The Kenya Media Assessment 2021

Chaacha Mwita[1]

Foreword

Established in Kenya since 2004, Internews has worked to empower the media to cover difficult topics such as HIV and Aids, maternal health, land conflicts, elections — including the 2007/08 postelection violence — natural resources, and more recently, the rise of disinformation. In many ways, our media development work follows Kenya's modern history and helps journalists cover comprehensively some of Africa's biggest challenges.

Over the last 17 years, the media landscape has changed dramatically. Access to information has increased with the arrival of vernacular radio stations at the beginning of the Kibaki tenure in 2002, and with the democratisation of social media in the 2010s. The market, once booming, is now under intense pressure with advertisers shying away from traditional local media to focus on international — often online-based — platforms, leaving newsrooms with less money to operate. As a result, the content produced is more consensual.

As the 2022 elections near, we wanted to reflect on these changes, and take the time to understand where the Kenyan media is. We asked one of country's most respected editors, Chaacha Mwita, to conduct a 360 degrees assessment of the media. This would help our organisation, and other actors interested in media development, to design targeted activities. Among other findings, Mwita's assessment shows that social media has become the first source of information for Kenyans. After decades of dominance, radio is now Number Two — a trend witnessed in many African countries. The assessment also reveals the need to review the various laws and regulations affecting the sector, to align them with the changing market. The reader will appreciate the unique narration of this report, that can be read like a long-form story.

Brice Rambaud
Internews' Regional Director for Sub-Saharan Africa

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List of Abbreviations

AFP	Agence France-Presse/French International News Agency
ALIN	Arid Lands Information Network
AMWIK	Association of Media Women in Kenya
AP	Associated Press
BAKE	Bloggers Association of Kenya
BBI	Building Bridges Initiative
CAK	Communications Authority of Kenya
CCTV	China Central Television
DNA	Deoxyribonucleic Acid/'genetic make-up' in ordinary non-expert usage
FGD	Focus Group Discussion
ICC	International Criminal Court
ICFJ	International Federation of Journalists
ICT	Information and Communication Technology
IT	Information Technology
KBC	Kenya Broadcasting Corporation
KCA	Kenya Correspondents Association
KCOMNET	Kenya Community Media Network
KEG	Kenya Editors Guild
KICA	Kenya Information and Communications Act
KII	Key Informant Interview
KOT	Kenyans on Twitter
KTN	Kenya Television Network
KUJ	Kenya Union of Journalists
MCK	Media Council of Kenya
MESHA	Media for Environment, Science, Health and Agriculture
MOA	Media Owners Association
NMG	Nation Media Group
NSAC	National Security Advisory Committee
NTV	Nation TV
NYT	New York Times
OSIEA	Open Society Initiative for Eastern Africa
PANG	Pan Africa Network Group
PBO	Public Benefit Organisation
SAGA	Semi-Autonomous State Agency
SMG	Standard Media Group
UNESCO	United Nations Educational, Scientific and Cultural Organization
USAID	United States Agency for International Development
VMMC	Voluntary Medical Male Circumcision

Executive Summary

The media in Kenya is facing different pressures from different areas — legal threats, economic challenges, fluid audience behaviour and the COVID-19 pandemic. To establish how the media is coping (and could cope) in 2021 and beyond, Internews conducted an industry assessment.

Using both qualitative (key informant interviews, focus group discussions, observation, and desktop research) as well as quantitative (survey) research methods; it was determined that Kenya's media environment is complex and relatively advanced. From pre-independent Kenya to-date, the media development trajectory has mirrored the country's history from colonial times to the present. With significant print, television, radio, online and social media offerings, the sector is also enriched by the presence of media associations and international media support organisations.

Although most Kenyans are comfortable with the quality of news and information they get from the media; fake news (79 per cent of Kenyans say they receive it), production quality, and the topics, depth and accuracy of the content offered have emerged as key content quality challenges worthy of in-depth attention. Also worrying is the decline in data journalism which peaked between 2012 and 2015. It could, and should, improve given the COVID-19 pandemic which requires making sense of the statistics the Ministry of Health reels off every day.

Further, the last decade has witnessed an erosion of the economic vibrancy of legacy media in Kenya. For one, newspaper circulation has been dropping since 2013,[2] while television took a big hit in 2014 when the digital migration process began.[3] Contrary to common belief that radio is the main source of news and information, it has given way to social media.[4]

Legally, the freedom of the media is guaranteed in the Constitution of Kenya 2010 (Articles 33, 34 and 35). However, practically, the media in Kenya is governed by various laws fragmented within different sections of the civil and criminal law making the constitutional guarantees inimical to freedom.

There are stark lessons to be learnt from this assessment: Social media has become the main source of news and information for majority of Kenyans, even though it suffers the greatest

2 Reelforge and Tifa (2019), Kenya Media Landscape Report, Nairobi

3 IPSOS, Kenya Audience Survey — Lockdown Edition, October 30, 2020
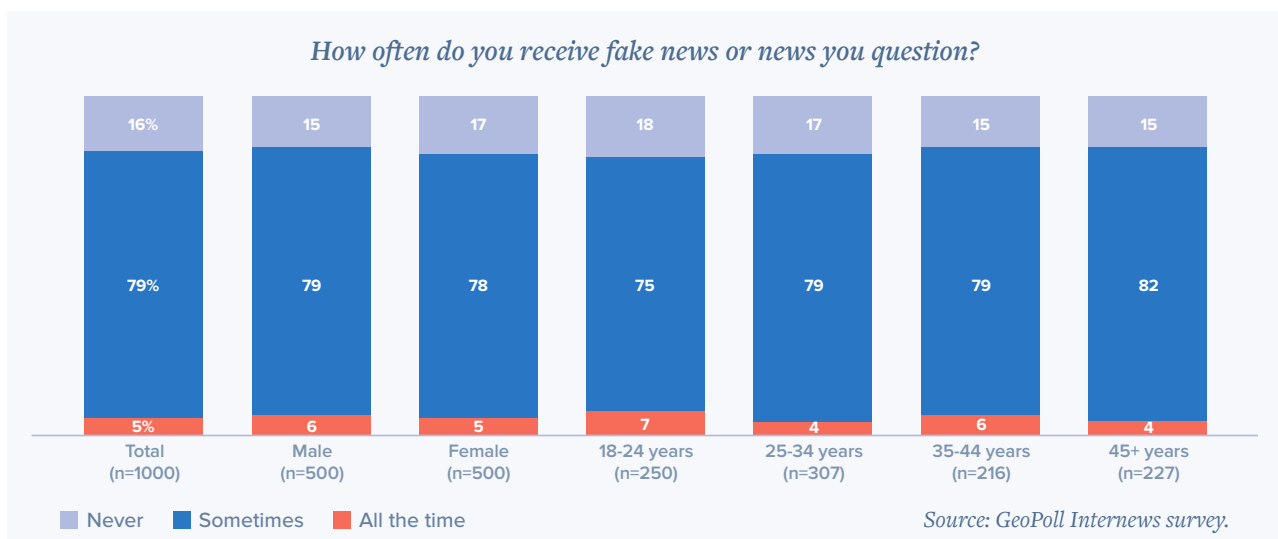
4 See in-depth section on 'Social Media' later in this report.

trust deficit. Radio remains highly important, while television is the most trusted source of information and newspaper circulation and readership continue to decline — even though newspapers have the highest quality content. The study also found that self-censorship is rife; media sustainability remains a key concern and media freedom has been deteriorating since 2017.

To improve media performance in Kenya, three key gaps were identified for plugging. These are skills gaps (the knowledge media personnel need to perform their work effectively); resource shortages (the resources media entities need to execute their mandate); and policy gaps (an enabling environment for the media to thrive).

Figure 1.
The problem of our time—frequency of receiving fake news.

A majority of the respondents (79%) believe they receive questionable or fake news sometimes with a very low percentage reporting having never received fake news.

How often do you receive fake news or news you question?

	Total (n=1000)	Male (n=500)	Female (n=500)	18-24 years (n=250)	25-34 years (n=307)	35-44 years (n=216)	45+ years (n=227)
Never	16%	15	17	18	17	15	15
Sometimes	79%	79	78	75	79	79	82
All the time	5%	6	5	7	4	6	4

■ Never ■ Sometimes ■ All the time   *Source: GeoPoll Internews survey.*

Despite challenges, there is hope. The Kenyan media is resilient. In addition, the presence of international media support organisations in the country could be exploited to address the critical skills, resources and policy gaps that need to be plugged for the media to thrive.

Introduction

Technology transitions, legal changes, economic challenges, shifting audience behaviour and the COVID-19 pandemic have all exerted different levels of pressure on different media entities in Kenya. The objective of this media assessment is to evaluate the current state of the industry to determine how to strengthen it.

Since vibrant and independent media are central to democratic life, it is important to understand these challenges intimately to authoritatively suggest solutions to the benefit of the media in Kenya and the country's democratic fabric.

There are other considerations: in 2022 Kenya will hold a general election that will result in a change of guard. More urgent, the country is headed for a referendum on proposed constitutional changes under the Building Bridges Initiative (BBI) before that crucial August 2022 general election. Given that sections of the media have been accused of fuelling postelection-related violence in the past,[5] are they ready to cover these prevalent and upcoming tense political events? What help do they need to do their job better for the country's socio-political balance and economic advancement?

The media's *raison d'etre* is to serve the public through the audiences they cultivate by way of the products and services they offer which include news, entertainment, and advertising. How they attract and retain those audiences becomes an important means of sustainability for the media. However, audience loyalties and behaviour are more fluid than ever before. Are audiences satisfied with the news and information they get from the media in Kenya? Do they trust the media? How is the media coping with the added challenge of fluid audience loyalty and behaviour?

To get to an aggregate image of the state of the media in Kenya, thorough research employing both qualitative and quantitative research methods was conducted. Over a period of three months, we talked to audiences across the country, media personnel from different entities, reviewed documents, and utilised online sources. The result is a document with new and
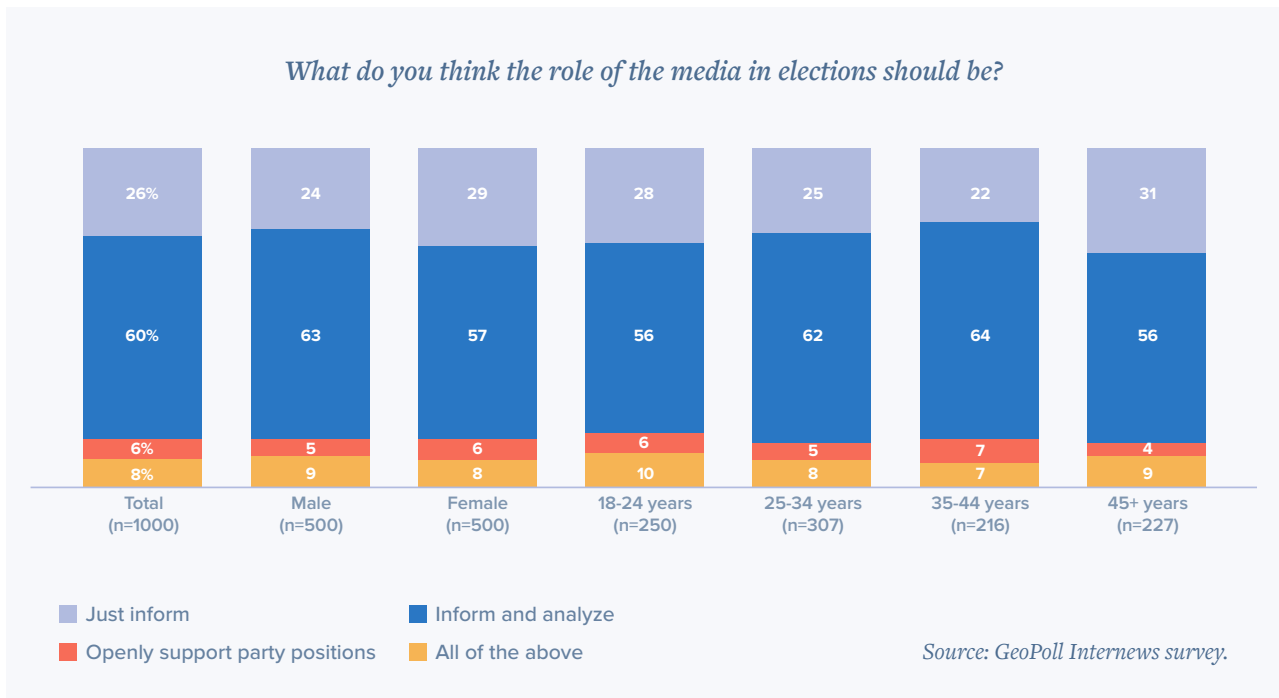
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5 Somerville K. (2012), 'Kenya: Political Violence, the Media and the Role of Vernacular Radio Stations.' In: Radio Propaganda and the Broadcasting of Hatred. Palgrave Macmillan, London. https://doi.org/10.1057/9781137284150_6.

Figure 2.
The media's *raison d'etre* in politics

Most respondents perceive that the most important role for media in regards to election is to inform and analyse with the male respondents having the highest percentage of 63% for this role. 26% preferred media to inform only.

What do you think the role of the media in elections should be?

	Total (n=1000)	Male (n=500)	Female (n=500)	18-24 years (n=250)	25-34 years (n=307)	35-44 years (n=216)	45+ years (n=227)
Just inform	26%	24	29	28	25	22	31
Inform and analyze	60%	63	57	56	62	64	56
Openly support party positions	6%	5	6	6	5	7	4
All of the above	8%	9	8	10	8	7	9

Just inform Inform and analyze

Openly support party positions All of the above

Source: GeoPoll Internews survey.

interesting lessons — audiences have shifted, the government has never changed and, most of all, the media in Kenya are evolving but they have crossed a threshold and need help to navigate the new normal operative environment.

Methodology

The qualitative methods were key informant interviews (KIIs), focus group discussions (FGDs), observation, and desktop research, including literature review. Flexible tools (survey, FGD and a set of basic open-ended KII questions with flexibility for follow-up) collaboratively developed within Internews and, for the survey, in conjunction with GeoPoll, were applied in gathering data for this assessment. The quantitative method was a semi-structured perception survey.

Key informant interviews

Even though KIIs have been noted to have limited scope for "quantification" and a tendency towards "biasness" either in selection of respondents or respondent views, they have great advantages which include the opportunity to tap into the deep knowledge of respondents (if well selected for knowledge), the opportunity to explore issues not anticipated in planning, and are neither costly nor time consuming.[6] All these three advantages were relevant in this assessment as Internews needed *a deeper level of knowledge* on the real state of the media in Kenya, and wanted to identify *issues that might have been overlooked during planning* and, definitely, everything had to be done *within three months and on a set budget.*

Fourteen (14) KIIs were conducted[7] in total to seek more information from industry stakeholders. Of these, six were active media practitioners (journalists and editors), six were civil society actors in the media sector, one was a media scholar and observer, and one was a regulator. Of these only two were woman, while the rest were men.[8] Purposive sampling was used to select representatives of key media institutions and journalists as well as civil society representatives to participate in this assessment.

Focus group discussions

Internews, in partnership with local community radio stations, conducted four FGDs across the country — one each in Kisumu (Radio Lake Victoria on December 4, 2020), Nakuru (Radio Yetu on December 4, 2020), Nairobi (Koch FM on December 3, 2020) and Mombasa (Radio Mombasa on December 5, 2020). These four locations were selected because they are traditional elections 'hot spot' areas. Also, Internews has trusted local partners — community radio stations — in these areas who helped us host these FGDs due to the COVID-19 restrictions on movement. All FGD participants were purposefully selected to fulfill the social, economic and demographic characteristics. We had 12 participants per FGD with each FGD having a 50-50 gender divide.

The main strength in FGDs is that it allows participants from similar backgrounds or experiences to agree or disagree with each other on an issue. This provides insights into how a group thinks about the issue, about the range of opinions and ideas represented in the group, and the inconsistencies and variations that exist in a particular community concerning beliefs,

6 Kumar, K., (1989)., Conducting Key Informant Interviews in Developing Countries, Center for Development Information and Evaluation, A.I.D https://www.participatorymethods.org/sites/participatorymethods.org/files/conducting%20key%20informant%20interviews_kumar.pdf

7 See Annex 1 for a list of Key Informant Interviewees

8 Even though this demonstrates the gender skew in senior media positions, our aim was institutional representation.

experiences, and practices[9] — which was the case in this assessment.

