programmes are sourced, gathered, and transmitted to mass audiences in Kenya. However, diffusion of the Internet in Kenya has been slow.

The slow uptake of Internet is likely to change with the introduction of the high- speed undersea fibre-optic cable that is expected to increase the country's Internet capacity while at the same time lowering costs. The Ministry of Information and Communications is also exploiting the opportunity offered by fibre-optic technology to set up digital

villages in rural Kenya in order to speed up the uptake of Internet services across the country[48].

The projected increase in Internet capacity is expected to influence the country's media in new and interesting ways. Most importantly, it will mean that with increased Internet capacity readers, listeners, and viewers will be able to access media content with considerable ease. Readers and listeners will receive news through web versions of newspapers or radio casts irrespective of their location. By enabling communication across extended stretches of space and time, the Internet makes it possible for individuals to transcend the spatial and temporal boundaries characteristic of face-to–face communication. This globalising effect (of the Internet) approximates what Thompson (1995:31) describes as the reordering of space and time. Already, a number of local FM radio stations such as KASS FM, KISS FM, Capital FM, and East FM among others are accessible online and have been able to build a formidable audience base among Kenyans in the diaspora. This means that these radio stations are not only limited to a local audience, but can also be accessed globally.

The Internet has also helped to overcome the problem of state censorship. In the past, the government allocated limited frequencies that only covered Nairobi city and its environs to private players in the media industry. This action was mainly driven by the fear that independent news and analyses from private media would enlighten people on various sensitive national questions relating to governance, political participation, and efficiency in the use of public resources among other issues of national interest. Such a situation, inevitably, amounted to state interference leading to private players being denied access to the larger Kenyan population.

For example, Ali (2009:107) observes that although the Nation Media Group had the appropriate technology to transmit terrestrially to a larger audience across the country, government policy prevented the organisation from doing so. This restriction made it impossible for NMG to reach the millions of Kenyans living in the rural areas. However,

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[48] See BBC News online, 16th September 2009. Adam Blenford's New Africa Broadband Ready, http://news.bbc.co.uk/2/hi/technology/8257038.stm

even before acquiring the enhanced frequencies to broadcast nationally, the NMG was able to circumvent the government restrictions without breaking any of the rules and regulations imposed by the CCK. The NMG's radio, Nation FM, made its newscasts available on the Internet and therefore accessible to all with Internet connection.

Additionally, during the one-party-state dictatorship of former president Moi, the government would routinely crack down on the importation of foreign media content. Some of the prohibited content included pornography and any literature containing information that the government considered sensitive to state security. For example, for many years, the KBC could not air Ali Mazrui's award-winning documentary, *The Africans: A triple heritage,* due to government restrictions.

The age of the Internet has annulled such restrictions on the media and Mazrui's documentary can, indeed, be accessed through the Internet. Ali (2009:109), thus points out that the government has realised the futility of imposing such restrictions because interested readers and listeners will access such content through other means such as the Internet. However, as noted in an earlier section of this chapter, the change from the one-party state dictatorship to a multiparty political context has, to a large extent, also shifted government's philosophy to allow for a freer environment.

Despite all the possibilities created by the Internet, Mwita (2009:12) warns that the capacity of the new media for nurturing democracy is still limited mainly because Internet connections locally are still slow compared to the Western world. The Internet also relies on computers and electricity, which are beyond the reach of most ordinary citizens in Kenya due to the prohibitive costs involved. Moreover, the use of the computer requires some level of technical literacy that a majority of Kenyans, particularly in rural areas, do not posses.

With regard to the mobile phone, Mwita (2009:13) also notes that the challenges involve the capacity of such a medium to transmit sizeable chunks of information that can be used by ordinary people to make informed decisions. The cost implication of sending information using the mobile phone is another major hindrance. Nonetheless, the globalising potential of the Internet has completely transformed how information flows at

the local, national, and international levels. This new pattern has subsequently enabled the democratic participation of ordinary Kenyans in the global flow of information.

4.4 Convergence, Competition and Media Ownership in Kenya

Broadly speaking, the recent growth of the media in Kenya has, to a large extent, been affected by the adoption of new communication technologies. The new technologies have increased efficiency by lowering production and distribution costs for media institutions, expanded the range of delivery channels, and allowed consumers more flexibility in the retrieval, archiving and use of media content. Yet, despite these positive gains, convergence has also created potential for serious tensions that continue to have far-reaching implications for media policy in Kenya. The Communications (Amendment) Act, 2009, was the government's attempt to deal with these tensions; for instance on matters related to media content, ownership, and public interest.

Convergence has also shifted the patterns of media ownership in the country by creating a dynamic and competitive media environment that thrives on innovation and creativity; apart from shifting the boundaries of media economics. The increased drive for profit has, however, raised particular questions on the quality of programming that is being made available to the Kenyan public. Some of the critical challenges that have come to the fore are now discussed as follows:

4.4.1 Sameness of Media Products/Content

According to Makokha (2010), a former deputy managing editor of the *Standard* newspaper, increased competition has led to a situation where the different radio stations are copying each other all the time. In other words, there is sameness of media products everywhere. This view is shared by journalist and media consultant Omale (2010) who gives the example of the morning breakfast shows aired on most of the country's FM Radio stations. She observes that, "they sound the same."

For example, when KISS 100 FM employed "Nyambane*"* (a popular comedian) for their morning show and the station's ratings rose, the other radio stations did the same. Soon, Royal Media's Citizen FM had "Mwala*",* a comedian with the Kenya Broadcasting

162

Corporation. The NMG's Easy FM and most other radio stations followed suit by hiring comedian-type commentators for their morning shows. The trend continues even among new entrants to the sector. This practice raises questions that ought to be debated and interrogated more intensely. Van Cuillenberg (1999) uses "Hotelling's law of excessive sameness of products[49]" to describe this situation where producers of goods in a competitive market end up producing similar products. This practice, he argues, compromises diversity and also raises questions about the explanatory power of classical market models that privilege supply and demand as key determinants of the market.

4.4.2 Competition undermining fourth estate responsibilities

Competition and the drive for financial profits may also have other implications for the media. Kulundu (2010) considers the example of *the Daily Nation* newspaper, which he says "has become more of an advertisement billboard than a newspaper." He further argues that when the media turns into a business existing solely for profit as has been the case with most of the Kenyan media, then the watchdog responsibility suffers. Kulundu justifies this view by citing the veto power that advertisers seemingly hold over media content in an increasingly competitive Kenyan environment.[50]

To further illustrate this observation, Kulundu gives the example of several leading media institutions in Kenya that have tended to shy away from anti-tobacco campaigns for fear of losing advertising revenue from cigarette manufacturing firms such as British American Tobacco (BAT). The author questions, for instance, "why anti tobacco messages do not appear in the Kenyan media with the same frequency that HIV/AIDS campaigns [for example] have been taken up by the local media."

Reflecting on this argument, Omale (2010) argues that the profit motive driving media institutions in the country cannot be performed alongside other functions, such as nation

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[49] van Cuillenberg (1999:195) explains that in 1929, "the economist Harold Hotelling, mathematically showed that in competitive markets, for producers of goods, it is rational to make their goods as similar as possible. Competition drives producers towards conservatism and risk-avoiding behaviour. "

[50] It should however be noted that the Broadcasting Regulations (2010) have attempted to address this concern, by making it clear that broadcast operators in the country should not accept sponsorship of news broadcasts and that in cases where this is done, the broadcasters must retain ultimate editorial control of the sponsored programme.

building. Thus, in Omale's view, the current drive towards innovation and creativity in media presentation formats is driven more by the need to beat the competition (and therefore control a larger market share) than other altruistic, nationalistic, developmental, or even "fourth estate" concerns.

4.4.3 The Dilemma of the Public Broadcaster

Competition is also driven by audience demands, which explains why Kenyan media institutions have chosen to invest rather heavily in audience research. Omale (2010) succinctly drives this point home by saying, "if they cannot offer what the audience want, they will go."

She further explains that for this reason, the KBC has suffered low audience levels in recent years – particularly in competitive markets such as Nairobi where the emergent FM stations like Classic 105 continue to thrive (see, for instance, Synnovate 2009). So as to adapt to this de-regularised, digitised and converged media environment, KBC has been forced to look for survival strategies which, unfortunately, have alienated it from its core public broadcaster mandate. Indeed, as van Zoonen (2004:276) observes, such developments end up testing the viability, legitimacy and mission of public broadcasting.

Presently, as Opiyo (2010) intimates, KBC finds itself in the very tricky position of having to search for strategies to counter the audience appeal of commercial channels in Kenya, while remaining focused on public goals, particularly in relation to information and education. In other words, the corporation is faced with the difficult choice of moving towards popular public programming or adopting commercial-oriented programming strategies that would endear it to a larger audience. This situation contrasts rather heavily with the pre-1992 era when the KBC Act reigned supreme and protected the national broadcaster from any kind of competition.

4.4.4 Threatened Newspapers Adopting New Survival Strategies

Competition has also forced newspapers in the country to look for survival strategies. Kulundu (2010) is, therefore, of the view that Kenyan newspapers need a new lease of life to survive in this new environment. The *Kenya Times* is one example of a national

newspaper that has had to fold after failing to make enough money to meet its running costs. Reading from this trend, the Nation and the Standard media groups have had to re-launch their publications in a bid to make them more attractive to their audiences and to win back an audience that is increasingly looking elsewhere (to other channels such as the Internet) for information. Kulundu (2010) observes that as a result, *the Standard* and *Nation* newspapers have become more colourful so as to attract audiences.

Apart from changing the design of their publications, newspaper companies have also introduced new products to attract non-traditional audience groups such as children, the youth, and young professional women among other groups all in the name of expanding their audience base. Some of the new print products introduced by both *the Standard* and *Nation* media groups in recent years are given in Table 4.2

Table 4. 2: Changing Print Media Scene

Mother Publication	New Product	Audience profile
Sunday Standard	Eve Weekly	Professional Women
The Standard (Wednesday)	Eve- Girl	Young girls
The Standard on Saturday	Eve Bridal	Young women
Sunday Nation	Lifestyle	Young professional women
Sunday Nation	Buzz	The young people
Sunday Nation	Young Nation	Young children (lower primary school)
Sunday Standard	Pulse	Young people
Friday Nation	Zuqka	Young people
The Standard (Thursday)	Home and away	Young out going professional people - probably urban based

The above profile also reveals the emerging audience trends and how Kenyan media institutions are being forced to innovate so as to remain relevant in a changing social and economic context. In support of this view, Makokha (2010), and indeed a majority of the respondents for this study, observes that a few years ago Kenyan newspapers mostly concentrated on news and commentary but the demands of an increasingly competitive environment have forced editors to change strategy. Today, most ordinary Kenyans are able to access breaking news through their mobile phones and other alternative communication platforms long before the newspapers can print it (on the following day).

4.5 Media Ownership and Control in Kenya

Media ownership and control has considerable influence over media performance in any society. In Kenya, media ownership is to a large extent influenced by governmental,

commercial, and political forces. The liberalised environment has not only resulted in an increase in the number of private players, but also introduced new challenges for the media. One such challenge is corporatisation[51]; a phenomenon which (at the global and local level) has manifested in terms of increased concentration of mass media ownership within and across national borders.

Ali (2009:175) argues that the move towards corporatisation of the media in the country is a perfect illustration of the effects of globalisation on the country's media. Increasingly, media owners realise that the larger their companies, the better positioned they are to claim a sizeable stake in a context that is defined by cut-throat competition. As a result, smaller establishments find it difficult to survive and easily get absorbed by the big players. A case in point is the acquisition by the Standard Group of a once popular African music radio station, *Simba FM*. Similarly, *Metro Television*, formerly owned by the Kenya Broadcasting Corporation was acquired by Radio Africa. The leading corporate media chains in Kenya are described in the next section:

The Nation Media Group

In the newspaper category, the Nation Media Group owns *Taifa Leo*, *Daily Nation*, *and Sunday Nation* which are mainly read within the country. The NMG also publishes *The East African* for readers across East Africa. In broadcasting, the NMG owns *NTV,* a TV station, *and the* radio stations *Easy FM* and *Q FM*. As noted elsewhere, the company is also active in Uganda and Tanzania. Given the company's dominance in Kenya and the East African region, it can be argued that NMG has a monopoly on information flow. As argued by Iraki (2010:148), this implies that most Kenyans only hear the opinion or voice of one media owner, the NMG.

Royal Media Services

The company is regarded as the second largest after the Nation Media Group. Royal Media Services owns Citizen Radio and Citizen Television. The company has also

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[51] The term 'corporatisation' is used here to refer to the tendency by large media companies to own a chain of media outlets under one brand name, or even roof. This is regarded as an aspect of globalisation because it has largely been facilitated by a world-wide trend toward deregulation and privatisation of the mass media.

invested heavily in local language radio stations including Mulembe FM (luhya), Radio Ramogi (Luo*),* and Inooro (Kikuyu) among others.

Radio Africa

Radio Africa, the third largest media institution in Kenya, owns Classic FM, KISS FM, Radio Jambo*, the Star* newspaper, KISS TV ,and Classic TV.

Kenya Broadcasting Corporation (KBC)

The Kenya Broadcasting Corporation is a state entity and operates *KBC radio* (Swahili service), KBC (General/English Service), Metro FM, and KBC Channel 1 TV station. In addition, the KBC operates a Somali Service on AM frequency and Coro FM radio in the Kikuyu language. Traditionally, KBC has always supported the government of the day. However after liberalisation, the corporation had to adjust so as to remain relevant in a competitive environment. The adjustments have made it impossible for the station to deliver on its mandate as a public broadcaster.

The Standard Media Group

The family of the retired President Daniel Arap Moi boasts of a majority shareholding in the Standard Media Group. The Standard Group operates Radio Maisha, the daily standard, Sunday Standard and KTN television station.

4.5.1 Effects of Corporate Media Ownership on Media Policy in Kenya

Although, corporatisation has increased efficiency in the production of media content, it has also brought forth several challenges that bear implications for policy in the country. For instance, corporate ownership of the media has had several negative effects on the development of journalism in Kenya. According to Ali (2009:193), one such negative effect is corporate censorship where big companies almost always interfere with the editorial agenda (for the sake of profit), hence compromising the independence of the media and their ability to report accurately and truthfully.

For instance, there have been occasions when journalists were prevailed upon by top management to drop certain stories that touch on the interests of certain important advertisers, or political figures. Journalists who were adamant in their refusal were dismissed from their positions. For example, David Makali, a former senior editor with *the Standard,* was sacked for insisting that his paper's reporting should be objective even if this meant writing negative stories about the newspaper company's shareholders (Ali, 2009).

Mbeke et al (2010:36) agree with this view, and further point out that most media owners in Kenya are always cautious not to sour relations with advertisers and sponsors of media products and services in order to secure or retain advertising contracts. In this regard, commercial interests are placed before media independence. The availability of several advertising platforms, including the Internet, further complicates matters as it provides advertisers with cheaper options compared to mainstream media. Media managers are thus reduced to serving the advertisers' interests without question.

Pressure also comes from shareholders and other strategic business partners. The listing of some of the leading media companies on the Nairobi Stock Exchange (NSE) obviously puts a lot of pressure on the media managers who have to ensure that their enterprises remain profitable. Both the Standard and Nation Media Groups are listed on the NSE.

Most of the large companies also stand accused of interfering with content while trying to ensure that their actions guarantee better returns for the company. According to Ojiambo (2010) - a former senior editor with the Nation Media Group and current board member to the Broadcast Content Advisory Board, "this happens because in most cases, media managers know that they will not be rewarded for ensuring fairness, accuracy and truthfulness, but for bringing profits." Issues such as libel are, however, cautiously managed since they may result in losses for the company.

Management, therefore, privileges content that brings numbers to the station over general informative programmes that might probably excite only small specialised audience groups such as doctors, engineers, and other professional categories. Morning and evening radio talk shows have, thus, become increasingly popular with media owners who pay huge salaries to the disc jockeys and comedians that can hold peoples' attention with their antics. Ultimately, interference by media owners does compromise public interest, freedom of the press, and ethical standards in addition to reducing the potential of the media to play its numerous social responsibilities.

To address the several challenges generally posed by corporate ownership, the Kenyan government has (as mentioned in chapter one) always looked up to regulation as a panacea (Mutua, 2010)[52]. However, as noted earlier, the relevant institutions such as the CCK and MCK may not be adequately equipped to carry out this responsibility.

There are also glaring weaknesses in the existing legal framework. For instance, according to Maina (2010)[53], the Communications (Amendment) Act, 2009, does not adequately anticipate the future. Maina (2010) therefore asks:

> Does anyone know how many radio stations the country is likely to have in the next five years? Or for that matter, is anyone aware of the number of radio stations that are needed or the communication needs of Kenyans in the future?

Underscored in this argument is the whole question of access and the way it relates to the notion of diversity. For Kenyans to effectively and actively participate in a changed communications environment, the question of access must not only be addressed from an infrastructural point of view (as has dominantly been the case in the past), but should also be considered from that of diversity. Corporatisation of the country's media, as has been pointed out by Iraki (2010), is one force that is making this difficult (see also the discussion on competition and sameness of media products).

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[52] Ezekiel Mutua was at the time of this study serving as the director of information and communications with the Kenya government. The researcher sought and got the respondents permission to quote him directly in the context of this study.

[53] Henry Maina was at the time of this study the director of Article 19- East African office. These were his personal views and not those of the organisation he represents.

The next section therefore summarises attempts at media regulation in the country, since the mid-1990s to the present. This endeavour provides the opportunity to discern the state of the Kenyan media from a legal point of view, government's efforts to reorient media in a changing social and economic context, and the attendant implications for the media and its place within the Kenyan society.

4.6 Media Regulation in Kenya

The history of media regulation goes back to the period between early to mid- 1990s when the government made the first attempt at reforming the legal framework (Mute 2000:147). However, as argued by Moggi and Tessier (2001:7), this move was mainly motivated by two factors. First, there was the government's desire to show Kenya's new pluralist and democratic credentials, despite Moi's continued hold onto power after 1992. In such a context, freedom of expression was seen as an important consideration for backing this rhetoric on democracy.

Second, as an unwilling participant in the democratisation project, the government was fully aware of the internal as well as the external pressures that could be brought to bear on it. Media reforms were thus a useful public relations gimmick to save face, while also reassuring critics, both locally and internationally, of the government's commitment.

Moggi and Tessier (2001: 4) further observe that motivated by such considerations, the government appointed a task force on press laws in 1993 under the chairmanship of Hilary Ng'weno. This task force was mandated to address the following issues: information access and dissemination; ethical and professional standards for journalists and their enforcement; self-regulation of the media by defining a media council or similar body, its composition, functions and procedures; and media ownership, licensing and development.

Yet, despite this effort, little or no visible reform in the legal system was seen during the period 1993-1999 (Mute 2000). The only tangible exception was the passing of the Communications Act in 1998, which paved way for the creation of the CCK. According to Opiyo (2010), this was the first real attempt to regulate the media in Kenya. At about the same time, there were several amendments to the KBC Act, but these were not

implemented[54]. Despite these setbacks, however, Mute (2000) contends that the situation on the ground continued to slowly change for the better as the 1990s progressed.

Broadly speaking though, the independence Constitution (which has now been replaced by a new one, ratified after the August 2010 National Referendum) did not have express provisions on press freedom or freedom of the media, as is the case with the new constitution. Section 79 of the old constitution generally made reference to freedom of expression under which freedom of the press was subsumed.

Several retrogressive laws in the independence constitution remained in place (during the post Moi era) despite various efforts to reform the legal process. Some of these laws include the defamation law, which provided for criminal libel proceedings that could lead to imprisonment. The Official Secrets Act prohibited the media from telling the public the truth, particularly in matters that were regarded as state secrets. This requirement was a drawback to freedom of expression as it hindered journalists from accessing information and discouraged public officials from providing sensitive information to the media.

However, the new constitution has, to a good extent, redressed this situation by providing for freedom of expression, freedom of the media and access to information[55]. Nevertheless, even before the new constitution came into force in 2010 several pieces of legislation on the media had come into effect under the Kibaki regime from 2002.

These laws include the Media Act, 2007, which provided for the formation of the Media Council of Kenya as a statutory body and the Kenya Communications (Amendment) Act, 2008. According to Kamweru, a former Executive Director of the Media Council of Kenya (2010) these laws have to be revised so that they are consistent with the

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[54] Moi's government was still keen to use KBC as a propaganda tool that would contribute to its continued hold on power despite the democratic changes that were taking place. The New Constitution ratified after the August 2010 referendum, however, takes care of this drawback under article 51 (4) where all state media are required to be free and impartial and afford fair opportunity for the presentation of divergent views and dissenting opinions.
[55] See the following articles of the new constitution of Kenya: Article 50 on freedom of expression, Article 51 on freedom of the media, Article 52 on access to information.

provisions on press freedom and freedom of the media as stipulated in the new constitution[56].

It is important to point out that the development of these laws was motivated by several factors, and events, in the country. The Media Act, 2007, for instance, came into force after two dramatic events in the period between 2005 and early 2006. The first of these events was the storming of the *Nation* newspapers newsroom in Nairobi by Kenya's First Lady, Lucy Kibaki, on the night of 3 May 2005 to protest against what she termed unfair coverage of her family by *the Nation* newspaper.

During this incident, the First Lady is reported to have slapped a reporter and confiscated mobile phones from other reporters in the newsroom. Later, she lodged a complaint with the Media Council of Kenya (not statutory at the time). The other defining event for media legislation was the attack on the Standard Group's offices on the night of 2 March 2006, and the subsequent burning of copies of the next day's *Standard* paper by a hooded terror gang suspected to have been under instruction from government. Commenting on the attack, the then Minister for Internal Security, John Michuki, remarked wryly that the media company had "rattled a snake" (meaning the government or powerful interests close to government) and therefore deserved what befell it. Interestingly, the reasons behind the attack have remained classified despite the large amount of debate that the incident generated across the country.

Nevertheless, for many, these events raised questions about the place of the Media Council in arbitrating media disputes and generally ensuring a certain level of ethical conduct among media practitioners (see, for instance, Mutere 2010). In other words, if the MCK had been credible enough (as was assumed), both the First Lady and the Minister for Internal Security would have sought recourse through this body instead of taking the actions that they did. Secondly, these events and the ensuing debate also focused attention to the absence of a structured media policy with the capacity to offer clear direction on the place of the media in the Kenyan society.

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[56] The process of revising these laws is underway. See detailed discussion of the same in chapter six.

Ultimately, this kind of thinking provided impetus for formation of the Media Council of Kenya after enactment of the Media Act, 2007.[57] The biggest point of contention over the media council, however, is the perceived major role of the government in constituting the council and providing funding; a reality that could most likely comprise independence of the council.

In response to accusations that the process leading to the crafting of the Media Act, 2007 was not inclusive enough (see, for instance, Mutere 2010), Kamweru, indicates that the law was crafted in a hurry partly because there was a general fear in government, particularly regarding the impending 2007 election, apart from the fact that some politicians who were centrally involved in legislating it had a vendetta against the media. The other landmark pieces of legislation are the Communications (Amendment) Act 2009, which has already been referred to in previous sections the Broadcasting Regulations published in early 2010.

These laws have generated quite a bit of debate in the country. They have been criticised for introducing requirements that infringe on the independence of the media, particularly the broadcasting sector (see, for instance, the Editors Guild analysis and critique of the Kenya Communications Amendment Act, 2009). According to Mutere (2010), the Broadcasting Regulations, 2010 and the Communications (Amendment) Act, 2009 are a clear testimony of an authoritarian statutory landscape.

To understand Mutere's contention, one has to look back at the motivations for introducing the two pieces of legislation. After the events that followed the disputed 2007 general election, the government's image was completely tattered. These events were partly blamed on a free media that had reported without a sense of national duty. The introduction of these two laws has thus been seen as part of government's larger plan to rein in or control broadcast media and to take the leading role in managing questions pertaining to protection of the public interest as it relates to the media.

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[57] The Media Act, 2007 requires the council to mediate in disputes between the government and the media, public and the media and the media and intramedia; promote and protect freedom and independence of the media; promote professional and ethical standards; and ensure protection of the rights of journalists among other responsibilities.

The other motivation for enacting the law was to rein in local language radio stations, which had been accused of fanning ethnic violence. Towards the end of 2008, Bitange Ndemo, the permanent secretary in the Ministry of Information and Communication had told the Commission Investigating the Post Election Violence (CIPEV)[58] that various FM radio stations had participated in fanning violence and inflaming ethnic passions in the country through their various programmes.

Consequently, these laws make stringent stipulations on licensing (which many see as a measure to allow the government to retain oversight powers and control over the sector). Some of the provisions on licensing, for instance, include the requirement under Part Two section 4 (d) to provide a programme line-up or schedule for the broadcasting services for which the licence is sought (GoK 2009).

