

# Investigative journalism fellowship set up

A civil society organization dedicated to addressing the structural and institutional causes of corruption and bad governance in Kenya has set up a competitive fellowship to support talented journalists to investigate topical public interest in the area of governance and anti-corruption reform. The fellowship, established by AfriCOG, is also intended to enhance expertise in investigative journalism, generate a body of incisive investigative reports on key governance, anti-corruption and public interest issues and promote permanent civic vigilance.

AfriCOG says partnership with the media is critical in promoting permanent civic vigilance because the media plays a key watchdog and agenda-setting role, which is necessary for good governance. But currently, the media faces capacity constraints, including limited skills development to undertake investigative journalism.

Journalists Otsieno Namwaya and Benedict Tirop were named the first fellows in the programme's pilot phase.

## Media must now clean up the rot within

A small news item in September in Kenya's The Star daily must have escaped the eyes of many readers. Church leaders from a Nairobi suburb requested TV reporters to investigate a land saga involving their church and certain businessmen. The reporters allegedly informed the churchmen that the job would cost Sh250,000 (about \$3,100). The clerics went away shocked.



Aren't journalists supposed to be in the forefront fighting corruption? How could they ask for a bribe? How could they engage in the same vice they always condemn? How could they nourish an insidious monster that has robbed the people of Kenya the chance to become a dignified, truly free and prosperous nation?

Well, in this issue we have more bad news. A special investigation commissioned by the Africa Centre for Open Governance (AfriCOG) Investigative Journalism Fellowship reveals extensive corruption in Nairobi's major media houses. The dossier makes very depressing reading. It is not just about reporters accepting - or demanding - bribes in exchange for coverage. It is a lot worse.

News desks are the destinations of dirty cash. There are journalists on the payrolls of politicians and corporate honchos. Public officers and events organizers set aside money to bribe journalists. Conscientious scribes have lost jobs for pursuing grand corruption after their bosses cut secret deals with those under the spotlight.

*Published in Expression Today NO. 19 OCT – NOV 2010*

Why does all this make depressing reading? Because in Kenya today everyone is excited about the media. Opinion polls show that it is the most trusted institution, beating even religious organizations. In the just concluded process of writing a new constitution, the media emerged as the most reliable source of information for the public before the referendum on August 4. Right now Kenyans, who generally distrust the politicians, look up to the media to watch over full implementation of the new supreme law.

As a matter of fact, it will be naïve to expect journalists to stand out as beacons of integrity where corruption is a way of life. But if it is the media that always calls for accountability and transparency, it will be impossible to avoid the charge of hypocrisy.

But it is not just Kenya. The Media High Council of Rwanda announced in September that it would launch a nationwide campaign against 'Giti', as bribing journalists to get coverage is known there. Days later in Uganda, the ruling NRM spokesman thundered against 'merchant journalists', recounting in a commentary how reporters had shamelessly demanded favours, including money, during the party's delegates conference.

The next day, Dr Peter Mwesige, the executive director of the Kampala-based African Centre for Media Excellence, railed at the shame of brown envelope journalism which, he said, takes several forms.

"In some cases, journalists work for media houses that have clear (but obviously questionable) policies that require sources to pay for transport (and sometimes meals) for the journalists. In others, journalists approach sources or event organizers and boldly ask for money before they provide any coverage. Others sometimes go back to the sources after they have published their stories and either hint on expecting a reward for a job well done or directly ask for their payoff."

Uganda's largest newspaper, The New Vision, condemned the practice, saying the public will never respect journalists as long as they are seen to compromise professional integrity, the cornerstone of the media's credibility.

Meanwhile, amidst fears of increased professional misconduct by reporters, the editors and Media Council of Tanzania have issued a revised code of conduct for journalists ahead of elections on October 31. Among professional offences listed is, "Accepting a bribe in any form in consideration of either publication or suppression."

It is clear therefore that the integrity of the media, one of the key pillars of a free and open society, is at stake throughout East Africa. Corruption is a serious and urgent problem that the profession and all stakeholders must now confront. Once the media loses credibility, it can forget about being the watchdog of society. It will lose all moral authority to call others to account.

EDITOR

# Dirty hands

**Despite great image, Kenyan media is blighted by corruption**



**Chaacha Mwita**

By Otsieno Namwaya

## ***About this report.***

*This investigation was carried out under a competitive fellowship awarded to Otsieno Namwaya by Africa Centre for Open Governance (AfriCOG), a civil society organization dedicated to addressing the structural and institutional causes of corruption and bad governance in Kenya. The AfriCOG fellowship is intended to enhance expertise in investigative journalism, generate a body of incisive investigative reports on key governance, anti-corruption and public interest issues and promote permanent civic vigilance. AfroCOG believes that partnership with the media is critical in promoting permanent civic vigilance because the media plays a key watchdog and agenda-setting role which is necessary for good governance. Yet the media faces capacity constraints, including limited skills development to undertake investigative journalism.*

Due to the media's massive power to build or destroy, victims of media corruption cower with terror when asked to speak about their experiences. Those brave enough to open up told ET they believed the vice is pervasive and getting worse, even when many Kenyans trust the Fourth Estate to play a key role in ending the country's biggest political, socio-economic and moral problem. But senior media managers play down the issue. They insist that, while there might be corruption among journalists and the media industry as a whole, it is yet to reach alarming levels. Our investigations reveal a totally different picture.

Linus Gitahi, the Chief Executive Officer of the Nation Media Group, said talk of corruption in the media has persisted for long but NMG was yet to come across really big cases of corruption. "We have had what we call inappropriate behaviour, but we have not had what I would call mega-corruption cases since I joined Nation. We have suspended people and just two months ago we sacked others," he said. That is the view that Waruru Wachira, the CEO of Royal Media Services, reputedly one of Kenya's fastest growing media companies, seems to share. "Corruption in the media has been talked about so much, but it is not as big as it is in government. Corruption in Kenya has become a part of life; it is a national problem. Media people are not from outer space," said Waruru, adding that as a cub reporter years ago, he used to see envelopes with money being handed out to reporters at press conferences.

**Wachira  
Waruru**

"This is obviously unprofessional and we don't encourage it, although the practice of envelopes has become institutionalised such that everyone now believes it is what must be done at press conferences." Waruru decried the effects of corruption in the media, which he said include compromising truth and objectivity. "Our main worry is the effect this has on the editorial content that we keep talking about to our reporters."



Not all media managers were as candid about the vice that now threatens to damage one of the most important pillars of democracy. The state-owned Kenya Broadcasting Corporation (KBC) did not respond to interview requests while email and telephone messages to The Standard Group's Vice Chairman and Chief Strategy Advisor, Paul Melly, Group CEO Paul Wanyaga (who has since left) and Group Chief Editor, John Bundotich, went unanswered.

It is apparent that while they complain about what they see as rising incidents of corruption in the media, most media practitioners as well as notable public figures are afraid of discussing the vice. The fear is particularly acute among politicians, who are ironically the most harassed by corrupt journalists. They would only speak on condition of anonymity for fear of being victimised by the media and denied coverage. Rangwe

MP Martin Ogindo complained that, although politicians have always voiced concerns about corruption in the media, little has been done to curb the vice.

“For those of us who have experienced it, there are two levels of corruption in the media. First is the petty corruption in which reporters take small bribes as a precondition for writing stories. And second is the corruption involving media owners and editors,” said Ogindo. Every time management of the various media houses want to placate the public that they are doing something about corruption among journalists, says Ogindo, they always resort to punishing and sacking reporters who take small bribes. “The real big corruption in the media is never punished,” he says.

Indeed, other politicians we talked to lamented about journalists who demand bribes before covering them. Some journalists even dictate how big the bribe should be. A former long serving news editor at The Standard and Nation newspapers, Frank Ojiambo, recalls the complaints in 2006 of a Member of Parliament from Nyanza about how he felt besieged by journalists demanding money. “I asked him to speak about it in Parliament or even marshal the support of other MPs and demand action. He told me that it could never be done because, first, the media would give them a blackout and secondly, the MPs were too terrified to speak about it,” said Ojiambo.

