

Original Article

## Impact of Vernacular Radio Regulatory Policies on Peacebuilding During 2007, 2012, and 2017 Conflicts in Presidential Elections in Kisumu County, Kenya

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### Keywords:

*Policy,  
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Peacebuilding,  
Regulatory Policies*

The purpose of this study was to investigate the role of the Ramogi Vernacular FM Radio Station and peacebuilding interventions during conflicts arising from presidential elections in 2007, 2012, and 2017. Specifically, the study aimed to assess the impact of Vernacular Radio regulatory editorial policies on peacebuilding. The study was guided by Agenda setting theory. The study used a mixed method (triangulation) research design. Purposive, Stratified, and Simple random sampling techniques were used to select the sample size of 384 respondents. However, 345 (89.8%) respondents from the sample were injected into the study whereby 104 were Head teachers of Primary Schools; 44 principals of secondary schools; 7 Sub-County Administrators; 67 Market Chairpersons; 38 supermarket Proprietors; 56 Bodaboda (Motor Cycle) Operators; 25 Bodaboda Sacco Chairpersons in Kisumu County and 4 Media Persons returned questionnaires and a ration of 1:10 was interviewed. Data for the study was collected by the use of questionnaires, interview schedules, and document analysis. Pearson's r for the reliability of piloted data was +0.89 for educationists and +0.82 for business fraternity which indicated good internal consistency. Quantitative data was analysed through descriptive and inferential statistics and presented using tables and pie charts. Qualitative data was thematically analysed using NVIVO and presented through thematic narratives, which involved the identification and interpretation of patterns and themes whereby inferential statistics were used to gauge influence. The finding showed that the media outlets freely broadcast to residents. Further, social actors' utterances were not monitored and this was a recipe for chaotic outcomes. This research recommended that there is a need for policy formulation to fill gaps in media policies to facilitate freedom of the press, need for political accountability, and need to adapt inter-cultural dialogue to enhance social cohesion.

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## INTRODUCTION

Generally, the unprofessional behaviour of reporting/ broadcasting by journalists and media outlets was a major concern as it reflected an outcome of poor media regulation in Kenya, which allowed untrained journalists, celebrities, and disc-jockeys (DJs) hired by these radio stations to conduct talk-shows on topics that were topical and thought-provoking (Omwoha, (2017). The dissemination of coded messages through vernacular radios in tribal languages by influential individuals seriously flared up animosities among the various ethnic communities that take time to heal (Gogo, 2022). These coded expressions are messages intended to generate actions on the part of the audiences, doing exactly what the politicians and radio presenters want them to do. At the same time, most of the messages were broadcast using idiomatic expressions that could mainly be understood by members of the same ethnic and linguistic group. The scale of the violence in Kenya was extremely rapid and brutal to the extent that it was being labelled as ethnic cleansing (Linke, (2022). An aspect of the involvement of Vernacular radios is the use of the airwaves to allow 'opinion leaders' to send messages to their various

communities. These individuals wield excessive powers in their various political parties and ethnic communities, where it is difficult to reject the suggestions they make (Galston, 2020). According to Galtung (1996), supported by Haugerudbraatan (2010), peacebuilding comes out as a matrix entailing all peace-oriented activities and initiatives. It, therefore, seeks to address the root cause of the conflict through a structural, psychological, and relational transformation with the main aim of avoiding a relapse into violent conflict. This research is therefore aimed at assessing the impact of Vernacular Radio regulatory editorial policies on peacebuilding in Kenya, particularly in Kisumu County, in the three consecutive presidential elections in 2007, 2012, and 2017.

