

Spotlight on Media Coverage of the Kenya Referendum Campaigns 2010



A 14-day Media Watch on the coverage of the Kenya
Referendum Campaigns 2010

“.....a media’s decision to take sides in a debate must be preceded by a public declaration of this intention and marked with the ability to still remain fair and balanced in coverage of the opposing side...” Research report.

Preface

A good byline equals a masterpiece engraved in gold! Every journalist worth the title knows this.

Good journalism is even more revered if it shines in time of impending conflict when the stability of a nation depends on the message perpetuated by the fourth estate.

Nothing sparks the fire of journalism like a contest of sharp contradictions. Such is the reality of a media thrust with the responsibility of guiding a nation through a historic contentious constitutional change. The Kenyan media has been tested and re-tested against the realities of boiling conflict and the intricacies of covering a nation on the brink of chaos. In 2007/2008 during the post-elections violence period, the Media in Kenya allegedly slipped into the maze of polarization and is said to have contributed to the conflict that ensued. Today, after a fairly peaceful referendum exercise, the media in Kenya is receiving a well-deserved share of praise for its sobriety and professionalism while covering the Kenya referendum campaigns 2010. *Spotlight on Media Coverage of the Kenya Referendum Campaigns 2010* came into being only 14 days into the actual referendum voting day. The research was not late – it was strategic.

Peace Pen Communications reckons that at times like this, when a nation's opinion is split right in the middle then the arithmetic of professional ethics more often than not refuses to add-up. Vigilance in practice becomes even more urgent. For this reason, the fourteen days on the home-stretch to the referendum polls presented a critical avenue to monitor our media colleagues. We zoomed into the three thorns of practice that often threaten professionalism; **biased reporting, sensationalism and inflammatory coverage.**

This report, based on the observation of at least 15 media stations offers the media an opportunity to self-examine its conduct during the referendum campaigns. It seeks to question areas where media conduct may have been challenged.

This research has attempted its best albeit with limited resources which hindered a more comprehensive analysis.

Peace Pen Communications is entirely grateful to **The Ford Foundation** for supporting this project.

Mildred Ngesa
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KBC 4:00 PM.
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Dr. Muzalendo
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Everyone has a right of Health funds
Don't say the right of

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Executive summary



The Research structure/Components:

- ❖ The survey was conducted over a 14 day period (From July 21st 2010 to August 3rd 2010)
- ❖ The research team was made up of eight research, technical and support staff.
- ❖ This research focused on a minimum sixteen media houses encompassing print and electronic media.

The following media houses were surveyed:

Print:

- Nation Newspapers
- Standard Newspapers
- The Star
- The People Daily
- The Weekly Citizen

Television:

- Citizen TV
- NTV
- KTN
- KBC
- K24

Radio:

- Radio Citizen
- KBC Radio
- KISS 100 FM
- Hope FM
- Milele FM & Ghetto Radio

Monitoring and analysis tools:

- Newspapers
- Television
- Radio
- Recording & back-up devices.

Methodology:

This report pegged its research and analysis against THREE indicators of malpractice in Journalism. The focus was strictly on coverage of issues touching on the referendum campaigns 2010.

- UNBALANCED NEWS- Too much coverage of one side (reds or greens) as opposed to the other or biased/one-sided coverage of one side against the other.
- INFLAMMATORY REPORTING- This will include news items/commentaries/analysis/call-ins/letters to the editor/focus on principals comments/coverage of conflict-potential sentiments (remarks that are set to pit one side against another)/outrageous headlines/lies and propaganda. Coverage that has the potential to influence negative reactions or perpetuate conflict. Improper language use and abuse also falls here.
- SENSATIONAL COVERAGE- e.g. over-enthusiasm on coverage for a perceived contentious issues/repeating lies and misinformation as perpetrated on either side regarding contentious issues like the abortion issues/sensational commentaries and opinion pages.

THE COLOUR GRID SCORE –BOARD

 **BLUE** indicates a media house is guilty of ALL THREE components of dangerous reporting on that day

 **YELLOW** indicates a media house is guilty of TWO components of “dangerous reporting” on that particular day.

 **GREY** indicates a media house has only ONE or no component of “dangerous reporting” on that particular day

Summary of research report

Day 1 (21st July 2010) – Day 7 (27th July 2010)

The referendum campaigns are fiery and the momentum is fast and almost euphoric. The media is awash with the REDS and the GREENS...media is not short of color!

The media, especially broadcast media shows glaring realities of preference – the colors on screen during News coverage are a clear testimony. The referendum campaigns ought to be a platform to educate the public on the new law but it seems politicians/religious leaders are stealing the show with mere politicking.

Political propaganda is being peddled from media platforms while there are indications of inflammatory coverage. **(See Research findings on page: 12)**

The wrong “punch line”

Obviously caught-up in the political propaganda wars as politicians stretch their limits in the referendum campaigns, a media station makes the cardinal sin of prominently focusing on a potentially inflammatory quote that can very easily be misunderstood, especially when quoted out of context.

“Let him throw the first stone, we are ready for him and I am sure he will not speak again about that”
(See research findings page 12)

It is also the period of the clash at Suswa, Narok where the reds and greens clash over the use of **SUSWA** grounds for campaigns. The Media generally goes on an uncontrollable mission to misinform and misrepresent. It is not clear if the clash is between the Maasai people (protecting their traditional shrine) and either of the opposing sides or it is a YES and NO divide.

It is also the period when a radio station is quoted to have used abusive language on air, daringly referring to politicians as wajinga (fools!) much to the detriment of obvious professional ethics.

This week saw the media award the clergy maximum coverage even as the men of the cloth, in warning Kenyans against the draft constitution came close to prophesying doom and instilling fear and panic. *“...even if the NO side losses, we would have warned Kenyans because passed as it is, the new constitution will be chaotic. ... We don't want to say we are losing or winning, Kenyans will decide, but even if we lose, we Kenyans will remember that we indeed stood out and warned them of the dire consequences...”* **(Refer to pages 18-22)**

The Permanent Secretaries on the campaign trail story - the media focuses at length on allegations and counter allegations as to whether Permanent Secretaries should be “instructed” to campaign for the proposed constitution or not.

Accusations obviously from the NO side towards the YES side are given maximum coverage with Journalists showing ignorance and laziness. They miss-out on finding out the official indication to dispel this argument and end the accusations once and for all. It would have required invoking the Law or stating the fact of governance.

Bias and imbalance of representation is largely seen here. It is almost possible to tell the stand of some media houses based on the prominence, time and space allocated to either sides.

It is also a period where media houses “allow” politicians to use abusive and demeaning words (*wakora/ wabeberu; Wezi..* **Refer to page: 22-24**) without thinking of the underlying impact at such a sensitive period.

Investigative pieces seek to join the dots on critical issues like the Land issue, but the timing is all wrong since, land as a contentious issue to the proposed document was already causing tensions and panic amongst affected communities. Here, the timing for such prodding was wrong and the presentation of such issues even more disturbing.

Radio presenters, knowing very well the campaigns were entering the home-stretch, should have exercised even more caution especially in the call-in shows where listeners can easily be emotionally unreasonable.

Instead, one or two radio stations fall prey to the sways of the public as they engage in discussions of the two opposing sides. The presenters get carried away and even express their anger publicly on radio – a cardinal sin in journalism in light of exercising impartiality.

Newspapers are still guilty of pictorial imbalance around this period, something that loudly spells out bias and imbalance.

Going blue

- Most of the Media houses therefore are guilty of either two or all three aspects of malpractice meaning that they are rated either YELLOW or BLUE.
- This is a disturbing observation especially since the Kenya media, just waking up from the blunders of the 2007/2008 election period are very clear on the mistakes and blunders made during this period.
- There is evidence of recklessness and irresponsibility as media houses allow themselves to be pulled into cheap bickering and politicking.
- Too much prominence is still being given to individuals instead of focus being on educating and empowering the public.

Pulling –up

Against the analysis of the media in the 2005 referendum campaigns and later in the 2007/2008 election period, there seems to be a notable improvement in terms of coverage. Despite a few hitches that need to be worked on, there is a sense of caution generally amongst media houses, something that is highly commendable.

Day 8 (28th July 2010) – Day 14 (3rd August 2010)

With only 7 days to go to the referendum voting date of August 4th, Media houses seem to have suddenly become alert of the vital role of media in the referendum process.

This period is marked by spirited radio and TV civic education programs, with stations hosting authorities to shed more light in the proposed document.

Media houses conclusively assume the “educator/informer” role and spend these period unpacking issues around the referendum debate that would otherwise have been left-out.

This is a period where politicians and clerics, it seems are being treated with caution by media houses as all the efforts is now put on “preparing the Kenyan voter” to cast his ballot.

The color YELLOW and a significant number of colors GREY mark the ratings of Media houses meaning that the media is exercising caution around this period. **(See; research findings on this period; page -)**

Presidential spat

It was also the time of a major face-off of the two presidents – former and present. The exchange of words between former President Moi and President Kibaki gave the media fodder for endless

coverage which had drawn sharp questions as to the justification of such publicity.

All media houses focused on this verbal exchange between the two leaders to the extent that it now seemed ridiculous that the two were actually fighting it out on a free platform at the expense of the media!

Even though by virtue of the presidency, whatever the two elders say is news-worthy, it beats logic that a lot of time and space was wasted on the senseless verbal exchange that did not add any value to the referendum debate. It neither helped with informing the public nor did it educate. The two were obviously settling personal scores much to the detriment and credibility of the media in a case of misplaced priorities!

Declaring a stand

On this last stretch, the Committee of Experts roll-out their final civic education itinerary in conjunction with Royal media services. They conduct back-to-back road-shows supposedly to “educate” the public on the proposed draft. However, these road-shows openly turn-out to be campaign rallies for the YES side.

In a blow to professional ethics, the Royal Media services openly takes sides to the debate with its top-management occasionally openly featured urging the public to vote for the draft. **(See analysis on findings; page29-45)**

This research argues on professional grounds that it is not ethically wrong for a media house to take sides in a debate, however, they ought to do so after they have publicly declared their stand and given clear reasons (as a media house) as to why they have taken sides.

This report affirms that a media’s decision to take sides in a debate must be preceded with a public declaration of this intention and marked with the ability to still remain fair and balanced in coverage of an opposing side.

There were still negligible cases of radio stations going over-board with comments that were in bad taste and sometimes out rightly outrageous.

It becomes increasingly clear at this time that emotions are running high in media houses (from specific journalists) even about the “Moi-Kibaki” exchange of words, a trend that is dangerous for media. Radios are exceptionally guilty of this lapse with some presenters conduct in question.

Factual errors when covering events are also noted with media houses responsible for misleading reports and commentaries. Cartoons too come alive all depicting the general coverage of the day including side-shows by politicians and the cleric.

“Media is re-born”

Three days to the actual voting day and the Kenya Media is largely reborn! PEACE becomes the central focus of coverage and Media houses quickly assume the peace-builder’s hat.

It is impressive to note that radio stations switch to hammer the message of peace and imploring Kenyans to vote peaceful. “Whether it is a YES or a NO vote, Kenya will still remain so we have to vote peacefully”. **(See research findings; page 45-49).**

Even more surprising is to see and hear media houses urging the public not to listen to the politicians but to choose from their own individual conscious – sadly the same media made

» Radio presenters, knowing very well, the campaigns were entering the home-stretch, should have exercised even more caution especially in the call-in shows where listeners can easily be emotionally unreasonable

politicians the center of coverage during the campaign period!

The last two/three days also reveal the bias of some media houses, some of whom all along purported objective coverage but whom at the end of it made editorial declarations like; “**(this paper)** does not believe there are major flaws that would require large-scale changes to the proposed constitution.” **(See research findings; page **)**. By this editorial declaration, the paper stated its support for the proposed document.

To the merit of one particular newspaper, 20 pages in one particular day were dedicated to a final very sober analysis of the referendum process and urging Kenyans to stand for peace regardless of the outcome of the votes.

CONCLUSIONS & RECOMMENDATION

The Media in Kenya has come a long way to receiving unprecedented accolades while covering an obviously sensitive and challenging process such as the referendum. As such, it is only proper to acknowledge the fact that the general conduct of the media during this whole exercise was fairly professional and deserves unreserved commendation.

Prior to this great challenge of covering the referendum, the Media had been faulted for a number of errors which according to this research, the fraternity has worked hard to correct.

From the findings of this research, Peace Pen Communications can confidently say that referendum process was peaceful particularly because of a largely responsible and credible Media.

And for this reason, the media in Kenya needs to invest more in enhancing its professional capacity in practice especially when covering potentially explosive national issues. Media is a powerful tool – an even more powerful in growing democracies such as Kenya, therefore;-

- ❖ Media needs to be more vigilant and exercise caution when reporting conflicting opinion in national issues.
- ❖ In as much as absolute objectivity in media is unattainable, the media needs to strive towards fairness and balance as much as possible to avoid misleading and confusing the public.
- ❖ A level of critical consciousness ought to be cultivated in Journalists and presenters to make them understand that the words they speak and write had the immense power to hugely impact on readers, followers and listeners.
- ❖ It is therefore the serious recommendation of this report that any journalist worth the title must carefully think through the message he/she is passing across to a sometimes “trusting” public especially on matters of national interest and security.
- ❖ Media houses need to invest on capacity building, in-house training for staff especially in light of challenging assignments such as coverage of national processes so as to ensure and sustain professionalism.

Research findings

Day 1

Media: The Star Newspaper
Date: 21st July 2010
Rating: BLUE

Justification:

Unbalanced news reporting – page one stories all focusing on the negativity of the Yes Camp. Outrageous headline ; (“**Kibaki, Raila plot to get “NO” bosses to defect; page one lead story**”). The word “plot” is alarming, yet no sinister or clandestine plotting is evidenced in the story. The indication is that the Yes Camp is not giving the No sympathizers space to make informed decision on voting for the referendum.

Sensational Coverage: Too much coverage is given to the “Plot” story, yet no evidence is given to qualify the “plotting”. Sources quoted are not aligned to the two principals alleged plotting. There is a “mix-up” in the story with the lead story shifting focus to politicians campaigning for the 2012 election.

Media: Radio Citizen 106.7
Date: 21st July 2010
Rating: Grey

Justification:

(7 am, 1 pm and 2 pm) – News coverage was balanced with both the No and Yes camps given a fair share of coverage (about ½ a minute each) on their activities. Highlights were on where the campaigns were. There was no inflammatory or sensational reporting on both the Yes and No camps. The stations morning commentary Yaliyotendeka was fair as opposed to earlier commentaries that were out rightly biased against the campaigns of the No team. This morning the presenter handled the contentious issues on abortion, land and devolution in the proposed constitution, attempting a fair explanation and not openly intimidating listeners to take sides.