The FGDs were instrumental in better understanding of the findings from the survey by filling the 'why' and 'how' holes that a straight qualitative survey can't fully answer. That was the motivation for using the mixed methods research approach.

Observation

There are two ways of utilising observation in social research — structured and unstructured. Internews used the unstructured method. Because Internews itself is steeped in the Kenya media terrain through experienced professionals in its employ as well as its regular dealings with media personnel, it was inevitable to use the observation method. At least four members of the Internews research and advisory team[10] have deep knowledge of the Kenyan media in their respective areas by dint of active participation in it. Their deep knowledge was used in compiling this report. Since observation is an acceptable research method that gives the researcher first-hand knowledge of the issue, it became necessary to include it here as one of the research methods applied in this assessment.

Desktop research

Internews conducted desktop research on the Kenyan media, law, and trends throughout — pre-field, during data collection and during research analysis and compilation. This included literature review and online sources. The desktop research served as a sound basis for context setting through an understanding of the historical journey the media in Kenya have made, including key influences to-date.

Survey

The quantitative tool employed was a semi-structured perception survey done through GeoPoll, a reputable global phone-based media research organisation. Both male and female Kenyans, 18 years and above, with the gender distribution being equal, were interviewed between the 9th and 10th of December 2020. The sample size was 1,000 and it achieved a national representative sample.

As the quantitative method is important in showing segmentation, we employed it to identify:
1. the key sources of news and information among adults;
2. how frequently they access these sources of news and information;
3. the language they prefer to access their news and information in;
4. how satisfied they are with the quality of news and information they receive;
5. their most trusted sources of news and information; and
6. to identify the most and least important issues they would like or not like, respectively, the media to cover.[11]

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9 ODI, (2009)., Research tools: focus group discussion

https://www.odi.org/publications/5695-research-tools-focus-group-discussion

10 This research was conducted by Abraham Mariita, Joy Chelagat, and Chaacha Mwita, with in-depth reviews by Fatuma Sanbur, Stellar Murumba, Kidest Tita and Brice Rambaud.

11 See Annex 2 for the full list of questions.

Findings
Overview of the Media Terrain in Kenya

Kenya's media environment is complex and relatively advanced. Media development in Kenya has been intricately linked to the country's history from colonial times to the present. The two biggest newspapers in Kenya today, for instance, have their beginnings in colonial Kenya with one, *The Standard*, viewed as a tool for elitist control and maintenance of hegemonic status quo, while the other, *The Nation*, was viewed as a direct response to colonialism. According to the Nation's principal shareholder, Prince Karim Aga Khan, he founded the paper to be part of the pro-independence conversations.[12] The Standard has changed hands over the years, always remaining under the ownership and control of establishment interests, to rest now, in the hands of the political family of Kenya's second president, the late Daniel Toroitich arap Moi.[13]

But the colonial period is now an echo from a bygone era. Even though that history — whose key legacy was a British policy of "divide and rule" — still informs politics and media practice in Kenya today, the greatest force shaping media execution is technology. The media landscape in Kenya today boasts a rich serving of print, broadcast and online platforms.[14] Information production and distribution is largely in private sector hands although, to a significant extent, under keen government watch.

Kenya has a young population with a median age of 20.1,[15] which explains the boom in new media use, especially social media. The adult literacy rate is high at 82 per cent[16] and, up to a year ago, about a quarter of the adult population of 20 million people claimed to read newspapers regularly.[17] The country is being internationally celebrated for digital innovation and a burgeoning information and communication technology (ICT) sector. Innovative hybrid media (a combination of traditional and digital media production and distribution tools) continue to reshape the media environment.[18]

Between the 1980s and early 2000s, the media in Kenya was a trusted institution.[19] It was part of the fight for multipartyism and a freer democratic Kenya. But not anymore. "Perhaps," as Denis Galava, who until December 2020 was the Managing Editor of the Standard Newspaper, puts it, "because the idealistic reasons for the birth of media entities in Kenya had given way to the

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12 Gerard Loughran; 2010; *Birth of a Nation: The Story of a Newspaper in Kenya*

13 See Nyanjom., O and Twaweza., S (2012), Factually True, Legally Untrue: Political Media Ownership in Kenya; https://www.researchgate.net/publication/285596516_Factually_True_Legally_Untrue_Political_Media_Ownership_in_Kenya; accessed 26 February 2021.

14 See Media Legislation Review, Media Council of Kenya 2020

15 See https://www.worldometers.info/world-population/kenya-population/; accessed on 26 Feb 2021

16 See https://data.worldbank.org/indicator/SE.ADT.LITR.ZS?locations=KE; accessed on 26 Feb 2021

17 See https://businesstoday.co.ke/newspaper-readership-in-kenya-daily-nation-standard/; accessed on 26 Feb. 21
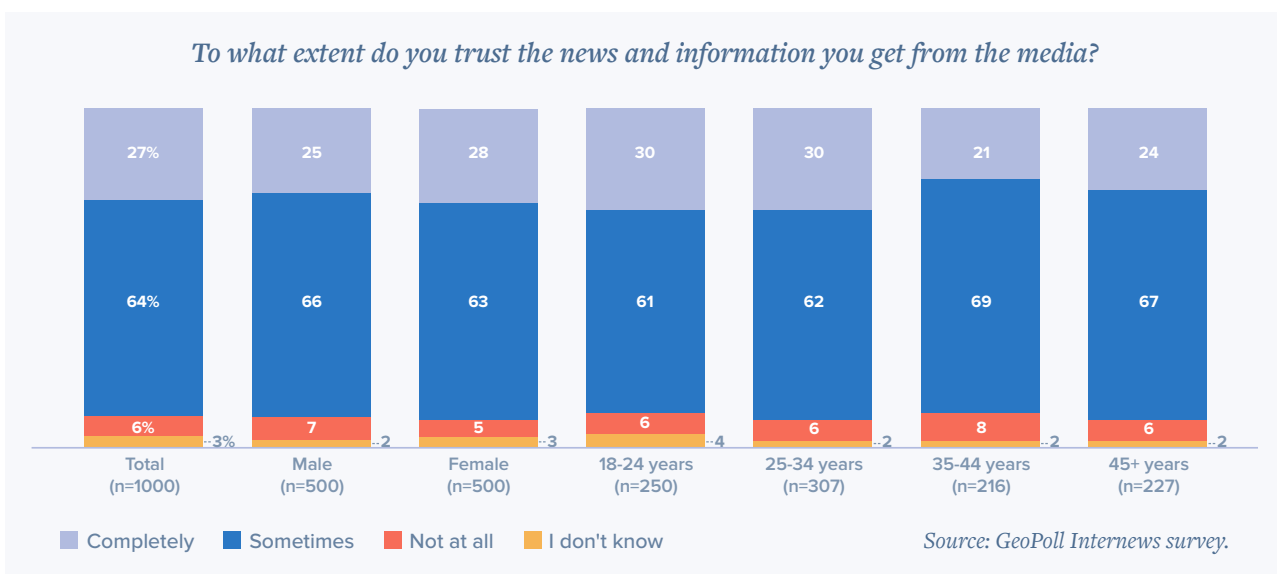
18 AMI & WAN, 2012, Financially Viable Media in Emerging Developing Markets, African Media Initiative, http://africanmediainitiative.org/content/2013/07/22/WANIFRA_AMI_Kenya_Report_2012.pdf.

19 See for instance Ng'etich, J., (2016), Survey: Media the most trusted institution,' https://www.standardmedia.co.ke/article/2000196323/survey-media-the-most-trusted-institution

allure of the profit motive along the way raising serious trust issues among audiences."[20] For example, the most recent quantitative data collected through a GeoPoll survey for Internews as a part of this report shows that 64 per cent of Kenyans "don't completely" trust the media.[21] The erosion of trust in the media began before but culminated in 2007 when a disputed election led to Kenya's worst postelection violence in which sections of the media was fingered as having been culpable through the production and dissemination of inciteful content, self-censorship and biased reporting. Besides, partisanship — reflected in ownership, management, and editorial decisions in the media — has been identified as a key obstacle to trust in the media.[22]

Figure 3.

Percentage of people who don't completely trust the media.

About 64% of the respondents do not completely trust the news and information they get from the media.

To what extent do you trust the news and information you get from the media?

	Total (n=1000)	Male (n=500)	Female (n=500)	18-24 years (n=250)	25-34 years (n=307)	35-44 years (n=216)	45+ years (n=227)
Completely	27%	25	28	30	30	21	24
Sometimes	64%	66	63	61	62	69	67
Not at all	6%	7	5	6	6	8	6
I don't know	3%	2	3	4	2	2	2

Source: GeoPoll Internews survey.

Part of this distrust is fuelled by the emergence of the fake news phenomena (partly driven by technology). Between August and October 2017, Kenya had an extraordinarily divisive electioneering period. As noted earlier, the country suffers considerable tribal polarisation — a legacy of the British colonial policy of "divide and rule" — carried on by post-independent, African-led regimes to-date — which usually peaks in pre-election and election periods. In 2017, there was a notable rise in fake news and hate speech through the media, something that continues to date.[23] These have remained features in Kenya's media; one (hate speech) resulting in stringent self-censorship by many media houses and individuals, and the other (fake news) resulting in harsher government scrutiny of media outputs. In fact, according to Safaricom, the largest mobile service provider with more than 26 million subscribers,[24] the biggest challenge they faced in 2017 was the sheer volume of fake news coursing through their servers.[25] The

20 Interview with Denis Galava, (Editor between jobs then), PhD Candidate, University of Edinburg and media observer.

21 Internews GeoPoll survey

22 Galava Interview. Also see Nyanjom., O and Twaweza., S (2012).

23 Tifa and Reel (2019), Kenya Media Landscape Report, Nairobi

24 See https://www.nation.co.ke/business/Safaricom-still-market-leader-as-users-drop-1-2m/996-3620290-tlporjz/index.html

25 See https://qz.com/1176452/fake-news-in-kenya-being-battled-by-startups-like-nuendo-pesacheck-and-odipo-dev/

problem is so prevalent that outfits have been set up just to fight fake news[26] and it remains a key concern as another election looms in a year's time.

Civil society players have often criticised media performance since the promulgation of the new Constitution 2010. "To be honest," says Cyprian O'Nyamwamu, President, Future of Kenya Foundation and civil society actor extraordinaire, "media performance since 2010 has been underwhelming. In my estimation, the media has three roles, which I'll call three As: Agenda-setting, advancing accountability and advocacy. Media are placed in society to determine what is needed and set an agenda for it — on governance, service delivery and national transformation. They have not done so. Instead they have caught the disease of 'churnalism' instead of practicing journalism.

"On accountability, the media has failed to call out government impunity. Kenya is witnessing impunity like we have never seen before. There have been new levels of corruption, there have been extra-judicial killings, court orders have been ignored with impunity, journalists live in fear and the media seems helpless for lack of editorial independence. The only way to respond to this is for the media to do research, follow up and follow through and demand accountability from government. Why hasn't the media demanded to see the SGR contract, for example, even after the President promised to release it? Everybody relies on the media to push for accountability in government. Even with an active civil society, the government will not be accountable without pressure from the media and without seeing an incessant civil society in the media. Of course part of the problem is media ownership but that does not explain everything.

"Lastly, the media is a change agent and that is why they have an advocacy role. They should at a minimum give a voice to civil society advocates who are there. They no longer do. Instead they kowtow and bow to the government. They've become lapdogs instead of watchdogs of society."

O'Nyamwamu feels this is an abdication of responsibility because, historically, whenever the media have stood with the people, impunity has lost. After all, aggressive pushback has been part of Kenya's media DNA. So, despite the government's efforts[27] to limit the freedom of expression through both legislation and suppression (e.g. withdrawal of advertising from critical media outlets), often, the media can get away with critical coverage of government.

Considering the situation in totality, media freedom in Kenya exists more in theory than in

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26 ibid

27 One of the Jubilee Administration's first acts in office was to enact two laws that essentially buried the freedom of expression and infected the mainstream media's bloodstream with the fatal virus of self-censorship. The Media Council Act of 2013 and the Kenya Information and Communications (Amendment) Act of 2013 were aimed at killing the freedom of expression and crippling the media. These laws, strenuously opposed by the media, made the exercise of professional journalism both personally highly punitive and media businesses almost completely subservient to the government. The former puts journalists in double jeopardy; it provides for, amongst others, the registration and policing of journalists by a government-controlled body. According to it, journalists can individually be fined up to Ksh500,000 for any "breach" a government-controlled tribunal declares as such. The second law denies private media businesses, principally broadcasters, the right of establishment as well as, for those already established, the right to distribute their content freely. It puts the broadcasters at the mercy of third parties controlled by the government; parties who would make money from the broadcasters' content without paying a kopeck. A proposed third law — The Parliamentary Powers and Privileges Bill 2014 — would make it actionable for journalists to probe or criticize parliament. All these laws, except the Media Council Act, were put on ice by the courts.

practice. While Freedom House takes a different view[28] rating the country's media as "partly free", Reporters Without Borders say media freedom in Kenya is constrained[29] and the reality on the ground bears them out. Also, *The Economist*[30] categorises Kenya as a Hybrid System of government just a step away from an Authoritarian Regime.[31] The government continues to arrest bloggers (some repeatedly),[32] censors journalists and media houses, and even issues outright threats.[33] As this assessment demonstrates elsewhere, impunity and the disregard for the rule of law are the highlights of the government's 'support for media freedom' — in other words, the government merely pays lip-service to media freedom but the practice is completely different.

The net result is that self-censorship continues to be "a silent curse" in media houses in Kenya,[34] most of it due to government intransigence and commercial interests. There is also an overwhelming sense, especially since the 2007/2008 post-election violence, that Kenya is a fractious body that cannot handle certain naked truths — especially around tribalism — and hence the need to keep a lid on information that could inspire hate and violence accurate though such information may be.

Broadcasting is regulated by the Communication Authority of Kenya (CAK),[35] which is often accused of partiality in allocating licenses and managing spectrum issues in the country. To its credit though, CAK has insisted on technology upgrades that have put Kenya among the top technologically-savvy media environments in Africa.[36]

Newspaper operations are not regulated by any single law but rather through several provisions in various laws, including by constitutional limitations to expression. However, a colonial carryover, revised in 2012 (post-new Constitution 2010), known as the *Books and Newspapers Act* determines the registration and management of newspapers, including prescribing penalties for transgressions. Notably, one of the other laws include the *Media Council of Kenya* (*MCK*) *Act* of 2013, which legislates on the licensing and accreditation of journalists as well as empowers the council to penalise journalists "personally" for work-related "offences."

Kenya is host to several international media entities, including non-governmental organisations (NGOs) such as Bloomberg Media Initiative for Africa, IREX, the International Federation of

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28 Freedom House, (2020), https://freedomhouse.org/country/kenya

29 See https://rsf.org/en/kenya

30 The Economist Intelligence Unit, (2021), *Democracy Index 2020: In sickness and in health?*

31 The Economists says in Hybrid governments "Elections have substantial irregularities that often prevent them from being both free and fair. Government pressure on opposition parties and candidates may be common. Serious weaknesses are more prevalent than in flawed democracies — in political culture, functioning of government and political participation. Corruption tends to be widespread and the rule of law is weak. Civil society is weak. Typically, there is harassment of and pressure on journalists, and the judiciary is not independent."

32 Blogger Robert Alai is the best example here.

33 See https://www.youtube.com/watch?v=zwALbCqYv9k

34 Mwaura, P., (2015), 'Self-censorship: The silent curse in the newsroom that threatens media freedom', http://www.nation.co.ke/oped/Opinion/Self-censorship-silent-curse-in-newsroom/440808-2822578-xs8sd8/index.html

35 CAK, (2017), http://www.ca.go.ke/index.php/what-we-do

36 See http://www.mediamaxnetwork.co.ke/features/254236/10-africas-tech-giants/ among others.

Journalists (ICFJ), Thomson Reuters Foundation, BBC Media Action and, of course, Internews. The regional bureaus of top international news organisations operate from Nairobi, the capital city, enriching the country's media terrain. These include wire services (Reuters, AFP, AP, Xinhua etc.), private media like the *New York Times, Financial Times*, CNN, and public service media e.g. the BBC. Kenya's own wire service, Kenya News Agency, is also active.

