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The role of alternative press in mobilization for political change in Kenya 1982-1992: Society magazine as a case study

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The Role of Alternative Press in Mobilization for

Political Change in Kenya 1982-1992

Society magazine as a case study

by

Pius M. Nyamora

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts
School of Mass Communications
College of Arts and Sciences
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Dedication

I dedicate this thesis to all journalists who expose themselves to danger daily to protect human rights and freedom of expression. Many people inspired me and I am grateful to them. The space allows me to list only a few: Two special friends, Margaret Mutiso, who fed the Nyamora family when we had no food; and Zaina Tabulo, who helped with the initial work of launching *Society* magazine.

Society team of Mwangi Chege, Fred Geke, Laban Gitau, Martin Mbogo Kariuki, Paul Kelemba, Njuguna Kibunja, Muga Kolale, Mukalo wa Kwayera, Janet Marande, Mburu wa Mucoki, Macharia Mugo, Daniel Mukangura, Joseph Mutinda, Dankan Ndaka, Blamuel Njururi, Mwenda Njoka, Ruth Nyamu, Ernest Moturi Ogowora, and all contributors, advertisers, distributors, and street vendors. Publishers Gitobu Imanyara and Njehu Gatabaki, who never gave in to government pressure; Attorneys Paul Muite, Muchai Lumatete, Gibson Kamau Kuria, Murungi Kiraitu, and all their colleagues who jammed the Mombasa court on April 21, 1992, to defend *Society* journalists against the 11 sedition charges; U.S. Ambassador to Kenya the late Smith Hempstone, and German Ambassador Bernd Mutzelberg for their frequent protests against the government's harassment of journalists; And the late *Nation* Editor in Chief Joe Rodrigues for seeing the talent in me. No one inspired me more than my wife, Loyce, who was there for me in happiness or despair, and always in front of me. Our kids, Cory and Peter, are proud of me. Their love tells me that this is only the beginning.

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The Role of Alternative Press in Mobilization for

Political Change in Kenya 1982-1992

***Society* as a case study**

Pius Moseti Nyamora

ABSTRACT

The purpose of this study was to investigate the role of alternative press in mobilizing Kenyans to regain a multi-party political system after 29 years of one-party rule that had turned into authoritarianism. The study focused on *Society* magazine, and touched on two other magazines, *Finance* and *Nairobi Law Monthly*. Unlike *Society*, these magazines were not intended to cover politics, although they changed their role later. *Finance* and *Nairobi Law Monthly* were examined through secondary sources and the author's interactions with the publishers. Whereas *Society* was a weekly founded and run by journalists, *Finance* and *Nairobi Law Monthly* were monthlies founded and run by non-journalists.

The other goal of this study was to find out how the alternative press affected the mainstream press, particularly the *Nation*.

The study began with examination of Kenya's history and government-press relationship from 1895 to 1992. The period covered three major eras: The colonial period (1895-1963); the first era of the African government under President Mzee Jomo Kenyatta (1963-1978); and the second era of the African government under President

Daniel arap Moi, who was in office from 1978 to 2002. I analyzed the first 14 of Moi's 24-year rule, when the country reverted to a democracy.

The Study found that by not giving in to government pressure and threats, the alternative publications encouraged the mainstream press to defy the government and to regain freedom. Here are two examples of how the alternative press encouraged the mainstream press. When Oginga Odinga announced his intentions to form the opposition National Development Party, and the political pressure Forum for Restoration of Democracy, the mainstream press did not cover the announcements for fear of the government. The alternative press covered the announcements weeks later, after which the *Nation* and the *Standard* began covering debate on the government's refusal to register the two organizations. *Society* pioneered publication of political cartoons of government leaders in Kenya, and now the dailies use such cartoons without fear.

Chapter One: Introduction

The role of alternative press in mobilization for political change in Kenya – 1982-1992: *Society* as a case study

The aim of this study was to examine the role of alternative press in mobilizing Kenyans to transform their country from 29 years of single-party rule to a multiparty democracy in 1992. The study focused on the weekly political newsmagazine, *Society*, and examined two monthly publications, *Finance* and *Nairobi Law Monthly*. *Finance* had been founded to cover finance and business matters and *Nairobi Law Monthly* was a professional law journal targeted mainly to lawyers. They began covering politics because citizens needed a platform, which they could not get from the mainstream press, to criticize the government or express views different from those of political leaders.

Observers believed that by defying government pressure, the three alternative publications facilitated press freedom that enabled the country's two mainstream newspaper groups, the *Nation* and the *Standard*, to cover events that led to the 1992 political change in Kenya (Throup & Hornsby, 1998; Press, 2004; Owino, 2005; Abuoga & Mutere, 1988). According to Throup & Hornsby (1998) and Press (2004), the *Nation* and the *Standard*, which had been silenced by the government by early 1980s, began to gather courage after *Finance*, *Nairobi Law Monthly*, and *Society* had reported the formation of two political organizations that led to successful demands for the abolition of a single-party political system.

Justification

When this study began in 2006, about two decades after Kenya's alternative publications of the 1980s emerged, there really had not been any comprehensive review of either their impact or effect on the events that led to the 1992 political change or press freedom. Other studies do not focus on Kenya's alternative press, which is often mentioned as an afterthought, hence the need for this study. Most of the recent studies are Ph.D. dissertations by Kareithi (1996), Mwangi (2003), Obonyo (2003), Opiyo (1994), Owino (2005), Mwakikoti (1992), and Press (2004). These are general studies on topics such as the role of the African press in politics, press freedom in Africa, and the press and political change.

There is another important reason why this study was needed. The tendency to forget or rewrite history is a big problem especially in Kenya, where literacy is relatively new, having been introduced by European missionaries about 160 years ago. And there is no understanding in Kenya, even today, of some of the processes that created the democratic spaces such as the alternative press and freedom of speech. The Kenyan history has been revised in such a way that it looks as if events of two to four years can bring political change. No one should be under any illusion that history can be reversed. In efforts to discourage the tendency to revise history, this study has reviewed and examined Kenya's political and press history since the first European missionaries arrived in Kenya in 1844 to 1992, when the first multiparty elections were held since independence in 1963.

The importance of reminding people of that history cannot be overemphasized particularly for the Kenyan society that seems reluctant to abandon its oral past, where

they did not have anything in writing to refer to. Some Kenyans have already forgotten or are trying to revise the history of the struggles that led to the 1992 multiparty elections. Once the authoritarian government of President Daniel arap Moi was forced out of office in 2002, some Kenyan political activists who were in the country during the 2002 election campaigns seemed to think that they alone had brought about political change. They did not welcome the return of the activists forced out of the country by the authoritarian government. The new activists thought the citizens who had been in foreign countries until after the 2002 elections enjoyed life there while fellow Kenyans suffered fighting against authoritarianism in Kenya. Now they were returning to take up important appointments that should be reserved for those who were home by the 2002 elections. The hostility toward Kenyans who were returning home was tantamount to rewriting history.

The activists who were against the return of fellow citizens did not understand that it took 10 years, after Kenyans succeeded in introducing a multiparty political system, to remove the party that had been ruling since 1963. It was the reintroduction of a multiparty political system in 1992 that led, 10 years later, to the election of Mwai Kibaki as the country's third president. Like the struggle that brought President Kibaki to power, the efforts and sacrifices that led to the reintroduction of multiparty democracy in 1992 began as soon as Kenyans achieved independence from Britain in 1963. But that was not the beginning of Kenyans' struggle for freedom; the struggle that led to independence began as soon as the Britain declared the country a protectorate in 1895, leading to serious racial and other forms of discrimination against Africans by the British settlers (Scotton, 1971; Maxon, 1993; Maxon, 1989; Kenyatta, 1979).

Statement of the problem

So in addition to reviewing Kenya's political and press history from 1844, when the first European missionaries arrived in Kenya, the study attempted to answer three key questions:

- What role did *Finance*, *Nairobi Law Monthly*, and *Society* play in transforming Kenya from a single-party authoritarianism to the 1992 democratic multiparty elections?
- How did the three alternative publications influence press freedom?
- Assuming that the three publications had a positive impact on political change and press freedom, is this tradition continuing? And if it is, along which lines?

Methodology

This thesis is more personal than most, although its base is factual and its research thorough. While it is not unique, this thesis is unusual that I, as the author, have so much direct experience in the topic, and arguably the most and best experience regarding the case study at hand. I was instrumental, as a political reporter and publisher of a political weekly, in creating some of the developments described. While this thesis is not a memoir, the insights gained from my direct experience constitute a significant part of the thesis. I made every effort to support those insights from other sources, but the circumstances were such that in some cases, those insights stood alone, and I presented some as facts. This may be a weakness in methodology, but direct experience such as mine certainly contribute to the woefully inadequate body of literature on the influence of the Kenyan alternative press on the democratization of the country.

While my direct experience with Kenya's alternative press and *Society*, in particular, places me in an ideal situation to write this thesis, being an insider has its shortcomings. That would not compromise the integrity and authority of this thesis because I have presented analyzed opinions and studies done by others to counter-balance any bias I may have unconsciously had in my presentation and analysis of research data.

This thesis is a combined participant-observation, literature review, and analysis of the role of alternative press in Kenya with a focus on *Society* magazine as a representative case study. I focused on *Society* for various reasons. Publishers of *Finance* and *Nairobi Law Monthly* played different roles and their publications have been covered liberally elsewhere (Owino, 2005). *Finance*, published by Njehu Gatabaki, and *Nairobi Law Monthly*, published by Gitobu Imanyara, were monthlies and were run by non-journalists. Gatabaki is an economist and Imanyara is a lawyer. *Society* was a weekly through the 1992 multiparty campaigns and elections. It was founded and run by journalists. I launched *Society* to provide a forum for government critics, whose views could not be heard through the two main newspaper groups, the *Nation* and the *Standard*, because of government pressure. *Nairobi Law Monthly* was launched about 10 years before the 1992 elections (Throup & Hornsby, 1998). Its goal was to provide legal analysis and reviews (Owino, 2005). Gatabaki launched *Finance* in March 1984, nearly nine years before the 1992 elections (Abuoga & Mutere, 1988; Owino, 2005). The goal of the magazine was to provide analysis on finance and economics. *Finance* and *Nairobi Law Monthly* began covering politics later because there was need for it. The publishers of *Nairobi Law Monthly* and *Finance* were also interested in joining politics and both were elected to the National Assembly in 1997.

I launched *Society* as a monthly in September 1988, when I resigned from East Africa's largest newspaper, the *Nation*, after covering Kenyan politics for 11 years (Owino, 2005; Niko, 1992c). The *Daily Nation* circulation was 178,000 (Mwakikoti, 1992). The *Sunday Nation* circulation was higher. *Society* became a weekly in November 1991, having reached a monthly circulation of 30,000, to keep up with the pace of the activities leading to the multiparty elections at the end of 1992, the first since 1963 when Kenya attained independence from Britain (Owino, 2005; Niko, 1992c; Ogot & Ochieng', 1995; Throup & Hornsby, 1998; Kidane Mengisteab & Daddieh, 1999). *Society's* initial weekly circulation of 30,000 could not be sustained after January 5, 1992, when the government began intensifying its disruption of the paper's production and distribution by impounding 30,000 copies from the printing press.

In addition to my experience, I obtained extensive information from secondary sources, including books, newspapers, and the Internet. Among the documents examined were from ARTICLE 19, the Committee to Protect Journalists, Amnesty International, Reporters sans Frontières, and the International Press Institute. Three Kenyan daily newspapers—the *Kenya Times*, the *Nation*, and the *Standard*—provided important information. University of South Florida online library provided a useful channel to various newspaper archives, specifically the *New York Times* Historical database. Also useful were copies of dissertations from ProQuest Information and Learning Company, in Ann Arbor, Michigan. Political science books were particularly useful for they contained various political events and how the Kenyan press covered them.

Most of the Western and Kenyan journalists, who have written about Kenyan media, have concentrated on the mainstream newspapers—the *Standard* and the *Nation*,

founded by foreigners, who lived out of Kenya. Information on how these papers covered Kenyan politics helped to interpret the role of alternative press and the status of press freedom in the country.

This thesis can be described as a historical participant-observation and qualitative study because I took part, as a journalist, in the processes that led to political change. The study enabled me to look back, using my knowledge, memory, with the support of other people's observations, to analyze the role that *Society* played as part of the alternative media. I also did an extensive literature review that enabled me to include a number of other people's observations and experiences that not only support, highlight, supplement, but also provide an alternative perspective to my observations, analysis, and conclusions in this study.

I began this study by reviewing the history of Kenya and its press from 1895 when Kenya became a British protectorate, to 1992 when the country reverted to a multiparty political system, for the first time since Moi made it illegal in 1982. The review of that history looks into the struggles of the African press with the British settlers and the development of the Kenyan press after independence. This thesis is, therefore, as personal as it is factual. It is personal because of my direct experience in covering Kenyan politics from 1977 to 1992. First, I worked for the East African largest newspaper group, the *Nation* from 1977 to 1988, when I covered politics during the last of the 15 years that the first president, Mzee Jomo Kenyatta, ruled Kenya (Owino, 2005). I covered most of the functions of Kenya's second president, Daniel arap Moi. After leaving the *Nation*, I published *Society* for six years.

Background

The struggle for democracy began as early as the British declared the country a protectorate in 1895 (Scotton, 1971; Maxon, 1993; Maxon, 1989; Kenyatta, 1979; Trzebinski, 1986). That struggle led to the independence in 1963. When African rulers began interfering with that freedom as soon as it was achieved, the struggle for freedom resumed. In 1966, Vice President Oginga Odinga resigned from the government to lead the struggle for what many considered as Kenya's second liberation (Ogot & Ochieng', 1995; Throup & Hornsby, 1998).

On independence, the Kenya African National Union (KANU) took over power with its leader, Mzee Jomo Kenyatta, as prime minister and later president after the government amended the constitution to give Kenyatta more power as head of state (Edgerton, 1989). At independence, the country had several political parties, including the Kenya African Democratic Union (KADU), the second largest after KANU. The government and opposition leaders agreed to unite under KANU and to dissolve opposition parties.

Internal struggle among Kenyan politicians began soon after independence on December 12, 1963. Odinga and Kenyatta disagreed over land occupied by the British settlers (Ogot & Ochieng', 1995, p. 199). Odinga and his supporters wanted the government to allocate some of the land to Kenyans. One of the reasons Kenyans fought for independence was to regain their land from the British. During the Mau Mau rebellion, 13,000 Kenyans died fighting for independence (Mwakikoti, 1992; Edgerton, 1989). Killed also were 32 British civilians and 590 soldiers.

Kenyatta had apparently forgiven the British, who detained him for his leadership

in the Mau Mau rebellion, although he did not join other freedom fighters in the forest. The Kikuyu nationalist leader was “arrested as ‘evil genius’ behind Mau Mau on the day the state of emergency” was declared in 1952 along with other nationalists (Mwakikoti, 1992; Edgerton, 1989, p. ix; Ogot & Ochieng’, 1995). Kenyatta was released in 1961, ready to lead the African government in 1963. He reconciled Africans and Europeans although the British did not trust him initially. Kenyatta’s goal was to unite all the races, something he could not have achieved had his government removed the British settlers from the land they had already occupied (Fellows, 1965; *Times*, Special to The New York, 1964). The new African president wanted a nation where every race lived in peace. Kenyatta needed some time to come up with a sound policy for fair distribution of the national resources, most of which were in the hands of the British.

Odinga disagreed with Kenyatta because the nationalists had promised to settle the landless as soon as independence was achieved. Odinga resigned in 1966 as vice president and formed an opposition party, the Kenya People’s Union (KPU), and a large number of parliamentarians from the ruling party joined him (Kenyatta’s foes lose seats as parliament session ends. 1966; Fellows & *Times*, Special to The New York, 1965b; *Times*, By Lawrence Fellows Special to The New York, 1966a). Before Kenyatta and Odinga could settle their differences, a popular politician from Odinga’s western Kenya region was assassinated by Kenyatta’s tribesman, Nahashon Njenga Njoroge on July 5, 1969 (Goldsworthy, 1982; Mwakikoti, 1992; A Kikuyu accused in Mboya slaying. 1969; Apple & *Times*, Special to The New York, 1969).

Tom Mboya, one of the few politicians expected to succeed Kenyatta, was shot in Nairobi, and Kenyatta’s government was implicated (Lelyveld, 1969). Mboya was young

and charismatic. He was an orator and that made him, to Kenyans, what J. F. Kennedy was to Americans. Mboya's assassination by a man from Kenyatta's Kikuyu tribe worsened the unrest. Odinga and Mboya came from the Luo tribe, in Nyanza Province (Apple & *Times*, Special to The New York, 1969; Apple, 1969).

When Kenyatta visited Nyanza Province, he provoked a riot. Odinga's angry supporters stoned the president's motorcade. The president's bodyguards retaliated by shooting into the crowd, killing 43 people (Mwakikoti, 1992). Kenyatta blamed Odinga for the tragedy, banned KPU, detained Odinga and other opposition leaders, turning the country into a one-party state (International, 1969; *Times*, Special to The New York, 1969a). In retrospect, it proved to be a wrong decision for Kenyatta to visit Nyanza Province during that period. Kenyatta and his aides knew as much. The president apparently needed a good excuse to put Odinga away in detention. Although Kenyans could form opposition parties if they wished. The ban of KPU did not stop political competition among individual politicians (Ogot & Ochieng', 1995).

Kenyatta and the press

As details will show in chapter four, Kenyatta valued debate even on sensitive national issues, and he valued freedom of the press (Barton, 1979).

However, the mainstream press, which was owned by foreigners and controlled by British journalists, sided with the new African government leaders against government critics. There were two major newspaper groups at the time: the *Standard* and the *Nation* (Ainslie, 1967; Barton, 1979).

The *Standard* had, since its foundation in 1902, supported the interests of the British settlers (Ainslie, 1967). Whereas it continued to promote those interests, it also

began to support the new African government in power. Government critics and opposition leaders were not given any support. British journalists who were apparently scared of giving a forum to government critics controlled the *Nation*, which was founded to support the aspirations of the new nation. Although the *Nation* had African editors from the beginning, they could not take control of the paper because most of its journalists were British. Kenyatta was not challenged by the newspapers until after the mid 1960s after the *Nation* appointed George Githii as editor, as you will see in chapter three (Githii, 1971).

The movement for democracy that led to a new government after the 2002 elections began with student riots in 1978 (Ogot & Ochieng', 1995). In September 1979, Nairobi University students criticized the government for its decision to ban Odinga and three other former opposition leaders from contesting the general election. The government closed the university and banned the Nairobi University Students' Organization (NUSO) and the Academic Staff Union. Student leaders, including NUSO Chairman Tito Adungosi, were expelled. In 1980, following unrest at the University of Nairobi, the government impounded passports from university lecturers, including, Micere Mugo, Ooko Ombaka, Michael Chege, Mukaru Ng'ang'a, Okoth Ogendo, Atieno Odhiambo, Peter Anyang' Nyong'o and Shadrack Guto. Most of the lecturers fled the country and continued to fight injustice from abroad. Some of the lecturers, such as Nyong'o, have returned to Kenya. Others still live abroad. They include Mugo, who fled to Zimbabwe and later to the United States, where she is a university professor.

In June 1982, Moi accused some university lecturers of plotting "to arm school and university students to cause chaos in the country" (Ogot & Ochieng', 1995, p. 199).

The president named six lecturers. The lecturers, Al-Amin Mazrui, Edward Oyugi, George Mkangi, Kamoji Wachira, Willy Mutunga, and Mukaru Ng'ang'a were detained without trial. Some of the pro-democracy activists who escaped arrest went underground and formed *Mwakenya* group to continue fighting for democracy. They published *Pambana* (Struggle) newssheet, which the government declared seditious. The majority of Kenyans never saw *Pambana*. In 1982, the government began charging people with sedition for allegedly possessing the publication.

On June 2, 1982, Maina wa Kinyatti, a university lecturer, was charged with possession of a seditious publication and being a member of ...*Mwakenya*. He was convicted and sentenced to six years in prison (Ogot & Ochieng', 1995, p. 199). A student leader, Tito Adungosi, was convicted of similar charges and sent to jail for 10 years in September 1982. He died in prison six years later, and the public did not know about his death until years later. Kenyans suspected he was killed in prison. *Mwakenya* suspects claimed they were tortured to admit crimes they did not commit. *Mwakenya* trials were covered prominently by the mainstream media, which avoided anything that could offend the government. For example, when one of President Moi's closest allies and nominated member of parliament, Kariuki Chotara, was mentioned in one of *Mwakenya* trials, the editors at the *Nation* removed his name from the story, which amounted to self-censorship. The removal of the politician's name from the story only went to show how scary the Kenyan government had become for Kenyan editors after Kenyatta's death. It was during the *Mwakenya* trials and after junior officers at the Kenya Air Force failed to overthrow Moi's government that torture was introduced. Only one writer, the renowned Kenyan novelist, Ngugi wa Thiong'o, was detained for his play,

“which attacked the government’s policy towards the ‘wretched of the earth’” (Ogot & Ochieng’, 1995, p. 198).

Moi’s government, among other repressive moves, killed civil society, co-opting the Central Organization of Trade Unions (COTU); and a national women’s, organization, Maendeleo ya Wanawake Organization (MWO) (Ndegwa, 1996). The government deregistered university students and teachers organizations, and disbanded tribal organizations such as one formed by the Gikuyu, Embu, and Meru tribes, simply known as GEMA.

On August 1, 1982, junior Kenya Air Force officers tried but failed to overthrow President Moi’s government (Ogot & Ochieng’, 1995, p. 199). When the officers captured the government radio station, the *Voice of Kenya* (VOK), and announced that they had overthrown the government, student leader Adungosi joined other students to celebrate in the streets of Nairobi, and they were arrested. Adungosi was sentenced to 10 year’s imprisonment for sedition on September 24, 1982. Six other students were jailed for five to six years, and 67 others were held in 1982 but President Moi pardoned them in 1983. Adungosi “died in prison, on December 27, 1988, under suspicious circumstances” (Ogot & Ochieng’, 1995, p. 199).

The mainstream media reported some of what was going on in the struggle for democracy, but the newspapers were careful to avoid what could put them in trouble with the government. Court hearings were privileged, but the editors had to be careful to remove any adverse reference to government or ruling party officials. Self-censorship was the only way for the editors and their publications to survive under Moi’s government. At times, the editors carried stories hoping the audience could read between

the lines and interpret the message. As the end of the Cold War in 1989 approached with pro-democracy demonstrations sweeping Eastern Europe, a few individuals, including lawyers, politicians, and journalists, led the way in Kenya. Among them were publishers Njehu Gatabaki of *Finance* and Gitobu Imanyara of *Nairobi Law Monthly*. My wife, Loyce, and I published *Society*. These publications are credited with helping the pro-democracy movement in Kenya in the late 1980s and early 1990s, leading to the 1992 democratic elections. As chapter four of this thesis will show, observers and editors of Kenya's mainstream newspapers agree that self-censorship had prevented the mainstream press from giving a forum to pro-democracy advocates until after the alternative press came into the scene (Ochieng, 1992; Throup & Hornsby, 1998; Press, 2004). The three alternative publications provided that forum, and enhanced the democratization and freedom of the press (Press, 2004; Throup & Hornsby, 1998).