Radio Citizen covered the Kapenguria-Makutano COE’s Constitution Education forum excellently with a planned procedure that helped create sanity and maintained peace during the open forum. The presenter kept emphasizing on the need for Kenyans to live in peace. The public wasn’t encouraged to take any side but was left to make their own independent decisions.

Media: The Daily Nation
Date: 21st July 2010
Rating: YELLOW

Justification:

Unbalanced News: The coverage for both Yes and No is fair. For instance the story the court case filed to object the August 4 referendum polling is objective. The briefs on the activities of both camps are also balanced. The Spotlight Column touches on civic education with the highlight for the day educating readers on how the Public is given a say in budget making in the proposed constitution as opposed to the current one (**Page 5**). The Yes and No clash over the referendum yesterday is objectively reported. As if sounding a warning to those who perpetrate this kind of violence, alongside this story, is a story on security during the referendum period with Minister for Internal Security George Saitoti pledging a boost to security patrols especially in specific hot-spot areas.

However, the imbalance comes in when the Yes camp is given space for two pictures on **page 5 and 6** while the No camp is not. This presents a sense of bias towards the Yes side.

The Commentary Column “*Talking Point*” on **page 13** attempts to justify the US Ambassador Michael Renneberger’s support for the Yes Vote, but is misleading in reporting: “If we allow Americans and their friends (to) pay for our budgets, give us our food and provide our security, we cannot object when they tell us how we should govern ourselves.

Media: ThePeople Daily
Date: 21st July 2010
Rating: YELLOW

Justification:

Inflammatory reporting: The lead story on the front page “**Head-to-Head**” describes the relationship between Raila Odinga and retired president Daniel Moi as having “gone head-to-head over what appears to be secrets of illegal land dealings kept by the top political elite for many years”.

To the common citizens, issues on land more so public land should not be kept secret and for the paper to depict that the two leaders are at loggerhead over secret land deals is dangerous. The story does not further substantiate what these secret land-deals are. Describing the two as being “head-to-head” presents a sense of combat – conflict-confrontation. This can be misread by the public.

Sensationalism/inflammatory: Further, the **page 6** commentary, “**What is Moi up to?**” is misleading and potentially dangerous; “*Listening to former president Daniel Arap Moi, it is difficult to understand whether he is campaigning against the proposed constitution or championing certain vested land rights including ethnic hegemony...We know where Moi is coming from. He comes out representing powerful interests. Some of which would be happy to roll back whatever gains the democratic process has granted to the people of Kenya.....*”

Media: CITIZEN TV
Date: 21st July 2010
Rating: YELLOW

Justification:

Biased reporting/Inflammatory: The “*Citizen Alasiri*” news item number one on a planned tour of Suswa area by the NO team proponents is misleading because questions abound as to whether it is the YES team that is blocking their colleagues opposed to the draft constitution from having a rally at Suswa terming it a Holy ground for the Maasai or it is the local people invoking their cultural heritage. While it is a fact that the Suswa is indeed holy ground, news that the Yes teams are blocking the NO team could as well be misleading and inflammatory for the too heavily opposed sides in that area.

The issue here is just who exactly should give clearance to whichever team to hold a rally? Is it the Maasai people or the Yes or No teams?

The “Alasiri news as well did not air any “NO team” news for the day despite the team having activities in parts of the country therefore being one sided.

Media: Nation TV Day
Date: 21st July 2010
Time: 9 PM news

Rating: YELLOW

Justification:

Inflammatory/ Sensational coverage: The Prime Minister Raila Odinga was featured on “punch line” in the 9.00 NTV news in reaction to previous Moi’s assertion that he will spill the beans on the contentious issue of land as outlined in the proposed constitution. Moi had earlier on reiterated there are also land grabbers in the YES campaign and that the land in Rift valley is rightfully theirs (Kalenjin) and it’s wrong for “foreigners” to desire a stake of it. Raila’s coverage in reaction to Moi’s claim was in bad state as was featured on punch line, which actually does not elaborate the context under which he spoke. The quote; “*Let him throw the first stone, we are ready for him and I am sure he will not speak again about that*” is both dangerously inflammatory and unnecessarily sensational especially if taken out of context.

Media: Daily Nation
Date: 21st July 2010
Rating: YELLOW

Justification:

Inflammatory/ Sensational coverage: in page 4 of the paper, the sensational aspect was captured on Raila’s speech. Speaking after the meeting with the Maasai professionals, he was quoted as saying “*Let him (Moi) throw the first stone, we are ready for him and I am sure he will not speak again about that...*” One wonders why caption was created for this particular quote omitting other issues that were discussed in the meeting.

Media: Standard Newspaper
Date: 21st July 2010
Rating: YELLOW

Justification:

Biased reporting: the media house cites the government as using civil servants to further its cause but it does not attribute this claim to any particular source. Such reporting on the front page seems to portray the government as flexing its muscle by not giving the civil servants a choice as any other Kenyans to make a personal choice on the referendum.

Again, they have biased coverage because they tend to dwell too much on the NO team and give little coverage to the YES team. The NO team has been given more page-space than the YES team.

Media: The Weekly Citizen
Date: July 19th – July 25th 2010
Rating: BLUE

Justification:

Inflammatory reporting: The headline (“**What lies ahead for Ruto after August 4th**”) is dangerous reporting because it seems to portray that Mr. Ruto’s political career will be judged by the results of the Referendum vote. It seems to insinuate that a NO win will “save” his career while a YES win will “kill” his political career.

This kind of reporting has the potential to influence people to judge Mr. Ruto based on his “performance” in the referendum votes. This report (by Team) also has no by-line and therefore begs for credibility.

Media: KTN
Date: July 21st 2010
Time: 9 PM News
Rating: YELLOW

Justification:

Inflammatory: the reporter, while editing his story did not edit out Ntimama’s dangerously inflammatory declaration threat; “*hatutawacha hawa watu watukojolee*” (“We will not allow these people to urinate on us”). We won’t let this people urinate on us) as media promoting peace, putting Ntimama’s statement was completely out of line. It was laden with threats and abuse and should not have been aired at all.

Media: NTV
Time: 9 PM
Rating: YELLOW

Justification:

Inflammatory: The *Punch line* segment of the News is a very strong statement that lingers slightly longer on screen and has the capacity of having a lot of influence on viewers. Quoting Raila in *Punch line* having said; “*Let him (Moi) throw a stone and he will never do that again another time*”. This was a major gaffe that could have the potential to actually trigger stone-throwing chaos! This was a sensitive period, the media house should have been more cautious.

Day 2

Media: Radio Citizen (106.7)
Date: 22nd July 2010
Rating: GREY

Justification:

Three programs touching on the referendum were picked: *Yaliyotendeka* (commentary), News - 7 am, and Call in (7.30 am).

Balanced news: Coverage for both NO and Yes was balanced with each given equal airtime (one minute each) and fair coverage with highlights. The news carried did not have any inflammatory or sensational coverage.

Educative/informative coverage; Commentary was educative and informative. It highlighted the contentious issue of land and attempted to educate the public on what the proposed constitution says on the provision about maximum acreage and individual ownership versus the falsehood being peddled that land will be taken away from those with 2 and less acres of land. The commentator gives a fair background on the selfish interests of organizations such as the Kenya Land Owners Association (Kela) attempts to “kill” the proposed constitution. The commentary kept off inflammatory, conflict-potential sentiments and propaganda.

“*Call In*” show was objective and timely. The question for the day was based on a brief that politicians and other people were peddling falsehoods on the proposed constitution. It asked callers to call in citing any falsehoods they had been told and where possible cite the person. The feedback was amazing, indicating the public was hugely involved in the Proposed Constitution debate

Media: The STAR
Date: 22nd July 2010
Rating: BLUE

Justification:

The lead story; “**Obama told USA envoy to back draft – by Henry Wanyama**” There is distortion of information and a sensationalism about the headline and what it implies. There is sharp contrast between what US president barrack Obama is alleged to have said in the interview between KBC’s Rachael Nakitare and the US president. The Star implies a directive to US ambassador to Kenya Michael Ranneberger from president Obama. Reading through both the interview and the story by the reporter for The Star, it clearly comes out that the reporter did not do his background check. It is misleading to actually insinuate that the envoy was acting on Obama’s orders without the proof to back this claim.

Media: Citizen TV
Date: 22nd July 2010
Rating: YELLOW

Justification:

Inflammatory/sensational coverage: the issue of senior civil servants’ campaigning for the proposed draft constitution is not factual but mere allegations. The same applies to the allegations of the government giving Permanent secretaries money to campaign for the draft constitution. This brings to light sensational and inflammatory news reporting. There has been no official statement from the government to imply the same. The story has gone on and

on making a “big issue” out of a “non-issue” without giving factual presentations of allegations made.

Media: KTN
Date: 22nd July 2010
Rating: YELLOW

Justification:

Sensational and inflammatory reporting: The government has not yet ascertained whether it has cleared its permanent secretaries and top civil servants to campaign for the draft constitution therefore news aired repeatedly by either one or all the media stations are rather sensational and inflammatory. (Refer to comments by Wilfred Machage): “...*Ma chief, PS’s ma D.O na Dc wameshurutishwa watoke wakafanye siasa...ya kusema “Ndiyo” kwa lazima”..... wamepewa kila mmoja shilingi milioni tano ili kupigia rasimu ya katiba kura ya ndio...*” Machage’s comments were reckless and baseless and for him to be given surmountable air time to repeat these falsehoods amounted to a sense of irresponsibility.

Media: People Daily
Date: 22nd July 2010
Rating: YELLOW

Justification:

Unbiased/Sensational reporting: The Picture on the front page under the headline “**SUSWA STANDOFF**” does not reflect what the story purports to communicate. As reported by television stations the previous night, it was indicated that the police had physically planted a human shield between the two groups of people from the YES and NO teams. The picture in itself should have depicted the standoff just by a glance but as it is, it could simply mean security presence at the venue or “YES” crowds chanting.

Media: The Standard Newspaper
Date: 22nd July 2010
Rating: YELLOW

Justification:

Unbalanced/sensational reporting: Although the newspaper gave equal coverage on both the “Red” and “Green” teams, the bone of contention is that the media seems to be an instrument of portraying a family feud to appear like a “Yes” and “NO” feud. The background of the Suswa rally began with the National Heritage minister claiming it was a “Maasai Shrine.” “ The minister, his daughter an ODM activist and a handful of YES supporters were the most vocal about the Suswa while none of the prominent YES leaders or Maasai elders spoke about it. This is sensational reporting because the media needs to give the right information without seeming to take sides. For the story to be considered credible, the reporter should have showed the Maasai elders protesting (because of the input of the area being a traditional shrine) or give a statement from them stating their stand on Suswa.

Day 3

Media: Radio Citizen
Date: 23rd July 2010
Rating: YELLOW

Justification:

11 pm News Headlines: Unbalanced coverage: The news headlines had a mention for only the YES Camp. The news brief did not highlight anything for the NO camp. It did not also have any other referendum news highlights.

Program: Commentary – 6.30 am; The commentary was based on the falsehoods being peddled about the Proposed Constitution. However, there was bias, in that the falsehoods dwelt only on the NO proponents and really dwelt only on the personality of (William) Ruto. The language used was heavily inflammatory and could have carried conflict-potential sentiments by pitting William Ruto against supporters of “Yes”.

7 am News Coverage; The story where Ruto was campaigning in Tharaka was a result of careless journalism and the reporter having put the story on air should have considered the implication of Ruto’s seemingly inflammatory remarks when he said if the proposed constitution was passed, it would mean that residents would have to heavily pay taxation for the land they occupy.

Media: The Star
Date: 23rd July 2010
Rating: YELLOW

Justification:

The lead story: The lead story; (“**Uhuru planning new 2012 alliance – by Star team**”) the story lacks objectivity and credibility and could pass as biased and propaganda because it lacks in depth coverage of quotable sources to support the statements made in the story. Though the lead story is on Uhuru Kenyatta stating that he is campaigning for his 2012 new political alliance, the story has not given any background/in-depth insights into the “allegations” made. The reporter has not attempted to get Uhuru’s statement on this. Coming at this time of the referendum campaigns, this could amount to propaganda. The story itself is sensational reporting.

The story on Civil servants campaigning for the referendum (**page 1**) is not reported objectively, but the flaw is that elsewhere, a civil servant has been reported to be campaigning for the NO camp. The reporter names those campaigning for the Yes, but does not find out if there are any civil servants campaigning for the No side. No attempt has been made to do a background on what the law or the Civil Servants Code of Ethics says.

The story on Catholic Bishop John Njue and Bishop Eliud Wabukala of ACK (**page 2**) has been reported responsibly as the reporter emphasizes on their call for Kenyans to maintain peace during the referendum, voting and after the poll, despite the fact that they still support the NO. It is responsible for the reporter to say that the scheduled 30th gathering for the Church will be purposely to pray for peace. The Star has reported objectively on the arrest of Ngilu’s driver (**Ngilu’s driver held over NO attack in Kitui-page 2**) for incitement, promoting security and objectivity in alerting of what will happen to inciters. The story on Minister Anyang Nyong’o (**“Yes, not to blame for violence” page 2**) emphasizing that the Yes camp does not condone violence is in good taste.

Note to The Star: Although other Media Houses such as the Standard and the Nation seem to have dedicated space to matters of the referendum, the issue being of national importance, so far, the Star has limited coverage of this angle. It does not attempt to educate its readers on issues such as the falsehoods being propagated about the Proposed Constitution; neither does it attempt to demystify the myths surrounding it.

Media: KISS 100 FM
Date: 23rd July 2010
Rating: YELLOW

Justification:

Inflammatory reporting/Sensational coverage: during this “breakfast Show” hosts began on a positive note urging Kenyans to go forth and vote during the referendum. However, they messed-up by urging Kenyans to “sideline” politicians terming them as “not Kenyans”. The two, while urging Kenyans to go and vote, predicted a possible eruption of violence after the referendum “if Kenyans do not go out there and vote”. Their talk was confrontational towards Kenyans...almost abusive, Quote; - “...ujinga tutawacha...when people were killing each other after 2007 elections, none of the MP’s were in their constituencies... they were all here in Nairobi playing golf... “.....let me ask you a question, were you with your Mp when you were burning each other? No, they were all here in Nairobi Muthaiga playing golf. The two comments are rather reckless, irresponsible and while keeping in mind that Kenyans indeed witnessed a dark chapter after the elections (2007/2008) it was rather mean to mention it in this manner.