The fear is not just among politicians. Even journalists are scared of talking openly about corruption in the industry, although they admit the vice has reached alarming proportions. Blue chip companies and business moguls, according to journalists, have not only thrown in the towel about fighting the vice in the media but have also become willing players in its perpetuation.

“How else would you explain the idea of blue chip companies in the country setting aside huge annual budgets for media, big proportions of which go into paying specific journalists they have placed on retainers or even included in their payrolls, yet they would go to great lengths to conceal these facts?” posed one business reporter. He conceded that most business writers are retained by some blue chip companies. Media managers are aware of this practice, yet do little to curb the vice.

“We don’t have any official complaints on corruption in the media or among journalists at the Media Council of Kenya. We have heard general complaints from politicians and civil society among others on what they consider to be rising corruption in the media,” said the Executive Director of the Media Council of Kenya, Esther Kamweru. She also spoke about the need for urgent research into the matter “because the claims have become too many.”

According to Chaacha Mwita, the immediate former Group Managing Editor at The Standard and author of Citizen Power, a book based on his media experiences, corruption must be understood in a broader context. “It is not the mere fact of money changing hands for stories to die. It is corruption when a story is killed or twisted for political or other reasons even if money has not changed hands as a precondition. It is senior editors and managers who engage in this type of corruption and the benefits to them in the long run are immense.”

Chaacha recounted the numerous occasions when he had to fight off manoeuvres by corruption cartels, which would in some cases enlist the support of his bosses or the connivance of his reporters, to either kill stories on corruption or sneak in stories that sanitise really grim situations. In his view, therefore, corruption in the media is well organised and would not succeed without the support of senior managers. “It is a fact that corruption in the media has hit high heavens,” he declared.



**Linus Gitahi**

Chaacha recalls a case about on goings at the Kenya Reinsurance in 2006. “There was a lot of corruption at Kenya Re. There were fake purchases, fake claims on fake meetings, questionable promotions and appointments and so on. I first sent a reporter from the business desk to investigate and do the story. The reporter brought no story. I then sent a reporter from the news desk who, instead not only avoided the facts but generally brought a very weak story. I then summoned the editor and the two reporters and told them what kind of story I wanted and specifically asked the editor to ensure the story was delivered. The editor did not deliver the story saying he was working on another ‘tougher’ story,” Chaacha says.

“I decided to do the story myself and then published it under the names of the two reporters who had earlier failed to do it. The next day the two reporters came and apologised for not doing the story. Strange enough, the Kenya Re management learnt that I was going on with the story and one of the senior managers there asked one of my colleagues what my price was.” Chaacha later learnt that the reporter from the business desk actually doubled up as the PR person for Kenya Re while the reporter from the news desk and the editor he had summoned had simply been paid off by the management to drop the story.

Publication of that story caused major changes at Kenya Re. Some officials were not only sacked but also charged with corruption. This would not have happened had the story been killed. Before Chaacha decided to do the story, no other media house had touched it even though the matter was well known within the media circles, particularly among business writers.

Chacha’s second encounter with corrupt networks in the media was in 2005 when one of his investigative writers pursued a story of corruption at National Social Security Fund. The writer, he says, did the story and handed him documents as the Managing



Editor for safe keeping. Both Chaacha and the writer kept everything confidential and thus no one knew the story was being done. “But the moment the story landed on the pages for layout, phone calls started coming in,” he says.

One of the reporters, he says, pleaded with him to drop the story, promising suitable rewards. “I declined to drop the story. But shortly afterwards, a reporter from the business desk rushed into my office holding out his phone to me. He told me the Managing Trustee of NSSF was on the line and wanted to speak to me. I warned the business reporter that if he came to me with that phone again I would sack him,” said Chaacha.

That did not end the pressure. The reporter who had gone to plead with Chaacha to drop the story also went straight to the investigative writer who had done the story on NSSF. “The reporter offered the writer Kshs 5, 000, saying it was from the NSSF Managing Trustee and that the writer should accept it as a token of friendship and drop the story,” he says. The writer, says the former Managing Editor, was told much more would be given to him should he get the story dropped. The figure of Ksh.300, 000 was mentioned, but the writer declined the offer.

In the meantime, one of Chaacha’s bosses went to his office to request him to drop the story but in vain. Soon after he declined, however, a director of The Standard – who was on a trip in Europe – was on the telephone demanding to talk to him. Chaacha refused to talk to him and, as an extra precaution, switched off his own cell phone. “After we finished the paper and took it to press, I drove to one of the Nairobi hotels. I switched my cell phone back on. The first call to come through as soon as the phone was on was from another director. I received the call and he told me that the director who was on a trip to Europe wanted me to drop the story on NSSF because it had serious legal implications. I told him two things. One, that it was too late as the paper was already on sale and two, that as Managing Editor, I had sealed all legal loopholes before going to press”.

Chaacha adds, “The aftermath of the publication of the story was extremely cold relations with some of my bosses; others even attempted to push the idea that the writer who did the story be relieved of his duties. Fortunately, the government took action and heads rolled at NSSF and the threatened legal suit never materialised.” This was the trend with several other sensitive stories where Chaacha would come under intense pressure either from his bosses or public relations firms. At some point, a senior employee of a well-known PR firm told Chaacha that his bosses at The Standard were saying that he (Chaacha) was the biggest stumbling block. “The PR official asked me to ask for anything I wanted and they would do it for me so that I could cooperate,” says Chaacha.

## Corrupt correspondents

*Poorly paid and hardly aware of professional ethics, many are in the politician's pocket*



### **Oloo Janak**

Every time the issue of corruption in the media arises, the behaviour of correspondents out in the field often comes into question, creating the impression that they are the most corrupt lot. "But it can't be a question of singling out correspondents. Corruption is widespread in the media, although correspondents might be easy to cite since they constitute the bulk of media practitioners and are more vulnerable," says Oloo Janak, the Chairman of the Kenya Correspondents' Association.

Correspondents dot every corner of the republic, contributing up to 80 percent of editorial content in media houses. They are also the most vulnerable because they are poorly paid and work under very adverse conditions. In most cases they lack adequate journalistic facilities yet are highly exposed to politicians hungry for coverage. "Not many politicians have their activities in the city. They thus encounter journalists in the provinces. Politicians go out of their way to induce journalists because they want coverage," says Janak.

But he insists it is not just correspondents who get inducements from politicians, something he says is a poorly concealed secret in the media. "It's a known fact that politicians use their personal assistants to slip brown envelopes with money in the hands of senior journalists at press conferences," he asserts. That, of course, does not mean that correspondents do not get the brown envelopes. In fact some demand bribes from politicians and regularly hike lifts from news sources. This, argued Kamweru of MCK, is unethical and compromises the objectivity of the journalist.

Low pay may not be the only factor pushing journalists into corruption. There is the question of personal morals. "If poor pay was the main reason for correspondents engaging in corruption as has been said, then what would you say about the senior editors and managers in the media who earn hefty salaries yet are known to demand

*Published in Expression Today NO. 19 OCT – NOV 2010*



the biggest bribes?” poses Janak. He nonetheless is quick to point out that sorting out the pay issue for correspondents is the point at which the fight against media corruption must start.

Waruru, the CEO of Royal Media Services and the Chairman of the Media Council of Kenya, argues that the whole issue of corruption boils down to the enforcement of the journalistic code of ethics, besides being a matter of the moral values of the individual journalist. “Some correspondents earn very little money, yet they have resisted the temptation to be corrupt because they value their credibility. Other journalists earn a lot of money yet they have been corrupt in everything they have handled in the media. Some people are just rogues,” argues Janak. The main problem in the rural areas other than pay says Waruru is that media houses do not facilitate correspondents and so they easily get compromised.