The following remarks by Throup & Hornsby (1998), supported by various newspaper reports, show how press coverage of the 1992 elections was influenced by *Finance*, *Nairobi Law Monthly* and *Society*:

In the 1980s, press freedom to criticize the government had vanished, but flourished again with far greater independence than ever before and after the introduction of multiparty politics. In 1992 a number of magazines emerged which were relatively unconstrained, and reflected a variety of political lines, generally hostile to the government. (p. 362)

The print media covered the elections extensively but unevenly, according to the National Election Monitoring Unit (Ndegwa, 1996; Throup & Hornsby, 1998). The broadcast media remained state controlled and partisan (Press, 2004; Throup & Hornsby).

The *Standard* and the *Nation* suddenly gathered courage and were the most important tools for the campaigns as they criticized the government for not providing security for candidates and voters, and for failing to stop ethnic violence against potential opposition voters. The *Nation*, with a daily circulation of about 188,000, was the fairest newspaper during the campaigns (Throup & Hornsby 1998). But that did not save it from the ruling party after the paper uncovered a scandal within the *National Social Security Fund*, a government-managed retirement plan. KANU incited vendors to burn copies of the paper, and *Nation* reporters and photographers were attacked by groups organized by the party, particularly the members of the Youth for KANU '92 (YK '92). The second largest daily, the *Standard* with a circulation of 75,000, identified with KANU because the policy of the paper's main shareholder, the British multi-millionaire businessman Roland 'Tiny' Rowland, was to support the government. The most vibrant publications were weekly newsmagazines, with the oldest being the *Weekly Review* founded in 1975 by a Kenyan, Hilary Ng'weno (Throup & Hornsby 1998):

On the other side of the spectrum lay several rabidly anti-government magazines, which sprang up in or had been liberated by the multi-party era. Almost all were associated with FORD-Kenya Young Turks. The main ones had been important gadflies in 1991—the *Nairobi Law Monthly*, Gitobu Imanyara's magazine, which had led the fight for multiparty democracy in 1990; Njehu Gatabaki's *Finance* and Pius Nyamora's *Society*. There was also the *Nairobi Weekly Observer*, which was founded in late 1992 by the managing editor of *Society*, Blamuel Njururi. These fringe weeklies were extremely popular in Nairobi among the educated elite, but had little circulation in the rest of the country. They were expensive by

Kenyan standards, costing roughly 40 shillings (about US\$1) per copy.

These publications pushed the state's tolerance to the limit, constrained less by libel laws than by the threat of retribution. KANU leaders, unused to criticism, reacted aggressively, and the journals experienced serious police harassment. The Office of the President directed that no public or private institutions should advertise in *Finance*, *Society* or the *Nairobi Law Monthly*, as they were anti-government. (p. 364)

Press (2005) and Owino (2005) are among others who share the view that *Finance*, *Society* and *Nairobi Law Monthly* were instrumental in Kenya's democratization and freeing the Kenyan press. The 1992 multiparty elections were the first since Kenyans attained independence from British in 1963 (*Times*, Special to The New York, 1963; *Times* Keystone, By Robert Conley Special to The New York, 1963). Now Kenyans refer to the 1992 multiparty elections as the country's second liberation, the first having been independence from Britain.

The need for the second liberation might not have emerged had the country's mainstream press, the *Nation* and the *Standard*, remained firm in upholding press freedom after Kenyatta banned the last opposition party in 1969. Even after banning the last opposition party, Kenyatta allowed debate among individual Kenyans including leaders and Kenyans could form opposition parties if they wished. Kenyans were free to elect leaders of their choice, even government critics (President Kenyatta opens world press assembly. 1968; Five ministers lose in Kenya election. 1969; Fellows & *Times*, Special to The New York, 1965c; *Times*, Special to The New York, 1969b). The press did not encourage debate fully because the *Nation* and the *Standard* excluded former

opposition leaders from political issues of national importance. The mainstream press did the country more disservice after President Moi restricted debate and legalized a single-party political system in 1982, making it illegal for any Kenyan to form an opposition party. The president went on to make sure other leaders did not have a voice other than his. At one of the meetings with the legislators, the president told them they did not have their own voice so long as they were members of the ruling party (Haugerud, 1995; Wamwere, 2002).

With a silenced press and no formal opposition, Kenyans suffered in silence. That silence began turning to a murmur from individuals such as university students, professors, lawyers, politicians, and church leaders from early 1980s (Press, 2004). Those murmurs provided a fertile ground for the emergence of publications to support the advocates of democracy.

Several authors have credited *Finance*, *Nairobi Law Monthly*, and *Society* for helping Kenyans to mobilize for political change (Throup & Hornsby, 1998; Owino, 2005). *Society* was the first Kenyan newspaper to venture into the world of political cartooning (Owino, 2005).

About 12 years after the first of Moi's cartoon appeared in *Society*, the mainstream media were free to use the president's cartoons without expecting visits from the police. Individual courage by the publishers of the three alternative publications helped Kenyan politicians to organize a mass movement to demand democracy (Press, 2004).

It took a decade for a few individuals to venture into publishing periodicals that made a difference after the government forced editors of foreign-owned local newspapers

to censor politically sensitive stories. The three publications, run by individual family members, *Finance*, *Nairobi Law Monthly* and *Society*, proved that small publications could help liberate a nation and promote press freedom.

By 2002, the people had undermined the dictatorship so badly that it could not stand, and a new government had to take over. A long and painful journey started by individuals and then joined by organizations and the public had come to a happy conclusion. That change might not have come as soon as it did without the participation of the media, especially *Finance*, the *Nairobi Law Monthly* and *Society*.

Chapter Two: Literature review

Although the number of books and other literature on African media have been increasing following the departure of colonial powers from the continent in the 1960s, little has been done specifically on Africa's alternative media. Only a few books are available on alternative media in South Africa and militant media in Nigeria. Out of the available books on the mass media, not many focus on African media specifically. Most have dwelt on freedom of the press, media and politics, or the press and democratization in general. Africa's alternative media get little attention in most of the literature, appearing mostly as afterthoughts. Much of the literature on the press in Africa consists of works of professionals such as journalists, political scientists, social scientists, lawyers and historians. Additionally, reports from Amnesty International (AI) and Human Rights Watch (HRW) give details of repressive moves by the government to silence opposition. These moves included detention of political opponents. The Committee to Protect Journalists (CPJ) reported the government's efforts to suppress the press.

University of South Florida libraries and online bookstores provided the study with eight books devoted specifically to African mass media, mostly on print media. The rest of the literature was found in Kenya. Most of the literature found in the United States was on topics such as media and politics, political science, human rights, and civil society. The earliest available literature is from the Western authors, including Ainslie (1967) Scotton (1971) and Barton (1979). Abuoga & Mutere (1988) and Ochieng (1992)

are Kenyan authors, both veteran journalists, who have been extensively cited by others. These Western and Kenyan authors have documented in depth the history and status of the media in Africa since colonial days, despite hardships in finding sufficient past copies of newspapers published by Africans. The authors discuss individual countries, and have done a thorough job particularly on the role of the pro-British settler press. Collaboration between Western and African scholars through international conferences has produced some admirable work (Hydén, Leslie, & Ogundimu, 2002)

Ainslie (1967), the first of the two earliest authors wrote that “until Africa is in uncontested control of its own communications, the struggle for full independence will not be won” (p. 7). When she made this statement, the British settlers still controlled the media in Kenya and used them to promote racial and economic discrimination against Africans, and the Indians who came from India to build the East African railway (Scotton, 1971; Abuoga & Mutere, 1988). There were hopes that once Africans took over political leadership, they would enable citizens to control the media. Ainslie (1967) would not have imagined that 10 years after her book was published, a fellow Westerner would contradict her as Barton (1979, p. ix) did with the following statement: “As political freedom came to the Continent, so did press freedom disappear.”

Barton (1979), a British journalist who got involved in media training in Africa for many years, saw African leaders take over from colonialists both political power and all the repressive means used to suppress the majority. The African leaders in Kenya, for example, expected the media to support them to suppress the majority—the people who put them in power. Because the media had been on the side of the British when they were in power, the new Africans who took over that power also expected the media to be on

their side. During the early post-independence years, the media remained under the control of the British settlers and white journalists (Abuoga & Mutere, 1988; Barton, 1979). The desire of the British journalists was to maintain good relationships with the new African leaders to continue enjoying their stay in the country. After independence, the British in Kenya did not know what to expect. Many did not want to return to Britain. That would have meant abandoning their privileges and comfortable lives in Africa. Most British journalists also felt they had to do whatever pleased the leaders to continue enjoying the country. That led to self-censorship among white journalists and editors. Non-British journalists, especially Africans got in trouble with their employers for giving positive coverage to critics of government and British settler policies.

The first non-British reporters to join the English daily, the *Nation*, were George Githii and Chota Karadia. They had problems having their work published. In June 1963, British journalists threatened to go on strike when Karadia, an Indian journalist, wrote a favorable review of *Mau Mau Detainee*, a book written by J. M. Kariuki, a popular African politician (Ainslie, 1967). The book glorified the bloody 1952 Mau Mau rebellion that took the lives of at least 13,000 Africans and 600 British, and forced the British to grant independence to the Africans. Fifteen years after the British journalists at the *Nation* protested against a positive review of Kariuki's book, Barton (1979) concluded that the Kenyan press, like that of Nigeria, was free. He, however, cautioned that although the press in Kenya was freer than London's Fleet Street, its future could not be guaranteed after the death of Kenyatta, the first Kenyan president. There were many others who could not tell what would happen in Kenya after Kenyatta (B. C. Mohr, 1975).

Scotton (1971), another Western author, has a comprehensive early work on the eastern African media of the colonial era. The title of Scotton's (1971) Ph.D. study is *Growth of the vernacular press in colonial East Africa: Patterns of Government Control*. The title is rather misleading, because Scotton (1971) has not only dwelt on local language publications but also those in the English language, including the *Nation* and the *Standard*, the two major newspaper groups in East Africa. Scotton (1971) has been cited extensively by many authors, including Abuoga & Mutere (1988) and Ochieng, (1992), who focused their books on Kenya with a few references to the other East African countries and former British colonies Uganda and Tanzania. The two Kenyan authors, Philip Ochieng and John Baptist Abuoga, based the contents of their books largely on their experiences in journalism and politics in East Africa, particularly Kenya.

Abuoga & Mutere (1988) examine the history of the Kenyan media from the colonial period, through the Kenyatta era (1963-1978), to within the first 10 of the 24 years of Moi's presidency. One of the authors, John Baptist Abuoga, worked for the nationalist press and the African trade union movement that was instrumental in mobilizing the local people to fight for their rights. He later worked for the *Standard* when the paper was a British settler mouthpiece. In 1958, about five years before independence, he joined the *Nation*, when it was still controlled by British journalists. He was the first African editor of, *Taifaleo (Daily Nation)*, the Swahili-language daily published by the *Nation* group, founded just before independence by the Paris-based leader of the Ismailis, the Aga Khan. Abuoga joined *Taifaleo* when an African had little influence on editorial matters of papers owned by foreigners and controlled by British settlers and journalists (Abuoga & Mutere, 1988).

Ochieng, the other Kenyan author, is a veteran journalist, who has worked in the three East African countries of Kenya, Tanzania, and Uganda, and whose reports, commentaries, and analyses often put him in trouble with repressive governments, editors and media managers (Abuoga & Mutere, 1988; Ochieng, 1992). Ochieng joined the *Nation* as a reporter in 1966, three years after Kenya attained independence. Since then he has worked for the *Nation* at several different periods. He served as the paper's chief copy editor and, later, as managing editor in 1980s.

Ochieng's controversial writings and editorial decisions forced him out of the *Nation* several times (Abuoga & Mutere, 1988; Ochieng, 1992; Owino, 2005). He often quit in protest against editorial interference. Occasionally, the editors forced him out to protect their jobs and avoid problems with the government. His career is marked with brilliant work and a number of police detentions in Kenya and Uganda. Ochieng reached the highest rank in journalism in 1988 when President Moi appointed him editor in chief of the ruling party newspaper, the *Kenya Times*, from where he retired in 1991 (Ochieng, 1992; Owino, 2005). While working for the *Kenya Times*, Ochieng's conduct gave credence to his own arguments and those of other Kenyan editors (Ochieng, 1992; Faringer, 1991) that media owners posed the worst threats to press freedom. He used his position in the paper owned by the ruling party, with which he never agreed, to attack anybody who criticized the party's policies and oppressive practices. To give him credit, Ochieng, also attacked some party and government leaders as well as members of parliament who frequently absented themselves from proceedings in the legislature (Owino, 2005). Ochieng, who maintains that there cannot be freedom of the press until basic human needs are met, says the major obstacles to journalism are overenthusiastic

editors and media managers who exercise self-censorship for selfish motives (Ochieng, 1992). He gives accounts of his experience especially at the *Nation* and the *Kenya Times*.

Abuoga & Mutere (1988) examine the history of newspapers in Kenya from 1895, after the coming of the missionaries when the press was controlled and influenced by British settlers and colonial administration, to 1988, at the height of the country's authoritarianism. The authors discuss how the colonialists and nationalists used the media to promote their interests, and discriminate against the African majority. While the colonialists used the media to delay or deny independence to the African majority, the nationalists used the media to mobilize the majority to fight for their rights as economic and political freedoms.

Another Kenyan contributor to literature on the media in Kenya is George Githii, former editor in chief of both the *Nation* and the *Standard* (Githii, 1971). In 1971, Githii, the most controversial and one of the bravest Kenyan editors, gave his assessment of the Kenyan press during President Kenyatta's rule. Githii, who served as editor in chief of the *Nation* during President Kenyatta's government, maintains that the first president valued freedom of the press. Githii gave various examples to explain why he thought Kenyatta valued free press. When Kenyatta was in power, Githii, as *Nation's* editor in chief, wrote an editorial attacking a law that allowed the government to detain people without trial. That attack sparked off a national debate, which the *Nation* covered liberally. Although some of the president's men were not happy with the editor, Kenyatta did not intervene. The *Nation* lost the battle because the public did not support it. During Moi's presidency, Githii launched a similar campaign at the *Standard*, where he was editor in chief. The first editorial was all he wrote before the newspaper fired him after

some government leaders complained (Faringer, 1991; Ochieng, 1992). Debate on detention without trial ended with Githii's departure from the mainstream press. Githii never launched his own newspaper after resigning from the *Nation* and the *Standard*, unlike the first *Nation* editor in chief, Hilary Ng'weno, who resigned and became the first indigenous most successful publisher after independence. His courage got him in trouble with the government (Barton, 1979; Njau, 1999; Ochieng, 1992).

After Ng'weno resigned from the *Nation*, he got into publishing, later launching a weekly newsmagazine, the *Weekly Review* that built its reputation for courageous coverage of politics. The *Weekly Review* has greatly contributed to the literature on the Kenyan media by being the best source of political events in Kenya from 1975, when the paper was founded, until 1979, when the government threatened to pull out its advertising support, forcing the editor to avoid publishing anything that could offend the government (Ochieng, 1992; Njau, 1999). In addition to the *Weekly Review* contributions, Ng'weno was one of the contributors of essays for a 1977 conference on The Third World Press Freedom, in which the editor warned that freedom of the press was under threat (Ng'weno, 1978).

Ng'weno, a Harvard graduate, became the editor in chief of the *Nation* at 25 (Barton, 1979; Njau, 1999). He joined a white Kenyan, Brian Tetley, to launch the most successful cartoon publication, *Joe*, which folded when Ng'weno left to set up the *Weekly Review* in 1975 (Owino, 2005). The editorial freedom exercised by Ng'weno's *Weekly Review* and Githii's testimony, about the two post independence governments, support arguments that Kenyatta, unlike Moi, respected press freedom. The *Weekly Review* was respected both in and out of Kenya. Many universities in the West, including the United

States, subscribed to it to learn about what was going on in Kenya and East Africa.

Ng'weno's publishing empire began to fade and collapsed after Moi became president in 1978. Ochieng (1992) and Njau (1999) suggest other factors contributed to the death of the *Weekly Review*.

Faringer (1991) is among the authors who have given a good account on the press in Kenya during and after independence, and agrees that the media play a crucial role in political change and economic development of any country.

The most recent studies that touch on the press in Kenya and Africa have been done by political science and journalism Ph.D. candidates. Of the six dissertations on Kenya, one is an in-depth study by an American political scientist on the political change in Kenya, and the role individuals such as alternative media publishers played in facilitating that process. Press (2004) did his study after working in Kenya as a correspondent of the *Christian Science Monitor* for seven of the eight years he lived in the country. His study supports the perception that Kenya's alternative media played a leading role in mobilizing the country for democracy.

The other dissertations that focus on Kenya are Mwangi (2003), Ole-Ronkei (1995), Opiyo (1994), and Owino (2005). And in his study on a suitable African media for a new democratic continent, Kareithi (1996), a Kenyan journalist and former publisher, examines the role of the mass media in Kenya and Zambia. He examines the performance of the media during authoritarianism and suggests how they should be organized to meet the needs of aspiring democracies. Mwakikoti (1992) documents freedom of the press in Kenya and five other former British Commonwealth African countries.

Various authors, including Barton (1979) and Faringer (1991) found similarities in the development of the press in Kenya, Ghana and Nigeria. They agree that the press in these countries were free in the first few years of independence. The two Ph.D. dissertations on Nigeria were done by Agbese (2004) and Kpalukwu (2002). Also on Nigeria was Malaolu's (2004) MA thesis on Nigeria's militant press.

Of the dissertations on Kenya, Owino (2005) examines the history and use of cartoons in Kenyan newspapers. He points out that post-independence Kenyan newspapers were afraid of publishing cartoons of political leaders until long after *Society*, founded in 1988, began publishing them. Ole-Ronkei (1995) looks at how the church and the media worked jointly and separately to promote democracy. Mwangi (2003) argues that the Kenyan media face many challenges such as educating citizens on the principles of democracy. That in turn, he argues, would enhance freedom of expression and of the press. Other literature examined for this study included Albright (1983) Atton (2002), Eshenaur (1985), McQuail (2000), Shoemaker & Reese (1996), Siebert, Peterson, & Schramm (1973), Switzer, Adhikari, & NetLibrary (2000), Tomaselli & Louw (2001), and Williams (2003).

Some of the books reviewed are on mass media theory. These included McQuail (1983, 1994, 2000), Pye (1963), Shoemaker & Reese (1996), Siebert et al (1973), and Williams (2003). In addition to theories on journalistic and organizational routines that affect mass media products, to understand the press in Kenya it helps to understand the various interpretations of hegemony particularly by Gramsci (cited in McQuail, 2000; Williams, 2003), as well as Siebert's four theories (Siebert et al., 1973). Gramsci does not agree with the interpretations that rulers impose their will on their people. Gramsci argues

that leaders agree with their subjects before making decisions. Gramsci made this interpretation of hegemony while in prison for a political crime, which makes his arguments suspect, say Fulcher and Scott (cited in Williams, 2003).

It is not common for people serving jail sentences for political crimes to issue statements that could prolong their jail terms. Italy was an authoritarian state when Gramsci contradicted the hegemony theory (Williams, 2003). People accuse authoritarian leaders of imposing their wills on the people all the time. For example, the Chinese have done that for years. Zimbabwe is Africa's best example today as President Robert Mugabe uses everything including violence to impose himself on the people. But it is impossible to imagine that Gramsci could have accused Italian leaders of imposing their will on the people while he was still in prison. In authoritarian states or environment, not all intellectuals have the courage to say what they mean especially when they are seeking favors from those in power.

During the height of authoritarianism in Kenya, for example, even the most principled editors such as Ng'weno, softened his stand against the government to attract advertising (Ochieng, 1992; Njau, 1999). Even Ochieng (1992), who had been for long a bitter government critic, changed his view of the authoritarian government in Kenya after President Moi appointed him editor in chief of the *Kenya Times*, the ruling party newspaper (Owino, 2005). Under Ochieng's (1992) editorship, the *Kenya Times* launched some of the most outrageous attacks against government critics including the press (Anonymous, 1993; Macharia, 1992). Ng'weno, who once was critical of a party newspaper, sold his newspaper, the *Nairobi Times*, now *Kenya Times*, to the ruling party (Ochieng, 1992).

Accounts on Kenyan democratization that help to understand the role of the Kenyan press can also be found in Hempstone (1997), who gives an account of diplomats' influence on Kenya's democratization. Ndegwa (1996), who has shown how the Kenya government destroyed civil society to weaken opposition; Ogot & Ochieng' (1995) and Throup & Hornsby (1998), who have given an overall picture of the political situation in Kenya and the role of the press. Smith Hempstone was U.S. Ambassador to Kenya during the late 1980s and early 1990s, the height of multiparty activism (Hempstone, 1997). He documents the role diplomats played to help Kenyans get out of authoritarianism. B. A. Ogot and W. R. Ochieng' are veteran Kenyan historians, who have written extensively on Kenya during and after the British rule (Ogot & Ochieng', 1995). Throup and Hornsby have done a commendable job on Kenya's contemporary politics and the role played by the media and non-governmental organizations. Ndegwa (1996) discusses one of the most important issues that affected sources of the Kenyan media. He argues that media in authoritarian states can benefit from activities of non-governmental organizations, including churches and professional associations.

In Kenya, for example, the media benefited from members of the Law Society of Kenya (LSK), who volunteered to represent political activists in courts (Press, 2004). In addition to helping people accused of political crimes, LSK members' representation in court created an avenue for the press to publish matters that could not have been published had they not been taken to court. Kenyan journalists had a constitutional right to publish proceedings in an open court, subject to the editors' decisions. The church, as part of civil society, provided another source that enabled the press to publish sensitive political issues. Churches, through individual leaders such as Bishop Alexander Muge,

and the Rev. Dr. Timothy Njoya, presented sermons that the media could not ignore (Throup & Hornsby, 1998; Press, 2004). The church leaders educated their congregations about the rights of citizens to replace authoritarian governments.

Church leaders critical of the government also suffered through government pressure. For example, Njoya was transferred from the Presbyterian Church of East Africa in Nairobi to a remote rural area because of his political influence on Kenyans in the city. He was a bitter critic of the Moi government and called for a change of government. Bishop Muge, another critic of the government, was killed in an auto crash after he disobeyed a warning from a cabinet member against visiting Busia, in western Kenya (Throup & Hornsby, 1998). The politician, Peter Habenga Okondo, who has since died, did not want the bishop to go to Busia to campaign against the government. The government ruled the auto crash that killed the bishop was an accident.

To understand the role of alternative media in Kenya, it is necessary to understand how the mainstream media—both those controlled by the government and the private sector—work. The mainstream media, which were themselves influenced by the Western philosophy of press freedom as well as colonialism, influenced Kenya's alternative media. The authoritarian problems that faced journalists in the West, as interpreted in mass society theory, are about the same problems journalists in Kenya and other African countries faced after independence. The situation in Kenya was closer to what prevailed in Western countries after the end of the 17th century, when laws such as sedition and treason were introduced to discourage the media from criticizing rulers (Siebert et al., 1973).

To understand Kenya's mass media, some of the key elements that should be examined are the country's colonial legacy, the role of European missionaries, the politics and elements of press freedom. It is also necessary to understand some cultural or traditional African factors that have hindered press freedom.

Definition of terms

Critical operative terms are defined for this thesis. Other terms not understood will be explained by footnoting if necessary.

The *Standard*: The *Standard*, the publishers of *Standard* newspapers or the newspapers themselves.

The *Nation*: The *Nation*, the publisher of the *Nation* newspapers or the papers themselves.

Mainstream press: The *Nation* and the *Standard* newspapers.