Television

Kenya's television terrain was dramatically altered in 2015 during the great digital switchover,[37] internationally referred to as 'digital migration'. In effect, this meant that content production for TV was separated from content (signal) distribution. This had both advantages and disadvantages. The main advantage was the opening up of the broadcast space for other players who had until then found the cost of distributing TV content to be prohibitive. Post-2015, all they had to be concerned with were costs associated with content production; different entities would do the (signal) distribution thereof, at a modest fee. This resulted in more TV stations, some broadcasting in vernacular, which is a good thing.

The main disadvantages under this new arrangement hit established broadcasters hard: Of immediate impact was that all the infrastructure they had invested in for television content distribution (masts, boosters, real estate, staff etc.) were suddenly redundant with no re-sale value. Further, they were required by law to surrender their content, and in so doing pay a fee, to new signal distributors and, therefore, lose the power or control attendant to ensuring the content is *actually* broadcast. In other words, the ability of signal distributors to censor content the government deems undesirable (by scrambling or simply terminating a "hostile" broadcaster's feed) is of great concern to established media houses. And, horrifyingly, it happened in February 2018, when for over a week the government switched off Citizen TV, Nation TV and KTN TV, the three leading private television broadcasters with a combined viewership of more than 70 per cent of TV viewers in Kenya.[38] It remains a great concern like the sword of Damocles permanently suspended over the neck of the media.

Regardless, Kenya has over 80 licensed television broadcasters, of which seven (KBC, KTN, NTV, Citizen, K24, Kiss TV and Inooro) are operationally prominent.[39]

Also, multichannel pay-tv is available.[40] The established most watched TV stations are Kenya Broadcasting Corporation (KBC), Multi-Choice Kenya Limited (with many TV channels), Citizen TV owned by businessman S.K Macharia through his Royal Media Services company, Nation TV (part of Nation Media Group), KTN (Standard), K24 (Mediamax), and Kiss TV (Radio Africa).[41] There are also a dozen vernacular TV stations with significant audiences.[42] Finally, there are independent international TV channels broadcasting from Kenya i.e. with fully-fledged studios,

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37 This entailed switching off (terminating) all analogue signal distribution and 'migrating' to 100 per cent digital signal broadcasting

38 GeoPoll, (2016), http://blog.geopoll.com/top-tv-and-radio-stations-in-kenya-q1-2016

39 Softkenya.com, (undated), https://softkenya.com/kenya/broadcasting-in-kenya/

40 ibid

41 ibid

42 These include Njaata, Meru, Kass, Lolwe, Inooro, etc.

staff and daily news delivery. These include the BBC, China's CCTV and Al Jazeera.[43]

Digital broadcasting formats ensure that all TV stations have near national reach, if not the potential to reach all corners of Kenya. This is an important distinction as the two main TV content distributors (the Chinese-owned Pan Africa Network Group [PANG] and the KBC-owned Signet) do not singly have universal reach. So, for a broadcaster's content to get to all corners of the country, one must be on both PANG and Signet platforms. This is what the big four — KBC, Citizen, NTV, and KTN — have done. These have also plugged into the DStv satellite signal distribution platform.

Radio

Kenya's radio environment is extremely competitive and competition for audiences (and revenue) is so fierce that NMG, despite its financial muscle, had to halt active radio operations in 2016 after many attempts spanning two decades at getting a profitable foothold failed.[44] There is no research to show the precise moment radio lost its leadership as the main source of news and information for the vast majority of Kenyans but for a long time it was (without a doubt, social media has now taken over, one of the key findings of this assessment!). According to the Reuters Institute at Oxford University in a 2015 study, radio was the main source of information in Kenya.[45] The country has 158 licensed radio stations of which *all* are on air.[46]

In licensing radio stations for operations, CAK categorises them into public broadcasting services, community broadcasting services, private broadcasting services, commercial broadcasting services and subscription broadcasting services.[47]

In Kenya, even though there is a substantial concentration of radio stations in urban areas, there is significant reach in rural areas through 54 private vernacular radio stations broadcasting in 19 different languages.[48] These include 20-odd community radio stations.[49] Of concern, though, are three interlinked factors: 1) some of the radio stations are ill-equipped, many are poorly staffed, and most are either owned by or associated with politicians.[50] For instance, Kamene FM (owned by Mediamax) is associated with the First Family and the Deputy President's family, Standard with the Moi family, Nation with the Aga Khan — a businessman who's at once a religious

43 op.cit

44 Mutegi, L., (June 2016), 'Nation Media Group to merge QTV and NTV, shuts down Nation FM and QFM', http://www.cio.co.ke/news/main-stories/nation-media-group-to-merge-qtv-and-ntv,-shuts-down-nation-fm-and-qfm

45 Okoth, E., (2015), 'The Emergence and Growth of Vernacular Radio in Kenya: A case study of radio having a positive economic impact', RISJ, Oxford, https://reutersinstitute.politics.ox.ac.uk/sites/default/files/The%20emergence%20and%20growth%20of%20vernacular%20radio%20in%20Kenya.pdf

46 https://ca.go.ke/wp-content/uploads/2018/02/The_National_Table_of_Frequency_Allocation_2017.pdf (In addition, according to CAK Act, failure to utilize frequencies for three months obligates the authority to withdraw them.)

47 CAK, (2017), http://www.ca.go.ke/index.php/broadcasting

48 Okoth, 2015

49 Kimani, RN., (2018), *Kenyan Community Radio: Players, Production Processes and Participation*, Universität Bayreuth

50 Nobody wants to confirm this on record as ownership is also hidden in a mesh of fronts and multi-level company ownership structures. However, a Kenyan website lists a number of radio stations owned by politicians here: http://omg.co.ke/list-of-radio-stations-owned-by-kenyan-politicians/. Also see Nyanjom., O and Twaweza., S (2012).

leader and a political figure — Radio Umoja with opposition leader Raila Odinga, Kass FM with the Deputy President's close friends and associates, and so on.[51] Kenya Free Press, an online newspaper run by professional journalists reported in March 2017 that "[Besides President Uhuru Kenyatta], Deputy President William Ruto, opposition leaders Raila Odinga, Kalonzo Musyoka, Musalia Mudavadi and Moses Wetangula (all of them leading political figures), among others, also own radio stations."[52] This raises the fundamental question of editorial independence.

According to a 2019 GeoPoll Audience Measurement, which collects daily data on TV and radio ratings in Kenya, in terms of listenership, the topmost stations by audience size, ratings and share are: Radio Citizen, Radio Maisha, Milele FM, Radio Jambo, Classic 105, Kiss FM, Inooro, Kameme, Ramogi FM, and Hot 96.[53]

Figure 4.
Kenya Radio Ratings 2020.

		Kenya Radio Ratings—March 2020		
Rank	**Radio Stations**	**March 1-14**	**March 16-29**	**Growth**
1	Radio Citizen	1,269,000	1,384,000	115,000
2	Radio Maisha	1,123,000	1,070,000	-53,000
3	Milele FM	985,000	950,000	-35,000
4	Jambo	971,000	952,000	-19,000
5	Classic 105	689,000	663,000	-26,000
6	Kiss FM	641,000	620,000	-21,000
7	Inooro	348,000	348,000	0
8	Kameme	341,000	330,000	-11,000
9	Ramogi FM	314,000	313,000	-1,000
10	Hot 96	273,000	263,000	-10,000

Source: GeoPoll 2020 Year End Report - How those in six African nations have adapted to a year like no other and their predictions for the future.

This is a position virtually unchanged since 2016 when the top 10 radio stations were Citizen, Radio Maisha, Radio Jambo, Classic FM, Kiss FM, Milele FM, QFM, Kameme FM, Inooro FM and Radio Taifa.[54] Amongst them, they controlled 79 per cent of the radio audience in Kenya, with the remaining 21 per cent listening to 'other' stations. Further, these radio stations are evenly distributed among "national", "urban" and "vernacular."[55] None of them is a "community" radio station though.

Whereas hate speech has sometimes found serious expression through radio, fake news has not had a foothold here, remaining largely a social media affair.

51 Nyanjom., O and Twaweza., S (2012).

52 Makena, l., (March 2017), 'On Kenya's radio stations, politicians own the message', http://www.kenyafreepress.com/media/watchdog/1391/on-kenya-s-radio-stations--politicians-own-the-message

53   GeoPoll Audience Measurement Report, 2020

54 GeoPoll, (2016), http://blog.geopoll.com/top-tv-and-radio-stations-in-kenya-q1-2016

55 ibid

Print media

There are six daily newspapers in Kenya, namely the *Daily Nation, Standard, Star, People Daily, Business Daily* and *Taifa Leo*. The *People Daily* is a 'free' news publication. *Taifa Leo* is a Kiswahili language publication while the rest are English language newspapers, with *Nation* having dominant leadership. The 'free' in *People Daily* is qualified because it is only distributed to motorists at traffic light stops or busy junctions during the morning rush hour. Pedestrians are denied the publication.

There are other minor non-daily publications, including local language publications, but statistics on these — save for their names[56] — are not available. Notably, though, three other (weekly) publications deserve mention. These are the *Nairobian, EastAfrican* and *Weekly Citizen*[57]. The *Nairobian*, a Standard Media Group (SMG) tabloid without significant advertising traction, is currently the second largest circulation weekly paper in Kenya after Sunday Nation.[58] The *EastAfrican* is an elite-serving regional publication circulating in Kenya, Uganda, Tanzania, Rwanda and South Sudan while the *Weekly Citizen* is often dismissed as a "gutter journalism" product.[59] Despite this categorisation, the *Citizen* has weathered the times and is well past its 15th anniversary even though without significant growth in both circulation and advertising revenue. In fact, it has close to zero income from advertising.

Of these print media publications, NMG owns the majority. Its stable includes the *Daily Nation, Business Daily, Saturday Nation, Sunday Nation, EastAfrican,* and *Taifa Leo*. SMG owns *The Standard, Saturday Standard, Sunday Standard* and the *Nairobian* and the Radio Africa Group owns the *Star*. The *People Daily* is a publication of Mediamax.

Newspaper circulation has been declining since 2013 with an even worse prognosis following movement restrictions due to the COVID-19 pandemic.[60]

Social media

Kenya has an active social media space reflective of the variety of information audiences need and of the culture of online content consumption. Kenyan blogs alone run into thousands (19,000 according to the Bloggers Association of Kenya [BAKE], a membership organisation)[61] and they are so vibrant and consequential that there is an annual award (now in its eighth year) dedicated to blog sites in Kenya.[62] As such one can find blogs on virtually everything, from finance

56 Softkenya.com, undated

57 *The Citizen* has no relation with the Citizen TV and Radio which belong to Royal Media.

58 An interview with Charles Otieno, Editor, *The Nairobian*. Also see https://ppimedia.de/ppi/wp-content/uploads/2016/02/cs_standardgroup_workflow_en_201601.pdf

59 See for example Mwangi, W., (2016), 'Weekly Citizen must be punished for obscene photos - gender commission', http://www.the-star.co.ke/news/2016/12/06/weekly-citizen-must-be-punished-for-obscene-photos-gender-commission_c1468802
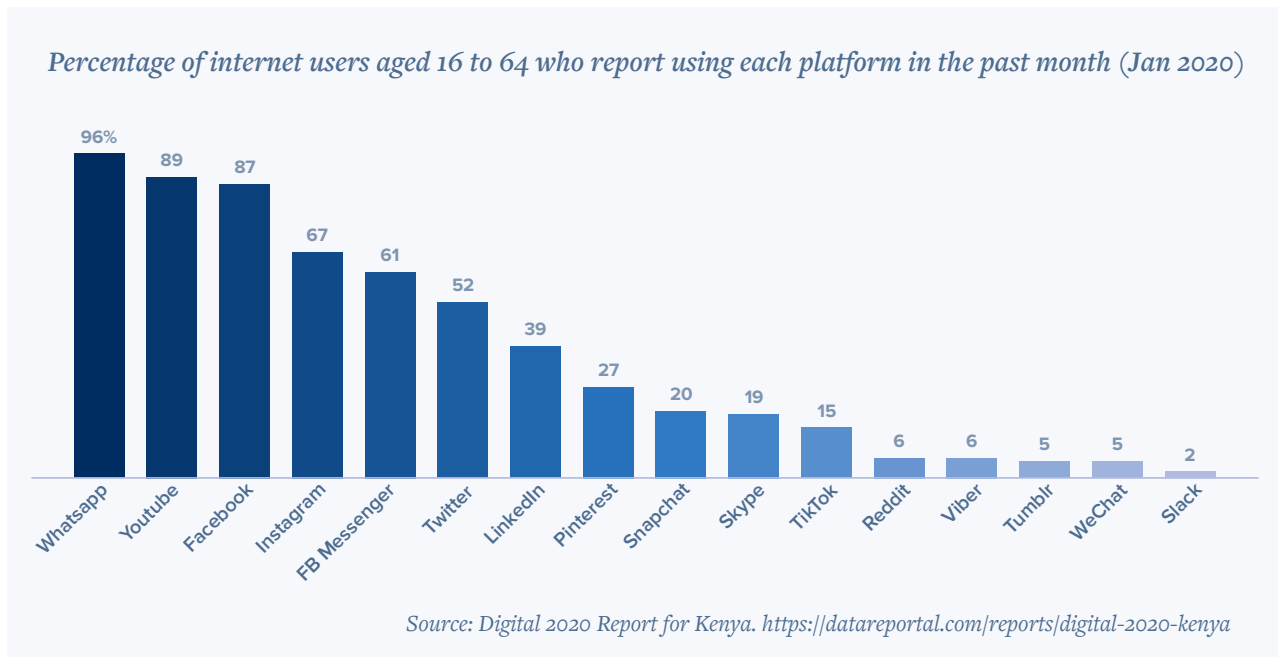
60 Reelforge and Tifa (2019)

61 Wanjiku, R., (April 29, 2017), 'Bloggers to be feted next month', Saturday Nation, P.37, NMG, Nairobi

62 http://www.bakeawards.co.ke/about/

to food to fads.[63] However, political blogging dominates.[64] Social media interactions also tend to be predominantly political and, on Facebook and WhatsApp, distinctly tribal or ethnic in nature. And it is here, on social media, that fake news thrives!

Figure 5.
Most used social media platforms in Kenya in 2020.[65]

Percentage of internet users aged 16 to 64 who report using each platform in the past month (*Jan 2020*)

96%	89	87	67	61	52	39	27	20	19	15	6	6	5	5	2
Whatsapp	Youtube	Facebook	Instagram	FB Messenger	Twitter	LinkedIn	Pinterest	Snapchat	Skype	TikTok	Reddit	Viber	Tumblr	WeChat	Slack,

Source: Digital 2020 Report for Kenya. https://datareportal.com/reports/digital-2020-kenya

In 2018, BAKE chairman, Kennedy Kachwanya said blogging and social media were serious business. In an interview with the *Nation* he said: "[We have] over 7,000 members [...and] I know people who live comfortably on their blogging work."[66]

Social media is partly fuelled by (smart) mobile phone penetration and increased bandwidth. According to CAK.67 As of June 30, 2020, total broadband subscriptions in Kenya stood at 22.6 million. Mobile broadband subscriptions remained high at 97.3 per cent of total broadband subscriptions. And, total fixed broadband subscriptions registered a remarkable growth of 14.7 per cent to stand at 609,611 due to high demand of broadband services, as most consumers worked from home and learners continued to attend online lessons and access e-content during the COVID-19 pandemic. Notably, the volume of mobile data consumed at the end of 2020 stood at 132,397,651 GB, an increase of 19.7 per cent from the third quarter of the year.