The document, under section six, further states that the government shall, through the Communications Commission of Kenya (CCK), shall:

-Ensure broadcasting services are delivered, using the most efficient and effective broadcasting services, to reflect the national identity, needs and aspirations of Kenyans

-Develop a frequency plan which sets out how the frequencies available for broadcasting services in Kenya will be shared equitably and in the public interest among various tiers of public broadcasting

-Ensure that every applicant secures relevant permission or entered into agreements or arrangements necessary for the operation of the broadcasting service

Through these laws, government is seen to take the lead role in defining public interest, while at the same time promoting itself as a defender of the same. In other words, there is a move to promote state-based interpretations of "the good media" and, by extension, press freedom and public and national interest. Alternative understandings or perspectives are conveniently ignored. Interestingly, Opiyo (2010) argues that the

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[58] This Commission was set up to investigate the causes and nature of the violence which followed the disputed December 2007 general election in Kenya. The Commission was headed by a Kenyan judge, Justice Philip Waki. In its report, the Commission makes several observations and recommendations on the role of the media during elections in the country.

Kenyan media should not complain about these provisions, since they failed to make use of the opportunity to participate in the formulation of these laws in the past.

Opiyo (2010) further contends that instead of focusing on matters of regulation, the media is preoccupied with the dramatic; such as First Lady Lucy Kibaki's attack on the Nation Media Group. The Media Owners Association has, according to Mutua (2010) the media has been an adamant partner and has always refused to acknowledge that policy making is the forte of the government. They seem to be preoccupied with ownership interests without looking at the place of media in a changed society.

4.6.1 Regulation and Content

The debate on regulation inevitably brings us back to the Kenya Communications (Amendment) Act, 2009 whose provisions on media content have perhaps raised the greatest amount of heat in recent times. Part four of the broadcasting regulations, 2009, spells out a raft of measures on the question of content. It is in this section that concerns about hate speech (again resulting from the 2008 post- election violence period) are addressed in the most draconian manner. The minimum standards for content, as stated in section 19, are listed as follows:

A licensee shall ensure that no broadcasts by its station-

- Contains the use of offensive language, including profanity and blasphemy

- Presents sexual matters in an explicit and offensive manner

- Glorifies violence or depicts violence in an offensive manner

- Is likely to incite, perpetuate hatred, vilify any person or section of the community on account of their race, ethnicity, nationality, gender, sexual preference, age, disability, religion or culture of that person, or section of the community

- has no program rating from Kenya Film Censorship Board indicated prior to the commencement of such programs

Makokha (2010) notes that while these provisions are useful in ensuring that media institutions are not used as tools for promoting hate and other negative sectarian

interests, they create the potential for state censorship and curtail editorial freedom; this situation may lead to self-censorship.

According to Makokha (2010), the new constitution opens up a new space for contestation particularly between the media and government regulatory structures. While the media will, for instance, want to seek recourse in the new constitution, particularly on questions relating to content and other matters, the regulatory bodies will the invoke the broadcasting regulations (which are not part of the constitution). The new constitution may also provide some ammunition to regulatory authorities. This is, for instance, evidenced in Article 51 (3) which stipulates that:

> Broadcasting and other electronic media have freedom of establishment, subject only to licensing procedures that are designed to ensure that necessary regulation of the airwaves and other forms of signal distribution.

Generally, though, the provisions on the media in the new constitution provide firm bedrock upon which to construct a sustainable national media policy framework that anticipates the future. Additionally, these provisions diminish what Mutere (2010) has described as a totalitarian statutory landscape. Nevertheless, in building a future-oriented media policy for the Kenyan society, several challenges (from the discussions in the foregoing sections) will need to be addressed. These challenges are summarised in the next section.

4.7 Isolating the Problems of the Kenyan Media System

The central question that has guided this enquiry so far, and to which alternative thoughts are being sought, relates to the role of the media in a changing Kenyan context. Yet, to answer this question, one should, as Kamweru (2010) does observe, carefully consider the emerging relationship between state, public interest, and the commercialised media environment in the country.

An analysis of this relationship exposes the problems, as well as the opportunities, that characterise the Kenyan media scene today. This section outlines some of the core questions that are motivated by this relationship and to which alternative thinking is required in order to clearly define the role of the media in Kenya today.

Although, most of these problems have been discussed in the foregoing analysis of the Kenyan media scene, they can be summarised as follows:

a) Technological, economic and political changes in Kenya and their effect on the role of the media

b) Media ownership and its effect on the role of the media in Kenya

c) Media accountability in a changing Kenyan media environment

d) The role of government in future media policy making

e) The role of the media in a changed Kenyan context

f) Media policy for the future

4.8 Conclusion

This chapter sought to present a description of the Kenyan media scene by presenting a brief historical mapping from the early colonial years up to 1992. The chapter examined the changes on the Kenyan media scene after 1992; the year that ushered in liberalisation of the country's politics, economy, and the media. Several issues related to ownership, regulation, technological developments, and control of the Kenyan media sector have also been discussed. From this analysis, several core questions related to the Kenyan media scene were isolated.

These questions have been taken forward to form the basis of our analysis in chapter six, which presents a detailed discussion of research findings and whose goal is to provide some possible broad proposals to the outlined problems or challenges that bedevil the Kenyan media sector, particularly in relation to the role of the media.

CHAPTER FIVE

EXPLAINING THE RESEARCH PROCESS

5.0 Introduction

As stated in chapter one, this study's primary concern is with normative media theory and the issues and questions that this may raise for Kenyan media policy making processes. This goal has been pursued through a thorough theoretical discussion of issues and themes related to the media policy discourse in Kenya and the global arena.

Several qualitative research techniques have thus been employed to generate required information on the subject matter of normative media theory and attendant media policy practice issues in the Kenyan context. Therefore the purpose of this present chapter is to expound (see also section 1.6) on the qualitative research approach and attendant research techniques applied to this study.

5.1 The Qualitative research approach

According to Dooley (2001: 249), the term "qualitative research" refers to social research based on field observations that are analyzed without statistics. The qualitative research method could also be thought of as an array of interpretative techniques that seek to describe, decode, translate, and come to terms with the meaning of certain naturally-occurring phenomena in the social world without reliance on their frequency of occurrence.

O'Leary (2004:104) further observes that qualitative researchers wishing to understand populations are not looking for mere representativeness. Rather, their goal is often to attain the understanding that may come from the few, not the many. Put in other words, qualitative research techniques enable a contextualized understanding of the state of things. Applicability therefore comes from lessons learnt, which are also generalisable to broader populations. This is the reason why such studies are not dependent on the numbers of representatives or the sample size, but more on the researcher's ability to argue the relativeness of any sample to a broader population.

This, indeed, is one of the distinguishing characteristics of the qualitative research approach. According to Wimmer & Dominick (2006:114), interpretive or qualitative research strives for depth, as opposed to positivist approaches that consider breadth. Significantly, depth does provide the opportunity to raise as many questions as possible about a particular phenomenon and the answers to these questions ultimately provide for greater understanding of the issue under investigation.

Communication itself is a complex social issue that is often investigated by authorities and individuals interested in its various aspects. Frey, Anderson and Friedman (1998:246) have therefore argued that qualitative research methods constitute a significant and compelling approach that is of growing interest to communication scholars. Indeed, studies employing a variety of qualitative techniques – such as participant observation, in-depth interviewing, textual analysis, and historical methods – appear quite regularly in communication journals.

Instruction in research methods has long been a vital component of journalism and mass communication graduate education. In her analysis of the characteristics of introductory research methods courses for mass communication doctoral programs in the United States of America, Lu (2007:289) notes that qualitative research methods focusing on philosophical and historical theories are not only offered, but are often required for many doctoral programs. Lu's findings are not only critical in stressing the relevance of qualitative methods for communication research, but are also an affirmation that such techniques offer valuable tools for investigating, analyzing, and exploring causal relationships among naturally occurring phenomena.

As such, qualitative research appears to offer several advantages that would make it a suitable model for this study (O'Leary 2004). Some of these include the following:

   a) The use of relatively unstructured interviewing methods gives the researcher a greater level of flexibility in picking up as much information as possible from the interviewee

b) The use of open-ended questions offers a wider scope to the interview process while providing the interviewee with latitude for introducing different perspectives of a particular issue

c) Compared to quantitative research, the lesser requirements for structure and control obviously reduces the amount of strain on the researcher,

d) Ultimately, the qualitative researcher's data provide more detail and less distortion compared to data yielded by other approaches

e) Qualitative research also offers the only viable alternative in instances where the hypotheses are not easily translatable into quantitative terms

f) Qualitative research has the advantage of triangulation, which enables a comparison of different findings on the same subject or phenomenon. Additionally, the triangulation approach increases the quality of results given that it allows for use of more than one qualitative method. It adds breath, rigor and depth to any investigation. Begley (1996) therefore surmises that triangulation increases the validity of data obtained and, if clearly documented, increases the credibility of the findings

From the foregoing, we note that the nature of the central research question, (as already stated in chapter one) lends itself to qualitative research approaches, primarily because it does not demand, or even anticipate, clear - cut empirical answers. Instead, it favors in-depth and nuanced analyses of current debates on normative media theory globally.

Secondly, given its exploratory nature, the goals of this study are better served by qualitative techniques such as in-depth interviews and literature review. Stebbins (2001:6), for instance argues that exploration is adopted when researchers have little or no scientific knowledge about the group, process, activity, or situation that they want to examine but nevertheless believe that it contains elements worth discovering. As such, the rethinking that is urged by this study should be seen in the light of an exploratory endeavor through which alternative understandings on the role of the media in a changing Kenyan society may be generated. It is also worth noting that exploration, as a

research undertaking, has the advantage of two critical processes: flexibility in looking for data and open-mindedness about where to find such data (Stebbins 2001:6).

Thus, other than literature review which has been discussed in chapter one, the following qualitative data generation techniques have been used, in varying degrees to answer the central questions posed by this study.

5.1.1 Interviews with key role players in the Kenyan media landscape

Qualitative interviews are important in eliciting the interviewee's point of view because they provide a useful means of gathering data on things and processes that cannot be effectively observed using other means. Moreover, they can be used to verify, validate, or comment on information obtained from other sources hence achieving efficiency in data collection.

As noted by Chibita (2006:7), the interview technique has become so important that it is almost always used in every qualitative research. It is a reliable technique for capturing authentic data and offers a good opportunity for eliciting different people's perspectives on any given issue in different settings. The key informants for this study include the following: managing editors of media institutions in Kenya; communication policy experts from the relevant government of Kenya ministry and its related institutions such as the Communications Commission of Kenya (CCK), various commentators on media issues in Kenya including representatives of civil society groups such as the Kenya Human Rights Commission; individual journalists, media owners, media and communication academics, media regulatory bodies such as the Media Council of Kenya.

5.1.1.1 Selecting key role players in the Kenyan media landscape

The above list of possible interviewees suggests individuals who are closely involved with the Kenyan media landscape in various roles such as media and communication policy makers, owners of media institutions, managers of media institutions, practitioners in the media sector and media regulators. This choice is deliberate and it for this reason that the descriptive term "key role players" is used to refer to these

individuals (see appendix 2) whose insights on the Kenyan media landscape were considered critical for this study. Each individual was picked mostly due to their intimate and or expert knowledge of the Kenyan media landscape and attendant policy discourse. It is for this reason that common citizens of Kenya (who no doubt have their own rich personal views on the media landscape) were not considered appropriate respondents hence their exclusion.

In summary, the specific qualities considered in the selection of respondents for this study include the following:

a) The need for respondents to be individuals who possess some knowledge about the topic being studied; which, in this regard, is the role of the media in Kenya today and the attendant policy issues.

b) The willingness of respondents to share the information they have in relation to the topic under study.

c) The need for respondents to be actively involved in the Kenyan media scene: as media managers; policy-makers in the area of media and communications; journalism practitioners; academicians and researchers in the area of journalism and media study and practice in Kenya; individuals with long experience as media practitioners; and managers and owners of media institutions in Kenya.

d) The willingness of respondents to give their time to the study.

e) The need to ensure that a large enough sample was interviewed so as to be reasonably confident that the results of the process and conclusions are generalisable, credible, and valid.

Despite the strict adherence to the above criterion, the following challenges were anticipated in the selection of respondents.

a) The possibility that some individuals would be unwilling to share the information they may have on the subject.

b) The difficulty of finding knowledgeable respondents.

c) Time limitations, particularly while interviewing senior media managers and government officials.

Generally, the recruitment of respondents did not follow one particular method but a combination of many trails (Rapley 2008:17). For instance, the researcher relied on personal contacts, on friends to suggest useful sources, and on the contacts provided by other interviewees. All in all, the most important consideration during the recruitment of interviewees was the need to ensure that the range of views generated would be sufficient to respond to the requirements of the study.

5.1.2 Review of Documents

The review of documents is a process that involves the collection, review, interrogation, and analysis of various forms of texts as a primary source of research data. O'Leary (2004:177) points out that the analysis of documentary sources is a key data generation method used in social research.

In many cases, this process involves the gathering and analysis of documents produced in the course of every day events. In some cases, these documents in themselves are considered as data. The researcher's role basically involves the gathering, reviewing, and interrogation of relevant documents. However, even though this technique gives the researcher access to a wide range of documents containing diverse information on the subject of interest, it carries within itself the potential for bias. The foremost source of bias is generally inherent in the authors' own convictions and for this reason O'Leary (2006:178) cautions against the danger of treating the printed word as truth.

The second source of bias may arise from the researcher. As is the case with any method, one's reading and interpretation of documents is likely to be colored by his/her own world views and realities. However, the review of documents remains a valuable and widely used qualitative data technique despite its weaknesses.

This study makes reference to several recently-published documents on the media in Kenya to illustrate the course of debate on the roles of the media in society. Some of these documents include the BBC World Service Trust Report on the role of the media in the 2007 general elections in Kenya and its aftermath (BBC World Service Trust: 2007); *The new Constitution of Kenya 2010*; the Kenya Communications (Amendment) Act 2009; the Kenya General Election Observers Report by the Commonwealth

Observer Team (the Commonwealth Secretariat: 2007); the draft report on deliberations for a national broadcast policy (GoK 2001); The African Media Development Initiative report on the Media in Kenya (BBC World Service Trust 2006); the Kenya National Human Rights Commission Report on the Post- Election Violence; the Waki Commission Report, and the Media Council of Kenya Act 2007 (GoK 2007).

5.2 Interview Guide

To investigate the role of the media in a changing Kenyan social and economic context, a list of questions (that would act as the interview guide) was prepared. Indeed, Rapley (2008:17) advises that after interviewees have been identified and interviews arranged, the next logical step for the researcher is to consider the issues for discussion with the interviewee(s).

According to Kombo and Tromp (2006:92), this process begins with the researcher asking the question, "What do I want to get out of these interviews?" In this particular study, the problematic issues identified (in the previous chapters) were combined with the researcher's own thoughts and hunches about the areas that would probably give adequate guidance for developing an exhaustive list of questions. This list included the following question items:

a) How has the Kenyan media been affected by globalisation, and more specifically, changes in technology (such as convergence and digitisation)?

b) How has the Kenyan media been affected by the social, cultural, and economic changes taking place within the Kenyan society?

c) In what ways has the shift towards deregulation/liberalisation of the media affected the relationship of the media with the Kenyan society?

d) Briefly talk about the emerging relationship between the state, public interest and the commercialised media environment in Kenya in view of the changes noted in questions 1-3? How can this relationship be characterised?

e) In what ways have the changes in 1-3 affected (a) access to the media, (b) concerns about diversity and difference, and (c) media accountability?

f) Beyond the education, informational and surveillance roles traditionally associated with the media, what other roles is the media in Kenya performing? What roles should it perform, given the peculiarities of the Kenyan society and the changes noted in 1-3?

g) What effect, if any, does competition have on media performance and quality in Kenya today?

h) What is your view on the assertion that competition (among the various media institutions) has undermined the media's fourth estate responsibilities to the Kenyan society?

i) Which other contextual issues (within the Kenyan society) might have an impact on the determination of roles for the media today and into the future?

j) What role has the government traditionally played in determining the place of the media in the Kenyan society?

k) What role should the government play in determining the place of the media in the Kenyan society today and into the future?

l) What lessons/useful ideas, if any, can we draw from African moral philosophy in regard to the place of the media in the Kenyan society today? What about the future?

m) In your view, what issues should future media policy initiatives in Kenya address?

Although this list was used as the standard guide for all interviews, it is still important to acknowledge the practicalities of interviewing. The experience is that in some cases, questions will mutate in the course of the interview depending largely on the answers given by particular respondents and the need to follow up on such responses (Rapley 2007:18).

In some cases, the same question was stated or phrased in a different way depending on the interviewee and the circumstances under which the interview was being conducted. This variation had, indeed, been anticipated in the course of this study, but nonetheless the researcher made an effort to stay focused on the goals of the study.

5.3 Conclusion

This chapter has discussed the research techniques adopted for this study. The chapter particularly elaborates on the qualitative research approach, the attendant research methods, and the rationale for choosing this approach. The chapter affirms that given the nature of the central research question, which sought possible explanations and characterization of the media-society relationship in a changing socio-economic context in Kenya, there was need to apply a research approach that would allow for flexibility and open-mindedness.

Consequently, the study uses qualitative research methods such as literature review, key informant interviews, and document review since they provide scope for gathering wide-ranging and in-depth data. In this study, these methods allowed the researcher the necessary latitude to explore a wide range of perspectives on the role of the Kenyan media today on the basis of which he could formulate guidelines for future Kenya media policy making.

CHAPTER SIX

INTEGRATING THEORY AND PRACTICE

6.0 Introduction

The present chapter attempts to investigate the influence of normative media theory in shaping and guiding general debate on the role of the media in Kenya, as well as the attendant policy making processes. In other words, the chapter attempts to provide a normative basis for understanding various issues that are currently dominating debate on the media's place and role in contemporary Kenyan society. To achieve this goal, the chapter is presented in two sections. The first distills the key theoretical arguments that were made in the previous chapters regarding the role of media in society and how this role is constantly affected by social, economic and technological transformations in society.

This section also pays particular attention to the consequences that such transformations have had on key normative issues, such as press freedom, media accountability, public interest and access to media, among others. The theoretical discussion in the previous chapters of this study also provides a basis for understanding the views and opinions of key role players in the Kenyan media landscape (presented in the next section). The section also draws an outline of the country's present media landscape, which has been described in greater detail in chapter four.

The second part of the chapter summarizes the opinions of key role players in the Kenyan media landscape, with regard to their perceptions (and experiences) on what roles Kenyan media should perform, particularly in the current context of social, economic and technological transformation of the Kenyan society. This section endeavors to demonstrate how these opinions complement and/or inform the study's theoretical stance, as discussed in earlier chapters. This exercise consequently

provides the basis for suggesting a way forward regarding the role of normative media theory in policy making in Kenya as presented in chapter seven.

6.1 Looking Back at the Kenyan Media Landscape

This study started by noting that the last two decades have been a period of great expansion for the Kenyan media landscape. This was the result of a liberalized economic and social sphere. Chapter 4 undertakes to illustrate this by showing an expansion in the number and scope of media institutions in the country, over the last two decades (see also appendix 3). This growth is exemplified by the Nation Media Group, currently the largest media group in East and Central Africa, with branches in four of the five countries that form the East African Community (EAC).

Such expansion is indeed remarkable for a country that only had two private media institutions in operation at the advent of independence in 1963. These were the East African Standard and the Nation Media Group. The third was the state-owned Voice of Kenya (VOK) which later became the Kenya Broadcasting Corporation. However, four decades later, the situation has changed considerably. Several privately owned media companies, mostly established in the post-1992 period[59] (see detailed discussion in

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[59] The period after 1992 saw the Kenyan government introduce new policies that made it possible for private players to invest in the various sectors of the country's economy. Mbeke (2011:73) traces the origins of this term by noting that the word liberalization comes from liberalism – a political philosophy that extolled the virtues of laissez faire capitalism and condemned all forms of government intervention. He further notes that in Kenya however, politicians opposed to the whole idea of change during the early part of the 1990s, viewed liberalization as inconsistent with the government agenda and thus framed this process as a neo colonial strategy aimed at undermining the country's sovereignty. Mbeke further asserts that liberalization of the mass media in Kenya was neither homegrown nor motivated by genuine desire by government to improve press freedom. Nonetheless, despite such resistance, private players in the media sector came in after liberalization of the airwaves thus allowing for a more plural media landscape as opposed to state domination as had been the case since independence. He divides the liberalization of the Kenyan media into stages or phases as follows: the first stage is the period between1987-1990. This particular period was marked by deregulation of public broadcasting services and limited foreign investment in the media sector. It is for instance during this period that Robert Maxwell - a British investor bought shares in the Kenya Times Media Trust the publisher of the then government owned *Kenya Times.* In 1989, Maxwell invested in the Kenya Television Network (KTN). This happened after the repeal of Section 2(A) of the Constitution of Kenya in 1991. This led to the introduction of multiparty politics in the country. Mbeke (2010:78) however observes that this period was characterized by a weak political and economic regime under President Moi. The third phase came at the close of the Moi regime in 2002 and continued into the NARC government between2003-2007. The NARC government impacted media development because it had come to power on the promise of change and reform of economic and political institutions. The fourth wave is being experienced under the present coalition government. A key character of this phase is the freedom enjoyed by the media under the new constitution. Thus the current

189

4.2.1), are robustly active. Examples of the new media conglomerates that were created in this period include the Royal Media Services, Radio Africa Media Group, Capital, Media Max and other regional companies that are operating television and radio stations across the country (see also appendix 3).

A key benefit of this transformation has been an increase in the variety of media on offer to Kenyan consumers, coming with the luxury of choice based on personal preference. Ali (2009:76), for instance, makes reference to the proliferation of newspapers and magazines, as well as radio and television stations in Nairobi and other major cities across the country. There is also a significant inflow of news and other media programmes into the country, from outside.

Arguably such developments are the signal of a freed media system, particularly when compared to the pre-liberalization period, during which the growth of the media was mostly constrained by state regulation (see also Mbeke, 2011). The result has been, as Ali (2009: 76-110) also demonstrates, the evolution of a pluralized, diversified and dynamic media landscape.

Further developments, such as the trend toward media convergence, have not only affected the way information is packaged and disseminated by media institutions, but also the manner in which Kenyan media institutions are organized and operated (Cf. previous discussion in 4.3). Convergence and competition, too, have been the cause of several tensions. One such tension relates to the fear that most Kenyan media institutions have and continue to produce the same media content, thereby limiting the variety of material available to consumers (see the reference to Hotelling's law of excessive sameness of products, discussed in section 4.3). Extreme competition has also put the print media sub sector under threat, and weakened the public broadcaster-the Kenya Broadcasting Corporation (KBC).

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liberalization processes of the media and communications environment are taking place in a pro-reformist and open political and economic environment. These different phases of liberalization of the Kenyan media landscape have thus had an impact on policy.

In addition, competition has prompted the country's media institutions into over-reliance on cheap foreign content, in an effort to retain profitability through the minimizing of costs related to media content production (see also Ali 2009). Though this trend is justifiable on the argument of commercialization, it poses a subtle challenge to media policy on local content. Here, the dilemma is how to implement policy on the promotion of local content, in a liberalized media context. It is probably for this reason that the provision on local content, as stated in the Kenya Communications (Broadcasting) Regulations 2009, vaguely states:

> 35 (1) The commission may require a licensee to commit the minimum amount of time, as may be specified in the license, to broadcast of local content or as may be prescribed from time to time by the commission by notice in the gazette.

To understand the question of local media content and the attendant concern for diversity, it is important to consider models from other parts of the world. Different countries and regions of the world have followed different models in dealing with this issue. Czepek et al (2009:16) for instance, note that at the EU level, some countries such as France have adopted strong regulation of media content. For instance, under the French model, various quotas prescribe certain content to ensure that diverse interests within society are represented. These limitations apply to both private and public broadcasters. For instance, to ensure, diversity of viewpoints, proportional allocation of airtime in public television news is followed to ensure that as many view points as possible are represented.

The idea behind promotion of diversity in content in the French model is mostly motivated by the realization that market forces alone may not bring about diversity (Vedel 2009). In this regard, there is a tendency to move towards a role for public authorities both as regulator and programme providers to fill the media diversity gap. To ensure that these requirements are followed, programming obligations applying to both public and television and radio stations are stated in their terms of references. For instance, public broadcasters must air general interest messages such as health and road safety information etc. Secondly, public broadcasters are required to provide free airtime to political parties represented in parliament and unions and professional

associations considered to be representative at the national level(see also Vedel 2009:266 for detailed discussion).

The French model is therefore underpinned by a strong statist idea of public media whose orientation is clearly top-down (see also Czepek et al 2009). There are however concerns with this approach. Firstly, is the very problem noted earlier regarding the sense of elasticity that tends to generally characterize attempts to define public interest (see also McQuail 1992; Fourie 2005). The second challenge as noted by Vedel (2009:271) relates to the fact that this model does not involve citizen participation in decision making processes regarding for instance the interests that should be served. Vedel (2009:273) does in fact argue that citizen's consultations should be made mandatory when broadcasters' licenses are to be renewed.