Kenya African National Union (KANU): Kenya's ruling party from 1963 to 2002

Kenya African Democratic Union (KADU): Kenya's official opposition party, which merged into KANU (*Times*, By Robert Conley Special to The New York, 1964).

Kenya People's Union (KPU): Opposition party formed in 1966 and banned in 1969, leaving Kenya as a one-party state.

Alternative press: *Finance*, *Nairobi Law Monthly* and *Society*.

Limitations

This study is not exhaustive. It is a qualitative study on Kenya's alternative press, but it is focused on *Society* magazine, one of the three key publications believed to have played a leading role in mobilizing Kenyans from a single-party system to multiparty democracy in 1992. The other two publications are *Finance* and *Nairobi Law Monthly*.

The study is limited to 1982-1992. Because no comprehensive study had been done on Kenya's alternative press, little information was available on the topic. Most of the limited information available on the early history and role of the press in Kenya originated from Western authors, whose sources include former officials of the British colonial government in Kenya, and archives and libraries in United Kingdom. Thus, the study could not find sufficient information from the African perspective to counterbalance the Western viewpoints.

The most serious limitation is poor records in Kenya on the country's newspapers. Owino (2005) narrates his frustrations in trying to find copies of Kenyan publications at the country's National Archive, the Kenya National Library and the Registrar of newspapers. During this study, I asked a friend to locate for me specific editions of the *Kenya Times*, a daily newspaper published by the former ruling Kenya African National Union party. It took her a whole day and visits to a university library, the *Kenya Times*, the National Archives, and the Kenya National Library to locate eight of the thirteen articles I needed.

Outline and chapter summary

Chapter One contains the outline and chapter summary of the thesis. It starts with the statement of purpose, explaining what the study is about and what its goals are. The chapter outlines the methodology and gives chapter outlines.

Chapter Two is the Literature Review.

Chapter Three contains discussions on the history of Kenya and the country's press from 1895 to 1992. The chapter covers three eras: Colonial rule and the administrations of presidents Mzee Jomo Kenyatta and Daniel arap Moi. The role of the

press is examined starting from colonialism, through President Kenyatta's administration to the end of 14 years of President Moi's 24-year rule.

Chapter Four is a discussion of Kenya's alternative press, with a focus on *Society* magazine, and examination, through secondary sources of two monthlies: *Finance* and *Nairobi Law Monthly*.

Chapter Five summarizes the thesis, and highlights the impact of *Society* on democratization and the mainstream press.

Chapter Two: Kenya's political and press history 1895-1978

To understand the Kenyan press, it is important to have a good background of its origin and role. Today's press has a lot to do with Kenya's past for various reasons, including the fact that one of the two largest newspapers in Kenya, the *Standard*, was the second independent publication to be founded in the country. It was launched in 1902 and has continued to influence journalism since that time. A good background of the origin and role of the Kenya press is particularly important because literacy is relatively new in Kenya, having been introduced after the first European missionaries arrived in the country in 1844. This type of background helps to increase the sources of information, about the Kenyan media, which are hardly available.

This chapter covers two main topics. The first is about the role of the press during the colonial period. The section contains discussions about the roles of three major types of newspapers, based on the races those newspapers served. Race was an important factor during the colonial period because of the British settlers' racial discrimination policies. Kenya had three major races. They were the British, the Africans, and the Indians. The Indians were brought from India by the British to build the East African railway and remained in the country as traders.

As will become clearer later in the chapter, the role of the British settlers' newspapers was mainly to facilitate the British farming and trade. The role of the Indian press, like that of the African press was to fight against racial and economic

discrimination, which was practiced by the British advocated by the British settlers' newspapers. The section also discusses newspapers published by the missionaries and the colonial administration. The British settlers and the Indians had newspapers from the beginning of the 20th century. Nationalist Harry Thuku published *Tangazo*, the first African newspaper, in 1921 (Scotton, 1971). Africans began publishing late because they lacked experience, resources, and education. Among the African publishers were Kenyan nationalists Kenyatta, Achieng' Oneko, and Oginga Odinga, who were educated by missionaries (Abuoga & Mutere, 1988; Owino, 2005). Even when they could publish, Africans faced stiff restrictions from the British settlers who feared nationalists' publications could mobilize Kenyans to demand majority rule.

In addition to the newspapers published by the various races, the missionaries and the colonial administration also published newspapers for various reasons. The missionaries used their newspapers to spread the gospel. Most of the papers that the colonial government published were targeted to Africans to counter propaganda against the British settlers. Discussions in the second section of this chapter cover the role of the press in Kenyan politics during President Kenyatta's presidency, starting from 1963 when the country attained independence from Britain to 1978 when Daniel arap Moi became president after Kenyatta's death, after ambitious Kikuyu politicians failed to change the constitution to bar Moi from automatic accession to power (Journal, By Richard R. Leger Staff Reporter of The Wall Street, 1978). During that period, Kenya was under a single-party rule. The two most important and influential newspapers at the time were the *Standard* and the *Nation*. Discussions on this chapter will overlap somewhat with those in chapter five.

British settlers' press

Newspapers came to Kenya after 1844, when missionaries from the Church Missionary Society of the Church of England set up a mission at Rabai, near the Indian Ocean (Owino, 2005; Scotton, 1971). The earliest publishers in Kenya were missionaries, British settlers, and Indians (Abuoga & Mutere, 1988). The *Standard*, founded in 1902 by Indian businessman A. M. Jeevanjee is Kenya's oldest private newspaper. It was the second major private newspaper to be established in Kenya (Ainslie, 1967; Barton, 1979). The first private newspaper, the weekly *East Africa and Uganda Mail*, was launched in August 1899 by Charles Palmer.

When Palmer launched his newspaper, the European settlers controlled Kenyan politics and the economy, and therefore, the press (Abuoga & Mutere, 1988; Scotton, 1971). Only the British settlers had the right to elect representatives to the National Assembly. Other races did not participate in government until 1944 when the colonial government appointed Eliud Mathu to the National Assembly as the first African representative (Ochieng, 1992; Ogot & Ochieng', 1995).

For publishers to succeed economically, they had to maintain good relationships with the British settlers. So it was not surprising for Palmer to declare that the *Mail*, would serve the interests of the settlers (Scotton, 1971). Palmer also adopted the settler's motto, "Light and Liberty" for his newspaper to leave no doubt that his editorial policy was to support the settlers. The settlers' main goals were to succeed in farming and other businesses. They spent about \$40 million from British taxpayers to build a railway to facilitate communication between the interior of East Africa and the Indian Ocean, the gateway to the outside world at the time. Serving the interests of the British settlers in

Kenya did not necessarily mean serving the interests of the colonial administration in the country or Britain's Colonial Office that handled British colonies. For example, while the British settlers practiced racial discrimination with such demands as seeking legal provisions for cheap African labor and segregated residential areas, the colonial administration in Kenya was always under pressure from the British government to discourage such practices. Just like Jeevanjee and Palmer, any publisher who wanted to succeed economically during the colonial days had to maintain a good relationship with the settlers. That meant supporting and advocating the settler's discriminatory demands, and thus having a poor relationship with the government, which did not always condone the settlers' discrimination against Africans and Indians. The settlers did not always agree with the colonial administrators and the British government. But the settlers, using their newspapers, often got their demands approved by the government. For example, the settlers forced the government to introduce taxes to facilitate cheap African labor.

In August 1904, the *Mail* died of Bankruptcy. With the *Mail* out of his way, Jeevanjee had to decide what to do with the *Standard*. In August 1905, Jeevanjee sold the *Standard* to two Englishmen, A. G. Anderson and R. F. Mayer, who signed a contract prohibiting the newspaper from ever publishing anything against Jeevanjee. Anderson and Mayer renamed the paper *Standard* and in February 1910 moved the newspaper 300 miles inland to Nairobi, the country's future capital that was becoming a major commercial center. Anderson and Mayer transformed the *Standard* from a weekly to a daily on May 24, 1910. In Nairobi, the *Standard* encountered another competitor, the weekly *Leader of British East Africa*, founded in Nairobi in 1908 (Opiyo, 1994; Barton, 1979; Ainslie, 1967).

The *Standard* began losing the battle when its new editor, A. G. Anderson, supported a government proposal to control land speculation and the amount of land the settlers could occupy (*Standard* cited in Scotton, 1971). The editor wrote an editorial proposing that the government share the huge sums of money the settlers received from land sale. The proposal infuriated the settlers, and some of them broke into the editor's home, took him to Nairobi River and threatened to drown him (*Standard* cited in Scotton, 1971). The settlers gave *Leader* Alexander Davis financial support to promote the *Leader* from a weekly to a daily to challenge the *Standard*.

The first daily *Leader of British East Africa* was out on July 15, 1911. In the same year, Davis had proposed that the settlers should have their own army to defend them from the natives. When the settlers could not find cheap labor for their farms, Davis proposed a tax to force Africans to seek employment (Abuoga & Mutere, 1988). Davis proposed that those who did not pay the tax be forced to cultivate five acres of land as a punishment. In 1913, the *Leader* attacked the British government for defending Africans against the settlers. When the *Leader* turned daily, Anderson realized the *Standard* could not survive if it continued to oppose the settlers' demands. The *Standard* changed its policy to support the settlers. As a result, the *Leader* lost the competition and was taken over by the *Standard* in 1923. The *Standard* did not encounter any competition until the leader of Ismailis, the Aga Khan, founded the *Nation* newspapers in 1960.

The *Standard* newspapers did not sympathize with Africans during their bloody struggle for independence (Ainslie, 1967).

Anyone who saw the *Standard* during the years of the Mau Mau rebellion (1952-1954) might have been forgiven for seeing it as an extremist settler mouthpiece. It

expressed all the white hysteria, all the angry settler demands for more and more repressive action by the Colonial Office, that made this the ugliest period in Kenya's history. (p. 101)

While the *Standard* was the most consistent and longest surviving colonial mouthpiece for British settler demands and interests, "the most lurid of the settler publications of those days, however, was *Kenya Comment*," edited by Alexander Davis (Ainslie, 1967, p. 101). The paper was a mouthpiece of a group of right wing settlers, led by the Speaker of the colonial Legislative Assembly, Sir Ferdinand Cavendish-Bentinck, who resigned on learning that the Africans would soon form the majority in the House. In 1958, the paper accused colonial Kenyan Finance Minister Ernest Vasey of trying to hand over the British settlers to Russia. The minister had said, "to anybody who believes in democratic principles, an African majority is inevitable" (Ainslie, 1967, p. 102).

The Indian press

Indians published small Gujarati and English-language weeklies in the first one-and-half decades of the 20th century (Scotton, 1971). The weeklies included *Samachar*, the *Indian Voice*, *Hindi Prakas* (Indian Light), and the *East Africa News*. Because most Indians were merchants, their newspapers were concerned not only with racial discrimination but also with taxation and public services (Scotton, 1971, p. 68).

After World War I, the Indians founded three dailies. The British settlers did not anticipate any threat from the Indian press until an Indian journalist, M. A. Desai, founded the *East African Chronicle* in November 1919 (Ainslie, 1967; Scotton, 1971). The paper fought for the rights of Indians and Africans. The *Chronicle* went out of business in 1922 after the court ordered Desai to pay \$10,000 in damages for publishing a

misleading story claiming that a legislator, Lord R. Berkeley Cole, had attacked the government. Desai's trouble may have had something to do with his support for African nationalists, including Harry Thuku, the publisher of *Tangazo* newsheet. *Tangazo*, the first African nationalist publication folded in 1922 after the government charged Thuku with possession of libelous publications and detained him for about eight years. The court action against Desai discouraged other Indian publishers from supporting Africans until Girdhal Lal Vidyarthi launched the *Colonial Times* in 1933. Vidyarthi voiced the demands and views of Africans and Indians. He was charged with sedition and jailed for 18 months for publishing an article accusing Europeans of robbing Africans of their land.

After World War II, a courageous Kenyan nationalist of Indian origin, Pio da Gama Pinto, emerged (Scotton, 1971; Ainslie, 1967; Barton, 1979). He edited another Indian-owned paper, the *Chronicle*, which the government banned with African papers during the 1952 state of emergency. Pinto was detained for seven years with Kenyatta and other African nationalists. After his release, Pinto edited Kenyan nationalists' Pan-African Press newspapers until 1965 when an assassin shot him. The *Chronicle* was the most successful Indian newspaper because of its consistence in fighting for independence (Abuoga & Mutere, 1988). "It was often accused by the white settler community and in certain Government circles of inciting Africans against them and some of its fire brand articles were not entertained in certain quarters" (p.40).

The *Democrat* weekly Editor Sitaram Achariar was more troublesome to the settlers than Desai. Achariar responded to settler newspapers' insults against Indians with his insults against Europeans. He was particularly offended by the *Leader*, which always claimed that Indians were "a threat to Western civilization" (Scotton, 1971, p. 172). He

got in trouble over a war of words over women. The conflict began when the *Standard* published a letter accusing Indian men of marrying girls when they were still children, and for mistreating widows. Achariar responded with an editorial charging that English women usually had one or two abortions before they married in church. Europeans were furious. Eighteen settlers accused Achariar of threatening public order, and called for his arrest. The court recommended that Achariar be arrested to protect him from angry Europeans, but Governor Robert Coryndon rejected the recommendation. He argued that the settlers' newspapers were more provocative than Achariar's. Most Indian papers of the 1920s and 1930s ignored African problems (Abuoga & Mutere, 1988; Scotton, 1971).

An exception was G. L. Vidyarthi's weekly *Colonial Times*, which promoted tribal and racial unity to combat settler policies. Despite government restrictions during World War II, the *Times* continued publishing Africans protests. The colonial government allowed Indians to continue publishing but banned all African publications when World War II broke out.

Manilal Ambal Desai's Gujarati and English-language *East African Chronicle*, founded in November 1919, was the first Indian newspaper to support Africans in their struggles for equal rights with Europeans (Abuoga & Mutere 1988). The paper published protests and demands from both Indians and Africans. Desai, an industrious and dedicated fighter for African and Indian rights, also helped to print African nationalists' publications. Colonial government officials did not favor Africans starting their own newspapers because they feared such publications could fuel conflict between Europeans and Africans (Ainslie, 1967; Scotton, 1971; Barton, 1979).

Missionary press

The coming of the missionaries to Kenya coincided with the birth of modern media in the West between 1890 and 1920, with the invention of newspapers, cinema and broadcasting (Williams, Curran and Seaton as cited in Williams, 2003). This was about the period when European adventurers were looking for new land. Africans know that period as the coming of European explorers and missionaries such as Dr. David Livingstone and Dr. Krapf to Africa. The media were introduced in the West to help people keep up with rapid modernization. With mass culture, it was not possible for people to communicate one on one, by word of mouth. Mass media came into being, forming part of the European culture that missionaries would spread in Kenya.

From 1895 when the Rev. Albert Stegal of the Church Missionary Society published the first issue of *Taveta Chronicle* quarterly at the Kenyan coast, missionary periodicals in English and local languages emerged throughout the country. Among the best known were the *Kikuyu News*, *Wathiomo Mukinyu*, and *Rafiki Yetu* (Scotton, 1971). The Church of Scotland Mission in Kikuyu printed *Kikuyu News* in Scotland. The Catholic Church published Kikuyu language monthly, *Wathiomo Mukinyu*. Like the *Kikuyu News*, *Wathiomo Mukinyu* was targeted to the Kikuyu tribe, who lost most land to the settlers. The Catholics published *Rafiki Yetu* for Kenyans who could speak Swahili, the national language.

The initial role of missionary newspapers was to spread the gospel. The papers got into social issues such as health and childcare, and eventually moved to politics (Owino, 2005). Protestants and Catholics used their publications to facilitate church education and to teach the congregation how to be healthy. The Catholics had more

publications than the Protestants, but did not get involved in politics as the Protestants did. The Protestant press championed limited rights for Africans, when the views of white settlers dominated the papers. Catholics found it safer concentrating on spiritual work and remained quiet on politics until it was safe to do so. Missionary newspapers censored what they thought was not in keeping with the gospel, and the Western lifestyles. For example, missionary newspapers avoided publishing anything the church felt could result in violence.

From its founding in 1908, *Kikuyu News* was sympathetic to Africans, but it was cautious in condemning racial and other forms of discrimination by the powerful European settlers (Scotton, 1971). The safest way to fight against those policies was to be indirect, as appears to have been the case when the first issue of *Kikuyu News* published a letter from a missionary at the Church of Scotland Mission in Kikuyu, Dr. John W. Arthur, to Europeans interested in working for the church in Kikuyu:

I want to disillusion you as to what the natives really think of you...they are pretty hard-headed individuals, and they think of you as the *muthungu* (stranger) who has come and stolen their land...The work you do for him gratuitously he takes as a matter of course; you are paid to do it, and therefore he doesn't see the need of his doing anything in return. (p. 44)

The letter exposed the conflict between the Kikuyu tribe and the British over land. Whereas the Kikuyu believed the British were stealing their land, the British settlers believed the Africans were too lazy to utilize the land. Although the settlers' discrimination was against Christianity, the Church of Scotland Mission in Kikuyu did not want to acknowledge that conflict (Scotton, 1971). After initial challenges to settler

policies, both Protestants and Catholics accepted “official government policy toward the Africans, whatever it might be” (Scotton, 1971, p. 44):

There were occasional forthright protests such as a September 1913 *Kikuyu News* article, which opposed forced labor and declared, “We do not agree that the native races were created simply for the benefit of the white man.” But such protests were rare and there was no general missionary effort to defend African land or native rights against the demands of the settlers until World War I.

By 1916 when the Catholic Church began publishing *Wathimo Mukinyu*, the Kikuyu were losing more and more of their fertile land to the British (Scotton, 1971). On June 1, 1929, the paper published a letter from a writer, presumably a European, who argued that people who complained about land instead of working on it were fools (*Mukinyu* cited in Scotton, 1971). The writer’s views were a direct challenge against the Africans who demanded their land back and those who protested against being forced to give cheap labor to the British settlers.

African newspapers

Kenyan Africans launched only three publications from 1920s to 1930s. Harry Thuku, a former compositor at the *Leader*, founded *Tangazo* national Swahili-language newsheet in 1921. H. M. Owiti edited *Luo Magazine* that appeared first in 1937, and served members of the second largest tribe in Kenya, the Luo, in Nairobi and Western Kenya. Kikuyu Central Association (KCA) launched *Muigwithania* monthly, which Jomo Kenyatta edited from the first issue in May 1928 to 1930 (Kenyatta, 1953; Scotton, 1971). *Muigwithania* targeted the largest tribe in Kenya, the Kikuyu, which lost most of their fertile land to the settlers from the beginning of European immigration into Kenya.

The three early African publications, like their founders and editors, advocated tribal and racial unity to combat racial discrimination and European domination.

Thuku used *Tangazo*, meetings, and congregations to preach African and racial unity. He was so popular that his arrest by the colonial police on March 14, 1921, attracted a crowd estimated at 7,000-8,000 Africans around a Nairobi police station where he was held (Scotton, 1971). Thuku was found guilty of possessing libelous publications and detained from 1922 to 1930. *Tangazo* could not continue publishing without him. Desai, who printed *Tangazo*, also got in trouble when a European settler's libel claim killed his newspaper, the *East African Chronicle* in 1922.

Some of Thuku's editorials in *Tangazo* attacked religious leaders and Kikuyu chiefs for collaborating with the white settlers and the colonial government, and described Kikuyu chiefs as "Judases" (Scotton, 1971, p.164).

Muigwithania (The Reconciler), published first in May 1928 was one of the most successful African nationalist newspapers in Kenya. Its first editor was Jomo Kenyatta, who became the first president of independent Kenya (Kenyatta, 1979; Scotton, 1971). The paper was published in Kikuyu language. Although the paper published sensitive anti-colonial propaganda, Kenyatta used parables to disguise sensitive information.

"In one issue, Kenyatta quoted a Biblical passage about strangers having come and taken the land, making the former owners slaves" (Scotton, 1971, p. 180). While the publisher, the Kikuyu Central Association (KCA) always got in trouble with the colonial government, *Muigwithania* was commended as "a monthly in Kikuyu, the contents of which have been for the most part quite unexceptional and deserving of much commendation" (Native Affairs Department report cited in Scotton, 1971, p. 180).

Muigwithania's most important role, like most other independent African publications, was to instill confidence among Africans that they could govern themselves.

Scotton (1971) quotes a European missionary as saying that *Muigwithania* circulation was higher than other African papers, which were edited by Europeans. At 12 cents a copy, *Muigwithania* was 6-12 times higher than the cost of other papers.

“*Muigwithania*, like Desai’s *Tangazo*... was popular because it challenged authority” (Scotton, 1971, p.181). In May 1940, the government accused KCA of subversion and banned it along with *Muigwithania*. The colonial administration also banned Luo Magazine, which avoided controversy, and other African newsheets when World War II broke out for fear Africans could take advantage of the chaos during the war to undermine the government.

The Saturday Evening Paper, a student newspaper, was among the first independent African newspapers to emerge after World War II (Scotton, 1971). The Alliance High School mimeographed weekly newspaper claimed in 1945 that Kenya was nearly as bad as South Africa in racial discrimination. The editors accused Europeans of barring Africans from going to other countries for studies. Among the paper’s first editors was Gikonyo Kiano, who became a member of Kenyatta’s first cabinet after independence. Alliance High School’s contribution to freedom in Kenya is related to the role of the missionaries in Kenya. The school was sponsored by protestant missionaries in 1926, and remains among the best public high schools in the country.

The most influential African newspaper to appear after World War II was *Mumenyereri* (He who looks after) monthly in Kikuyu language. The paper was launched in May 1945 by a locomotive driver, Henry Muoria and his wife, Ruth Nuna, according to

a colonial official report quoted by Scotton (1971). Vidyarthi printed the paper, which began as a six-page monthly pamphlet. The paper became a weekly within seven years, and had a circulation of at least 10,000, a printing press, and four full-time staff. Many called *Mumenyereri*, “the paper of Kikuyu patriotism” (Scotton, 1971, p. 334).

One of Muoria’s tasks was to refute British accusations that African nationalists were inspired by communists to get rid of the settlers. In a *Mumenyereri* editorial of May 1948, Muoria argued strongly about what was inspiring African nationalism (Abuoga & Mutere, 1988):

There are very few Africans in the country who know anything about Russian rule; therefore, it is not fair that Africans should be alleged to have an idea of a people from another country about which very little is known by them. Poverty is the cause of agitation. When people ask for more pay it is because their pay is not enough, and when people ask for more land, it is because they have no land. When people ask for the removal of the *Kipande*, it is because they have seen its drawbacks. When people ask for better housing, it is because they need it. Is that Communism? (p. 21)

Mumenyereri defied the harsh measures by the colonial government to silence African newspapers during the oathings that inspired the Mau Mau fighters to be ruthless in their style of killing their opponents or collaborators (Barton, 1979).

The Kenya African Study Union, started by Eliud Mathu who became the first African member of LEGCO, launched a Swahili paper, *Sauti ya Mwafrika*, after the war. Its first editor, Tom Mbotela, described as a moderate by Scotton (1971) was assassinated later. Details about the paper and Mbotela could not be found, suggesting the publication

was not popular among Africans or was too sensitive to the settlers and the colonial administration.

Ramogi, published in Luo language in Nairobi and Western Kenya by a government clerk, Achieng' Oneko, influenced young Kenyans to become nationalists. One of those who read the paper was Oginga Odinga, who became the first vice-president of independent Kenya, and the longest post-independence opposition leader. Odinga was among the top three Kenyans who led Kenya to independence. The others being Jomo Kenyatta, James Gichuru and Tom Mboya.