Typically, a correspondent attached to any of the Kenyan media houses earns anything between Ksh5, 000 and Ksh10, 000 per month - and that is if the correspondent works hard around the month and gets published nearly on a daily basis. A correspondent falling short of that would easily make less than Ksh5, 000 monthly, although things seem to be looking up with the expansion of the media industry. “Now there are correspondents who earn up to Ksh40,000 per month because we are now encouraging them to diversify and contribute not just to one media but several in print, broadcast and online. But those who are still stuck with one media house are still earning very little,” says Janak.

This notwithstanding, the problem of corruption among correspondents remains. “We have also received reports of extortion among correspondents, but overall I will say this is now going down. It was worse in the late 1990s and at the beginning of the Millennium when the gutter press was more entrenched and people would even hold newspaper plates at the printer in order to demand bribes,” says Janak. He says the worst most recent case was last year when a correspondent with the Weekly Citizen tried to extort money from the principal of a high school in Western Province. “He was taken to court and later released on bail. I think Weekly Citizen stood surety for him. But then he jumped bail and was arrested and jailed,” says Janak. A number of cases of extortion by correspondents, he says, have been brought to the attention of the Kenya Correspondents Association. “We have extensively discussed this matter as an association. We have also held meetings across the country to try and educate on the need to respect journalistic ethics and also to discourage corruption.”

It is an extensive anti-corruption campaign and general sensitisation of the correspondents that the officials have embarked on, yet it’s unlikely to bare fruit any time soon, with media houses being asked to take some concrete initiatives. Andrew Marr, a long time political editor with the BBC, said the media in the UK had firmly moved away from paying correspondents a small retainer accompanied by measured payments per story. This, he said, not only encourages corruption but also tempts journalists into either making up a story or rushing half-baked stories to publication. Instead, the media in the UK now has correspondents on a fixed monthly pay. In return, the media demands that correspondents must have high levels of training and

professionalism, something that has helped improve the image of journalists and the credibility of the media houses.

The Kenyan media managers are also beginning to take measures to mitigate the vulnerability of the correspondents to corruption. The Nation Media Group, according to the CEO, Linus Gitahi, has in the last two years taken firm measures aimed at bettering the welfare of correspondents. "One of the things I learnt when I joined this company was that a big percentage of our correspondents were not on retainer. We have since taken concrete measures and this has changed. Right now, 95 percent of our correspondents are on retainer," Gitahi says.

## Trouble at Nation

### Group admits sacking journalists for unethical behaviour

Nation Centre Nairobi

In the last quarter of 2009, Kenneth Ogosia struck a somewhat strange deal with senior communications officials at the Ministry of Lands to be paid KSh5,000 a month for undefined media work. Some ministry officials, who cannot be named for confidentiality, said the Daily Nation reporter coerced the ministry into the deal. But in an interview with ET, Ogosia insisted that it was ministry officials who approached him and pleaded for his assistance with publicity at the Daily Nation.



The ministry appears to have effected payments for September and October. But to Ogosia's chagrin, there was an apparent reluctance on the part of the ministry officials to honour the deal in November. The officials say Ogosia was paid only KSh.2,500 in November, half the amount agreed, which upset him. The officials added that, because Ogosia had insisted on being paid yet there was no specific task, one of the officials had opted to pay Ogosia from his own pocket. But by November he was feeling the pinch and begun to pull out.

On November 25, 2009, Ogosia sent an angry text message from his phone to one of the ministry officials in the Communications Department. "I did not know you are such bad people. You will see if you don't pay as agreed," the text message read in part. In panic, the official shared the text message with several colleagues, some of whom showed the message to ET.

Ogosia, however, insists that there was nothing wrong with his relationship with the Ministry of Lands. "There was no written contract between us, so you can't say I have a job with them. This was a private agreement. If anything, they are the ones who contacted me to assist them with media work and publicity. I like assisting people and I have assisted many people with matters touching on the government, including the Ministry of Immigration," he said, threatening that inquiries by ET implied that people

*Published in Expression Today NO. 19 OCT – NOV 2010*

did not appreciate his willingness to help. “I will be forced to stop assisting people,” he said.

Ogosia further argued that what the ministry was paying him was very little money to worry anyone interested in fighting corruption in the media. “I know of very big cases of corruption in the media involving senior people that I wonder why you would be following me for such small money,” he said, and promised to highlight specific cases, complete with documentary evidence. He set a date when he would meet ET to furnish us with the evidence but never showed up or picked subsequent calls.

It later emerged that in May this year, Kenneth Ogosia was fired by the Nation Media Group (NMG) after being implicated in unethical behaviour in February.

In view of the talk on the intensity of corruption in the media, one would be inclined to agree with Kenneth Ogosia’s contention that there is really big corruption in the media such that a reporter who manages to squeeze out a paltry KSh.5,000 from a source is really far from being the big player. This, of course, is still unethical and it is a matter that requires deep reflection on the part of the media.

While pursuing the story of corruption in the Ministry of Lands and how the media has been sucked into it, it also emerged that what is happening there is actually the practice in all other ministries. “Public Relations Officers in various ministries are actually paying journalists. They have a budget for media, which is usually approved by ministers. They call it ‘meals and transport’. The PROs cannot talk about it because they will be sacked as it is supposed to be the unofficial official thing,” said a source. It is from that budget that PROs organise brown envelopes stuffed with KSh.1,000 for each journalist during press conferences by ministers.

This is what creates loopholes, according to our source, for either the journalists to blackmail the PROs or for the PROs to blackmail journalists, because soon after the press conference, the PROs start calling the journalists who were at the event to find out whether the story will be published. “It is at this point that journalists begin to blackmail PROs and make demands for more pay.”

Contacted for comment, the Government’s Director of Information and Public Communication, Ezekiel Mutua, said there is no official policy or even a budget in his department for bribing journalists. “It would be difficult for them to pay journalists because they have no money to do that. But I am aware that our PROs, who are all under me, have complained that they are unable to get adequate coverage from the media on government policies because they do not have money with which to treat editors and reporters. This is however not possible, unless individual ministers who are politicians decide to do it on their own,” said Mutua.

When asked about the relationship between journalists and government PROs, the Nation Media Group CEO Linus Gitahi said that his company had sacked some journalists in January over unhealthy relationship with the Ministry of Lands officials, although he did not get into specific details of what exactly had transpired. “But I would like to urge the Ministry of Lands or any other person affected by corruption among our journalists to make a formal complaint to us and wait to see what we do. We have zero tolerance

of corruption. I would like people to put us to the test on our policy of zero tolerance of corruption,” he said.

### Orengo

The NMG chief was reluctant to get into specifics but he was able to talk about one Front Page story in the Daily Nation on July 10, 2009, which read: ‘Annan betrayed us, says Orengo’, but which was changed to ‘Annan ambushed us, says Orengo.’ James Orengo, the Minister for Lands, had been quoted as saying that Kofi Annan, the Chief mediator during Kenya’s post-election chaos, had ambushed the team of ministers who visited him in Geneva when he suddenly issued an ultimatum for the government to set up a local tribunal to try post-election violence suspects.



The point of concern among journalists at the Nation was that Minister Orengo had actually learnt about the headline story and walked to the Nation Centre to complain about it way before the newspaper went to press. They wondered how he could have learnt about the headline, with some accusing a specific reporter of calling the minister to alert him of the headline. “The Orengo saga started with journalists themselves. It was brought to my attention that a headline had been changed after Orengo came to the newsroom under inexplicable circumstances. I appointed a team headed by Charles Onyango-Oboo, the then Group Convergence Editor, which investigated the matter and presented a report,” said Gitahi.

While in the Nation newsroom, Orengo had strangely been allowed to look at the story on the computer and changes to the headline were made in his presence. The team investigated various desks and journalists, among them Kenneth Ogosia, who had been accused by some journalists of alerting the minister about the story even before it went to press. The report made several findings. “First, we agreed that the Orengo visit was inappropriate. Secondly, there was a problem proving whether someone had colluded to inform him of the headline because we discovered that the headline had been uploaded to our website an hour earlier. This meant the story had already been published, so he was free to come and complain. The problem was that he had gone straight to the newsroom and got the headline changed. Then we also looked at what had been changed and we agreed that the new headline was actually a much better one than the old headline,” said Gitahi.