In short, Kenya has a sizzling social media landscape[68] driven by a vibrant ICT sector. Many Kenyans are on Facebook, WhatsApp, YouTube, Instagram, Twitter, FB Messenger, LinkedIn,

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63 ibid

64 ibid

65 See https://datareportal.com/reports/digital-2020-kenya; accessed on Feb 26, 2021

66 Wanjiku, R., (April 29, 2017)

67 CAK, (2020) Broadband & Mobile (Q4 Report, 2020)

68 See in-depth 'Social Media' section

Reddit... The country hosts the Africa Google headquarters and brags of close to 70 per cent mobile penetration, which is way above the African average of 44 per cent and favourably comparable to a global average of 66 per cent.[69] iHub, a tech incubator and creative axle, is based in Nairobi and has hosted such IT notables as Mark Zuckerberg of Facebook. Kenya is the only country known to have an "army" on Twitter. Known as Kenyans on Twitter (KOT); they've been known to harass even major news outlets to helpless submission.[70]

Media associations and organisations

Kenya has a visible civil society focusing on media monitoring, regulation, advocacy, training, research and documentation. These include:

1. The Media Owners Association (MOA) — the top organ of media owners in Kenya.
2. Association of Media Women in Kenya (AMWIK) — a lobby of women journalists in Kenya.
3. Media Council of Kenya (MCK) — a statutory 'self-regulatory' media organisation.
4. Kenya Union of Journalists (KUJ) — a trade union whose membership comprises journalists.
5. The Editors Guild — a membership organisation of media editors in Kenya.
6. Arid Lands Information Network (ALIN): An information sharing organisation focusing on arid and semi-arid areas.
7. Kenya Community Media Network (KCOMNET) — a capacity building and lobbying organisation out to strengthen community broadcasting.
8. iHub — a space where innovations allied to media are incubated and where relevant research is conducted about digital media production, consumption and audience engagement.

Finally, there exists an active pool of journalism training institutions significantly impacting the media environment in Kenya. These include Daystar University, the University of Nairobi, Strathmore University, Masinde Muliro University, Aga Khan University's Graduate School of Media and Communication Studies, Moi University, the Kenya Institute of Mass Communication and the Multimedia University of Kenya to name just a few.

Perhaps a befitting postscript to this overview section should take note of relatively recent (in the last two years) changes in media management at the highest levels in the 'Big 3'. The long-serving Editor-in-Chief at NMG Tom Mshindi retired in October 2018 and was replaced by Mutuma Mathiu, his SMG counterpart Joe Odindo retired the same month and has since been replaced by Ochieng Rapuro, while their equivalent at Citizen TV Faridah Karoney was tapped in April 2018 for a Cabinet post. Even at Radio Africa, top editor Richard Kerich left for a non-communication role at Nairobi County Government. Interestingly, Waithaka Waihenya, Managing Director and Editor-in-Chief, KBC, also left service and was replaced by journalist Naim Bilal. Coupled with COVID-19 instigated retrenchments and a groundswell shift to social media, Kenya's media is facing a crisis of talent and experience as well as unprecedented financial strain.

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69 Radcliffe., D., (2018), 'Mobile in Sub-Saharan Africa: Can world's fastest-growing mobile region keep it up? https://www.zdnet.com/article/mobile-in-sub-saharan-africa-can-worlds-fastest-growing-mobile-region-keep-it-up/

70 The NYT had to withdraw a bloody picture on Kenya, publish an apology and withdraw its Bureau Chief from Nairobi thanks to pressure from KOT.
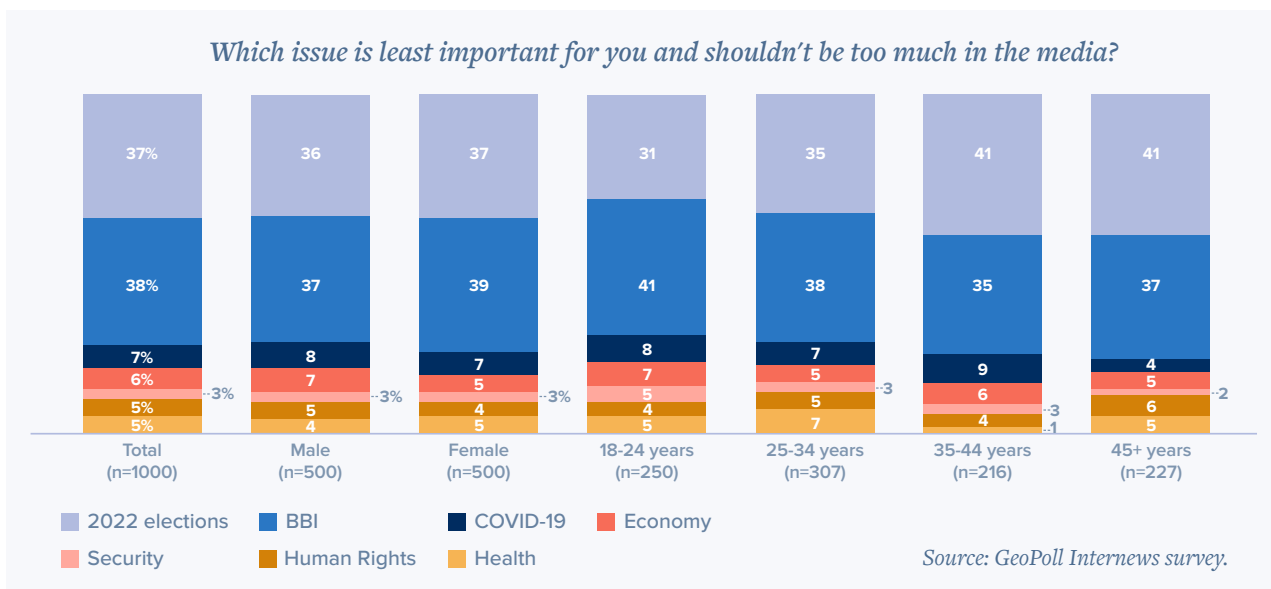
Content Quality

Media content in Kenya is mainly political. Editors typically argue that for a news publication or bulletin to be interesting, indeed to sell, it must have "a strong political dimension" as Joe Odindo, a long time senior editor, now retired, once told one of the researchers for this assessment. This is also reflected on social media. Although COVID-19 has changed that somewhat by increasing the quantity of health coverage and reducing political content, politics remains the staple of media coverage in Kenya: Headlines, top stories and sound bites remain largely political.

This is in sharp contrast with what Kenyans say they want. Generally, when asked what they want to see less of in the media, Kenyans say politics; and what they want to see more of, they say economics.[71] That is exactly what respondents said in the GeoPoll survey that Internews commissioned: Kenyans want less politics and more economics.[72] The same was replicated in the FGDs. Yet, at least for newspapers, editors say when they splash non-political stories — with the exception of education — readers don't buy papers. The question many editors ask themselves is 'so, what do readers really want?' "If economic and health stories that readers claim to want don't sell papers like politics, then perhaps we are faced with a situation of respondents posturing to be politically correct with interviewers," says Galava.

Figure 6.
The least important issues.

Most respondents felt that the least important issue that shouldn't be too much on media, was BBI followed closely by 2022 elections. The gender split on BBI and 2022 elections was almost equal with female percentages being slightly higher.

Which issue is least important for you and shouldn't be too much in the media?

	Total (n=1000)	Male (n=500)	Female (n=500)	18-24 years (n=250)	25-34 years (n=307)	35-44 years (n=216)	45+ years (n=227)
2022 elections	37%	36	37	31	35	41	41
BBI	38%	37	39	41	38	35	37
COVID-19	7%	8	7	8	7	9	4
Economy	6%	7	5	7	5	6	5
Security	3%	3%	3%	5	3	3	2
Human Rights	5%	5	4	4	5	4	6
Health	5%	4	5	5	7	1	5

Source: GeoPoll Internews survey.

Although most Kenyans seem to be comfortable with the quality of news and information they get from the media, there are three key concerns that this assessment yielded:
1. Fake news
2. Production quality, and
3. Content: Type, depth, and cycle

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71 e.g. in the GeoPoll Internews survey

72 ibid

Fake news — the publication of false or partially false news and information — emerged as a key concern in the FGDs, survey, literature review and KIIs. Fake news, we found, is politically-driven, ubiquitous and dangerous. Daisy Amdany, a civil society activist who prefers to be identified simply as an active citizen, contends that in Kenya, fake news is mostly politically driven. "The [Jubilee government] maladministration has so distorted the social media space by commercialising it using paid fulltime bloggers who are routinely encouraged to purvey fake news that I worry things are getting out of hand," says Amdany.

An FGD participant from Kisumu said "fake news is everywhere," which is true considering a whopping 79 per cent of the GeoPoll Internews survey respondents receive fake news. The same FGD participant continued: "Each time I hear or see something I ask myself, is it true? It never used to be like that. But now you must question everything." This 'questioning' though seems to be something only a few do. According to the GeoPoll Internews survey only 14 per cent of those who receive fake news do something about it (e.g. complain against the source). The rest ignore it even though they feel it is "inciteful" and "unfair."

"Often, fake news trends as breaking news and legitimate information when its sole purpose is to mislead, misinform and disparage the intended target who is at the mercy of the team colloquially known as 'the 36 bloggers'. Truth and lies are all mixed up and many fail to know the difference. Worse, topics will trend when there's absolutely no truth to the trending issue. It is very sad," says Amdany.
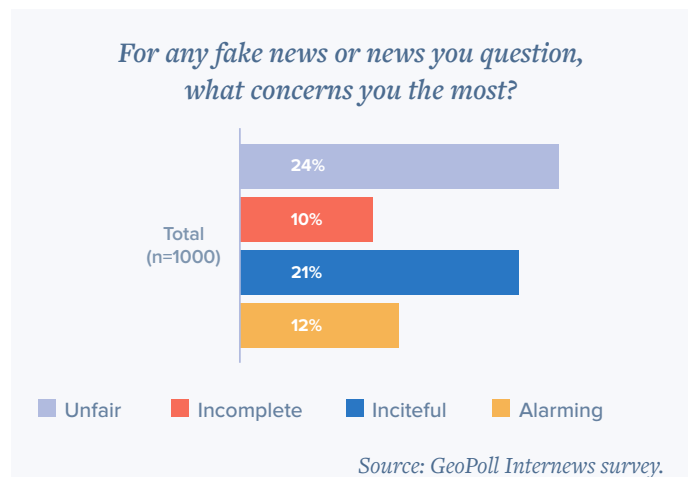
The quality of news and information production — writing, editing, and disseminating — is also a significant concern. In the GeoPoll Internews survey, "accuracy" topped the list of actions to be taken to improve the quality of news and information. The others were "relevance," "timeliness" and "fairness." An FGD participant from Nakuru, who happens to be a journalist, said: "Sometimes inaccuracies are a result of editing which introduces distortions to the story. Editors tend to leave out segments that are critical of the government thereby distorting news and information and resulting in inaccuracies."

Figure 7.
Concerns about fake news.

The biggest concerns about fake news amongst respondents is the unfairness followed by incite-fullness

For any fake news or news you question, what concerns you the most?

Total (n=1000)

- 24% Unfair
- 10% Incomplete
- 21% Inciteful
- 12% Alarming

Source: GeoPoll Internews survey.

Then there's shortage of experienced journalists. "Media houses have been haemorrhaging skills for sometime now. Experienced and talented editors and journalists have left the newsroom either out of frustration or retrenchments or for greener pastures leaving a huge editorial skills gap in newsrooms. That's why you see so many typos and embarrassing mistakes in news items," Galava says.

Galava attributes the lack of depth in media productions to haemorrhaging of skills from media houses. "Stories tend to benefit from something called institutional memory. When those with the memory leave media houses, the result is that stories become shallow. There is no one to ask questions about past issues on the same story. There is no one to immediately spot holes in the story. Today's editor produces a newspaper or bulletin with less than a third of staff their

predecessors had 10 years ago. In fact, this is the most trying time to lead a newsroom," Galava says.

He also blames hefty court awards for libel and defamation, which result in self-censorship, and a "tendency to gloss over issues rather than to probe deeper."

"Whichever way you look at it, our journalism is under assault — from loss of talent to financial pressures and a listless government whose instinctive reaction to critical journalism is 'stop advertising with this company,' 'sack this writer/editor' or 'we'll cancel your licence.' There's literally no room to do critical journalism anymore. Apart from literally killing the national economy, the Jubilee government has destroyed the news ecosystem making it impossible for good journalism to pay."
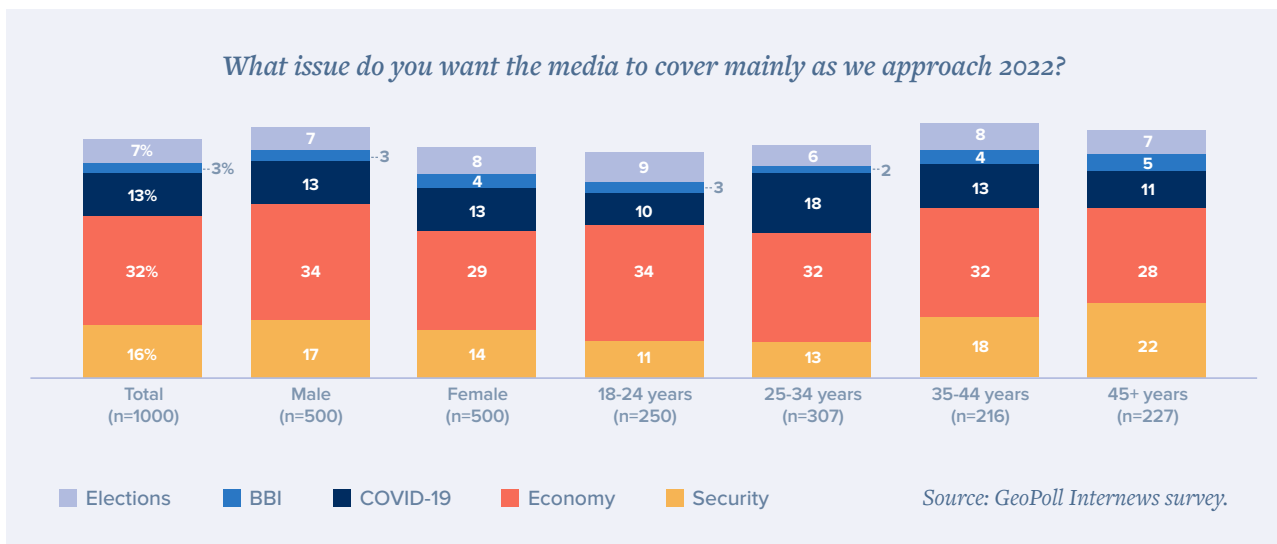
Both — the failure to ask the relevant questions as well as the tendency to gloss over issues — speak to the poor level of interview skills in the media, including mainstream legacy media.

There is no better place to witness the fractured nature of Kenya as a country than on social media. Under cover of anonymity, tribal and prejudiced vitriol flows unhindered. So, those Kenyans who don't want to offend others' sensibilities indulge in self-censorship restricting themselves to sharing entertainment content, which is safe, on social media. Kenya is a great example of how economic challenges, government intransigence, and historical divisions along tribal lines can push out quality content in preference for entertainment content.

The content of news and information is a final concern. As seen from the GeoPoll Internews survey, Kenyans want more news on the economy, health, security, and human rights. Yet most of what they get is politics and BBI (which is still politics). An FGD participant from Mombasa said: "News is supposed to give hope. But our news doesn't give hope because the main content is politics about who is fighting who. So, I am not satisfied with the quality of the news and information I am getting. I have lately decided to switch off from news. I don't listen to politics for example. I want community issues."

Figure 8.
Issues Media should cover as we approach 2022 Elections

The country's economy is the highest priority for discussion among all respondents within the demographics analysed, BBI was the least preferred topic for coverage in the media achieving only 3% on average across all demographics

What issue do you want the media to cover mainly as we approach 2022?

	Total (n=1000)	Male (n=500)	Female (n=500)	18-24 years (n=250)	25-34 years (n=307)	35-44 years (n=216)	45+ years (n=227)
Elections	7%	7	8	9	6	8	7
BBI	3%	3	4	3	2	4	5
COVID-19	13%	13	13	10	18	13	11
Economy	32%	34	29	34	32	32	28
Security	16%	17	14	11	13	18	22

Source: GeoPoll Internews survey.

This is a sentiment echoed all the way in Nakuru where a participant said: "As an activist, I want local news and development news. Not just politics that is far removed from my immediate circumstances. Contextualise it for me."

And context seems to be important for COVID-19 stories too. One participant from Nairobi said: "What I don't get from all this COVID-19 coverage is: So what? Take the case of the use of thermoguns to screen those entering buildings. No media outlet has told me what an *askari* (security guard) is to do when he finds your temperature high, and what exactly is high... really? Is it enough to deny you access to the building? Does he call an ambulance? Do you become an enemy of the people immediately? Nobody says what is to happen beyond denying you entry. Or perhaps that is the whole point of thermoguns, I don't know. Just that something tells me there is more and our media have no clue!"