Media: Citizen TV
Date: 23rd July 2010
Rating: YELLOW

Justification:

Sensational/unbalanced reporting: 1 PM News - While trying to strike balance by airing news on both teams campaigning for and against the draft law, the 1 pm news was a bit unbalanced with more news items touching on the YES team getting more airplay (more than three minutes). Looking at news by the NO team, the clips showing retired president Daniel Moi and former Mp Kalembe Ndile did not have relevance but were rather comical with Kalembe imitating president Kibaki. In this slot, News anchor had read “..The NO team has been campaigning against the draft constitution on grounds that amendments should be made to it before the country goes for a referendum....” The clip played should have depicted this as well instead of concentrating on rather comical issues that depict the NO team as having nothing sober for discussion. This was unfair to the NO team.

Media: The People Daily
Date: 23rd July 2010
Rating: YELLOW

Justification:

Inflammatory and sensational reporting: (street talk column page 7) Allegations in the column that a member of parliament opposed to the new constitution has found himself between a rock and a hard place over bribery cash to defect to the YES camp are wild. While not naming the said MP, the column also does not have supporting facts as to whether the MP was actually issued cash. It also calls for “bad blood” between the said Mp whose constituents “elected him for representation in order to be served”. While referring to the international community’s stand on the referendum, none has come out in the open to clearly say that they are in support of the draft law in question. However, the column further claims that an MP was “.....recently hosted by a foreign diplomat raising eyebrows he could be the link to foreign forces allegedly supporting the new document”.

Media: Nation TV
Date: 23rd July 2010
Rating: YELLOW

Justification:

Sensational coverage: On **22nd July** after addressing members of parliament on the MPs salary increments at Parliament building, Finance Minister Uhuru Kenyatta stated; “ let’s go and campaign for the new constitution”. **The justification:** Uhuru’s function on this day was on MPs pay hike, but it beats logic for him to broach up the issue of constitution. The meeting was entirely on MPs salary hike but when one talks about campaign, the agenda of the meeting shifts to politics. He had of course other avenues to air his opinion but why in a ministerial meeting that was attended by persons from both camps. The media only exhibited sensationalism by enthusiastically covering the over enthusiastic Uhuru using a wrong platform to present the ‘right’ idea. The editor should have done away with that bit. **Secondly,** Member of Parliament William Ruto while on a NO campaign in Tharaka district was quoted as saying; “*Katiba hii ikipitishwa, utakua unahama hapa unaenda kuchukua mali yako Chuka. (if this constitution is passed, you will be going to pick your dues from Chuka (far from Tharaka).* **Justification:** Ruto’s sentiments was in relation to regions/devolution, which as explained in the proposed constitution makes it easier for people to access services since government focus in terms of services will be shifted to grassroots level. Creation of regions does not take services away from the people as claimed by Ruto but will facilitate services since much will be passed down to the grass root level as opposed to Ruto’s claim.

Media: KBC Radio (92.9 FM)
Date: 23rd July 2010
Rating: YELLOW

Justification:

Sensational coverage: A group of permanent secretaries campaigning in Mwingi Ukambani urged the locals in Mwingi to support the draft because; “*it is good for kambas and it will benefit them*” “*Watumishi wa uma wakiwa katika maeneo ya Mwingi waliwaambia wakaaji wa Mwingi kuwa katiba hiyo ni muhimu na itawasaidia Wakamba*”. **Justification;** The proposed constitution does not belong to a certain group, individual or tribe, but it belongs to all Kenyans. When someone claims that if you vote for it, you stand to benefit as a community and not Kenyans is quite despicable. It is misinformation and propaganda aimed at influencing the locals(Kamba) to vote for the constitution not because they have read it and find it appropriate but because they will allegedly benefit from it.

Media: Standard Newspaper
Date: 23rd July 2010
Rating: BLUE

Justification:

Imbalanced/evidence of incitement and hate speech; The Lead story; Leading clergy have condemned violence in the ongoing campaigns and announced plans to hold special prayers for unity as the D Day nears. - This appears like they are aware there will be violence. The duo said even if the ‘No’ side loses, “we would have warned Kenyans because passed as it is, the new constitution will be chaotic”. *This could create unnecessary tension in the country.* Cardinal Njue: “We don’t want to say we are losing or winning, Kenyans will decide, but even if we lose Kenyans will remember that we indeed stood out and warned them of the dire consequences. We will be remembered for standing for the truth...” This is a direct insinuation that there was going to be violence. It can intimidate and cause panic to the public.

Media: Kiss 100 FM
Date: 23rd July 2010
Rating: BLUE

Justification:

Inflammatory/abusive language; Presenters in the “Breakfast show” where they urged Kenyans to go and vote and forget the influence of politicians. “..go and vote and forget “*wajinga (fools)*”.. To use such offensive language on live radio has the potential to seriously influence listeners who by now, following the discussion of the morning are incensed by the MP’s move to raise their salaries. The fact that the presenters got “emotional” in their presentation, thus join in the anger of the public, abuses the responsibility to conduct and moderate, sober debates on issues of national importance. The tone of the morning discussion was coarse and disturbing thus the rating.

Day 4

Media: Nation
Date: 24th July 2010
Rating: YELLOW

Justification:

Inflammatory/sensational coverage: The headline; “Rush to sell land in referendum panic”; this headline is rather alarming in the sense that it is creating unseen panic tied to the referendum. Further, the story does not indicate just who exactly has been gripped by the said panic. The paragraph *“Big landowners have evidently increased sales”* does not support the story with the writer only mentioning one person *“...who recently put up for sale a 97,000-acre ranch in Samburu division of Kinango district in the Coast province....”*. This certainly does not qualify for a rush! Another story; **“Ruto: Prepare for higher taxes – page 5”** also sends unnecessary alarm. The story is biased with only the perception from the NO side who claim that the poor will be highly taxed if the constitution is passed. There is no clause in the draft that states this point. The draft as it is has no clause to the effect that taxes will be increased particularly targeting the poor.

Media: KTN and Citizen TV
Date: 24th July 2010
Rating: GREY

Justification:

Well-balanced coverage: he two news channels observed a balance in their news items throughout the day.

KTN had positive news touching on the referendum with former cabinet minister and other stakeholders in among the Kenyan youth urging youth not to engage in acts of violence in the periods preceding and after the referendum polls.

Media: The Star
Date: 24th July 2010
Ratings: BLUE

Justification:

Inflammatory/biased/sensational/erratic reporting; ; (Lead story; Kibaki defys IIEC warning” when did IIEC ban the civil servants? Contradictory headline, President Kibaki yesterday defended civil servants engaged in yes and no campaigns; **the story is given prominence,** one choice, Kibaki defies what? There has been no ban.”**Page 3** corridors of power- “...the remaining 12 days of the referendum campaign are expected to get really dirty. We are told that some of the leaders in the YES team are digging up skeletons to find the dirt on any of the Catholic bishops and priests...” **This is incitiful, inflammatory, propaganda . Siasa pullout-**(“The great rift – End of KK Compact - pages i, ii Moi). The timing for this story on land and settlement in the Rift Valley is quiet uncomfortable especially when debate on land issues in the proposed draft was already rising temperatures. A story that can have quotes like; *“Moi allowed the kikuyus to settle in the rift valley in exchange for power...” can provoke negative reactions.*

Media: KBC Radio (92.9FM)
Date: 24th July 2010
Rating: YELLOW

Justification:

Imbalanced coverage: By giving the YES side much more airtime than the NO side.

The leading broadcaster has on several occasions given minimal time to the NO side compared to the YES.

Day 5

Media: Radio Citizen
Date: 25th July 2010
Rating: YELLOW

Programme:

Baraka za Asubuhi; At 6 am on a Sunday Morning, The presenter had very encouraging words for her listeners on the Proposed Constitution and the polling. She urged them to listen as much as they could to all that the politicians had to say but gave them a stern warning that their verdict on the polling day should be based on their conscious and especially if they had read and understood the draft or followed closely what the civic educators had explained to them. Her Sunday Service program had also a bit of it dedicated to praying for peace during the forthcoming referendum.

Newspaper Reviews (In Radio Citizen); The newspaper review for both *the Standard* and the *Nation* was brilliantly done as attention was only focused on positive highlights. The reviewer kept-off issues of sensational, inflammatory, conflict-potential content. He highlighted issues on security, mentioned the Nation Interview with President Kibaki, the Standard Editorial urging Church leaders to set their flock free to make their own independent decisions on the proposed constitution.

7 am News: Coverage on the activities and campaigns by both camps were given equal airtime. However, coverage on the activities of the NO had inflammatory remarks that should not have been allowed to sip through the airwaves; Ruto's clip was aired; "*wakora ya Synovate*" referring to the poll results insinuating that the YES camp could never win unless it rigged "*Kupita hawawezi*" was somehow uncalled for without backup on the claims. Jirongo's sentiments that; "*Katiba italeta shida (kwa Chiefs etc) kwa sababu watakaa nyumbani na "wanafikiri (chiefs etc) ni wajinga*" and that the Yes leadership was envious of their "legally" acquired land "na wanatuonea wivu" were unfounded and had elements of promoting conflict and flaring up clashes.

Media: Sunday Nation
Date: 25th July 2010
Rating: GREY

Justification:

The paper features an exclusive interview with the President at his Harambee Office. However, despite being a huge break-through as it is the first interview by the President to a media house, the editor gives it space as a 2nd lead story and decides to go with "**Dash to the finish line**" as his lead story. The lead stories are objectively and responsibly written and are backed by facts. They do not carry any inflammatory remarks neither are they sensationally written. The pictorial for the YES and NO teams are balanced with each team getting a page one slot addressing "crowds". Columnists have covered referendum and the Proposed Constitution with soberness. The second Editorial piece, a personal opinion stand of the Sunday Nation, responsibly urges Kenyans to vote peacefully and not to forget the draft and polling is not a "matter of life and death," but that Kenyans will continue to live together even after the exercise. Two opinion pieces touch on the sensitive issue of the PS campaigning for the YES team. One piece by "Civil Servants shouldn't campaign" attempts to explain the stand... However, the writer has not backed his write-up with quoted facts. He writes of "*coercing civil servants to support the Proposed Constitution and even requiring them to campaign for it probably constitutes and abused of those opposed to it*" but does not give facts to support the coercion claim.

The *Sunday Nation* paper has excellently covered the Referendum and the Proposed Constitution comprehensively and extensively. It has more than 10 pages devoted to this coverage. The contents are well balanced and researched and keep to facts other than sensational and inflammatory works. There is harmony in the reporting, an implication of team work and coordination.

Other observations made to the Saturday Nation lead story; The interview with president Kibaki seems to be predominantly YES in that the first message that comes out is that of “campaign and vote yes for the draft constitution”.

As a president of the nation what should come out first in his message should be matters of interest to the whole country as a whole not focus on campaigning for one side.

Media: KTN
Date: 25th July 2010
Rating: YELLOW

Justification:

The KTN news bulletins for 1 and 4 o'clock created unnecessary alarm. The lead story in the 4pm news about people living in fear in Mt. Elgon and Eldoret as the referendum date nears was not factual. There was no evidence to qualify these allegations. A clip played showed members of a local NGO also send panic to citizens. The members claim a secret meeting has been planned for the 27th to intimidate the YES team. None of these claims are verified with facts or evidence thus the stories lack credibility.

Media: NTV
Date: 25th July 2010
Rating: GREY

Justification:

Unbalanced news: The news coverage for YES team that was featured in Kiserian and Trans nzoia took 4 minutes while the No campaign headed By William Ruto in Kaptet was given 2 minutes . Each side deserves fair coverage by the media but when one is given privilege over the other it only serves to create imbalances in the coverage. Fair coverage is crucial in sustaining peace. NTV edited part of Ruto's speech which was inflammatory but covered by other TV stations. This was a very positive move by the station.

Media: Radio KBC
Date: 25th July 2010
Rating: GREY

Justification:

The campaigns coverage favored the Yes side. KBC aired coverage in JJ kariuki in Rift valley urging voters to endorse the constitution as it will unite them while Esther Murungi - the minister for gender campaigned for Yes campaign in Kisumu while urging women to vote for it since it gives women fair representation. The NO side had Ruto while giving a joint statement on the alleged “US –funded Synovate poll”. Both sides were given approximately 3.2 minutes each which was a good attempt at balance.

Media: CITIZEN TV
Date: 25th July 2010
Rating: YELLOW

Justification:

The story “*we have evidence that the US is funding YES rally*’ is highly sensationalized and has no basis in terms of backing the claims. It gave unnecessary publicity for the NO team for something that had no basis of proof. The reporters did not prod deeper to ascertain the claims.

Media: Standard on Sunday
Date: 25th July 2010
Rating: BLUE

Justification:

(Page 1, 5, “Ruto leads 21 MPs rally in vow to shoot down draft”). This story should have been treated even more carefully because of possible inflammatory statements for example; “... those in the YES are using bribery and intimidation which would divide Kenyans...” **(William Ruto)** “..Chapter on Land would open a Pandora’s box on historical land injustices as it would make people claim their ancestral land.” **(Gideon Moi)**. This kind of coverage is potentially explosive, biased and inflammatory and sensational. It gives the impression that the reporters did not actually think through the implications of what they were reporting.

Day 6

Media: Daily Nation
Date: 26th July 2010
Rating: BLUE

Justification: (“Chopper stoned as YES rivals face-off – page 1)

The page one story does not come out clear when one reads the quote “*NO team accuses government of vote rigging for using top officials to campaign*”. While the story on the chopper is on the YES team, there is no link to the above quote. Giving a headline that does not match the story or the kicker leads to lack of credibility and misinformation because the reader might end up getting the wrong message from a story.

Secondly, the issue on provincial administration officials campaigning for the proposed draft constitution still remains a speculation with the government not having come out clear to state the position as to whether they really are involved or not.

Unbalanced coverage- The YES side has been given more space than the NO side. On **page 13**, the commentary is rather a personal attack on retired president Daniel Moi and should either have been toned-down or not be published at all. Although it is a commentary thus a personal view, the fact that it runs in a prominent paper on a prominent page gives it a lot of influence. It is the kind of attack that can attract some equally harsher attacks from opposing sides. Also since the contentious issue was the referendum – not Moi.

Media: Citizen TV
Date: 26th July 2010
Rating: BLUE

Justification:

The 1 PM news for this particular day was full of inflammatory and biased reporting. The number one story on the YES team points out to elements of careless reporting. It covers unnecessary campaign politicking that does not add value to the referendum debate.

Careless/sensational reporting- The clip played of Energy minister Kiraitu Murungi asking a crowd, “*mnataka Kibaki ama Moi?*” (do you want Kibaki or Moi?) The proposed law as it is not about individuals and for the news item to drag in individuals into the debate is wrong. Another clip that showed retired archbishop David Gitari saying, “*....nyoko nyoko....*” while referring to what those opposed to the draft constitution were saying so as to label it as rubbish was careless because a public figure like him more so a man of the cloth should not utter such statements. It was also irresponsible for the station to give him the opportunity to say this on air!