That, of course, did not mean that the Nation, together with other major media houses in the country, was not facing a monumental problem with regard to some of its journalists being in the employ of external groups. Stephen Muiruri, former Crime and Investigations Editor at the Daily Nation, says that at the height of the public debate on the Anglo Leasing scandal in 2004 and 2005, he came under enormous pressure from both the NMG management and fellow reporters to tone down or stop writing altogether stories in which senior government officials had been implicated in the scandal.

“In some cases I would be writing a story and then receive a phone call from the people I was writing about, some of them as far away as London, telling me they were already aware of the story. The weakness here was with the system NMG was using, which meant that the moment you log onto it and start writing a story, any other journalist with a password to the system could access and read it from any machine on the network. I came to learn that some of my colleagues in the newsroom were on a regular monthly retainer of up to KSh.200,000 by the key suspects in the Anglo Leasing saga. These were the people who would try to find out who was writing a story on Anglo Leasing and immediately alert their masters outside the newsroom,” says Muiruri.

Muiruri says his fellow journalists made financial offers to him on condition that he agreed to drop the stories he was doing on Anglo leasing. “In one case I was told the culprits in Anglo Leasing were willing to pay me a hefty lump sum and a monthly retainer of up to KSh.50,000. I turned it down and made a formal complaint to the Nation management about the inappropriate conduct by my professional colleagues,” says Muiruri. This stand, he says, earned him enemies in the newsroom, including some of his bosses whose relatives were among those implicated in the Anglo Leasing scandal. “This was the main reason behind my unceremonious exit from the Nation Media Group in 2006, even though the management tried to force a charge of inappropriate conduct on me,” Muiruri said. The Nation accused him of using his office as the Crime and Investigations Editor, a position that allowed him close links with the police, to buy a car from the Police Department, which was on auction. Muiruri, however, says that it was his cousin who bought the car and not him. He had furnished NMG with evidence to that effect. NMG also accused Muiruri of using company resources to run his business – Muiruri allegedly used his official computer at Nation centre to type an advertisement he later placed in the Daily Nation about his tour company. “I was still new at Nation Media Group and when you link it to Anglo Leasing I get a bit lost,” he says.

“The issue of using company resources to do his private business was wrong, although I can’t remember the specific details now,” said gitahi. “Besides, the evidence that we got about Muiruri’s relationship with the police was unhealthy.”

Muiruri, nonetheless, insists that he never entered into any unhealthy relationship with the police for the many years he was a crime reporter, although he admits that he was aware of fellow crime reporters accepting retainers from senior police officers. “Most crime reporters are receiving payment from police to this day. In return, they cannot write anything negative about the police who in turn use the media to cover up a lot of killings and other inappropriate behaviour,” says Muiruri.

Indeed a crime reporter who spoke on condition of anonymity for fear of being targeted said that police pay crime journalists regularly. “Some journalists are even driving cars that were bought for them a few years ago by a former Police Commissioner. A number of journalists also benefited from hefty packages from police after helping lure Oscar King’ara to his death and then obscuring the story by writing only what the police said,” said the reporter. King’ara was a civil society activist heading the Oscar Foundation. He was killed in March last year by unknown gunmen.

## Sharing the loot

**The news desk – that means reporters and news editors in both print and electronic media - is the most affected by corruption in the industry. In nearly all the media houses investigated, the reporters are willing recipients of the infamous brown envelopes, which some of them even demand from the news subjects/sources. We established that, in the past decade, just a handful of news editors were able to resist the temptation to ask for a percentage of the bribes reporters brought in from news sources.**

The bribes reporters share with news editors are either given in the brown envelopes at press conferences or regular retainers from news sources, such as politicians seeking positive coverage. “News editors are the most exposed because they are very essential to the running of a media house. They assign reporters and photographers and also news sources call them to inquire or complain,” said Frank Ojiambo, who until 2008 had served for years as a news editor at Daily Nation and The Standard.

The news editor wields considerable influence in an organisation in terms of control of the reporters. But in terms of direct news gathering, the news editor is probably even more powerful than the Managing Editor, as all reporters and nearly all the writers are usually accountable to him or her. Some unscrupulous news editors have exploited their position for personal gain.

In Ojiambo’s experience, just about a third of the stories that are submitted to the news desk make it past the editor. “A lot of stories are ‘spiked’ by the news editor. This power to ‘spike’ or approve stories has been misused by news editors. Public Relations Officers (PROs) usually call news editors desperately seeking to know whether stories about events would be published,” says Ojiambo. The news editors have been accused of exploiting this power to extort money from PROs and other news sources. The situation gets nasty when, after paying money for a story, it fails to be published and the sources begin to pursue the reporters and photographers.

“When I was news editor at the Daily Nation and The Standard, these cases of companies paying journalists and photographers for stories and then the stories failing to appear were very common. This scenario would play itself out on nearly daily basis,” says Ojiambo, adding that the sources would then call him to complain. At The Standard the story is told of an assistant news editor who in 2003 got hold of a highly damaging story on Nairobi City Hall chiefs.

The journalist was compromised by City Hall. He went ahead and assured the City Hall chiefs that the story was dead and buried. But two senior editors learnt of the incident and decided to pursue the story and, come the next day, it was on the front page with the by line of the assistant news editor! The assistant news editor has long since left The Standard and could not be traced for comment.

Omwa Ombara, The Standard’s former bureau chief in Mombasa who had previously also been a correspondent for both Daily Nation and Standard in Kisumu (see separate story), says she once encountered a news editor who took the abuse of this power to

*Published in Expression Today NO. 19 OCT – NOV 2010*



another level altogether. “The editor would demand that correspondents from the bureaus, who are in any case generally underpaid, deposit money in his account before their stories could go past the news desk.” This writer traced one correspondent at The Standard Kisumu office who confessed in confidence to having deposited money to the news editor’s account on “a few occasions” to get published.

A few photographers in the company, it emerged, would also deposit money directly to the editor’s account or simply give him cash. Other correspondents and reporters in the Nairobi office would also remit part of their loot from the news sources to the news editor. At least one correspondent said he informed The Standard management of the editor’s behaviour but nothing was done. The Standard’s Chief Editor, John Bundotich, and the Chief Executive, Paul Wanyagah, who has since left the company, did not respond to our inquiries on this matter despite the questions having been mailed to them in advance and telephone follow-ups made.

It also emerged that in the run-up to the 2007 general election – and apparently the previous general elections as well – some political reporters at The Standard, Daily Nation, The People and The Kenya Times would regularly pick money from the secretariats of the various political parties. The money would then be distributed to a few editors with the ability to ensure positive coverage. The broadcast media houses were not left out either, but the situation was particularly worse at The Kenya Times (now defunct) and The People where journalists would go for months without pay.

“The editors at The People, for example, would demand their cut from every story filed by a reporter. They believed that there was no way a reporter could have written the story without being paid,” said a journalist at the newspaper. A reporter would in turn either call their sources for the editor’s cut or simply split whatever they got at the press conference. In some cases, senior editors make prior arrangements with sources and thus assign specific and trusted reporters to that event. The reporter would then be instructed to collect a message from the source and deliver it to the editor. In most cases the reporters oblige or sometimes play games.

In October 2007, for example, the PNU secretariat gave out an envelope with KSh.10,000 to a Standard reporter supposedly to deliver to one of the editors. The reporter had been given his own share of KSh.10,000. Even before the reporter left the precincts of the press conference room, the editor called to ask whether he had his message.