Vedel further suggests that to strengthen citizen involvement, effort should be made to encourage development of viewer associations through public subsidies and free airtime. Such efforts should be undertaken with the goal of developing a notion of media diversity that is based on citizens' engagement with and interrogation of the world rather than measuring diversity based on the number or organizations and channels (see also previous discussion in chapter 4).

Yet, despite such efforts at regulating the media (as demonstrated in the French model discussed above) the effect of technological transformations on journalism has been noted by Christians et al (2009:227), who argue that media convergence has weakened the journalistic profession by denying journalists their time-honored monopoly as gatekeepers of public flow of information, as well as their exclusive claim to the profession of information dissemination. This may indeed be said to be typical of the Kenyan situation, where as pointed out by several key role player (see next section) - traditional journalism is facing challenges related to quality, ethics and professionalism (Cf. Fourie, 2010; McChesney, 2004; MCK, 2005).

In fact, the overall picture of the Kenyan media is better illustrated in McQuail's (2003:41), description of the changing global communications context. He describes it

as one characterized by "increasing proliferation of channels and the abundant supply of information, expanded communication spaces and a continually changing "map" of uses; a media scene where communications are being re-institutionalized in new forms of organization; a pattern of communication flow that is changing in its balance, from the one to the many; a change from traditional mass media to more consultatory and interactive forms of media; the delocalization of communication; the adoption of new technologies and systems that offer more freedom and more opportunities for surveillance and control; and as a result of all these innovations, more flux and uncertainty."

Such a transformed media scene poses weighty implications for debate on the media, as well as the task of making media policy in Kenya. The major concerns here arise from conceptions about freedom of the media and freedom of expression; the definitions of public interest; media access, media accountability and media ownership; and the government's role in the media landscape. A detailed presentation of views held by key industry players, regarding these concerns, will be made in the next section of this chapter.

6.2 A normative Theoretical Baseline

The preceding section has, in a nutshell, illustrated the transformation that has taken place in the Kenyan media landscape, over the last two decades. The chief worry, however, is whether traditional normative theory can adequately explain the effects of such transformations on an African media system, including Kenya's. This study proposes that in order to appreciate the place of normative media theory in media policy making, one may need to first start by critically considering McQuail's (2003:40) assertion that the role of theory is best conceived as a navigational tool of analysis. Implied here is the expectation that theory ought to provide direction and a baseline for practice. Yet, as Ang (1999) argues, communication theory in its basic conception is and has traditionally been oriented towards addressing certainty. It is, in other words, a tool for ensuring an ordered and stable society. In this orientation, normative media theory cannot provide the required roadmap for negotiating uncertainty (see chapter two).

Indeed, it is in recognizing the inherent challenge and contradictions facing normative media theory in this age that Fourie (2011:26) wonders whether "one can still talk of a homogenous, uniformed or standardized normative theory, in a globalized but nevertheless hybridized society, in which diversity and pluralism is the foundation of the media as an institution and the foundation of media practice and media performance, including media ethics". Fourie's (2011) questioning above is however better understood in the context of the framing arguments made in regard to the postmodern condition in chapter two. On such argument relates to how normative media theory should deal with what Giddens refers to as "the discontinuist character" of the present age – or in Woods's (1999) metaphoric reference – the snake like meandering character of the postmodern.

As several scholars have shown, critic of the four theories of the press is mostly motivated by these dilemmas of the modern age. This new environment exerts pressure on traditional normative theory asking of it to look beyond the theoretical rigidities that have traditionally defined Western based normative theory (C.f. Curran & Park, 2000; Fourie, 2005). Fourie (2005:18) for instance argues that in view of the changing nature of society and the media, any rigidity in theory must be questioned. This is because postmodernism is at peace with the sense of liberation inherent in the principles of diversity and difference. Thus for instance, our perceptions of the concepts of quality and performance (of the media) as Fourie and others have argued, are altered based on the desire to see and experience media content in new ways beyond stereotyped or generally accepted standards. This indeed could be the reason why Lyotard (1992) for instance views Habermas as an adversary of postmodernism (see also Dahlgren 1991).

It is therefore inevitable that normative media theory has to address itself to a new reality. This implies that theory must now be positioned to embrace change - precisely, what Woods (1999: 8-9) refers to as "a new attitude that does not lament the loss of the past, fragmentation of existence and the collapse of selfhood."

In this new mode, theory should move scholarship towards acknowledging and taking account of the fact that although in the postmodern condition, order and structures may

fail, in their wake, however a new society or public emerges (cf. Albrow, 1997; Hallin, 2000; Thompson, 1995; Ang, 1998; Brants & van Zoonen, 1998).Consequently, debate on the concept of the public interest as it relates to the media should take cognisance of these changes. It also means that effort should be directed towards recognizing and accepting the defining qualities of the new society, as embodied in the concepts of pluralism, heterogeneity, ambivalence, hybridity and hesitation (see also Fourie 2005). In simple terms, media policy at the national level should be based on a premise that recognizes difference and diversity as points of departure particularly in assessing the media's effectiveness within society.

The question however, is whether in the case of Kenya there has been a shift in thinking regarding the role of the media. Chapter four showed that historically, the role of the Kenyan media has been viewed in the context of developmentalist goals. This thinking still persists, as demonstrated in the opinions elicited from key players in the Kenyan media landscape (detailed in the next section). Mbeke (2011: 92) however reveals that liberalization of the country's mass media sector was a positive development, which led to the emergence of an active audience, capable of demanding and obtaining news and information instantaneously. A key question, though, is how media institutions should serve these differentiated needs within the Kenyan society (see related propositions outlined in the concluding section of this chapter).

The role of the state in determining the media's place in society and the protection of public interests in Kenya has also been discussed extensively in previous chapters. We saw for instance in chapters two and four that the Kenyan government has, from the time of independence in 1963 dominated debate on the question of public interest and the role of the media in the country Writing on this topic, Abuoga & Mutere (1988:77), for instance, note the following about the post independence press in Kenya;

> Their role was to provide channels through which the techniques, lifestyle, motivations and attitudes of the modernizing sector could be diffused to the more backward traditional sectors. It was believed that once broadcasting hardware and the bureaucratic organization for transferring information were introduced, especially mass media, the technical and cultural capacities of the elite would be made available to the disadvantaged sector and the social inequalities would gradually disappear.

Abuoga & Mutere's (1988) exposition gives the impression of a unified sense of public interest and a singular guiding philosophy regarding what should be in the public's interest. This situation, however, may not stand in a new age (see previous references to Giddens 1990; Albrow 1997; Woods 1999; Ang 1997; Fourie 2005). The changed nature of the Kenyan public itself, together with the increasing relevance of popular culture in public life, have and continue to affect and influence perspectives on the public interest issue.

It is with this understanding that questions should be posed regarding the Kenyan government's role in defining and protecting public interest, as well as formulation of media policy at the national level. Yet to build perspective around this issue, one has to look at the broader defining issues regarding the transformation of the nation state at the hands of globalization (see also Nerone 1995). Writing passionately on this subject, Nerone draws a contrast between the present circumstances of information flux (see also previous references to Thompson, 1995; Hallin, 2000; McQuail, 2003) with the assumptions that were made by the Four Theories of the Press, particularly with regard to the role of the state. He then surmises that;

> The authors assumed (1) that the nation state determines the relationship between communication systems and the state, (2) that journalism plays the central role among communication media and genres in determining the relationship between the state and the policy, and (3) that the information/communication infrastructure is such that structural control over communicative practices is possible (Nerone, 1995:158).

From Sreberny-Mohammadi et al (1997) we learn that the global media and communications reality has undergone dramatic change (see also previous references to Thompson, 1995), and therefore for this reason, a critical re-examination of each of these assumptions (as discussed by the authors of the four theories of the press) is now imperative. Nerone (1995:160) on the other hand has ably demonstrated the gradual fading of the power and influence of the state in the age of globalization. He for instance singles out several trends that have characterized this process of transformation starting with the decline in the 1980s of the form of the state that had dominated the twentieth century. This kind of state was characterized by a more extensive involvement in

citizen's lives. A second trend is the transformation of the information infrastructure and emergence of the internet as the dominant medium. The third is the dominance of transnational corporations which have come to rival and even outweigh nation states in the exercise of a variety of forms of power. The fourth and last trend is the emergence of new conceptions of the state in a globalizing environment.

As the state continued to transform, so did the press, which, as Nerone (1995:160) argues, has become globalized. The state, therefore, is no longer the significant or only determinant of journalistic practice within its territory. Such a situation has no doubt complicated national level efforts on media accountability. It has moreover further alienated the state as a player in the media and communications environment (Cf. Fourie, 2005).

Consequently, one can easily see that the Kenyan government's role in the changing media and communications sector cannot remain static nor can it continue to follow the developmentalist thinking of the past alone. The age when the government exercised what Fourie (2005: 25) refers to as "the direct and large scale intervention in media policy" is long gone. This is why the current study poses the question: what should be the role of the Kenyan government in regard to media policy in a changing social economic context?

The Dutch, through proposals made by the National Scientific Council for Government Policy (WRR, 2005), have attempted to confront this very same challenge, by suggesting that government's involvement in media policy should be cautious and selective (see chapter 7). In practice, this implies that media policy making should move away from the tradition of detailed regulation and centralized management, towards policy options that are broadened and closely connected with the social value of the media landscape. This might, for instance, imply that government should only get involved when specific functions of the media such as provision of opinion and debate are threatened. In the Kenyan case, the government (see the summarized opinions of industry players in the next section) can play this role by providing a facilitative policy

and infrastructural environment for media growth and development. This point will be pursued in greater detail in chapter seven.

The inadequacies of traditional normative media theory can also be discerned in the current theoretical contestation regarding the nature and role of the public sphere. Scholars like Aslama (2006:5), assert that the existence of a public sphere, as conceptualized by Jurgen Habermas, is virtually impossible, given the commercialized nature of today's media. The Kenyan media landscape (as described in chapter four) is no exception to this interpretation.

Given the economic and social forces that are now shaping the Kenyan media landscape, it is indeed difficult to isolate one idealized Kenyan public sphere, as would be espoused by Jurgen Habermas. As Fourie (2011:31) observes, such a situation must have profound consequences for the way in which contemporary communication scholars will deal with the concept of public interest and with normative media theory, particularly as regards the monitoring of media accountability.

Emerging studies in this new paradigm have been attempted by Christians et al (2009:236), who have warned that a public sphere in a constant state of flux may be vulnerable to manipulation by autocrats and oligarchs seeking to exploit and dominate it. Such fears are all too real in the case of Kenya, where (as discussed in a later section of this chapter) media ownership remains heavily skewed towards the economically endowed political elite. Under these circumstances, the media ceases to be accountable to society, instead following the dictates of the few wielders of economic and political muscle.

In brief, the foregoing synthesis has underscored key normative arguments related to the role of the media in society today (as were discussed in chapters one and two). More fundamentally, however, the core of this discussion served to demonstrate the inadequacies of traditional normative theory in accounting for a changed media and social reality. These inadequacies largely vindicate McQuail's (2003:40) call for new

horizons for communication theory in the new media age (see also previous references to Albrow 1997).

Yet apart from the issues liberalization and globalization have brought to the fore as far as normative media theory and the role of the media in society is concerned, an additional topic with which African media and communication researchers have to deal with, and which complicates the matter further is finding or developing an African approach to normative theory (cf. Fourie, 2002; 2006, 2008; 2010; 2011; Sesanti, 2008; Blankenberg, 1999).

It is for this reason that chapter three of this study explored the possibility of using African moral philosophy as a normative basis for explaining the role of the media in Kenya. This effort was also mostly inspired by the argument that the behavior of the media is ultimately rooted in worldviews and that each world view has its own ideology and ethics.

6.2.1 Considering an African normative perspective

Our inquiry into the viability of African moral philosophy as a possible normative framework for the media was guided by one question; what should ideally be the role of a Kenyan *African* media system? Chapter three of the study thus explored the likelihood of *Ubuntu* - an African moral philosophy - being able to offer a normative basis for explaining the role of African media systems, such as Kenya's (see the detailed discussion in section 3.3).

Afro–centric theory, in general, begins with the premise that Western based libertarian theory has failed to account for other world views. This concern continues to receive attention from many communication scholars, including Curran & Park (2000), Gunaratne (2007), Mfumbusa (2008), among others. Ayish (2003:79) particularly laments that communication as a theoretical field of study has been dominated by Western oriented perspectives, to the detriment of other world views (see also the discussion in section 3.2).

Believing that they possess a strong element of universalism, western-based approaches have been promoted all around the world. This approach, however, has ended up obfuscating the cultural peculiarities of non Western societies, regardless of the fact that these too are significant components of communication theorization (see the detailed discussion in chapter 3).

It is on this basis that chapter three explores whether an Afro centric normative base can furnish African and Kenyan journalism with a prism through which African realities (and stories) can be told in ways that are relevant to the Kenyan society. In other words, the search for an African normative framework is in reality the search for an African identity. Asante (1998:14), for instance, believes that the idea behind Afro-centricity is to secure for the African person a base upon which he may stand. This need - for an African identity - is no more essentialist than the positions that have been taken by the feminist movement, gay/lesbian and other groups, which assert themselves by questioning established social hierarchies.

Chapter three, therefore, sought to explore the extent to which African moral philosophy can provide answers to the dilemmas that are posed by the social economic transformations already alluded to in earlier portions of the study. To what extent can *ubuntu* - an African moral philosophy - account for the new dilemmas related to press freedom, diversity and difference, media accountability, access to media and role of the media in the changed social economic context that Fourie (2010:154) calls "the new society"?

Chapter three, however, found that when Afro-centric theory is considered against this backdrop of change, its potential as an alternative basis for normative theorizing is wanting. Critical issues, such as quality of journalism and freedom of expression and of the media, were used to demonstrate these theoretical gaps. With regard to media quality, for instance, the chapter found that it is not only difficult to isolate purely African practices and/or experiences that can provide a measure for what is "good" or "bad" journalism, but that such a move may constrain the space for media freedom.

Chapter three thus concludes that in considering Afro-centric approaches as a basis for normative media theorizing in Africa, it is critical to keep in mind that African societies are changing. Today, African peoples are engaged in a global exchange of information that is boundless - given that it is not restricted by cultural or physical political boundaries. *Ubuntu* may therefore not be in a position to adequately explain new realities affecting the media, such as internationalization, liberalization, diversity and difference.

At the same time, the chapter notes that upholding one ethno-centered perspective as the basis for media practice in Kenya poses the danger of excluding other perspectives, thereby limiting the role of the media to only that which is African or Kenyan. But in a globalizing and liberalizing context such as Kenya's, it is no longer easy to point to any one experience that might pass as purely Kenyan.

The chapter accordingly suggests 'hybridization', as a possible means for finding the correct balance between African needs and the global reality (this concept is discussed in section 2.5.2). Thus, just as African cultural systems cannot be seen as static, the Kenyan media system should be dynamic, and redefine itself to ensure that it is serving the needs of Kenyan people, through contextualizing information for them in ways that approximate their roles both as Kenyans and as global citizens.

In the following section, the thesis explores the relationship between theory and the practical views of key players in the Kenyan media landscape. In a sense, therefore, this section will provide a practical contribution to the theoretical understanding already developed regarding the role of the media in a changing Kenyan social economic context.

6.3 Debating the Role of the Media in Kenya

This section presents a summary of what various key role players in the Kenyan media landscape (see also chapter 5) believe should be the role of the media in Kenya. The research questions (see section chapter 5) which guided this initiative were largely informed by the theoretical discussion undertaken in the preceding section. The current section, therefore, will focus on what this study's respondents (key role players in the

Kenyan media landscape) thought with regard to the following normative issues: the role of the media in Kenya today, effects of technological change on the Kenyan media, the changed constitutional landscape, media ownership, and expansion of local language FM radio.

This section also presents the views expressed in regard to media accountability, role of government in media policy, and the place of African moral philosophy in the current media environment. These issues are however considered against the backdrop of globalization, the new media landscape (as defined by technological convergence) and new thinking about the role of the media in a changing social economic context. Consequently, the summary of views in this section is drawn from interviews as described in appendix 2.

6.3.1 Views on the role of the media in Kenya

Several writers have explored the subject of the role of the media in society (see, for instance, Ansah, 1988; Hallin & Mancini, 2004; McQuail, 1987; Norris, 2000; Ochillo, 1993; Siebert et al, 1956). In particular, Christians et al (2009: 139-196) have isolated what they consider as the critical roles of the media for society, and these include the monitorial, facilitative, radical, and collaborative functions[60].

But, as argued in the preceding chapters, globalization and developments in communication technologies have increasingly challenged the roles that were traditionally ascribed to the media. In the Kenyan case, the question is whether these roles have changed from what obtained in the past (see previous discussion in chapter two and four).

Thus, when asked what he thinks should be the role of the Kenyan media today in view of the transformations in the Kenyan society and media landscape, Wangethi (2011), a

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[60] These roles may be summarized as follows:(a) monitorial role- refers to the role that the media play by observing an extended environment for relevant information about events. Also referred to as surveillance, this role involves looking out and giving a wider view and early warning of developments on the horizon; (b) facilitative role- the media promote dialogue among readers and viewers through communication that is meant to encourage them to engage and participate in debate; (c) radical role- the media stands up against injustices of any kind and supports equality and freedom of all members of society (d) collaborative role- implies building relationships with other institutions in society - such as the state and civil society, among others.

former editorial director with the Nation Media Group, explains that the roles of the media in modern-day Kenya should be conceptualized in terms of the country's future goals. He considers the most urgent of these goals to be the development of democracy and the establishment of economic independence, as enshrined in Vision 2030[61]. He states that:

> With regard to Vision 2030, the media could, for instance, focus on a sector such as infrastructure development in the country and force the government to look at the gaps, through some process of monitoring. They should consistently remind government of the progress, or lack of it, so that the latter can pick speed. Criticism against the media has been that we criticize a lot and do nothing; the trend should be to go beyond the criticism and suggest what needs to be done.

Continuing along this frame of thought, Wangethi makes the following recommendations regarding the role of the media in Kenya today:

a) Peace makers – The Kenyan media should come down from their traditional (ivory tower) position and act as peace makers. For instance, in the aftermath of the 2007-08 violence, the media did a credible job in getting everyone to talk about peace.
b) Suggest solutions for society – this should involve working with society to generate ideas that are useful for moving society forward (with time, we might begin to see a shift from the useless Western programming on TV).
c) Serve as change agents – this should involve focusing on development news. But they (the media) cannot do this without a good understanding of the things that deliver that change (agriculture, etc).
d) Help the Kenyan society understand that the world around is changing – Kenyans are to be made to understand that we are becoming one with rest of the world. If one looks at the youth, for example, they are behaving differently and are quicker to adopt new ideas and attitudes.

Wangethi's views seem to construct a distinctly developmental role for the Kenyan media, as opposed to the classical normative typology of roles espoused by Christians et al (2009), for instance. This view is hardly surprising, given the country's status as a developing society. However, one also observes that what Wangethi is saying is not new; several other observers of Kenyan media have made similar comments before.

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[61] Vision 2030 is a policy document that was adopted by the Kenya government in 2007. The overall vision is to transform the country into a globally prosperous and competitive nation with a high quality of life by 2030.The strategy identifies three core pillars for achieving this vision: the economic pillar, to maintain a sustained economic growth of 10 per cent per annum over the next 25 years; the social pillar, to achieve a just and cohesive society enjoying equitable social development in a clean and secure environment; and the political pillar, an issue-based, result-oriented, and accountable democratic political system.

Communication scholars are on record saying that since Kenya's independence in the 1960s, a developmental narrative has always been perpetuated. The role of the media in this narrative was to act in the service of development goals (see Abuoga & Mutere, 1988; Ali, 2009; Barton, 1979; Bourgault, 1995; Heath, 1997). Abuoga and Mutere (1988:76-84), for instance, point out that the move toward nationalization of the media at independence was motivated by the government's desire to use the media as a tool for popularizing policies, educating citizens and mobilizing the masses for national development (see a detailed discussion in section 2.3.2).

The Kenyan society today, is however different from what it was at independence. Furthermore, the media and communications environment has changed a great deal, as described in chapter four. These two realities necessitate deeper reflection about the role of the media in Kenya today. Consequently, it would appear that continuing to ascribe a purely developmental role for the Kenyan media is a prescriptive approach that fails to recognize the changes taking place in society (see also previous references to Giddens 1990). Kittony (2012), the current chair of the Radio Africa Group, is in agreement with this view. He reckons that in the case of Radio Africa, the priority has been to approximate the needs of society - particularly those of the youthful audience segment.

But inherent in Wangethi view is the danger of promoting one perspective of what roles the media should perform, at the expense of other views. Wangethi is, for instance, silent on the rise of popular culture and how this is transforming understandings about the role of the media in Kenya. On his part, Kittony does not envision any role beyond the satisfaction of his target audience. These are the kind of stereotypical explanations that Gunaratne (2007:60) instructively warns against. He asserts that the role and place of the media in society should not be understood from one singular perspective, for there cannot be only one kind of journalism. Rather, we must be prepared to account for a multiplicity of ever-changing kinds of journalism today. Moreover, given the level of uncertainty which characterizes the current age (see previous reference to Albrow 1997; Woods 1999), one stereotyped way of thinking not only narrows perspectives but also

204

may amount to what Lyotard (1993) has resisted as an imposition of epistemology or the endorsement of a metanarrative.

Gunaratne's views notwithstanding, there remain a number of industry players who still foresee a developmental role for the Kenyan media. Makali (2011), for instance, observes that the Kenyan media should deliver on the following:

        a) They should be champions of change, by setting positive agendas for the Kenyan society
        b) They should guard democracy and the rule of law
        c) They should project ahead into the future, to appropriately guide society (in this regard, Makali points to the disputed election of 2007 and the fact that the Kenyan media failed to prepare the ordinary citizen for the terrible eventuality that followed)
        d) They should be the custodians of public good

Makali's views appear to suggest a gate-keeping role - in addition to the developmental one - with particular emphasis on the protection of democracy. However, it is useful to point out that in the new communications reality, the traditional gate-keeping role of the media has equally come under threat. Omale (2010) is pointing to such threats when she observes that by the time traditional mass media institutions transmit information about news events, most people will have already received unfiltered versions of the same from bystanders at the scene of the event, using mobile phones.

In the modern era, the media's gate-keeping role is further minimized by the speed with which news and information is transmitted, a situation that does not allow time for editorial processes. Indeed, Kovach and Rosenstiel (1999:51) have lamented the lack of gatekeepers in the changed media context. In a sense, this state of powerlessness means that media institutions can no longer be relied upon to secure the public interest.

Makali's mention of democracy separately foregrounds the widely-held expectation that African media systems should play a role in promoting the evolution of a democratic culture on the continent (see also Hyden, Leslie & Ogundimu, 2002; White, 2008). To carry out this role, Macharia (2011) – owner of the Royal Media Services in Kenya – envisions a strong watchdog role for the media in the country's electoral processes. He says the following about Royal Media Services (his company):

> In the year 2002, we made sure that the election would be genuine. We used satellite phones in every single polling station. We were able to look at the Electoral Commission of Kenya election rules, to understand the issues that were sensitive to that election….

However, it should be mentioned that generally, Macharia's interest in the country's politics and in electoral matters, in particular, is mostly motivated by personal commercial and political interests. Conversely, Nyabuga (2011) – a Kenyan journalist and academic identifies the following roles for the Kenyan media:

a. Education – the media should provide a platform for public debate; understandings about democracy, for example, are critical for our society today. This education is important to the way people live their lives and the decisions that they make.
b. The Kenyan media should play the role of homogenizing society, given the current ethnic divisions.
c. Information provision – The media should also bring in information from other societies.
d. Mobilization – it is through the media that people get to be informed about corruption, for example, and also to understand their role in the fight against corruption in the country. The media should therefore be the platform through which people are mobilized into comprehension and taking action on important issues.

Nyabuga, too, foresees a developmental role for the Kenyan media, with education and the general creation of awareness being core concerns. This typology is closely related to that propounded by Odindo (2011), an editorial manager in the Nation Media Group, who suggests that the key role for Kenyan media should be the correction of misinformation. This would ensure that citizens are well-informed and empowered to participate in local and national level processes. He illustrates the necessity of this role by giving an example of the 2010 national referendum in Kenya, where opposing sides used various media platforms to deliberately misrepresent the facts[62]. To Odindo, therefore, the key role for the Kenyan media is information provision.

But according to Gaitho (2011), a journalist, and Mutua (2010), a senior policy officer in the Ministry of Information and Communication, the traditional roles of information and

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[62]A good case in point is the contracted debate which ensued in the country based on two clauses in the draft constitution relating to abortion and right to life and to Islamic courts, locally known as the "Kadhi" Courts. In both cases, facts were twisted by those opposed to the proposed constitution.

education have not changed; only the scope of these roles has been expanded. This view is similar to the position taken by Christians et al (2009:237), who argue that although much has changed (and is changing) in the activities and operations of the media, the essence of the traditional roles of the media endures.