Another Luo paper launched in 1945 was *Nyanza Times*, for which Oginga Odinga bought a printing press. Odinga's press also printed other African language papers such as *Ramogi*, *Agikikuyu*, *Mumenyereri*, *Mwiathia*, *Mulivanosi*, and two Swahili papers *Mwalimu* and *Radio Posta*.

The most experienced African journalist at the time was *Mwalimu* editor Francis Khamisi (Scotton, 1971). Khamisi's experience was reflected in the Swahili-language paper's circulation of 10,000 copies in both Kenya and Tanganyika. Like all independent African papers, *Mwalimu* publishers had problems finding distributors willing to face the brutal retaliation from the colonial government and settlers. Another problem Khamisi had to deal with was disillusionment from Africans who felt *Mwalimu* was not critical enough against Europeans. That claim may have been justified because after the government launched *Baraza* in 1939 to counter anti-European propaganda, Khamisi was hired to edit the paper.

Radio Posta was often accused of sensationalism perhaps because its editor W. W. Awori always accused the Kikuyu and Kenyatta of promoting tribalism. *Uhuru wa*

Mwafrika (The African's independence) was published by Paul Ngei, a nationalist from the Kamba tribe, who was one of the young Kenyans who learned printing and journalism from Odinga's program to promote the African press. Odinga considered *Uhuru wa Mwafrika* the most radical independent African paper after World War II. "I wondered sometimes whether the government knew what was in these papers" (Odinga cited in Scotton, 1971, p. 337).

By November 1946, there were 17 independent African newspapers in Kenya with a total circulation of about 70,000. That frightened the British, prompting a member of the House of Commons to urge the colonial government in Kenya to take action against the native papers "in view of the somewhat subversive nature of some of these newspapers" (Scotton, 1971, p. 337).

Baraza, owned by the *Standard*, an advocate of settler interests, accounted for 25,000 of the 70,000 circulation partly because African journalists who knew the needs of African readers ran it. *Baraza's* success could also be attributed to its efficient production and distribution by the *Standard*, and the government's support. The paper was published in Swahili, the national language and could be read by Africans from different tribes. The most successful tribal newspapers, *Mumenyereri* and *Muigwithania*, were in Kikuyu language, and targeted the Kikuyu, the largest Kenyan tribe. The tribe regarded the two publications as the voices of Kikuyu nationalism. In April 1947, the *Standard* accepted a government proposal and an annual subsidy of \$50,000 to publish newspapers in Kikuyu, Swahili, Kamba, and Luhya languages to counter African nationalists' newspapers (Scotton, 1971). The government had found it difficult to control independent African newspapers using the sedition laws and the Book and

Newspaper Registration Ordinance (Scotton, 1971). The ordinance required publishers to register their publications and to submit annual returns of their firms.

In 1950, the Kenyan Legislature empowered the government to seize presses used to print seditious literature (Scotton, 1971). The new law reinforced the Kenya Laws of 1938 that defined sedition as the intention to “‘excite disaffection’ against the government or ‘promote feelings of ill will and hostility between different classes of the population of the Colony’” (p. 368). The old sedition law did not discourage African publishers and their Indian printers. But the new law that allowed the government to seize printing presses scared the Indian printers. They raised printing charges to cover the new risks, and refused to print any newspaper that carried anything they considered seditious or libelous. The higher printing charges and the requirement for self-censorship led to irregular production of such established papers as *Mumenyereri*, *Ramogi*, *Radio Posta*, and *Sauti ya Mwafrika*.

One of the consequences of this situation was the appearance of a ‘rash of small but intensely subversive newssheets,’ most of them mimeographed and in Kikuyu. The most notorious were *Inoro ria Gikuyu*, *Wiyathi*, *Mugambo wa Muembu*, *Africa Mpya*, *Wihuge*, *Kimuru*, *Gikuyu na Mumbe* (a small magazine), *Wasya wa Mukamba* (a KAU publication), and *Uhuru wa Mwafrika*, one of several Swahili publications of the same name which appeared in Kenya between 1945 and 1952 (Corfield cited in Scotton, 1971, p. 367).

Inoro ria Gikuyu was the most subversive of the new African publications, according to the colonial government. What was considered subversive included a 1952 cartoon portraying Europeans as greedy people, who ate everything and left Africans

stuffing; and five editorials published from June to July 1952 attacking Europeans. One editorial accused Europeans of coming to East Africa with a Bible in one hand and a gun in the other to steal African land. Another editorial urged Africans to fight. “Let us be proud that we are Africans and repay bad treatment with bad treatment and good with good. They are few, we are many. They cannot continually enslave us. Let us unite, fight for justice and against slavery. We are Africans and Africa is ours (Scotton, 1971, p. 368).

Hindi ria Gikuyu’s editors J. C. K. Kamau and Victor Wokabi and their publisher, V. G. Patel, were charged with publishing sedition and Kamau was sent to prison for six months for an editorial that said: “If we should want freedom we must prepare ourselves to buy it with blood and monies” (Scotton, 1971, p. 370). Kamau’s sentence was the longest an African publisher received during colonial rule.

Another African newsheet editor, Wilfred Kabui Kahura, was fined \$60 in 1952, when his paper, *Muramati*, published what it described as the words of a Kikuyu elder, after a meeting of Kikuyu elders, including Jomo Kenyatta:

“The Europeans are the knives and the black people are the meat; but the time will come when they become the meat and the black people will become the knives” (*Standard* cited in Scotton, 1971, p. 377).

The attorney general, in keeping with British government policies, resisted numerous demands from colonial government officials to prosecute African publishers. The British government discouraged interference with the press. Only nine prosecutions, mainly on sedition, were carried out from 1945 to 1954 (Scotton, 1971). Part of that policy was stated by Britain’s Attorney General Sir Hartley Shawcross in the British

House of Commons: “The legal definition of sedition might easily be used to assist to check a great deal of what is ordinarily considered allowable discussion, and would, if rigidly enforced, be inconsistent with the prevailing forms of political agitation” (Scotton, 1971, p. 372).

While European publishers were entitled to jury hearings, African publishers were not (Scotton, 1971). Perhaps because of jury hearings, *Kenya Weekly News*, the channel for extreme settler comments against Africans, got away without punishment after declaring that “African nationalists were communists and bent on driving the European settlers into the sea and murdering them if they refused to go” (Scotton, 1971, p. 378). Nothing was done to the newspaper after it published a letter from a European settler, Dr. Geoffrey Dunderdale, complaining that “government programs to improve the African were wasted since he [the African] was inherently primitive and basically savage” (p. 378).

African papers banned

When the government declared a state of emergency on October 20, 1952, it banned at least nine African newspapers and 43 newsheets within a week, including *Mumenyereri* and *Uhuru*, one of the most influential independent African papers of the period, which was published by the People’s Convention Party (Abuoga & Mutere, 1988; Scotton, 1971). *Uhuru* was revived after the emergency, and called for universal adult suffrage for Africans and “undiluted democracy and freedom NOW” and banned again in 1959 along with nationalist Argwings-Kodhek’s *Radi* that advocated “Africa for Africans” policy (Abuoga & Mutere, 1988, p. 23).

The 1952 emergency gave the government power to seize the printing presses that printed banned publications. By early 1953, there was not a single publication critical of the government. Journalists were among the 112,529 Africans the colonial government arrested by May 1954, and police and troops killed another 11,503 Africans by 1956 (Scotton, 1971). Had the fighting been reported freely, the British government might have ended the conflict before so many people died.

The government sponsored most of the 60 newspapers targeted to Africans by February 1954. Among the vernacular language papers that the government financed included *Ramogi* and *Kamha* in Luo, *Ngao* in Swahili, *Mulina* in Luhya, *Thome* in Kamba and *Kihoto in Kikuyu*. Because of tight government control, only two of the papers sponsored or subsidized by the government had sufficient readers to warrant their publication. The Africans did not need controlled newspapers. Only *Ngao* and *Ramogi* survived along with missionary publications targeted to Africans. *Baraza*, which was being published by pro-settler *Standard*, did well and its circulation reached 30,000 by the mid-1950s. The Indian-published Swahili weekly *Jicho* survived because it avoided controversy and politics. After March 1954 when the British colonial secretary, Oliver Lyttelton, announced plans of facilitating a multiracial government in Kenya, *Colonial Times* started covering politics cautiously. The papers avoided direct reference to the situation in Kenya. For example, in one of its first political coverage, the *Times* called on the United Nations to protect other races from Europeans. Using the privileges allowed when covering proceedings in the British House of Commons, the *Times* reported a plan by the colonial government to take land belonging to Mau Mau fighters to force Kikuyu women to provide public labor.

The *Times* began covering foreign problems such as racial discrimination in South Africa and the United States, indirectly implying what was happening in Kenya.

Africans did not appear interested in establishing newspapers once independence was imminent. A few African newspapers were launched after 1959, when KANU, the party that led the country to independence, started *Sauti ya KANU*, and KADU, the official opposition at independence, started *Nyota ya Haki* (Scotton, 1971; Abuoga & Mutere, 1988).

In 1961, nationalist Julius Gikonyo Kiano started Kikuyu language *Kirinyaga* and *Bendera*, published in both English and Swahili. Jomo Kenyatta's personal secretary and nationalist, Josiah Mwangi Kariuki, started a Kikuyu language weekly, *Agikuyu*, and the Kenya Federation of Labor launched *Mfanyi Kazi*. *Sauti ya Mwafrika* became part of the Pan African Publications supported by nationalists Jomo Kenyatta, Oginga Odinga, and Pio da Gama Pinto.

The colonial government's attacks on the settler press

Having wiped out the African press, the government unexpectedly turned to its European-owned newspapers. "The strongest move by the government to silence its European critics came when it banned the weekly magazine, *The Independent* on the grounds that it was 'harming race relations'" (Scotton, 1971, p. 386). The editor and owner of the newspaper, E. L. Howard-Williams, was a legislator and leader of the settlers.

Howard-Williams had bought the *Kenya Comment* and changed its name to *The Independent*. Before he bought the paper, he had a column in which he urged Europeans to resist any move by the British government to grant independence to Africans. In a

1957 column, Howard-Williams said:

Of one thing we can rest assured, the Europeans here are either going to set up the colony as the brightest jewel in the Queen's crown or go down fighting her enemies, which are at the moment weakness and lethargy, whence could come an appointment with death in the grand manner. (Scotton, 1971, pp. 386-387)

In one of his columns before he bought *The Comment*, Howard-Williams had called for "an atomic 'show down' between...Kenya's European settlers and the 'colonial dictatorship which rules us'" (Scotton, 1971, p. 386).

Another European critic of the colonial government to get in trouble was the editor of the *Kenya Weekly News*, Mervyn Hill, who was fined \$1,300 for criticizing suggestions that Kenya should become a multiracial state.

After the state of emergency ended in January 1960, the government proposed legislation requiring any publisher to deposit \$1,200 before they could be allowed to publish. The money would cover fines in case the publishers committed libel. The legislature approved the proposal despite opposition from African and European legislators.

Supporters of the legislation, including a well-known settler and legislator, Michael Blundell, argued that mixed communities with inexperienced political leaders should be protected from irresponsible newspapers. Opponents of the legislation included Howard-Williams, argued that a publisher could suffer greatly for mistakes such as sending a wrong number of copies of their publications to the registrar. Mboya and Oginga Odinga, representing African views, saw the legislation as a conspiracy to protect established publishers, mostly Europeans, from new African publishers.

The law came into force after the colonial government had banned, or driven out of business, all newspapers owned and managed by Africans, but allowed foreigners to continue publishing. The most powerful and influential newspaper group at the time was the *Standard*, which published *Baraza* in Swahili language. Indians were publishing *Jicho*. In 1960, three years before independence, the Paris-based leader of Ismailis, the Aga Khan, founded the *Nation*, which is now the largest media group in Kenya. The group published *Nation* and the *Sunday Nation*, both in English; and *Taifaleo*, in Swahili.

The editors of the papers that were allowed to continue publishing had to avoid attacking the government directly. Some editors got away with attacking Kenyan government policies indirectly, and by attacking similar policies in other countries such as racial problems in the United States and apartheid in South Africa.

British imperial mission in Kenya

The British mission in East Africa, particularly in Kenya, was to build a British empire “to support the indefinite rule of a tiny minority of Europeans over millions of Africans” (Scotton, 1971, p. 96). The British settlers were determined to deal with anything that might hinder this mission.

According to Barton (1979), African majority rule in Kenya was delayed partly because of “lack of a virile nationalist African press” and because of “the resistance to African nationalism by the white-owned press, representing not the Whitehall attitude but the settlers’ viewpoint: ‘What we have we hold’” (p. 71). “White-owned newspapers in East Africa “were from the beginning vehicles for the culture and concepts of the rulers, with considerable resources of white capital at their command” (Ainslie 1967, p. 99).

Kenyan newspapers after independence 1963-1978

When Kenyans gained independence in 1963, foreigners owned and controlled the only two main newspaper groups in the country—the *Nation* and the *Standard*. The *Nation*, founded in 1960, published the *Daily Nation* and the *Sunday Nation*, both in English; and *Taifaleo* daily in Swahili. The *Standard* published the English daily *East Africa Standard* and the Swahili weekly *Baraza*. The colonial government had banned African-owned newspapers during the 1952 state of emergency to combat Mau Mau freedom fighters. The government had also introduced restrictive laws to discourage printers and African publishers. Besides government constraints, the Africans did not seem interested in publishing newspapers when they saw independence coming. They had associated newspapers with weapons to fight colonialism (Scotton, 1971). The British were about to be replaced by an African government to be led by nationalists, who led the struggle for independence. The nationalists knew the needs of the people, so Africans saw no need for newspapers.

Pan-African Press was the only African publisher around when Kenyans attained independence in 1963. The company published Pan Africa fortnightly, *Sauti ya Mwafrika* weekly, and *Nyanza Times* (Ainslie, 1967). After his release from the seven-year detention for his nationalism role against the British, Pio da Gama Pinto, edited the Pan-African Press newspapers until his assassination in February 1965. Without Pinto, the papers could not continue publishing. Pinto was running the papers with little financial

support and few staff. President Jomo Kenyatta was one of the original Pan-African Press shareholders, who included his daughter, Margaret Kenyatta, and Vice President Oginga Odinga.

The leaders did not encourage Kenyans to get into newspaper publishing although, as Ainslie (1967) says, they knew that lack of competition for foreign owned and controlled *Nation* and *Standard* would lead the two big groups to continue “blundering along, with political ineptitude that on occasion amounted to sheer contempt for African opinion” (Ainslie, 1967, p. 112). It was that type of contempt that led to a June 1963 incident where white journalists threatened to resign from the *Nation* if an Indian reporter, Chota Karadia, was allowed to continue writing a favorable review of a book authored by a popular Kenyan politician, whom the white settlers did not like. The white journalists put pressure on the *Nation* to assign a different writer, presumably white, to review Josiah Mwangi Kariuki’s *Mau Mau Detainee* that documents Kenyans’ struggle for independence. Karadia was one of two non-white staff working for the *Nation*’s English-language newspapers. The other was an African reporter, George Githii, who left to study in Britain and later became *Nation*’s editor in chief.

Unlike the *Nation*, which was founded in 1960, the *Standard* had a serious colonial image to overcome. Since its founding in 1902, it had served as the most loyal advocate for colonialism. The newspaper was from the beginning a vehicle “for the culture and concepts of the rulers, with the considerable resources of white capital” at its command” (Ainslie, 1967, p. 99).

***Standard* struggles to discard colonial image**

Standard directors realized a few years before independence that their paper

would lose competition to new publications if it did not change its racial discrimination policy before Kenya became independent in 1963 (Ainslie, 1967). The editors were told to treat every race with dignity, but the *Standard* was slow in changing its colonial policy. According to Abuoga & Mutere (1988), the paper began changing after Kenneth Bolton became editor in 1956, three years after he joined the *Standard* as assistant editor. Abuoga & Mutere (1988, p. 32) say that the British editor was a “farsighted person who saw the need to play down the racial bias and start recruiting Africans into editorial positions.”

Bolton’s efforts to shed of *Standard*’s racist image won him the Commonwealth Award in Journalism and a British Government O.B.E. (Order of the British Empire) for impartiality. Achieving the award was not an easy fit for Bolton. Unlike his counterparts at the *Nation*, he had to satisfy the white settlers, who had controlled the *Standard* for more than 60 years, and to assure the new African leaders who were still suspicious of the *Standard*. One of the most powerful Kenyan politicians and minister for justice in the first independence cabinet, Tom Mboya, was one of the leaders who hated the *Standard*. And he was, obviously, talking about the *Standard* when described the colonial Kenyan press as “a pretty tawdry advertisement for so-called British fair play” (Barton, 1979, p. 73).

The *Standard* ‘s record was not honorable, according to Barton (1979), who says it was “to the enormous credit of the first generation of African nationalists who came to power in East Africa in the early nineteen-sixties that they did not close down the three leading dailies of Kenya, Uganda and Tanzania” (p. 72). The *Standard* was publishing dailies in Tanganyika (Tanzania) and Uganda. Barton attributes the survival of the

Standard to the shrewdness of Bolton, “whose dexterity developed the *East African Standard* in Nairobi from being the mouthpiece of the White settlers of the territory to being the newspaper of the new Black establishment.” Later discussions on press freedom in Kenya reveal that Bolton had engaged in self-censorship to appease the black leaders (Barton, 1979), and that may be why he survived as *Standard* editor from 1956 to 1973 when he died. He remains the *Standard*’s longest serving editor since his death. Bolton’s close friendship with Kenya’s Attorney-General, Charles Njonjo, helped to discourage attacks on the editor.

Bolton had another protection from having dominantly European journalists who identified with white settlers. These journalists were also cautious to avoid stories or anything that could have them deported, as happened with one of Bolton’s assistants, Eric Marsden. Despite its change of policy, the *Standard*’s editorial staff for the English-language newspapers remained dominantly white for several years after independence. On the other hand, the Swahili-language weekly *Baraza* had an African editor, Francis Khamisi, appointed in 1961, and dominantly African journalists, who were free in writing political stories than their counterparts on the English-language newspapers. African journalists were willing to take risks knowing they could not be deported (Ainslie, 1967).

The *Nation* builds on its fresh image

Unlike the *Standard*, the *Nation* did not have a negative colonial image to cast, having started the English-language *Nation* and *Sunday Nation*, and the Swahili-language *Taifaleo* in 1960, just three years before Kenya became independent (Ainslie, 1967). Because of its clean past, the *Nation* had no problem attracting the few good African journalists.

As early as 1960, when the Paris based leader of the Ismailis, the Aga Khan, founded the *Nation* and declared that the paper would serve all races and religions fairly, he attracted at least 13 well-known top journalists from other papers (Abuoga & Mutere, 1988). They included Henry Gathigira, Boaz Resa Omori, George Githii, James Jura, Joram Amadi, Caleb Akwera, Omari Chambati, Bob Muthusi, John Bierman, Jack Beverly, Ron Jones, Chotu Karadia, and John Baptist Abuoga. Of the above 13 journalists, 10 were Africans, three were Europeans, and one was an Indian. Out of the 10 African journalists listed above, says Ainslie (1967), only Githii worked for the English-language *Nation* papers. The rest worked for the Swahili-language *Taifaleo*, edited by an African editor, John Baptist Abuoga since it was founded in 1960 (Abuoga & Mutere, 1988). *Taifaleo* staff, like those at the *Standard's Baraza* Swahili weekly, were dominantly African. Of the 10 first African journalists to be recruited by the *Nation*, at least seven became editors. Githii, Omori, and Gathigira became editors in chief.

In 1964, the *Nation* hired its first African editor in chief, Hilary Ng'weno, a nuclear physicist graduate from Harvard, with no experience in journalism. He trained on the job. By the time Ng'weno joined the *Nation*, the newspaper was already discouraging journalists from writing politically sensitive stories from government critics or against powerful politicians. The journalist had to be particularly careful in dealing with stories about Oginga Odinga, Josiah Mwangi Kariuki, or their allies.

Ainslie (1967) points out that when Ng'weno arrived, the English-language *Nation* papers, with dominantly white and foreign journalists, were struggling like their *Standard* white colleagues to avoid offending powerful government. Like Bolton and his white staff at the *Standard*, the *Nation's* white journalists embarked on self-censorship to

avoid deportation or other types of retaliation from the government or white settlers. The European journalists had to be particularly careful during the early period of independence. That may be one of the reasons why the assassination in February 1965 of the editor of Pan-African press newspapers, Pio da Gama Pinto, does not seem to have had the kind of press coverage it deserved. According to Barton (1979), Pinto was assassinated in the aftermath of the struggle for power between the two groups in the ruling Kenya African National Union. Pinto was a courageous journalist and nationalist, and his death scared political dissidents and journalists.

White journalists at the *Nation* seemed to have sensed risks they were facing when they forced their editors to stop the Indian reporter, Karadia, from writing a favorable review of *Mau Mau Detainee*, a book about the courage and sacrifice of Kenyan freedom fighters. More than 13,000 Africans (most of them Mau Mau fighters), and 32 British civilians and 590 soldiers died in the fighting (Mwakikoti, 1992; Edgerton, 1989). Karadia seems to have been the only journalists, on the *Nation's* English-language newspapers, to take a risk that early.

While the English-language newspapers were avoiding covering government critics, *Taifaleo* staff were looking for those critics for stories since the paper was founded in 1960. But that freedom was not going to last for ever. The *Nation* would neither allow the journalists to give a forum to government critics nor would the paper allow the journalists to write stories about attacks on powerful politicians or government leaders. Among the first victims of *Nation's* apparent policy to appease the government was *Taifaleo* Editor John Baptist Abuoga. The *Nation's* only African editor, at the time, was fired for running a story in which it was claimed that two prominent political leaders

had conspired with the colonial government to continue detaining Jomo Kenyatta, who was being held for his role in the 1952 Mau Mau rebellion (Abuoga & Mutere, 1988). The two politicians, James Gichuru, president of the ruling party, Kenya African National Union (KANU), and the party's secretary general, Tom Mboya, had threatened to sue the newspaper for libel unless Abuoga was fired. Had Abuoga been a white journalist, he would perhaps have been deported in addition to losing his job. The *Nation* founder anticipated the type of trouble in which Abuoga found himself.

Michael Curtis, a British journalist, who helped the Aga Khan set up the *Nation*, told the International Press Institute meeting in 1961, two years before independence, that pressures on journalists would rise after independence because of inexperienced African politicians. With this type of thinking, *Nation* editors might have been instructed to buy time by carrying out self-censorship until African leaders were experienced enough to understand the role of the press. The *Nation*'s African journalists pressing for press freedom, as demonstrated by the first African editor's handling of a civil war in Congo, which involved Belgians paratroopers, and in which thousands of Africans died (Barton, 1979). This was Ng'weno's first challenge. While the Western media were concerned about the fate of Belgian and American missionaries, Ng'weno had the courage of giving the African perspective of the story, representing the views of the Congolese people although the *Nation* was Western oriented and was dominated by white staff and managers. The editor in chief's position at the *Nation* was a hot one. Ng'weno resigned within two years and joined another Kenyan to publish a cartoon magazine.