And from Nairobi a participant said: "We should stop giving politics too much airtime. Slum dwellers have challenges, farmers have challenges, unemployed graduates have challenges. We need stories that can bring change. For instance, how the government is addressing these; not just about BBI and political divisions."

But Galava believes the media's focus on politics is out of practical necessity. "Kenyans are truly a peculiar lot. All surveys and opinion polls say they want more health, education, culture, religion and business news on the front page. They all hate political stories on page one. But give them what they ask for, and they vote with their feet leaving you with piles of newspaper returns. Splash a political story and sales go up. Either Kenyans are in denial about what news they want to read or they are just posturing for interviews. Twenty years in journalism has taught me that Kenyans love politics. It excites. That's what people talk about in matatus, in bars, in villages. Kenyans love politics — when you ask them, they pretend they don't. But serve them something else; they won't bite?"

The combined effect of fake news, production quality and content selection is a huge drop in the citizens' trust levels in the media. Between the 80s and early 2000s, the media in Kenya was *the most trusted institution.*[73] Now in the GeoPoll Internews survey, "about 64 per cent of the respondents do not completely trust the news and information they get from the media."[74]

And Reuters puts this at 50 per cent; the statistical difference with the Internews figure is admittedly significant, but it tells the same story: Media trust is not as high as it was in the 80s and 90s or as a recent MCK report claims (97 per cent[75] — which we feel might have to do with the way the questions were posed because they use the word 'confidence' instead of 'trust').

There is no doubt about it: Mainstream media — and media in Kenya largely — serve a narrow elite interest partly because of the "weird relationship between media ownership, the economy and politics" as O'Nyamwamu says, and partly because of the media's failure to actively seek out civil society voices in its outputs. O'Nyamwamu blames the disconnect between media and civil society on the entry of China into global development. He says: "The entry of China into global development has shifted things drastically. Funding for democracy and human rights has dried

73 See for instance Ng'etich, J., (2016), Survey: Media the most trusted institution,' https://www.standardmedia.co.ke/article/2000196323/survey-media-the-most-trusted-institution

74 GeoPoll Internews survey

75 See https://mediacouncil.or.ke/en/mck/images/2020/Status_of_the_Media_Report_2020.pdf

up because America and Europe, where it mostly came from, no longer consider democracy and human rights as critical to international commerce dominated as it is by China. They feel they'll miss out on commercial opportunities in Africa if they make democracy and human rights conditional to dealing with Africa as before. Civil society no longer have money to advertise and the media have turned away preferring to kowtow and bow to the government which has a huge advertising budget."

To address this, there is need for a vibrant community media, which currently suffer resource and reach constraints.[76] According to O'Nyamwamu, "only the emergence of strong alternative media" can change the tide of trust in favour of the media in Kenya.

The main questions, therefore, are: What lessons can we draw from this wildly changing media environment? How can the quality of news and information disseminated be improved to empower the citizens to make informed choices as Kenya heads to a crucial election in 2022? How do you conduct professional journalism in a country whose media faces so many challenges, the least of which is content quality?

Current Business Environment

The last decade has witnessed an erosion of the economic vibrancy of legacy media in Kenya, and with that, prestige and authority. For one, newspaper circulation has been dropping since 2013,[77] and television took a big hit in 2014 when the digital migration process began.[78] Contrary to common belief, radio has given way to social media[79] as the main source of news and information according to at least two very recent national surveys by different competing organisations.[80] A December 2020 survey conducted nationally by GeoPoll on behalf of Internews, yielded the same results.[81] In the survey, every demographic, except two (females, who prefer television, and the older generation 35 years and above, who prefer radio), prefers social media. In absolute terms too, social media leads as 80 per cent of all respondents sampled use social media for news and information.[82] In fact, GeoPoll concludes: "The most preferred source of news and information was social media and [the] internet among male respondents *and* those aged 18-34 years (this demographic constituted 56 per cent of the sample size). Females on the other hand preferred television whereas those aged 35 years and above preferred radio."

Additionally, social media is by far more frequently accessed than any other source of news and information, with more than 40 per cent (45 per cent among those aged 18 to 34) of respondents accessing it "all the time."

And across the board (except on social media and online) advertising has been reducing since 2017 when the government, the largest advertiser, banned all direct newspaper advertising

76 Kimani, RN., (2018).

77 Reelforge and Tifa (2019), Kenya Media Landscape Report, Nairobi

78 IPSOS, Kenya Audience Survey — Lockdown Edition, October 30, 2020

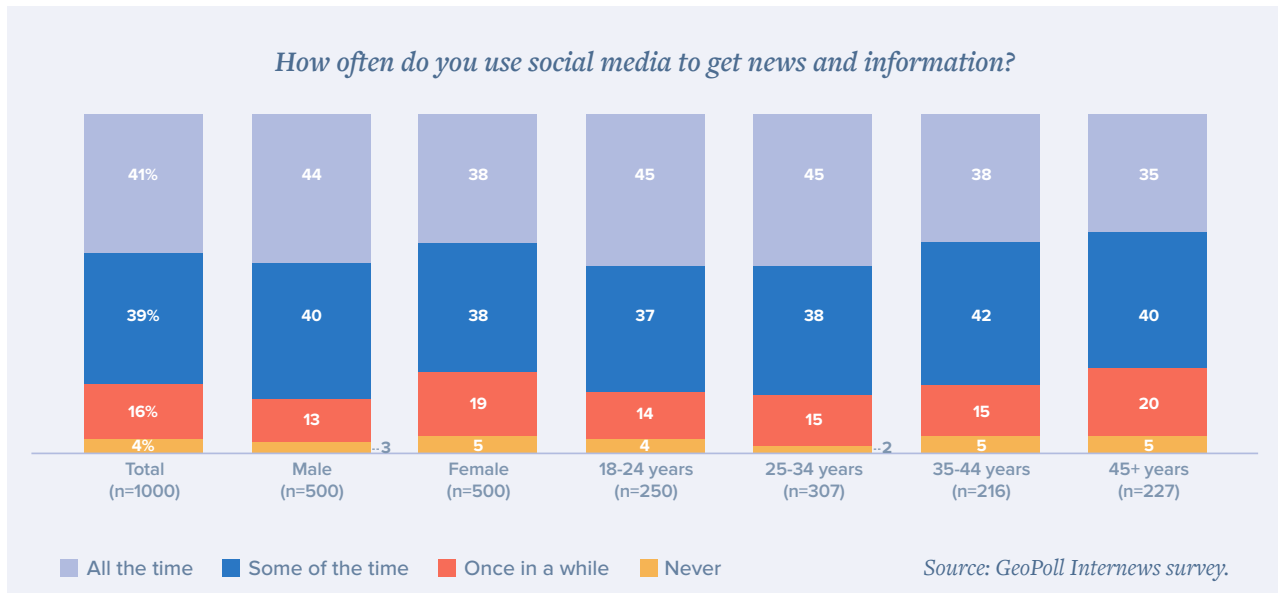79 See in-depth section on 'Social Media' later in this report.

80 Ipsos and GeoPoll Internews surveys

81 GeoPoll Internews survey

82 ibid

Frequency of accessing social media.

There is high frequency of use of social media to get news and information. About 80% of the respondents frequently use social media to get news and information all the time, most of them being males aged between 18-34 years.

How often do you use social media to get news and information?

	Total (n=1000)	Male (n=500)	Female (n=500)	18-24 years (n=250)	25-34 years (n=307)	35-44 years (n=216)	45+ years (n=227)
All the time	41%	44	38	45	45	38	35
Some of the time	39%	40	38	37	38	42	40
Once in a while	16%	13	19	14	15	15	20
Never	4%	3	5	4	2	5	5

■ All the time   ■ Some of the time   ■ Once in a while   ■ Never

Source: GeoPoll Internews survey.

placements by government and semi-autonomous government agencies (SAGAs) and set up its own advertising portal,[83] the Government Advertising Agency.

However, it is not just the print media that is affected by this. Every media entity that deals with the government, and most of them do — except community media — has been negatively affected by the government's inordinately long delays to settle bills even when service has been rendered. Thus, the government's 2017 advertising policy and regulations coupled with inexplicable delays continue to negatively impact media operations. Concerned, the media have rallied together with calls for state action on the payment of pending bills. Through joint stakeholder meetings between the KUJ, the Kenya Editors' Guild (KEG), and MCK, there is greater cooperation within the industry to address this issue.

Victor Bwire, a senior manager at MCK says: "The state, which is the biggest advertiser in the country, owes media organisations Kshs2.8 billion — this even as media owners are laying off staff and imposing salary cuts."

This reality has been made worse by the COVID-19 pandemic. In the wake of the pandemic in Kenya in March 2020, Kenya's media industry began to witness mass redundancies, and in most organisations retained staff were required to take compulsory pay cuts — this coming just months after mass layoffs in late 2019. KUJ estimates that over 300 journalists lost their jobs in 2020 alone, with the number rising as national media like SMG announced redundancies as late as the last months of 2020.

Profits too have been plummeting, a reality made worse and dramatically brought home during

the initial pandemic response period *when media had to dedicate airtime for unpaid public service announcements.*

NMG, the most profitable media enterprise in Kenya in a long while, has consistently posted between 12 to 20 per cent drop in profit over a period of five years to 2019.[84] And it finally reported a net loss of Ksh375.2 million in the first half of 2020[85] — the first time the company has made a loss since listing on the stock exchange.

"Newspaper readership is in a precipitous fall — declining by 17 per cent in 2018, according to *The Standard.* A review of the performance of media enterprises in Kenya shows that the decline in performance was there way before COVID-19. COVID-19 just made a bad situation worse," says Peter Opondo, the new head of KTN.

Thus, while there is consensus that the economic impact of the pandemic led to significant changes in the industry, it is evident that the pandemic only exacerbated challenges that the industry players were already grappling with for the better part of the decade. Government policy, digital disruption, and changing audience behaviour continue to impact media business sustainability in 2021.

Consequently, in an attempt to reverse the trend, all newspapers have had redesigns aimed at bringing to print attributes of online — interactivity, shorter stories, bigger graphics, and pictures, longer headlines, and more entertainment as opposed to a hard news content skew.[86]

Meanwhile, media leaders continue to express concern over staff motivation and retention as compulsory salary cuts effected in March-May 2020 have persisted, with organisations pegging salary reviews to future financial performance. KEG raised alarm over the number of journalists affected by these cost cutting measures saying in early 2020 that, "... [there are] indications that some media houses may be taking advantage of the situation to enforce staff layoffs and salary cuts."

One editor expressed concern over the quality of journalism, noting that mass exits over the last 18 months have weakened editorial structures — especially in newsrooms that have opted to replace seasoned editors with less experienced professionals.

Following the pandemic job losses, several top news personalities opened their own independent online outfits — this adding to an already growing trend of top talent leaving the newsroom to attempt practicing independent journalism. KUJ, however, cautions against looking at this form of journalism as a viable alternative, noting that not all journalists have the capacity to financially sustain their start-ups. They point out that a number of those who have managed the transition either rely on private (often political) funding, corporate partnerships and grants, or partner with top legacy media for projects.

Pandemic restrictions led to a further direct drop in circulation for some print outlets as people shied away from physical copies and media responded by promoting their existing e-paper

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84 Peter Opondo Presentation

85 See https://www.nationmedia.com/wp-content/uploads/2020/08/NMG-Results-27.8.2020-1.pdf

86 The Nation relaunched its print and digital platforms in August 2010, and the Standard converged its news platforms in March 2021, complete with a redesign of the papers.

products. These efforts did not, however, make up for lost circulation.

According to Mutuma Mathiu, the NMG Editorial Director, "Print has lost its glory, but not its contribution to revenues, accounting for more than 70 per cent in many media houses. This tragedy, while on the one hand knocking down the print business, has also presented a tool to support its circulation: the e-paper, or replica edition. This has never really caught on with most digital readers preferring websites and apps which provide more or less the same news for free."[87]

Top news sites linked to legacy media outlets have seen a spike in website traffic as audiences seek to get verified pandemic information, but this does not translate into a comparable increase in revenue. In addition to reduced advertising, Google News trainer Eugene Okumu notes, keyword blocking could also contribute to the drop in revenues as advertisers have concerns about serving adverts against pandemic coverage.

TV saw an initial surge at the end of the first quarter, with the GeoPoll March 2020 numbers showing an increase of 330,000 viewers from 6.76 million to 7.09 million between March 1-29 2020. A third quarter Ipsos Daily Media Incidence report focusing on TV, radio, online and newspapers (excluding social media)[88] found that radio topped all categories, with only three per cent out of the 2,049 respondents reporting newspaper consumption for the question.[89]

Compared to social media, radio stations saw an initial spike in listenership and value-added services (VAS) revenue during the initial lock-down period, particularly during the Ministry of Health national broadcasts, but these levelled out as the state eased pandemic restrictions, easing way to social media. The figures tell a story of social media clearly overtaking radio: Respondents to the Ipsos survey spent an average of 197 minutes online a week, while 188 were spent on TV and a weekly average of 162 minutes on radio. The December 2019 to August 2020 Ipsos trended report shows that while average time on legacy media is dropping, audiences spend more time online.[90] Our own survey by GeoPoll confirms this trend.

Community media — which are traditionally, due to human and technical resource gaps, the weakest media entities in Africa, definitely in Kenya[91] — were hard hit by the COVID-19 pandemic. Donors had to come to the rescue with rapid grant arrangements: In June 2020, the Media Council of Kenya (MCK) supported by the Open Society Initiative for Eastern Africa (OSIEA) announced a USD922,000 grant targeting 150 outlets across the country.[92] The Bloomberg Media Initiative Africa (BMIA) and the Ford Foundation also offered support to

87   Wan-Ifra, April 2020, https://wan-ifra.org/2020/04/covid-19-kenya-our-survival-requires-a-reset/

88   In essence, in this specific regard, the report was comparing TV, radio, online and newspapers on one hand with social media on the other.

89   Ipsos, *Kenya Audience Survey — Lockdown Edition,* October 30, 2020.

90   ibid

91   Kimani, RN (2018)

92   See Media Council of Kenya launches health reporting grant https://nairobinews.nation.co.ke/general/media-council-of-kenya-launches-health-reporting-grant 21st April, 2020

community media towards pandemic coverage and fact-checking.[93] Some of this grant support was critical in keeping community media operational.

Davis Njagi of Thomson Reuters Foundation says: "The Kangema Radio and Internet system, which provides vital weather alerts to farmers and rural communities, reported a 90 per cent decline in funding since the beginning of the pandemic... It turned to running paid public service and educational messages about the virus from UNESCO. It also received USD1,400 in support from the MCK."[94]

How effective such assistance is — considering the skills and resource constraints community media face — is difficult to tell. And there are those who feel it is of no or little impact. In an interview, Okumu voiced concern over the actual impact of some of the pandemic-related support given. He notes that the application requirements and procedures make such assistance inaccessible to smaller, often county-based, outfits and reporters.

Digital disruption and audience behaviour shifts continue to pose challenges for legacy media. Digital natives like Pulse, Kenyans.co.ke, and Tuko continue to compete with legacy media for online audiences, traffic, and advertising revenue. Their agility, comparatively lower operational costs, technology deployment and relative editorial freedom have seen them outcompeting legacy players in the digital space.

Digital editors looking after legacy media's online outlets, however, complain that new entrants simply lift and rewrite trending and investigative stories — many of which take time and intensive resourcing to produce.

The proliferation of digital advertising skills in the market has also seen some key brands reduce their direct online media spends — opting to target audiences through other channels: Facebook Advertising, Google Platform, Influencers etc. The advertising industry has also been hit by this trend as more top-billing clients are building internal capacities for digital advertising for day-to-day work, relying on agencies for main campaigns. In other words, the advertising business model is not working very well for the advertising industry as well as the legacy media both of which had a symbiotic relationship.

There is another noteworthy trend: While more Kenyans are spending time online, users are wont to engage more with non-news content, video sharing, and community conversations. A Facebook report ranked Kenyans as "the most engaged in (online) groups" amongst 15 surveyed African countries, noting that people were most engaged in peer-to-peer discussions in themed Facebook groups.[95]

The business environment is becoming increasingly challenging, especially for legacy media in Kenya. Advertisers are moving away to new platforms, audiences are shifting loyalties, and circulation figures are dwindling. Many, rightly so, worry about the future sustainability of legacy media in Kenya.