Githaiga (2011), a media researcher and civil society activist, advances another set of development-based roles for the Kenyan media:

    a. Media should galvanize people around issues that can help this country grow/progress.   We still have many poor people in Kenya

    b. Media should problematise concerns/issues that authorities ought to respond to and   get people to discuss how we can arrive at common ways of getting solutions

    c. They should promote public participation. The media are the most trusted institutions in the country and they should capitalize on this goodwill to effect change.

    d. The media must prioritize targets that the government should achieve, by ensuring that they follow up and hold authorities accountable. If they do this, they will be a force to be reckoned with.

Another interesting perspective on the possible role for the Kenyan media is advanced by Mshindi (2011), the Nation Media Group's Managing Director, who makes the following observations:

> Talking about a role for the media – whose definition is it? We need to accept that media, like any other industry, is evolving, and then we can begin to question assumptions about roles. The question of roles applied in the past – when society was fairly homogenous in terms of interests. Today, there are many issues that media needs to respond to; some useful, others not, depending on who is looking at it. In the present circumstances, it is not possible to apply dogmatism in the way roles for the Kenyan media should be defined.

By questioning the issue of seeking a "role" for the Kenyan media, Mshindi may indeed be contesting the classical prescriptive approach adopted by the four theories of the press (see a critique of the four theories of the press in 2.4.1). He acknowledges that in today's society which is marked by multiple differences; it is probably unrealistic to ascribe particular roles to the media. The contention by Mshindi is also reflective of the current global debate and controversy on normative media theory, particularly by the school of thought that has questioned the desirability of continued normative theorising in a social and communication context characterized by what McQuail (2003: 41) has

defined as "flux"(see also previous references to Giddens 1990; Albrow 1997; Woods 1999).

Having acknowledged the inherent difficulty in defining roles for the media, Mshindi indicates that even with the changed socio-economic reality, the Kenyan media, like the media in many other developing societies, should still take a different position from what obtains in developed nations. He notes that:

> We are still grappling with questions of social justice, poverty and poor governance. In this regard, there are several things (roles) the media can do to inform and educate society. The choice, however, remains with the media themselves, to decide what exactly they will be doing.

Here, Mshindi seems to shift from his previous position (in which he affirmed heterogeneity and the plural nature of the Kenyan society today), in support of a developmental role for the Kenyan media. Such a contradiction is not totally unexpected, given the controversy that has characterised global debate on normative theorising. Indeed, one could argue that the apparent contradiction in Mshindi's views is largely illustrative of the very problem that normative theory continues to face in our time.

For Kamweru (2011) and Mutua (2010), the traditional roles of the Kenyan media such as educating, informing, mobilizing and entertaining are still relevant, even in the changed socio-economic context. Kamweru, for instance, notes that FM radio stations are serving a role in cultural regeneration, by introducing new music and fashion styles, and promoting various artistic forms that may not be indigenous to Kenya. Kamweru, who once headed the Media Council of Kenya, recommends that media policy should take cognisance of these new developments.

But according to Ojiambo (2010), a journalist and member of the Broadcasting Content Advisory Council, the changing times demand a different media orientation. He says, for example, that Kenyan media can no longer serve as conveyer belts of messages from government to the governed, as was the case in the pre-1992 era. Ojiambo therefore suggests that if Kenyan media are to remain relevant in the future, they must discard

this role (which privileged the government's voice) and instead become active participants in the evolution of a new Kenyan society.

In summary, the views expressed regarding the roles for the Kenyan media point towards the following roles: developmental, information provision, democracy-strengthening, and gate keeping. Although these categories are not entirely new[63], what is noticeable, however, is the tendency by different respondents to relate and interpret them against the backdrop of changing circumstances (economic, social, and technological) in the country. For instance, the information provision role is thought to be critical largely because of the current pervasive information flows that ordinary people are exposed to in the changed communications context.

Secondly, it is observed that the various respondents tend to prescribe a largely developmental role for the Kenyan media, while giving little or no emphasis to the traditional normative typologies. This may be attributed to several reasons, such as the country's state of economic development and the dominant developmental narrative propagated by government and other actors, over the years. It may also be that most of the respondents lack adequate knowledge about the normative underpinnings of the relationship between media and society. However, a solely developmental role for the Kenyan media would be limiting, because it may not account for the changing social reality of new and emerging identity groups, whose interests must also be addressed by the media.

Consequently, the goal of diversity[64] would be served if Kenyan media were to play a developmental role in addition to many other roles that they might deem fit, at any given

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[63] See also Christians et al (2009:135), who argue that the very notion of a media or journalistic role remains open to debate and alternative versions are inevitable. Thus, factors such as changes within society will generally have an impact on the role of the media. It is for this reason that expectations from the media are often inconsistent and therefore open to change, redefinition, and negotiation.

[64] One may also want draw comparisons between Kenya and several European countries on the issue of media diversity and pluralism. According to Czepek et al (2009) Europe provides some critical examples. For instance, the French model on public broadcasting is a purely statist, top-down approach that requires broadcast media to convey government policies. This approach is also prevalent in Italy, Bulgaria and Romania. The difference between France and Kenya is the level of democratic development. France is arguably a more advanced democracy compared to Kenya. This has implications on media operations and press freedom. The analysis of the history of the media in Kenya in the previous chapters clearly shows that such an approach did not work mostly due to the country's nascent state of

point in time. This kind of approach would provide room for accommodating different media publics, cultures, and linguistic groups within Kenya. Furthermore, such a perspective would provide an escape route from the narrow labels of "good" and "bad" media that have characterized debate on the role of the media in the country.

6.3.2 Views on the effects of technological change on Kenyan media

In chapter four (4), we elaborated on the technological changes that have taken place in the communications industry, since the liberalization of the media sector in Kenya. The current section builds on that discussion, by attempting to shed light on how core normative issues such as access to the media and communications in general, freedom of the press and expression, media legislation, and quality of journalism have been affected by technological changes in the Kenyan media.

The discussion in this section is mostly informed by McQuail's (2003:41) observations on the new communications situation. Nonetheless, as pointed out in chapter two, McQuail's thoughts on the changes in the global media and communications landscape are better understood in the context of the broader theoretical debate on postmodernism espoused by writers such as Giddens (1990). McQuail posits that the new developments in communication technology have presented a series of challenges (and opportunities) to communication systems and to theory. These technologies, he says, have offered increased freedom and opportunities for surveillance and control; a situation that, along with innovation, has created much flux and uncertainty.

Implied in McQuail's argument are two issues: first is the transforming effect associated with new communication technologies, and second, is the question or dilemma that this change raises for media policy debates and normative theorising. In Kenya, the transformations might be observed in what Ali (2010: 110) has described as a growing plural and dynamic public sphere in the country. It should however be noted that Ali does not indicate whether ordinary Kenyans do indeed have a fair chance of participating in this growing and dynamic public space.

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democracy. The question is whether these differences serve to vindicate one of the critical assumptions made in the four theories of the press regarding media taking the coloration of the social and political context?

Chapter four, nonetheless, provides a clearer picture of this expanding public sphere, believed to mainly originate from Internet technology and its progressive opportunities for more open and interactive access to information. Generally, the convergence of communications in Kenya has also greatly contributed to this expansion. For instance, through one medium, such as the online version of the *Standard* newspaper, one can also access *KTN* Television and Radio Maisha, which are subsidiaries of the Standard Group.

The steady advance in communication technology has also enhanced the operations of traditional forms of mass media, such as the newspaper, radio, and television (see also section 4.3). To illustrate such transformation, Odindo (2011) of the Nation Media Group gives the example of mainstream media in Kenya that have deployed the power of the Internet to set up online versions of their mainstream newspapers and television stations. These new outlets have enabled media institutions to reach a wider national and global audience, while also improving the quality of their products.

In the case of broadcast media, Wambua (2012) – of the Communications Commission of Kenya notes that the migration from analogue to digital television will soon create more possibilities for the country's television sector. Wambua further observes that digitalization is going to lead to increased fragmentation, as media institutions target even smaller audience groups. As a result, the increased competition for audiences will push media institutions out of the major cities (where they are currently concentrated) into smaller towns. For Wambua, this is a positive move, for it will have increased media penetration into all regions of the country.

New communication technologies have also impacted the manner in which Kenyan journalists carry out their work. Ali (2010), for instance, takes note of how the new information and communication technologies have transformed the way Kenyan journalists gather and process news. He gives an example of the large number of Kenyan journalists now using online databases. Feature writers, too, are increasingly using the Internet as an information resource, while practically every journalist uses the web to monitor national and global events. Additionally, online versions of the major

newspapers have made it possible for media institutions to transmit news updates almost immediately, so that their audiences need not wait for the next day's edition.

According to Mshindi (2010), other advantages of new communication technologies include a reduction of the cost incurred in producing and disseminating news. This view finds support in Jenkins' (2004:33) assertion that new media technologies have lowered production and distribution costs; expanded the range of available distribution channels; and enabled consumers to archive, annotate, appropriate, and re-circulate media content in new and powerful ways. Christians et al (2009:229) also support this notion by acknowledging the potential of new media, for instance, in improving access by citizens to political party leaders and candidates, through greater interaction. They further note that new media have the capacity to reduce the gate-keeping power of traditional mass media, thus ensuring a greater volume and diversity of politically relevant information.

It is these kinds of opportunities that Wangethi (2011) is alluding to, when he talks of efficiency in production and the remarkable immediacy with which news and information can reach people across the country and even beyond. He adds that the different (ICT-based) platforms from which information can be accessed have also greatly enhanced people's access to unlimited and diverse forms of information in the country, while also creating new avenues for expression. Ali (2009:137) has referred to this phenomenon as "the globalisation of mass media flows", which is experienced through the increasing multi-directional flow of news, programmes, music, and films between the North and the South.

While acknowledging the expanded possibilities associated with advances in communication technology, it is important to keep in mind that not all Kenyans have access to the Internet or, indeed, to the communication possibilities brought about by the new medium of communication. Statistics for July 2010-September 2011 (CCK, 2011) indicate that there were approximately 8 million Internet users in Kenya, against a population of 39 million people.

Several criticisms could therefore be leveled against the common notion that changes in the media and communications environment have had a profound effect on people's access to information. Chapter four, for instance, notes the irony of a pluralized media space in Kenya (as indicated in the increased number of radio and television stations), though it remains questionable whether the majority of Kenyans do indeed have adequate access.

Christians et al (2009:230), together with many other authors (such as Dahlgren, 2005; Schultz 2000) argue that access to media, particularly new media, whether as sender or receiver, remains very unequal and socially stratified; there are still many barriers to the easy use of new media. Furthermore, even if access was guaranteed, there is still skepticism regarding the quality of information that individuals access from the Internet. They further indicate that the flow of information in cyberspace can be just as biased, manipulative, propagandist, disinformational, distorted, cynical, and xenophobic as in the conventional mass media channels.

In the journalistic profession, these fears have taken the form of tangible problems. Fourie (2010) and McChesney (2003) have declared that modern day journalism is in crisis, given the fact that online publishing and 'do-it-yourself journalism' in blogs and chat rooms have influenced thinking – particularly about the time-honored constructs of journalism, such as time and space, objectivity, factuality, and authenticity (Fourie, 2010:154). Wangethi (2010) acknowledges this and admits that Kenyan journalism is indeed being threatened by new media forms. Odindo (2011) also supports this view, lamenting that traditional media now find themselves in the uncharacteristic position of having to occasionally correct misinformation spewed out by individuals through various online platforms. This position, he says, stretches journalism and puts new pressures on reporters.

Wangethi, however, does not mention that the pressure on traditional media has, indeed, led to myriad problems that have compromised the quality of journalism in general. Kovach and Rosenstiel (1999:11-59) however reveal some of these problems in relation to the American media. They observe, for instance, that in a bid to present

something different, the American media have privileged opinion-based journalism, as opposed to investigation and verification of facts; for the simple reason that opinion is faster to generate (thus enabling traditional media to remain in step with new media forms) and is cheaper to produce as well. Overall, however, this will have a bearing on the quality of information that is made available to the general public.

In Kenya, the situation is not very different, because the media appear to give high priority to talk shows. Omale (2010) ventures to find out why virtually all the leading FM radio stations in the country engage in cheap talk during their morning and evening shows, and concludes that this is a ruse for attracting listeners. However, one must realize that the media has been caught between conflicting demands – for more diversion and entertainment, for more specific details and for more technical information. At the same time, the media are expected to serve the wishes of a wide range of pressure groups, while operating in a market system that prioritizes profitability (Christians et al, 2009:222). Media institutions in Kenya (and indeed all over the world) are finding it increasingly difficult to serve all these adversarial needs.

Advances in communication technologies have also thrown another challenge to the media; one relating to the question of freedom of expression. Undoubtedly, the new communications environment has expanded possibilities for freedom of expression in Kenya (see also discussion in 4.1). However, in so doing, new dilemmas have arisen regarding the balance between freedom of expression, on the one hand and the responsibility of the press (media), on the other.

In interrogating this dilemma, Muiru (2011), a lecturer of journalism at the University of Nairobi, questions how this new-found media freedom will be regulated in order to forestall potential harm to society. He argues that it is not difficult to envision a scenario where such power is commandeered and misused by the media, leading to undesirable consequences for democracy and development. Generally, the dilemma posed by this new reality may be attributed to the situation that McQuail (2003) has defined as 'flux'. It is precisely the uncertainty, insecurity, and lack of safety associated with such freedom that Muiru (2011) seems to decry.

In Kenya, the growth of FM radio in recent years provides a useful illustration of this situation of flux. The FM radio sector in Kenya indeed epitomizes the emerging trend of "anything goes", where journalists are forced to do what is fashionable, instead of what is right. According to Nyabuga (2011), this situation has put strain on the thin line between that which is public from that which should be private. He further observes that making this distinction is even more difficult when media content is circulated through online spaces.

Contrasting this new situation with that of "old media", McQuail (2003:46) reminds us that in earlier time, normative thinking was based on the assumption that all content was public and its producers could therefore be held responsible. This is why Muiru wonders whether freedom of the media is still a good thing, or is merely an end unto itself. But Christians et al (2009:221) contend that in reality, media institutions are not really 'free'; they are too constrained and imprisoned by the concerns of the societies in which they operate. In other words, they are mere extensions of social forces of varying kinds. Media freedom, therefore, should not be viewed as an isolated concept, but one that is inseparable from the notion of responsibility.

A cursory look into recent events in Kenya however vindicates Muiru's (2011) viewpoint, judging from the testimonies given by witnesses to the Commission that investigated the 2008 post-election violence (PEV). For instance, in his testimony to the commission, Ndemo[65], indicated that compared to the highly restricted media environment of the 1990s under KANU, the years after 2002 were characterized by greater freedom for the media in Kenya. This new-found freedom resulted in massive expansion and heavy investment in communication infrastructure.

Such expansion included a growth and spread of mobile telephony and use of the Internet in the country. It is these new communication possibilities that were exploited to transmit false and inflammatory information during the 2007 general election campaign in Kenya. In a published article titled "From cyberspace to the public: rumor, gossip and

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[65] Dr. Bitange Ndemo testified before the Commission Investigating the Post-Election Violence in Kenya, in his official capacity as the top-most civil servant in the Ministry of Information and Communication. At the time of this study, he was still in office as the Permanent Secretary in the same ministry.

hearsay in the paradoxes of the 2007 general election in Kenya", Ndunde (2008) explores how the short message service (SMS), mass emails and blog spots were used as alternative spaces of expression, at a time when government restriction had been placed on the flow of information.

These spaces enabled the speedy transmission of information by individuals dispersed across space and time, making it difficult for regulatory agencies to exercise any meaningful control over such flows. The purveyors of such information enjoyed a form of freedom derived from the de-localised nature of such communication. This example not only demonstrates the immense communication possibilities created by new communication technologies, but also the helplessness of relevant government policy and regulatory agencies in the face of such freedom and opportunity for surveillance that the new technologies had bestowed upon individual citizens.

Such challenges notwithstanding, one must acknowledge that new communication technologies have generally enabled (and enhanced) interactivity between the media and their audiences. Interactivity (as studied by authors like van Cuillenberg, 1999; Dahlgren, 2005; Oblak, 2002 and Schultz, 2000) has undeniably increased the ordinary citizens' level of engagement in matters that affect their societies. Schultz (2000:207), for instance, admits that technology has provided more opportunities for the active citizen. Looking at Internet discussion groups, he observes how these forums can balance the power and biases of traditional mass media, while simultaneously offering a platform for criticizing and controlling mainstream journalism. He also perceives that such forums are quite powerful in establishing mobilizing types of communication. The situation in Kenya is no different, with large swathes of the country well covered by mobile telephone service providers (see appendix 4). This has enhanced access to radio and the internet, which can be used via the cell phone.

This development, as Nyabuga (2011) notes, has major implications for democracy in Kenya. He argues that the element of interactivity, which is a key characteristic of the

216

structure and operations of modern-day media, has facilitated public participation[66]. He gives an example of the ubiquitous presence of telephone call-in sessions through which ordinary viewers and listeners can participate in television and radio programmes, including news. Thus he observes:

> This means that they (media institutions) are actually engaging the people, getting them to decode some of the messages that are being communicated, getting them to own the news and the meanings that are ultimately generated. This, in a sense, breaks down the linear sender-receiver relationship that characterized communication in the past…people are no longer passive consumers of media.

Nyabuga's views are shared by many others, including Wambua (2012), who works with the Communications Commission of Kenya. Oriare and Mshindi (2008:15-16) also articulate a similar viewpoint in their analysis of the Kenyan media landscape, contained in a report prepared for the Canadian International Development Agency (CIDA). On the basis of interviews carried out with several key respondents, the two authors conclude their report by observing that:

> The electronic media (in Kenya) has developed very sophisticated platforms for enhancing citizen participation in media. Both radio and TV stations have live interviews during news bulletins, live discussion shows, live guest forums, live breakfast shows and debates, phone-ins and Short Message Services (SMS) during live talk shows. Most call-ins and SMS platforms are charged at a higher rate than the normal rate set by mobile phone service providers. Interactive media therefore optimizes the public sphere by providing a platform for free discussion.

These views illustrate a tendency by commentators to make generalizations about the interactive possibilities of the new media. The truth, however, is that there is need for further enquiry to establish whether these new possibilities actually empower and transform media consumers from passive to active participants in the communication process.

It may be worth noting that emerging scholarship has contested the actual benefits of interactivity to modern communications and the journalism profession. For instance, researchers like Fourie (2010:156) have criticized the new FM radio interactive formats,

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[66] Schultz (2000) further compares the one-way approach to communication fostered by traditional media to two-way interactive reality that is now possible with new media, adding that this changed reality has given the concept of democracy a new meaning.

which heavily rely on new communication technologies. Kovach and Rosenstiel (1999) single out this 'live radio' format as being part of the same form of tabloid journalism that many have complained about. This kind of journalism, they claim, can neither be investigative nor of high quality. As Fourie (2010:156) further argues, it is practiced under the charade of being democratic because of the so-called "voice" that it gives to viewers and listeners. Indeed, one may not be wrong to question the quality and content of this voice, with regard to prevailing information needs.

In addition, Oriare and Mshindi's views betray a tendency among industry players to overemphasize the importance of technology in modern day journalism. It would, in fact, seem that the two are supportive of a situation where technology is seen as a key determinant of the quality of journalism in the country. The danger here is that such a perspective may end up pushing journalism towards what Fourie (2011:155) refers to as "technological determinism."

In summary, the foregoing discussion has explored the impact of technological change on the Kenyan media, in general and journalism, in particular. This is by no means an exhaustive analysis, given that media and communication-related technologies are constantly changing, thus expanding the breadth of this subject. Nevertheless, several core issues have been highlighted. These include the impact of new communication technologies on access to information, freedom of expression, and the practice of journalism in Kenya. It has also been concluded that communication technologies have created new opportunities for the media in Kenya. The technologies have likewise posed several dilemmas for the journalistic profession, in what has come to be known as the crisis of journalism. This line of thought will be developed further in chapter seven, which considers the policy implications spawned from changing media technologies.

6.3.3 Views on a changing constitutional landscape

Towards the end of the year 2002, Daniel Arap Moi, Kenya's second president, went into retirement after serving as president for 24 years. He was replaced by Mwai Kibaki,

of the National Rainbow Coalition (NARC). A major contributor to NARC's election victory was a campaign pledge made by the party, that its government would oversee the implementation of a new constitution within one hundred days of assuming office (Mbeke, 2009). This promise had not been fulfilled by 2005, the year that a much-contested draft constitution was rejected in a national referendum.

It was not until August 2010 that the country got a new constitution. A significant aspect of this development was that the new constitution (unlike the old one) provided for freedom of the media as a separate and distinguishable right. One clearly sees this contrast in the relevant sections of the two constitutions. The independence constitution, for example, only made a very vague reference to media freedom, under the provisions of Section 79:

> 79. (1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference (whether the communication be to the public generally or to any person or class of persons) and freedom from interference with his correspondence.

In stark contrast, a detailed Article 34 of the new constitution states:

> 34.   (1) Freedom and independence of electronic, print and all other types of media is guaranteed, but does not extend to any expression specified in Article 33 (2)
> 2) The state shall not-
>   a) Exercise control over or interfere with any person engaged in broadcasting, the production of circulation of any publication or the dissemination of information by any medium; or
>   b) Penalize any person for any opinion or view or the content of any broadcast, publication or dissemination
> 3)   Broadcasting and other electronic media have freedom of establishment, subject only to licensing procedures that-
>   a) Are necessary to regulate the airwaves and other forms of signal distribution; and
>   b) Are independent of control by government, political interests or commercial interests
> 4)   All state-owned media shall-
>   a) Be free to determine independently the editorial content of their broadcasts or other communications
>   b) Be impartial; and

        c) Afford fair opportunity for the presentation of divergent views and dissenting opinions

5)   Parliament shall enact legislation that provides for the establishment of a body which shall-

        a) Be independent of control by government, political interests or commercial interests;

        b) Reflect the interests of all sections of the society; and

        c) Set media standards and regulate and monitor compliance with those standards

Macharia (2011), of the Royal Media Services[67], believes that this constitutional development will henceforth have major implications on the role of the media in Kenya. Kittony (2012) of Radio Africa agrees with this view, noting that the new constitution has given wide liberties to Kenyan media.

Macharia, however, laments that despite the new constitution having already come into effect, many Kenyans, including owners of media institutions, remain ignorant of its impact on the position that the media in Kenya will occupy today and well into the future. He notes that:

> Our problem is that even under the new constitution, we still believe that what the government says is final – and this is where we have failed. The reasons for such thinking, however, are historical (mainly due to the years of repression under the Moi and Kenyatta regimes). A vibrant press should play a role in this context. The repressive   mentality is still there and Kenyan media needs to be strong. I went to them[68] (the government) and told them to accept the Alston Report[69]. I told them – if you don't, we shall report (you) to the public.

Macharia's support for the new provisions in the constitution may in fact be motivated by the setback he suffered as a budding private media owner in the last years of the Moi regime in the late 1990s. During the 1990s, his media establishment was almost brought to its knees by the Moi regime, which took advantage of existing laws (particularly in regard to the media) to frustrate him. The new constitution has basically annulled such punitive laws, which were in the past used to rein in the media.

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[67] At the time of the interview, in early 2011, Mr. S.K. Macharia was also the chair of the Media Owners Association (MOA), a powerful umbrella organization set up by media owners to lobby for their interests, particularly with government. The body's membership is therefore limited to private media owners in Kenya.

[68] He was referring to the government or concerned government officials.

[69] This refers to the UN Special Rapporteur's Report on extrajudicial, arbitrary, or summary executions in Kenya, released after Prof. Philip Alston's mission to the country in February 2009. The findings seemed to implicate the Kenya government - hence the latter's reluctance to endorse the report.

Because of its progressive nature, the country's new constitution has been taken by some as the benchmark against which past laws and policy on the media should be reviewed[70] . Kulundu (2010), a news editor with the *Kenya Today*[71], proposes that this new law be used to question past legislations on the media and communications sector in the country, such as the Communications (Amendment) Act, that was ratified in 2008 and the Media Act, of 2007. Both pieces of legislation contain disputed provisions that were stiffly opposed by media owners and media practitioners in the country (see for instance Mureithi 2008).

When the Kenyan government first introduced the Communications (Amendment) Act 2008, it argued that this law was meant to assist in streamlining and regulating the information technology and broadcasting sectors in the country. Critics of this bill, such as the national editors' guild, however saw in this move, the intention to take control of the broadcasting sector, through a strengthened mandate for the Kenya Communications Commission (CCK). Thus according to Mureithi (2008), the reservations held by the opponents of this law included:

a) The CCK's perceived lack of independence

b) The convergence of all communication sectors (broadcasting, telecommunications and information technologies) under one regulator

c) The CCK's power to arbitrarily deny/withdraw licenses

d) The absence of provisions on the independent governing and programming of the Kenya Broadcasting Corporation (KBC)

e) Weak provisions on access to licenses for community broadcasting

f) The CCK's unilateral powers and discretion in issuing guidelines for programming codes

g) Punitive and draconian punishments in the Act's enforcement and sanctions that gave no regard to the principle of proportionality of punishment to the transgression

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[70] The process of reviewing past laws on the media in Kenya (using the new constitution as a benchmark) had started at the time of writing this section.
[71] This was a government owned publication which is however no longer in circulation as it ceased operations in 2011.

h) The pervasive powers allowed to the Minister for Information and Communications

Sections 33-35 of the new constitution, however, seem to have given a satisfactory response to those who articulated the above-mentioned concerns. The powers of the Communications Commission of Kenya have been stymied because the body, in its present form, does not meet the threshold that is spelt out in the new constitution (Wambua, 2012). Even the Ministry of Information and Communications acknowledges this (Ndemo: 2011) and has committed itself to the revision of all past media laws, to ensure their conformity with the general provisions of the new constitution[72] Meanwhile, a draft Independent Communication Commission of Kenya Bill, *2010*, which is a revision of the Communications (Amendment Act) 2008, has been presented for discussion by a team of stakeholders.