Misplaced- a report on the Committee of Experts civic education, Instead, politicians were given airplay as they hijacked the events and turned it into a campaign platform for YES. It was also careless for them to air a clip showing a CoE official asking the crowd, “*mnataka hii katiba ya wabeberu?*” (do you want this constitution made by colonialists?) because the COE was supposed to be educating and not taking sides.

Media: Kiss 100 FM
Date: 26th July 2010
Rating: BLUE

Justification;

Inflammatory and sensational - The Kiss 100 breakfast show was dominated by attacks on William Ruto. This was dangerously alarming and sensational because the presenters chose to entirely attack the de-facto leader of the NO team. While having call-ins, they openly encouraged fiery remarks from the callers attacking the minister. This was uncalled for since Journalists are supposed to remain impartial during their reporting no matter what the circumstances are. The presenter even went ahead to tell Ruto; “We here at the Lions Place second floor have a place for defectors”. Earlier, they had played a “fake” news byte purporting that Mr. Ruto had jumped ship to the Yes side which is alarming since news casts by other media houses did not carry the news. Furthermore, Mr. Ruto had not stated that he had defected from one camp to another.

Media: NTV
Date: 26th July 2010
Rating: GREY

Justification:

Fair and balanced coverage; Coverage of news on this day was generally balanced with the station clearly trying to give equal time to both the YES and the NO teams. There was no indication of inflammatory clips or sensational coverage. The news basically fell into a brief analysis to educate viewers on several issues around the proposed document.

Media: K24
Date: 26th July 2010
Rating: GREY

Justification;

balanced reporting; in-depth analysis of stories; giving “three-sides of the coin, powerful story on Moi, it was an in-depth 7 minutes feature on the truth of the “lies” that Moi was peddling and why he did it. Various other leaders were interviewed to give credibility to the story.

Media: Standard newspaper
Date: 26th July 2010
Rating: YELLOW

Justification;

(Lead story; The propaganda war, page 1); The story is as baseless as the headline suggests – mere propaganda. It is not educative nor is it informative. There is imbalanced pictorials, careless/irresponsible reporting. The story on Kalonzo bribing voters on **page 6**) is not in other media. There is no accuracy and the headlines are outrageous. These are careless mistakes because the media house is not verifying allegations before publishing.

Media: The Star
Date: 26th July 2010
Rating: BLUE

Justification:

Misleading- like the headline- “NCIC warns of violence in hotspots”; this story is mixed up with other issues, though it has an in depth balance of NCIC –the story stretches without having direct quotes attributed to the NCIC and while it sends panic from the onset, it later refers to one of the NCIC commissioners quoted as saying; “the situation is manageable”. (This should have come much earlier in the story to defuse the alarmist implication of the story). It

has careless reporting, lacks objectivity and also has the undertones of irresponsible reporting. Lack of credibility and lack of by-line attribution.

Media: KBC Radio
Date: 26th July 2010
Rating: YELLOW

Justification;

Imbalanced news, Assistant minister Godana is aired insisting that they will win according to the opinion polls, but personal opinions should not be given priorities. The No Team was not given coverage. The positive thing on the station's coverage was that it outlined the government's measures to clamp down insecurity in the region which is good for peace-building. The station is government run and tends to concentrate more on the Yes's and do not give the opposing side airtime.

Media: People Daily
Date: 26th July 2010
Rating: YELLOW

Justification;

Sensational headlines, outrageous news The headline; **Week of defections'** Is outrageous and can be termed as a rumor because it serves to give leverage to the YES side. On page 2 the daily quotes Uhuru Kenyatta, whois said to be leading discussions to win the support of two Kanu officials in the party he heads as national chairman. However when contacted for comments they firmly denied and said the negotiations are "mere rumors". The sub headline *'tension builds up'* is equally outrageous; the reporting is dangerous and contradictory at the same time. Though they have a balanced pictorial coverage, nice letter to the editor on **page 7;** *'The youth need to style up and stop being used'* is objective.

Day 7

Media: Classic FM
Date: July 27th 2010
Rating: YELLOW

Justification:

Program: Morning Show -Newspaper Review; The presenter went overboard in his personal comments about the Standard Headline “Yes” locks out “NO” in Nairobi. He only had one paper to review (The Standard) and the shortest newspaper review (less than a minute) he had this verdict: “I have a better suggestion (referring to the headline) for them (Yes Camp): “Let them call a street bash and invite everyone” Such remarks are **inflammatory** and can flare up tension especially at this moment. The Presenter should know better (being a media person) other than making a judgment based on a newspaper headline. He should have done a thorough research.

However, the news reader waters the effects of provocative sentiments by reading well balanced news coverage, keeping minimal and **objective coverage** of the Referendum process by highlighting on what those in charge of security have put in place to ensure a flawless process.

Media: Citizen Television
Date: 27th July 2010
Rating: YELLOW

Justification;

Unbalanced and sensational -Looking at story one on the news channel, it completely lost focus on what it was meant to bring out to viewers. The parliamentary budget committee was set to grill Finance minister Uhuru Kenyatta but when he did not show up those present lashed on him dragging in the referendum campaign debate and blaming it for his absence. The clip played showed Jimmy Angwenyi saying, “...Uhuru has become the chief campaigner for the draft constitution...”

Another news item on the CoE road trip in Eastern Kenya had internal security permanent secretary Francis Kimemia rather campaigning for the draft constitution and in the background were CoE members and banners written “CoE and Yes”. (The COE were to EDUCATE the public on draft then let the public make their own decision – not urge the public to vote for it). News about president Kibaki addressing a gathering in Embu but attacking former president Daniel Moi was also irresponsibly put on air and sensational.

Media: KTN
Date: 27th July 2010
Rating: GREY

Justification;

Balanced coverage - The KTN news bulletins for 1 and 4 o'clock centered on peace initiatives at this time when Kenyans are about to go to the referendum polls. Their news for the day was objective and balanced with both the YES and NO teams being accorded equal positive coverage. Unlike other media houses that had flaws the two bulletins steered clear of dangerous components of reporting.

Media: KISS 100
Date: 27TH July 2010
Rating: GREY

Justification;

For once, the radio station's morning breakfast show hosts steered clear of controversial remarks touching on the referendum. Instead, they had a constructive listener awareness segment in which they conducted civic education enhancing voter awareness.

Media: Daily Nation
Date: 27th July 2010
Rating: YELLOW

Justification;

Sensational and unbalanced- The story on Kibaki's strategic plan (**Page 10**) to make sure the draft law sails through is predominantly YES in that the first message that comes out is that of "campaign and vote yes for the draft constitution". As president what should come out first in his message should be matters of interest to the Nation as a whole. From the story's headline, **page 10: "Kibaki assembles top brains to deliver draft law by a wide margin"** one can only assume the story is about campaigning and voting yes in support of the draft constitution. The edition also has "too much news" on the YES team. The story appearing on page four, "*NO side set to win poll, says Mwau*" is sensational and further lacks direction in that it ends up having one Kalembe Ndile defending himself against blame on allegations that he conducted an illegal rally in Eldoret town.

"I had gone to have my shoes polished and then as I was leaving a crowd asked me to greet them. As a national leader, I saw there was no problem talking to fellow Kenyans....." - Kalembe. The papers are not the right forum for him to plead his innocence more so when he is being sought by authorities for allegedly holding an illegal referendum rally.

Media: Radio Citizen
Date: July 27TH 2010
Rating: YELLOW

Justification;

Program: Tahariri Ya Citizen (Editorial) 7.20 am

The Editorial for the day was objective and timely and kept of issues that would do anything to jeopardize what it (editorial) was all about – a piece promoting peace at this moment in an historic national moment. It urged every Kenyan to know that the Constitution was not about life and death, indeed, life would continue and every Kenyan was expected to move on with their lives harmoniously after the Referendum, irrespective of the polls! The piece was educative and informative. **Jambo Kenya – 7.30 am: Call-In;** In a telephone interview, the show host, had Synovate's CEO, George Waititu as the Guest. This was timely as it gave the listeners a chance to "hear-the-other-side-of-the-story" and is responsible journalism. This is especially considering that Synovate has been on the receiving end for some time. The questions asked (How, where and what). After the interview with the presenter, callers were allowed to ask Waititu questions. The interview was informative and kept to the issues and counter accusations and rabble-raising remarks.

Media: The People
Date: July 27TH 2010
Rating: GREY

Justification;

The Daily had a **fair coverage** of the Referendum, except for a few flaws such as: Lead story 2 "*Raila to Moi: Apologize for Injustices*" Expectation is for the story to have a **fair** coverage on this topic backed by quotes from Raila. The story is **objectively reported** as the reporter

responsibly” carries a quote from Odinga, distancing himself from Orengo’s call “in threats for prosecution similar to those made to Moi by the ODM leaders in the last general election, Orengo called for Moi to be prosecuted for alleged injustices he perpetrated during his reign.” However, Raila is quoted disagreeing with Orengo on this, but would rather forgive and not forget. The reporter keeps to the issue at hand by keeping the story to the Proposed Constitution keeping a check in ensuring that what happened before (detention) cannot happen again. Though **Page 4** is headed “**Referendum**” out of the four stories only one story is on the Draft. However the story is reported **objectively**, is **informative** and **educative** and addresses the pertinent question on the Provincial administration. The person quoted is reliable, (Director of the CoEs, Ekuru Aukot” who also assures Kenyans that the proposed draft carries views by Kenyans. The lead letter “Leaders divergent views” must not divide Kenyans is “wisely” picked as it is addressing the issue of peace and advising Rift Valley residents to be wary of people (leaders and politicians) who want to isolate them urging: “Constitution making should be a unifying moment not time for divisive politics.” pieces encourages a positive debate issues such as the contentious issues in the Draft or a civic education forum.

Media: Citizen Television
Date : July 27th 2010
Rating : YELLOW

Justification;

Unbalanced, sensational and inflammatory REPORTING; The presenter dragged himself into the politics of YES and NO when he announced that, “*Rais Mwai Kibaki amejipata taabani.....*” and *Rais Mwai Kibaki amemjibu rais mstaafu Daniel Moi.....*” Even if the president took a swipe on his predecessor, there is still a way in which the presenter could have reported the happenings without encouraging sentiments with elements of hate speech and personal attacks.

Media: KISS 100
Date: 27th July 2010
Rating: YELLOW

Justification;

Unnecessary/sensational/; “*...kwani unatakatukubembeleze kwasababugani... wanatembembea tembea huku na kule.. nawahurumia...*” The morning breakfast show news on Kibaki attacking Moi while campaigning for the draft constitution was wrong although it was carried on air by all media houses. The news should have focused on more positive aspects from the president’s speech; this made the news to be inflammatory and sensational.

Media: NTV
Date: 27th July 2010
Rating: YELLOW

Justification:

Elements of defamation and imbalanced news- “*some old men are moving around saying the constitution is bad, it is a shame.*” The Yes team was accorded more airtime. They also have careless reporting in that they have let the politicians steal the show for example they gave Ruto a platform to air his propaganda.

Media: KTN
Date: 27th July 2010
Rating: BLUE

Justification;

Defamatory and unbalanced coverage- The media house carried Kibaki's speech attacking Moi, they also accorded the red camp more time and also gave Ruto a platform to promote hate speech with him saying that land issues are a platform for chaos in rift valley. The rating is justified by the dangerous components they have in their stories. "...kwani unataka tukubembeleze kwa sababu gani....wanatembembea tembea huku na kule.. nawahurumia..."-President Kibaki.

Media: CITIZEN TV
Date: 27th July 2010
Rating: BLUE

Justification;

The station seems to have taken a stand (although as required professionally in Media they should have made a public announcement to this) and are not concentrating on constitution matters rather letting politicians promote hate speech and attack one another, peddle propaganda stories are defamatory, careless and sensational, and are also imbalanced. They seem to be clearly campaigning for the YES side which is ethically wrong.

Media: KBC radio
Date: 27th July 2010
Rating: GREY

Justification;

Thumbs up for the coverage, it was a Q and A on civic education who were being answered by experts, they were balanced.

Media: Daily Nation
Date: 27th July 2010
Rating: YELLOW

Justification;

Most of the coverage was sensational, defamatory, unbalanced pictorial and in general had very few informative pieces. They had a positive story preaching peace while on the other hand they let Kibaki lash out on Moi; they were biased to some extent and also had a defamatory and sensational headline.

Media: The Standard
Date: 27th July 2010
Rating: BLUE

Justification;

Careless reporting- the Standard had a lot of issues with their stories from carrying inflammatory stories and those that cause tensions, to ethnic stories which are alarming they had an unbalanced coverage and sensational stories.

Media: The people
Date: 27th July 2010
Rating: YELLOW

Justification;

Misleading headline 'Kibaki slams Moi', the story is in bad taste. Unbalanced in their news and coverage, lacks objectivity.

Day 8

Media: The Standard
Date: 28th July 2010
Rating: BLUE

Justification;

Imbalanced coverage- Though the page 1 stories are neutral, there is an imbalance of the number of stories allocated to the NO team regarding the diary. They have a 2 to 1 coverage ratio. **Element of defamation-** In **page 6** from the president when he gets personal and “answers” the retired president. The campaign is not about Moi but the referendum. There is also a personal attack on Ruto. This is sensational. **Careless and dangerous reporting-** Also in **page 6** the story on clerics is positive but the coverage is marred by comments from Bishop David Gitari which are judgmental and uncalled for at this forum. **Incitiful-** the PC comes out to be issuing threats instead of passing on messages of peace. In **page 7**, the reporting is careless and dangerous because the story is not related to the headline. **Page 8** has alarming and dangerous reporting. Ruto is quoted as having uttered incitiful and dangerous comments. **Pictorial imbalance;** the NO team has more coverage than the YES team.

Media: Classic FM
Date: July 28th 2010
Rating: GREY

Justification;

In the News headlines at 6 am and News at 7 am, the presenter toned down the news for the day. He “deliberately” kept off the “news” for the day (President Kibaki’s answer to former President Moi) and other utterances from the “Yes” and “No” campaigns to give his listeners patriotic news, highlighting on the day’s event with President Kibaki taking a break from the Campaign track and officiating in two very important events – the first ever Athletics championships and International scouts congregation. And as if to remind Kenyans not to forget what a great nation we are (especially during this tension-packed time), the presenter played the anthem for the events – “Kenyans you are winners – *Washindi Wa Dunia*”. And for the rest of the news, the newscaster only touched on highlighting responsibly the need to maintain peace during and after the referendum as he quoted the sentiments expressed by those involved in promoting peace and security. To keep Kenyans confident, he highlighted that the IIEC has in place poll machinery that has been used successfully in five other African countries. Great coverage!