“I just went and wrote the story and handed it over. I avoided the editor in question completely even though I knew he knew I had his message. But I also knew there was nothing he could do if I did not hand it over to him. I could see the editor was desperate to get the money but he did not know how to get it from me,” the Standard writer said. The editor could not punish him or get him sacked because he needed him. “I had delivered money to him several times even when he was not expecting it. He knew I could still bring him money, but on this occasion I needed the money desperately so I just behaved like I did not know what he was talking about and he was afraid of mentioning it directly before people,” said the reporter, choking with laughter.

A similar incident had taken place at Daily Nation in the mid-1990s, involving an editor at the news desk and a long time trusted photographer. The editor had the habit of assigning particular reporters and photographers to stories involving sources that knew him and would thus set aside an envelope for the editor. There was one particularly rich political activist from Central Province who was very close to former President Moi's government. "The political activist would dish out envelopes to all reporters at his press conference, then at the end call out the Daily Nation correspondent to give him an envelope to deliver to the editor. The editor and the political activist were buddies," said the photojournalist, who had previously delivered envelopes to the editor.

But on this occasion the photojournalist decided to be mischievous. Along the way back to the newsroom, he emptied the envelope and then re-sealed it. The envelope had the name of the editor on it. On getting to the newsroom, he obediently passed it to the editor, without the KSh.5, 000 , which at the time was a lot of money. The photojournalist walked away like nothing had happened even as the editor looked at the empty envelope with amazement.

"The editor must have called the politician to inquire, because it was only later that he found a way of moving close to a reporter to ask whether he had delivered the envelope the way he was given. The photojournalist responded in the affirmative and walked away unconcerned," said a journalist who was at the Daily Nation and had accompanied the photojournalist to the function. The editor did not pursue the matter further but that was the last time the photojournalist was assigned to such missions.

"Editors have their blue-eyed reporters who do nothing else but collect bribes for them. These reporters are also assigned very specific assignments in the newsrooms that are lucrative in nature but also serve certain sectarian interests that are beneficial to the editor and their benefactors. In this instance the amount of money involved is huge and other reporters can't be trusted," said William Onywera, a former news editor with Taifa Leo, published by the Nation Media Group.

In 1992 former cabinet minister and Ford Asili presidential candidate Kenneth Matiba let rip when then Nation investigations editor, Mutegi Njau, challenged him at a press conference to prove his claims that journalists were corrupt. He named up to 13 journalists he claimed to have bought cars. They included Mutegi Njau, who had asked the question and who denied vehemently and challenged Matiba to prove the allegation, something the politician did not do. Whether Matiba's allegation was true or not, the Matiba list of corrupt journalists was widely publicised by the media, including the Daily Nation, thus forcing at least one editor to return the car to the politician. They, however, continued to work at the Nation until they retired.

Trends show that the size of bribe depends on the rank of the journalist in the newsroom. "Very senior journalists get much fatter envelopes. But we also know of people who are not very senior who have received cars and houses from politicians," says former editor Ojiambo. This investigation mocks the opinion surveys that rank the media as the most trusted public institution in Kenya.

## One writer's tale

***Omwa Ombara was a correspondent in Kisumu. She was transferred to Nairobi, employed full time, and became Entertainment Editor at The Standard before being posted to Mombasa as Bureau Chief. While she had heard about corruption in the media, it was while in Mombasa that she came face to face with it. She later quit the media but, unlike other journalists who have had nasty experiences, Omwa agreed to go on the record about the vice. Here's her story:***

My first encounter with corruption was with the officials who organised The World Cross Country Championship in Mombasa in 2007. Six months to the event, the Kenya Organising Committee summoned all editors and reporters to a meeting at a five-star hotel in Mombasa where lunch per person cost KSh.5,000. As we were having lunch, one of the officials of the started telling us the reason for our invitation. He wanted us to give him and his team good coverage and requested everyone not to highlight any negative aspects.

He promised all of us a small token for agreeing to give him positive coverage. I stood up and told him that I would give him good coverage and that I did not need the money he would give to journalists for that purpose. To my surprise, the official was very offended. He responded by saying that, since I had taken that stand, he would not give the financial token he had intended to give to journalists that day.

The following day, the official dispatched envelopes to all bureau chiefs and reporters, including myself. Each envelope had KSh.2,500. I declined to take the money and sent it back. I also sent back money for The People Daily reporter. When the reporter learnt about it, he got so angry with me and started issuing threats. For some time, my relationship with the reporter remained very sour.

The organising committee, however, continued summoning editors to the hotel meetings every week. I was now excluded from those meetings and most of my colleagues became very hostile to me and kept ridiculing me for not cooperating. Each time the editors and reporters went to the meetings they were given money. I stood my ground and declined to join the team of journalists.

Temptations to be corrupt kept haunting me throughout my tenure as The Standard Group Bureau Chief in Mombasa. On several occasions, for example, I would go to the office in the morning and find an envelope on my desk. On opening the envelope I would find KSh.50,000 inside. Shortly after, I would receive a phone call asking whether I had received the money.

The most notorious group was Mombasa Water Board. One day a lady sent by the board brought me money and said we had been calling them and that she wanted us to stop pursuing the story on corruption there. I told her I had never pursued a story there and rejected the money. She was very surprised and, despite this encounter, kept calling the office and leaving messages. I later learnt that it was one of my reporters who had been calling the Mombasa Water Board, allegedly pursuing a story on corruption and in the process taking cash handouts from them. They were now targeting me with money.

There was, however, one encounter with corruption that shocked me beyond words. I had done a story comparing how State House ran under former President Moi and under Kibaki. I said there were no hangers-about under Kibaki. First Lady Lucy Kibaki was apparently very happy with the story and a State House official called to say as much. But one of my reporters, who had not even done the story, got to know about it. The reporter worked her way through to State House and to this day I have not known how or even what version of story the reporter told the officials of State House. All I remember is that the reporter later came back to the newsroom with a bundle of money and started counting it before everyone else in the newsroom. It was KSh.100,000.

The reporter said she had got the money from an official in State House for the good story that The Standard had published. At that stage we could not tell how she came to get the money, but we later learnt that she had called and requested for the money. It would appear that I was supposed to receive a share of the money, but I only learnt about this later. The money could have been given out with good intentions, but the fact that a reporter who had not even written the story could secretly call no lesser a place than State House to request for money was shocking.

There were other incidents while I was in Mombasa that turned out to be a huge threat to my life, culminating in my being recalled to headquarters in Nairobi. The then popular opposition party, ODM, had a mammoth rally in Mombasa and I joined my two reporters to cover the event. I noticed one journalist writing down all the names of the journalists who were there to cover the event. Money was then distributed to journalists whose names had been taken down – each received KSh.2,000. But my two reporters were summoned to a waiting car and given KSh.20,000 by the personal assistant of an ODM politician from Rift Valley.

When we went back to the office that day, I suspended the two journalists for two weeks. The following day, the ODM politician called one of my bosses at The Standard who called and asked me to sort out the matter since the politician had called and denied ever giving out money to the reporters. I told him I had seen the money given out and that I was not relying on second-hand information. My boss said although he believed me, I should still go slow on the matter.

Later that day at midnight, the politician called me. I was surprised that he had my phone number. He told me that the way I was going about issues would hurt the ODM campaign. In our discussion, I told him I had seen it myself but for the sake of their campaign I would recall the journalists.

After just a week on suspension and despite the glaring evidence I recalled the journalists. Here were reporters whom I would lend money and organise a salary advance for almost monthly. But when I suspended them, they went to stay in an expensive hotel in Malindi and led a luxurious lifestyle. I recalled them all the same because I was under immense pressure and would have been sacked had I not obliged. Later, the personal assistant to the ODM politician called me and said the politician wanted to meet me in Eldoret and he was sending an air ticket for me. I declined. A few days later, the assistant was sent all the way from Eldoret to our offices in Mombasa. He

said he had been sent to take my ID card and bank account details. I asked him why they wanted the particulars and he said they wanted to give me some money. He said they had KSh.2 million for me and a plot that had already been identified in Eldoret. I asked him why I would want to stay in Eldoret. His response was that I would definitely want a place to settle after the 2007 elections.