This bill seeks to provide a legal framework for the establishment of an Independent Communications Commission of Kenya. Kittony (2012) of the Royal Media Services observes that the operative word here is "independent", to underscore the government's diminishing role under the new constitutional dispensation.

It is also worth noting that in its preamble, the bill recognizes that the conditions under which the media are operating in Kenya have changed. In particular, it mentions technological advancements, which have resulted in convergence in the fields of broadcasting, information technologies, and telecommunications. This bill thus reflects the foresight of adjusting media regulation to address ongoing changes within the communications environment.

Similar effort at reforming old media laws is being undertaken with regard to the *Media Act 2007*; this being the law which provided for the establishment of the Media Council of Kenya, before the new constitution came into force. A substitute, the draft Media Council Bill, 2010, has been developed for discussion. This bill aims at facilitating full

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[72] At the time of writing this thesis, the Media Council of Kenya was spearheading a revision of the *Media Act 2007*. A draft of the revised Act, referred to as the Media Council Bill, 2010, has been developed and is being discussed by various stakeholders.

realization of the right to freedom of expression and freedom of the media, as expressed under the new constitution.

The bill is also meant to provide a legal framework for the establishment of the Media Council of Kenya, together with provisions on the conduct and discipline of journalists. Consequently, the bill emphasizes, as indicated in section 34(5) of the new constitution, that the Media Council of Kenya shall operate without interference by government, political, commercial, or other bias and shall be wholly independent and separate from the government, political party or organization, commercial enterprise, or nominating authority.

Additionally, this bill aims at ensuring independence and credibility for the Media Council; these being the key issues that have previously compromised the role of the council in the past. This means, for instance, that the Media Owners Association will not have representation on the Media Council, as has been the case in the past.

The foregoing discussion has served to demonstrate the potential impact of the new constitutional order on the media in Kenya. The new constitution provides a basis upon which future policy on the media could be structured. Similarly, it provides a broad framework for understanding the role of government and other players (such as media owners) in the policy making process.

One can also argue that the new constitution anticipates no less than a free media system (that is also responsible), a reduced role for the government, and the nurturing of a facilitative media policy and regulatory environment in the country. In addition, the new constitution's provisions on the media provide a useful framework for comparative analysis and for anticipating future policy actions on the media in Kenya.

6.3.4 Views on changing media audience dynamics

Although there are a number of media policy related issues which might exist and which demand debate, the question of audience dynamics remains in the foreground, because it forms an important aspect of today's consumer based society. Thus, much like other authors such as (Ang, 1998), Fourie (2010: 154) has recognized the need to

understand what he refers to as "the new society." This new society is typified by fragmentation and hybridity. It is also characterized by abundance in the production, distribution, and consumption of cultural products.

Moreover, it is this new media and social reality that has motivated the present global debate on the role of media in society (see also discussion in section 1.2). One aspect of this debate relates to the dilemma regarding the concept of public interest and its connection to the media. Chapter two explored the question: What should be the overriding public interest when several interests abound at the same time? It is probably in light of this that Mshindi (2010) observes that the selective nature with which Kenyans are reading and viewing the media has created anxieties with regard to how media institutions can effectively serve the goals of public interest, while ensuring profitability in an environment of diminishing audiences and tight competition (see also the discussion in 4.2.3). These emerging patterns of media consumption, he insists, will have major implications on the place of journalism in the Kenyan society today and well into the future. He discerns that:

> Consumption of media products is increasing. We are under pressure to make content more relevant to particular audience segments. What the media has been trying to do is repackage the methods of delivery to make it attractive, relevant, and easy to deliver.

Mshindi's comment underscores the complexity of the present day Kenyan society's media consumption habits and the effect this has on media institutions, which have to meet the demands of an ever-changing audience. According to Kittony (2012), this is the motivation for increased competition within the Kenyan media landscape (see also section 4.3). To cope with these diverse needs and media consumption habits, media institutions in Kenya have no choice but to innovate and remain dynamic. Odindo (2011) notes that:

> It requires us to be very versatile – we have to respond to new audience demands, we have had to recruit younger people and involve them in developing the product to appeal to the needs of younger readers. We also have to segment our products – the newspaper, for instance, has become a composite newspaper, accommodating diverse interests

Kittony (2012) of Radio Africa observes that the need to innovate and stay ahead of competitors has forced Kenyan media institutions to invest enormous resources in the development of media products. He notes: "key players in the media are now relying on world class consultants to design and develop their products. *The Star* daily newspaper, a publication of Radio Africa Group, is now designed by international consultants."

The task of satisfying audience tastes is made more complex by the fact that what appeals to one type of audience may be nonsensical, or even repugnant, to another. Omale (2010) is alluding to such complexities when she asks: "Should we ban some radio and television shows simply because some people think that they do not have any intellectual or aesthetic value?" Here, Omale is questioning the rigidity that has sometimes characterized debate on quality of media content in Kenya. Omale, in fact seems to be asking whether the emerging popular culture trends – embodied, for instance, in FM radio music, call-in programmes and the new magazine products launched by various mainstream newspapers should be dismissed simply because they are not conforming to the traditional expectations (see also the discussion in 4.3).

The question, therefore, is how to account for all the different needs and tastes in the Kenyan society, without being overly judgmental. A good case in point is found in Kittony (2012), who complains that Radio Africa is constantly accused of causing moral decay in the country, because its programming mainly revolves around traditionally taboo topics such as sex and sexual relationships, among others. Clearly, the way forward lies in the adoption of a normative position that can acknowledge the variety of differences in Kenya; that is, different publics, different public spheres, different audiences, and different media found in the Kenyan society today. Fourie (2005:22) is one such advocate for the acceptance of difference. This is because he believes that the development of a non-prescriptive normative theory and ethics is only possible if all stakeholders will begin by accepting the reality of difference.

But the very reality of difference, in itself, implies that the work of the media will perpetually remain complex. Odindo, for instance, discerns that:

> The agenda is not easy to define today, as was the case under the one party state. It was easier then to win and appeal to audiences. The individual journalist

225

knew their (audiences') composition and location. In a deregulated system, it is now a lot more complex. Right now, the competing interest groups are multi-faceted; they are ethnic, class based, etc. These are the ones who form the bases of grievances against the media in Kenya.

In conclusion, it is clear that the varied expectations that Kenyans have of the media today (embodied in what Mshindi has referred to as the selective reading and exposure to the media) are, indeed, an indication of the social and economic changes taking place in society. To serve the many emerging identity groups, Kenyan media institutions, just like many others across the world, are forced to innovate more frequently, oftentimes losing sight of what is in the public's interest. However, as they do this, the needs of the minority and other marginalized groups in society are neglected. Quality, as an issue of public interest, also suffers at the expense of what is popular.

6.3.5 Views on media ownership in Kenya

The question of media ownership is one of the most debated issues in any discussion around the role of the media in society, oftentimes taking center stage during the formulation of media policy. This is due to the widely held belief that those who own the media will determine the role played by that media in society. In the context of this study, we reflect on views expressed on this issue against the backdrop of the broad theoretical arguments on the political economy of the media advanced by scholars such as Murdock (1990) and Melody (1990). Debate on the political economy of the media not only provides a framework for reflecting on the impact of media ownership on Kenyan media policy but equally moves us towards a closer appreciation of a changed world in which old axioms are being challenged, while alternative thoughts are sought to explain a new reality (see also previous references to Giddens, 1990; Albrow 1997).

Murdock (1990:1-14) for instance laments the emergence of concentration of corporate, cross-media ownership in the print and broadcasting industries and how these developments are impacting media and communication policy. In a nutshell, for Murdock, the current changes in media structures have become an important concern for social theory for they have brought a new focus on the relationship between structures and action, therefore presenting an interesting but new point of entry into

226

what Murdock further refers to as the structure-culture-agency triangle[73] (see Murdock 1990). An examination of views expressed in regard to the Kenyan media landscape thus provides opportunity for discerning some of these questions in practice.

A Kenyan writer Makokha (2010:284) demonstrates in his published article, titled "*The dynamics and politics of media in Kenya: the role and impact of mainstream media in the 2007 general elections," that* media ownership is a central issue in the debate on the role of the media in Kenya. His analysis reveals the strong link existing between the political elite and the business interests that own media, or receive licenses to use the radio frequency spectrum. Makokha illustrates these relationships by mapping out the status of media ownership in Kenya, as follows:

a) Nation Media Group – The Aga Khan, the major shareholder in the NMG, has a lot of influence as the spiritual leader of the Ismailia Muslims globally. Whenever he visits Kenya, he is received by the Head of State. This relationship obviously leverages his business interests in the country.

b) The Standard Group – Is owned by the family of former president Moi, who endorsed President Kibaki's second term in office. The Moi family has extensive business interests that would require state protection.

c) Royal Media Services – S.K. Macharia, the proprietor of Royal Media Services, has been a strong supporter of the current president. In 2005, he supported the proposed draft constitution, despite the fact that this document was largely unpopular with the public. He has generally tended to support the position taken by the government on major national issues, including the 2010 referendum campaign on the new constitution. It is in this regard that he has been increasingly viewed as being close to the ruling elite.

d) Capital Group – Its owner, Chris Kirubi, is an old friend and business associate of president Kibaki.

e) Radio Africa Group – Although headed by Patrick Quarcoo (a Ghanaian national), Kiprono Kittony is listed as the company's chairman. Kittony is a scion of one of Kenya's influential political families.

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[73] Murdock (1990) brings attention to the relationship between the emerging patterns of media enterprise and ownership in a liberalized and globalized world and the consequences this has on cultural production. The establishment of media conglomerates which operate on a global scale has not only affected how people receive information but has altered traditional communication patterns that were mainly defined based on the nation state. These new forms of global media ownership have contributed to the gradual fading of the power of the traditional nation state and therefore further complicated national level media accountability processes. At the local level, changing media ownership patterns are also responsible for increased competition among media institutions- an issue that has raised several normative concerns.

227

f) Media Max – This group operates the K24 TV channel, the *People Daily* newspaper and Kameme FM. It is owned by the Kenyatta family. Uhuru Kenyatta, a scion of this family, is a Deputy Prime Minister in the current Kibaki government.

A lot of meaning could be inferred from this summary of the media ownership structure in Kenya. More critical, however, is the fact that despite their numerous numbers, all the key media institutions in Kenya are owned and controlled by a few individuals. The same owners are also closely allied to, or directly involved in, the political system. Again, it is from this small group that the powerful Media Owners Association draws its membership.

Consequently, Wanyeki (2011) – a journalist and former executive director of the Kenya Human Rights Commission is not surprised that the most vocal lobbying for journalism and media interests in the country today is coming from the MOA. She concludes that due to the relative influence of media owners today, "it may be right to surmise that we (the Kenyan media) may have independence from the state, but not from commercial and political interests". Kittony (2012), a media owner, is equally worried that the country's media is dominated by a few large institutions. He says: "my fear is that if the playing field is not somehow leveled, the small media might be pushed out".

Instructively, Makokha's (2010:284) mapping of media ownership in Kenya scene closely reflects what Christians et al (2009:226) have referred to as the concentration of communicative power in a few hands; a situation that undermines journalism's role in society. This is, in essence, a topic that has been tackled by several writers, including Iraki (2010:158). Iraki's major fear is the potential of cross-media ownership in torpedoing the entire democratic process, particularly in cases where few media conglomerates determine what the people should hear, read, and see. In the same vein, Christians et al (2009) have warned that concentration opens up the media to greater penetration by sources with economic and political power. The net effect is a reduction of the media's independence, as allegiance to political patronage, shareholders, and owners takes precedence over professional accountability.

Kenya's new constitution, however, may offer some solutions to this problem particularly with regard to licensing. As noted earlier, section 34 of the constitution directs that licensing of media operators should be independent of control by government, political, or commercial interests.

Separately, a Kenyan writer Mwita (2009:108) draws attention to the problem of ethnicity, which he says is prevalent among Kenyan media owners. He observes that it is not strange to find media owners hobnobbing with political leaders from their tribes, who are more often than not be their business partners. Mwita therefore isolates three critical motives that drive media ownership in Kenya: commercial considerations, political influence, and ethnicity.

Apparently, there is not much variation in the spectrum of motives that drive people into owning and operating media institutions in Kenya. Makali's (2011) typology on Kenyan media ownership, for instance, does not deviate much from that provided by Makokha. Makali proposes that media ownership in Kenya should be viewed on the basis of the following typologies:

a) Political and commercial motives – In this instance, the owner has demonstrated overt political interest, meaning that he intends to use his/her media institution(s) to perpetuate his hold onto power and/or to gain a general control over the society. Makali gives the examples of the *People Daily,* Kameme FM and K24 Television. All three outlets are owned by Media Max, a company associated with Uhuru Kenyatta.[74] Another example is the Standard Group, owned by former President Moi's family.

b) Commercial motives – In this instance, the impetus of media ownership is mainly driven by profit. Here, Makali gives the example of Radio Africa Group, owned by Mr. Patrick Quarcoo. He says that media owners who fall under this category are those who "are all about making money, wherever they can see it."

c) Liberation publications – In this category, the ownership insists on the production of issue-based content typically focused on concerns like human rights, the rule of law and justice, among other causes. Makali gives an example of *the Nairobi Law Monthly* as one such case in point. He is, however, quick to emphasise that

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[74] Uhuru Kenyatta is currently one of the two serving in the position of Deputy Prime Minister of Kenya. He vied for the presidency during the 2002 general election and is a likely contender in the 2012 election. It is public knowledge in Kenya that the Kenyatta family is one of the most influential families by virtue of the vast economic wealth that they control.

this category of ownership is dying out, mainly due to the unrelenting pressure being exerted by the established, mainstream commercial media institutions.

Makali's classification is clearly leading us to a similar conclusion as Makokha's; that the media in Kenya is controlled by a few individuals. Indeed, this situation is by no means unique to Kenya, because it is a global trend (see also Murdock 1990). It is therefore partly for this reason that this study (in chapter 7) looks at the experiences of other countries particularly from the European Union for models that can be adapted to the Kenyan case[75]. Such models relate to media ownership among other concerns.

Media ownership however carries significance when viewed from the perspective of what roles the media should perform in the democratization of society. As Makokha (2010:286) succinctly observes, in an environment where media ownership is unregulated in order to guarantee diversity, the media can cease to be a vehicle for rational discussions (featuring a complete range of political, social, and cultural perspectives).

Odindo (2011) supports this view, by observing that media owners may compromise democracy in certain situations, by excluding the views of certain people from the channels of communication. Media institutions may also decide to support the dominant government position, in exchange for certain favors – as was the case when Macharia publicly declared his support for the "Yes" side in the 2010 referendum campaign. Odindo says that:

> When they (media owners) need money desperately, sometimes they end up stooping   too low to the government and this compromises the watchdog role. In the case of the   Royal Media Services campaigning in support of the new constitution in 2010 and   Kibaki's campaign in 2002, this decision excluded sections of the audience who didn't agree with their positions.

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[75] The case of European Union countries is considered ideal for comparative purposes because most countries in Europe have according to Czepek et al (2009:11) adopted a media governance model that actively supports and regulates press freedom and media pluralism in order to ensure representation of checks and balances, of critique and controversy and of minority opinions and interests as opposed for instance to the US-American market liberal approach. Kenya is probably closer to European countries in the sense that its new constitution supports press freedom and social responsibility for the media. In addition, the larger European countries such as Britain and France have (the same as Kenya) established a dual broadcasting system with the co-existence of public and private commercial broadcasting.

Generally, traditional normative media theory has always anticipated a watchdog role for the media. In this capacity, the media are expected to scrutinize those in authority and hold officials accountable for their actions (Norris 2000:3). This important role is however compromised when media owners stoop too low in order to get favors from government.

The increasing instances of media owners hiring out their establishments to government interests have raised questions regarding the capability of media owners to draw a line between the role of the media and their own interests. In most cases, Kenyan media owners support calls for a free media environment, mostly with the intention of leveraging their own commercial goals. In their view, freedom of the media is equivalent to freedom of the trade. This is primarily the reason why the MOA strongly supported the proposed new constitution, in the months leading to the national referendum of August 2010. The MOA, in fact, held a press conference and urged Kenyans to support the new constitution because "it was good for the country". This action, though, was motivated by narrow profit interests, rather than love for the country.

Understandably, the behavior of media owners has stirred doubt about the role of the media in furthering democracy and serving the public interest. But Tomaselli (2002:152) argues that the communicative spaces created after political liberalization cannot be viewed in isolation from their socio-economic context. This assertion is a reminder that the media will not necessarily serve the interests of all in society and will probably not be capable of tackling underlying socio-economic inequalities.

Close ties between politics and the media also leaves an impact on the diversity of media products. As already observed, the licensing regime in Kenya has mostly been influenced by the existing relationship between the applicant and government. This may perhaps explain why individuals such as Macharia have several radio stations licensed to his name. Nyabuga has perceived the threat that such individuals may pose to democracy, noting that "by owning 13 radio stations, he (Macharia) effectively strangles diversity. His support for any one particular political group has ramifications for democracy and the political process".

On this basis, one is indeed prompted into questioning Tettey's (2001:9) celebration of the democratizing role played by the emergent private media in Africa, which in itself is not a bad idea but he (Tettey) fails to take cognizance of media ownership patterns that result in a few individuals monopolizing the communications system (see also Murdock 1990). This fact is behind Wanyeki's (2011) argument for including the issue of media ownership into a future media policy for Kenya. In support of this sentiment, Iraki (2010:158) demands for an examination of the laws on the media in Kenya, to determine whether they can address the question of unfair competition and the exclusion of certain parties keen on joining the media domain.

All the foregoing views indicate that the nature of media ownership, particularly in the age of liberalization, remains a strong influence on the role of the media in Kenya. This truth is buttressed by McChesney (2004:307), who shows the ways in which media owners can influence media and the practice of journalism. In Kenya, this influence is mostly used to protect the media owner's interests and those of his political friends'. The inevitable outcome is an erosion of the media's watchdog responsibilities and a drop in the quality of journalism.

This section has also demonstrated how unregulated ownership of media could kill diversity in a liberalized setup. For example, the present media sector in Kenya – in spite of what the law may say is dominated by those with economic and political clout. These individuals have monopolized the media sector to such an extent that it has become extremely difficult for the industry to serve as a true, open, and democratic sphere. This is why Iraki (2010:145) contends that the presence of many media outlets in Kenya should not be assumed to automatically translate into a plurality of voices and of fairness in society. To address the various policy challenges resulting from media ownership noted above, this study presents a number of proposals, mostly picked from various European countries in chapter seven. It is however the challenge of future research to demonstrate how and or whether such proposals could work in the case of Kenya.

6.3.6 Views on the growth of local language radio in Kenya

The subject of language has remained an important aspect of the general post colonial discourse in Africa. Salawu (2006:3) brings attention to this issue by declaring that despite globalization, African languages cannot die. This, he says, is evinced by the fact that new information technologies are being adapted to fit into the world of some African languages. He gives the example of multi-national companies, such as Microsoft and Google that have incorporated the Swahili language into their media platforms. Salawu (2006:4) adds that in October 2004, Google launched www.google.co.ke, a Swahili version of the English website, www.google.com.

Salawu's reflections draw attention to the fact that any normative analysis of the media's role in African societies cannot afford to overlook the question of media language. Chibita (2006:238), for instance, notes that language is the primary factor in evaluating people's capacity to participate in the public sphere. As such, concepts such as 'media diversity' could be analyzed from a linguistic perspective, rather than the traditional approaches that have tended to measure this concept in terms of media ownership, content and number of voices. Pursuing a similar line of thought, the current study believes the growth of local language radio in Kenya to be an important subject requiring the attention of media policy. Here, the question to be posed is; to what extent has local language radio in Kenya affected understandings regarding the role of the media?

To respond to this question, one has to consider the general outlook of the local language radio landscape in Kenya. First, it is clear that the exponential growth of local language[76] radio in Kenya in recent years has mainly been motivated by the need to open up new markets. As such, local language radio is increasingly being adopted by

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[76] Chibita (2006:199) explores the problem of diversity of languages for the Ugandan broadcasting system. She builds a case for local language broadcasting as a means of encouraging participation in the public sphere for most Ugandans who are otherwise left out due to various factors such as illiteracy and low levels of education. Chibita, however, expresses the fear that several factors – key among them being the commercialization of the media – are making it difficult to achieve this goal. This researcher has similarly argued in a newspaper opinion piece published by in the Standard Daily, on 3rd August 2008 that local language radio in Kenya has brought into the mainstream most Kenyans who had otherwise been excluded from local and global information flows.

private investors, who see a new opportunity for profitability in a highly competitive environment. According to Wangethi (2011), the entire regional expansionist strategy of the Royal Media Services was informed by this need – to capture a bigger slice of the commercial cake.

The Managing Director of the Royal Media Services, Wachira Waruru (2011), however, espouses a different opinion. He argues that from the company's standpoint, the main impetus for setting up local language radio was to rejuvenate local languages and cultures. He asserts that:

> We are Africans. We were colonised. Local language carries within it value systems, local pride, etc – we (Royal Media Services) have just put the language we speak on radio. Ramogi FM, for instance, will talk to people close to Lake Victoria about fish and fish farming and things that are relevant in their lives, hence stimulating local potential.

Although Waruru's arguments have merit, it cannot be assumed that he will speak openly on the Royal Media Services' drive for an expanded market, or even its profit-making intentions. Such motives are instead easier to discern in the company's local language radio operations, where each station is managed as a semi-autonomous business entity.

Moving away from the commercial motive, one finds that radio stations may also be used for political and ethnic mobilization. For instance, Ismail and Deane (2008:323) have raised concern over particular cases of hate speech and incitement by some local language radio stations in the country, in the days following the disputed poll results in 2007.

The situation has not changed, several years after the post election violence. Odindo (2011) remarks that most of the local language radio stations "have become hostage to their communities, making it difficult for them to stand by particular journalistic standards. KASS FM, for instance, is now generally seen to be acting as the mouthpiece of the Kalenjin community[77] (see also the PEV Report, 2008). Ndemo

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[77] The Kalenjin, together with the Luhya, Luo, Kamba, and Kikuyu form the five major ethnic language blocks in Kenya.

(2011) holds a similar view, when he describes local language radio as "a double edged sword". In his testimony to the commission set up to investigate Kenya's post-election violence in 2008, Ndemo revealed what the Ministry of Information and Communications thought was the negative role played by local language radio stations during the period of violence (see the PEV Report, 2008: 295-303).

Waruru (2011), however, makes a contrary argument. He argues that "local language radio is a friend and a companion of the people, given that it covers issues that are close to the people. It has enabled Kenyan communities to celebrate their own heroes, music, and dance". In fact, Waruru is proud of this model and notes further that "through local music (in local languages) we have created heroes all over the country. This is music that had died. Likewise, in the film industry, we have revived local productions – Nigeria is however ahead of us".

Indeed, local language radio may have created opportunities for artistic expression and the emergence of several local heroes and heroines, as Waruru puts it. He however fails to mention that this is a feature of the current global commercial craze, which (as observed by McChesney, 2004:311), is preoccupied with the marketing of newscasters as "celebrities" and "brands" – as a cheap strategy for increasing ratings, sales and profits.

Nevertheless, the PEV report casts a mostly negative picture of local language radio in the country. It has been vilified as an agent of ethnic polarization and, worst of all, as a medium that is easily co-opted by selfish politicians in the country (Odindo, 2011; Makali 2011; Oriare & Mshindi, 2008). A section of the report, for instance, notes that:

> The Commission received testimony and other statements from a number of individuals, who included government officials, victims of the violence, and witnesses to it. In particular, they singled out KASS FM, a Kalenjin language FM station, for escalating the climate of hate and inciting violence, a phenomenon that apparently occurred on other FM stations in other parts of the country too. Witnesses made specific reference to KASS FM. They claimed that KASS FM – in conjunction with politicians – used derogatory language against Kikuyus, mouthed hate speech, and routinely called for their eviction, thereby helping to build up tensions that eventually exploded in violence. Dr. Bitange Ndemo submitted to the Commission letters and internal memos his Ministry had

received from two pastors, one voicing concern about the KASS FM breakfast show "Lee Nee Emeet" on 19 February 2007 and another on 29 November 2007, complaining about various aspects of Kiss FM, Classic FM, and Easy FM, including their promotion of "ethnic tension". On 26 November 2007, Dr. Ndemo wrote back to the first letter writer with a c/c to the Media Council of Kenya, stating that "We are equally appalled by the presentations in various FM stations and as per the law we can only complain to the Media Council. We have therefore forwarded your letter to the Media Council". (PEV Report 2008:298-299).

