

1.0 BACKGROUND INTRODUCTION

As part of monitoring the broad electoral environment, ELOG identified media monitoring for hate speech as one of the strategies to employ in implementing its observation mandate. The strategy monitors, by use of various techniques, hate speech and inflammatory language through the media, with the aim of informing mitigation by the relevant state-actors. Through the project, ELOG intends to monitor and observe the use of hate speech throughout the electioneering period in totality i.e. the pre-election period, e-day and the post-election period. The project is funded by the National Democratic Institute (NDI) and implemented by the Elections Observation Group (ELOG) secretariat on behalf of the steering committee and aims at achieving the following key objectives:

- ✿ Assess the spread, degree, and substance of hate speech and inflammatory language in Kenya during the 2017 electoral processes.
- ✿ Share findings from the observation widely.

Generally, the project aims at informing the larger ELOG mandate of safe-guarding the integrity of the 2017 general elections, through a research-oriented approach which applies both quantitative and qualitative research techniques. ELOG hopes that media monitoring for hate speech will elicit deterrence thus minimising possible incidences and impact of hate speech and violence during this election period.

This report aims at:

- Highlighting key outputs achieved so far.
- Highlighting flagged incidences from our analysed data.
- Proposing recommendations.

2.0 METHODOLOGY

In order to effectively and efficiently monitor hate speech and inflammatory language ELOG developed a hate speech occurrence form. This form is coded in such a way that it easily guides the monitor in capturing incidences of hate speech as they occur. Some of the major components of the form include the media outlet being monitored, the time of the occurrence, the genre of the media outlet, the victim, and the perpetrator. The form also seeks to interrogate whether the reported incident is related to the current elections or just a general incident. Furthermore, ELOG ranks the intensity of hate speech and inflammatory language within a scale as described below, in a strategy referred to as coding. This is also introduced in the occurrence form.

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- *Somewhat inflammatory*: this is low intensity hate speech, which has no call for action but it creates a negative image of the targeted victim.
- *Inflammatory*: this is hate speech of medium intensity, and among others has a dormant call for action.
- *Dangerously inflammatory*, which ELOG considers as the highest intensity of hate speech as it has the strongest potential to lead to violence and or discrimination.

ELOG media monitors fill out the hate speech occurrence form after every single time they hear, watch or read an instance of hate speech during their monitoring time frame. In this regard, ELOG is monitoring both electronic (radio and TV) and print media as indicated on the table below. This is done in what is called real-time monitoring and mapping, which has the advantage of serving as early warning mechanism.

Each monitor is allocated a specific media outlet which he/she monitors throughout the week. In order to do this efficiently radio media is monitored during morning hours (6am – 11am) which is considered prime time for radio; TV is monitored in the evening (6pm – 11pm) which is considered primetime for TV while print media is monitored during the day. Any incidences thereof tracked are reported immediately.

TV Media	Radio Media	Print Media
Citizen TV	Citizen Radio	Daily Nation
NTV	Radio Jambo	The Standard
K24	Kass FM	The Star
KBC	Changei FM	People Daily
KTN	Mulembe FM	
	Mbaitu FM	
	Ghetto Radio	
	Kameme FM	
	Inooro FM	
	Radio Ramogi	
	County-Based Radio Outlets	
	Radio Rahma (Mombasa)	
	County FM (Kitui)	
	Radio Lake Victoria (Homa Bay)	
	Radio Ingo (Kakamega)	

Table 1: media outlets being monitored.