## LITERATURE REVIEW

The history of media regulatory policies begins with the application of the printing press to book production that dates from the mid-15th century onwards in Western Europe. Initially, printing was taken as a more productive alternative to the copying of manuscript texts by hand, which was never formally regulated. However, in practice, it took place mainly under the prerogatives of the

church or state (Dutton, 2022). As the printing trade and industry expanded, especially after the 15<sup>th</sup> century, both church and state took an increasing interest in the media content of what was being printed and published in the public domain. Between the 16th and 19th centuries in Western Europe and North America, the history of media regulatory policies was one of struggle against restrictions on publication waged in the name of political freedom and human rights. The regulatory process included activities that controlled or gave guidance towards the establishment of rules and procedures (World Health Organization, 2021).

The right to communicate includes easy access to information and freedom in expressing one's thoughts and ideas. The right to communication is at the heart of democratic societies as expressed by Newell (2022). The important aspect of communication is the freedom to report without any form of victimisation of one's environment away from state or commercial control. In India, news and current affairs are restricted and perhaps it is the most unique policy outside of the subcontinent. Every broadcast has to adhere to the set rules such as the law of the land, libel, contempt of court, political impartiality, OFCOM and ASA regulations and the set rules that guide the broadcasting station (Fackler *et al.*, 2018). The most important rules that guide a station are those covering the libel section, contempt of court and political impartiality. Radio managers must comprehend the aspect of legal obligations and what procedures to follow in case of transgression. Broadcasting policy and regulation was set by the government. In the post-independent period, especially in African states, the role of nation-building and development was done by the government in power made up of people who were involved in the independence struggle Grinin, & Grinin, (2022). The leaders began setting up mechanisms that only allowed them to stay longer in power; therefore, establishment of private broadcasting was not permitted. The existing public broadcasting operated under the control of the

government. In an attempt to connect media and electoral process logistics, a study conducted in Myanmar analysed the then electoral process in the 2020 election and its outcome in an attempt to comprehend whether the voting led to the development of democracy or the broadening of division in the country's democratisation process (Kipgen, 2021).

In Somalia, Radio Hargeysa coverage is limited to the capital, while Radio Horyaal broadcasts from Brussels. In July 2009, the Somali government arrested the news editor and station manager for airing a clan land dispute Tahir, (2021). This is the scenario of Radio Stations in the world today. The gagging of press has become a common thing in the world (Pandow, 2021). Policies governing news broadcasts need revamping. The gap here is that governments have weak policies on news freedom. Media ownership and the diversity of ownership models (private, state/public, community), as well as alignment with political parties and/or ideologies, are likely to have implications for the roles media are able to play in peacebuilding. State media that serves as a mouthpiece for a regime cannot hold leaders to account even in situations which warrant so.

Private media, while technically independent, may become highly fictionalised when influenced or co-opted by political or business figures with an interest in manipulating editorial coverage due to their positions in society. When editorial coverage is politically aligned, it can be used as "proxies in the battle between rival political parties, in the process sowing divisiveness rather than peacebuilding (Whiting & Bauchowitz, 2022).

While mainstream broadcasting radio that uses Kiswahili and English was not blamed for causing mayhem during the electioneering period, the same could not be accorded to Kenyan Vernacular Radio Stations or Vernacular Radios. The broadcasts made in local languages, especially in Luo, Kikuyu, Kalenjin, and other tribal languages, had tribal

connotations and were geared towards fanning ethnic emotions (Braman, 2010). The mentioned radios allowed very thinly veiled comments that sought to mobilise voters on tribal lines and chased away other tribes from their dominated areas. Hate speech in Kenya was common as some of these stations played songs and sent messages that referred to other ethnic communities as baboons and beasts and to leaders as murderers. The language used in the vernacular stations consists of overt incitements and subtle, metaphoric epithets that are corrigible to the speakers of the same tribe (Iosifidis, 2011).