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93   See https://businesstoday.co.ke/bloomberg-media-initiative-funding-a-boost-for-community-media/
https://www.bloomberg.com/company/press/bloomberg-media-initiative-africa-provides-financial-boost-to-community-media-organizations-in-kenya-nigeria-and-south-africa-during-pandemic/

94   Interview with Davis Njagi, Thomson Reuters Foundation

95   The Reuters Digital News Report 2020

Social Media

Over the last 10 years, national newsrooms in Kenya have expanded their digital presence from simply reposting news content online, to having hybrid content production models that repackage and produce content for online audiences and advertisers. To support this expansion, these media houses ran parallel operations, oftentimes creating additional workflow processes and teams that focused on digital content and online audience engagement.

News sites backed by print operations continue to lead in online searches, quality, and volume comparisons. According to Alexa Rankings, after Google and YouTube, *Standard* and *Nation* take positions three and four respectively in online sources of news and information. However, with the increase of social networks' video engagement and the reduction of data costs, there has been an increased growth of TV-backed sites and social media platforms.

Data from multiple sources confirm definitively that social media is the leading source of news and information now in Kenya. It would seem Kenya is one of the top consumers of social media in the world. *The Reuters Digital News Report 2020* says: "Nine in 10 of the online population say they access video news online weekly in Turkey (95 per cent), Kenya (93 per cent), the Philippines (89 per cent), and Hong Kong (89 per cent), but only around half this proportion do so in northern European countries such as Germany (43 per cent), Denmark (41 per cent), and the UK (39 per cent)."[96]

On Facebook's dominance in Kenya the same report asserts that "[a]cross countries, Facebook Inc now reaches 85 per cent each week on average, rising to 94 per cent in Brazil and 96 per cent in Kenya and South Africa."[97]

Figure 10.
Sources of information.

About 35% of the respondents preferred social media and the internet as the main source of information. Most of the social media & Internet users being male whereas female respondents spent most time on television. The younger age groups (18-34 years) are more into social media & internet whereas the older respondents aged 35 years and above preferred radio.
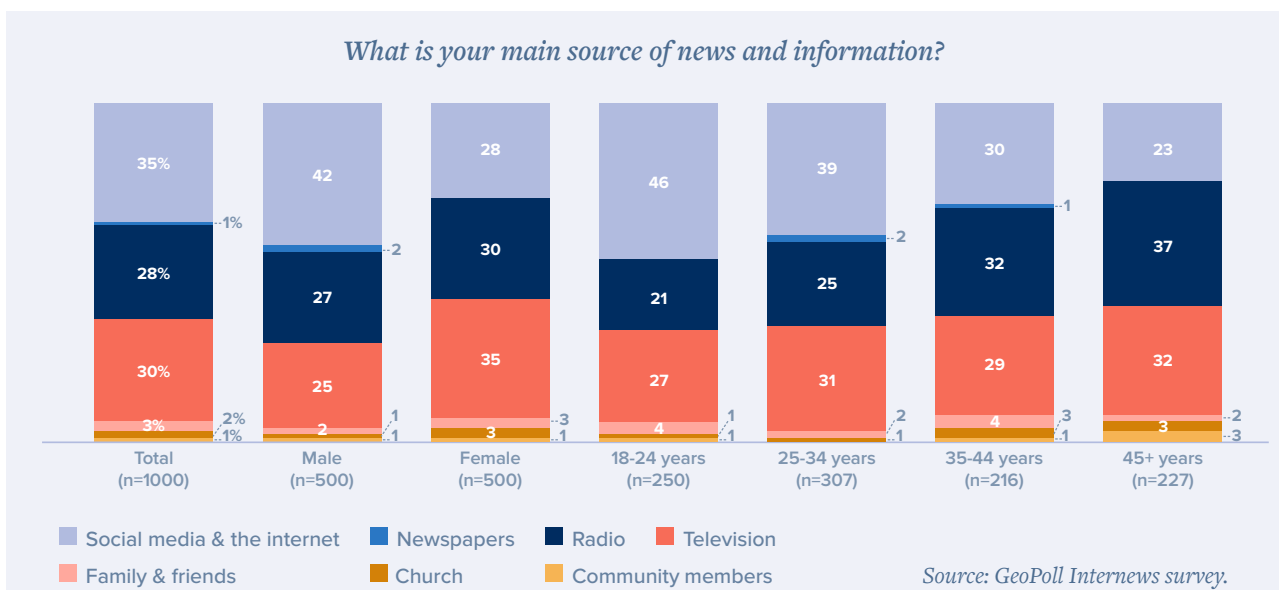
[96] ibid

[97] ibid

From the FGDs we conducted for this assessment and the GeoPoll Internews survey, it would also seem that everybody is on social media. A participant from Nakuru said in an FGD: "I am an admin in many WhatsApp groups. We have strict rules of operation in many of them. But we share breaking news in most of them. And members include cocos (grandmothers). Social media unites all — community members, churches, far off relatives and neighbours. I love *muchene* (scandals) in some of the forums."

A journalist in the same FGD confessed he gets story ideas from social media. Another participant from Mombasa confessed to being glued to Facebook. "I only use Facebook. *Hizi zingine* [*kama magazeti*] *hakuna* (these others [like newspapers] simply don't feature)." And a participant from Kisumu said: "I use social media for updates on news that I have missed. Radio can't give me that, neither can TV and newspapers."

Radio — which has traditionally led as a source of news and information — has had to adapt under pressure from social media. Radio has thus seen increased in-studio video production, with presenters and editors posting directly on brand social media accounts, supported by social media officers, including interns. For smaller outfits with limited resources, digital media is a shared function without dedicated staff looking after online platforms.

The journalist from Nakuru mentioned in the FGD that to do his job as a radio journalist better, his day begun on social media. "For all its weaknesses, social media is good. To me, social media is great for radio because that is where we start every morning."

Many media houses in Kenya are pursuing newsroom convergence. Thus, multimedia production and offerings, requiring multi-skilled journalists, have become the trend. Media houses are interested in multi-skilled journalists with very thorough research competencies. This is crucial because as social media grows, challenges abound. Issues of quality, competence, plagiarism, access to tools, fake news, hate speech and reliance on interns continue to come up as key operational challenges for digital newsroom leaders.

An FGD participant in Nairobi said: "Social media gives unverified news. They are like politicians who say one thing in the morning and change in the evening. I'd be careful with social media consumption."

While media managers have championed 'convergence' and created roles to promote the transition to an integrated newsroom registering greater cooperation with the legacy newsroom structure, most media houses have not fully transitioned to digital journalism. Okumu says convergence digital transitions fail to achieve 'grand objectives' because they focus more on cost cutting and newsroom reshuffles rather than "attitudes, training, and technology."

Citing his experience as the Head of Editorial Video and Standard Digital, he says that his team seldom had access to raw video shot at key news functions unless it was a live recording. He had to push for online video production and equipment to meet growth targets as cameramen and reporters still "think TV" so they overlook what would resonate with online audiences. K24 Digital Editor Brian Okoth seems to agree saying digital teams often must ask reporters for repackage content produced for other media platforms.

SMG's Social Media Editor Julian Wanjiru published a January 2020 paper citing "cost, inadequate communication, [bad] organisational and newsroom culture, lack of a clear digital strategy and resistance by some journalists and managers" as the key challenges impeding the

organisation's convergence efforts.

Nation and Standard are currently reorganising newsrooms to pivot to digital audiences and new revenue models, and this has come with a significant investment in technology and an emphasis on digital performance. Nation's Digital Editor Harry Misiko says that a review of digital traffic and daily audience engagement has become a critical part of the group's editorial process. He says digital performance metrics are now part of the daily performance metrics, and there is a deeper appreciation of the role his team plays in the organisation.

However, Mediamax Network's Digital Content Manager Joel Muinde warns that the increased focus on digital metrics has impacted a critical part of the editorial process: gatekeeping. "Online editors have yielded part of their gatekeeping role to audiences using of web analytics signalling a cultural change in newsroom practice... [Therefore] online newsrooms [should] set clear editorial policies to ensure that the use of web analytics does not lead to the abandonment of the cardinal role of journalism, to be a watchdog that works for public interest and common good."[98]

All digital newsroom leaders interviewed for this assessment confirm that traffic and engagement play a key role in their editorial planning, advertising-centric audience growth, and revenue targets. These have been made key deliverables for their teams. The four news sites in the Top 10 Alexa Rankings use both free and enterprise level data analysis tools (Chartbeat, Buzzsumo, Google Analytics, Crowd Tangle, Alexa, etc.) in their daily operations.

For online-only publishers and new entrants, a candidate's understanding of digital media is critical to the hiring decision. Kenyans.co.ke's Robert Ndung'u says while the reporters he hires have to first demonstrate that they have a grasp of online content production and audiences, he takes all team members through an extensive two-week induction process to remote work and collaboration between micro-teams.

Digital disruptors and independent journalists are increasingly gaining traction online through creative use of — especially — social media, and this trend has partially been fuelled by newsroom exits, including those caused by retrenchments, in recent years. *The Conversation* reports that these outfits, which predominantly publish content exclusively online, are cultivating a firm audience foothold: "The production and distribution of news has filtered beyond the traditional newsroom, enabled by digital technologies. Free from legacy media hierarchies and business models, the producers of this content are building audiences and exposing them to a wider range of news perspectives and story approaches."[99]

There can be no doubt that in today's Kenya, social media rules.

98   Joel Muinde, Online audience as gatekeepers: the influence of web analytics on content selection in Kenya's top five news websites; https://ecommons.aku.edu/cgi/viewcontent.cgi?article=1915&context=theses_dissertations

99   *The Conversation,* New media voices are telling Kenya's COVID-19 stories — from the ground up, May 2020

Media Law and Regulation in Kenya

Media freedom remains of practical importance in Kenya. That is what media cling on in defending operational decisions and pushing back on government overreach. However, as at the time of publishing this assessment, media freedom in Kenya is not guaranteed.

Although the freedom of the media is guaranteed in the Constitution of Kenya 2010 (Articles 33, 34 and 35), the media in Kenya is, in fact, governed by various laws fragmented within different sections of the civil and criminal law, making the constitutional guarantees inimical to freedom. These laws have been relentlessly enacted so much so that the ink signing the latest one into law is not yet dry: It is the Statute Law (Miscellaneous Amendments) Bill, 2020 signed into law by the President on December 12, 2020.[100] The law makes it criminal for a legal entity (organisation or person) to refuse government agents access to personal information in electronic gadgets, including passwords to computers and mobile phones, in the name of "state security". Curiously, it was signed into law on a national holiday in the middle of the COVID-19 pandemic. No one hardly noticed.

According to Oloo Janak, Chairman, Kenya Correspondents Association (KCA), "There are challenges in [the] implementation and interpretation [of these laws] with an attempt by the government to use [them] to control the media. There are a series of scattered pieces of legislation which inhibit press freedom [in Kenya] in different ways."

The laws with explicit provisions on media operations are many. They include:
1. *The Media Council Act* (2013) that provides for, among others, the licensing of journalists.
2. *The Kenya Information and Communications Act* (KICA, 2013) that provides for the establishment of the Communications Commission of Kenya to facilitate the development of the information and communications sector.
3. *The Computer Misuse and Cybercrimes Act* (2018) that, among others, contains punitive measures for sharing certain information online.
4. *The National Cohesion and Integration Act* (2008) which prohibits publication of "hate speech" against communities.
5. *Access to Information Act* (2016) which stipulates conditions for access to public information, which should be unfettered
6. *The Books and Newspapers Act* (revised 2012) which, among others, prescribes publication bonds hardly affordable by many.
7. *The Penal Code* (1986) which criminalises many activities that journalists might be caught in the course of duty.
8. *The Preservation of Public Security Act* (1960) which, among others, gives the police carta blanche to meddle in media affairs.
9. *The Kenya Broadcasting Corporation Act* (1967) which establishes the national broadcaster within an operative straight jacket.
10. *The National Police Service Act* (2011) which establishes the police service with broad powers to meddle in media affairs including "shoot to kill" rioters potential — where rioters are, media are likely to be there.
11. *The Prevention of Terrorism Act* (2012) which, under broad interpretative protocols, compels media to reveal their sources.
12. *The Official Secrets Act* (1968) which bans the publication of classified information.
13. *The Public Archives and Documentation Act* (2019) which stipulates, often difficult, access conditions to certain information.

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100 See https://www.ifree.co.ke/2020/12/new-law-gives-state-permission-to-access-phone-data-but-with-a-court-warrant/

14. *The Kenya Defence Forces Act* (2012) which literally makes the military impervious to media scrutiny.
15. *The National Intelligence Services Act* (2012) which protects the national intelligence machinery from accountability.
16. *The Defamation Act* (2013) which criminalises defamation, a civil matter in many genuine democracies.
17. *The Copyright Act* (2001) which stipulates steep penalties for copyright breaches, something journalists are always susceptible to.
18. The Data Protection Act (2019) which protects data, including data in government hands, from access but yet grants that same government free reign to use citizens' data any how it wants.

At least five of these laws were enacted before the 2010 Constitution (which entrenches the freedom of the media) and the rest after its promulgation. They have failed to meet or fulfil the standards set out in the Constitution. According to O'Nyamwamu, they are "decidedly anti-media". While some of them are inadequate and retrogressive, others merit justifiable legal restrictions to free expression.

Although these laws provide the legal, policy and regulatory environment that governs media operations in Kenya, their net effect is to drastically limit the freedom of the press and the freedom of expression without which democracy and human rights cannot flourish. In particular, laws invoking state security are mere fronts for censorship of the media.[101]

The fragmentation of laws regulating the sector also contributes to the challenges of adequately governing mass media. In this situation, the freedom of expression and freedom and independence of the media are treated as privileges rather than fundamental rights of the citizens. These multiple legislations and policies address various interests and parties involved in controlling the media with the attendant self-interest for self-preservation potential.

Consequently, the predilection for abuse of power through existing political, social or economic pressures is high. For example, in October 2020, the National Security Advisory Committee (NSAC), issued a raft of directives,[102] aiming at "maintaining peace, security and promotion of the rule of law." NSAC directed that all public meetings and public processions shall be held in strict compliance with Section 5 of *the Public Order Act, Cap. 56*, and media to be held responsible for all the content that they publish and/or broadcast pursuant to Section 62 of *the National Cohesion and Integration Act.*

NSAC's directives were on one side viewed as important steps to manage political tensions, but on the other, they were seen as regressive[103] ways that could be used by the Interior Cabinet Secretary and Police to outlaw public meetings, processions or any activities, which by the judgement of the committee, may pose a risk to national security. The Kenya Media Sector Working Group, a media-led forum for co-ordination of national and development partners' support to the media sector,

101   See, The Media, Legal, Regulatory and Policy Environment in Kenya, A Historical Briefing by Peter Oriare Mbeke, 2008

102   See https://www.youtube.com/watch?v=zwALbCqYv9k

103   See https://www.standardmedia.co.ke/adblock?u=https://www.standardmedia.co.ke/nairobi/article/2001389824/new-rules-could-threaten-freedom-of-expression-media-professionals-warn

termed it as an attempt to control how media will cover political events.[104]

With the thriving new media, challenges of misinformation, disinformation, and malinformation have exponentially risen. Even though proliferation of fake news has largely been blamed on increased usage of social media, fake and distorted news is not exactly a new thing. In fact, it is much older than the business of selling news.[105]

As a response to these challenges, the government of Kenya enacted *the Computer Misuse and Cybercrimes Act No. 5 of 2018*. It was aimed at protecting the confidentiality, integrity and availability of computer systems, programmes and data as well as facilitate the prevention, detection, investigation, prosecution, and punishment of cybercrimes. Suspended in May 2018, it was reinstated on February 20, 2020, when the High Court dismissed a petition by BAKE, who had challenged the constitutionality of 26 sections of the Act. With the Act in full force and effect, freedom of expression has been restricted for journalists and online content creators, who are at risk of falling victim to various offences with hefty fines under this law. The Act establishes various offences including unauthorised interference or interception of computer systems programmes or data, false publication of data, cyber harassment, cybersquatting, cyber terrorism, identity theft and impersonation, phishing, computer fraud, computer forgery, unauthorised disclosure of passcodes, fraudulent use of electronic data, issuance of false e-instructions among others.