Moreover, hate speech incidences are serious incidences, which require immediate action, especially in cases where they are dangerous and have the potential to lead to violence. In order to ensure speedy realisation of results, the project utilises the open data kit (ODK) as its reporting strategy. The ODK is

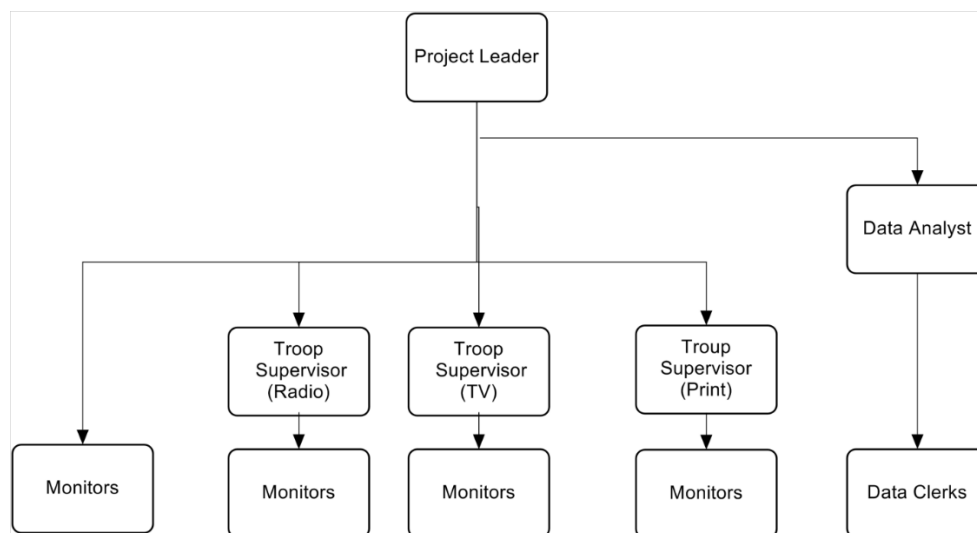
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presented in form of an App thus making it easy for the media monitor to access from their own android phones and send reports. The ODK has the advantage of working both on and offline in such a way that the user can save work offline and be able to forward (report) when online. ELOG media observers were trained on how to utilise this reporting tool.

Once the data is received by the ELOG server the ELOG media monitoring for hate speech data analyst is responsible for analysing and triangulating data. Based on the ranking criteria above the analyst ranks incidences accordingly. Where there are gaps, the analyst in consultation with the project leader make follow up queries with the monitors where the first step is to determine whether the reported incident qualifies to be a hate speech incident. Hate speech incidences are then tabulated and ranked accordingly.

Furthermore, ELOG put into place a media monitoring unit with the aim of providing the monitors and staff involved in this work with the right environment for media monitoring. The monitors implement their mandate from this unit. This kind of centralisation ensures quality of work, and efficiency. The unit contains 5 TVs, 10 mobile phones for monitoring the radios and for ODK reporting; 4 daily print newspapers, head phones and earphones, 4 laptops, SD cards and flash disks.

However, monitoring of 4 community radio stations is based at the counties i.e. Kitui, Homabay, Mombasa, and Kakamega. This is because the target outlets only have their frequency restricted within a short radius.

The media project team is as presented in the following diagram:



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Fig 4: Project data analyst and technician testing the headphones upon purchase.



Fig 5: Media monitors engaged in a media monitoring session targeting TV.

3.0 ACTIVITIES AND KEY PRELIMINARY OUTPUTS

In order to achieve the above objectives ELOG implemented the activities described below. These activities are a *precursor* to effective monitoring and reporting of hate speech and inflammatory language incidences.

1. **Analysis of Existing Legal Framework on Hate Speech in Kenya** – an elaborate desktop review of the existing legal and policy framework was carried out. The purpose of the review was to establish the legal framework of hate speech as well as to give a background that informs the process by highlighting the necessity of observing media reporting on hate speech during elections. This review forms part of the contents of the “Media Monitoring for Hate Speech Manual” which is provided as a resource for reference by the monitors during the entire observation period. This is illustrated by the picture below. It is expected that the observers will continually appraise themselves on the legal framework which governs hate speech in the country.