While all this was going on, some of my editors in Nairobi started complaining that I was just sitting blindly in Mombasa yet there was so much money at the port. Two of my editors told me blankly that if I could not make use of the opportunities at the port, they would replace me with someone else. I later learnt that what they meant was that they were not getting their cut; that I was not taking the money and remitting their share. I could not do that. It was while in Mombasa that I also learnt that all reporters are usually given brown envelopes containing money at press conferences. Part of the money is sent to editors, who in turn protect the reporters. Because of my failure to conform while I was Bureau Chief in Mombasa, I started receiving threatening phone calls. I recall getting calls at midnight asking me to pack up and leave the Coast Province since I was not from the region.

Other callers asked me to leave reporters who were clever and forceful enough to make their own money. The strange calls warned me to continue staying in Coast Province at my own risk. One caller who claimed to be the husband of a reporter in my office warned me to keep off his wife or he would ensure I got fixed. When I asked questions the callers would hang up! Some of the calls were anonymous, I believe from people who felt frustrated at my hard-line stand on corruption. But some of them were from my fellow journalists. I had to take leave of absence for some days.

Some of the corrupt reporters called The Standard head office and informed my editors that I was too strict and at loggerheads with everyone in the office. They pleaded that I be transferred back to Nairobi and I was

## **Milking the politicians**

### ***You don't bribe reporters you get no story; or worse - negative coverage***

Politicians in Kenya claim that they are besieged by journalists demanding bribes in exchange for coverage and threats of blackmail. They claim that they are forced to apportion a percentage of their monthly expenditures to pay journalists and generally 'manage' the media. This could partly explain why every media content analysis last year by Synovate showed that politics and politicians took up the largest space or airtime in both print and broadcast media.

Circulation managers in the print media, however, say part of the reason politicians and politics take up all the space is that politics sells. It could just be that the journalists have taken advantage of the situation to make money out of politicians' craving for publicity. Most politicians appear comfortable with the situation as paying journalists allows them the leeway to manipulate the media depending on their financial ability. Indeed few have gone as far as filing official complaints with the management of the various media houses.

*Published in Expression Today NO. 19 OCT – NOV 2010*

“It is obvious that the media is corrupt. Journalists cover only those who pay them. If you don’t pay reporters, they will come, take notes and pictures but you will see nothing in the news. I think these reporters are not well paid. Some call and ask you for money even when they have not done anything for you,” said a politician from Central Province who declined to be quoted for fear of victimisation by the media. Rangwe MP, Martin Ogindo, is however blunt that corruption in the media has got to alarming levels yet there is little indication that the media houses are about to take action against it.

Kenya’s high profile public figures and politicians who hog media space daily have huge media budgets which they either use to pay specific journalists who do their bidding in the newsrooms or to simply “entertain” editors. “The competition right now is which politician gets more coverage. Those who give out more money to journalists usually address highly packed news conferences, sometimes with up to six reporters coming from the same media house,” said William Onywera, a former news editor with Nation Media Group’s Taifa Leo daily.

The journalists even go a step further. They develop close relationships with some politicians and can call them any time they are broke, according to a political writer with the Daily Nation. The politicians, mostly male, equally take advantage of the crooked journalists by offering financial inducements such as paying rent or a regular monthly stipend in exchange for sexual favours.

“I honestly think these journalists are not well paid; that is why they are behaving in such a desperate way. I have personally given money to a lot of journalists but I think they would be very offended with me if they knew I talked about them,” said an MP from Coast province. Well paid or not, whatever they do eventually impacts on the editorial content of their respective media houses, especially with politicians confessing that those who do not pay can not even dream of getting coverage.

The story of an MP for one of the constituencies in Kitui very well illustrates this point. The MP had attended the burial of a senior citizen in Kitui who was also his close friend. Before the burial, the MP informed all the vernacular FM stations that broadcast in Kamba language. Reporters from at least three stations turned up at the burial and diligently took notes. They even interviewed him but the story was not published for the next seven days despite calling persistently to inquire. Things changed when he requested his personal assistant to pursue the matter. The PA quickly learnt about a middleman for all the three stations to whom money is sent which he then distributes to specific editors in each station.

“I did not tell my boss but I woke up early in the morning and sent KSh.20,000 to the middleman. On the one o’clock news bulletin that day, all the three FM stations had news of the MP speaking at the funeral and being interviewed. It was amazing,” said the PA.

It is a reality that politicians transfer to their parties. While parties may stay dormant for a long time, they suddenly become active during election time with functional secretariats and media consultants. Dr. Charles Otieno who researched the 2007 General Election found out that the leading political parties — PNU and ODM — spent millions of shillings on media campaigns. Part of the money went to advertisements, but a lot of it went into bribing individual reporters and editors to get positive coverage.



Dr. Otieno was the lead researcher in the UNDP funded project dubbed 'Kenya 2007 Election Assistance Programme. Under the programme, UNDP supported a joint civil society monitoring initiative, Coalition for Accountable Political Finance on 2007 (CAPF), which revealed that a whopping KSh.3.5 billion was spent by the three main political parties, PNU, ODM and ODM – Kenya. Out of this, KSh.161 million was spent on media, which is a conservative figure, since it only looked at media advertising and failed to go further into analysing how the presidential candidates appropriated a further KSh.1.2 billion that they spent outside of the party budgets.

Both PNU and ODM secretariats had what they regarded as trusted media contacts that they would regularly dish out money to. A brief review of the pro-PNU and pro-ODM stories in the lead up to the 2007 general elections shows that the journalists whose names are mentioned in the ODM and PNU circles as having been their contact people contributed the biggest share of the stories about those political parties in their respective media houses. In terms of the size of the bribe, however, it would appear that PNU had more money to spend, although PNU was restricted to a few journalists while ODM's network was widespread and across the regions.

PNU insiders say that the party became alarmed when, just a few weeks to the election, it was still not making headway in the Rift Valley. "I was in the PNU secretariat and the Rift Valley was such a big headache for us. Neither the use of The Standard nor The Daily Nation was helping. So it was decided that we should try to use the Kalenjin language stations. It was very hard pushing a PNU story through to these FM stations, so we decided to use money," said a source who worked in the PNU secretariat. The source has insider details on what happened, including who was paid and how much was given out by whom. He says he personally delivered some of the money to journalists.

"We would use anything between KSh.10,000 and KSh.20,000 per story on each of the FM stations, but the figures kept going up as the election drew closer. In the end we found we were using up to KSh.200,000 per week on FM stations alone," said the source, who can not be named because he is still running some initiatives for the party. In the very last days, the party would use as much as KSh.10, 000 on individual journalists per day just to push the PNU stories to Kalenjin language FM stations. "It worked a bit because we managed to get a number of stories aired. I am not qualified, however, to say whether this translated into the votes we got in the region or it had absolutely no impact," he said, adding that PNU has kept their list of journalists for future use.

But while it might appear that this relationship between the media and politicians is symbiotic and thus easily sustainable, it has a huge impact on the image of the media, as most politicians today loathe journalists. "You journalists are very bad. These days I know. Before I did not know it and ended up trusting the media. Journalists are as corrupt as the police. They can't write anything positive unless they are paid. Then there are those from the gutter press who call you and threaten to write that you have stolen CDF money and if you don't pay, they will surely publish those lies," says the Kandara MP, Maina Kamau.

Other politicians have moved a step further and co-opted talk show hosts so as to secure appearances on TV. At least two well known talk show hosts are particularly notorious for receiving money from would-be guests. A former PA of an influential lawyer from Central Kenya said she had on several occasions delivered envelopes to a TV talk show host a day or two before her boss appeared on the talk show. “Most of the time I did not know how much was contained in the envelope. Only once did I get to know that I was delivering KSh.50,000 from my boss. I knew of two other guests who delivered envelopes to appear on the talk show but I never got to know how much was in the envelopes.”