According to Venkatraman (2018), the repressive measures adopted by the British government to curtail the free flow of the Indian Press varied from time to time. The political situation in India shaped the policies of the government toward the Indian Press. The attempts made by the government to stifle the freedom of the press did not dampen the spirit of the Indian Press. The actions against the Indian press can be categorised as administrative and legislative. The Indian Penal Code, 1870 and Criminal Procedure Code, 1898 were the administrative laws, whereas the Press Acts of 1908, 1910 and 1931 were the press legislations (Venkatraman, (2018). The administrative measures included the issue of warnings to the editors or proprietors of the nationalist press, counter-propaganda against such papers which espoused the cause of nationalist patronage to pro-government papers and verbal remonstrance. An attempt is made in this paper to study the implementation of the Indian Penal Code as a Modus Operandi of the British to curb the anti-British tone of the nationalists and their press.

The use of overt incitements and metaphoric epithets full of inflammatory rhetoric brought up proposals that suggest banning such Vernacular Radios. The variety of Kenyan ethnic languages makes it hard to monitor the messages that go through it to inform its listeners (Chakravarty & Sarikakis, 2007). On the flip side, supporters of the

stations say that the radio gives voices to the rural Kenyans by transmitting critical information announced in a language that they can easily understand. Media policy has a hard time controlling the Vernacular Radios due to the teething problems associated with such stations. Ideally, legal and regulatory frameworks should support a system in line with freedom of expression, pluralism, and diversity of the media, but regulatory bodies are often aligned or connected in most cases with the state. These regulators can have undue influence on the work of journalists; they can restrict what is broadcasted or published or even shut down media outlets should they not express what is within their taste. The muzzled media, as such Vernacular Radio, is termed to have difficulty, especially when let free and sometimes lose directions (McCombs et al., 2014). The cropping up of various Vernacular Radio Stations, coupled with the fact that they have been commercialised, presents a challenge that allows for political control hence shying away from its core mandate. There should be an increased implementation of media policy that controls Vernacular Radio broadcasting while at the same time not going overboard to control its functions (Koch-Baumgarten and Voltmer, 2010). The functions must be geared toward human rights issues, as noted by Kanu (2021), who suggests that human rights are the balance of the self, and to intrude upon the human rights of the other who is a counterpart to you is to encroach upon your own fundamental human rights.

In media policy, the public interest is an important consideration (Braman 2010). Public interest is a condition of media policy that informs the right to access information which sometimes is manipulated by political players. Papathanassopoulos and Negrine (2010) assert that there are wide margins for strategic behaviour by the political class to harbour the ambition of pursuing national interest policies.

In Somaliland, as proposed by Stremlau *et al.* (2009), professionalism is even a more serious

problem. It is the single most common hindrance to the use of Vernacular Radio to inform the people. Policies that exist have not addressed the problem of lack of professionals in handling the problem. Discussing and arguing the problem is as critical as employing the policies to promote peace. Political scientists and global agencies say that freedom of communication is measured by the reality of political liberty in radio and media contexts. Radio and other forms of media are therefore core elements of any democratic society. State captured Radio Stations cannot be trusted to promote human rights as exemplified by (Stremlau *et al.*, 2009). Some form of media monitoring is critical in promoting peace, although in Kenya, it is an uphill task due to the many numbers of Vernacular Radios.

### THE AGENDA-SETTING THEORY

The agenda-setting associated with McCombs, Shaw, and Weaver (2014) explains the strong media effects, closely connected to the ability of the media to replicate social and cultural aspects of a community through the reporting of information. The agenda in this context denotes the salience or importance of topics and not a pre-determined objective of the media to sway audiences. The theory suggests that the media touches the scope of public opinion (Mansel and Raboy, 2011).