Despite these criticisms, Macharia still envisions a special role for local language radio in Kenya. He observes that "these radio stations have the capacity to bring communities together and this helps a lot, particularly in national issues. We did this (bringing the country together) in support of the new constitution." Makali (2011) is also of the view that despite the obvious negative role of local language FM radio in championing narrow ethnic interests, investment in this sector should be encouraged primarily because of what he describes as "the perverse westernization of our country through various western influences."

From the foregoing, it is clear that the phenomenon of local language radio in Kenya has presented the country with yet another complex media policy dilemma. In broad terms, these radio stations embody the various challenges and opportunities associated with the problem of language in a liberalized and commercialized communications environment. Thus, on the one hand, they are praised for enabling a majority of Kenyans access information and news in a language that they understand. On the other, they are increasingly seen as a manifestation of the same commercial agenda that has eaten into the media's potential as a tool for achieving social cohesion and integration. Indeed, on this basis it may be useful to carry out a comparative analysis of radio policy in other multilingual countries as part of Kenya's media policy- making process.

The foregoing discussion also reveals the effect of commercialization on local language radio as a public sphere. Chibita (2006:212) has grappled with this same issue in the case of Uganda. She observes that although indigenous language broadcasting has broadened the public sphere and in the process enabled more Ugandans to participate

in national debates, this gain has been undermined by, among other factors, the commercial imperative that drives the Ugandan media today.

To deal with the challenge of local language radio, Chibita (2006:216) makes several recommendations for Uganda that might have relevance for Kenya. She calls for the development of a broadcast policy to address the question of linguistic diversity while also ensuring that media will remain economically viable and politically relevant. In the case of Kenya, section 7 of the new constitution states that the state shall promote and protect the diversity of language of the people of Kenya. The state is further required to promote the development and use of indigenous languages.

While this constitutional provision may be said to be progressive, the challenge lies in its implementation in the context of a liberalized media set up. Thus, given the profit orientation of today's media, there is need for further thinking particularly in regard to how the promotion of linguistic diversity in the Kenyan media landscape can be counter-balanced with considerations for economic viability.

6.3.7 Views on media accountability in a changing environment

Similar to the issue of media ownership, accountability has become a major issue in policy debates, especially in the light of globalization and use of ICTs and the effect thereof on media and journalism quality and responsibility. Today's media environment however is in itself a complexity of multiple media sub cultures (see also Zelizer 2011). Palacios (2011: 57) for instance observes that we now live in societies that are characterized by plural media cultures. Inevitably, this situation complicates the case for media accountability particularly in the context of new digital mediatic environments (see views on technological changes in 6.3.2).

The concept of "media cultures" as applied by both Zelizer and Palacios above, inherently implies a certain sense of uncertainty and perhaps chaos - both of which are key characterizations of the postmodern condition (see previous references to Giddens 1990; Woods 1999, Ang 1999). Zelizer (2011:65) further argues that, "today's media environments (media cultures) have and continue to raise many questions for media accountability whose answers we (media scholars and policy makers) haven't figured

out, particularly when the long standing support beams(equivalent of the grand narratives) nation states, recognizable ideologies, default assumptions about secularism, rationality, democracy, universalism or progress, old relations with authoritarianism, colonialism, trauma or corrupt pasts no longer bear certain fruit on the ground."

It is thus within this context that we consider the Kenyan media landscape and attendant media accountability challenges. The issues of media accountability became particularly topical after liberalization of the media sector in the early 1990s. It would seem, as already discussed in chapter four that liberalization opened the door for plural media cultures as opposed to a media culture as was the case in the three decades following independence (see chapter 4). The resulting debate on accountability in the decade following liberalization mainly pitied government on the one side and media industry players on the other. The growing tension between these two sides resulted in the creation of the country's first media council in 2001, with the aim of institutionalizing self-regulation.

This institution was primarily set up by the owners of private media, as a means of countering the government's intention to regulate the sector. The new media council published a code of conduct for journalists to guide self-regulation in 2001. However, a study carried out in 2005 by the African Woman and Child Feature Services (AWC), a media-based non-governmental organization, showed that this code had not achieved the desired goals.

The AWC study further established that many of the country's media institutions were not actively enforcing this code (FES & AWC 2005:26-27). This study further revealed that the much touted 'self-regulation' was a mere window dressing campaign, aimed at forestalling government regulation of the media sector. A major weakness of the media council then (and which is relevant to the present study) is that it was controlled by media owners. In other words, the body was mostly about protecting their interests though this was not overtly stated.

Generally, the divergent positions that have been taken by industry and government over the years betray the preference for a unilateral approach to the issue of media accountability, even when it was clearly apparent that the media context had long changed. Whereas those in industry have supported self-regulation, with competition and market forces being central to such an endeavor, the government has been inclined towards official regulation, through laws, as the sole means for achieving media accountability.

The question, however, is whether there could be another less polarizing but more capable way of satisfying the aspirations of both groups while also addressing the reality of a diversified media environment. This option should also take into account the changed media and social reality in Kenya today. In the search for such an alternative, Wangethi (2011) suggests tackling the dilemma of media accountability[78] in the following ways:

a) There is need to establish and ensure enforcement of a code of conduct for journalists in the country. The larger Kenyan society should also know about the code.

b) The Media Council of Kenya should not be a government council. The problem with the current MCK is that we have not been able to get the media to respect it.

c) The media in Kenya exists basically because of the goodwill of the society. A good example is the case of the NMG, which lost its dominance in the western region of Kenya in the wake of the 2007 election, because it was perceived to be against ODM, the region's favourite party.

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[78] See also Bardoel and d'Haenen's (2004:9) analysis of new trends and thoughts on the issue of media accountability. To enrich discussion on this topic, it might be useful to consider some of the issues raised by the two authors. As is the case with the present study, the two authors are concerned about the effects of a changed media scene on media accountability. They argue that the issue of media accountability should be looked at in a multidimensional way by considering four accountability frames. They refer to McQuail's (2003) attempt at explaining accountability as follows : (*a*) law and regulation; (*b*) the market; (*c*) media ethics; and (*d*) public and professional responsibility. They, however, remould this typology into the following four accountability mechanisms: (1) political accountability - referring to formal regulation stipulating how broadcasting and newspaper companies should be structured and how they ought to function; (2) market accountability - the system of supply and demand in which the free choices of the public are given free reign and considerations of efficiency also play a role ;(3) public accountability - which is linked to the media's assignment of maintaining more direct relationships with citizens in addition to their relationship with the market and the state; and (4) professional accountability - which is linked to ethical codes and performance standards used within the media that should help in counter-balancing every excessive dependence on politics and the market.

239

Waruru (2011) agrees with these views, adding that the "media does not just belong to practitioners; the public, too, has a stake[79]". In taking such a position, he concurs with Bardoel and d'Haenens (2004:12), who have argued for the involvement of the public in the process of mass communication. These scholars believe that increased involvement would put the public in better stead to demand for accountability from the media. Media institutions, on their part, would have little choice but to deliver, given the competitive nature of the industry today.

It is for similar reasons that Nyabuga makes the following observation:

> A good approach should probably involve making private media accountable by giving them the freedom to publish whatever information – particularly information held by the state. If they do not publish it, then the assertive audience of today would deal with them. The public itself, however, has to demand accountability from the media; for instance, asking questions such as "why are we buying this newspaper if it does not address our issues?

Gaitho, too, suggests that the citizenry should be involved, through public awareness campaigns that are aimed at educating them on a common code of ethics for journalists. This, he says, should be explored as a possible strategy for strengthening a national regime of media accountability.

In addition to the public's role, market forces and competition could also play a complementary role in achieving media accountability. To emphasize the centrality of these forces, Bardoel and d'Haenens (2004:13) urge us to see the possibility that "media that people accept and support will survive and thrive; while media that people dislike or reject will suffer and die". In other words, the market offers a useful pointer to what people like or dislike, and offers the opportunity for the best to compete. This view is shared by Kittony (2012), who notes that the market is a powerful determinant of who survives, particularly in this age of cut-throat competition.

Odindo (2011) likewise subscribes to the belief that consumers of media do have a role to play in enforcing accountability. He notes that "Today we have an assertive audience.

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[79]Wachira (2011) of Royal Media Services insists that the level of quality of programming achieved by the Royal Media Services is dictated and generally influenced by the tastes and preferences of their audiences. In other words, he seems to recognize that quality is in itself a public interest concern that is in this case it can be achieved based on the pressure from the consuming public itself.

We cannot just rely on the Media Council of Kenya. Readers vote with their money, but only an enlightened audience can do that". Macharia shares a similar view and says the following of his local language stations: "We do not own them anymore; they are owned by the people that they serve….Quality is determined by them. If we do not deliver quality content, we shall be rejected".

The market, however, cannot be the sole guarantor of accountability for the media, precisely because the market logic is mostly about profit making rather than protecting public interests (See Wyss & Keel 2009). Yet, this very observation of the media can and should be the basis for thinking about other ways in which private media can contribute to public interest concerns. Some of the proposals made to the ongoing Leveson Commission of Inquiry in the United Kingdom offer useful insights into how this could be done. For instance, the Coordinating Committee on Media Reforms in the United Kingdom in its presentation to the commission has proposed that big media companies should support public interest media by way of making a mandatory financial contribution to support fledgling sectors of public interest media. Such levy could be in the form of a percentage of annual net profits which is allocated to a public media trust that would then distribute the accumulated funds.

Another proposal made by this committee is in regard to the implementation of market caps. Such caps would ensure that no single company controls more than 20% of a given media market or more than 15% of the revenue of the core media industry. Companies exceeding these thresholds should be forced to divest accordingly.

These proposals are made in similar spirit as McQuail (2005:213) when he contends that commercial media cannot serve as a check on themselves, since they are principally organized to make profit, rather than to serve the communication function. In the profit-making orientation, the media also lack any true standard of quality upon which they could assess their own performance in relation to established public interests. This situation is made worse by the fact that media owners tend to define freedom and quality of media in terms of their own freedom and welfare.

This has prompted Wambua (2012) – of the Communications Commission of Kenya – into proposing a model of co-regulation, which he believes could work in the Kenyan context. According to Wambua, co-regulation means that government regulatory agencies (such as the CCK) should work in partnership with the media industry, to achieve media accountability. Wambua suggests that the media industry could develop its own programming code, which would then have to be assessed by the CCK and subsequently approved as a uniform guide for industry operations. In his view, this co-operation would significantly reduce the tensions and suspicions that have traditionally characterized the relationship between the CCK and the media industry, while ensuring that vital public interests continue to be served.

In looking at models on co-regulation from other regions of the world, the Swiss model as discussed by Wyss and Keel 2009:114) may also be considered as a potential case study for Kenya. Co-regulation as espoused in the Swiss model is seen as a form of regulation that combines legislation and regulatory action with action taken by the actors most concerned. Thus, this model puts primacy on media institutions to implement quality management systems[80] that function as an instrument for establishing a culture of responsibility or media accountability. Wyss and Keel (2009:116) have explained how this model works as follows:

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[80] Wyss and Keel (2009:118) further explain that a quality management system ideally involves or includes the establishment of visible and transparent schedules of responsibilities at the level of the media organization and the newsrooms. It also includes the constitution and communication of transparency rules, quality norms, principles and standards as well as procedures involving the civic society or recipients. In this regard, quality goals must be stated by management in a way that they can be measured in an evaluation process. Thus the process of quality assurance is established and driven by the management. In this way, there is an element of flexibility to allow for self control with a view to establishing whether the organization's performance meets the goals and standards set by themselves in accordance with the broader regulatory framework. Thus the process of media quality assurance is premised on the fact that media organizations are committed to a culture of responsibility as well as the ability to identify and pursue quality focused processes. A quality management system thus includes at least two key processes: a transparent quality policy and 2) resources processes. A quality policy requires that management should provide evidence of its commitment to well-defined core values. This should be formalized in a widely circulated document that is reviewed at least once a year. The resources process identifies all the processes that have a direct impact on the quality of editorial content, the relationship with advertisers, the relationship with external suppliers of content, the measurement of audience figures and listeners and viewers satisfaction and the management of human resources (see Wyss & Keel 2009:120).

In Switzerland, the media regulation and supervisory authority – the Federal Office of Communication (OFCOM) – has applied the co-regulation concept by linking the guaranteeing of broadcasting licenses to the implementation of quality management systems within the media organization.

This model presents an interesting case study in media governance, where the role of the state moves away from hierarchical control to a modulation or moderation of the processes going on in the media landscape. In other words, effort is made to ensure that media regulation does not limit freedom of the press, but in fact serves to strengthen and support freedom and pluralism.

The foregoing discussion demonstrates that the debate on media accountability in Kenya cannot take a single dimension or approach as has been the case in the past. In regard to government dominance of the accountability processes, it is instructive that several researchers on African media (Tettey, 2006; Wasserman & de Beer, 2005) have rightly resisted state-based accountability mechanisms, which they view as susceptible to abuse. On the other hand, market dominance may also result in challenges as argued by several authorities such as Bardoel and d'Haenens, 2004:13 who warn against leaving the task of media accountability to market forces alone. These authors argue that the market tends to favor majority preferences over quality of content or critical and minority voices.

It would seem therefore that a suitable strategy is one that takes a multi-dimensional approach. In this regard, a mechanism or framework that recognizes the roles of the public, the market and competition, ethical professional codes, and regulation as means of achieving a holistic media accountability framework has to emerge (see proposal in chapter 7). In this way, it is easy for government in its moderation role to bring others on board in a way that averts drawn out debates[81], while also recognizing that other parties have a contribution to make.

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[81] Long debates have tended to characterize government's attempts to regulate the media in the country. Such debates have been witnessed with respect to the *Media Act 2007* and the *Communications (Amendment) Act 2008*. For instance, President Kibaki did not endorse the first draft of the *Media Act 2007* presented to him on 22 August 2007 because of a controversial clause that parliament had included requiring journalists to disclose unnamed sources in the event of a legal tussle. The President's action

6.3.8 Views on government's role in the future

Chapter two and four gave an indication of the role that the Kenya government has traditionally played in relation to the media, starting from independence up to the 1990s. During this period, it was easy for the state to assert its control over the media, mainly through punitive laws, harassment and intimidation, among other techniques. Globally, however, the future portends a different reality, in which the state's leadership and control over the media is increasingly being questioned (see discussion in chapter 2).

The state itself is also being re-invented, as evidenced in the transformation following the wave of democratization that swept across the world after the fall of the Berlin Wall in 1989. The powerlessness of the state in today's changed communications reality is also further elaborated upon by Giddens (2002:251), who argues that modernity "displaces" by way of conjoining proximity and distance in ways that have few parallels in prior ages. Indeed, this is the same situation that Thompson (1995:31) describes as the reordering of space and time, which has been made possible through globalised communications that defy state borders and controls (cf. Fourie, 2005).

According to Makali (2011), the new reality makes it difficult for the state to retain its central position in directing and guiding the media. He then opines that: "the government will be reduced to playing the role of a referee; moderating the behavior of different players by developing the basic policy framework for the operations and conduct of the media in the country. It will be tasked with keeping the peace and holding the state together".

Nyabuga, however, makes a contrary argument, foreseeing the government's future role as mainly facilitative. Githaiga (2011) is of the same opinion, urging that in future, the government should limit itself to providing an enabling environment for the country's media. This it should do by developing infrastructure, regulation, and other forms of support, such as grants (Chapter seven of this study presents several proposals of the roles that government should play in the future media landscape). Wanyeki (2011), too,

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was largely influenced by the amount of debate and street protests by journalists prompted by the additional clause. This legislation was later accented to after removal of the contentious clause.

believes that the government should focus on putting in place a regulator that will function in the public's interest and ensure that common access to infrastructure is guaranteed. Although the Media Council of Kenya is being revamped and given greater autonomy under the new constitution, some of the proposals made to the Leveson Commission of Inquiry in the United Kingdom may also offer useful insights on how to strengthen the role and place of the new media council.

One such proposal that was made by a group of academics, lawyers and journalists brought together under the auspices of the Reuters Institute for the Study of Journalism, favors the establishment of an independent, voluntary and effective media standards authority in the UK. This body would be voluntary but its powers should be underpinned by statute. Its role would be to safeguard the rights of expression of journalists and publishers and the rights of individuals to privacy and reputation, while at the same giving proper effect to the rights of the public to accurate information on matters of public concern[82]. This proposal ideally stresses the independence of regulatory agencies from governmental influence, while preserving and safeguarding freedom of expression.

Wambua (2012) is in agreement noting that although the government will still continue to enact policy, state influence will have to be reduced – from heavy involvement, to what he describes as 'light-touch legislation'. He explains this type of legislation as one that involves developing broad (as opposed to specific) legal guidelines for the media landscape. Britain has implemented the "light touch regulatory model' as a means for approximating a balance between accountability and freedom of the media (see detailed proposal in chapter 7).

In summary, the foregoing views suggest that to be sustainable and productive, the state's engagement in the media landscape will have to be informed by the reality of change. In other words, there must be a rethinking of the way government and laws drive and regulate the media, for the sake of securing public interests. There is also an

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[82] For details on the structure of this body, the reader is referred to the detailed submission made to the Leveson Commission of Inquiry under the title: *Media Regulation Round Table: Final Proposal for Future Regulation of the Media: A Media Standards Authority.*

admission that past rigid and centrally controlled policy mechanisms will no longer work in a changed context where, as Nerone (1995:160) has already noted, it is no longer only the nation-state out of which the press operates that most significantly determines journalistic practice, but the broader global arena.

In practical terms, this means setting new priorities for policy and devising news methods for the formulation and implementation of those policies. In this regard, policy will need to be sensitive to the social changes in the Kenyan society and the media landscape. To achieve this goal, government needs to constantly involve other players, including media professionals, non-profit organizations as well as individuals in identifying and addressing the trends within policy[83].

It is also strongly suggested that government spreads the responsibility of implementing new policies and regulations on the media to other actors, including non-profit institutions and other professional outfits. Although the Media Council of Kenya is now carrying out regular monitoring of the media, particularly of the broadcasting sector, there is need to expand this role in a structured and deliberate way, to include the input of others. The council's capacity to carry out such monitoring should also be strengthened and made more sustainable. Ultimately, the involvement such a variety of groups will reduce the level of government control, while opening up several fronts from which media accountability can be managed.

6.3.9 Views on the place of African moral philosophy

In order to interrogate the place of African moral philosophy (discussed in chapter 3) in debates on media policy, the current sought to find out what key industry players in Kenya thought regarding the possibility of using an African moral philosophy to guide Kenyan journalism ethics (and general normative theory). This undertaking was motivated by the central desire of this thesis; a rethinking the role of the media in Kenya, given the social and economic changes that are reshaping it.

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[83] There has been a semblance of this shift in Kenya, with the Ministry of Information and Communication involving different players in revising old regulations on the media, such as the Media Act, 2007 and the Communications (Amendment) Act, 2009. Such efforts, however, need to be scaled up.

The impetus for this turn toward an African moral philosophy also came from the notion that Western normative media theory has largely ignored the realities of other cultures, including the African reality. Thus, the proposal to adopt an African moral perspective was seen as one way of making theory relevant to the African society and, by extension, a chance for adding Africa's voice to the wider global effort to remake normative media theory.

Indeed, chapter three explored the value of *Ubuntu* as an alternative normative framework for the Kenyan media. It was observed that some critical tenets of *Ubuntu* might indeed be applicable to journalism, including the idea that African behavior and systems should be evaluated against internally generated evaluative frameworks. This would imply that ideally, the performance of African media systems and the journalists who serve them would be reflected in the way they represent Africa in the face of the world. It should however be stated at the onset that although this question was posed to all the key role players interviewed for this study, just a few however responded to it, while most either evaded or did not have much to say.

One reason for this, as discussed in chapter three, is that an African cultural identity in the true sense of the word may have been lost over time given the strong influences from outside on the continent through colonization and foreign religions such as Islam and Christianity. It may thus be assumed that the respondents interviewed for this study did not express an opinion on this subject mostly because they do not see themselves as true products of an African cultural system but a global one. This tendency is reflected in the views of the few who expressed an opinion.

Despite this observation, Nyabuga (2011) uniquely observes that African moral philosophy can be useful particularly when journalists have to report on what he describes as "alien issues" such as homosexuality. Here, African moral philosophy could provide direction, according to the various cultural sensitivities that undeniably exist in our society". Ang (2003:141), however, disputes this view. She observes that the current moment of change has resulted in the "rampant division and fragmentation

of audiences", making it difficult for society to agree on any one common standard (or measure) for distinguishing good journalism from bad.

The philosophy of *Ubuntu* has also been critiqued for its narrow ethno-centered focus. Those who are sympathetic to this criticism note that applying Ubuntu to African media systems would in essence limit them to what is African, at the expense of other perspectives (see detailed discussion in 3.5). Muiru (2011) is in agreement with this view, stating that the very attempt to base Kenyan journalism on a prescriptive African moral philosophy is in itself prescriptive. He goes on to ask: "Should the media really be prescriptive? If you indulge in prescriptive journalism, how will that sit with balance and fairness?"[84]

In the criticisms leveled against *Ubuntu* (and other ethno-centered perspectives), one can discern the element of globalization, standing in the way of attempts to indigenize media theory. One could even argue that globalization as a process of change has no room for ethnocentric solutions. This is fundamentally because globalization is a process by which all societies are contributing to, and in turn taking from, a globalised cultural movement. It is within this frame of thinking that Wangethi (2011) makes the following comment:

> Journalism is a concept that we (Kenyans) borrowed from elsewhere. From the fact that we adopted it, we should allow ourselves to work with the universal principles that have guided it. A specific kind of African journalism cannot exist on its own. We have undermined African moral philosophy so much that it is no longer a factor in our lives anymore.

The foregoing discussion admits that African moral philosophy can, in some ways, provide a normative basis for African journalism ethics (see detailed discussion in 3.4). It has however been proven that African journalism will be taking the risk of prescriptiveness and conformity to narrowed ethnic standards, should it embrace the principles of *Ubuntu*.

Thus, if African, or Kenyan journalism for that matter, were based merely on African moral philosophy, its scope would not approximate the reality of today's globalised

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[84] See also Banda's (2009) criticism of Kasoma's *Afriethics as* discussed in chapter three.

248

constituency that media systems must operate within. Indeed, in today's globalised reality, freedom of the media derives from and feeds on the reality of unmitigated flows of information. For this reason, Curran and Park's (2000:7) contention that globalization is the basis of communication and cultural exchange, remains of great relevance to media policy considerations.

6.4 Conclusion

This chapter aimed at demonstrating the possible link between normative media theory and practice, using the Kenyan case study. The discussion of normative media theory in the first section of the chapter provided a framework for anchoring the views of key role players in the Kenyan media landscape. The views expressed on the role of the media were questioned in the context of theory, particularly the current contestation regarding the effectiveness of traditional normative theory in accounting for a changing media and social landscape (see also previous references to Giddens 1990; Albrow 1997; Woods 1999). The following chapter charts a way forward regarding how normative media theory can guide media debate and policy making in Kenya, now and into the future.

CHAPTER SEVEN

WAY FORWARD

7.0 Introduction

Given the discussion in the preceding chapter, this concluding chapter proposes a way forward regarding how normative media theory and practice could meet each other in view of the transformations that have been occasioned by globalization, as well as the specific realities of African societies. This chapter thus lays out a number of recommendations that could inform debate on the media, attendant media policy making efforts as well as future research on the media in Kenya. These normative proposals are largely informed by the theoretical discussion in the preceding chapters, experiences from elsewhere in the world notably several European countries as well as the views and opinions expressed by key role players in the Kenyan media landscape.

It is however important to mention that this chapter only but offers broad proposals or guidelines to be addressed in the Kenyan media policy discourse. It therefore remains the task of future of research to show or demonstrate- by way of detailed examples and models, how each or any of the following proposals could be implemented in the Kenyan context.

7.1 Recommendations

7.1.1 Role of the media in Kenya

Instructively, many key role players (see discussion in previous section) in the Kenyan media landscape are on record saying that the traditional roles of the Kenyan media have not, and are not likely to change. This sentiment is shared by Christians et al (2009:237) who argue that although much has changed (and is changing) in the activities and operating environment of the media, the essence of these traditional roles endures. However, what is also apparent from the theoretical analysis, as well as the views of respondents is the fact that the circumstances under which media have to play these roles have changed remarkably. This is for instance illustrated in the discussion in chapter four, which paints the picture of a changing Kenyan media landscape

characterized by flexible diffusion and appropriation of media products on a scale that is more global than local. This situation is however better explained in the context of the discussion on the post modern moment (see previous references to Giddens 1990) and its characterizations that include uncertainty, mostly as a result of the loosening of society(see also reference to the fading of the grand narratives). Consequently, though the traditional roles of the media remain, there is a sense in which, media and communication scholarship as well as policy should move towards a different understanding of these roles in a bid to ensure relevance in a changing social economic context.