We contacted the two talk show hosts for comment but, for months, they never responded to our inquiries. One of the talk show hosts has since left Citizen TV, although the CEO of Royal Media Services, Waruru Wachira, denied any knowledge of the host ever taking bribes.

Other than paying journalists to get coverage, the politicians also play the tribal card to win sympathy or suppress negative stories against them or their cronies. Towards the end of October 2009, for example, the Daily Nation published a story about the government buying land from the Kenyatta family to resettle IDPs. The story was written by Muchemi Wachira. A few days later the Daily Nation published an apology retracting the story. The truth, however, was that the land initially belonged to the Kenyatta family.

“The writer of that story, Muchemi, came under intense pressure from the politicians from Central Province who accused him of being used by one community to bring down Uhuru Kenyatta. They would call him and issue threats. He would switch off his phone, and they would call his wife at night and issue threats,” said an editor at the Daily Nation. Muchemi Wachira, however, declined to be interviewed. Some journalists pledge allegiance to the political kingpins of their regions to be safe.

## **Pressure on business desk**

### ***There are many top firms no journalist can write anything negative about***

On Tuesday March 10, 2010, Daily Nation published a story about numerous irregularities in Safaricom’s Initial Public Offer (IPO) of shares in 2008. The story on Page 7 of its business pull out, Smart Company, by Joseph Bonyo was based on the report of the National Audit office, formerly the Auditor General’s office. The report was a public document and, besides, the reporter had not delved into the most damning details of the mess that was Safaricom’s IPO at the Nairobi Stock Exchange.

Talking to business writers, it emerges that journalists even knew more damning details than was contained in Bonyo’s report. Nation Media Group CEO Linus Gitahi said that he met the people mentioned in Bonyo’s story, among them representatives from Safaricom, one of East and Central Africa’s largest companies. “All those mentioned in the story, including Safaricom, have complained that the story was incorrect. But I have defended the journalist. I have told them the story merely quotes a report by the National Audit office, which is a public document. We are talking about Safaricom, our

largest advertiser, complaining and I still resisted them. What I am saying is that as long as people do their job properly, my job is to protect my reporters,” Gitahi said.

But he also admitted that he regularly comes under pressure from big advertisers. “But since I joined this organisation I have never had to walk to the newsroom to change a story,” explained Gitahi. Note the tone of his comment, which subtly implies that he was surprised he stood up to Safaricom, their “biggest advertiser,” despite the fact that this was a straight forward story whose details were already in the public domain.

Safaricom’s bullish attitude is also something worth noting. How many companies are able to call the CEO of the Daily Nation to complain about a story that a reporter has simply picked up from a public document like the report from the National Audit office? And if the management of Safaricom can afford to put pressure on the CEO of Daily Nation for such a mundane story, what would happen to a reporter who dared initiate an extensive investigative story that is not a mere regurgitation of the details of a government report?

It is telling that the story by Bonyo was the first of its kind and the last about the mess in Safaricom’s IPO, which is contrary to what the media would do with a similar report touching on irregularities of such monumental proportions (given the huge sums of money involved and the high number of people affected by the IPO scandal) in, say, government offices. Even more telling is that none of the other media houses, mainstream or alternative, wrote the story – a pointer to just how influential advertising can be on media coverage as a result of which few actually get to face a negative press no matter how bad their situations are.

This is the challenge that many business and finance writers interviewed said they faced every time they tried to write about the country’s blue chip companies. “There are some companies a journalist just can’t write anything about. A negative story about them must be approved from the top,” said a business reporter at the Daily Nation. The companies that have reportedly manipulated the media with their advertising pie include Telkom Kenya, Kenya Airways, Equity Bank, Safaricom, Standard Chartered Bank, Barclays Bank, Kenya Commercial Bank, Co-Operative Bank, National Social Security Fund, Coca Cola Company, Kenya Power and Lighting Company, KenGen, East African Breweries and Zain.

The situation is even more complicated for journalists when the top management of the media houses for which they work also have interests in the companies. When the late Hannington Awori was the Chairman of the NMG board, journalists had to tread carefully on stories touching on Unilever or other numerous companies where he was either chairman, a member of the board or associated in any way. When the Anglo Leasing scandal broke in 2004 and Vice President Moody Awori was implicated in one of the deals, the NMG chairman reportedly put a lot of pressure on then CEO Wilfred Kiboro about the adverse coverage of his brother. This forced the Nation to ease up on the VP.

Kiboro retired as CEO of the NMG but was returned to the board in an advisory capacity, then as a full director before becoming chairman of the board. Kiboro is also the chairman of the board of Standard Chartered Bank and a member of the board of East African Breweries. Another NMG board member, Stephen Gitagama, is a former Finance

Director of East African Breweries while the CEO is a shareholder of Equity Bank. Analysts posit that this intricate web of directorships and connections has the potential to affect the ability of the media house to report objectively about certain issues touching on the companies.

“They have mastered the art and have succeeded in locking out negative coverage. They also do a lot of arm-twisting, such as threatening to pull out advertising. When they have an issue they want addressed, they simply pick up the phone and call the media houses they want,” claims Fred Ojiambo, a former news editor. “They argue that they give the media so much business and thus they want good publicity in return,” he says, adding that the other strategy is to use reporters and editors whom they enlist and pay or send gifts. The reporters and editors invariably do the bidding of those companies.

According to some journalists who talked to us in confidence, reporters at The Standard particularly have a difficult time writing about KenGen, KPLC and Coca Cola. Journalists at The Standard, which is owned by the family and associates of former President Moi, are also very careful when a story touches on their other companies, which include Transnational Bank and Car Track, owned by Joshua Kulei, former personal assistant of Moi and a shareholder in the Standard Group. Some of the companies have contracted some top PR firms which use their connections in the media to either kill stories that portray their clients negatively no matter how factual or push through positive stories.

Ezekiel Mutua, the Director of Information and a member of the Media Council of Kenya, said that indeed PR firms are becoming a threat to media freedom and professionalism. “We had a full council meeting earlier this week and it was brought to the attention of the council members that some companies had on April 7 filed a complaint against the Public Relations Society of Kenya,” said Mutua. In the complaint, the companies say that PR firms, especially those with complete media units, are hogging all the airtime and print space for their clients and the small companies cannot get coverage any more.

“What the PR companies are doing is submit complete stories with footage to TV stations or even complete stories with pictures for the newspapers. The editors are now just using these stories from PR companies and locking out other sources. This means that PR firms are now actually writing editorial content for media houses,” said Mutua. It is also worth noting that PR firms, as a business writer at The Standard newspaper said, “are also exerting a lot of pressure on writers and editors in the event that any story their clients do not like gets published”.

Sources in the newsrooms speaking on condition of anonymity for fear of losing their jobs or being sidelined said that PR firms have either placed some business editors on a retainer or completely absorbed some reporters into their structures with hefty allowances. “They pay very well. I tried to be the only good journalist on the business desk but I realised this is not possible. Nobody cares whether you are doing things the right way or not, so why not just do it like the rest and get paid by either the PR firms or these blue chip companies hungry for positive coverage?” said The Standard writer.

Save for his fear of being quoted, this is probably the most candid confession by a business reporter, which is corroborated by numerous other accounts of corruption. “In terms of the size of the pie that journalists get out of corruption in the media, I think the business writers are leading because the PR firms and big companies are willing to spend a fortune to get coverage. They only get overtaken by political writers during elections when political parties start spending campaign funds,” said former news editor Frank Ojiambo.

However, NMG CEO Linus Gitahi disagrees. “These are all rumours that we cannot act on. We would be glad if someone could make a formal complaint to us and then we can act on it,” he says, but admits that the company gets numerous complaints about “inappropriate behaviour” against its journalists. Gitahi’s denial aside, its common knowledge that the business desk is where big dirty money is – from PR firms and big companies.

## **Sex and tribalism**

Corruption in the media is manifest in many forms and its effects are far reaching. A media house’s ability to tackle the vice among its journalists depends both on the personal resolve of the individual managers and the strength of the management structures in place. The most known and talked about form of corruption in the media is, of course, direct payment of money to either kill stories or publish them to promote certain interests, or tweaking stories to give a certain impression. But the least talked about form of corruption is the use of sex as a tool to either influence decisions or gain undue advantage.