Media: Citizen TV
Date: 28th July 2010
Rating: YELLOW

Justification:

The commentary ‘*yaliyotendeka*’ has been striving to address pertinent issues such as falsehoods being peddled about the Draft Constitutions, demystifying the myths and doing Civic Education. **Inflammatory and conflict potential-** the presenter went overboard this time by directly attacking religious leaders, using inflammatory remarks and clearly saying that the war on the constitution was about the rich politicians and church leaders vs. the poor marginalized Kenyans. In as much as this scenario could pass, the presenter abdicated his responsibility of refereeing by attempting to make his opponents see what the document was all about. The Presenter forgot that it is on record that all Church Leaders are not led by “*kitu kidogo*” and that there are some known church leaders who have been in the frontline genuinely fighting for the rights of Kenyans. **7am News; Irresponsible reporting-** There

was so much coverage on Ruto's inflammatory and conflict-potential remarks which should have been edited. The Referendum debate and campaign has turned personal with the entrance of the Presidents "answer" to the former President. This coverage of accusations and counter accusations is conflict potential. With just a few days to the poll, such inflammatory remarks should never see the light of the day in the media. It was in bad taste to quote Ruto saying those in the Yes leadership team did worse than Moi's regime. The Constitution is not about who did what and when – its Kenya's future destiny. Jambo Kenya; The program *Linalokuhusu Linatuhusu* was a "gold winner". If presenters embarked on responsible presentations such as this, Kenyans would have confidence that the August 4th Referendum poll would be peaceful. The Presenter "guided" the Guest Speaker, Simeon Mugambi Libut, a lawyer with CoE, to answer relevant questions touching on the process of the Referendum poll. The Presenter and his guests highlighted intermittently on the need to keep law and order during this process and went through a "guide" to polling, which going by the response of caller's comments after the session, was a huge success.

Media: Nation TV
Date: 28th July 2010
Rating: YELLOW

Justification:

Unbalanced coverage -on campaign trail on the yes side was more than No side. The coverage should have some degree of balance but when one group gets prominence this is bias. It is every group's right to have fair coverage for the purposes of equality as enshrined in the constitution. The media houses should cultivate impartiality in challenging times as now. **Derogatory remarks**- Kibaki's attack was out-rightly directed at Moi. It is shameful and irresponsible to focus and publish derogatory remarks by people in such high authority. Such statements should be softened and the right choice of word is key..

Media: KBC
Date: 28th July 2010
Rating: GREY

Justification;

The station focused on the role of Media in bringing peace. Media has the obligation of restoring sanity and peace in the society. It's their duty to ensure that the public gets the right and neutral facilitators (civic educators).It has a right of telling us what is right and what is wrong. **This is the true essence of journalism.** The program went further to give consideration to educators who make reference in civic education. Media should focus on progressive civic education other than to air politicians who have vested interests to further themselves. The program took no side but observed neutrality.

Media: Daily Nation
Date: 28th July 2010
Rating: YELLOW

Justification;

Sensational and unbalanced- Sensational and unbalanced- The headline" *Kibaki HITS out at Moi in battle for drafts votes*', The headlines on the front page of the nation is outrageous, a more advisory word should have been used as Kibaki intended to ask his predecessor to stop misleading the masses. **Pictorial imbalance** -The Yes pictorial have outnumbered the No side front page 2, 4, 6, .No had pictorial on pg 5. For the purpose of equality and fairness, no group should be superior to other.

Wrong word choice-Kibaki criticism on Moi Is derogatory, incitiful and should have not been

transmitted. The journalist should have focused more on what was said on the referendum. Kibaki dwelt on more besides his attack on Moi. The issue of civil servants campaigning for the Yes has been a source of outcry from the No campaign. As a result, the writer has professionally plotted a fact file next to the 'No' side article on **pg 5** 'Parastatals campaigning 'throw some light by demystifying the myth on their code of conduct. It is important for the journalists to exercise this concept to any propaganda by countering it with facts.

Day 9

Media: Citizen TV
Date: 29th July 2010
Rating: YELLOW

Justification;

unbalanced/sensational reporting;- The live broadcast dubbed “Tononoka extravaganza” disguised as a committee of experts civic education event was marred by politics with even the Royal Media Services chairman S.K Macharia publicly taking to the stand and asking the crowd to vote YES. **(NOTE: It is a professional requirement for any media house taking sides with an issue to publicly and officially declare their stand. This station did not openly declare their stand. This move by Citizen Television is ethically unacceptable).** “Sisi hapa Citizen tumeamua ni Yes na ikifika tarehe nne....(At Citizen, we have decided to vote Yes and when August the 4th comes..)” - S.K Macharia, C.E.O. – Royal Media service. **Secondly,** a news item on the NCIC was biased and unbalanced in that it was simply on the defense of president Kibaki following the public outbursts he and his predecessor Daniel Moi had engaged in. As a body charged with overseeing national cohesion, it should have condemned both spats by the two leaders instead of bashing Daniel Moi. This was clearly a bias. Disturbingly, there was no mention of this lapse by the station when it aired the News.

Media: KTN
Date: 29th July 2010
Rating: YELLOW

Justification;

Unbalanced/sensational coverage - The station’s news centered on unbalanced coverage with so much time and highlight given to the NO team. The YES side was given very minimal coverage. News of spats between president Kibaki and his predecessor should not have been aired as such although it was highlighted by all media houses. Secondly, a news item on the NCIC was biased and unbalanced in that it was simply on the defense of president Mwai Kibaki following the public outbursts he and his predecessor Daniel Moi had engaged in. “...he (former president Moi) should have respect for the president (Kibaki) as well as that institution...”- Mzalendo Kibunja, NCIC. Once again, there was no analytical insight into this issue by the station.

Media: KISS 100 FM
Date: 29th July 2010
Rating: GREY

Justification;

Apart from carrying news on the public outbursts by president Kibaki and his predecessor Daniel Moi, the station stayed clear of further negative referendum politics and instead had civic education during the morning breakfast show hosted. Even the call-ins were sober and appreciative of the information given at the breakfast show.

Media: Daily Nation
Date: 29th July 2010
Rating: YELLOW

Justification;

Sensational/unbalanced reporting- The paper’s headline story, “**Moi fires back in law**

battle with Kibaki” is sensational as it only covers personal attacks by both president Kibaki and his predecessor Moi over differences arising from the debate on referendum campaign. **`(Also note use of confrontational words like “hits back/fires back)** “Did you deliver a constitution in 100 days as NARC promised in the 2002 campaigns?”- Daniel Moi. **(NB: At a time when the country has entered the home-stretch to the referendum polls, should the media “waste space” focusing on such unnecessary side-shows that do not add value to the referendum debate? Two old men wrangling? Was it necessary?).**

Media: KBC
Date: 29th July 2010
Rating: YELLOW

Justification:

The exchange of words between former president Moi and president Kibaki was blown out of proportion. When the NCIC boss Mzalendo Kibunja intervenes, he is openly biased . The government station aired this news segment and gave the opportunity to Kibunja to bash the former president.

Media: Radio Citizen
Date: 29th July 2010
Rating: BLUE

Justification;

Incitiful/sensational,imbalanced,propaganda ;- The radio station maximized the platform on the Moi-Kibaki exchange giving a lot of airtime for callers to give their views. Many of the call-ins were actually scathing attacks against the former president. And the station failed to censor most of the call-ins. The station “presented an easy forum for the former president to be attacked”. This was seriously unprofessional.

Media: K24
Date: 29th July 2010
Rating: YELLOW

Justification:

Biased/sensational coverage; The station, just like other stations carried the Moi-Kibaki exchange but with more consideration to Kibaki. The bias was obvious in the News coverage. The YES side was given ample time with full-packaged News items while the NO time was only featured in straight cuts.

Media: People Daily
Date: 29th July 2010
Rating: YELLOW

Justification;

outrageous headline on the Moi/Kibaki spat, basically blown out of context. However, a very good and important commentary ; “*Referendum: Police boss puts hate-mongers on notice – by Mathew Iteere page 6* is very good in terms of defining what hate-mongering is and the repercussions to hate-mongers during the referendum. It was very good for the paper to give the Police Commissioner a platform to put his security strategy across.

Media: The Standard
Date: 29th July 2010
Rating: BLUE

Justification:

unbalanced coverage/elements of defamation, sensational coverage, careless reporting ;On page 1, the sub-headline (**Elusive dream; Moi-Kibaki in review face-off**). The Moi and Kibaki stand-off has been given unwarranted attention. Page 8 has a UN story (**Slums at risk of Chaos if NO wins, says report**) that has the potential to create violence. The UN report should not be put in the same context of RED or GREEN. It should be an independent observation and not in any way related to the referendum. This is outrageous and careless reporting. On **page 16**, (the letters to the editor) they have positive coverage by putting letters that are neither biased nor misleading.

Day 10

Media: Citizen Television
Date: 29th July 2010
Rating: YELLOW

Justification;

Unbalanced news/sensational coverage; The COE/Royal media road shows are being misrepresented to the public. In what is repeatedly reported as Civic education, it is now increasingly clear that the shows are actually campaign platforms for the YES side. Too much coverage of CoE/Royal Media- road shows have lately featured in almost every news bulletin aired by the channel. While it is of general view that the CoE are out to conduct civic education for Kenyans, their events have greatly been overshadowed by political campaigns with members of the Yes team repeatedly being on board. A case in point is the Tononoka(29th) and South Rift (30th) road shows in which yes team members were conspicuously present yet the CoE should be non-partisan. News for the day too was not balanced with YES getting more coverage. Royal media staff took to the podium openly campaigning for YES which is against professional ethics since the station had not publicly declared its stand.

Media: KISS 100 FM
Date: 30th July 2010
Rating: GREY

Justification:

Show hosts for the morning breakfast show steered clear of referendum related debates. They however held clear/sober discussions on the referendum. However, their station's subsequent news bulletins from 7am aired news on Kibaki/Moi public outbursts which are sensational and have as well timed out.

Media: Nation TV
Date: 29th July 2010
Rating: YELLOW

Justification:

unbalanced reporting, inflammatory; The YES side is given more coverage than the NO side. In the prime bulletin, Kibaki, Kalonzo and Musalia captured in Western tour campaigning is given maximum coverage while in Gatundu, Ruto is the only one aired from the NO side even though his side had other tours. Both teams need fair and unbiased coverage. The two teams have the right to be heard by all Kenyans and no coverage should be treated better than the other group. **Observation;** In the program "*Inside the constitution*" the contentious issue of abortion was discussed at length. The representation from both the YES and the NO team were given equal and fair play. It was a well-balanced program.

Day 11

Media: The Standard
Date: 31st August 2010
Rating: YELLOW

Justification:

Misleading, careless & inaccurate reporting; The headline (“RALLY DRAMA”) is misleading and has been over-sensationalized. The bit about the VP being heckled has no in- depth or background. It does not warrant being in the front page because it has the potential to cause panic. Security becomes questionable. On **pages 4** and **5** had a balanced coverage for both teams and so was the pictorial coverage which was equal on both teams. **Page 16** has a story which touches on peace building which is positive and the cartoon is also positive because it asks people to make the right choice peacefully.

Media: Saturday Nation
Date: 31ST JULY 2010
Rating: GREY

Justification;

No sensational headline – reporting the way it is, **“Raila rejoins campaign”**. The story is objectively written with a great sense of responsible coverage. The stately side of Raila, despite the campaigns, is covered as the writer responsibly covers the Prime Minister; “rejoined more than 20,000 fans at Nyayo Stadium to cheer on Kenyans to more gold medals in the senior Africa Athletics Championships” before flying out to Kisumu for today’s campaign rally. This clearly sends a message that there are other duties to be done other than campaigning and sending a message that even after the poll, Kenyans have to move on with “their daily diaries”. Even the quote alongside Raila’s picture is picked responsibly: “He is back to make his Contribution to “Yes” team, Raila spokesman. The pictorials on page1 are balanced, one for the Yes and another for the No.

The page 1 diary for both camps is covered with highlights on where the two camps will be. The referendums branded **pages (4, 5, and 6)** have stories touching on the various aspects of the Referendum and Proposed Constitution including “out of the spotlight” a daily column touching on civic education. The Yes rallies at Kapkatet and Suswa rallies are objectively and responsibly covered, quoting on the emphasis by the head of state that no one will lose their land, that the contentious issues will be amended by Parliament and ends with his appeal for Kenyans to vote peacefully and respect the results of the poll irrespective of which camp emerges the winner. All the usual inflammatory remarks and sensational coverage seemingly has been given a blackout. On page 4 the highlight on the Yes rallies at both Kapkatet and Suswa are covered objectively with emphasize on the President’s message promising that no land would be taken from anybody who legally owns it and pledging security in Rift Valley during the referendum. On opposite page, coverage for the No campaign rally in Ukambani is given equal space coverage. However, the story carries inflammatory and conflict-potential contents by carrying the remarks by Kiema Kilonzo portraying Committee of Experts chairman Nzamba as “using the review process to settle political scores” without qualifying the remarks.

The pictorials are balanced with one yes picture accompany the Yes rally story and another one for No accompanying the No rally story. The piece on the declaration of 4th of August being declared a national holiday and civil servants given an afternoon off to enable them travel for the is informative had has been objectively and responsibly stated. The highlights of where the Yes and No rallies diary have been covered fairly. The commentary by Macharia Gaitho

page 6 “Why Kibaki has rolled up his sleeves” is topical and gives an insight covering of “behind the campaign scenes” unbiased and objective comment on the person of the President, especially coming at a time that there has been an exchange of words between the President and the retired President. A CV of the two are portrayed in the story. The three opinion pieces **(page 13) headlined: “It is not wise for any government to preside over religious courts” (Kadhi’s Courts by Moses Tibi), “Campaigns have been a shameful display” (Different strokes, Gabriel Dolan) and “I am disappointed with the clergy for misleading the flock on proposed law” (Culture of Lies, Wamugunda Wakimani Dominic)** are insightful and cover topical issues about the referendum and are written objectively and responsibly. The debates are well argued in a civil language and are backed by researched background to the arguments. The “Talking Point” topic is on peace during the referendum and urges Kenyans without intimidation to vote peacefully and wisely and base their “decisions (voting) based on informed and fair judgments during the referendum.”