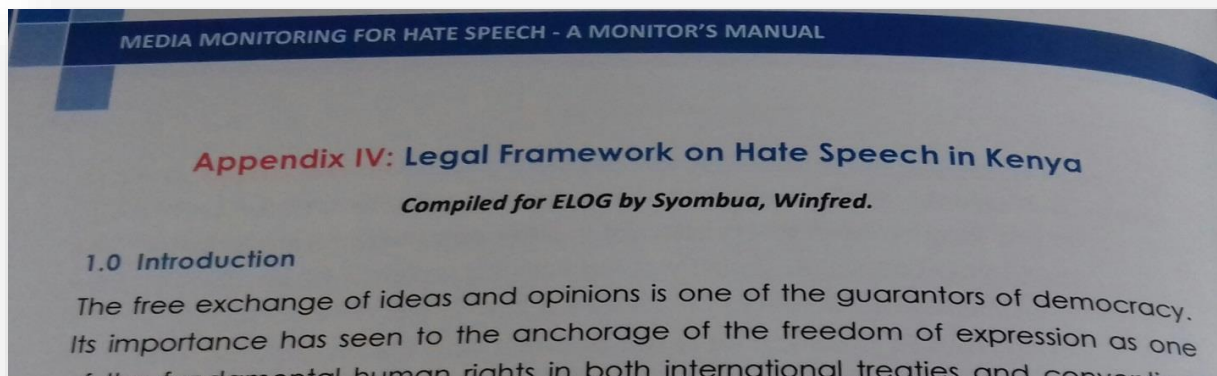


Fig. 1: Appendix on legal framework on hate speech as contained in the media monitors' manual.

2. **Conceptualisation, Development and Design of the Media Monitoring for Hate Speech Manual**
For the flawless implementation of the project, it was imperative that a manual to guide the process be developed. Therefore, a comprehensive media monitoring manual was conceptualised and printed out on the 24th of April. The manual serves as reference resource for the institution as well as the monitors who need it as a guide on daily basis on their work. It covers the following broad range topics:
 - i. An Introduction to ELOG and the 2017 Election Project
 - ii. Introduction to monitoring Hate Speech through the Media
 - iii. Roles and Responsibilities of Media Monitors
 - iv. What to observe- Identifying hate speech and inflammatory language when it occurs
 - v. How to record hate speech and inflammatory language

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- vi. Understanding and completing the hate speech occurrence form
- vii. Guidelines on using the ODK to report the media occurrence form

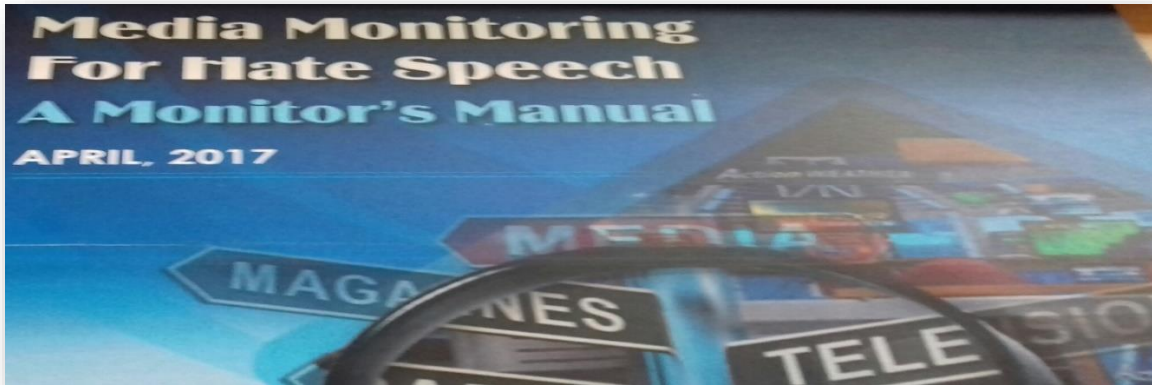


Fig.2: The Media Monitoring for Hate Speech Manual, cover.

3. **Recruitment, Training and Deployment of Monitors** – in recognising the magnitude and intensity of the project, ELOG embarked on a recruitment exercise to identify individuals of integrity and candour to deploy as monitors. Thus, through its networks, 21 monitors were recruited, subsequently trained on 26th April and deployed on 2nd May 2017. The monitors were trained on topics identified above and contained in the media monitors manual.