If subjected to the post-election crisis, we find that through day-to-day reporting over time, agenda (issues) enclosed in the media were transformed into public topics. By generating debates on peacebuilding, policymakers and journalists can together outline the public topic for more helpful discussions. In contrast, to a presidential assumption that Vernacular Radio Stations have the power to directly inject manners and traits into the minds of a

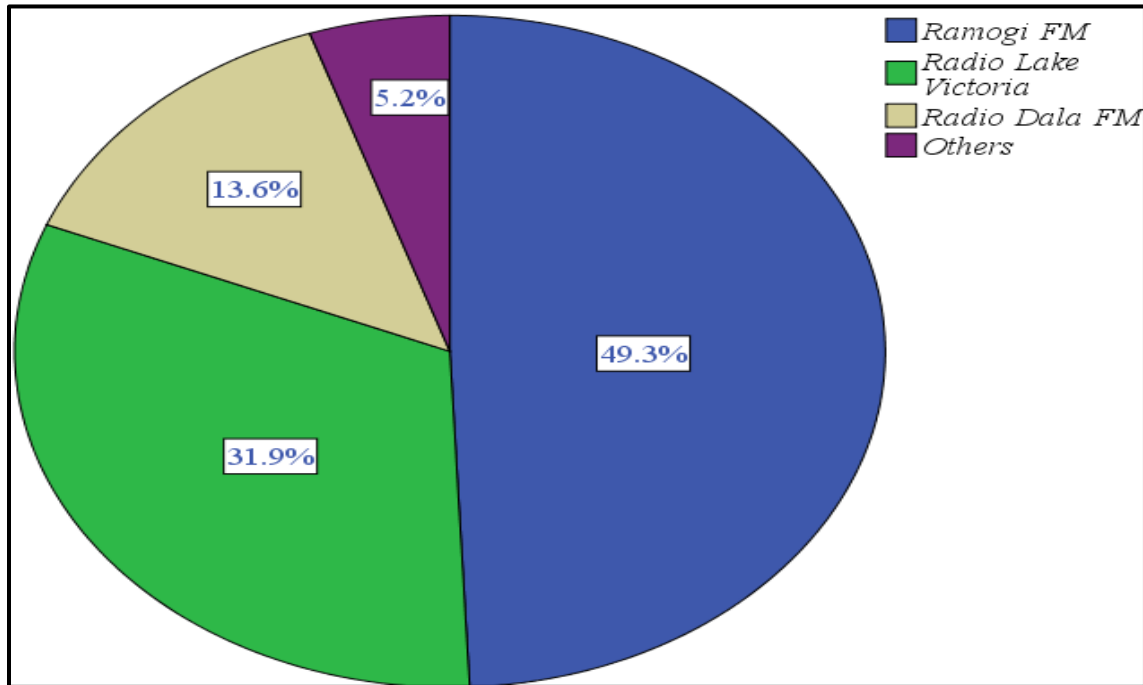
society, the model suggests that the media affects the scope of their thinking. Bernard Cohen (1963) stated that “the press may not be successful much of the time in telling people what to think, but it is stunningly successful in telling readers what to think about” (cited in Zain, (2014) and Njeru, Malakwen & Lumala, (2018)).

In essence, though day-to-day reporting over time, the media agenda becomes the public agenda. The theory inclines to suggest that in a conflicted society, the media reflects the disorder in society and does not necessarily fan conflicts. This assumption then contests the idea otherwise that the media can directly brew conflicts but offers a good space in the study of the inherent socio-economic and political set-up of the media in Kenya. Agenda setting functions under two conventions. First, the media does not mirror reality, but they sieve and shape it. Secondly, the media awareness of a few issues and subjects leads society to perceive those issues as more important than other issues (McQuail, 2010).

### FINDINGS AND DISCUSSION

*Figure 1* indicated that most respondents preferred Vernacular FM Media Station broadcasts. The data collected indicated that among the FM media outlets broadcasting in Dholuo Language was Radio Ramogi FM, with 49.3% of the respondents tuning in on Radio Ramogi FM. Among the 345 respondents, 170 preferred Radio Ramogi FM. In addition, 110 respondents (31.9%) preferred radio Lake Victoria; 47 respondents (13.6% preferred Radio Dala FM and only 18 respondents (5.2%) tuned in to other media outlets. More often, the supermarket proprietors were the respondents within this category.