Media: Radio Citizen
Date: 31st July 2010
Rating: GREY

Justification:

News paper review 6.30am: The presenter gave an objective review of the Standard and Nation focusing on a guide on what the two papers had for the day, only limiting the review on headline highlights. **News: 7 am:** The news for the day was balanced with fair coverage for both Yes and No team and other news touching on the referendum. The highlight for the news was the President’s call on Kenyans to vote for the referendum responsibly and peacefully and for Kenyans to respect one another irrespective of the outcome of the results. His remarks on falsehoods being peddled that Kenyans would lose their land and his promise that no one would lose their legally acquired land were timely and responsible reporting to build the confidence of Kenyans. The news for the day actually highlighted on peace, a much needed commodity at this time with a rejoinder by Church leaders calling on youths to uphold peace. However, the claim by the No team that the Yes team had booked all public meeting and venues was not verified and amounts to irresponsible reporting that could provoke conflict.

Media: Nation TV
Date: 31st July 2010
Rating: YELLOW

Justification;

Inflammatory/unbalanced coverage; 9.00 P.M and 11.00 PM news. '(i)“Bulls eye ” coverage on Kibaki-Moi exchange of words; - There is a lot of over enthusiasm in the coverage of Kibaki Moi exchange of words. At a time when the country is healing from the PEV, we would expect the Media to focus on coverage that promote peace building and encourage healthy debate on the contentious issues. Repeating and emphasizing on conflict potential sentiments that puts one above the other one amounts to incitement. (ii)Wide coverage for the YES team in a campaign trail which is addressed by Kimunya, Keneth Peter and Nyongo. There was minimal coverage of the NO team. The media has the obligation to inquire and pursue coverage for all the campaigns and to report objectively. When the ‘Yes’ team is accorded more time than the NO team, this is unbalanced coverage.

Media: KBC Radio
Date: 31st July 2010
Rating: GREY

Justification;

(i) SUPKEM asks Moi to end the feud with Kibaki and he should respect the sitting head of state. Justification; The media has a duty to report professionally in matters perceived to be conflict potential sentiments, when SUPKEM condemns the Kibaki-Moi exchange of words and warns Moi and leaves Kibaki unscathed is quite unfair. The two leaders exchanged words and needed fair treatment. It's a fact that the institution of presidency has to be respected but the media should have taken caution in reporting and made us believe no side was given more privilege since the two leaders had exchanged words. But when the media televises opinions from members of the public, organizations or groups which tend to favor an individual or group for mainly political interest's amounts to biased coverage. (ii) Coverage on Kibaki's meeting in Kisumu; **Justification;** The "No "team like the Yes team is entitled to equal representation of coverage by all the media houses. Media houses have the obligation to inquire and pursue coverage for all the campaigns and to report objectively. When the 'Yes' team is accorded more time than the Yes team, it amounts to unbalanced coverage.

Media: The Standard
Date: 31st July 2010
Rating: YELLOW

Justification;

Misleading/sensational coverage; Headline, "RALLY DRAMA", the pictorial was balanced but they have a **misleading** story that tries to show that Kalonzo was chased from a No rally. They misreported the story and there was a different story in the inside pages which actually show that he was booed but the headline story says that he was literally chased. Kalonzo attended a No rally but the journalist did not give a reason for this. The reporter **portrayed** the VP in bad state by quoting he was "literally chased" this was careless of him. **Page 16**, readers' dialogue that has a positive letter that concentrates on peace building. In the **Cartoon** there is somewhere there is war of words and I quote where they are telling Moi- "*wewe mzee wacha kurukaruka kama activists.*"

Media: The Star
Date: 31st July 2010
Rating: BLUE

Justification;

Defamatory, sensational, imbalanced and irresponsible reports. The headline story was rather irresponsible- "**Kenyans say Moi is wrong on Kibaki**", this is careless and defamatory, none of the two leaders named one another at the time of the exchange of the attacks – they ..insinuated?. The story on page 2- "**YES team accused of breaching NO rights**" the story has also been repeated and the reporter did not even confirm whether it is the Yes team that has actually blocked/ booked the venues but furthered with his report which was carelessly done and sensational and only concentrated on what the report by the Kenya Human Right Commission gave without verifying it.

Media: K24 TV (day news)
Date: 31st July 2010
Rating: YELLOW

Justification;

They had a peaceful message from the green rallying in Kisumu but were biased and let the reds air their inflammatory message. **Brief:** the station started on a good note with the reporter dwelling on the peaceful messages that were spoken in the green rally in Kisumu, with Kibaki, Raila and Kalonzo giving peaceful messages, Raila was quoted, "*the ball is in your court, the referee is ready and the players are ready to score, we shall win,*" said the PM while Kalonzo was

quoted *“today’s unity tells a lot that Kenyans want a new constitution unconditionally.”* However the stations run a straight cut piece on the Eldoret NO rally and they only concentrated on the verbatim from the politicians for example they had Hon Jebii who talked propaganda on the abortion clause, and I quote, *“hawa wana zunguka wakisema mupiigie katiba hii kura wanataka kufanya wakina mama watoe watoto ovyo ovyo.”* This was rather irresponsible and they should have given backgrounder to the stories and also set the truth and lies.

Day 12

Media: Citizen TV
Date: 1st August 2010
Rating: YELLOW

Justification;

Imbalanced, sensational coverage: While on the issue of giving Kenyans civic education, Citizen Television has partnered with the Committee of experts in ensuring the desired information on the draft gets to the citizens. However, their campaigns to sensitize Kenyans through road shows and rallies have “significantly” been underscored by the presence of YES team proponents. The civic Education drives have become forums for campaigns for the draft by the YES team. The exercise should be free and fair which should not feature politics as was seen from the 1pm footage on “Inooro” caravan.

Secondly, there was too much focus on the YES team news in the entire bulletin with news from the NO team passing off as a one line “meanwhile”, “...meanwhile the No team will be having their rally here at the Jamhuri park...”- **NB:** It is important to note that while there was live news coverage from both the Yes and No teams; reckless remarks were evident in the NO camp and were left to go on air e.g.

- a) “...leo tulikuwa tume book uwanja wa Uhuru park...ikawa cancelled...”- Pastor Pius Muiuru (16:14pm)
- b) “ mimi napinga hii katiba juu tutapishiwa katiba hapa lakini sheria itungiwe huko nje tuje tushikwe hapa ndani...”- Mohamed Yunus
- c) “..sema hii katiba imeoza...”- Apostle James Maina Ng’ang’a
- d) “..wamemwaga pesa nyingi sana ili hii katiba ipite...wangetutambua...”-Mark Kariuki
- e) “.ikifika alhamisi ufunge nayo (vitabu vya rasimu ya katiba nyama)..” In responsibly reporting and news coverage, the station should have not let such statements to go on air.

Media: Sunday Nation
Date: 1st August 2010
Rating: GREY

Justification;

With only three days to go to the referendum poll, the *Sunday Nation* leads with a heading “**The big Showdown**” signifying the final battle over who wins the Referendum. It is a “showdown” as Raila’s re-appearance gives a big boast to the YES campaign in Moi Stadium Kisumu as Ruto leads the NO troop at his home grounds at 64 Stadium in Eldoret town. This is ahead of the slotted last day campaigns for both teams in the City – so the befitting headline. The subheading: “*Raila stages big return in Kisumu as “Yes” heads for city rally at Uhuru Park today while Ruto leads the “NO” team to another campaign meeting at Jamhuri Park.*” Is fair and balanced coverage of the two camps. **Pictorial:** is also balanced with a picture of Raila addressing the Kisumu crowd and another with Ruto addressing the Eldoret crowd.

The Referendum campaign coverage is extensive (**pages 3, 6, and 8**) with the two sides covered objectively with balanced space coverage. It is worth noticing that the paper has picked on the YES positivity towards promoting peace, preferring to highlight this on **page 6** through the heading: “*Reds call for Peaceful vote, predict big win.*” The story has been responsibly covered; clearly, the bickering of the politicians as expected in these campaigns has been blocked out, minimizing on inflammatory and sensational reporting. Clearly, a tone down on what gets to the readers has been considered. The paper has given a slot for this on Sunday Echo, with

readers giving their views, that has been objectively covered. The story on the YES campaign is objectively covered except for on occasion where the reporter (Nation Team) writes of “...renewing his attack on retired President Moi (Kibaki never used the names of former President) saying that he should not be a stumbling block to reforms in the country when he had had time to give Kenyans a new constitution but he had failed.” This reportage has an element of conflict potential and so are the remarks “we have no time to talk about an individual who failed to give us a new constitution after a long time,” attributed to President Kibaki.

The consideration is that with only three days to go to the referendum poll, sentiments and expressions like these, irrespective who said them should probably be edited out to promote cohesion and peace. **Page 10** is an Interview with Prime Minister Raila Odinga, This coming closely after an exclusive interview with The President last Sunday, maybe the paper should have gone out of its way to cover an top no personality (last Sunday it interviewed Poghiso) to have a fair and balanced coverage. **Page 7** story “**Red alert as Itere boosts force by 10,000**” is timely to boost the confidence of Kenyans as they go the poll. It gives an extensive coverage on how security has been beefed up. **The Editorial** “It is Victory of our democracy” is timely –it covers on the events right after the victory of the 2002 after the opposition crashed the Kanu regime, but is brilliantly written to remind Kenyans of the mistakes made and how to avoid the same mistakes that culminated to the 2007/8 violence. The editorial responsibly asks Kenyans not to miss out on their focus of striving to get a new constitution, almost declaring its ***(Sunday Nation)** stand by saying: “**The Sunday Nation does not believe there are major flaws that would require large-scale changes to the proposed constitution.**” **It concludes by urging the two principals to keep Kenyans united no matter the outcome.**

Other pieces on the referendum by columnist Murithi Mutiga “*It will take national values to get real change*”, “*My closing argument for draft constitution* (Makau Mutua), “*Let’s keep reform momentum alive after the vote*” (Mukhisa Kituyi) are insightful and appropriately chosen. Though the page 20 story “*Vote will be a major test for ex-president*” is hard hitting on the former president, there was no avoiding writing the piece that is sub-headed: “Moi has exposed himself to major public scrutiny). Readers are given a pictorial glimpse of who is who in the reform process and a brief of their contribution. With a total of about over **20** pages out of a total of **48** pages, *the Nation* has given an excellent coverage of the Referendum covering a broad spectrum of topics, including civic education. The Sunday Nation – this being the last Sunday Referendum issue, went beyond expectations to give the referendum, a very important national event, keeping politics out of focus as if to ensure that Kenyans were thoroughly informed as they went to the poll on 4th.

Media: The Standard
Date: 1st August 2010
Rating: **BLUE**

Justification:

Irresponsible, lacks credibility, incitiful, pictorial balance, ethnicity, propaganda, defamatory. The newspaper starts on a positive note on both the pictorial and headline balancing but then veers to negative reporting. On **page 4** there is a repetition of a story (“**No team takes Eldoret by storm**”) carried previously where they quote Ruto calling people who express fears of referendum violence as prophets of doom. On **page 6**, (“**Clergy urge voters to shun violence**”) the reporter is irresponsible because the story has incitiful and potentially inflammatory undertones. “*There will be no cause to celebrate regardless of whether the draft is accepted or rejected. We shall be left a country divided*” **Cardinal Njue. Pg 17 Opinion** (“**After the referendum vote, Kenya’s attitude and character won’t change – by Donald Kipkorir**) it appears personal and lacks objectivity. It is focusing on some “doom-day

ideology". (“..Come august 5th, we will wake up to a familiar Kenya , we will have our tribalism, poverty, illiteracy, corruption and killings. The church again will be a place that provides food, shelter and medicine to the needy...).

Media: NTV@9PM
Date: 1st August 2010
Rating: BLUE

Justification;

Inflammatory, sensational, defamatory, potentially explosive stories; At the YES rally in Kisumu, Raila stood up and commented **“umeua na umehurumiwa”** (*you have killed and you have been pardoned*) the comment was directed to Moi, Kibaki said - **wakati umepita kulikuwa na mpira na hukucheza vizuri”** (*The time has passed, you had the ball and you never played well*). Time accorded was **3 minutes;** The station covered former president Moi in Maralal which took two minutes and they covered Ruto later on. A repetition of these was carried the following day in other media houses; meaning the politicians are repeating their speeches and the reporters are **perpetrating** something by repeating the stories which are potentially incitiful.

Media: KBC radio@7am
Date: 1st August 2010
Rating: GREY

Justification:

They had a balanced coverage and gave a full detail calendar of each campaign team - each team was accorded adequate time for their timetable in the homestretch.

Day 13

Media: The Standard
Date: 2nd August 2010
Rating: GREY

Justification;

The coverage on **page 1 (“We rest our case”)** was positive and balanced and there was no biasness. The reporters gave both teams equal coverage so that each team is represented. On **page 4 (“Pitch; Kibaki/PM rally “greens” for final vote’)** the newspaper has a full page coverage dedicated to the YES team.

On page 6, there is a pictorial balance on both teams on the campaign trail. On page 9 they have a NO story where Moi urges the church to stand firm against proposed laws. From page 26-34, there is coverage on **“katiba special”** which covers both teams and this is also positive.

Media: NTV – 9 PM
Date: 2nd August 2010
Rating: GREY

Justification:

The coverage on the peace building church service in Eldoret themed **‘One heart, One spirit, One nation’** is healthy for the current state the country is in. It was sensible for the station to give this segment maximum coverage for the Peace message to sink in. Eldoret was a hotspot in the last general election and therefore when a meeting is convened by the church and relevant authorities charged with the responsibility of overseeing security in the area it is good when the media steps in to publicize such gatherings.

Media: Radio Citizen @ 6.30 AM and 7AM
Date: 2nd August 2010
Rating: BLUE

Justification:

The commentary was **out of tune**, especially with two days to the referendum. Why would the station want to attack the politician and the clergy and insulting them instead of sticking to his introduction of respecting one another. The **presenter** insulted those opposing the constitution *“waende kwa bibi zao na watoto zao.”* And then he says the catholic priests who respect very much, he says *“wanakula madawa usiku ya family planning alafu mchana wanazungumuza juu ya utowaji mimba kutokuwa halali.”* The clergy should sit back and let Kenyans vote. His commentary was **sensational, defamatory and imbalanced**. Lincoln Njogu covered the news on a positive note where he urged Kenyans to go and vote, the coverage was leaning on Yes and there was a slot on the No team.

Day 14

Media: Media: NTV (9PM)
Date: 3rd August 2010
Rating: YELLOW

Justification;

They had an extensive news coverage but accorded the YES more time than the NO, they also carried incitiful statements but on a positive note emphasized on peace and showed the mechanism put in place. NTV had an extensive coverage that took one and a half hours, among the negative items were unbalanced coverage, and YES was given more time than NO team. They YES team was accorded 6 minutes, while the NO team was given 1 minute. The Ruto team was again given airtime peddling lies, **Machage was quoted saying**, “*samaki kama imeoza hatuwezi kula alafu baadaye tuirekebishe,*” while **Ruto** said “*hatuwezi lipa kodi kwa issue ya nyumba,*”-these are incitiful and sensational statements that the media does not want to do away with. West-Pokot (Kacheliba) resident claim they have not been educated about the draft. On a positive note they highlighted us on the security measures during the referendum.