Fig.3: Monitors during the training workshop at the Luke Hotel

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4. **Monitoring hate speech/inflammatory language through the media** –this forms the backbone of this project. It is the research part where monitors keenly listen to, watch their outlets or engage in intensive reading and scanning to pick out occurrences of hate speech and inflammatory language. Our observers monitor the following media outlets, which were picked based on a number of factors including: Size of the target listener-communities in the country, the language of broadcast, affiliation to politicians in terms of ownership, distribution strength, and strength of viewership.

4.0 FINDINGS AFTER TWO WEEKS OF MONITORING: A SUMMARY PRESENTATION.

ELOG started official monitoring of hate speech through the media following the deployment of the monitors on 2nd May 2017. Radio, TV and print media were observed with the objective of identifying and reporting on hate speech incidences. Our 21 monitors tracked incidences of hate speech in their allocated media outlets and reported them via the ODK. The results are tabulated below. Radio media produced more incidences than print and TV combined i.e. 36. However, out of the 36 only 9 met ELOG’S threshold of hate speech and were categorised as presented on table 3 below. The rest were declared abusive language, or mere propaganda or just an exercise of freedom of expression as defined by Article 33(1), of the Constitution of Kenya. Besides, while there was no hate speech incident for TV, 2 occurrences emanated from the newspapers. All 4 incidences reported for TV were considered to fall below the ELOG HS threshold.

Count of Rating (Radio)	Rating				Grand Total
	Dangerously	Inflammatory	Not HS	Somewhat	
Total	3	1	27	5	36

Table 2: Summary of Radio incident count, ranked according to ELOG criteria, Week1 and 2, May.

Radio Media:

The following scenarios were highlighted under this outlet.

Scenario 1: Radio Ingo:

Incident 1: during a radio interview programme (Amacheni radio programme), Livondo, a jubilee party activist, is quoted saying;

“I will use all the machinery to block ways for Raila from carrying out his campaign in Western”.

This was categorised as *somewhat inflammatory*, as it basically creates a negative image of the targeted victim.

Incident 2: during a news programme (Local programme), a news reporter, Emanuel Makokha is quoted saying that during the recent nomination process women and youth were not considered for various seats

countrywide and that there will be tension and unrest between women, youth and men during August election.

This, in some contexts can amount to serious incitement thus potential for violent incidents.

Scenario 2: Radio Mbaitu:

Incident 1: During radio interview segment ('Mbunge ya Mwene Nthi – people's parliament) with Sammy Mulinge the program anchor an anonymous politician is quoted saying

"No kyama kinini kiteneika nomination ta cha maendeleo chafu chafu " – (translation) It is only a small party which didn't carry out party primaries like Maendeleo Chap Chap.

Chap Chap is nuanced to Chafu Chafu which translates into dirty or soiled. Calling the party, a "dirty development party" will definitely not sit well with its supporters and can create enmity in a region, possibly, dominated by Wiper. It creates a negative image of Chap Chap and its supporters.

Incident 2: During a debate in the same radio station the following words were uttered by Kathiani Member of Parliament, also a gubernatorial aspirant:

"Tuvete mundu wivaa masaku watuthinisy ou"- (Translation) let us unseat this person here in machakos whose has been quite troublesome.

In both cases, the targeted victim was identified as the Machakos county governor. This was categorised as inflammatory language. The categorisation is further accentuated by the mood and the context with which it was said.

Scenario 3: Inooro FM:

In a Friday (5th May) morning program called "Hagara", a public official/state officer (Isaack Mwaura) in an interview, was reported to have used the following words which targeted ODM saying that they (ODM) are;

"Ngoma na athomi" meaning those people are like devils. He also said that "andu aitu mwimyenyerere kuria marigu hamwe na marigu", which loosely translates to calling the listeners to be careful with "these people".