In 2020, MCK, with technical support from Internews, made the most comprehensive review of laws and regulations governing media in Kenya to-date. *The Media Sector Legislations Review 2020,* maps out over 20 legislative and regulatory enactments affecting media freedom and the practice of journalism in Kenya with a view to making recommendations for reforms in the sector. All the 18 mentioned above were featured plus *the Employment Act (2007)* and *the Labour Relations Act (2007)*.

The Media Sector Legislations Review 2020 notes that most of pre-Constitution 2010 legislations still retain their draconian texts, and some new legislations also adopt the same trend of harbouring retrogressive provisions. For instance, the implementation of the *Access to Information Act (2016)* cannot yet be fully achieved due to the absence of necessary supporting regulations.

Even where proposed laws have been successfully resisted, they are mischievously reintroduced. For example, *The State of the Internet Report 2019*[106] by BAKE, launched on December 15, 2020, notes that there were attempts to reintroduce regressive Bills that had been resisted and criticised in the past.

"The relentlessness with which these retrogressive media laws are enacted and reintroduced, if not successfully resisted, makes it difficult for many ordinary journalists to keep up with them. In fact, even though media law is a standard part of the journalism training curriculum in Kenya, many journalists are unaware of especially the new laws that are not explicitly categorised as media laws but which nonetheless have far-reaching implications on journalism practice," says Galava. He recommends media law training for all cadres of journalists without regard to

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104   https://www.the-star.co.ke/news/2020-10-12-media-industry-raises-concerns-on-public-order-guidelines/

105   See, J. Soll, "The Long and Brutal History of Fake News," POLITICO Magazine, 18-Dec-2016. [Online]. Available: http://politi.co/2FaV5W9.

106   The State of the Internet Report analyses, and compiles a report on digital rights, digital journalism, digital publishing and the digital economy in Kenya, to enable an analysis of progress and/or declines have been made in the area of freedom of expression in Kenya.

seniority or category: "Yes, including editors and new media journalists!"

In fact, various law provisions have been used — and many misused — by state agencies to stifle a free press, often resulting in self-censorship.

It goes without saying that a restrictive legal regime results in a restricted media freedom and democratic space. Post-2017, when these retrogressive laws started being invoked, the following events raised serious concern over the state of media freedom in Kenya:

- In early February 2018, for over a week the government switched off Citizen TV, Nation TV and KTN TV, the three leading private television broadcasters with a combined viewership of more than 70 per cent of TV viewers in Kenya.[107] This followed the stations' coverage of a mock swearing-in ceremony of opposition leader Raila Odinga as "the people's president" against government orders to the contrary.

- In March 2018, journalists from independent media houses were assaulted by government forces at the Jomo Kenyatta International Airport in the full glare of international media and barred from covering the "sensitive" high-profile controversial return of political activist Miguna Miguna into the country. Miguna Miguna, a Kenyan-born Canadian national (he holds dual citizenship), had been declared a persona non-grata by the government on account of his role in the mock swearing-in of Raila, a declaration that the courts had annulled. Assaults on journalists continue to this day.

- The same March 2018, all progressive Nation Media Group (NMG) columnists and commentators on TV resigned to protest the termination of David Ndii's column in the Saturday Nation. David Ndii was a hard-hitting no-holds barred columnist who had become a thorn in the flesh of the Jubilee Administration. It is understood that NMG succumbed to state pressure and discontinued his hugely popular column.

- And between February and March 2018, the government ignored more than 10 court orders, most of them relating to returning the switched off TV broadcasters to air, allowing Miguna Miguna unfettered re-entry into Kenya, and reaffirming the independence of the Judiciary.

- Much earlier (in February 2017), through executive fiat — now entrenched in law through the *Official Secrets Act*[108] — all phone conversations, SMS exchanges, and mobile-based transactions are subject to government monitoring, including recording.[109] In other words, phone tapping is legal in Kenya today. This makes media operations much harder as tip-offs, especially on corruption, happen by phone ('anonymously').

Therefore, the democratic space and press freedom in Kenya have been shrinking at an alarming rate. According to Reporters Without Boarders, Kenya's media freedom has been steadily declining in recent years[110], ranking poorly at position 103 of 180 in the 2020 World Press Freedom Index having dropped from position 100 the previous year. They note that pretensions

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107 GeoPoll, (2016), http://blog.geopoll.com/top-tv-and-radio-stations-in-kenya-q1-2016

108 See https://www.ifree.co.ke/2020/12/new-law-gives-state-permission-to-access-phone-data-but-with-a-court-warrant/

109 See 'Kenya may soon be tapping the phones of its citizens,' https://qz.com/913700/kenya-may-soon-be-tapping-the-phones-of-its-citizens/

110 See https://rsf.org/en/kenya

to security in a tense political environment have been used to muzzle press freedom. Thus, journalists are routinely subjected to physical attacks by security forces and the public, they have their equipment confiscated, and face censorship. All this while enduring threats and intimidation from politicians.[111]

Further, to shrink the civic space even more, *the Public Benefit Organisations (PBO) Act* (2013) remains unimplemented and unoperationalised. The law was aimed at providing a more conducive legal framework for setting up and running CSOs that advance the public benefit. However, due to lack of political will, the government has ignored court orders calling for its operationalisation. Instead, they have made unsuccessful attempts to amend the law[112].

To add to all this, Kenya's democracy, as the rest of the world, has been tested by the COVID-19 pandemic. To curb the spread of the disease, the government imposed public health measures on March 15, 2020. These included containment and control of people's movements including through curfews, reducing person-to-person interactions and, in some instances prohibiting associative meetings e.g. clubs, churches and funerals. These tough, yet necessary, measures have reduced the democratic space[113] by restricting civic rights like the freedom of movement, assembly, and the right of access to food, water, sanitation, work, and education.

Although journalists were recognised as essential service providers during the enforcement of COVID-19 public health measures, they were nonetheless victims of violence and brutal arrests by police. In a press statement during the World Press Freedom Day 2020, echoing Human Rights Watch and other organisations, Article 19 Eastern Africa noted that the number of cases of attacks on journalists had increased significantly during the COVID-19 period.[114]

Several media organisations and institutions including KEG, KUJ, KCA, and MCK, joined in protest against these violations, calling on the Inspector General of Police to act against the officers involved. Investigations into violence or abuses against journalists, however, remain uncommon and rarely lead to convictions; as a matter of fact, there is no conviction on record.

A free press is critical for the provision of information to the public, especially in critical situations such as during a pandemic, to expose corruption, and to confront abuse of power. Therefore, an enabling legal and regulatory framework is the least any government can do to advance this ideal. Kenya needs it for improved freedom of expression, ease of and timely access to information by the public, enforcement of government accountability and fulsome enjoyment of democracy.

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111   ibid

112   See https://www.icnl.org/resources/civic-freedom-monitor/kenya

113   Economist Intelligence Unit (2021)

114   See https://www.hrw.org/news/2020/05/04/protect-kenyas-journalists-reporting-covid-19

Data Journalism

Very little Kenyan reporting is shaped by evidence-based research, forensic analysis, or data-driven journalism. Journalism in Kenya is largely event-focused, driven by government and political events, announcements or leaks and unnamed sources. In a sense, the coverage is mostly vulnerable to manipulation by shadowy political puppet masters and crime cabals. Rarely is tangible data journalism on topical issues covered by Kenyan media. When they get covered, the placement is often inconspicuous — just like 'any other' news, not as a main item.

In 2015, the *Nation* created a data desk and online service, NewsPlex, headed by Dorothy Otieno, an ex-Internews staff member, featuring mainly science and health stories derived from open data sets and other sources. This did not just happen. It was a direct offshoot of an Internews health journalism programme in Kenya — DataDredger.

A legacy assessment of the programme noted the major accomplishments of the programme's impact and sustainability. Later, NewsPlex moved on to cover economic and political stories in similar fashion and continues to do so today.

One of the most notable examples of content excellence — excellent precisely because of how evidence was used in story-telling — attributed to the Internews programme was in the form of media content analysis conducted in 2012 by the U.S. Agency for International Development (USAID) and AVAC in seven African countries where Voluntary Medical Male Circumcision (VMMC) services were being scaled up. This case study revealed that Kenya stood out for quality coverage of VMMC: "During the nine-month period analysed, 20 articles about VMMC appeared in Kenya's print media without *any* instances of inaccurate or negative coverage. Ongoing well-informed media coverage of VMMC has likely contributed to the Kenyan public's understanding of this HIV prevention."[115]

But all these achievements sound far off — 2012 to 2015 feels like ages ago. The state of data journalism in Kenya can improve as evidenced by the coverage of the COVID-19 pandemic during which coverage has largely been focussed on reeling out Ministry of Health statistics without much contextualisation.
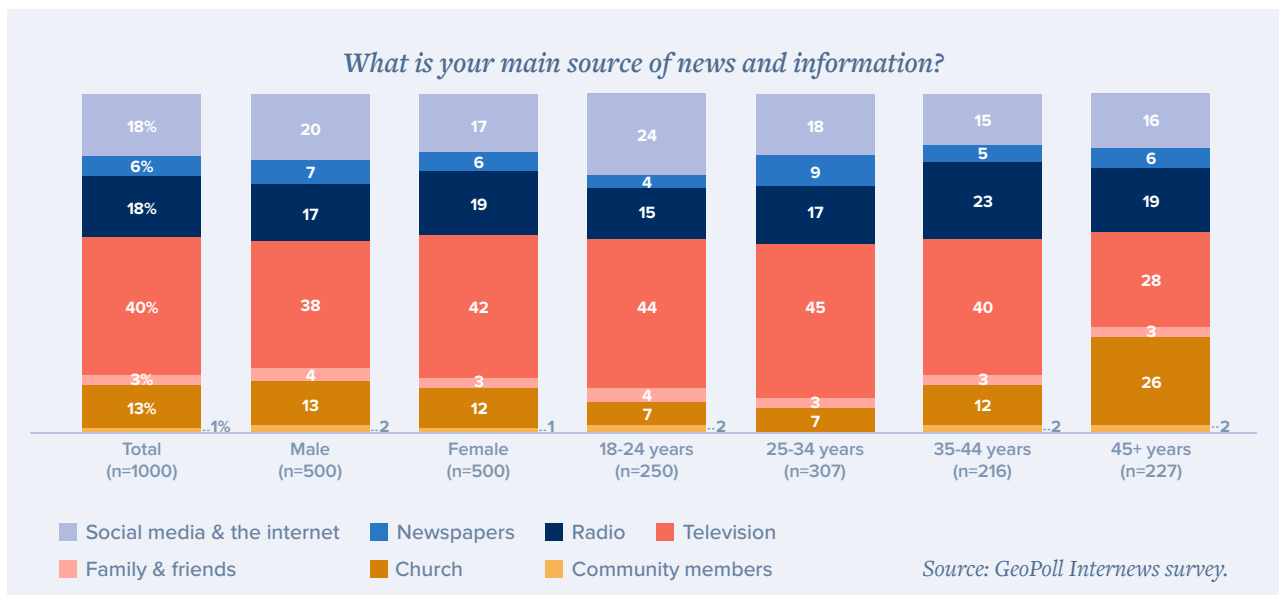
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115 See: https://www.malecircumcision.org/demand-creation/promising-practices

Quick Lessons

1 The verdict is in: Social media is king. This is the main source of news and information for majority of Kenyans. However, it suffers the greatest trust deficit.

2 Although it has lost its long-held first position as the main source of news and information to social media, radio remains important.

3 TV is the most trusted source of information — may be because it must 'show' evidence for it to be captivating and relevant. Kenya's TV news bulletins are often an entertainment bonanza with all genres covered — from comedy to horror. And since the introduction of digital broadcasting, all corners of the country can access this bonanza.

4 Figure 11: TV trumps all on trust. Source: GeoPoll Internews survey.

5 Newspaper circulation and readership continue to decline fast. Although it is too early to declare the era of the newspaper over in Kenya, it is not far-fetched to say the pre-eminence attached to newspapers is over.

6 The highest quality content is in newspapers; however, it is social media that takes the bacon home by how quickly players plagiarise that content for redistribution on social media virtually at no cost.

Figure 11.
TV trumps all on trust.

The most trusted source of information is Television across all demographics analysed with respondents aged 25-34 years having the highest of 45% followed by those aged 18-24 years.

What is your main source of news and information?

	Total (n=1000)	Male (n=500)	Female (n=500)	18-24 years (n=250)	25-34 years (n=307)	35-44 years (n=216)	45+ years (n=227)
Social media & the internet	18%	20	17	24	18	15	16
Newspapers	6%	7	6	4	9	5	6
Radio	18%	17	19	15	17	23	19
Television	40%	38	42	44	45	40	28
Family & friends	3%	4	3	4	3	3	3
Church	13%	13	12	7	7	12	26
Community members	1%	2	1	2		2	2

Source: GeoPoll Internews survey.

7 Self-censorship, driven by government intransigence and commercial interests, remains high in the Kenyan media.

8 Media sustainability is a key concern in Kenya — circulation is dropping, audiences are fluid, profits are declining, retrenchments are happening, and social media is a jungle. Media sustainability demands special attention.

9 Riding on the back of a retrogressive regulatory environment and government ill-will — spurred by the entry of China as a key player in Kenya's economy — media freedom has been deteriorating since 2017.

Gaps & Recommendations

The media in Kenya is in a state of flax. Social media is exploding, therefore needing skills in temperance, balance, reflection and more; in journalese fact-checking, judgement, production, editing and more. Legacy media on the other hand is declining, frantically scratching around, clutching on straws to survive thereby needing skills on re-invention, integration, agility and more.

None of the media enterprises — new and legacy — have what it takes to do all that on their own. Given the centrality of the media in a democracy; more than that in a healthy society, others have to come to the aid of Kenya's media for a healthy and vibrant Kenyan society. Such help — hereby recommended — must aim to address three critical gaps:

1. **Skills gaps**: The skills media personnel need to perform their work effectively.
2. **Resource gaps:** The resources media entities need to execute their mandate.
3. **Policy gaps:** An enabling environment for the media to thrive.

Skills Gaps

The media are facing a paucity of skills to do their work. In this assessment, skills that have been identified as missing include writing skills, interviewing skills, editing skills, production skills, management skills, verification skills and media law knowledge.

To address the skills gap problem, there are three potential solutions:

1. Training
2. Mentorship
3. Exchange programs

Training

A lot of media training continues to be done in Kenya. But these trainings do not necessarily focus on cultivating basic journalistic skills; they tend to focus on cultivating skills to cover specific sectors such as business, health, science, human rights and so on. Whereas there is no problem with this kind of approach, it might be time to revisit the basics of good old journalism in training programmes to have journalists with a broad understanding of their craft. As Galava says, "Without deliberate continuous training, last year's graduate will not know this year's laws; last year's journalist will not know this year's technological advances that could make their work easier; last year's great writer will not know that this year's audiences want 140 characters only."