Media: K24
Date: 3rd August 2010
Rating: GREY

Justification;

The station only had one aspect of imbalanced coverage but really concentrated on the peace aspect. In their 6 PM bulletin the station highlighted peaceful messages and urged Kenyans to vote peaceful during the referendum polls. They showed both teams campaigns, but really emphasized on the peace accept, gave reports on the security assurance and a little bit of civic education.

Media: Radio Citizen
Date: 3rd August 2010
Rating; GREY

Justification:

Unlike the previous days the commentator did not sensationalize his commentary and was preaching peace and unity. Powerful message of Peace to Kenyans and the church, and even had the same message to the NO and YES. The presenter avoided inflammatory and also sensationalizing his commentary. He addressed facts and also noted that they are no losers and winners. He sent out a message to the youth to remain peaceful. He urged them to vote with a conscious whether for or against the draft. The briefs did not carry any bad remarks it was peace and the machinery that has been put in place.

Media: KISS 100 FM
Date: 3rd August 2010
Rating: GREY

Justification:

The station carried out civic education and steered clear of negative statements.

Media: Citizen TV (9PM)
Date: 3rd August 2010
Rating: GREY

Justification;

They had balanced news coverage, carried out civic education and an overview of the whole referendum process. balanced stories, both campaigns were well-presented, voter awareness and voter tallying information was given, overview of the security boost across the country.

Media: The Star
Date: 3rd August 2010
Rating: YELLOW

Justification;

They have an outrageous headline, a sensational story and imbalanced coverage. The headline; **“Can VP Kalonzo deliver Ukambani? Kibaki rushes to Kitui to rescue Eastern”**. They have based the referendum on an ethnic ground instead of a national issue, the story is sensational and lacks facts by itself. On **page 2 (“ODM/PNU row mars poll run”)** they have included party politics in the final leg of the referendum process instead of concentrating on civic education matters and preparations for voting the coming day. . They have imbalanced news but have improved on the hate speech.

Media: The Standard
Date: 3rd August 2010
Rating: GREY

Justification;

Balanced coverage, they are promoting peace in majority of their stories and letters, have put hotlines for those who might need the authority help and also emphasizing on unity. They have a balanced pictorial on the front page and a silent headline **“Hours to face-off”**, on page 1, they have NO coverage with the heading (**“ Vote peacefully accept the verdict and move on Moi urges Kenyans” page 5**) the story is positive. They have also given police hotlines and balanced the stories. They also gave the NO and YES team balanced coverage on page 4 and 6, 10.

Media: Daily Nation
Date: August 3rd 2010
Rating: GREY

Justification;

The paper highlighted the peaceful aspect ahead of the referendum and also gave clarity to some issues like the rift valley hotspots. Headline; **“It is all systems go!”** with a very balanced pictorial on the front page. Their focus is on the referendum and is giving Kenyans what you need to carry and the expectations from page 1 and 4. They have concentrated on peace messages, they have a powerful message from the Prime Minister and I quote **“a YES win means that the 10th parliament will have to enact 73 laws to implement the new provisions and structures calling for cooperation across the board, should NO win the PM said they would be ready to sit down and renegotiate afresh, the people opposing the new law are also Kenyans and have a right to do so,”** it is on page 5 by the nation correspondent, **page 6, 7, 8** they are extensive reports on the security . The nation has gone an extra mile and covered the hotspots and reported how the situation is. They have a sober editorial on healing after the referendum and a nice cartoon alongside good commentaries.

Media: The Standard
Date: 3rd August 2010
Rating: GREY

Justification:

Balanced coverage in both pictorial and stories on page 1 but later on veers to unbalanced. On page 1, the pictorial and stories coverage was balanced. Page 4 is dedicated to a YES coverage; Page 5 covers both YES and NO stories. Page 6 is NO coverage. Page 8 and 9 is unbalanced because it covers the YES only. Page 10 carries a positive NO story with Moi calling for peace. (**Gideon, leaders call for Peace at NO final rally**). Pages 14 and 15 have positive cartoon coverage where they call for peace. **Pages 25- 35** carry a katiba special coverage which is positive and informative.

Media: Radio Citizen
Date: 3rd August 2010
Rating: GREY

Justification;

Today's commentary "*Yaliyotendeka*" is a first past the post. It is as if suddenly a heavy load has been placed on the presenter's shoulders and he knows he has to carry it – to stand up and be counted amongst those advocating for peace and unity during and after the referendum process. Unlike his past commentaries, today's commentary is a frontrunner. Clearly, the presenter is addressing tomorrow's referendum polling with a sober mind. His comments, calling on the **youth to come out in big numbers and to vote responsibly**, to be ambassadors of peace, not to agree to be sell-outs, and to remember that if they do not turn out to vote No and the Proposed Constitution passes and it is a bad one, or if it is a good one and they don't vote Yes, then whichever way, they are the ones who will be affected most as they are the majority of this country and the future of Kenya. His appeal for mothers (parents) to take responsibility, advice and watch their sons (children) during this time and after the referendum is remarkable. His appeal on Kenyans to remain united and to know that there are no winners and losers of the Referendum vote deserves to be commended.

After the Referendum, Kenya will be and Kenyans will move on is Mburu's message to his listeners. He particularly implores the violence prone hotspots Kibera, Mathare etc residents to remain peaceful and to learn from 2007 experience that they are the ones to suffer most when this country burns. His sense of appeal through the use of the words of the National Anthem is a reminder to Kenyans of their heritage and their need to rise up and protect this heritage with their all! **7 am News:** The news coverage was balanced and mainly covered on the security mechanism that has been put in place to ensure a fair and peaceful voting and all call for all Kenyans to rise and exercise their democratic right. Inflammatory and conflict-potential coverage was kept off. The **7.30 am** - guest Forum program was informative and educative. Listeners were informed by a Guest Speaker from IIEC on the machinery that has been put in place to ensure security, the independence of IIEC, which the guest speaker said had proved its worth going by the by-elections that have taken place peacefully and have been fair. The forum also covered tomorrow's voting process, and explained the difference between a referendum and election polling. Calls were taken from listeners and their questions on the referendum process and polling answered.

Media: Daily Nation
Day: 3rd August 2010
Rating: GREY

Justification;

The paper is objective, carries responsibly written contents and is in tune with highlights on pre

and post-referendum stories. It has expansive, informative and objective simplified details of the machinery that has been put in place with a simple lead story **“It’s all systems go for the referendum”** The Daily Nation, has fairly kept off coverage of the campaign (except for the back page story on Yes coverage headlined: **“Kibaki call for a big voter turnout”**), as if in hindrance to the legal requirements that all campaign-related activities end 48 hours before the Referendum polling day. Even the pictorial is well thought off, one for the Electoral Commission chairman, Isaack Hassan and the other, a security officer guarding voting materials. Clearly, the news is the Referendum and what next and the daily has a fair coverage of this touching almost all aspects of the process (pages 1, 4, 5, 6, 8, 10, 11 and 56) such as security, polling instructions, hotline numbers, the security machinery, with a central security monitoring station at Vigilant House. All contents today promote PEAC, cohesion and post-referendum unity ingredient, a must for all Kenyans. The Editorial (**Page 6**) headlined: **This country requires healing after vote**, the cartoon depicting a Yes to peace vote and a No to violence post being casted, the page 6 brief with VP Kalonzo urging Kenyans to respect the clergy and noting that there was no fight between the Church and the State, the powerful message from the PM Raila saying: “a yes win means that the 10th parliament will have to enact 73 laws to implement the new provisions and structures calling for cooperation across the board, should no win the PM said they would be ready to sit down and renegotiate afresh, the people opposing the new law are also Kenyans and have a right to do so,” Macharia Gaitho’s Commentary (**Making History – page 12**) urging Kenyans to “Make a statement by adorning yourselves in national colors” on the day of polling “and be big enough to leave our green or red caps T-shirts or scarves and adorn ourselves instead, with our national flag” to the picking of the Talking Point lead letters headlined “There will be no winners or losers regardless of the referendum” all depict a commitment by the editorial team at the Nation Media to play responsibly at this crucial all-important national event. The paper sent the managing editor on a mission to Kamuingi Farm, Sorget, Kipkelion District, a violence hotspot during the 2007 post violence episode. Probably after considering the insecurity in this region, the paper saw this as a very crucial assignment. **Page 10 : “Region that suffers violence at every poll is for once looking forward to peaceful ballot”**. A very important “peace-appeal kind of story” Bravo Nation Media!

Media: The People Daily
Date: August 3, 2010
Rating: YELLOW

Justification;

The daily has chosen to lead with a campaign story (**“On your marks”**), highlighting in pictorial the “big four” in the Yes and No camps (Kibaki, Raila and Moi and Ruto). The story is about all the four leaders are engaging last minutes efforts to clinch support just before the day of the referendum.

There is nothing wrong with this, but worthwhile noting that at this time of the referendum and with so much emphasize from all peace-demanding Kenyans and with messages going out that the Referendum is not about personalities but Kenyans, the pictorial is out of tune. **The timing for the story is wrong.** The last day campaigns for both camps have been objectively and fairly covered and the language used by the supporters toned down to avoid conflict-potential and inflammatory content. The paper too has covered and highlighted the beefing of security (**back page story;) – a good thought.** Though the paper has several stories touching on the referendum, they lack focus and are disjointed. The referendum stories covered a broad spectrum though the presentation (coordinating the stories) was poorly done with stories covering the same topic disjointed such as: Vote peacefully, President urges, **page2**, vote for peacefully, residents urged, **page4**, call to withdraw security from North Rift **page4**, Security beefed up in city, **page5** Investors optimistic if proposed law is passed, **page8**, VP back in Kathiani, Muslims tipped, Moi for peace, Mwau seeks vote harvest for Ukambani, Damage

control, Police advised, Proposed law to benefit NEP communities, all page9 could have been quite informative and linked objectively if all pieces were consolidated in a planned schedule. However, the content is not inflammatory or conflict potential, though the editorial team has not done justice to their way of coverage.

Media: NTV (9 PM News)
Date: 3rd August 2010
Rating: YELLOW

Justification:

Unbalanced, inciteful; i)Yes team coverage on Kibaki’s meeting in Ukambani for 4 minutes while the No side was apportioned 2 minutes; **justification:** Too much coverage for the Yes side negates the principle of fair coverage. It’s unfair for a media house to be biased against one group. The campaign principle is equal treatment for both sides for the purpose of having a fair referendum which can only be realized if Media houses tackle the much referendum coverage objectively. Therefore, the 4 minutes coverage for the Yes campaign and 2 minutes for No is a mockery and amounts to unbalanced coverage.

(ii)Ruto’s sentiments while in Mombasa “We cannot afford to pay taxes on land”, **justification;** The coverage on Ruto’s sentiments is inciteful, while much has been done in civic education to demystify the masses on the contentious issues, the media still propagates falsehoods and propaganda which only serve to create tension, dissatisfaction and resentment among Kenyans. When you report on matters that mislead the masses on matters that can trigger outrage resulting to rebellion is indeed inciteful. Ruto’s coverage is untimely, we expect a lot of objective coverage, reporting to us the mechanisms the government has put in place to ensure that peace remains constant after the referendum.

Disclaimer:

The findings/opinions expressed in the research findings are not conclusive and are entirely the researcher’s own. The research may have experienced limitations while ascertaining issues under research and thus may not be well presented.

Report (21ST -27th July 2010)

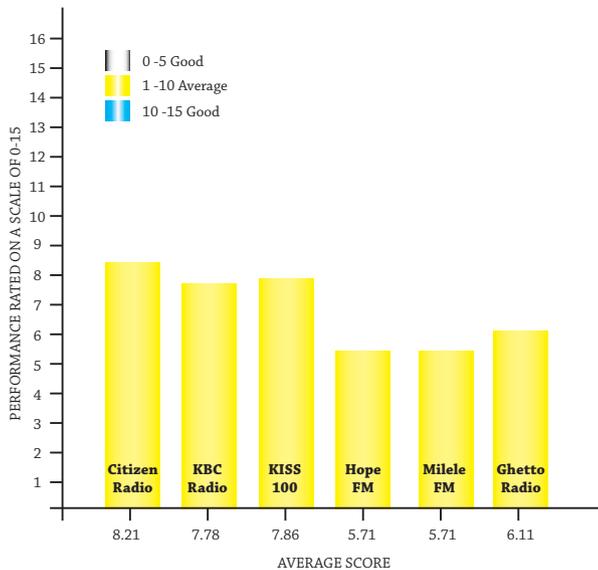
**“14-DAY MEDIA WATCH ON THE REFERENDUM CAMPAIGNS FOR THE PROPOSED CONSTITUTION OF KENYA 2010”
MEDIA ALERT INDICATOR
July 21ST TO JULY 27TH 2010**

DAY	21ST	22ND	23RD	24TH	25TH	26TH	27TH
PRINT MEDIA							
NATION	YELLOW	YELLOW	YELLOW	YELLOW	BLUE	YELLOW	YELLOW
STANDARD	YELLOW	YELLOW	YELLOW	YELLOW	BLUE	YELLOW	BLUE
WEEKLY CITIZEN	BLUE					BLUE	
THE STAR	BLUE	BLUE	YELLOW	YELLOW	BLUE	BLUE	BLUE
PEOPLE DAILY	YELLOW	YELLOW	YELLOW	YELLOW		BLUE	GREY
RADIO							
CITIZEN		GREY	YELLOW	GREY	YELLOW	GREY	GREY
KBC	GREY	YELLOW			YELLOW		YELLOW
KISS						BLUE	YELLOW
GHETTO RADIO						YELLOW	YELLOW
MILELE							YELLOW
TELEVISION							
CITIZEN		YELLOW	YELLOW	YELLOW	YELLOW	BLUE	BLUE
NATION	YELLOW	YELLOW	YELLOW	YELLOW	GREY	GREY	YELLOW
KTN	YELLOW	YELLOW	YELLOW	YELLOW	BLUE	BLUE	BLUE
K24	BLUE	YELLOW			GREY	YELLOW	YELLOW
KBC	YELLOW						