This study therefore proposes that to ensure relevance to changing times, the roles of the media in Kenya (as defined by key informants in the previous chapter) should (for the sake of enriching policy on the media in Kenya) be linked to certain social values that can be pursued in the public interest. This suggestion is not completely new. The Dutch[85] have, for instance, proposed a functional model for guiding media policy at the national level. This model makes effort to establish linkages between particular functions of the media and their corresponding (or specific) social values (see WRR Report, 2005). The matrix below provides an illustration of what the functional approach might look like, if applied to the Kenyan scenario;

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[85] This model was proposed in 2005 by the Scientific Council for Government Policy. In summary, the model sought to provide an alternative media policy roadmap that is more focused on the social value of the media, rather than with the technological developments in the media landscape. Thus, the functional approach, as defined by this model, identifies the functions that media should play in the Dutch society. In this regard, the model identifies the following functions; news and current affairs, opinion and debate, entertainment, arts and culture, specialized information. Each function is however matched with a social value that can serve as a means for detecting anomalies in the media landscape that might require government intervention. Thus for instance, if opinion and debates in the media are not harnessing the diverse views of society, then value of plurality is at stake. In this way, one can see that each value embodies a public interest that ought to be protected or promoted through elaborate policy.

Table7.1: Mapping media roles, functions and social values

Role	Function	Social Value
Developmental role	News and current affairs	Independence- occurrence of cases of repression by the state or other organizations against journalists or the media, cases of censorship, occurrence of harassment and intimidation of journalists, media organizations, self censorship etc , Plurality- scope and diversity of media content i.e. informational content. Key questions could include: are certain controversial topics ignored? Are opposing views given space? Is there open critic of government and other state based actions and policies? Is there a broad variety of topics and views represented?
Information Provision	News and current affairs/specialized information	Pluralism, participation- who has access as a recipient of information?
Democracy strengthening	Watchdog/opinion and debate	Pluralism/independence(see above) Participation- access to the media/possibilities for participation in public discourse,
Gate keeping	News and current affairs	Independence

The mapping of roles, functions and social values in the matrix above is an approximation of what is envisaged in the functional approach. Here, a clearly defined function of the media is linked to a particular social value. The identified social value can then become the basis, or benchmark, for assessing media performance and isolating public interests in respect to the media. Moreover, the social values could serve as signals for detecting any problems (in the media landscape) that might require intervention.

During election seasons, for instance, Kenyan media institutions would be expected to provide a forum for debate that is based on a diversity of opinions, reflective of all the interests in the society. If this were not happening, then one would have reason to investigate, intervene in the media landscape, or call for a diversity of viewpoints. On

the whole, what this approach does is to focus media debate and policy attention on social values that cannot easily change and/or transform, even when the society itself is changing.

Christians et al (2009:237) propose a similar approach towards the monitorial, radical, facilitative and collaborative roles of journalism. They, for instance, argue that the monitorial role of journalism always remains at the core of the task of informing the public, and therefore, is not essentially changed by new circumstances (see also previous section). If anything, the changing social context means there is a greater need for information over a wide range of topics, from more sectors of society, with more exciting criteria of informational value. It would therefore seem that as society gets more complex, the need for more diverse information becomes more critical. Consequently, this study proposes that diversity should be considered a critical social value, one that should be protected in the public's interest.

The same could be said with regard to the radical role of journalism. This role is mostly realized through independent information, criticism and comment. Indeed, Christians et al (2009:238) are aware of the critical need for independent comment and criticism on a wide range of issues, given that most issues are now becoming too complex to assess with certainty. These scholars say that many modern concerns in environmental management, industrial activity, politics, and religion, among others require more critical and independent analysis. Consequently, the critical social value in this case would be the independence of criticism.

In brief, the functional approach draws attention to the social values that are linked to various media roles. Policy attention should thus be directed towards promoting and protecting these social values. Ultimately, these social values provide a possible basis for assessing media performance and quality. For instance, media performance in Kenya could be assessed based on the extent to which a media system is independent or the extent to which it incorporates a diversity of viewpoints in its programming.

7.1.2 Technological changes

The discussion in the previous chapters showed that advances in media-related technologies have, and will continue to transform the way media institutions operate. By extension, these advances have also impacted the media's performance of its societal roles (see also chapters two and four). Chapter two, in particular, interrogates the work of communication scholars who have examined this issue. Nerone (1995:104), for instance, wonders whether: "technology will make responsibility obsolete?" McQuail (2003:41), though, is more concerned with the "flux and uncertainty" brought about by technological innovations in the media. These concerns have and continue to be echoed in recent and current scholarship (cf. by Fourie 2005; 2011).

A critical question for this study, too, is how media policy should deal with the question of technological change in Kenyan media. The study proposes that media policy should (as in the case of media roles) focus on the *social value* of the media landscape (see previous reference to social values) and not on changes in media related technologies.

This is in recognition of the fact while media-related technologies are always changing, social values, remain relatively stable over time. After all, as McQuail (2003:49) asserts, the future of communication is in human hands, rather than at the disposition of technology. This implies that media policy should work towards shaping, directing and guiding the future of communication, rather than abdicating this responsibility to the dictates of shifting technology.

The question of changing media and communication technologies also has implications for media regulation. This is for instance illustrated by the case of Britain which had to switch towards what is referred to as "light touch" media regulation. According to Humphreys (2009:204) Britain introduced light touch regulation of private broadcast media as a reaction to developments in technology. He notes; "while there continued to exist good grounds for retaining strong public service broadcasters, the principle justification for across the board strict regulation for all operators had fallen away when scarcity of frequencies was replaced by technologies which made possible an increasing abundance of new programmes services." Light touch regulation in the

British context has in practice meant application of lighter programme content obligations and a tampering on expectations regarding standards. This observation may have relevance for Kenya since the country has or is in the process of migrating to digital broadcasting – with the deadline set for 2013.

7.1.3 Renewed focus on the public contribution of private media institutions

The prevailing attitude in Kenya is that private media institutions are mainly driven by the profit motive, and that in most cases, they do not promote public interest oriented agendas. Mbeke, Ugangu & Okello-Orlale (2010)[86] however propose that the unique strengths of these institutions should be channeled into delivering more services to the public, through a deliberate policy framework.

Closer attention, for example, should be paid to the private media's spread and reach, which makes it possible for them to influence the thinking of large numbers of people on a variety of issues. These strengths and possibilities can be analyzed in the context of broader normative concerns such as access, freedom of expression and media social responsibility, among others. For example, what social value can be derived from the spread and popularity of private FM radio stations in Kenya? Indeed, a future concern for media research should be the probable public value/benefit that private media institutions can bring to the table in respect to the various normative issues discussed, and how such benefits could be scaled up from a policy perspective.

Some of the proposals made to the Leveson Inquiry in the United Kingdom may have relevance in this regard. Such include the proposal on encouraging private upstarts and small scale media owners whose focus is set on public interest goals but whose potential is otherwise stymied by competition. Such small scale media operations could be funded through a system of redistribution (through levies as already discussed elsewhere) in the media sector. It would however be the responsibility of a public media trust (established under statute but run independently) to identify and appropriately fund

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[86] This study titled, *The Media We Want: The Kenya Media Vulnerabilities Study* (2010) was an exploratory initiative aimed at investigating the underlying factors that influence media behavior and to make recommendations on how the sector could be reformed in a manner that would approximate aggregated expectations in Kenya.

the operations of these upstarts. Inevitably, such an operation would lead to the stimulation and growth of a third sector of the media in Kenya that gives prominence to public interest issues and is not overly constrained by market forces.

7.1.4 Media ownership concerns

In addition to the idea of funding or giving support to upstarts in the media sector, there are several but closely related media ownership/funding proposals that have been tried in several European countries. Such models include options for private non-commercial radio stations as is the case in Austria and some states of Germany where radio stations are partly funded by private broadcasting authorities, partly by donations. In return for the support that they receive, these radio stations are required to offer several hours of open channel broadcasting. In the North Rhine-Westphalia state of Germany, commercial radio stations have to offer two hours each day to interested citizens who can broadcast whatever they want, as long as it is not against the penal law (see Czepek et al 2009).

This funding formula serves to compel media owners to honor certain basic societal obligations. In addition, the open radio concept guarantees a level of access for every citizen to the means of communication while allowing small media owners to continue thriving despite the dictates of economic changes on society. Austria has, in addition to the open radio concept, encouraged the development of a third media sector referred to as the independent non commercial radio stations. Legislation passed by the Austrian parliament in 2001 aimed at distancing broadcasting from government and commercial competition has made it possible for this third sector of the media to emerge (see Thiele 2009).

This third media sector is basically funded through government subsidy. However, although these models have worked in both Germany and Austria to mitigate the influence of media ownership, it is however the task of future research to show how and whether these proposals could be applied to the Kenyan case and the implications for press freedom in a nascent democracy such as Kenya's.

7.1.5 Changing audience dynamics: audience research as a basis for media policy

Traditionally, audience research has mainly been undertaken in the pursuit of commercial and market-based imperatives. This study, however, suggests that it is possible to use audience research to reveal important information for media policy. In other words, audience research can provide sound knowledge about the public, whose interests are to be protected by media policy. For example, audience research can be used to establish the views of Kenyans on the independence, diversity and vibrancy of the media landscape including providing critical information on programming and attendant public interests that might be protected.

Similarly, audience research can be used to get critical information on several normative concerns, such as the place of community media, local language radio, media ethics, and media accountability, among others. Knowledge generated through such research is not only essential for understanding audience dynamics, but also the deeper motivations that people bring to the media. These motivations, in turn, can be used to point out the social values that should be promoted through the media, at any given point in time.

In the Kenyan context, institutions such as the proposed Independent Communications Commission of Kenya (ICCK) and the Media Council of Kenya could be tasked to carry out independent audience surveys on a regular basis, as a means of generating critical information from the public on issues such as licensing, conduct of media institutions, local versus foreign media content, diversity in the media, among others. This kind of information would greatly enhance these institutions' policy output, while also generally enriching debate on the media in the country. It however remains the task of future research to provide direction on how such research can be managed and how it should be incorporated into the menu of responsibilities that these bodies are required to perform (see previous reference to the Independent Communications Commission of Kenya).

7.1.6 Media accountability

From the foregoing, it is clear that media accountability has and continues to be a contentious issue for many societies across the world (see also McQuail 1992; Zelizer 2011). The views of key role players in the Kenyan media landscape, as well as lessons from normative theory of the media as well as experiences from other parts of the world (see previous reference to the Leveson Commission of Inquiry, Swiss media accountability model) suggest that media accountability cannot be achieved using one approach; rather a multipronged approach is required. It is for this reason that this study proposes a media accountability model for Kenya that will comprise the following elements:

a) Normal regulation through state based but independent institutions such as the Communications Commission of Kenya (CCK). It is recommended that such regulation should be based on light touch interventions (see also previous reference to light touch regulation and the British model in 7.1.2) in the media landscape.

b) Market forces – the discussion in the previous section shows that the market can, despite many criticisms (as noted in the previous chapter) act as a democratic medium in the sense that viewers vote with their remote controls. This approach has however been criticized because audience ratings as Vedel (2009:272) for instance argues, do not measure viewer preferences but only which programmes viewers chose within a limited offering. In addition, audience ratings give more weight to heavy viewers.

c) Citizen's engagement - There is need to ensure the participation of ordinary citizens in media accountability processes. This means that a deliberate plan should be put in place to ensure that viewers are represented on governance structures of public broadcasters. In addition, citizen consultations before the renewal of a license could also be institutionalized as one of the mechanisms for ensuring accountability on the part of the media. In the case of Kenya, these

consultations could be devolved to the county level[87] so that decisions are localized to address the needs of local regions across the country. However, for this to happen, there is need to encourage the growth of viewers associations at different levels for instance national, county and local or small town levels.

d) The last cog in the wheel should be, as noted by McQuail (2005:214), the accountability that arises out of the self respect and ethical development of professionals working in the media, such as journalists and advertisers.

In addition, this study further proposes that other institutions in the Kenyan society such as the Independent Electoral and Boundaries Commission (IEBC) and the National Cohesion and Integration Commission (NCIC) should be given a formal role in media accountability processes. The National Cohesion and Integration Commission (NCIC) are already informally engaged in this task, by way of monitoring hate speech in the media.

However, one must remember that although accountability is important, the demand for it must be balanced against the likelihood of censorship or endangering freedom of expression. This study recommends that future research and enquiry should explore how these institutions can formally be enjoined in media accountability processes at the national level.

7.1.7 Media access

It is ironical that in an age that is defined by the abundance of information (see for instance Thompson 1995) access to the same is still a major concern not just for societies in Kenya but for many people across the world. The previous chapters have shown that debate on media access in Kenya has tended to focus more on the structures - plurality in terms of the number of media institutions and not the range of information, voices, interpretation and debate. This study suggests that Kenyan media policy and attendant discourse should focus on how to support the plurality of voices in the media and not just the actors. This is because, other than ownership, the way media

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[87] The new Kenyan constitution which came into effect in 2010 provides for a devolved system of government. In this regard, the country is now divided into forty seven (47) counties which form the basis of a devolved governance system.

content is structured (in terms of voices and how many of them are represented) has an impact on plurality in the media.

To achieve this goal, this study proposes that a deliberate policy framework be put in place to support or stimulate production of media content at the fringes of the range of mainstream preferences. This would include supporting media initiatives that give voice to minorities or those concerns that mainstream commercial media tend to ignore. A good example in Kenya is a local publication by the title *the Reject*[88].

Additionally, the government, as well as other institutions in society such as non-profit organizations, could facilitate and subsidize forms of electronic newspapers, journals and virtual communities for groups (and social institutions) that do not have access to traditional mass media platforms (see also previous reference to proposals made to the Leveson Commission of Inquiry particularly in regard to supporting media upstarts). The same could be done for those groups whose voices are not represented in mainstream media. It should however be acknowledged that sponsorships may have their own impact on freedom of expression, reliability, authority and integrity of the media.

7.1.8 Local language and participation

Chapter four described the fervent growth of local language radio in Kenya, in recent years. While this has been hailed as a positive move that resulted in the expansion of the public sphere, there are discernible weaknesses. Such primarily relate to the commercialized nature of the Kenyan media landscape today. For instance, most of the local language radio stations are private business entities, operated by owners keen to make a profit (see also previous section for summary of respondents' views on local language radio).

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[88] The *Reject* publication was launched in 2009 by the African Woman and Child Feature Service (AWC) a Nairobi based non governmental organization. The purpose of this publication was to provide space for voices from marginalized groups in the Kenyan society whose voices and stories hardly made to the mainstream media. In other words, *Reject* aimed at telling the stories of these groups not from the point of view of the politician or other elitist voices in society but the ordinary people themselves. *Reject* was and continues to be funded by the Ford Foundation as non profit private media initiative. Another example of a local Kenyan initiative of public interest media is *the Expression Today (ET)* publication- a monthly media review that is published by the Media Institute a non governmental organization with support from Open Society Initiative for East Africa (OSIEA).

The need for linguistic diversity is however an important consideration, deserving of policy attention, because it has a direct bearing on the potential role of the media in Kenya. From a normative perspective, linguistic diversity can be considered in relation to access. Chapter four, for instance, demonstrates how the emergence of local language radio has ensured media access for local people (who were hitherto cut off because of illiteracy) to information flows.

In the case of Kenya the need for linguistic diversity gets a boost from the country's constitution which, under Section 7 (3), gives recognition to the promotion and protection of the diversity of languages in Kenya. While the media provides a useful platform for achieving this goal, there is need however to develop a policy framework that balances linguistic diversity with economic viability of the media.

To inform this process, this study proposes the need for a comparative study that will look at other countries and how they are or have handled the indigenous language question and the media, to provide useful insights for developing such a policy locally.

7.1.9 Government's role in the future

From the discussions undertaken in the previous chapter, this study does not foresee a centralized role for the government in Kenya's future media landscape (see discussion in chapter 4, regarding government's control over media during the pre-1992 period). The new approach, rather, should be one that is premised on less control and more learning, since the media landscape is continually changing. In other words, media and communication policy should be an on going process, rather than one that follows canonized laws and regulations.

Such an approach allows government to notice changes within the media landscape that require (particularly in regard to the social values discussed in a preceding section) attention. For instance, on the question of independence, the Kenyan constitution now provides for a free and independent media. This is an important benchmark that should be protected at all times in the public's interest.

This selective engagement by government helps avoid rigidity as was the case in the past. It also affords space for other social institutions to share in the responsibility of identifying and protecting public interests. Future research should however demonstrate how government could work with these institutions on the task of isolating and protecting public interests in relation to the media. Reference could also be made to proposals made to the Leveson Commission of Inquiry regarding the establishment of overall but voluntary national level authorities that can function as regulator. Such lessons can be borrowed to strengthen and perhaps expand the mandate of the newly created Independent Communications Commission of Kenya (see also discussion in chapter 6).

7.2 Conclusion

In concluding, we bring focus back to the underlying motive of this study - which is to show the implications of normative theory for media policy in a changing social economic context. First, the discussion through each of the chapters of this study has served to underscore the fact that all media policy starts with normative principles. In other words, normative theory should serve as a roadmap for thinking and shaping policy possibilities. The question however is how this process should happen when normative media theory is greatly challenged by the present social economic and technological changes that are as a result of globalization.

In the past, as this study has shown, it was easy to isolate roles of the media in a given social context. Theoretical frameworks for doing this, such as the four theories of the press, were better suited to account for the social and political realities of the time, making it easy for media scholarship to define normative responsibilities of the media. This way, one could also tell differences between media systems with relative ease, for they took on the coloration of their national societies.

Today, however, media scholarship as this study suggests, is engaged in a struggle to find the right concepts for dealing with the present moment. This moment, as this study has endeavored to show, is mostly characterized by a collapse of cultural hierarchies, broad societal and economic shifts, a sense of placelessness and even a substitution of

spatial for temporal coordinates. In other words, this new reality makes nonsense of traditional frames of reference such as the nation state and other ideological bases while at the same time exerting pressure on media and communication scholarship to locate alternative frames of reference.

This study has shown that, it is not an easy task to rethink the role of the Kenyan media against such a backdrop. It is equally not easy to show how normative media theory should inform media policy practices and discourses in a context that is defined by uncertainty. This study however, discussed and affirmed several theoretical possibilities that may have implications for media scholarship as well as media policy discourses in the Kenyan context. These include the following:

a) That discussion on normative media theory and the link to media policy practice cannot be done without consideration of the forces of globalization and the transformations that they have brought on society. This point was made partly in chapter one, but mostly in chapter two and given emphasis in the whole study.

b) That rethinking of the role of the media today (though not easy) is a completely desirable undertaking given the transformative effects of globalization on society. It is against this basis that the rethinking process urged by this study should be seen as re-energizing media scholarship and particularly the global and national level debates on normative media theory. By extension, this rethinking process also becomes part of the means of countering or even resolving the epistemological challenges presented by today's postmodern condition (see chapter two). It is for this reason that, meta-narratives whose bases have traditionally derived from ethno-centred perspectives (see for instance the discussion on *Ubuntu* in chapter three) are questioned while alternative understandings that are fashioned on an acknowledgement of diversity and difference upheld as alternative anchoring principles for media and communication policy discourses across the world. This study shows that such thinking may have value for national level media policy discourses.

c) That post modernity's desire for fluidity of boundaries presents a challenge as well as opportunity for media policy. The opportunity lies in the fact that fluidity

263

encourages innovation not just in regard to cultural production but also in terms of policy options. For instance, the policy proposal made in the foregoing section regarding how private media institutions can and should serve the public interest goals is one such radical example. It is also for the same reason that questions have been raised about media policy practices that are for instance constrained by state power (see discussion in chapters two and four).

d) Fluidity demands more flexible approaches to solving today's communication problems. This might imply a shift away from state based policy solutions (see the example of the normative proposals made in the foregoing section - particularly the proposal on light touch regulation).

e) The realization that nation-states have little control over information flows and how people access and use such information. These notion challenges the possibility of age old traditional normative principles such as those embodied in the four theories of the press and the Habermasian public sphere (see chapter two). In this regard, it is recommended that media and communication policy making processes have to be continuous and not a one-off effort, if they are to adequately address the reality of a constantly changing media and communications environment as well as the discontinuist character of the postmodern. To achieve this, policy making, should be informed by, and be based on a continuous monitoring of the media landscape. Deliberate effort should also be made to ensure dialogue and participation among different players to enrich learning and therefore the crafting of more acceptable policy solutions.

f) That in a globalizing context, it makes sense to consider policy practices and options from other parts of the world as one way of resolving or addressing local challenges - for in the local, one finds the global and vice versa. In this regard, the Kenyan media landscape can and should look at policy practices from elsewhere to enrich any local or homegrown solutions (as has been suggested in the previous section of this chapter).

g) That the postmodern moment is not about the loss of belief and order, but rather about acceptance of the plurality of beliefs. The key lesson here is that media

policy making efforts should be more inclusive and operational at different levels of society so that as many voices and interests as possible are represented.

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266

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APPENDICES

Appendix 1: Administrative Map of Kenya
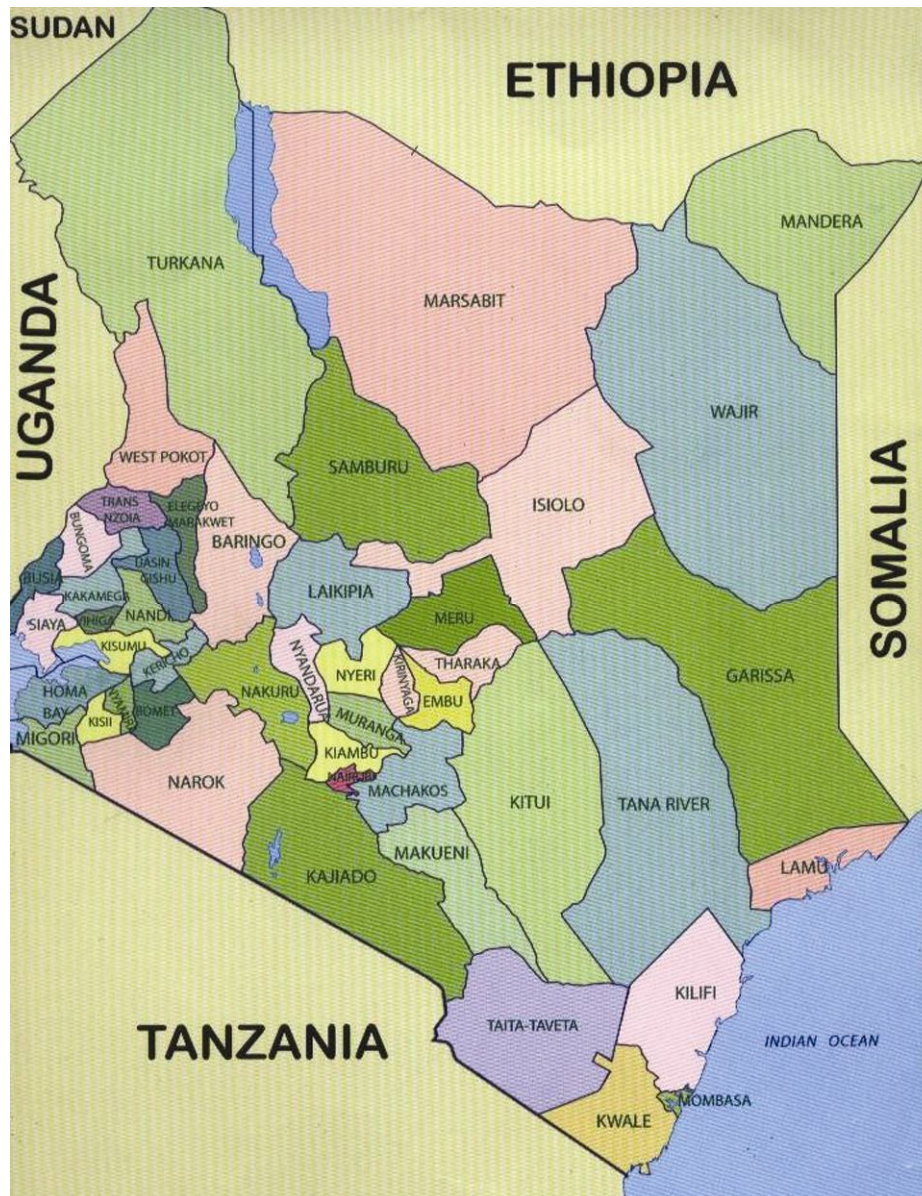
Appendix 2: List of key informant interviewees