**Figure 1: Radio Stations listened to during post-Election violence in Kisumu County**



Source: Field Data, 2022.

When an interview question was administered to all respondents to enable them to indicate which radio stations they did enjoy listening to even before the electoral processes of 2007, 2012 and 2017, a majority of the listeners agreed that Radio Ramogi FM was the most popular. What was interesting was that even non-native Luo speakers had learnt the language and listened to Radio Ramogi FM.

**Ramogi FM Radio Communication of Messages of Peacebuilding**

Ramogi FM Radio Communication of messages of peacebuilding was considered in this dissertation to understand whether Radio Ramogi FM communicated messages of peacebuilding. *Table 1* shows the results:

**Table 1: Peacebuilding Contents broadcast during Presidential Election Conflicts.**

	Frequency	Per cent	Cumulative%
Not at All Satisfied	38	11.0	11.0
Slightly Satisfied	100	29.0	40.0
Moderately Satisfied	121	35.1	75.1
Very Satisfied	63	18.3	93.3
Extremely Satisfied	23	6.7	100.0
Total	345	100.0	

Source: Field Data 2022

*Table 1* showed through Likert Data that 38 respondents (11.0%) were not at all satisfied when asked if they witnessed peacebuilding content

broadcasts. One hundred respondents (29.0%) were slightly satisfied when asked if they witnessed peacebuilding content broadcasts during

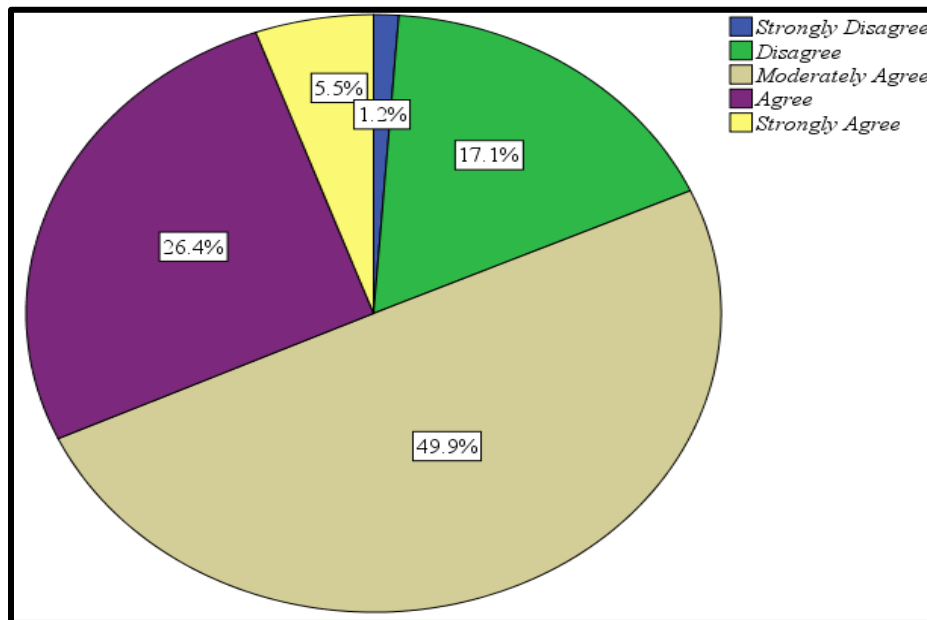
presidential election conflicts. One hundred twenty-one respondents (35.1%) were moderately satisfied when asked if they witnessed peacebuilding content broadcasts during presidential election conflicts. Sixty-three respondents (18.3%) were very satisfied when asked if they witnessed peacebuilding contents broadcasts during presidential election conflicts of 2007, 2012 and 2017, and 23 respondents (6.7%) were extremely satisfied with

peacebuilding contents broadcasts during presidential election conflicts.