Meanwhile at the *Standard*, by 1965 concerted efforts were being made to reflect African preoccupations. The English remained cautious, "to align themselves firmly

behind the President; but *Taifaleo*, rather interestingly, since its readership is the highest of the three (nearly 40,000 daily) and almost entirely African, has tended to support the ebullient and left-wing Vice-President Odinga” (Ainslie, 1967, p. 106)

To control the African staff, the government contemplated buying the *Nation* group soon after independence (Ainslie, 1967). That move was abandoned perhaps because the English-language newspapers were doing what a government paper could have done by encouraging self-censorship (Barton, 1979). As long as no serious conflict between press and official policy occurred, it was unlikely that government would “wish to incur the tremendous burden running its own daily paper” (Ainslie, 1967, p. 106). According to Ainslie (1967), the appointment of a new African editor, George Githii, in mid-1965 was anticipated to bring the *Nation* closer to the African political leadership. Githii, who had worked on the *Nation*, had been private secretary Prime Minister Jomo Kenyatta after Kenya achieved internal self-rule in June 1963; and then Personal Assistant to President Kenyatta after Kenya became a republic in 1964.

Kenyatta tolerated press freedom

Githii was not about to get too close to the African leadership, for reasons best summed by Barton (1979, p. 77). Githii was “certainly the most controversial newspaperman in Black Africa,” says Barton. “Githii, a colorful blend of philosopher, academic and newspaperman, was above all a free-thinker.” Githii was the man who showed Kenyans journalists how far they could go in challenging the government to make it accountable to its people.

One of his first challenges to Kenyatta’s government was his campaign against a constitutional amendment that gave the president more power including detention of

political opponents without trial. Kenyatta's government had not been tested by any newspapers until after Githii became the *Nation's* editor in chief. Githii's task was to use editorials to campaign against the law, which gave the president power to detain political critics without trial. It is that law that allowed Kenyatta to detain his former vice president, Oginga Odinga with his allies without trial. Githii's editorials sparked off a heated debate and annoyed Kenyatta's close allies. Because Kenyatta had not said anything about the debate, Githii went to find out what the president's views were (Githii, 1971). Kenyatta's reaction was, "Those were your views; now remember to print ours" (p. 63).

Personally, I found President Kenyatta very, very tolerant...

In yet another campaign, questionable practices by a minister were involved. A judicial commission was appointed, the minister was suspended, and the findings justified the campaign...

This is a reference to corruption allegations against Commerce and Industry Minister Julius Gikonyo Kiano. Githii's other campaign while at the *Nation* as editor in chief was against importation of an expensive car for the mayor of Nairobi.

My newspaper opposed the importation of a Rolls-Royce by the then mayor of Nairobi on the ground that profligacy might be the prerogative of princes (this too often contested) but is certainly never the prerogative of public servants. President Kenyatta eventually reacted by banning the importation of the Rolls-Royce from Britain as an official car for a mayor.

I found the president as tolerant to honest journalism as any statesman can be. He seemed willing patiently to promote the evolution of values and

institutions. I can say truthfully that, from the perspective of political press freedom, I was as free as any editor could be, bearing in mind the limits of the law, the limitations of my own knowledge, and other matters. I dare say many will look back upon this period as the golden days of press freedom.

(Githii, 1971, p. 64)

In another of Githii's numerous attacks on those in power, the editor wrote a strong editorial entitled, "Language of Elections: Trash, Politics and Nonsense" against Kenyatta's powerful Foreign Minister Njoroge Mungai during an election campaign (Barton, 1979, p. 79). The editorial was seen as trying to belittle the minister. The *Nation* publisher, who lives in Paris, sent a representative to Nairobi to apologize to Mungai. The newspaper carried an editorial to explain that Githii's article was not intended to belittle the minister. The *Standard*, which was losing competition to the *Nation*, saw the apology as an opportunity to tell Kenyans that the *Nation* was not as free as they had come to believe because it was controlled from Paris by its sponsor, the Aga Khan. A *Nation* representative issued a statement dismissing the *Standard* story, saying the Aga Khan, the publisher, did not interfere with editorial policies of the *Nation*. He suggested the *Standard* story was a desperate attempt by that newspaper to tarnish the integrity of the *Nation*.

In 1976, Githii was confronted by Police Commissioner Bernard Hinga for serializing the book, *Operation Thunder*, about the Israeli commando raid on Uganda's Entebbe Airport to rescue passengers held aboard by gunmen. *Kenyan Weekly Review* reported that when Hinga arrested and ordered Githii to stop serializing the book, the editor instructed an attorney to sue the government for wrongful confinement. Githii

matched on unmoved by threats from some government leaders and a few shaky Aga Khan *Nation* representatives in both Paris and Nairobi.

Githii ended his stormy editorship of the *Nation* with a bang, when he declined to retract an editorial calling for investigations of leaders of Bhora, which belongs to the same Islamic sect as Aga Khan's Ismailis. Tanzanian government had accused Bhora leaders in that country of persecuting dissidents, by denying them jobs and business. Senior Aga Khan representatives in Nairobi wanted Githii to retract the editorial, which they viewed as an attack on the Ismailis and an embarrassment to their leader, the Aga Khan. Githii resigned, saying, "My conscience and my principles are not for sale" (Barton, 1979, p. 94).

Kenyatta government's sensitivity on political assassinations coverage

It is not clear how the *Nation* avoided serious trouble in the coverage of the assassinations of two prominent Kenyan politicians, Tom Mboya in 1969 and Josiah Mwangi Kariuki in 1975. Githii's credibility was questioned after he wrote a misleading story about Kariuki's assassination, allowing the *Standard* to beat the *Nation* for the first time in about 10 years. The *Standard* celebrated the *Nation*'s mishap, which came about six years after a deputy editor at the *Standard*, Eric Marsden, was given an hour to pack and leave Kenya.

For strange reasons, which could only have been self-censorship, the *Nation* escaped the serious trouble in covering the assassination of Mboya in July 1969 and its aftermath (A Kikuyu accused in Mboya slaying. 1969; Edgerton, 1989; Ogot & Ochieng', 1995; Throup & Hornsby, 1998; Dispatch of The *Times* Special to The New York, 1969a). The *Standard* could not escape trouble despite the editors' efforts to censor

stories concerning the assassination. The assassination was the first most serious challenge to Kenyan African journalists. From the moment Kenyans learnt of the death of one of the most loved politicians in Kenya, they believed the young, charismatic man was killed to stop him from succeeding President Jomo Kenyatta. The killing had tribal overtones and was sure to spark off tribal conflict between the Kikuyu, Kenyatta's tribe, and the Luo, Mboya's tribe. Journalists needed more than ordinary courage to sustain press freedom because their performance was being watched by the government, senior political leaders, and the ordinary citizens.

The Kikuyu embarked on oathings similar to those that inspired the tribe's freedom fighters to be ruthless to the British and their collaborators during the Mau Mau rebellion. This time the oathings were intended to unite the Kikuyu to protect the presidency, held by Kenyatta, whose government was alarmed by the unrest Mboya's death was causing in the country. This was also the worst time for Kenyan journalists.

A British journalist, Eric Marsden, was acting editor of the *Standard* (Barton, 1979). He was cautious at every stage to ensure stories on the assassination and its aftermath did not have anything that could put him and the *Standard* in trouble. Oathings presented the most interesting, but risky stories, which the *Standard* published on the inside pages. But after a mutilated body of an African lay priest was found, showing signs reminiscent of Mau Mau killings during the struggle for Kenya's independence, an assistant cabinet member called a press conference to condemn the oathings.

The reporter who attended the press conference worked on the story carefully and passed it over to Marsden. The editor removed everything he thought was sensitive, including names of prominent people and places, from the story and put it on the front

page on September 26, 1969. Marsden was in trouble. The police picked him up and two other white journalists—one from the *Standard* and the other from the *Nation*—gave them one hour to pack before they were driven to Nairobi International Airport and put on a flight to London. Marsden returned to Kenya three weeks later, after the British government intervened with the assistance of Bolton, the influential *Standard* editor. Marsden might have treated his deportation as a minor hazard of journalism. When he returned to Kenya, he began receiving threats on telephone at night, but hoped they would stop with time. But when he came face to face with a corpse in his front yard, he knew it was time to leave the country with his wife and children (Barton, 1979).

Another experienced British journalist, Frank Young, who had worked in South Africa, Rhodesia (Zimbabwe), and Zambia replaced Marsden as deputy editor under Kenneth Bolton. The veteran and respected editor, who knew what was safe to publish, died in 1973, leaving his hot seat to Young. The new editor spent part of his time answering telephone calls from government officials either complaining about how the *Standard* had used stories and photographs on President Kenyatta. Young never took those calls seriously. Not even the one from a government information official who threatened the editor that he would be hearing from the Special Branch. A mention of “Special Branch,” Kenya’s political police, was a cause to worry. It was worse after President Kenyatta’s death because suspects of political crimes were taken to Nairobi’s Nyayo Torture Chambers, where they were forced to admit crimes they had not committed before they were taken to court to be sent to jail. Young laughed at the mention of “Special Branch” because he believed it was a mere threat from a powerless civil servant.

Editors' meeting with Kenyatta and Ugandan dictator Idi Amin

But when Young received a call ordering him to go to State House Mombasa, the official residence of President Kenyatta, the editor knew it was not a laughing matter this time, although it had nothing to do with Special Branch. The official told Young to be at State House Mombasa the following morning. Young had travel overnight, 300 miles from Nairobi, the home of the *Standard*. A frightened Young called *Nation* Editor George Githii to inform him about the order to see Kenyatta the following day. Githii told him he and Sunday Post Editor Narain Singh had also been ordered to see the president. Young was relieved but anxious to learn why Kenyatta had called the editors.

The editors did not expect to meet Ugandan President Idi Amin at Mombasa State House too, because he had been threatening to attack Kenya (Barton, 1979). Amin had gone to the Port of Mombasa to receive Soviet arms for his country, and had decided to call on Kenyatta to announce his decision to ban Kenyan newspapers. Amin was not with Kenyatta when the Kenyan leader received the editors to explain why he wanted to see them (Barton, 1979, p. 86):

“I have Uganda’s President Amin here, and I am very angry with him because he has banned your newspapers. And when I say your newspapers, I mean Kenyan newspapers, and although they are privately owned, they are still Kenyan newspapers and if they are Kenyan newspapers they are my newspaper.”

“So...that means that if he has banned my newspapers, he has banned me—and I don’t like it.”

Kenyatta, who enjoyed debate, asked the editors to tell him why Amin had banned their newspapers. Because Amin did many things for no reason at all, Young told

Barton (1979), the editors seemed to have no idea as to why the Ugandan leader had banned the papers. Fortunately, Amin emerged and explained he had banned the papers “because they are always reporting bad things about us” (Barton, 1979, p. 87). The editors did not have to give their views on the ban although Kenyatta had given them the opportunity to defend themselves. Back in Nairobi, Young continued receiving telephone calls from government officials and leaders complaining about what the *Standard* had published.

Vice-President arap Moi began to make regular phone calls to Young complaining about things in the *Standard*. Young found that the servility, which was needed in some African quarters, was not the best line with the Vice-President, and so he replied to Moi with as much vigor as Moi used to him. Things often ended up virtually a shouting match between the two (Barton, 1979, p. 87):

Charles Njonjo, the Attorney-General, too, would begin to telephone the *Standard*, though sotto-voce, which was far more unnerving than the raised tones of the Vice-President.

Njonjo always prefaced his complaints the same way: “The president is very angry...,” he would begin.

Young believed that half the time Kenyatta was not angry at all but unaware of the offending story. But Young could never say, “The President should not be angry.” It was the fable of the King’s clothes comes to life.”

(Barton, 1979, p. 89)

Marsden’s departure was not the end of trouble for the *Standard*. But Young

would have relative peace before dealing with another high profile political assassination—the murder of another politician, Josiah Mwangi Kariuki, whose death in 1975 had the worst effect on Jomo Kenyatta’s presidency (Critic of Kenya regime is found shot to death. 1975; Shadow over Kenya. 1975). Although the legislators debated Kariuki’s assassination freely and implicated the police, Kenyatta was shaken by the unrest following the assassination. That led to the detentions of two outspoken politicians, Martin Shikuku and Deputy Speaker Jean Marie Seroney, for their attacks on the government over the assassination (Deputy speaker seized in Kenya. 1975; *Times*, By Charles Mohr Special to The New York, 1975). Kariuki belonged to President Kenyatta’s Kikuyu tribe and was perhaps the most popular politician within that tribe because of championing the needs of the poor. The politician was found murdered in a forest after senior police officers picked him up from the Nairobi Hilton, about six years after Mboya was shot in Nairobi. Mboya’s death spelled a bad omen for the politician’s Luo tribe.

Perhaps the most testing and risky task for journalists in Kenya was the coverage of the assassination of a former nationalist and a champion of poor Kenyans, Josiah Mwangi Kariuki, fondly known as JM in 1975. JM disappeared after senior police officers picked him up from the Nairobi Hilton, raising speculation in Kenya that the popular politician and bitter government critic had been murdered. *Nation* Editor in chief George Githii and Senior Writer Michael Kabugua wrote a joint story dismissing rumors that JM had been killed by his enemies in government. JM was well in Zambia on a business trip, reported Githii and Kabugua. As the *Nation* hit the streets, the *Standard* was also there with a story by Senior Writer Fred Nyanga, reporting that JM had been murdered. The *Standard* published photographs of JM’s disfigured body, which appeared

to have been disfigured by chemicals and partly eaten by hyenas in Ngong Hills, where the body was found. The government considered the *Standard* story as sensational made its feelings known by ordering the police to question the journalists involved in publishing it. According to Abuoga & Mutere (1988), Young had quit the *Standard* in protest for not having been confirmed as editor. Michael Pierson, who came from Zambia to replace Young, got in trouble with the government because of the coverage of Kariuki's assassination. Pierson also left Kenya for Britain after police questioned him about the story.

Police did not bother Githii, who had inadvertently bought the government time, by reporting that Kariuki was alive. It was never known if Githii's enemies among government and Kikuyu leaders were responsible for giving the editor the misleading story to ruin his reputation and discourage him from his habit of challenging the government. The story could also have been planted to spoil the reputation that the *Nation* had earned since it was founded in 1960. Other than the problems in the coverage of the assassinations of Tom Mboya and Josiah Mwangi Kariuki, Kenyan editors have spoken of having enjoyed press freedom in Kenya during President Jomo Kenyatta's rule.

Editor fired for attacking Kenyatta's security that killed 43 Kenyans

The problems that the *Standard* faced in covering Mboya's assassination must have made Young and his fellow white journalists on both the *Standard* and the *Nation* more cautious than ever. How else could they have escaped problems from the government and the publishers after covering the indiscriminate killing of 43 people in Nyanza Province, the opposition stronghold?

It is not clear why President Kenyatta visited the Luo tribe while they were still

protesting the killing of Mboya by Kenyatta's tribesman. But the visit took the lives of innocent people and cost the job of the African editor of *Nation's* Swahili-language *Taifaleo* Editor Joram Amadi (Kenyatta's guards open fire, 1969). That more journalists did not suffer for covering the killings was a sign of how far white journalists were going to guard against offending the government. Tom Mboya was assassinated in 1969 by a gunman belonging to Kenyatta's Kikuyu tribe. The assassination sparked off a tribal conflict between the Kikuyu and Mboya's Luo tribe. For about three years before Mboya's assassination, another Luo leader, Oginga Odinga, had been having problems that led to his quitting the vice presidency, and forming the opposition Kenya Peoples Union (KPU). Kenyatta suppressed the new opposition party by introduced legislation to discourage legislators from crossing from the ruling KANU to KPU in 1966.

The Luo were angry with the Kikuyu and Kenyatta for Mboya's assassination, The Luo blamed Kenyatta for the political problems Odinga was going through. It was not a good time for Kenyatta to visit Nyanza Province, the Luo stronghold. The Luo crowd was bound to protest Kenyatta's visit as they did. It was during the protest that some members of the Luo tribe stoned Kenyatta's motorcade, causing panic and the shooting of the 43 people by the presidential security guards.

Most of the Kenyan newspapers reported the event, ensuring they did not publish anything that could put blame on the government. The *Nation* fired *Taifaleo* Editor Joram Amadi, who published a story questioning the justification of the shooting. Abuoga & Mutere (1988) argue that the *Nation* had fired Amadi to appease the government. Ochieng (1992) accuses editors for some of the restrictions in the Kenyan press.

Kenyan publishers and editors were accused of eroding freedom of the press

“Many editors and managers of newspapers operating locally, but having a foreign base, are always willing and ready to do the dirty job on behalf of our politicians and civil servants,” says a veteran Kenyan journalist, Philip Ochieng, in his book, *I Accuse the Press*, published in 1992 (Ochieng, 1992, p. 49). The book’s title speaks for many journalists, who worked on the two Kenyan leading newspapers when Ochieng published his book. The journalists, especially reporters, accused their editors of self-censorship, which had encouraged the government to demand more censorship. Editors such as Ochieng accused their fellow editors and managers of doing self-censorship for the government to protect other business interests of the owners of those newspapers.

Ochieng’s book focuses on *Nation* and the *Standard*, which were the only notable local newspapers having a foreign base. The *Nation* was founded in 1960 by the Paris based leader of the Ismailis, the Aga Khan, who was still the main shareholder. The *Standard*, which was launched in 1902 by an Indian, A. M. Jeevanjee, has been having London as its foreign base since two British men, Anderson and Mayer, bought it in 1905 (Ainslie, 1967). The *Standard* continued having London as its foreign base after a British company, Lonrho, bought the paper in 1967 (Barton, 1979; Ochieng, 1992). Journalists were not the only ones accusing the Kenyan press of eroding freedom of expression and the press. Accusations came from senior politicians and civil servants too.

On November 2, 1976, the permanent secretary for information and broadcasting, Darius Mbela, accused news media throughout Africa of self-censorship and called for a “people’s press” (Ochieng, 1992, p. 49). Ochieng (1992) agrees with Mbela that the main reason anybody would want to publish a newspaper in a foreign country is profit.

Informing the people is a secondary interest, which can be discarded for profit motives.

On July 20, 1980, Sunday *Nation* Writer John Esibi reported similar claims as Mbela's from Information and Broadcasting Minister Peter Oloo Aringo: "We have been concerned [about] certain members of the Press who devote a lot of time to [self-censorship] to protect their vested interests or...the interests of certain influential personalities" (Sunday *Nation*, July 20, 1980 cited in Ochieng, 1992, p.38). Aringo raised another issue that has been common in Kenya as long as the press has existed there—the tendency for editors to side with powerful government leaders. During the time in question, Githii was a strong supporter of powerful Minister for Constitutional Affairs Charles Njonjo, who had prolonged differences with Vice President Mwai Kibaki.

Mbela may have had other motives for his attack on foreign owners of the Kenyan press. Mbela might have been thinking that it would be easier for the government to control indigenous publishers than it was to control foreign tycoons, whose loyalty was often directed to the leader of government and close allies of that leader. Ochieng's concern was because foreign newspaper owners' main interest was profit, they tended to give in easily to government pressure, as can be testified by the number of times editors have been fired or forced to resign, for publishing stories the government did not like. It was fear of losing their jobs that forced many Kenyan editors to resort to self-censorship. It was not fear of the government. Mbela may have perhaps thought the government could control an indigenous publisher but not foreign tycoons.

During Jomo Kenyatta's presidency (1963-1978), Kenyan editors found themselves defending both their newspapers and foreign employers against politicians and government officials such as Mbela. On the same day, the *Nation* reported Mbela's

attacks, the paper's editor in chief, George Githii, wrote an editorial attacking Mbela. Githii also made a point of assuring the government that the *Nation* had also defended the government and would continue to do so (Ochieng, 1992, p. 53):

We give all possible support to [Kenya's] Government and his Ministers to advance the well-being of Kenya and her people; we strive to back the authorities in their efforts to maintain the principles of good government and the rule of law; we give every support to the Government in its work of strengthening the nation to be able to withstand internal strife and external threats; we are second to none in our backing of [Kenya's] universally [acclaimed] self-help and Harambee movement. Need we give more examples?"

Ochieng (1992) says that while he is in favor of newspapers that supported government policies that were useful to the people, he was against newspapers that suppressed free speech. He accuses the *Nation* and the *Standard* of suppressing views from opposition political leaders such as Oginga Odinga. The two newspapers had avoided Odinga since 1966 when he resigned as vice president from Kenya's government to form an opposition party (Abuoga & Mutere, 1988; Ainslie, 1967; Ochieng, 1992). Kenya banned Odinga's Kenya Peoples Union (KPU) party in 1969, denying the former vice president the only forum he had to reach his supporters. Suppression of the opposition by the mainstream press was mainly responsible for the development of authoritarianism in Kenya. Opposition leaders had no forum to mobilize people for political change.

In 1977, Githii attacked Odinga for saying that the greatest obstacle to press freedom in Kenya was interference from absentee owners (Ochieng, 1992, p. 57). Githii

dismissed Odinga's claim, yet he resigned a few months later instead of giving in to an order by the *Nation* owner, the Aga Khan, to retract a negative editorial against leaders of the Bhora community, which belongs to the same Islamic sect as the Aga Khan's Ismailis (Abuoga & Mutere, 1988; Ochieng, 1992).

In 1981, after Githii had left the *Nation* for the *Standard*, he attacked GG Kariuki, the minister in charge of intelligence and internal security, who also accused foreign owners of the Kenyan newspapers of interfering with press freedom. Githii replied that the *Standard* owners in London did not interfere with his editorial decisions. It did not take long before the *Standard* owners ordered Githii to stop attacking the government. Instead of obeying the order, on July 21, 1982, Githii wrote a hard-hitting editorial, he titled "Preach Water and Drink Wine," attacking the government for its repressive policies including the detention without trial of citizens who exercised their constitutional rights (Abuoga & Mutere, 1988, p. 34; Ochieng, 1992). The *Standard* fired Githii because of the editorial (Ochieng, 1992, p. 57).

After the *Standard* fired Githii to appease the government, the former editor admitted what he had been denying—accusations that foreign publishers were a threat to press freedom in Kenya:

There are...instances in which our national newspapers have been told in no uncertain terms that they can publish certain things at their peril and there have been instances where they have been humiliated in public...This kind of intimidation against people who are trained to handle ideas... [intimidation which] can have no other effect except to move this country from an open to a closed society" (*Standard*, July 21, 1982, cited in Ochieng, 1992, pp. 57).

The *Standard* rehired, Henry Gathigira, who had worked as editor of the paper from 1976 until his departure after Githii joined the paper as chairperson in March 1980 (Abuoga & Mutere, 1988). During Gathigira's second term as *Standard* editor, government repression of mainstream newspaper editors was at its height. In what appeared to Kenyan journalists as a way to appease the government, Gathigira introduced a policy, requiring the *Standard* to refer to the president as "His Excellency President Daniel arap Moi" instead of "President Daniel arap Moi." That policy, which was already in use by The Voice of Kenya (government television and radio stations), was not popular among Kenyan journalists because they saw it as an attempt by Gathigira to prove that the *Standard* was more loyal to the president than the *Nation* was. The *Nation* never adopted that policy and its journalists often teased their *Standard* counterparts for acting like the Voice of Kenya.

When Gathigira retired, he was replaced by Ali Hafidh, a former managing editor at the *Nation*. Like Gathigira, Hafidh made sure he did not publish anything to offend the government.

Ochieng' (1992) admits that although Third World countries used political and judicial means to suppress press freedom, well-known Kenyan journalists such as former editors Henry Gathigira, Joe Kadhi, Hilary Ng'weno, and George Githii, have written admiringly about press freedom in Kenya.