Interviewee	Position	Place and date of interview
Wangethi Mwangi	Former Editorial director-Nation Media Group	Nairobi, 4/1/2011
Joseph Odindo	Editorial Director- Nation Media Group	Nairobi, 9/2/2011
S. K. Macharia	Chairman/Proprietor- Royal Media Services and chair- Media Owners Association (MOA)	Nairobi, 20/1/2011
David Makali	Journalist and director of the Media Institute	Nairobi, 3/4/2011 (telephone interview)
George Nyabuga	Journalist and associate director- School of Journalism and Mass Communication at the University of Nairobi	Nairobi, 8/2/2011
Muiru Ngugi	Lecturer- School of Journalism, University of Nairobi	17/2/2011
Tom Mshindi	Managing Director- newspaper division Nation- Media Group	Nairobi, 1/10/2010
Juliana Omale	Journalist and media consultant	Nairobi, 7/10/2010
Wachira Waruru	Executive director, Royal Media Services	Nairobi, 18/2/2011
Esther Kamweru	Former executive director- Media Council of Kenya	Nairobi, 5/11/2010
Macharia Gaitho	Editor special projects- Nation media group and current chair of the Editors Guild of Kenya	Nairobi, 4/5/2011
Hassan Kulundu	Journalist and formerly news editor at Kenya Today	Nairobi, 2/10/2010
Bitange Ndemo	Permanent Secretary, Ministry of information and communication	Nairobi, 11/3/2011
Muthoni Wanyeki	Journalist and former executive director-Kenya Human Rights Commission	Nairobi, 8/3/2011
Kwamchetsi Makokha	Journalist and columnist-Saturday Nation	Nairobi, 5/9/2010
Frank Ojiambo	Member to the Broadcasting Content Advisory Committee and former editorial administrative manager-Nation Media Group	Nairobi, 7/9/2010
Grace Githaiga	Journalist and civil society activist	Nairobi, 26/2/2011
Kiprono Kittony	Chairman, Radio Africa Group	Nairobi, 1/2/2012

Ezekiel Mutua	Director of information, ministry of information and communication	Nairobi, 7/8/2010
Henry Maina	East Africa Regional Director- Article 19	Nairobi, 2/7/2010
Christopher Wambua	Media and Publicity Relations officer- CCK	Nairobi, 17/2/2012
George Opiyo	Former Director of Information and communications(Ministry of information and communications	Nairobi, 28/7/2010

Appendix 3: Status of FM Broadcast Frequencies in Kenya

STATUS OF FM BROADCAST FREQUENCIES		

LOCATION		Name of Broadcaster	FM Frequency (MHz)	Station ID	Status
Nairobi	1	91.5	88.0	Sound Asia	on Air
	2	Kenya Episcopal Conference	88.3	Radio Waumini	on Air
	3	Garissa FM	88.7	Garissa FM	on Air
	4	Kalee Ltd	89.1	Kass FM	on Air
	5	KBC	89.5	Ghetto FM	on Air
	6	Radio France International	89.9	Radio France International	on Air
	7	Royal Media Services	90.4	Chamge FM	on air
	8	Biblia Husema Studios	90.7	Biblia Husema	on Air
	9	Bridge media	91.5	Homeboyz Radio	on Air
	10	China Radio International	91.9	China Radio	on Air
	11	KBC	92.9	KBC Idhaa ya Taifa	on Air
	12	Christ is the answer ministries (NPC)	93.3	Hope FM	on Air
	13	Digitopia	93.6	Milele FM	on Air
	14	BBC	93.9	BBC world service	on Air
	15	EATN	94.4	QFM	on Air
	16	Radio One IPP	94.7	East Africa Radio	on Air
	17	IQRA	95.1	IQRA FM	on Air
	18	KBC	95.6	English service	on Air
	19	Royal Media Services	96.0	Hot 96	on Air
	20	Nation Media Group	96.3	Easy FM	on Air
	21	GO Commucations	97.1	Radio 1	on Air
	22	Radio Holdings	97.5	Radio Jambo	on Air
	23	Royal Media Services	97.9	Mulembe FM	on Air
	24	Capital Group	98.4	Capital FM	on Air
	25	Royal Media Services	98.9	Inooro FM	on air
	26	KBC	99.5	Coro FM	on Air
	27	Koch FM	99.9	Koch FM	on Air
	27	SIDAREC(Pwani)	99.9	Ghetto FM	on Air
	27	Pamoja Development (Kibera)	99.9	Pamoja 99.9 FM	on Air
	27	St Pauls	99.9	Light FM	on Air

		University(Limuru)			
	27	Kenyatta University(KU)	99.9	KU 99.9 FM	on Air
	27	Kenya College of Communication Technology	99.9	MMUK	on air
	33	Radio Africa	100.3	Kiss 100	on Air
	34	Regional Reach	101.1	Kameme FM	on Air
	35	Neural Digital	101.5	Radio Umoja FM	on Air
	36	KBC	101.9	Metro FM	on Air
	37	Toads Media Group	102.7	Radio maisha	on Air
	38	Royal Media Services	103.2	Egesa FM	on Air
	39	Future Tech Electronics	103.9	Radio 316	on Air
	40	KIMC	104.7	KIMC	on Air
	40	USIU	99.9	USIU	on Air
	41	Kitambo Communications	105.2	Classic 105	on Air
	42	North Eastern Media & Telecomms	105.9	Star FM	on Air
	43	Lingam Enterprises	106.3	East FM	on Air
	44	Royal Media Services	106.7	Radio Citizen	on Air
	45	Royal Media Services	107.1	Ramogi FM	on Air
	46	International Broadcasting Bureau (VOA)	107.5	Voice of America	on Air
Mombasa	1	EATN	87.9	QFM	On air
	2	Radio Africa	88.7	Kiss 100	on Air
	3	KBC	89.1	Metro FM	on Air
	4	Lingham Enterprises	89.5	East FM	On Air
	5	Stangy Boyz	89.9	Sound Asia	on Air
	6	Royal Media Services	90.4	Hot 96	on Air
	7	Pro-Phase marketing	90.7	Radio Salaam	on Air
	8	Universal Entertainment	91.5	Rahma FM	on Air
	9	Radio Holdings International	92.3	Radio Jambo	on air
	10	Southern Hills Development Agency	93.1	Kaya FM	on Air
	11	British Broadcasting Corporation	93.9	BBC world service	on Air

	12	Neural Digital	94.7	Radio Umoja	on Air
	13	National Assembly	95.1		Not on Air
	14	Feba Radio	95.5	Baraka FM	on Air
	15	Royal Media Services	96.0	Ramogi FM	on air
	16	Digitopia	96.7	Milele FM	on Air
	17	Royal Media Services	97.3	Radio Citizen	on air
	18	Future Tech Electronics	97.9	Radio 316	On air
	19	Capital Group	98.4	Capital FM	on Air
	20	Royal Media Services	99.2	Ramogi FM	on air
	21	Royal Media Services	100.0	Musyi FM	on air
	22	KBC	100.7	KBC Idhaa ya Taifa	on Air
	23	Nation Media Group	101.5	Easy FM	On air
	24	Christ is the answer ministries (NPC)	101.9	Hope FM	on Air
	25	Kalee Ltd	102.7	Kass FM	on Air
	26	KBC	103.1	KBC English Service	on Air
	27	KBC	103.9		Not on Air
	28	KBC	104.4		Not on Air
	29	KBC	104.7	Pwani FM	on Air
	30	Toads Media Group	105.1	Radio maisha	on air
	31	Radio France International	105.5	Radio France International	On Air
	32	Sirwo Enterprises	105.9	Classic 105	on Air
	33	Tony Msalame Productions	106.6	Sheki FM	On Air
	34	GO communications	107.5		on Air
Kisumu	1	KBC	87.7	Metro FM	On air
	2	Kalee Ltd	91.0	Kass FM	on air
	3	Osienala	92.1	Radio Lake Victoria	on Air
	4	Radio Africa	92.5	Kiss 100	on Air
	5	National Assembly	93.5		Not on Air
	6	Ke-Wi Media	94.3	Radio Sahara	On air
	7	Royal Media Services	95.4	Ramogi FM	On air
	8	TBN Family Media	96.5	Radio 316	on air
	9	Neural Digital	97.3	Namulolwe	on air

		10	Royal Media Services	97.6	Radio Citizen	on air
		11	Maseno University	98.1	Equator FM	On air
		12	Digitopia	99.7	Milele FM	on Air
		13	Radio Holdings	100.1	Radio Jambo	on Air
		14	KBC	100.5		Not on Air
		15	KBC	100.9	Metro FM	On air
		16	Nation Media Group	102.1	Easy FM	On air
		17	Royal Media Services	103.1	Hot 96	On air
		18	KBC	104.1		Not on Air
		19	KBC	104.5	KBC Idhaa ya Taifa	On Air
		20	Toads Media Group	105.3	Radio maisha	on air
		21	Royal Media Services	107.6	Ramogi FM	On air
Nakuru		1	Neural Digital	87.7	Radio Umoja	on Air
		2	Catholic Diocese of Nakuru	88.3	Radio amani	on air
		3	Royal Media Services	89.8	Inooro FM	on Air
		4	National Assembly	90.9		Not on air
		5	Kalee Ltd	92.5	Kass FM	on air
		6	KBC	94.5	Metro FM	on Air
		7	Royal Media Services	95.0	Chamge FM	on Air
		8	Royal Media Services	95.4	Ramogi FM	on Air
		9	Sirwo Enterprises	95.7	Classic 105	on Air
		10	KBC	96.5	KBC English Service	on air
		11	Radio Holdings International	96.9	Radio Jambo	on Air
		12	Nation Media Group	97.7	Easy FM	On air
		13	Radio Africa	98.1	Kiss 100	On air
		14	Capital Group	98.5	Capital FM	on Air
		15	Regional Reach	99.3	Kameme FM	on Air
		16	Royal Media Services	100.5	Radio Citizen	on Air
		17	Sauti ya Mwananchi FM & TV	100.9	Sauti ya Mwananchi	on Air
		18	Future Tech Electronics	102.1	Radio 316	On air
		19	Royal Media Services	102.5	Hot 96	on Air
		20	Biblia Husema Studios	102.9	Bibla Husema	on air

	21	EATN	103.3	QFM	on air
	22	KBC	104.1	KBC Idhaa ya Taifa	on Air
	23	Toads Media Group	104.5	Radio maisha	on Air
	24	International Children's Mission	105.3	Jesus is Lord Radio	on Air
	25	GO communications	106.5		on Air
	26	KBC	106.9		Not on air
Nyahururu	1	Royal Media Services (Nyadundo)	88.9	Inooro FM	on air
	2	Digitopia	90.2	Milele FM	on Air
	3	National Assembly	92.1		Not on air
	4	Radio Holdings (Nyadundo)	97.3	Radio Jambo	on air
	5	KBC (Nyadundo)	99.7	Coro FM	on air
	6	Royal Media Services (Nyadundo)	103.6	Radio Citizen	on air
	7	Royal Media Services (Nyadundo)	106.0	Hot 96	on air
	8	KBC (Nyadundo)	107.7		Not on air
Nyeri	1	KBC	87.6	KBC Idhaa ya Taifa	on Air
	2	Royal Media Services	88.6	Hot 96	on Air
	3	National Assembly	89.3		Not on Air
	4	EATN	90.9	QFM	On air
	5	Digitopia	91.7	Milele FM	on Air
	6	Regional Reach	92.3	Kameme FM	on Air
	7	KBC	97.0	Metro FM	on Air
	8	Royal Media Services	97.8	Inooro FM	on Air
	9	Capital Group	98.5	Capital FM	on Air
	10	Radio Holdings	99.3	Radio Jambo	on Air
	11	Radio Africa	100.1	Kiss 100	on Air
	12	KBC	100.7	KBC English service	On air
	13	KBC	102.3	Coro FM	On air
	14	Royal Media Services	104.3	Radio Citizen	on Air
	15	Nation Media Group	104.9	Easy FM	on Air
	16	Toads Media Group	105.7	Radio maisha	on air
	17	GO communications	106.1	Classic 105	on air
Nanyuki	1	KBC	96.5		Not on air
	2	KBC	106.9		Not on air

289

Eldoret	1	Royal Media Services	87.6	Hot 96	on air
	2	Radio Africa	89.1	Kiss 100	on Air
	3	Kalee Ltd	90.0	Kass FM	on Air
	4	Royal Media Services	90.4	Radio Citizen	On air
	5	Royal Media Services	95.8	Mulembe FM	on air
	6	EATN	96.7	QFM	on air
	7	Biblia Husema Studios	96.3	Biblia Husema	on air
	8	Word of truth Ministries	97.1	Fish FM	on air
	9	Royal Media Services	97.5	Chamge FM	on air
	10	KBC	97.9	Metro FM	on Air
	11	Sauti ya Rehema RTV Network	98.7	Sayare	on Air
	12	Radio Holdings International	99.5	Radio Jambo	on air
	13	National Assembly	100.3		Not on Air
	14	Regional Reach	101.9	Kameme FM	on air
	15	Sirwo Enterprises	102.3	Classic 105	on air
	16	Nation Media Group	102.7	Easy FM	on air
	17	Royal Media Services	107.0	Inooro FM	On air
Timboroa	1	British Broadcasting Corporation	88.1	BBC World service	on Air
	2	KBC	88.6	KBC Idhaa ya Taifa	on Air
	3	KBC	91.5	KBC English Service	on Air
	4	Capital Group	93.0	Capital FM	on Air
	5	Christ is the answer ministries (NPC)	93.9	Hope FM	on Air
	6	Biblia Husema Studios	101.5	Biblia Husema	on Air
	7	International Children's Mission	105.9	Jesus is Lord Radio	on Air
	8	Sirwo Enterprises	106.3	Classic 105	on Air
Webuye	1	Royal Media Services	89.6	Mulembe FM	on air
	2	Community broadcasting services	91.7	Radio Mambo 91.7 FM	on air
	3	Digitopia	92.7	Milele FM	on air
	4	Royal Media Services	94.5	Radio Citizen	on air
	5	West Media Ltd	94.9	West FM	on air
	6	Radio Holdings	95.3	Radio Jambo	on air

		International			
	7	KBC	100.7		Not on air
	8	KBC	103.5		Not on air
	9	Radio Africa Ltd	104.7	Kiss 100	on air
	10	National Assembly	107.9		Not on air
Kapsabet	1	SDA Baraton University	103.9	Baraton University	on air
Kakamega	1	Masinde Muliro University (MMUST)	103.9	MMUST FM	on air
Machakos	1	Sauti Communications	91.1	Power FM	on air
	2	Eastern Broadcasting Corporation	92.5	Mbaitu FM	On air
	3	Royal Media Services	94.2	Radio Citizen	on air
	4	Biblia Husema Studios	96.7	Biblia Husema	on Air
	5	Royal Media Services	100.8	Gold FM	on Air
	6	Royal Media Services	102.2	Musyi FM	on air
	7	Daystar University	103.1	103.1 Shine FM	on Air
	8	Radio Holdings International	103.5	Classic 105	on Air
	9	Sirwo Enterprises	105.5	x-fm	on Air
Meru	1	Regional Reach	88.3	Kameme FM	on Air
	2	Royal Media Services	88.9	Muuga FM	on air
	3	KBC	90.4	KBC Idhaa ya Taifa	on Air
	4	KBC	90.7		Not on Air
	6	National Assembly	91.5		Not on Air
	7	Radio Holdings International	92.7	Radio Jambo	on air
	8	Radio Africa Ltd	93.5	Kiss 100	on air
	9	Nation Media Group	93.9	Easy FM	on air
	10	Royal Media Services	94.3	Radio Citizen	on air
	11	Royal Media Services	95.1	Inooro FM	On air
	12	KBC	97.5	Metro FM	On air
	13	Digitopia	101.5	Milele FM	on air
	14	KBC	103.0	Coro FM	on Air

	15	KBC	103.5	KBC English Service	on Air
	16	Capital Group	103.9	Capital FM	On air
	17	Toads Media Group	105.1	Radio maisha	on air
	18	Sirwo Enterprises	105.5	Classic 105	on air
	19	EATN	107.1	QFM	on air
Chuka	1	Royal Media Services	93.1	Radio Citizen	on air
	2	Royal Media Services	102.0		on air
Kangema	1	Kenya Meteorological Department	106.5	Kangema FM	on air
Murang'a	1	Radio Maria Kenya	88.1	Radio Maria	On air
Kanyenyeini	1	Royal Media Services	96.1	Inooro FM	on air
		Royal Media Services	96.5	Radio Citizen	on air
Kitui	1	GO communications	87.7	Classic 105	on air
	2	Kenya Episcopal Conference	88.1		on air
	3	Eastern Communication Systems	88.7	Syokimau FM	on air
	4	KBC	92.9		Not on air
	5	KBC	98.1		Not on air
	6	Royal Media Services	98.6	Radio Citizen	on air
	7	KBC	99.7		Not on air
	8	KBC	101.7		Not on air
	9	Royal Media Services	103.6	Musyi FM	on air
	10	National Assembly	104.5		Not on air
	11	Radio Holdings	104.9	Radio Jambo	on air
	12	Seventh Day Adventist	105.3	Wikwatyo 105.3	on air
	13	Capital Group	106.5	Capital FM	on air
Malindi	1	Neural Digital	87.7	Radio Umoja	on air
	2	KBC	90.1	Metro FM	on air
	3	Rahma Broadcasting Ltd	91.3	Radio Rahma	on air
	4	Pro-Phase marketing	92.1	Radio Salaam	on air
	5	KBC	93.3	English service	on air
	6	KBC	93.7	Pwani FM	on Air
	7	KBC	96.5		Not on air
	8	Royal Media Services	97.4	Radio Citizen	On air

	9	Radio Holdings International	98.1	Radio Jambo	on air
	10	Feba Radio	99.3	Baraka FM	On Air
	11	Southern Hills Development Agency	99.7	Kaya FM	on air
	12	Digitopia	101.3	Milele FM	on air
	13	National Assembly	102.5		Not on air
	14	Sauti Ya Pwani	103.3	Setal Radio	On Air
	15	Capital Group	104.5	Capital FM	On air
	16	Royal Media Services	106.0	Bahari fm	on Air
	17	GO communications	106.9	Classic 105	on air
Garissa	1	Pro-Phase marketing	89.5	Radio Salaam	On Air
	2	KBC	89.9		Not on Air
	3	Rahma Broadcasting Ltd	91.9	Radio Rahma	on air
	4	National Assembly	92.3		Not on air
	5	Royal Media Services	95.7	Radio Citizen	on air
	6	KBC	96.3		Not on Air
	7	North Eastern Media & Telecomms	97.1	Star FM	On Air
	8	KBC	99.5		Not on air
	9	Neural Digital	100.7	Radio Umoja	on air
	10	Transworld Radio	101.1	SIFA Garissa	on air
	11	Capital Group	102.7	Capital FM	on air
	12	Radio Holdings	104.3	Radio Jambo	on air
	13	Garissa fm	107.5	Frontier FM	on Air
Mandera	1	North Eastern Media & Telecomms	97.5	Star FM	on air
	2	KBC	97.9		Not on Air
	3	Transworld radio	100.7	SIFA FM	on Air
	4	KBC	101.5		Not on Air
	5	KBC	105.1		Not on Air
Wajir	1	Garissa fm	88.9	Frontier FM	on air
	2	Wajir Community Radio	90.9	Wajir Radio	On Air
	3	KBC	92.9		Not on Air
	4	KBC	96.1		Not on Air

	5	Royal Media Services	97.0	Radio Citizen	on air
	6	North Eastern Media & Telecomms	97.3	Star FM	on air
	7	Transworld radio	101.7	SIFA FM	on air
	8	KBC	102.9		Not on Air
Kericho	1	Yepchinit FM &TV Ltd	88.9	Sema Fm	on air
	2	Sauti Ya Rehema RTV	90.5	Sayare	on air
	3	Faith Ministries & churches Intern'l	98.9	The just liveth	on air
	4	African Gospel Church	103.7	Radio Injili	on air
	5	Christ Co-workers Fellowship	107.3	Light & Life FM	on air
Kisii	1	Radio Holdings International	89.3	Radio Jambo	on air
	2	SDA Nyamira conference	89.7	Kisima FM	on air
	3	Royal Media Services	90.2	Radio Citizen	on Air
	4	KBC	91.7		Not on air
	5	Royal Media Services	94.6	Egesa	on Air
	6	Star Radio & TV Network	96.1	Q-FM	On Air
	7	National Assembly	96.9		Not on Air
	8	Royal Media Services	98.6	Ramogi	on Air
	9	Kalee Ltd	99.3	Kass FM	On Air
	10	KBC	101.7		Not on Air
	11	Sauti ya Rehema RTV Network	102.9	Sayare	on Air
	12	KBC	103.3	KBC swahili	on air
	13	Royal Media Services	106.6	Radio Citizen	on air
Kibwezi	1	Mang'elete	89.1	Radio Mang'elete	on air
	3	Royal Media Services	92.2	Musyi fm	on air
	4	KBC	93.1		Not on Air
	5	Royal Media Services	95.4	Radio Citizen	on air
	6	KBC	101.9		Not on Air
	7	National Assembly	102.3		Not on air
	8	Digitopia	104.3	Milele FM	On air
	9	Radio Holdings	104.7	Radio Jambo	on Air
Voi	1	Neural Digital	88.1		on air

	2	Digitopia	89.7	Milele FM	On air
	3	KBC	90.5		Not on air
	4	Royal Media Services	91.8	Radio Citizen	on air
	5	Dominion Central Links for Develop.	96.1	mwanedu fm	on air
	6	KBC	96.9	KBC Idhaa ya Taifa	On air
	7	KBC	98.9		Not on air
	8	National Assembly	100.1		Not on air
	9	KBC	103.7		Not on Air
	10	Capital Group	104.9	Capital FM	on air
	11	Radio Holdings	105.7	Radio Jambo	on air
	12	Transworld radio	107.7	SIFA Voi	On air
Lamu	1	National Assembly	89.5		Not on air
	2	Rahma	91.5	Radio Rhama	on air
	3	Pro-Phase marketing	92.7	Radio Salaam	on air
	4	KBC	93.1		Not on air
	5	KBC	96.3		Not on air
	6	Transworld radio	101.1	SIFA FM	on air
	7	KBC	103.1		Not on air
	8	Radio Holdings	104.7	Radio Jambo	on air
Narok	1	National Assembly	88.1		Not on Air
	2	Kenya Meteorological Dept	89.3		on air
	3	KBC	90.5		Not on Air
	4	Royal Media Services	95.5	Radio Citizen	on air
	5	Radio Holdings	97.3	Radio Jambo	on Air
	6	KBC	100.1		Not on Air
	8	KBC	105.7		Not on Air
Kianjai (Tigania West)	1	Mugambo Jwetu CMC	102.3		On air
Kajiado	1	National Assembly	88.5		Not on Air
Oloitokitok	1	National Assembly	88.7		Not on air
Kapenguria	1	Digitopia	88.3	Milele FM	on air
	2	International Christrian Ministries	88.8	Imani Radio	On air

	3	National Assembly	87.9			Not on air
	4	Sauti ya Rehema RTV Network	91.1	Sayare	On air
	5	KBC	93.3			Not on air
	6	Royal Media Services	96.1	Radio Citizen	on air
	7	KBC	97.8			Not on air
	8	Radio Holdings	99.7	Radio Jambo	on air
	9	KBC	101.3			Not on air
	10	West Media Ltd	104.1	West FM	On air
	11	GO communications	105.7	Classic 105	On air
	12	Elgonet	106.5			Not on air
Lodwar	1	KBC	88.7			Not on air
	3	KBC	91.9			Not on air
	4	Sauti ya Rehema RTV Network	93.9	Sayare	on air
	5	KBC	98.3			Not on air
	6	Kenya Episcopal Conference	99.5	radio akicha	On air
	7	Transworld Radio	101.9	SIFA Lodwar	On air
	8	Elgonet	105.5			Not on air
Busia	1	Royal Media Services	99.0			Not on air
	2	Royal Media Services	101.0			Not on air
Bunyala West (Sio Port)	1	Kenya Meteorological Department	107.5			on air
Siaya	1	Royal Media Services	98.4			Not on air
Homabay	1	Royal Media Services	97.0	Ramogi	on air
	2	Royal Media Services	105.2	Radio citizen	on air
Maralal	1	National Assembly	87.7			Not on Air
	2	Reto Women	88.9			on air
	3	Elgonet	91.3			Not on air
	4	Royal Media Services	95.9	Radio citizen	on air
	5	KBC	93.3			Not on air
	6	KBC	96.5			Not on air
	7	Radio Holdings	97.3	Radio jambo	on Air
	8	KBC	99.7			Not on air
Marsabit	1	KBC	89.1			Not on air
	2	National Assembly	89.5			Not on air

	3	KBC	95.5		Not on air
	4	Royal Media Services	98.0	Radio citizen	on air
	5	KBC	98.7		Not on air
	6	Transworld radio	101.1	SIFA Marsabit	On Air
Moyale	1	KBC	92.5		Not on air
	2	KBC	95.7		Not on air
	3	KBC	99.3		Not on air
Lokichokio	1	KBC	92.5		Not on air
	2	KBC	95.7		Not on air
	3	Biblia Husema Broadcasting	102.5	Biblia Husema	On air
Dadhaab	1	North Eastern Media & Telecomms	97.1	Star FM	on air

Source: CCK 2011