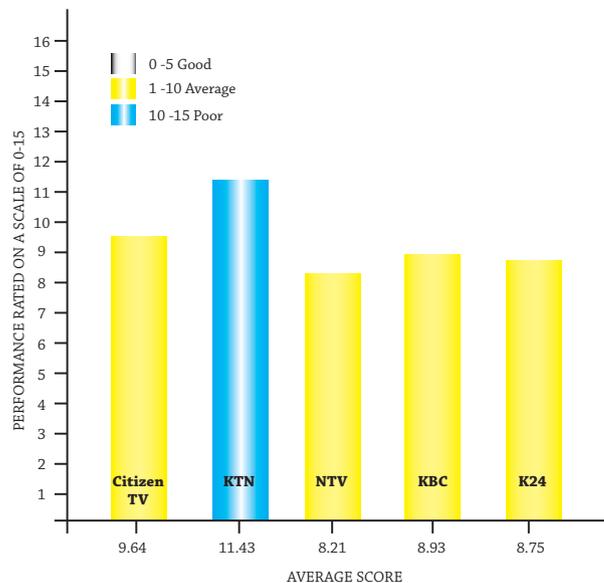
Some of the challenges faced during the week are:

- ❖ Shortage of items such as pins
- ❖ Unreliability of the radios
- ❖ Lack of internet or its unreliability

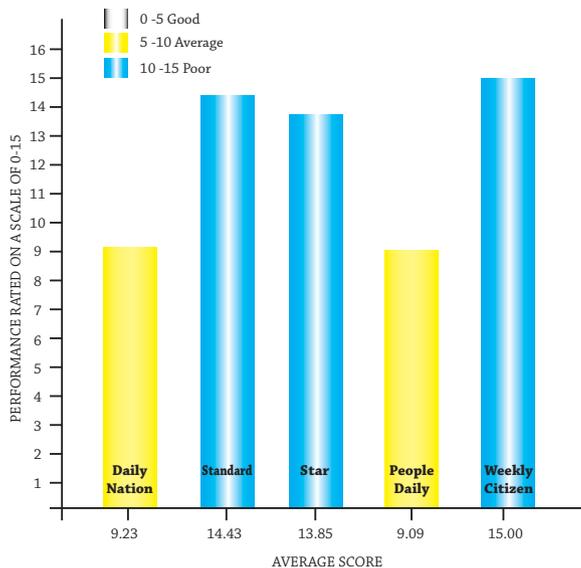
RADIO



TELEVISION



NEWSPAPERS



RADIO

	Radio Citizen	KBC Radio	KISS 100	Hope FM	Milele FM	Ghetto Radio
Day 1	5					
Day 2	5	10				
Day 3	10	10				
Day 4	5					
Day 5	10	10				
Day 6	5		15			10
Day 7	5		10	10	10	10
Day 8	10	10	10	5	5	5
Day 9	10	10	5	5	5	5
Day 10	10	5	5	5	5	5
Day 11	10	5				5
Day 12	10	5		5	5	5
Day 13	15	5	5	5	5	5
Day 14	5		5	5	5	5
Average Performance	8.21	7.78	7.86	5.71	5.71	6.11

0 - 5 Good
 5 - 10 Average
 10 - 15 Poor

TELEVISION

	Citizen TV	KTN	NTV	KBC	K24
Day 1	5	10	10	10	15
Day 2	10	10	10	10	
Day 3	10	10	10	10	
Day 4	10	10	10	10	10
Day 5	10	15	5	10	10
Day 6	10	15	5	10	10
Day 7	15	15	10	10	10
Day 8	15	15	10	10	10
Day 9	10	10	5	10	10
Day 10	10	10	5	10	10
Day 11	10	10	5	10	5
Day 12	10	10	15	5	5
Day 13	5	10	5	5	5
Day 14	5	10	10	5	5
Average Performance	9.64	11.43	8.21	8.93	8.75

0 - 5 Good
 5 - 10 Average
 10 - 15 Poor

NEWSPAPERS

	Daily Nation	Standard	The Star	People Daily	Weekly Citizen
Day 1	10	10	15	10	15
Day 2	10	10	15	10	
Day 3	10	10	10	10	
Day 4	10	10	15	10	
Day 5	10	15	15		
Day 6	10	10	15	15	
Day 7	10	15	15	5	
Day 8		15	15		15
Day 9	10	15	15	10	
Day 10	10	15	15	10	
Day 11	10	10	15	10	
Day 12	10	15			
Day 13	5	5	10	5	
Day 14	5	5	10	5	
Average Performance	9.23	11.43	13.85	9.09	15

0 - 5 Good

5 - 10 Average

10 - 15 Poor

Kenyan Voters hail Media for a Job well done!

Across the country and beyond, the Kenya Media has been commended for upholding professionalism, educating the public and exercising a great sense of maturity on a critical national issue.

The Interim Independent Electoral Commission, the body charged with over-seeing the referendum process praised the media for its sobriety.

"I thank the media for their support particularly in educating the masses about the referendum review process" the chairman of the **IIEC Mr. Issack Hussein** said at the close of the voting process.

The director of information **Mr. Ezekiel Mutua** also praised the Media to towing the line of professionalism; *"I salute the Kenyan media for passing the severe test of lessons well and swiftly learnt and internalized since the PEV period and moving on to professionalize and consolidate best practice throughout the sector"*.

This research conducted a quick vox-pop survey in Nairobi interviewing ordinary Kenyans about what they thought of the Kenya Media during the Referendum campaign period 2010.

- 123 voters were interviewed in this vox pop
- 101 respondents gave positive remarks on the Media's role in the referendum campaigns process.
- 82% hailed the media for a job well-done.

Some excerpts from the survey:-

"Media has played the biggest role in my decision today. I queued here and voted just because of the voter education I got from Citizen, NTV and KTN; they had good voter education especially in the evenings. Personally I thought I need change and a new country, this is the constitution for the people, the other one belongs to the colonialist and I do not want to associate myself with it. Citizen and NTV to me give the best results unlike other stations," **Aziz Hamid, 28, voter Old Kibera primary school.**

"The media has been used by the CoE to convince the nation this is the best draft ever" **Peter Theuri, voter, Langata west.**

"Citizen TV and radio have played a major role in my decision making today. They are some contentious issues that were being discussed in campaigns by the politicians and I had not read the draft myself but the media house came out and helped in dissecting the news to my own understanding. I have voted yes today because I was able to understand what the proposed draft is giving and I know my rights. They are other media houses especially the newspapers that really brought out the wrong issues and did not give us proper civic education but Citizen TV tops for giving me the best and I have made my decision courtesy of their education." **Ken Baker, 36, voter Karen C.**

"CITIZEN has played a major role in my decision today. In the current constitution, I never knew what the Kadhi courts was all about but Citizen went ahead and directed me and dissected the news and voter education to my consumption, I finally understood and I am not relying on hearsay anymore I know why I am voting and why my vote is green." **Zeinab Twakha, 22, Voter Old Kibera Primary School.**

"I am here to vote because it is my constitutional right and because the media especially citizen TV and NTV have educated me on what I am to benefit if I vote in the proposed constitution and what is a lie as per our politicians. According to Citizen TV if the proposed constitution passes and it is enacted into law then my children can have access to majority of things." **Mary Akinyi, 25, Kibera Makina voter.**

"I don't watch so much of TV, but I listen a lot to the Radio especially Kameme, Coro. What I can say is that this time I know what the "Katiba" is all about unlike in 2005 and a lot of this information I have got from listening to the radio as I have been keen on discussions on the Katiba forums. I think compared to 2005 and 2010 this time they (media) have helped in educating us about Katiba and more importantly preaching to us to keep peace and remain united and to know that we all belong to Kenyans and not to follow everything that politicians tell us. I think they have done a very good job. I can't say they have done anything bad" **Mary Njoki, voter Ngong.**

"The media has done a very good job this time especially in doing civic education and making sure that many Kenyans understand the Draft and make informed decision. I think we are peaceful and united as Kenyans today because of the messages that we have heard through the media. I congratulate them for a good job done. It is because of them (the messages about the right of every Kenyan to vote) that I personally I am voting today" **John Ndungu, Voter, Ngong.**

"I have learnt a lot about this document by listening to the radio programs. Sometimes I had to ask my neighbor to come and listen with me so she could help me what was being said. So I can say the radio (media) has sharpened my knowledge on the draft and unlike in 2005 when I didn't know what I was voting for, today I know" **Esther Wambui, Voter, Ngong.**

"I listened to the radio and read the newspapers (Nation and Standard) especially to check if what my church leaders and politicians were saying is true. I am now more enlightened and because of the Media, I know I don't have to tell anyone what I voted so that I protect myself (rights) Though some media have not done a very good job, this time they have tried compared to last time (2005, 2007). **Veronica Nyambura, Voter, kahara – Ngong.**

"I don't know much about the media, what is important is that I have had my say for the day" **Muthoni Wanjiru, 92, voter Umoja – Embakassi.**

"I have been enlightened so far and it is good that from what I learnt through the media, I am able to vote with my conscience." **Elvis Njuguna – voter embakasi**

"I have been able to separate the facts from the lies on the proposed constitution so my vote today is well informed." **Okullo Edward – Umoja – Embakasi**

POLLING STATION	NUMBER OF RESPONDENTS	IN SUPPORT OF THE MEDIA	AGAINST THE MEDIA	DO NOT KNOW
Embakasi constituency/ Umoja polling station	5	1	3	1
Kasarani constituency	5	3	2	
Starehe constituency	5	4	1	
Langata constituency/ Old Kibera	5	4	1	
Langata constituency/ Raila Education centre	5	5	0	

Langata constituency/ Kichinjio Primary	5	4	1	
Langata constituency/ Langata West Primary	2	2	0	
Ngong constituency	5	4	1	
Ngong, Kibiko	6	5	1	
Ngong, Kahara	10	8	2	
Makadara constituency	70	69	1	

*****A total number of 123 persons who voted in the referendum were interviewed and many had a lot to say about the media.

***** An overwhelming 101 people had their thumbs up for the media for the great civic education it gave during the referendum unlike the 2005 referendum process and the 2007 General Election.

*****82 percent of those interviewed were of the opinion that the media did a good job unlike the years when they let it all loose and hanging.

*****But a paltry 18 percent were of the opinion that media is still lagging behind in giving Kenyans the coverage they need.

Mildred Ngesa – Research Coordinator Founder/Director, PEACE PEN COMMUNICATIONS

Mildred Ngesa is a seven-time award winning journalist from Kenya with over fourteen years experience as a human interest features writer and columnist. She is known for her “voice of the voiceless” kind of feature stories, championing justice for the communities of the urban poor through her work as well as spear-heading matters for policy change and social accountability through the pen. Mildred has had the opportunity to work as a reporter and a columnist for all the three mainstream print media houses in Kenya; The Kenya Times, The East African Standard and until 2008, The Daily Nation where as a Senior Special projects writer, she consistently reported on social injustices and pushed for transparency and accountability in government through a weekly one-page column titled; Monday Mix- where wisdom comes quietly. It is through her efforts in this column that last year in June, Mildred was appointed to serve at the Commission of Inquiry into Post-elections Violence (CIPEV), as a the Media & Communications officer - a commission that investigated the unfortunate bloody conflict that erupted in Kenya after the disputed elections of December 2007.

In 2004, Mildred had the opportunity to work in Bonn, Germany at the Deutsche Welle Radio Africa/Swahili service. She is also three-time alumni of the International Institute for Journalists IJ, in Berlin and a beneficiary of the Inwent. Mildred has also been appointed to serve as the Media & Communications Officer for the Kenya Truth, Justice and Reconciliation Commission (September – December 2009). By forming Peace Pen Communications, Mildred is responding to the calling of the Journalism profession in a manner that will “convince” the media to re-define its role in instigating social change, building peace, conflict resolution as well as sustaining resilient communities through advocacy journalism. She founded this organization based on lessons learnt in Kenya’s post-elections conflict and the need to mould a pro-active media that would champion peace and positive change. Mildred is also the founder of community based organization, The KALI Trust that strives to empower minds of the community for positive change.

Hellen Mutio Mutisya

Helen is a holder of an advanced diploma in journalism from St. Augustine university of Tanzania and currently a Business Diploma student at the Kenya Institute of Management. Helen has been with Peace Pen Communications since its inception and is very passionate about the fate of the voiceless in the society. She is exploring this passion through various media interventions. Prior to joining Peace Pen Communications she worked briefly for the Kenya Times Media Trust. Hellen has credible media training on reporting international criminal justice and by extension the International criminal Court. She represented Peace Pen Communications at a major gathering of over 40 organizations in South Africa to deliberate on the implications of the African Union’s decision on the universal jurisdiction and the work of the ICC in Africa. She also contributed to the drafting of the statement by African civil societies urging state parties to the Rome Statute to re-affirm their commitment to the ICC. Her goal is to infuse feasible media interventions in all these processes.

Jayne Rose Gacheri

Jayne Rose Gacheri has a wealth of experience in journalism, PR and Marketing spanning 20 years. She has worked with the Nation Media Group, Business Times of Tanzania (Editorial Representative, Nairobi), Oakland Media Services, The Standard Group, East African Magazines, Travel Africa, Nairobi Business School, Skipix, Oriak BPO, Namba Moja, SMS information Service, The Shopping Mail and Tupike Magazine.

During her career she has edited for Tupike Magazine, NPC Newsletter, Ngong news letter and

The Shopping Mail. She has written for various departments including, Features, Business, News, Special Projects and Lifestyle magazines as well as conducting various research projects among them HIV/Aids. She was actively involved in the planning and launching of the Standard Media Group's Life Magazine, the first-ever packaged magazine pull-out. She was its first travel, fashion and relationship columnist. She too, has been instrumental in developing various lifestyle magazines concepts and contents at the Nation, Standard, Oakland Media and Business Times among others.

Jayne Rose holds a Diploma in Communication from the University of South Africa (UNISA) and Business Administration (Kenya Polytechnic). She holds various certificates and testimonials in various fields including Personal Etiquette, telephone, Speech and feature writing, environmental, tourism, among others. Jayne Rose is also a co-director of Kitchen Delights and The Missing Link, a media resource company.

Edith Fortunate

Edith Fortunate is a renowned journalist who has worked in the mainstream media for eight years. She started out at the Nation Media Group, moved to the Standard Newspaper then diversified to broadcast and reported for Kenya Television Network (KTN). Edith reports on social issues, human rights and democracy and governance issues. In 2007/2008, Edith was at the forefront of covering the highly contested general elections and the post-election violence that ensued. She later reported extensively on the peace-brokering process after the PEV. Edith has also worked with the British Broadcasting Corporation (BBC-Kenya) as a freelance journalist.

Moses Dola

Moses Dola is a freelance investigative journalist based in Nairobi. Growing up in the capital and other cosmopolitan towns, he was captivated by the works of major media personalities including Leonard mambo and Catherine Kasavuli. Moses draws his inspiration from the experiences of resilient Kenyans and has a special interest in crime and investigative reporting. He has worked as a reporter for the Daily Nation, Daily Metro and The Star newspapers. He has also as well as Nation Media group's NTV

Nimrod Otieno

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