Ng'weno told a 1981 meeting of the International Press Institute (IPI) in Nairobi that journalists in Kenya enjoyed the freedom that was an envy of journalists in other African countries. Ng'weno was speaking from experience having been the first most successful African publisher in Kenya and the first African editor of the *Nation*. The

Nation is mainly responsible for the development of African journalists, who have led the risky task of promoting press freedom such as George Githii, Hilary Ng'weno, Joe Rodrigues, Philip Ochieng and Pius Nyamora.

Few will argue that the *Weekly Review* was the best source of uncensored Kenyan political news from 1975, when the first African *Nation* Editor Hilary Ng'weno founded the weekly, until the publisher messed up with President Moi's government in 1979 (Njau, 1999; Ochieng, 1992). Before the 1979 Kenyan general election, says Ochieng (1992), Ng'weno published a poll's questionnaire and told the readers he would publish the results before the elections (Ochieng, 1992). When the readers were waiting for the *Weekly Review* to publish the polls, Ng'weno wrote an editorial saying the government had ordered him not to publish the result because they could influence the voters. The government, according to Ochieng's (1992) sources, was angry and influenced advertisers, including financial institutions to withdraw their advertisements. According to (Ochieng, 1992), the financial institutions included the Industrial Development Bank and the National Bank of Kenya, which were asked to recover their loans from the *Weekly Review* immediately. When Ng'weno tried and failed to get financial support from out of the country, he pleaded with a powerful cabinet member and a close ally of President Moi, G. G. Kariuki, to intervene to save his publishing business. "It was only then that the government's directive was rescinded, but only after Ng'weno had undertaken to 'behave,' as the sources put it" (Ochieng, 1992, p. 169).

Following the conflict between the government and the *Weekly Review* sparked off by the publisher's intention to conduct an election poll, Ng'weno said that so long as foreigners controlled advertising, there would be no freedom of the press in Kenya.

According to (Ochieng, 1992), Ng'weno tried to find financial support from out of Kenya to save his publications but he could not find any. The National Bank of Kenya and the Industrial Development Bank government institutions got him out of trouble for some time that is why he may have changed his tune.

Five years before Ng'weno spoke at the IPI meeting, *Nation* Assistant Editor Joe Rodrigues had told the 1976 UNESCO meeting in Nairobi that while Kenyan journalists enjoyed some freedom, it did not mean that they were not “subjected to harassment and threats, complaints and advice, said” (Ochieng, 1992, p.18). Ochieng’ found Rodrigues remarks genuine because the editor was speaking from long experience in journalism in Kenya and not from theory or textbooks. Unlike Ng'weno, a Harvard graduate, and Githii, an Oxford graduate, Rodrigues never went to university and his experience had made the *Nation*’s “editorial bedrock” (Barton, 1979, p. 95). He was appointed the *Nation*’s senior sub-editor (copy editor) when the paper was launched in 1960, and served as the daily’s managing editor for 15 years before he became editor in chief of *Nation* newspapers in 1977.

Despite Rodrigues’ experience and credibility, Ochieng (1982) questioned another remark Rodrigues made, at the 1976 UNESCO meeting, that the threat to press freedom in Kenya did not come from government ministers but from “petty politicians, MPs and civil servants” (p. 18). This is why Ochieng (1992) disagrees with the Rodrigues:

At one time in 1981, such interference was to land Rodrigues himself, Joe Kadhi (Managing Editor of the daily), myself (Chief Sub-Editor), John Esibi (News Editor) and Senior Reporters Pius Nyamora and Gideon Mulaki in police cells for

nearly a week. On what account? We had carried a story in which Nyamora (at that time a seemingly affable, unassuming and apolitical personality) had described an unsigned statement from the ruling party headquarters as “anonymous.” It was claimed by those who confined us that this meant that we, at *Nation* House, regarded KANU leaders as “non-persons.” My colleagues and I thought this to be a most flimsy basis for arrest and confinement. Referring to Nyamora’s statement, a *Nairobi Times* cartoonist poked fun by depicting the five incarcerated editors as standing in a row before a High Court judge, with the police prosecutor pointing an accusing finger at us and declaring: “The charge against you shall remain anonymous!” (pp. 18-19)

According to Ochieng (1992), the *Nation* had carried other stories that could have put the journalists in trouble. One of those stories adversely mentioned the powerful Constitutional Affairs Minister Charles Njonjo in a trial of an alleged plot to overthrow President Moi’s government. The *Nation* reported Njonjo’s relative, Andrew Muthemba, as having told the court that the minister knew about the plot to overthrow the government. Because of the report, the minister reportedly swore not to forgive *Nation* Editor Rodrigues and the newspaper.

The *Nation* had also criticized the government for Njonjo’s instigated move, barring a leading opposition leader Oginga Odinga from contesting a parliamentary seat. The newspaper called the move “unconstitutional, undemocratic and not conducive to the national compromise to which President Daniel arap Moi had been exhorting Kenyans ever since the death of President Jomo Kenyatta in August, 1978” (Ochieng, 1992, p. 19). The government responded with a statement, accusing the *Nation* of “assuming the role

of an opposition party.” Kenya was a single-party system at the time, and anybody wanting to contest a parliamentary seat had to be approved by KANU (p. 19). The story implicating the minister for constitutional affairs in a treasonable trial or the story criticizing the government for barring an opposition leader from contesting a parliamentary seat could have landed the *Nation* “in very serious trouble.”

That was the scenario in which Nyamora wrote his “anonymous” story. And, deciding that we should spend more than five days in the cell uncharged—in itself an unconstitutional act since the law at that time required that a person be charged within 24 hours of his or her arrest—Joginder Singh Sokhi, then a prominent operative of the Criminal Investigations Department, took the trouble to let us know that Njonjo was very angry with us. These were the kinds of events, which led to Rodrigues’ forcible retirement in July 1981. Soon after that, Attorney-General James Karugu was also retired, though, despite speculation, it is impossible to ascertain that this was connected with his reported refusal to prosecute us. (Ochieng, 1992, p. 19)

It is possible to explain Ochieng’s disagreement with Rodrigues contention, at the 1976 UNESCO meeting, that Kenyan government ministers were not responsible for threatening press freedom in Kenya. Rodrigues had told the meeting that the threat to press freedom from Kenya came from inconsequential politicians, members of parliament and civil servants. (Ochieng, 1992) gives evidence below to prove that the threat to press freedom in Kenya came from government ministers. His evidence lacks vital information to put Rodrigues argument in context. Rodrigues was speaking about the threat to the press during President Kenyatta’s reign.

The detention of six senior *Nation* journalists in 1981, which is part of the

evidence that (Ochieng, 1992) gives to prove that interference to press freedom came from government ministers, took place when President Moi was in power.

Rodrigues later told the BBC that although the press in Kenya was the freest in Africa, it was not completely free and that “editors had to decide what they could and could not print” (Ochieng, 1992, p. 19). The government complained after the stories had been published. “So Rodrigues is right,” says Ochieng (1992), a former managing editor at the *Nation*. He goes on to give his experience as a writer and editor (p. 20). “All African newspaper editors and sub-editors have to anticipate what the government will think tomorrow about a ‘tricky’ story.... We are for ever, because of it, engaged in self-censorship” (p. 20). Ochieng (1992), who also served as editor in chief of the ruling party’s *Kenya Times* in late 1980s and early 1990s, says that because of external interference or anticipation of it, “editors, not infrequently, are accomplices in this daily bid to silence the press on ‘sensitive’ issues” (p. 28).

Ochieng (1992) says that Rodrigues had admitted that self-censorship was not new among Kenyan editors, and quotes the former *Nation*’s editor in chief as saying, “The Kenyan papers have since independence in 1963 by and large given the Government every backing in its efforts to develop the country and in its quarrels with neighbors...that does not mean it has been, or is, toothless.” (p. 28)

And in a *Nation* editorial of November 2, 1976, (cited in Ochieng, 1992), the most courageous editor in chief to ever serve the *Nation* and the *Standard*, George Githii, says:

“We work to assist the Kenya Government and it stands for, we work for the cause of Kenya’s progress; we work to defend the freedoms; we could go on and

□ Ochieng’s (1992) emphasis.

on, but we rest our case. Let the public be our judge...We reject totally that we act on behalf of anyone or any government. Newspapers anywhere, if they are worth their salt, defend causes and principles, and we are no exception.” (p. 28-29)

When the *Nation* forced Rodrigues to retire for publishing stories the government did not like, the director of the University of Nairobi, School of Journalism, Peter Mwaura replaced him. The *Nation* forced Mwaura to resign in 1983 for having let in some stories like one that described a fight between two individuals in a Nairobi slum as intertribal. It was a fight between a Luo and a Kikuyu. (Ochieng, 1992) says the story gave the country a negative image abroad, displeasing the government. The *Nation* abolished the post of editor in chief after Mwaura left, and appointed *Taifaleo* Managing Editor Anthony George Mbuggus as *Nation* group managing editor. Mbuggus had been with the Swahili-language paper since 1960, and never seemed to have serious problems with the government (Abuoga & Mutere, 1988).

On November 7, 1976 the managing editor of Sunday *Nation*, Joe Kadhi, criticized a senior government official, Darius Mbela, for charging that the Kenyan press was not free because it was controlled by foreign owners. In his weekly column, “Joe Asks Why,” Kadhi wrote:

One does not need to be a qualified journalist to realize that the Press in Kenya is free...It is by looking at the freedom of the Press in Kenya that one becomes so proud of the democratic society in which we live...Today...there is not a single European on the staff of The Sunday *Nation* and yours truly happens to be its Editor... (Kadhi cited in Ochieng, 1992, p. 63).

Self-censorship among Kenyan editors was common during President Moi’s rule.

One of the incidents occurred in 1980, when the *Nation* was serializing a book, entitled *The Kenyatta Succession*, authored jointly by Ochieng and *Nation* News Editor Joseph Karimi, on behind the scenes maneuverings by ambitious politicians who wanted to succeed first Kenyan President Jomo Kenyatta. In that book, the authors blamed the Kenya government for an incident where Rodrigues censored a statement from *The Kenyatta Succession*, accusing the Kenyan media of having been worse than the Tanzanian media in distorting reports in the conflict, between the two countries, that broke up the East African community economic cooperation in 1977 (Ochieng & Karimi cited in Ochieng, 1992; Ogot & Ochieng', 1995). Ochieng and Karimi accused the Kenyan media for supporting the Kenyan government's moves to break up the community. Rodrigues, says (Ochieng, 1992), censored the portion containing that charge against the Kenyan press when the *Nation* was serializing *The Kenyatta Succession*.

Another example of Kenyan press collusion with the government was the July 1976 invasion of Entebbe by Israeli commandos to release 103 hostages held at Entebbe Airport, Uganda, aboard a French airliner by members of the Palestinian Liberation Army, demanding a release of their members from Israeli jails. Ochieng says Israelis could not have raided Entebbe without government permission to use Kenya as a base. Kenyan newspapers praised Israeli action, which was supported by the Kenyatta government. Ochieng, who was working for a Kenyan church publication, *Target*, at that time wrote an article criticizing the raid. Police detained Ochieng for a while but never charged him. He resigned from the paper to save his editor who came under pressure from church leaders.

In 1982, in a move initially seen by some Kenyan journalists as an attempt to

break foreign monopoly on the Kenyan press, KANU bought the *Nairobi Times*, and renamed it *Kenya Times* (Ochieng, 1992; Abuoga & Mutere, 1988). Kenyan journalists welcomed the move, and hoped the ruling party newspaper would enable local journalists to work without the kind of restrictions they were experiencing from foreign owners of the *Nation* and the *Standard*. Senior journalists from the *Nation*, including Philip Ochieng and Pius Nyamora were among the journalists who left the *Nation* to set up the *Kenya Times*. Many of the journalists who left to join *Kenya Times* were soon disappointed by lack of basic facilities such as transportation and typewriters, besides interference from government officials and party leaders. Some of the journalists left the paper, with some, including Nyamora returning to their former employers.

Chapter Four: Kenya's alternative press 1982-1992

Three newspapers that made the greatest media contribution to democratization in Kenya in early 1990s are Njehu Gatabaki's *Finance*, Gitobu Imanyara's *Nairobi Law Monthly* and Pius Nyamora's *Society* (Press, 2004; Throup & Hornsby, 1998). The three publishers helped the opposition to mobilize Kenyans to move the country from single-party authoritarianism to a multiparty within two years. According to Press (2004) and Throup & Hornsby (1998), the three magazines ignored government pressure against giving a forum to opposition leader Oginga Odinga when he announced, in 1991, his intentions to form an opposition party, National Development Party (NDP). After the government refused to register the party, Odinga formed a pressure group, the Forum for Restoration of Democracy (FORD), which was used to mobilize the people to pressure the government to allow formation of opposition parties. The government put pressure on Kenyan newspapers not to report the formation of FORD. Once again, the three magazines gave extensive coverage to the event (Throup & Hornsby, 1998).

Because of their perceived hostility to the government, as will be discussed later, the publishers of these magazines were subjected to various types of harassment—legal, extralegal, physical threats including a firebomb at *Society*, libel suits, contempt, suits, sedition charges, and political attacks at public meetings by leaders. It would be important to mention here that *Society* was a weekly and that is perhaps why it had more attacks from the government than the monthly *Finance* and *Nairobi Law Monthly*

(Throup & Hornsby, 1998; Imanyara, 1993). The government charged my wife, four senior *Society* journalists, and me with 11 sedition charges, which were withdrawn after about 13 months of our wasting an average of two days a week to attend to the court.

Society also faced 50 libel suits filed by senior public officials, including Vice President George Saitoti, and contempt charges filed by the Attorney general (Imanyara, 1993; Kerror, 1992; Ngugi, 1992). Gatabaki had lost 210,000 copies of his magazine through impoundments by the police and was facing at least one sedition charge (Imanyara, 1993; Throup & Hornsby, 1998). *Nairobi Law Monthly* Editor Imanyara also faced one sedition charge, which like those against Gatabaki and Nyamora, were dropped after the government had inconvenienced the publisher (Amnesty, 1991; Imanyara, 1993; Mutonya & Ngugi, 1993). Perhaps another reason *Society* suffered more than the other two publications was because of its venturing into political cartooning. In his PhD. dissertation about cartooning in Kenya, Owino (2005) credits *Society* and its cartoonist, Paul Kelemba, for introducing political cartooning in Kenya, and thus breaking the culture of fear among journalists:

While the political cartoons are now firmly on the editorial pages, that is not where they debuted. Political cartoons debuted on the cover of *Society* magazine. His [Kelemba's] political cartoons, the ones that presented Moi in all shapes and forms, started to appear at a time when columnists were afraid to venture into overtly saying anything about Moi. Those cartoons did not appear in the regular newspapers he was drawing for, but in *Society*, a politically dissenting magazine that had been founded by Pius Nyamora, a former *Nation* chief parliamentary reporter. (p.169)

Attorney Gitobu Imanyara founded the *Nairobi Law Monthly* soon after the August 2, 1982 attempted coup by junior Kenya Air Force officers (Throup & Hornsby, 1998). The attempt left the government shaken and determined to use any means to punish the plotters and any other suspects. Imanyara started the magazine to help other civil and human rights lawyers such as Paul Muite to give a voice to the alleged plotters and other suspects. Njehu Gatabaki launched *Finance* in March 1984 to cover financial and economic issues, but turned to politics to give a forum to Kenyans who needed to move the country from one-party authoritarianism to a democracy (Abuoga & Mutere, 1988). Pius Nyamora resigned from the *Nation* and started *Society* political magazine in September 1988 (Owino, 2005).

As discussions in Chapter Three have shown, 1980s were the most repressive years for the Kenyan mainstream press—the *Nation* and the *Standard*. Throup & Hornsby (1998) say that by the end of 1980s *Finance*, *Nairobi Law Monthly*, and *Society* liberated suppressed press. The three publications emerged on time to provide a platform for opposition leaders such as Oginga Odinga, the icon for Kenyan opposition since independence. The mainstream newspapers had denied him a forum since President Kenyatta banned Odinga's KPU party in 1969 (Ochieng, 1992; Ogot & Ochieng', 1995; Throup & Hornsby, 1998). In November 1990, Odinga told Kenyans to prepare to force the government to allow a multiparty political system. And on February 13, 1991, Odinga announced the formation of the opposition National Development Party (NDP). But the mainstream press did not cover the event (Throup & Hornsby, 1998):

The government attempted to suppress all news of the party. The Kenyan press carried no accounts of Odinga's press conference for three days until on Friday,

February 15, when the *Weekly Review* reported the meeting. When the first extensive commentaries on the new party finally appeared in the *Nairobi Law Monthly* and *Society* two weeks later, issues of the two magazines were confiscated immediately. *Nairobi Law Monthly* Editor Gitobu Imanyara was arrested early in March, ostensibly for publishing a ‘seditious attack’ on the government. (p. 70)

Nairobi Law Monthly and *Finance* published interviews with Odinga soon after the announcement of the proposed opposition party (Throup & Hornsby, 1998, p. 70). The *Nairobi Law Monthly* was particularly effective because most of its contributors were lawyers, and they explained what was required to register an opposition party. They noted that Section 2A of the constitution that made Kenya a one-party state had to be repealed (*Nairobi Law Monthly*, March-April, p. 44). The government refused to register NDP, giving Odinga an opportunity to get publicity in local dailies, which took advantage of the constitutional privilege allowed in covering judicial proceedings.

Coverage of formation of opposition

As Odinga’s struggle to register NDP faced stiff opposition from the government, the opposition leader was advised by leading pro-opposition attorneys Paul Muite, James Orengo, and Imanyara to form a civil society organization to mobilize Kenyans interested in political opposition (Ndegwa, 1996; Throup & Hornsby, 1998). The association would pressure the government to repeal Section 2 (A) of the constitution. The lawyers and a few other political and church leaders, including Odinga’s son, Raila Odinga, and Bishop Henry Okullu gave Odinga the challenge of announcing the formation of the Forum for Restoration of Democracy (FORD). The 80-year-old veteran politician and the

most persistent opposition figure had no problem doing it. His son, Raila, and former cabinet members Kenneth Matiba and Charles Rubia had been detained on July 4, 1990 for calling for multiparty democracy. Rubia and Matiba were sick after their detention ordeals (Press, 2004; Throup & Hornsby, 1998). They did not participate directly when Oginga Odinga and other opposition leaders were trying to form an opposition party.

Odinga announced the formation of FORD on July 4, 1991 (Throup & Hornsby, 1998). “Once again the government pressured the press not to report the story so that only the *Standard* had a tiny announcement of its formation. The August 1991 issue of *Society*, which was still a monthly, carried FORD’s memorandum of association in full (Njoka, 1991, pp. 8-11). The government declared FORD an illegal organization in August 1991, and a month later President Moi vowed to crush it (Perlez & Nairobi, 1991; Review, 1991). (Throup & Hornsby, 1998). Mounting pressure from Kenyans and international donor agencies forced the government to have the constitution changed to allow the creation of opposition parties.

But the party would soon split between Oginga Odinga and Kenneth Matiba, splitting the two largest and most influential political tribes in Kenya—the Luo and the Kikuyu respectively. The split of FORD into Odinga’s FORD Kenya and Matiba’s FORD Asili also fragmented the alternative press along party leaders. As *Society*, I supported Odinga for the 1992 presidential campaigns, as could be determined from articles and opinion pieces attacking Matiba for breaking the opposition (Njururi, 1992, pp. 8-12). It is worth clarifying that I do not belong to Odinga’s Luo tribe; I am a Kisii. This clarification is necessary because most Kenyans supported and still support their tribes for political offices.

Like most Kikuyu voters, *Finance* Editor Gatabaki preferred Kenneth Matiba or Democratic Party (DP) leader Mwai Kibaki. Gatabaki, Matiba, and Kibaki are Kikuyu, but that may not have been the reason Gatabaki supported Matiba. As the 1992 elections were approaching, Matiba was in the Britain recovering from a stroke he suffered while under detention in Kenya (Throup & Hornsby, 1998). Kenyans were not sure he would be back in time for elections. During Matiba's absence from the country, *Finance* Editor Njehu Gatabaki predicted that were Matiba to return in time to lead FORD, then Kibaki would not have a chance of attracting the Kikuyu vote because DP was formed by individuals who hardly were in touch with the needs of ordinary people, and had enjoyed during the reigns of both Kenyatta and Moi (*Finance* as cited in Throup & Hornsby, 1998).

It was not easy for *Nairobi Law Monthly* to take sides because it was a professional journal for lawyers and its editor, Gitobu Imanyara, was also a politician.

Matiba returned from his treatment in the UK just in time for elections. The warm welcome he received on his return may have convinced Matiba that he could win the presidency. Matiba had a large following among the Kikuyu, the largest tribe in the country (Throup & Hornsby, 1998). But even if he won the entire Kikuyu vote, which was impossible because Kibaki would still have taken some of the vote, he could not win the presidency. Matiba's popularity among the Kikuyu meant he could easily win Central Province, one of the seven provinces of the country. To win the country's presidency, a candidate had to win at least 25 percent vote in at least five of the seven of the country's provinces.

Matiba's supporters wanted him to replace Oginga Odinga as FORD leader. A disagreement led to Matiba's forming a splinter group he named FORD *Asili* (Original). Because of his popularity, he attracted most of the Kikuyu politicians from Odinga's FORD, which was renamed FORD Kenya. *Society* supported this group, as can be concluded from the views expressed by (Mutahi, 1992, p. 2-5):

The ultra right wing in Kenya under the leadership of Matiba and company have their base support among the influential settler community in Kenya. They have support from the rich and mighty, their peers, to whom life in Kenya has been nothing but paradise. Unfortunately, the rich are a minority in Kenya and so to win power, the FORD right wing had to manipulate itself into leadership and carry out the right wing agenda with the explicit support of the Kenyan masses, majority of who are workers, peasants and the unemployed.

On September 28, 1992, *Society* carried a cover story, with a title claiming that the group that split from FORD was "anxious to build Kikuyu Castle" (Chege, 1992, pp. 8-12). *Society* supported Odinga or a single united opposition, and the paper was hostile to Matiba after FORD split. *Society* is one of the papers (Throup & Hornsby, 1998) is referring to when he talks about the opinion polls carried to determine who would win the presidency in the 1992 elections. *Society* predicted Odinga would win, but Odinga ended up fourth after President Moi, Matiba, and Kibaki.

Following the assassination of Foreign Minister Robert Ouko in 1990, the government became a suspect (Press, 2004; Throup & Hornsby, 1998). To exonerate it, President Moi appointed an inquiry and called in the renowned New Scotland Yard, headed by British Detective John Troon, to help Kenyan investigators to look into the

murder. But before the investigations were completed, the government terminated the inquiry suddenly. There were suspicions that the action by the government was intended to protect those involved in the murder. *Society* came out with a cover story entitled, ‘Moi knows Ouko killers,’ in which the magazine questioned the wisdom of ending the investigations when the country was anxious for an outcome. According to *Society* Director Loyce Nyamora, her newspaper was the first Kenyan newspaper to do a detailed story questioning the ending of the inquiry. The publisher asked Kenya Litho to print 30,000 copies.

Trouble for alternative press

As the printers were ready to deliver copies to the publisher, police arrived in a *Mariammu* (anti-riot police vehicle). The more than 50 armed officers from the Directorate of Security Intelligence, led by Francis Muraya, impounded the 30,000 copies of *Society* from the printing press on January 5, 1992 (Anonymous, 1992a; Anonymous, 1992e; Anonymous, 1993a; Anonymous, 1993b; Niko, 1992c; Hiltzik, 1992). They did not have any court order, although they later claimed they had issued one on January 3, 1992, two days earlier, prohibiting publication of the issue, dated January 13 (Anonymous, 1992d; Editorial, 1992b).