### Adherence to Policies Set by the Government in Kisumu County

Respondents were asked to indicate whether they strongly Disagreed, Disagreed, Moderately Agreed, Agreed or Strongly Agreed that policies as set by the government were adhered to in Kisumu County. The result is indicated in the pie chart below.

**Figure 2: Policies set by the government were adhered to in Kisumu County**



Source: Field Data, 2022

Figure 2 responded on whether policies, as set by the government, were adhered to in Kisumu County. 4 respondents (1.2%) strongly disagreed that policy was adhered to in Kisumu County; 59 respondents (17.1%) disagreed that policies were adhered to in Kisumu County; 172 respondents (49.9%) moderately agreed that policy was adhered to in Kisumu County. Further, 91 respondents (26.4%) agreed that policy was adhered to in Kisumu County, and 19 respondents (5.5%) strongly agreed that policy was adhered to in Kisumu County.

This clearly showed that only 110 respondents fully agreed that government policies were adhered to in Kisumu County. From the above analysis, it is generalised that significantly more respondents felt that policies that would enhance cohesion among residents in Kisumu County were not embraced.

Qualitative responses gave insights into the impact of Vernacular Radio Regulatory Policies on peacebuilding issues. The following were views from sampled respondents.

Bodaboda Respondent BBR11 gave views on regulatory policies on peacebuilding. The

respondent and others indicated that policy required that an aggrieved person should seek redress in court. This process of seeking court redress was accompanied by the same radio stations endeavouring to pass messages beseeching residents to go home. Peace was the essence of their activities.

*There was a peace statement announced at the beginning of the voting exercise through all vernacular radio stations, Ramogi included, and again when the Orange Democratic Movement (ODM) party went to seek court intervention, Ramogi FM anchors told us to stop the riots, cool down wait for the court ruling. It was for peace. Peace was necessary for Kisumu because there were so many deaths being reported and so many properties getting spoilt in Kisumu and the country at large before, during, and after the presidential elections. Peacebuilding entails a situation in a society where there is no tribalism and no favouritism when it comes to voting in presidential elections. We need transparency in elections or else there will be no peace in the coming presidential elections in future always. People should live in the dichotomy of ideas expressed through messages but not that which leads us to physical violence ending in riots affecting the citizens (Bodaboda Respondent BBR11).*

Individual citizens have a responsibility to protect each other lives. The right to live is sacrosanct and should be taken with a lot of commitment and responsibility. Responsibility for the governmental machinery is required for the policies to work. Shooting aimlessly on a people has caused untold misery and degeneration of human rights. The above views are also supported by the comments by Bodadoda Respondent BBR12 below:

*Civil and political rights are rights that protect individuals' freedom from mistreatment by governments, social organisations, and private individuals and which ensure one's ability to*

*participate in the civil and political life of the society and state without discrimination or repression (Bodaboda Respondent BBR12).*

*When individuals live in peace with each other, do business together, travel without the worry of victimisation and embrace friendship. When we avoid structural and cultural causes of violence which impact negatively upon the lives of people in a conflict area, what can save society from unnecessary fights? There is no development where there is a conflict between people living as neighbours. Peace is needed in Kisumu and, by extension, the entire country of Kenya*

*Election results sparked serious conflicts all over Kenya particularly in Kisumu, where people participated in riots fully as a way of showing disappointment and retaliation to the police's ruthless killings. For example, "baby-Pendo" from Nyalenda estate was killed in broad daylight by irate policemen. It was very painful. This question to me is very timely because I would not be pleased to see a repeat of the three voting periods in my life. The policy should be generated to counter such violence in future (Primary School Headteacher 75).*

The respondent above gave views that policies were not adhered to. If they were, why were police shootings and indiscriminate killings? The respondent gave an example of baby Pendo who was killed in Nyalenda Estate in Kisumu City in Kisumu Central Sub-County. However, there were several other dead bodies with bullet wounds picked on corridors showing the source of their deaths. Policy adherence does not cause pain.