This is demeaning and seems to want to mobilise the Agikuyu community against the rest (ODM), and was therefore categorised as *inflammatory*.

Scenario 4: Kameme FM:

Incident: In a news (local) session presenters Gatonye wa Mbugwa and Man Nyari are reported to have ridiculed and mocked Koigi wa Wamwere after losing Nakuru seat and defected to NASA coalition. They also traced his political history and mocked him about the many times he has failed in elections. Reportedly, the reporters played two dis songs to urge the victim away. Viz – “*Nduara Cece*” – the speaker in the song is telling a woman to go away if so she so feels like. In this incident the presenters dedicated the song to the victim mockingly simply because he had left JAP for NASA. The second song used with the same effect was “*Muudia Tawa*”, which has a line paraphrased, “...*kibiriti ni kui hutia tawa woinuke*” – translated to “...there is the match box, light the lamp and go home.”

This was categorised as *somewhat inflammatory*. It includes statements of inadequacy/weakness about the victim. It is also stereotypical, when looked against our ranking criteria. It is threatening and seems to mobilise the listener against the individual victim.

Furthermore, the tabular representation below helps to show the range of speech under which particular hateful utterances may fall in terms of the ELOG categories described under methodology.

Category	Somewhat Inflammatory (<i>low intensity hate speech – no call for action but creates negative image of targeted victims</i>)	Inflammatory (<i>Medium intensity hate speech – includes historical cases of violence & discrimination, historical facts & statement, criminality of ethnic group</i>)	Dangerously Inflammatory (Highest intensity of hate speech – extreme & dangerous)
Incidences (Examples)	<p>During a news segment –at Chamgei FM with Joseph Kiptoo as the presenters, Isaac Ruttoh (Bomet Governor) said William Ruttoh (DP) was preaching tribalism in Narok County. Isaac Ruto also asked whether DP was mentally ok - “kichwa timamu”.</p> <p>During a news segment –at Chamgei FM with Joseph Kiptoo as the presenters, Muthama (Machakos Senator) is quoted saying "We will win by 70% na tutawashika Jubilee kama panya"</p>	<p>During a talk show – Mununjilo at Mulembe FM with Godfrey Ashiali & Omari Bakuli as the presenters, a caller – businessman from Shiamsinjili village said “those people from Mt Kenya cannot vote for anyone other than their tribe.” This promotes an "us" versus them kind of narrative.</p>	<p>During a radio (Radio Ingo) interview programme (Amacheni radio programme), Livondo is quoted saying “I will use all the machinery to block ways for Raila from carrying out his campaign in western”.</p> <p>On another incident, during News programme (Radio Ingo) - (Local programme), News reporter, Emanuel Makokha is quoted saying that during the recent nomination process women and youth were not considered for various seats countrywide and</p>