Police Commissioner Philip Kilonzo, told the press he had ordered the impoundment because *Society*, “both on its front cover and the inside contents contained a picture, words and articles which were false, inflammatory and clearly intended to bring into hatred or contempt, or to excite disaffection, against the person of the president” (Niko, 1992, pp. 1-2). He claimed the publisher violated the Penal Code and other Kenyan laws. Reacting to the impoundments, *Society* Director Loyce Nyamora told the

Nation that the magazine was fair, it was not anti-government, and did not have foreign masters as some KANU leaders kept claiming (Marenya, 1992; Niko, 1992c). Nyamora denied police claim that the publisher was given a court order authorizing the impoundment and preventing circulation of the impounded issue (Anonymous, 1992d; Editorial, 1992, p. 6). Nyamora said that by January 3, 1992, the date the police claimed to have presented the publisher with the order, *Society* copy had not been sent to the printers (Shimoli, 1992).

On January 10, 1992, the *Nation* carried a hard-hitting editorial against the government for impounding the 30,000 copies of *Society* from Kenya Litho printing press on January 5, 1992, without a court order. In an editorial titled, “Stop these threats against the press,” the *Nation* condemned, “in the strongest terms, the seizure by police of an entire edition of Mr. Pius Nyamora’s *Society* magazine” (Editorial, 1992b, p. 6):

The police know, as custodians of the law, that they should first have filed an injunction against the publication of the magazine and then obtained a court order allowing them to impound it and stop its publication.

As it is, armed policemen stormed the Kenya Litho Printing Press and confiscated copies of the magazine and only later—probably on realizing they were in contravention of the law—secured a court order. We have it on the authority of the publishers that they have yet to be served with this court order.

It is this court order that the police should have served on the publishers before they seized the magazine. We are saying, therefore, that the action of the police was as unconstitutional as it was illegal. It was meant to intimidate Mr. Nyamora, his staffers and the sources they attributed their stories to.

The lead story was about the now disbanded Ouko Inquiry. On Tuesday, the government issued an explanation of why it dissolved the inquiry. We are, therefore, tempted to ask whether, in fact, the government was reacting to issues raised by the magazine.

If this is the case, then the government denied Kenyans the opportunity to find out what *Society* was pointing out as errors. Pointing out an error is legal and democratic, but to preclude or to forestall such criticism is undemocratic. There are legal ways of dealing with matters relating to books and newspapers. The police must learn to follow these regulations.

The paper went on to condemn all forms of harassment of journalists in various other institutions including the *Nation*, the *Standard* and the broadcast Kenya Television Network.

It was after the *Nation* editorial that the police summoned *Society* Editor Nyamora to report to Parklands Police Station in Nairobi, on January 10, 1992 to get the order, five days after the police impounded *Society* from Kenya Litho printing press (Anonymous, 1992d). Pro-democracy activists, including lawyers and the clergy strongly supported alternative press. Support was mostly moral. For example, when I went to Parklands police on January 10, 1992, the Rev. Timothy Njoya of the Presbyterian Church of East Africa (PCEA) insisted on going with me to the police so he could pray before I was questioned. An acting senior police superintendent, John Mutonyi, asked Njoya to leave the room before the police questioned me. When Njoya insisted on praying, the police officer ordered the clergyman out of the police station, saying, “stop being difficult” (Anonymous, 1992d, p. 5).

I remained back for questioning and to receive the court order that should have been presented to *Society* before police could impound the newspaper. The order also prevented the distribution of the impounded issue. During my two hours with the police, they asked if he could remove some stories and a president's photograph that I had used to be allowed to distribute the impounded issue (Anonymous, 1992d. I told the police officer: "I will not accept that. The only solution is for you to ban the magazine. We will not remove anything" (Anonymous, 1992d, p.5). The *Nation* reporter at the police station was allowed to examine a government's affidavits that listed *Society* stories and photographs I was asked to remove to be allowed to distribute the newspaper. According to the *Nation* report, among the items the government was complaining about in the impounded issue of *Society* was "a cover photograph of President Moi, resting his chin on his palm" (Anonymous, 1992d, p.5). Police questioned *Society* photographer (Ouma, 1992).

ARTICLE 19 (The Committee to Protect Journalists) examined the same affidavit and reported its contents in its February 1992 newsletter, issue number 10 titled, "Kenya: Recent threats to freedom of the expression." (Anonymous, 1992, pp. 1-3):

Affidavits in support of issuance of the injunction, submitted by the Office of the President, indicate particular concern about the cover of the magazine specifically the photograph of President Moi on the grounds that he is portrayed as a "worried and gloomy man" and that the casual reader would assume that he is "rejected and dejected." The affidavit submits that substitution of the photograph with another of President Moi would not constitute censorship.

According to the *Nation* report, police were also concerned about an article titled,

“Moi knows Ouko killers: There was total cover-up, from the highest level of the government to the lowest! The President acted unconstitutionally to dissolve the Ouko Inquiry” Anonymous, 1992d, p. 5). The story criticized the president for ending Cabinet Minister Ouko’s murder inquiry before it completed its work (Anonymous, 1992d; Press, 2004).

On January 7, 1992, police attempted to arrest *Society* Director Loyce Nyamora, at her Nairobi Tumaini House offices but she resisted because they had no warrant (Wandalo, 1992a). The two men, who introduced themselves as police officers, left and promised to return with a warrant but never went back. A year earlier, in February 1991, Loyce had also turned away two other men, who identified themselves as police officers Ben Matoro and Nguti, who demanded to see me without giving any reason (Anonymous, 1991a).

The United Kingdom-based ARTICLE 19 called on President Moi’s government to release the 30,000 copies of *Society* and to compensate the publisher (Niko, 1992a). ARTICLE 19 Director Frances d’Souza sent a copy of the protest to Kenyan authorities as well as foreign diplomats in Kenya, including the British High Commissioner and the U.S. Ambassador. The letter to President Moi said, in part: “ARTICLE 19 calls on your government to immediately seek to have the injunction against *Society* magazine lifted, to release all confiscated copies of the magazine and to compensate the publishers for their financial loss”

Five attorneys, led by Paul Muite, chairman of the Law *Society* of Kenya, represented *Society* in challenging a court order preventing the distribution of copies of *Society* issue that the police had impounded (Kuria, 1992). The order was given on the

request of the attorney general following the impoundment of 30,000 copies from *Society* printers, Kenya Litho, on January 5, 1992. Muite urged Justice G. S. Pall to dismiss the injunction and to order the police to return the impounded copies to the publisher for distribution. The other *Society* attorneys were Oki Ooko Ombaka, Mohamed Ibrahim, Maina Murage, and Mohamed Nyaoga. Muite told the court to take the matter seriously because “this refers to the freedom of opinion without interference and freedom to communicate ideas and information without interference” (Kuria, 1992, p. 5).

Interim secretary general of the Forum for Restoration of Democracy (FORD), Martin Shikuku, said the impoundment of *Society* by the police was illegal, “unconstitutional and a gross mistreatment of the publishers” (Niko, 1992c, p. 2). Shikuku said the government should have taken legal action. He criticized the Kenya Union of Journalists (KUJ) for not protesting the impoundments.

Society got in trouble for publishing senior public officials’ statements given to the police in connection with Ouko’s murder (Anonymous, 1992c; Anonymous, 1992i; Kiganya, 1992). Among the statements *Society* published came from former Industry Minister Nicholas Biwott and former Permanent Secretary in the Office of the President, Hezekiah Oyugi. The two officials were suspected of having played a part in the plot to assassinate Ouko. The court ordered *Society*’s Editor Pius Nyamora, Director Loyce Nyamora, and Managing Editor Blamuel Njururi to tell the court how they obtained the statements that had not been released to the media.

The prosecutor in the murder trial, Bernard Chunga, asked the court to order the publisher to tell the court how the paper obtained the statements that the court had not given to the press. He requested Chief Magistrate Babu Achieng not to ask the publisher

any question about the published statements. It was obvious Chunga realized the dailies would take advantage of the constitutional privileges given to judiciary proceedings to republish the statements from *Society* if the magistrate asked questions. The prosecutor was particularly concerned about a story titled, “Moi’s secret funds,” and a caption “Moi and Mrs. Ouko: The Sh3.2 million hug.” According to *Society* editor, the story was about the pledge made by President Moi to assist Ouko’s widow. The story reported claims that the president had donated Sh3.2 million (about US\$64,000) to Ouko’s widow. The paper suggested the money was given to stop her from pursuing her husband’s assassination. Attorney Oki Ooko Ombaka, who represented Ouko’s clan in the inquiry into the minister’s death, was also questioned by the police about the statements published by *Society* (Orina & Niko, 1992). He is one of the top people involved in the inquiry, who died mysteriously after the inquiry was terminated. Without any explanation, the attorney general stopped pursuing contempt charges against the journalists and the lawyer.

***Society* editors arrested**

On April 16, 1992, the police arrested *Society* editor Pius Nyamora, his wife and *Society* Director Loyce Nyamora, Assistant Managing Editor Mwenda Njoka, Senior Writers Mukalo wa Kwayera and Laban Gitau and kept them in separate police cells in Nairobi for five days, before the journalists were taken to court in Mombasa, 300 miles away from where the magazine was published, to face 11 sedition charges involving political stories that touched on President Daniel arap Moi. Soon after the police arrested the journalists, *Society*’s attorneys Paul Muite, and Kiraitu Murungi held a press conference, in Nairobi, attended by *Society* managing editor Blamuel Njururi and foreign correspondents (Hall, 1992). Njururi told the press he thought the journalists were

arrested because of that week's *Society* issue that carried a picture of Police Commissioner Philip Kilonzo, with a headline, "Kilonzo go home." US Embassy in Nairobi issued an immediate protest and demanded the journalists be released or be charged (Hall, 1992; Malalo, 1992). "The embassy said it 'deplored' the harassment of the media, and said 'using extra-legal means to attack (freedom of the press) is a disservice to all the people of Kenya and a threat to the progress of democracy.'"

The journalists, who were arrested on a Thursday before Good Friday were taken to court on April 21, when the prosecutor asked for more time to get consent from the attorney general to prosecute. Police did not allow the journalists to contact their lawyers or families. The police kept the journalists' whereabouts secret to their (journalists') families. A friend of the publishers, Rev. Dr. Timothy Njoya, *Society* Attorney Paul Muite, and a 15-year-old Margaret Nyamora, the publishers' daughter, went to various police stations, where they were turned away without getting any information about the arrested journalists. Police officers appeared shocked when 14 attorneys sprang up in court to indicate to Chief Magistrate Joseph Karanja Kanyi that they were representing the journalists. Security was tight at the court, according to press reports. Muchai Lumatete, who led other Mombasa attorneys L. V. Serenje, Mr. Kabbie Kabugi, Mr. David Musinga, Mr. S. K. G. Kariuki, and Mr. David Ongera (Malalo, 1992), represented the journalists. The Prosecutor, Supt Peter Mwangi, asked for time to seek the attorney general's consent to prosecute the journalists.

Society Attorney Lumatete accused the police of holding the journalists for more than 24 hours without charging them, and of preventing the journalists from contacting their attorneys and families while in custody (Editorial, 1992a; Malalo, 1992). He also

told the court he could not see any sense in transporting the journalists to Mombasa when their alleged crimes were committed in the capital city of Nairobi. Prosecutor Mwangi argued that the journalists were arrested a day before the Easter Holiday and the courts were not in session from Good Friday to East Monday.

The first charge stated that the journalists published “a seditious article headed ‘A Crime Scandal’ in *Society* last December [1991] with intent to incite disaffection against and bring hatred to the President and the Government of Kenya as by law established” (Malalo, 1992, p. 1). The other charges were on articles with the following headlines: “Tight Rope and Stones Too Heavy,” “Nyayo’s Special Torture Courts,” “Moi’s Secret Funds,” “A Voice from Jail,” “Moi bounces,” “KANU’s Pirated Music,” “Averting Civil War,” and “Clinging to Power.”

Society Editor Nyamora explains what the stories were about: “Nyayo’s Special Torture Courts” story was about torture of perceived critics of the Kenya government. “Moi’s Secret Funds” dealt with the president’s generosity to his closest allies. “A Voice from Jail” story was about the trial of a junior public official who was being tried for the murder of Cabinet Minister Ouko. *Society* story suggested that the man on trial, Jonah Anguka, was being sacrificed to save the necks of senior public officials. “Moi bounces” story urged international aid and financial agencies, the World Bank, and the International Monetary Fund to deny aid to the Kenyan government because of its undemocratic policies. “Averting Civil War” was a story about claims that some political leaders of the ruling party KANU were instigating ethnic conflict to remove the opposition supporters from such areas as the Rift Valley Province, to give advantage to the ruling party during the scheduled 1992 multiparty elections. “Clinging to Power,”

suggested that President Moi, who had been in office for about 14 years, was using unconstitutional means and threats to remain in power.

On April 22, 1992, the *Nation* ran a strong editorial condemning the police for transferring *Society* journalists 300 miles from Nairobi to Mombasa while there were courts in Nairobi (Editorial, 1992a; Editorial, 1992b). In one of its editorials, *The Nation* argued that the transfer wasted public money, and the time of the journalists and their lawyers.

However, whatever the reason for this queer arrangement, the fact that is not obvious means that it is indefensible. And this is unacceptable at a time when accountability and transparency are intended to be the guiding beacons to a better future. Our advice to the government is that Mr. Nyamora and his co-accused should be tried in Nairobi. (Editorial, 1992a, p. 6)

After 13 of keeping *Society* journalists busy in court for mentions of the 11 sedition charges, and visits to police stations, the government withdrew all the 11 sedition charges against all *Society* journalists, including the publishers (Mutonya & Ngugi, 1993). Also dropped were sedition charges against Managing Editor Blamuel Njururi, who was arrested after the other five journalists and charged separately. The managing editor went underground when the other five were arrested, and produced the next issue before the police arrested and charged him with sedition (Anonymous, 1992g). Attorney General Amos Wako dropped the charges on May 19, 1993; nearly 14 months after the journalists were arrested (Mutonya & Ngugi, 1993). Defense Attorney Muchai Lumatete accepted the withdrawal of the case but protested about the time and money lost in the prosecution that was unnecessary (Mutonya & Ngugi, 1993, p. 11):

It is absurd that it has taken the attorney general more than a year to realize that the proceedings were unnecessary. The fact that the accused were charged in Mombasa when they were ordinarily working in Nairobi is in itself an affront to the principles of justice. Lumatete told Chief Magistrate Joseph Karanja Kanyi that the court should not allow the government to put journalists through the kind of suffering the six had been put through.

On June 15, 1992, while the sedition case was still in court, police impounded another issue of *Society*. This time, Police Commissioner Philip Kilonzo said the police had confiscated 10,000 copies of *Society* “because it contained words and articles which could jeopardize state security” cause and tribal war in North Eastern Province, threatening relations between the governments of Kenya and Somalia (Shimoli, 1992, p. 1).

Political attacks on alternative press

Vice President George Saitoti accused *Finance* and *Society* of “‘besmirching’ him with their ‘foolish and ungodly’ literature” (Niko, 1992b, p. 2). He said the magazines were preoccupied with “dirty politics of character assassination.” The vice president was responding to a *Finance* article in which it was claimed that Saitoti was incapable of managing the country’s economy (Niko, 1992b, p. 1):

Notwithstanding his relative inexperience in the crucial field he has been entrusted in, Saitoti has been fatally compromised by allegations of corruption and other misdeeds to be any more effective in providing the essential leadership motivation and inspiration required for the mammoth task.

On May 29, 1992, *Kenya Times* reported KANU Secretary General Joseph

Kamotho as urging Attorney General Amos Wako to take action against *Society* and *Finance* for allegedly fueling ethnic clashes in the Rift Valley Province (Anonymous, 1992i, p. 1). Kamotho described a *Finance* cover story entitled 'The Molo Massacre' as irresponsible. "This article is full of libelous venom and calumny all aimed at the person and station of the Head of State and the ruling party and is treasonable."

Kamotho's signed statement to Kenya times said "KANU calls upon the attorney general to take appropriate action against the magazine in order to uphold the good name of His Excellency the President, the ruling party, KANU and the government" (Anonymous, 1992i, p. 1).

At a different function in 1992, Kamotho called for severe punishment of provocative magazine publishers "even if it means locking them in for life" (Karega, 1992, pp. 1-2). The minister claimed the publishers were collaborating with their foreign masters to incite *wananchi* (citizens) against the government and leaders. The police had impounded copies of *Finance*, *Nairobi Law Monthly*, and *Society* the previous week and arrested *Nairobi Law Monthly* editor Gitobu Imanyara.

One of the proponents of press control was cabinet member Peter Habenga Okondo, who wanted a press complaints commission formed to control the press (Throup & Hornsby, 1998). He accused the newspapers of being irresponsible and a threat to national security. Assistant cabinet member for information and broadcasting, Sharrif Nassir warned that the press was a danger that could bring bloodshed.

Throup & Hornsby (1998) says that the cabinet member in charge of information and broadcasting, Burudi Nabwera, "singled out the pro-opposition magazines *Society* and *Finance* for particular blame. Both journals had devoted considerable space in the

last few months to reports about ethnic clashes that appeared to have had support from political leaders.

In May 1991, an assistant minister for Transport and Communications, Francis Mutwol, accused *Society* editor in May 1991, of tarnishing Kenya's international image through an editorial that said that there was a need for a multiparty system in Kenya to satisfy the wishes of the masses (Anonymous, 1991b). The editorial said, "To save the country from bloodshed and bitterness, KANU should change and be seen to change to allow Kenyans who want to form an opposition party to do so" (Anonymous, 1991b, p. 2).

The ruling KANU party launched the *Kenya Times* newspapers in April 1983, nearly a year after Kenya Air Force officers tried to overthrow the government (Hachten, 1993; Opiyo, 1994; Ochieng, 1992; Press, 2004). The group published the *Kenya Times* daily, the *Sunday Times* and the sister Swahili daily, *Kenya Leo*. After the August 1982 coup threat, "the Moi presidency became more introverted and authoritarian," says Owino (2005, p. 156). The *Times* newspapers were intended to help suppress opposition as well as to counter privately owned newspapers published by the *Nation* and the *Standard*. The government had already used the coup threat as an excuse to suppress the *Nation* and the *Standard*, but the *Times* newspapers were to serve as insurance in case some anti-government stories escaped the editor's censorship.

The *Times* newspapers became particularly useful when *Finance*, *Nairobi Law Monthly*, and *Society* were launched to give political opposition voices a forum that the *Nation* and the *Standard* could not provide because of government pressure. The *Times* newspapers were used by KANU not only to counter the *Nation* and the *Standard*, but to

discredit *Finance*, *Nairobi Law Monthly*, and *Society*, and to scare advertisers and readers of these magazines. The *Times* of February 28, 1993, for example, carried an article obviously intended to portray the publishers of the three magazines as criminals, and to scare advertisers, readers and printers (Macharia, 1992). After discussing the February 28 article, it would be worth looking at another article that the *Times* published on April 24, 1993 about a court hearing, involving *Society* that never took place, according to *Society* Director Loyce Nyamora (Anonymous, 1993d).

The *Times* devoted most of its February 28 full-page article, starting on page one, discrediting *Finance* and its publisher Njehu Gatabaki, with a few less hostile mentions of *Nairobi Law Monthly* and *Society*. Long portions of the article are quoted below because the opinions the paper expressed at the time, were perfect reflection of the thinking of KANU and government leaders. The article, written by Murigi Macharia, seemed to have been intended to scare away advertisers and printers of *Finance*, *Nairobi Law Monthly*, and *Society*. It is obvious from the story that the writer called advertisers and printers to find out if they still had anything to do with the magazines that the government and KANU leaders considered seditious.

The article begins by reminding its readers of an earlier article that argued that because *Finance*, *Nairobi Law Monthly*, and *Society* were not getting advertisement support they could not have survived that long without foreign financial and other support. The writer then goes on to argue that former Vice President Josephat Karanja, who has since died, was supporting *Finance* financially because the magazine was giving him generous coverage. The *Times* goes on to accuse *Finance* publisher and Editor Gatabaki of unfair labor practices for allegedly firing *Finance*'s marketing executive, and

failing to pay his staff “because of the pecuniary embarrassment in which the publishing company now finds itself. To get a good sense of the possible motives for the *Times* article, it is a good idea to quote the article below (Macharia, 1992, p. 1):

Mr. Gatabaki—who with his wife Rachel are listed as the directors—dismissed the Sunday *Times* report as the work of individuals malevolent to him personally but failed to produce even a shred of evidence to prove wrong any of the statements made in our Sunday *Times* story.

Instead, he allowed himself in a letter to *Times* Editor in chief Philip Ochieng in a long and amorphous diatribe—most of which was in such bad taste and so mindless of the laws of libel that they were unprintable—calling Mr. Ochieng all sorts of names.

Asked late last week about his latest problems, Mr. Gatabaki replied in characteristic fashion: “Stop wasting my time. It has nothing to do with you!” The *Times* article said that advertisers had suddenly pulled out from *Finance* and that the magazine could only afford to pay workers occasionally and in small cash “doses.”

The paper published a list of advertisers who had allegedly pulled out their advertising from *Finance*, an indication that the writer had called them about the story. Among those listed were public corporations such as the Kenya Power and Lighting, Kenya Railways, Kenya National Assurance, Kenya Airways, and the National Bank of Kenya — “all saying the publication is too embarrassing by its total absence of tact, taste and a sense of moderation” (Macharia, 1992, p. 1).

The article quotes another advertiser as saying, “We pulled out all our

advertisements from the magazine when we noticed that the magazine was becoming militantly political and anti-government.” None of the advertisers contacted by the party paper said anything other than that they were pulling out their advertisements from *Finance*. It was the only wise thing to do for any business that wanted to survive in an authoritarian system.

Having seemingly solicited—or threatened—the advertisers not to support any of the three magazines, the party paper turned to some of the printers that had been publishing *Finance*, *Nairobi Law Monthly*, and *Society*. The times article said *Finance* was facing printing problems because the *Standard* would not print it. The writer goes on to explain below how much the printers wanted to avoid *Finance* (Macharia, 1992, p. 1):

The *Standard* newspapers which until recently has been printing the *Finance* along with the equally controversial *Society* magazine among others, wrote to the registrar of books and newspapers saying that it was withdrawing their printer’s bond from those publications after they had lapsed on them for a number of months last year.

The *Standard* newspapers letter said in part: “We do not wish to print any future issues of *Finance* due to its political...interviews. Instruction has been given to our production staff not to accept for printing any issues of *Finance* with effect from November 13, last year.”

The *Times* tells its readers that *Finance* was established to report and analyze business but had veered into political reporting in the wake of multiparty political debates. “The magazine” the *Times* story says, “has undeniably been a sympathizer of those advocating for the multipartyism. The *Times* writer listed some of the opposition

leaders *Finance* was supporting, in apparent efforts to show that the publisher was not loyal to the government (Macharia, 1992, p. 1):

The magazine has been heavily criticized by a number of politicians for carrying militant vitriolic messages from individuals and fallen politicians opposed to the government. The *Times* described *Finance* as “the ‘official’ forum for other fallen politicians as the first Vice President Oginga Odinga, former Cabinet Minister, Mr. Achieng’ Oneko and detained former cabinet ministers Messrs Kenneth Matiba and Charles Rubia, among others.