This section assessed whether there was freedom of the press which gave radio stations the latitude to make broadcasts that would enhance peace or contrarily jeopardise peace. Respondents gave views on such policies and the ideal situation on the ground.



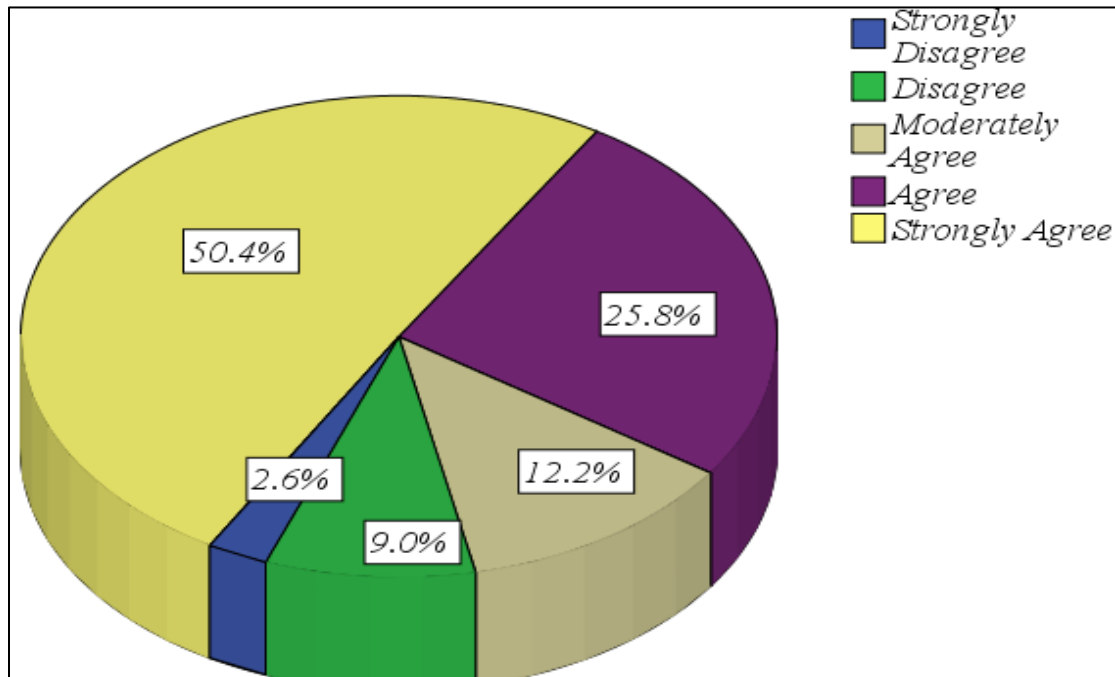
**Figure 3: Broadcasts were freely aired through media outlets**

Figure 3 indicated that nine respondents (2.6%) strongly disagreed that broadcasts were freely aired through FM Media outlets in Kisumu County during the post-election violence of 2007, 2012 and 2017. Thirty-one respondents (9.0%) disagreed that broadcasts were freely aired through FM Media outlets in Kisumu County during the post-election violence. Also, 42 respondents (12.2% Moderately Agreed that broadcasts were freely aired through FM Media outlets in Kisumu County. Eighty-nine respondents (25.8% Agreed that broadcasts were freely aired through FM Media outlets in Kisumu County, while 174 strongly agreed that broadcasts were freely aired through FM Media outlets during the post-election violence of 2007, 2012 and 2017.

Considering the above pie chart (Figure 3), 25.8% strongly agreed and 50.4% showed agreement giving an overall total of 76.2% who to some level agreed that broadcasts were freely aired through media station outlets in Kisumu County during the electioneering period.