Once a journalist gets into the newsroom, their focus shifts to stories and not skills. So, a training programme that keeps reminding them of why they are in journalism in the first place and how their profession is changing fast would go a long way to enhance the skills that are missing.
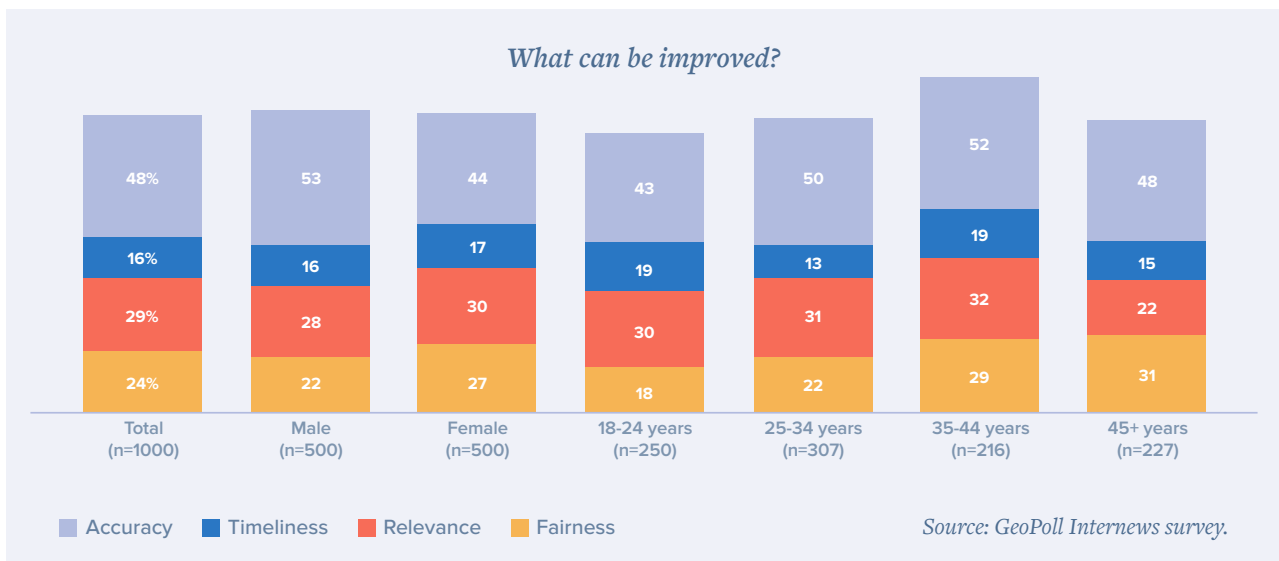
Since audiences have moved online, there should be basic digital journalism training — multimedia content production is an obvious area across the board, that is, for all levels of journalists (reporters to editors) and for all platforms (radio, TV, newspapers and online). Existing young online journalists should also be targeted: They represent the future of journalism and their identified 'bad manners' such as just lifting trending investigative pieces and reposting them as their own original work, among others, should be cured for the better of journalism.

And that can only be done through training. They should know about plagiarism, attribution, fact-checking, objectivity, balance and consequences. And they should have respect for the often intensive resourcing that produces investigative pieces that they simply lift and repost in shallower forms.

One of the ways in which training works best is through partnerships. In terms of digital skills training, this approach — working through partnerships — would be best. Working with media training institutions which specialise in multimedia reporting and digital skills to design programmes for the professional training of journalists to learn, work with and manage teams in digital newsrooms would be ideal. This would address content quality issues, competence challenges, plagiarism habits, and improve access to digital tools, and reduce reliance on interns (a form of labour abuse) for digital execution.

Figure 12.
Needed improvements on quality of news and information.

Most of the respondents would like to see more accurate news and information. Relevance of the news and information is also key to their satisfaction. The older age groups also would like to see Fairness in the content.

What can be improved?

	Total (n=1000)	Male (n=500)	Female (n=500)	18-24 years (n=250)	25-34 years (n=307)	35-44 years (n=216)	45+ years (n=227)
Accuracy	48%	53	44	43	50	52	48
Timeliness	16%	16	17	19	13	19	15
Relevance	29%	28	30	30	31	32	22
Fairness	24%	22	27	18	22	29	31

■ Accuracy ■ Timeliness ■ Relevance ■ Fairness

Source: GeoPoll Internews survey.

Crucially, in the context of the political environment in Kenya in the next 24 months, a widespread training programme on Conflict-Sensitive Journalism — including covering elections in a potentially conflictual environment — is an imperative. Again, it should target all cadres of journalists.

International media support organisations should design and execute comprehensive training plans to cover the missing skills namely, writing skills, interviewing skills, editing skills, production skills, management skills, digital skills, verification (fact-checking) skills media law knowledge and conflict-aware journalism.

Mentorship
Sometimes the best way to teach something is through mentorship. Because of retrenchments, hard economic times, and the necessity to cover elections properly, mentorship makes complete sense. Retrenchments mean the few remaining journalists are overworked and can do with mentors to act as sounding boards. It also means there is a pool of qualified mentors out there.

Hard economic times mean the media could do with asking the pool of professionals out there to do mentorship for an honorarium; and the need to cover the election well demands steady hands that only experienced journalists can provide.

On their part, international media support organisations can contribute to this by designing and implementing innovative mentorship programmes that would, for instance, have one mentor looking at a pool of journalists — following their coverage, probing for weaknesses, and addressing them, expressing curiosity when the mentees stories are not published, liaising with editors on mentees' progress and so on.

Strengthening journalism associations through mentorship would in turn benefit members of the associations to further the work and reach of professional journalism. Often, journalists obey the edicts or codes of conduct of the associations they belong to. Stronger journalism associations e.g. AMWIK, MESHA and KUJ, would be good for professionalism in journalism.

International media support organisations can offer mentorship in management skills to new editors and supervisors as, in their retrenchment frenzy, some companies opted for internal promotions rather than the recruitment of already tried and tested newsroom leaders. National media, especially those with multiple newsrooms, are not excluded from this. Some are implementing convergence plans without the benefit of real hands-on experience. This too should be comprehensive, not one-off events, for as Okumu says, convergence digital transitions fail to achieve 'grand objectives' because they focus more on cost cutting and newsroom reshuffles rather than on "attitudes, training, and technology".

Exchange programmes

These will be harder to pull off in the era of COVID-19 but exchange programmes serve to strengthen a journalist's skills and professional resolve. They yield a perspective that journalists stuck in their own newsrooms often miss. Skills gained on exchange programmes often stay with a journalist forever. The downside is that exchange programmes are expensive and media houses donating a journalist for an exchange programme have to employ or find another journalist to fill that slot for the period of the programme.

International support organisations could look into ways of having complementary exchange programmes; programmes that do not disrupt admittedly lean media operations, but which enhance skills for journalists who need them. Parts of Europe and the US have undergone a complete digital transition while at the same time retaining a level of profitability on TV and radio. How have they done it? How about media managers traveling abroad to know more about successful experiences of digital transition?

The training and mentorship (as well as the exchange programmes) should not leave out editors. It is often assumed that editors do not need these, yet as Galava says, they also do.

Resource Gaps

Quite literally, there are media outlets whose survival hangs on a thread because of the hard economic situation, the COVID-19 pandemic, and other traditional challenges such as resource challenges for community media. According to Newsgain, "Ad agencies, seeking to use digital formats to better advantage, report that audience levels for locally produced media are often *too low*, and the segments they make available to ad messages *too limited*, to be useful, especially

when using emerging ad formats."[116] Translated simply, it means some media outlets viability is nil as advertisers will not even talk to them. Such outlets should somehow be saved especially if they perform a tangible public good.[117]

Even for mainstream established media, as O'Nyamwamu puts it, "government advertising is a major revenue stream for them and so long as the government dangles the advertising carrot before them, they'll never raise enough resources to be independent. This must be addressed."

Further, a Colombia University scholar reports: "...in Kenya, investigative economic journalist Mark Kapchanga interviewed editors from 12 independent Kenyan media houses about their experiences during the beginning of the COVID-19 pandemic. He determined that these outlets were unable to fulfil their potentially helpful role in the country's COVID-19 response due to several factors, including lack of funds and lack of media trust. Kapchanga argues that these outlets should receive financial assistance from the government but that the funds must be delivered in such a way that the outlets can safely maintain their independence, for instance, through the Media Council of Kenya."118

To ease the burden on such outlets — and indeed even mainstream media — international media support organisations should consider the following:
1. Grants
2. Support services

Grants

Grants for journalists and organisations have been known to go a long way to improve the quality of journalism. In fact, KUJ proposes both capacity-building for journalists and direct support to help county-based journalists adopt specialised and investigative journalism. This would have a direct impact on the quality of information coming from counties and the earnings of the county-based reporters and correspondents (the assumption being that they lack skills and resources to do publishable stories they can be paid for).

Such grants, contends Mr. Njagi,[119] should have easy application procedures to make them accessible to community radio stations who are often locked out by complicated application procedures and requirements. International media support organisations could do one better: Come up with grant options specifically targeting smaller outfits and county-based stations, including community radio stations, and personnel.

Support services

Often, poor quality journalism is a result of inability to find a resource centre where some services can be found. In the Internews DataDredger project referred to above, the simple presence of a resource centre where journalists could go sit and do stories made a huge difference. The following types of resource centres as support services could be set up:

116   Newsgain's Business Environment for News Media in Kenya 2020 as presented to the PROTECT consortium.

117   Kimani RN (2018)

118   Schiffrin, A., (2021), Saving Journalism: A Vision for the Post-Covid World, Konrad-Adenauer-Stiftung

119   Davis Njagi interview

- **A regulatory watch system:** This would be helpful in offering real-time updates of laws that affect media, journalism, reporting and journalists. It would be made available to the media community. With the government increasingly turning to regulation rather than censorship, it is vital that even small changes are tracked, noted and publicised. According to Janak, there should be a standard "periodic assessment of the media sector laws and policies."

- **Fact-checking system:** There are many fact-checking entities in place but how about real time fact-checking, especially for breaking news? A resource like this could be set up in collaboration with the media and other organisations to act as a point of call especially for smaller community stations and outlets that find fact-checking difficult due to lack of resources and contacts. It would be ideal during the 2022 elections. This would deal with crucial issues like social media propaganda, fake news, hate speech and more.

- **Value added services products for radio:** SMS campaigns have continued to perform well on radio, and campaigns on mobile have performed well during the COVID-19 period. International media support organisations could work with others to develop projects and products that help community radio build monetisable databases for internal products and client campaigns, especially now that advertising inventory is available. Media should be encouraged to look beyond breaking news alerts and explore this as well. Possible areas include agricultural information, bulk SMS for local organisations, hyper-local news. This approach might also require some minimal financial support for purchase and maintenance of short codes until stations build databases to support the activity on their own.

- Research support: Leading dailies used to have internal research functions that did a lot to improve the quality of content. But they terminated them because research is, naturally, expensive. May be international media support organisations could set up a central research desk for both business and journalism purposes. It would help all media — for free or at a nominal fee — with online reader behaviour tracking, pricing, distribution, differentiation and workflows. Such support would also help entrench data utilisation in journalism.

- **Equipment:** Some community media could benefit from simple equipment such as smart phones for key content handlers to help them actualise their social media strategies and presence.

Policy Gaps

There are three distinct areas of policy attention that are critical for proper media functioning in Kenya. These are:
1. Freedom of the media
2. Media ownership
3. Law enforcement

There is only one thing to do about these three: Policy advocacy support. Since media support organisations rarely do advocacy directly, they would have to partner with advocacy organisations to further the freedom of the media by stopping any further legislation targeting media, repealing laws that are inimical to the freedom of the media, and adhering to constitutional guarantees of the freedom of the media — that is what the *Media Legislations Review* 2020 recommends and we agree.

"There are laws that require repeal, including *the Books and Newspapers Act* and *the KBC Act*, while the *MCK Act* and *KICA Act* require a relook to remove provisions that constrain press freedom or appear to overlap in the management of the media sector. A comprehensive assessment of the

laws governing the media sector needs to be done and recommendations made to strengthen press freedom. The laws need to respond to Article 34 of the Constitution with respect to press freedom regulation," says Janak.

The Chief Executive Officer of KEG, Rosalia Omungo, affirms this saying local media associations should be strengthened, and community, regional and national media adopt self-regulation emphasising that the MCK becomes an independent commission.

Advocacy should also target the enactment of laws that bar public officers, especially politicians, from owning media businesses. Their ownership and control of media blunts the media's independence and makes journalism's accountability to the public nearly impossible. At the same time, it makes the spread of propaganda and political divisions easier.

According to O'Nyamwamu, "media ownership laws in this country must be reviewed. When state power, economic power and media power are in the same hands, it is impossible to talk about media independence; in fact, it is a tragedy for democracy." A situation such as this can only change through consistent advocacy.

Although hate speech has significantly reduced in the media thanks to the ICC cases, it is always a threat. It can only be dealt with, as is fake news, through the enforcement of appropriate legislation that give life to constitutional limitations on the freedom of the media.

To improve the media environment in Kenya, Henix Obuchunju, a journalist from Pamoja FM recommends "an increase in the personnel tasked with ensuring all the laws consistent with the Constitution and governing media operations are adhered to. For instance, have regulators at the grass-root level to monitor the activities of [potentially rogue] media houses in those regions."

And as a matter of policy, the government should promptly pay the media for services the media have rendered to them. The habit of using its advertising power to rein in the media is retrogressive and only well-targeted and executed advocacy can address it.

International media support organisations could offer technical support — through a co-advisory mechanism — to advocacy and media organisations as they seek to engage the government and policy makers on a journalism fund, state advertising regulations, and taxes affecting media operations.

Advocacy could achieve a lot for the media in Kenya. As Mr. Bwire says, "Reviewing license costs, lowering taxation on broadcast equipment, and the establishment of a media diversity fund could complement players' internal business efforts."

On the whole, the state of the media in Kenya is worrying. Legacy media have lost their sting and social media, which is on the ascendency, is a jungle requiring to be tamed. The COVID-19 pandemic has complicated hitherto existent economic challenges exacerbated by a continuous brain drain. This has weakened the media undermining trust in it and making it all but impossible to fully meet the information needs of Kenyans. But hope still abounds as the Kenyan media is resilient. The presence of international media support organisations in the country could be exploited to address the critical skills, resources and policy gaps that need to be plugged for the media to thrive. This is of paramount necessity as the country gears itself for both possibly a referendum and a general election in short order.

Annexes

Annex 1: Key Informant Interviewees

1. Brian Okoth, Digital Editor, K24
2. Charles Otieno, Editor, Nairobian
3. Cyprian O'Nyamwamu, President, Future of Kenya Foundation
4. Daisy Amdany, Active Citizen, Nairobi
5. Davis Njagi, Thomson Reuters Foundation
6. Denis Galava, Editor-at-large, PhD Candidate and media observer/scholar
7. Eugene Okumu, Google News Trainer
8. Harry Misiko, Digital Editor, Nation
9. Henix Obuchunju, journalist, Pamoja FM
10. Joel Muinde, Digital Content Manager, Mediamax
11. Oloo Janak, Chairman, Kenya Correspondents Association
12. Robert Ndung'u, Proprietor, Kenyans.co.ke
13. Rosalia Omungo, CEO, Kenya Editors Guild
14. Victor Bwire, Programs Manager, Media Council of Kenya

Annex 2: GeoPoll Internews Survey Questionnaire

1. What is your main source of news & information? Reply with a number.
   1) Social media & the internet
   2) Newspapers
   3) Radio
   4) Television
   5) Family & friends
   6) Church
   7) Community members

2. How frequently do you access this source of news & information? Reply with 1 or 2.
   1) Hourly
   2) Daily
   3) Weekly
   4) Every two weeks
   5) Monthly

3. How often do you use social media to get news and information? Reply with a number.
   1) All the time
   2) Some of the time
   3) Once in a while
   4) Never

4. In what language do you access your news and information? Reply with a number.
   1) Vernacular
   2) Kiswahili
   3) English

5. Are you satisfied with the quality of news and information you are getting from the media? Reply with 1 or 2.
   1) Yes
   2) No

6. What can be improved? Select all that apply.
    1) Accuracy
    2) Timeliness
    3) Relevance
    4) Fairness

7. Do you find the news and information you need in the media? Reply with a number.
    1) Yes
    2) No
    3) Sometimes

8. Which of these issues isn't important for you & shouldn't be too much in the media?
    1) 2022 elections
    2) BBI
    3) COVID-19
    4) Economy
    5) Security
    6) Human rights
    7) Health

9. To what extent do you trust the news and information you get from the media? Reply with a number.
    1) Completely
    2) Sometimes
    3) Not at all
    4) I don't know

10. Which source of news and information do you trust the most?
    1) Social media & the internet
    2) Newspapers
    3) Radio
    4) Television
    5) Family or friends
    6) Church
    7) Community

11. How often do you receive fake news or news you question? Reply with a number.
    1) Never
    2) Sometimes
    3) All the time

12. If you receive fake news or news you question, what do you do with it? Reply with a number.
    1) Share it
    2) Ignore it
    3) Complain to someone about it

13. For any fake news or news you question, what concerns you the most? Reply with a number.
    1) Unfair
    2) Incomplete
    3) Inciteful
    4) Alarming
    5) All of the above

14. What do you think the role of the media in elections should be?
    1) Just inform
    2) Inform and analyse
    3) Openly support party positions
    4) All of the above

15. What issue do you want the media to cover mainly as we approach 2022?
    1) Elections
    2) BBI
    3) COVID-19
    4) Economy
    5) Security
    6) Human rights
    7) Health

The Kenya Media Assessment 2021

Chaacha Mwita

Internews