It is easy, for anybody who followed Kenyan politics, to explain why KANU party newspaper singled out Odinga, Oneko, Matiba, and Rubia. Odinga, who is now dead, was the force behind the pro-democracy movement that uprooted KANU’s dominance in politics since 1963, and the party’s gradual eradications of democracy in Kenya. Oneko had been Odinga’s close ally since colonialism. Matiba and Rubia became President Moi’s bitter political enemies after the president fired them from his cabinet. Their cooperation with Odinga was credited for the national unity that broke down authoritarianism. Government pressure had discouraged the mainstream press from publicizing Odinga, the doyen of Kenyan opposition, since 1969 when President Jomo Kenyatta banned his KPU party.

The *Times* justified its attacks on *Finance* by pointing out that the magazine had come under fire because of its articles that were rude to the president, and referred the readers back to previous article, “which exposed that the troubled magazine, together with two others—*Society* and the *Nairobi Law Monthly*—only came out whenever there is enough filth from those opposed to the government. The *Times* article goes on to

remind the reader what the newspaper's previous article said about *Finance*, *Nairobi Law Monthly* and *Society* (Macharia, 1992, p. 1):

It was revealed that the three magazines attracted scanty advertisers if any—a prerequisite for the survival of any newspaper or magazine—and supposedly that the three anti-government magazines are being funded by outsiders.

“So far,” said the Sunday *Times* article, “the contents of the publications have raised eyebrow, to say the least, among up-market printers and advertisers, and proved opprobrious with readers, analysts and other observers.”

Continued our report: “What this means is that these magazines do not have commercial purposes and that somebody is pouring heavy cash in them and that this person has a high political stake in them.”

But what baffles most observers is the fact that in spite of the magazine being impoverished in adverts, its circulations are not affected in those months that it comes out.”

The *Kenya Times* propaganda against the magazines reached its height on April 24, 1993, when it came out with a story on *Society* about something that never took in court. The story is reproduced in full below (Anonymous, 1993d, p. 1):

Society magazine is facing liquidation due to financial constrains, Mrs. Loyce Nyamora, an editor of the magazine, told a Mombasa court yesterday.

Mrs. Nyamora was seeking an adjournment of a case in which editors and writers of the magazine are on sedition charges. She said the case should be heard next year when their financial situation will have stabilized. She cited traveling expenses from Nairobi to Mombasa for the mentioning of the case affecting the

magazine adversely.

The editor of the magazine Mr. Pius Nyamora, his wife (Loyce) and writers Mwenda Njoka, Mukalo wa Kwayera, and Laban Gitau were last year arrested and charged with publishing seditious articles. The first three were not required to plead as consent to prosecute them had not been received from the attorney general.

Mrs. Nyamora told the court that they feared the lawyer representing them might pull out of the case. The lawyer, Mr. Muchai Lumatete, was not in court forcing the magistrate to postpone the mention of the case. “Your lawyer is not around, there is no way we can continue,” the magistrate said.

The magistrate said that the lawyer representing them was supposed to officially pull out of the case. On the financial crisis they are facing, the magistrate told them that he could not do anything but remand them in prison custody.

However, he told them to inform their lawyer the problems they are facing. They will appear in court for the mentioning of the case on April 28.

Responding to the *Kenya Times* story, Loyce Nyamora said: “I cannot imagine the extent to which the KANU newspaper could get away with lies!” (Nyamora, 1992)

Some journalists at *Kenya Times* conducted themselves professionally, and their stories could be published by the privately owned *Nation* or the *Standard*, as can be concluded by a story written by Richard Kerror (Kerror, 1992; Ngugi, 1992). His story was about threats by senior public officials to sue *Society* for publishing a story claiming the officials grabbed land meant for the poor. The *Times* published the names of the

officials mentioned in the *Society* story. Voters' registration was a mess for two main reasons, say Njoka (1992) and Mugo (1992). The first problem, according to interviews carried in June 29, 1992 issue of *Society*, arose from the voters' register. The paper quoted a voter, Wycliffe Waswa of Kitale as saying "I was almost through with the registration when I discovered that the identity card number on my voter's card was different from the one entered in the voters' register. When I pointed this out to the registration clerk he simply told me *hakuna makosa hapo, hivyo ndivyo tunawaandikisha watu hapa* (there is nothing wrong about this, that is how we are registering people here)" (Njoka, 1992, p. 27). Registration went on after close of registration in some parts of Rift Valley Province, where the ruling party was determined to win the required 25 per cent vote for the presidential candidate to win the province.

Another problem that Mugo (1992) and Throup & Hornsby (1998) talk about is ethnic conflict instigated by some ruling party leaders who feared they did not have enough support. In his article Mugo (1992, p. 43) tells KANU leaders to stop blaming *Society* "for the myriad evils that besiege the KANU government. The evils Kenyans are fighting have been perpetuated by KANU leadership itself" (Mugo, 1992, p. 43). He goes on to accuse the leaders of having instigated the violence against the Kikuyu tribe in the Rift Valley Province by hired warriors from the Kalenjin and Masai tribes (Throup & Hornsby, 1998).

The conflict was allegedly intended to drive away the Kikuyu out of the Rift Valley before the multiparty elections. Some ruling party leaders were suspected to be behind the violence. President Moi was against multiparty democracy system of government, arguing that it would bring about tribal conflict. Another reason for

suspicious that leaders were behind the conflict was the apparent reluctance by the government to stop the violence (Kwayera, 1993; Njoka, 1993; Throup & Hornsby, 1998). Kenyans worried that the elections would not be fair unless the government gave security to every citizen. So long as the politically motivated conflicts continued, the press, particularly the alternative press, was going to keep on reporting about them. With the violence going on before the 1992 elections, Attorney G. B. M. Kariuki predicted “a gloomy future arising from a general election that will not be free and fair” (Kariuki, 1992, p. 2). The above two factors, faulty voters’ register and ethnic conflict, gave advantage to the ruling party in the 1992 elections, which Kanu won. But the opposition seemed destined to lose the election because leaders were not united.

Sweden, Denmark and the FORD Foundation gave about KSh12.4 million (about US\$248,000) in grants for voter-education and mobilization, through training for leaders, legal aid, education and research projects, development of constitutional policy papers, and support for human rights (Throup & Hornsby, 1998). The *Law Society* of Kenya and the *Nairobi Law Monthly* also benefited from the grants.

The Washington-based National Endowment for Democracy (NED) gave *Society* a grant of US\$40,000 for democracy education in preparation for the 1992 election.

Although the opposition took part in these elections, the government retained power.

After the 1992 elections, the government expanded its attacks on the alternative press to include their printer, Fotoform. The printing press owner, Dominic Martin, agreed to print *Finance*, *Nairobi Law Monthly* and *Society* after the three magazines could not find any printer with a large capacity. Fotoform could barely print 10,000 copies a week. In 1991, the *Standard* refused to print for *Finance* because the magazine

had carried an open letter asking President Moi to allow Kenyans to form opposition parties (Imanyara, 1993). The *Standard* had also refused to print *Society* unless the editor accepted *Standard* editor to censor the magazine. *Society* moved to the *Nation*, but was rejected after the police impounded 30,000 copies of *Society* on January 5, 1992, the government deported two Indian managers but allowed them back if the *Nation* stopped printing *Society*. At no time did the government return the magazines it impounded.

On April 30, 1993, armed police dismantled Fotoform printing press after impounding 30,000 copies of *Finance* (Mwangi, 1993; Opala, 1993). The vice-chairman of the Forum for Restoration of Democracy (FORD), Paul Muite, condemned the government for dismantling the printing press, and described the action as a “reverse to democracy.” US State Department protested the dismantling of the printing press and the confiscation of 30,000 copies of *Finance*. State Department spokesman Richard Boucher called on the Kenya government to commit itself to protection of the press by returning the copies of *Finance* to the publisher.

Publishers and printer take government to court

The publishers of *Finance*, *Society*, *Economic Review*, and their printer, Fotoform, represented by Attorney Gibson Kamau Kuria, took the matter to the High Court, asking it to stop the attorney general and the commissioner of police from interfering with freedom of the press (Makotsi, 1993). The publishers and the printer also asked the court to order the police to return the parts they took when they dismantled the printing press.

On May 6, 1993, the court allowed the police, who dismantled the printing press that produced *Society*, to continue holding the parts they removed from the press

(Anonymous, 1993c; Orlale, 1993). The publisher, Pius Nyamora, told the *Standard*, he could not find another printer willing to touch *Society* (Anonymous, 1993c). Police had dismantled Fotoform printing press and taken 30,000 copies of *Finance*, which was being printed. Justice Effie Owuor heard the case. Attorney Gibson Kamau Kuria represented the printer, Dominic Martin, and the publishers of *Society* and *Finance*. After 10 weeks, Owuor ruled that the police were justified in dismantling the press, and therefore the publishers and the printers were not entitled to any compensation.

The court dismissed the Fotoform case (Orlale, 1993). Lady Justice Effie Owuor said she could not order the parts returned for fear of prejudicing a case at a lower court. *Society* director Loyce Nyamora expressed disappointment at the court's ruling. *Finance* publisher Njehu Gatabaki, speaking for the Association of Free and Independent Press, said the ruling approved the police action and the Penal Code regulations enacted during colonialism to contain African nationalism.

British High Commission in Nairobi responded: "As we have said before, we strongly support the principle of the freedom of the press and our sympathy is, therefore, entirely with Fotoform" (Orlale, 1993, pp. 1-2).

On June 23, 1992, attackers who were never identified firebombed *Society* offices shortly after 8 p.m. Editor Pius Nyamora and *Society* Director Loyce Nyamora were among the people in the fourth floor Tumaini House offices that the firebomb partially destroyed, shattering communications. (Lugaga, 1992; Mugo, 1992; Wandalo, 1992).

Loyce Nyamora was angry after the incident (Mugo, 1992, p. 43): "This is an attempt by the government to take our lives. They do not realize that by killing the five people other Kenyans would have continued to operate. Our children can take over and

continue publishing.” A week after the police arrested the five *Society* journalists in April 16, 1992, the publishers’ 15-year old daughter, Margaret Nyamora, and the editor’s mother, Prisca Nyamora, joined the skeleton staff at *Society* offices to assist with distribution of the new issue of the magazine (Malalo, 1992).

Editor Nyamora described the bombing of *Society* offices as an attempt by KANU government saboteurs to cripple the magazine. “The Action was definitely government sponsored,” he said (Mugo, 1992, p. 43). “After taking more than 30,000 copies of our January magazine and more than 10,000 copies in June, this year [1992], they have now decided to kill those behind *Society* and production equipment.”

On June 25, 1992, CPJ again condemned the firebombing of *Society* offices (Anonymous, 1992c; Lugaga, 1992; Wandalo, 1992). The body called on the government to investigate the incident thoroughly. CPJ executive director Anne Nelson said the incident was intended to intimidate “an outspoken voice in the country.” The bombing occurred about 8 p.m., on June 23, 1992 according to *Standard* of June 26. *Society* Editor Nyamora said either the attackers or the firebomb damaged telephones, making it impossible for the editor, his wife and two members of staff who were still at work to call for help. They escaped through a back door.

Following the firebombing of *Society*, the *Standard* cartoonist portrayed the suppression of the alternative press by portraying *Society* editor chained to court cases, summons, impoundments of the magazines and printing bills, and the bomb had left the publisher helpless (Lugaga, 1992).

Chapter Five: Summary and Conclusion

The purpose of this study was to investigate the role of alternative press in mobilizing Kenyans to regain a multiparty democracy after 29 years of one-party rule that had turned authoritarian. The study focused on *Society* magazine, and examined two monthly magazines, *Finance* and *Nairobi Law Monthly*. To determine the events that led to the silencing of Kenya's mainstream press in 1980s, the study looked at political and media history since Britain took over control of Kenya. Events from all that period had an accumulative effect on what was happening in Kenya.

When Britain ruled Kenya from 1895 to 1963 the British settlers—mainly farmers and traders—controlled Kenya's politics and the economy. The power to govern was in their hands because they were the ones with the right to elect representatives to the Legislative Council. Because they controlled the country's economy and politics, the settlers also controlled the press from August 1899, when Charles Palmer founded the weekly *East Africa and Uganda Mail*, the first private newspaper, until well after Kenyans gained independence in 1963. Any newspaper publisher who wanted to succeed had to support the settlers. Supporting the settlers did not mean supporting the colonial administration. The settlers had the power to elect the colonial government in Kenya, and to influence its administration. That power enabled the settlers to suppress the African nationalists' press and to promote the *Standard* that helped the British to prolong their minority and unpopular rule.

So by independence in 1963, the *Standard* was the only and the longest surviving settler newspaper in Kenya. The new African leaders did not trust it because of its tradition of humiliating Africans and opposing majority rule. The British-owned newspaper had remained a mouthpiece for the settlers' interests for more than 60 years and against Africans. The *Nation* was about three years old by independence but it was also controlled by British journalists and owned by a foreigner. The African leaders' suspicions of the foreign-controlled press caused fear and uncertainty among the British journalists who dominated the press, leading to self-censorship to eliminate any opposition to the new government.

As it turned out, the most influential and pro-Western new African leaders such as President Kenyatta and Tom Mboya had common interests with the successful British settlers and those with economic power. The common enemies of the leaders and the settlers were government opponents, led by Oginga Odinga, who were against continued control of the country's economy by the settlers. Kenyatta and Mboya wanted political and economic stability of the country and, therefore, wanted the settlers to continue controlling the economy (Mohr, Special to *The New York Times* By Charles, 1973). Opponents of the government policies and British economic domination were portrayed as communists who wanted to destabilize the African government (Leftist voice in Kenya. 1965; Fellows & *Times*, Special to The New York, 1965a; Fellows & *Times*, Special to The New York, 1965b; *Times*, By Lawrence Fellows Special to The New York, 1966b). Western-controlled local and foreign media were used by African leaders to discredit any opposition (Kenya probes mysterious document. 1965). As a result Kenyan opposition figures such as Odinga were either denied a platform to air opposition

views or only appeared in the media when they were being discredited.

Some African and other non-white journalists, who tried to give positive coverage to government opponents, were fired either because of direct pressure from government officials or fear by the publishers of being seen as anti-government. But as Africans took control of the editorial departments of the newspapers, they pushed for more freedom. The journalists discovered that President Kenyatta, a former editor of *Muigwithania*, one of the two most successful nationalist newspapers, either tolerated or appreciated press freedom. But that did not open the media to leading critics such as Odinga, Kenyatta's worst political enemy.

After Kenyatta's death in 1978, his successor President Daniel arap Moi, who was never involved in nationalist press, hated press criticism against him, his government, or his political supporters (*Times*, Daniel Arap Moi Special to The New York, 1978). Self-censorship reemerged, and by 1982, Kenya's mainstream press, the *Nation* and the *Standard*, had been silenced. The editors struggled to figure out what was politically safe to publish. Because of that fear, the editors avoided publishing anything they felt could offend the government. Kenyans had to depend on foreign news media to learn what was happening in the country.

But even that source was at times blocked when the government impounded some foreign newspapers at the country's international airport before they were distributed. The government could, however, do nothing much about foreign radio broadcasts such as the *British Broadcasting Corporation*, the West German broadcasts from *Deutsche Welle*, *Voice of America*, *Radio South Africa*, and *Radio Tanzania*. To cover this loophole, the government began restricting work permits to foreign correspondents. After the

government deported a few foreign journalists such as Blaine Harden of the *Washington Post*, foreign journalists were more careful in covering political events in the country. They did not give prominence to the launching of the Forum for Restoration of Democracy (FORD), the pressure group that mobilized Kenyans to force the government to allow formation of opposition parties. Kenya's mainstream press did not cover that event either. The launching of FORD was prominently covered by *Finance*, *Nairobi Law Monthly*, and *Society*. A Western foreign correspondent provided *Society* with a copy of FORD's memorandum of association, which his organization could not use because of censorship and fear of deportation. *Society* published the memorandum in full, without revealing the correspondent as a source.

Just as the events that led to the silencing of the Kenyan press were cumulative, the efforts to bring democracy and press freedom in Kenya were systematic and cumulative. The struggle for democracy began from individuals such as lawyers, journalists, politicians, students, professors, and politicians. Once some of these activists succeeded in convincing others, they gained more courage to move on. As the number of individual activists increased, they influenced institutions such as students' organizations and professional associations such as the Law Society of Kenya, churches, national church organizations, public transport associations, and the news media. That led to the creation of FORD, which mobilized the public with the help of other organizations and individuals. Once the public got the message of the need for democracy, thousands of Kenyans openly demanded their rights. Local and foreign news media could not conceal what was happening.

Soon the international community, through pressure from such institutions as the

World Bank and the International Monetary Fund, supported the movement for democracy (Kenyan opposition welcomes delay in aid. 1991). The Kenya government was forced to repeal Section 2(A) of the constitution that made the country a single party state. Kenyans were allowed to form opposition parties. They could now express contrary opinions from those of government leaders. That in turn freed the mainstream news media. In 1992, Kenya held its first multiparty elections since 1963. Ten years later, a new political party, the National Rainbow Coalition (NARC), led by Mwai Kibaki, took over power.

The origin of Kenya's alternative press

Finance, *Nairobi Law Monthly* and *Society* emerged when Kenyans were ready for them. Political repression had silenced the mainstream press, creating a need for alternative publications. Although the three publications' original goals were different, they ended up playing the same role; that of providing Kenyans with information they needed to free themselves so they could determine their political future. *Society* was a weekly, founded, and run by journalists. Its main goal was to serve as a forum for Kenyans whose political views were not covered in the mainstream press because they were different from those of the government and its leaders. *Finance* and the *Nairobi Law Monthly* were monthlies. *Finance* was founded to cover business and finance. *Nairobi Law Monthly* was formed as a professional journal for lawyers. The publications were also available to government supporters, but they did not want to be identified with the newspapers that were considered seditious.

Providing opposition viewpoints was intended to liberate the minds of Kenyans from years of government propaganda, through the state broadcast and private print

media, that the only people who could lead the country were those in power. Such propaganda also gave the people the impression that the government was conducting its affairs well. Liberating the minds of Kenyans also helped to assure and encourage them that they had the power to elect a government of their choice. It was also a responsibility of the alternative press to inform the citizens of what was wrong about the government. That meant exposing and combating issues such as the government's political repression including human rights abuses, torture and detentions of critics; and corruption in government and other public institutions. Once the people were no longer afraid of speaking, the media could not keep them silent for too long.

Major contributions to democracy and free press

The publications motivated Kenyans by combating political repression and corruption. There were two main examples of how the alternative press facilitated political change and free press. In February 1991, when opposition leader Oginga Odinga, announced his intentions to register the opposition National Development Party (NDP), the mainstream press gave in to government pressure not to publicize the event. Weeks later, *Society*, which was a monthly at the time, *Finance*, and *Nairobi Law Monthly* gave the announcement extensive coverage. Five months later, after the government had refused to register NDP, Odinga announced the formation of FORD. Again, because of pressure from the government, the *Nation* and the *Standard* did not publicize the announcement. Weeks later, *Society* carried FORD's memorandum of association in full, and *Finance* and *Nairobi Law Monthly* gave the announcement extensive coverage including interviews.

The government retaliated through sedition charges against the publishers,

impoundments of the publications from the printers and the distributors, and verbal attacks by government leaders. Some attacks were physical such as the firebomb at *Society* offices and attacks on *Finance* staff (Imanyara, 1993; Mugo, 1992; Wandalo, 1992). The mainstream press and some foreign media covered most of the attacks. By covering government retaliation against the alternative press, the mainstream press could report reasons for the attacks, thereby revealing the issues covered by the alternative press. At the same time, the coverage by other media helped to weaken authoritarian leaders by drawing sympathies for the victims, in this case, the alternative press, its readers, printers and distributors. The *Nation* went as far as attacking the government for impounding 30,000 copies of *Society* from a printing press without a court order, and transferring the magazine's journalists 300 miles away, from their place of work, to face 11 counts of sedition.

Another major freedom that the Kenyan newspapers now have concerns the use of political cartoons. *Society* was the first Kenyan newspaper to publish a Kenyan president's cartoon, an action considered suicidal at the time. Today, using a president's cartoon is commonplace.

In the 1980s, no Kenyan newspaper carried corruption stories about senior public figures. In 1992 after *Society* carried a story on an alleged land scandal and was sued by more than 30 senior public officials, the *Nation* and the party newspaper, *Kenya Times*, reported the suit and the names of the officials named by *Society*. The source of the original story was the government *Official Gazette* available to the media weekly. The *Nation* later unearthed a major government scandal, the Goldenberg scandal, which involved millions of dollars and implicated top public officials and business people.

Although a number of individuals were exonerated, the idea that the story was done at all was an indication that press freedom was returning to Kenya.

Alternative press tradition continues

Although the authoritarian government regained power after the 1992 multiparty elections, the mainstream press sustained the freedom they had regained during the multiparty campaigns and never looked back. Because of that freedom and efficient production and distribution, the *Nation* and the *Standard* became more attractive to Kenyans than the alternative press. In addition, by 1993, the government was determined to kill the alternative press for having helped bring about political opposition (Kimemia, 1993). *Finance* Editor and Publisher Njehu Gatabaki, and *Nairobi Law Monthly* Editor and Publisher Gitobu Imanyara got into politics and were elected to the National Assembly in 1997. The editors gave little attention to their publications. *Society* folded after my family and I fled Kenya for the United States in 1994 because of various threats, and warnings from friends among government security personnel that our lives were in danger.

What happened to Kenya's alternative press after the 1992 multiparty elections was similar to what happened just before Kenyans realized that they would be independent from Britain in early 1960s. At that time, Kenyans did not think they would need nationalist papers to fight for them after the British had left. After the 1992 multiparty elections, Kenyans had a freer mainstream press and opposition parties. The alternative publications were also expensive because they depended on circulation and not advertising. For example, at a cover price of KSh50 (US\$1.25), the cost of *Society* was seven times that of the largest daily in East Africa, the *Nation*.

The two mainstream newspapers now continue with the tradition passed to them by *Finance*, *Nairobi Law Monthly* and *Society*, but at a lower cost to the reader. They appear to support different political groupings, with the *Standard* looking more hostile to the government than the *Nation* is. Because of their freedom, the mainstream newspapers have also inherited government attacks that were reserved from the alternative press. On March 2, 2006, armed masked police commandos raided the *Standard* and its television station, the *Kenya Television Network*, at 1 a.m., and set thousands of newspapers on fire and destroyed equipment (Mitchell, 2006). The raid followed Kenyan media coverage of corruption in President Kibaki's government.

Although such raids are not common these days, the attack revealed a new trend. Thousands of Kenyans took to the streets of country's capital, Nairobi, to protest in support of the newspaper. Such protest never took place during the impoundments of alternative press. And for the first time, the United Nations and the European Union protested against the government's action. The U.S. Embassy, which always defended the alternative press, also protested against the government.

On May 3, 2005, Kenya's First Lady Lucy Kibaki stormed the *Nation* and confiscated any material she could find on a story about how she disrupted a neighbor's party, by yelling that the music was too loud ((NYT), 2005; Call to arrest Kenya's first lady. 2005). She also slapped an enthusiastic television cameraman, Clifford Derrick Otieno, who demanded the first lady's arrest or apology. Otieno got neither, but he had the freedom to express himself. It was a sign that Kenyans were taking advantage of their second liberation that buried authoritarianism in 1992.

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