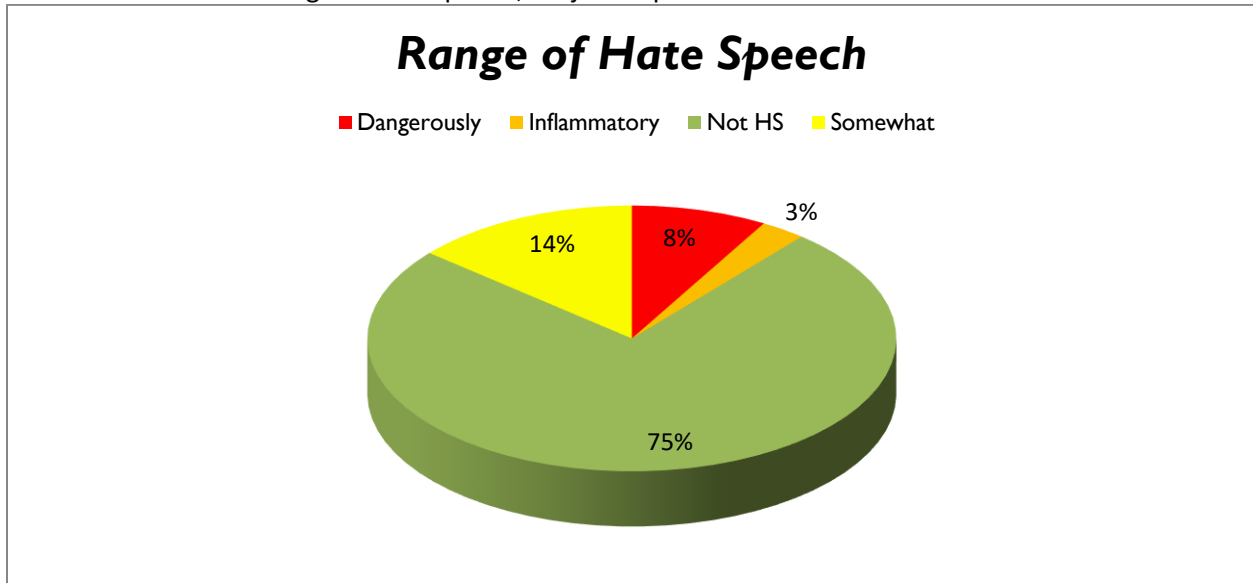
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	<p>During radio interview segment Mbunge ya Mwene Nthi at Mbaitu FM with Sammy Mulinge as the presenters , a public figure 'anonymous' is quoted saying "Tuvete mundu wivaa masaku watuthinisyeye ou "(we unseat a 'person' here in Machakos whose has been disturbing and troublesome to us)</p> <p>During radio segment called Arahuka at Kamame FM with Gatonye wa Mbugua & Man Nyari as the presenters, The presenters were monitored mocking Koigi wa Wamwere after losing Nakuru senatorial seat and defected to NASA coalition. They also traced his political history and mocked how he has been failing elections¹.</p> <p>During a news segment –at Radio Ingo with Emanuel Makokha as the news presenters, Justus Kizito (aspiring MP) was quoted saying that “the results that will be announced at the constituency level will be final to avoid being stolen by the Kikuyus and the Kalenjin.</p>		<p>that there will be tension and unrest between women, youth and men during the August Election.</p> <p>During a talk show - Hagaria at Inooro FM with Jeff Kuria & Wambui Wa Muturi as the presenters, a public/state officer that NASA are "ngoma na athomi" - meaning those people are like devils. He also said that "andu aitu mwimenerere kuria marigu hamwe na marigu".²</p>
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These results are concretised by the figure below, which clearly shows, as indicated before that majority of the reported incidences were not considered inflammatory.

¹ See further description of this occurrence under radio media.

² See further description under radio media.



Print Media:

Out of the 4 outlets observed, two HS or inflammatory occurrences were reported in the Daily Nation and the Star.

- From our data, the reported HS occurrences were categorized as *dangerously inflammatory* speech
- And all the reported HS was reported to be directly related to 2017 GE.

The incidents reported were as follows:

Incident 1: The Daily Nation

“In a news segment (National Section) reported by Aggrey Mutambo, Ouma Wanzala and Lilian Mutavi, authors with the Daily Nation; an aspirant/candidate Babu Owino openly declared on his Facebook page that he would cause violence if he lost in the party nominations for ODM. This was categorised as dangerously inflammatory, clearly. This language is unwarranted as it can invoke violent emotions and serious response from the opposing candidate’s supporters. As a matter of fact, a number of violent incidences were reported in the constituency by ELOG’s LTO monitors.

Incident 2: The Star

Joseph Kangogo, a reporter with the Star reported that: “the Pokots have alerted the Turkanas to prepare for a “massive bloody” retaliatory attack after 13 people were killed and 3 injured in Kapedo on Saturday. The attacks started after a Pokot herder shot and killed a Turkana man, who allegedly tried to steal. Though this

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is not related to elections it was categorised as dangerously inflammatory as it involves violence and threats to violence.