The following are qualitative responses to vernacular radio regulatory policies on freedom of

the press. Several respondents agreed that the post-election violence of 2007, 2012 and 2017 was caused by media reports, while others felt otherwise. They created a perception that a candidate affiliated with their area of jurisdiction was the automatic winner. This aggravated the post-election violence of 2007, 2012 and 2017, as reported by the following respondent:

*It is true that the post-election violence of 2007, 2012 and 2017 was caused by media reports which were freely broadcast. First, they created a situation whereby everyone believed that the candidate affiliated with their area of jurisdiction was the automatic winner. Then at some point, they explained how the vote was rigged; thus, when the chaos erupted, they were held responsible (Bodaboda Focus Group Respondents FGR3).*

Respondent FGR3 indicated that the reports on post-election violence were caused by free media reporting. The freedom enabled them to graphically show the extent of rigging that took place.

In summary, Ramogi Radio FM informing residents to vote and go home was done freely. This was an indicator of freedom of the press. This freedom of the press helped people who went home because violence was more likely to be meted out on those who rioted. The media should talk about human rights. The media should continue to reveal the bad deeds inflicted on the common man who is not in authority and even those oppressing the vulnerable.

They should be allowed to protect human rights. Vernacular radios reach and touch the hearts of many citizens, thereby creating some form of bond which was exploited by the media houses to request residents to stay home. This surely indicated freedom of the press.

The paper further put the output to the statistical test. The output is captured below:

**Table 2: Descriptive Statistics on whether peacebuilding messages were broadcast**

	N	Min.	Max	Mean	Std. Dev
Peacebuilding content was broadcast in FM media outlets during presidential Election Conflicts of 2007, 2012 and 2017	345	1.00	5.00	2.80	1.070
Valid N (list wise)	345				

1.00= “Not at all satisfied”, 2.00= “slightly satisfied”, 3.00= “Moderately Satisfied”, 4.00= “Very Satisfied”  
5.00= “Extremely Satisfied”

The Five-Point Likert Scale is considered an interval scale. The mean is very significant. The mean from 1 to 1.80 means not at all satisfied. From 1.81 to 2.60, it means slightly satisfied. From 2.61 to 3.40, it means moderately Satisfied. From 3.41 to 4.20, it means Very Satisfied, and from 4.21 to 5, it means Extremely Satisfied.

rights enhancement strategies were not enhanced in Kisumu County. This is in agreement with Kanu (2021), who suggests that human rights are the balance of the self, and to intrude upon the human rights of the other who is a counterpart to you is to encroach upon your own fundamental human rights. There is no hierarchy of human rights.

In *Table 2*, the results showed that residents were moderately satisfied when asked whether Peacebuilding Contents were broadcast in FM media outlets during presidential Election Conflicts of 2007, 2012 and 2017. The mean coefficient of 2.80 showed that respondents were moderately satisfied that conflicts were broadcast. The descriptive statistics showed during presidential elections peacebuilding processes were not fully undertaken.

Lastly, the findings in this section supported that broadcasts were freely aired through media station outlets in Kisumu County during the electioneering period.

**CONCLUSIONS**

This section highlighted that individual citizen has a responsibility to protect each other lives. The right to live is sacrosanct and should be taken with a lot of commitment and responsibility. Considering quantitative data, there was a strong argument that policy was not adhered whereas in qualitative data some respondents argued that policy was not taken seriously. Further, this section found out that human

Residents of Kisumu County overall listened to Ramogi Radio FM Station more than any other vernacular Radio station in the region. In general, Media houses in Kenya and Ramogi FM in particular lacked freedom despite the views that they were airing broadcasts freely. Vernacular radio stations at the first level incited fear and hatred thereby influencing conflicts particularly by the kind of messages at the height of the violence as they were routinely partisan and flouted codes of ethics. The study concluded that residents were moderately satisfied that presidential conflicts were

freely broadcast. In summary, the descriptive statistics showed during presidential elections, peacebuilding processes were not fully undertaken.

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