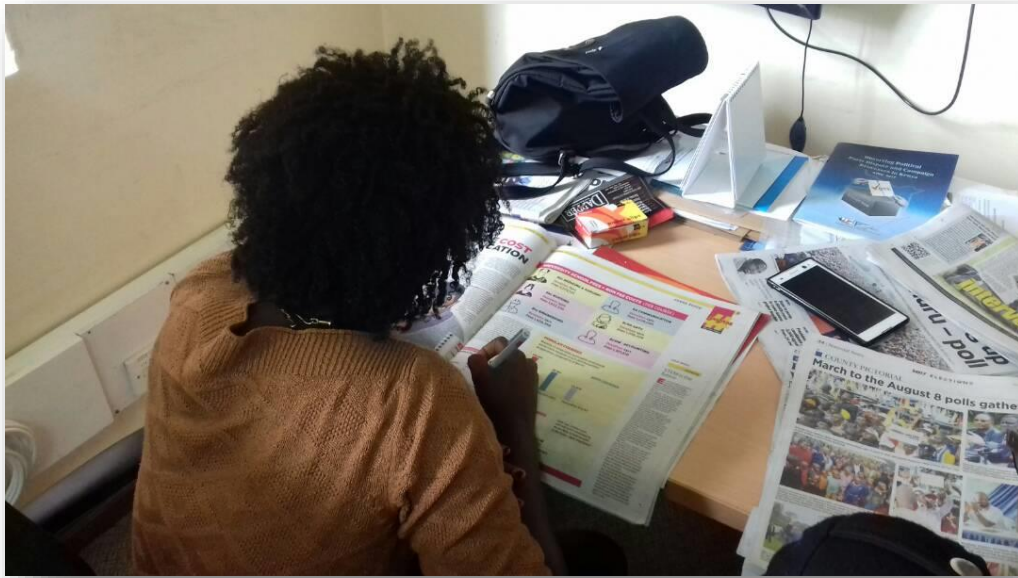


Fig 5: An ELOG print media monitor busy at work.

TV Media: During the reporting period 2 TV outlets were monitored i.e. KTN and Citizen. There was however no occurrences reported here.



Fig.4; One of our radio monitors sipping her coffee as she listens to the radio.

5.0 Recommendations

- I. ELOGs recommends that the NCIC, as the body charged with the mandate of ensuring enforcement of the NCIC Act, 2008 (revised in 2012) takes up these reported incidences for further investigation and action. In this regard, ELOG is ready and willing to proffer more details where and when necessary to promote smooth and efficient fast-tracking of these and other related cases.
- II. The Elections Act (2011) regulates the process and conduct of elections in Kenya. It prohibits any person from conducting political campaigns using threatening, abusive or insulting language or engaging in any kind of action which may advocate for hatred, incite violence or any form of discrimination. ELOG recommends that IEBC takes up this responsibility with unwavering seriousness. By using this report and investigating further, all candidates or aspirants found to have committed an offense in this regard, should and must be punished accordingly. This will pave way for free, fair and peaceful elections, thus enhanced democratic space.
- III. Further, abusive language can lead to hate speech, hate speech has the potential for violence thus preventing certain pockets of communities from participating in elections. As such, it is recommended that all stakeholders involved in the business of observing or monitoring elections should come together in one focused platform to exchange findings and establish fact-based pressure groups to advance for not just peaceful, but free, fair and credible elections.
- IV. Besides, the Media Act No. 3, 2007 through the regulations code of conduct for the practice of journalism in Kenya, prohibits quoting or giving air time to persons making derogatory remarks based

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on ethnicity, race, creed, colour and sex. It is notable that based on this report, a number of journalists, especially those from private outlets are engaging in acts contravening this code of conduct. We recommend that action be taken as may be necessary.

- V. Not all reported incidences attained ELOG's hate speech threshold. However, such incidences indicate that there are many cases out there of abusive and or offensive language which have the potential to amount to hate speech. ELOG, in this regard recommends that politicians and presenters exercise highest levels of discretion during this election period in order to minimise incidences that threaten Kenya's young democracy.