“This is rampant but rarely talked about because of its tricky nature. It is hard to prove and those involved would easily deny it. But there are cases where this has gone to the extent of people getting children,” says Ojiambo, a former news editor at The Standard and Daily Nation. Sex is also used as a tool of exploitation, where senior managers seek sexual favours as a prerequisite for employment, promotion or simply protection – some women in the newsrooms refer to it as ‘job sexuality’.

“I remember when I was at The Standard that two senior female editors came to me and complained that, while at an editorial meeting, a senior editor had bluntly said that the two of them and I would never get a promotion for the simple reason that we didn’t give in to his sexual advances,” said Omwa Ombara.

It is a problem that cuts across all the media houses, but it was only The Standard that in 2008 took the step of sacking an editor on these grounds after several female reporters raised alarm. “I was not surprised when it happened. The editor used his power to ‘spike’ or pass stories. The stories written by a lady who did not give in to him would never see the light of day,” said Omwa.

At least four ladies mentioned in this saga declined to talk to this writer for fear of reprisals, as they are still employed at The Standard. One of them, however, kept fixing appointments only to cancel them at the last minute. The former editor too could not

be reached for comment. The management of The Standard newspaper did not respond to our inquiries on this matter, just like on all the other issues.

But sacked editor was not alone, as most women would testify that several other editors in the company did the same things and continue to do so. The main victims are the interns fresh from journalism colleges or fresh employees. “One of my students who was an intern at The Standard later came to complain to me that a very well known editor had made indecent sexual advances at her, almost like trying to force her. I was shocked,” said Dr. Levi Obonyo, the Chairman of the Communications Department at Daystar University.

While the Nation Media Group management have denied the accuracy of emails that went around in 2006 alleging sexual misconduct among several of its top managers, insiders, however, say that, while they cannot ascertain the real intentions of the author of the mails, they were just the tip of the iceberg. “You can choose to believe it or refuse, but it is the reality. We have seen journalists who cannot deliver survive here merely on account of their sexual relationships with top managers. One such journalist, who was notorious even with politicians, eventually left, but only because it became inevitable with the changed management,” said an editor at the Daily Nation.

The other form of corruption in the media is tribalism – which is also loosely related to political party affiliations in Kenya. This is a monster that stalked NMG for a long time, with both insiders and outsiders accusing it of being dominated by the Kikuyu. In 1992, in a bid to drive down the point that NMG was a Kikuyu outfit, the government of then President Daniel Moi allegedly paid a group of journalists to resign en mass and accuse the company of being tribal and anti-government. Some of the journalists eventually returned to the Nation but the image has since remained.

The Nation’s hand-in-glove relationship with the government of President Mwai Kibaki between 2003 and 2007 also had some tribal overtones. When asked about it, then CEO Wilfred Kiboro told ET that the company felt Kibaki needed to be given time before he could be assessed. When Kiboro left and Gitahi took over, there again was tribal talk. “I can assure you I never met or knew Kiboro either before or during the interview for this job. The interviews were conducted by a human resource consulting firm and Kiboro never knew who I was. I later met Kiboro at a hotel for coffee long after I had been recruited, just days before I reported to my new job at NMG,” said Gitahi.

The story of NMG, says Gitahi, is not in any way dissimilar to the story of Kenya, where everything is viewed in terms of tribe, a very sensitive and emotional subject. Gitahi was particularly troubled by the perception of the NMG as a Kikuyu-dominated outfit. “But it is a journey we have to travel. I am in fact very happy with where NMG is at the moment. Look at my management team: I am the CEO, a Kikuyu; Tom Mshindi, the Managing Director of the Newspapers Division, comes from somewhere in the Rift Valley; Joseph Odindo, the Group Editorial Director is a Luo; Ian Fernandes, the director in charge of the NMG Digital Division, is Goan; Mutuma Mathiu, the Managing Editor of the Daily Nation, is Meru and Eric Obino, the Managing Editor of the Sunday Nation, is Kisii. Show me an organisation that is more diverse in this country,” posed Gitahi.



Some media analysts may want to disagree but it is Gitahi's contention that NMG is a step ahead of the other media houses in the fight against corruption – or even minimising the effects of such vices as tribalism and sexual exploitation. He says the first step, and this might be true, is for an organisation to have a strong management structure. "The advantage we have is that we have a very clear governance structure that helps us deal with these issues. I don't know whether there is any other media house that has the structures that we have. The other thing is that we have an editorial policy that is a public document. We are again the only media house that has an open, public editorial policy," he asserted.

Gitahi talked in a manner that implied that he was referring to their closest competitor, The Standard Group, which has indeed been cited in journalistic circles as an example of unpredictable management. Although it had Paul Wanyagah as its official chief executive, in reality he remained inferior to the Group Vice Chairman and Strategy Advisor, Paul Melly, who basically runs the company. This structure has created a lot of confusion both to the journalists and investors. Melly is the guardian of the interests of both former President Moi himself and his son Gideon.

If we were to see things the Gitahi way and analyse The Standard in terms of tribal balance, NMG is apparently much more balanced and cleaner. Melly is Kalenjin and a representative of the Moi family, which is Kalenjin. The Group Chief Editor, John Bundotich, is Kalenjin, and Kipkoech Tanui, the Managing Editor of The Standard daily editions, is Kalenjin. The weekend edition has no Managing Editor at the moment after the resignation of Dr. George Nyabuga, a Kisii.

It is perhaps because of this unclear management structure that tribal alliances and factionalism is the order of the day at The Standard. "The tribe alone can make one earn a promotion or be denied one. If one does not belong to the right tribe, however, then he must know somebody who matters in the company and also belongs to the right tribe," said an editor at The Standard. This can easily be cited as the main reason the company's responses to corruption allegations are less systematic and far from consistent.

The two major cases of corruption and sexual misconduct that the company dealt with in 2008 and 2009, for example, were handled more as a personal intervention of the Group Vice Chairman, Paul Melly. Besides the sexual abuse allegations against an editor in 2008 and the other case was about the death of a pupil in a school in Nakuru whose director allegedly bribed journalists to leave the story. "For a whole year, neither the Standard nor the Nation touched the story. The parents of the pupil then went to see Melly in Nairobi and, finally, the Standard published the story and sacked its Nakuru bureau chief on allegations of corruption," said an editor at The Standard.

It is obvious that it took Melly's intervention for anything to be done in this case not because Melly is the only one who knows what ought to be done, but because of the confusion inherent in The Standard's management structure. Its weak management structure notwithstanding, at least The Standard took action against its journalists in Nakuru for alleged corruption. There were similar allegations against NMG journalists in Nakuru, as a result of which the NMG did not touch the story of the dead pupil. But

despite its taking pride in the strong management structures, NMG has taken no action against its journalists. On the other hand, it can be argued that, because of its strong management structure, it relies on its structures to assess cases such as this and thus the bar of admissible evidence is higher than it is at The Standard, where just an individual's word is enough for action to be taken against a journalist.

The same, however, cannot be said of the Royal Media Services and state-owned Kenya Broadcasting Corporation. The parastatal, which would have strong management structures by being a state institution, has one of the weakest administrative procedures going by the manner with which hiring and promotion of staff is handled. The consequence of this, according to insiders, is that KBC does not have a clear policy on fighting corruption or even against tribalism and nepotism.

Royal Media Services, on the other hand, still has to make do with the personal preferences of its proprietor, S.K. Macharia, and his wife, who are basically the final authority on what transpires there. Without a board or independent management, decisions are made by the editorial heads and the Managing Director. "As such, there are some journalists here that are just untouchable simply because they are close to the proprietor. They may do things that are unprofessional or even engage in corruption but no manager can raise a finger," said a senior journalist at Citizen TV, owned Royal Media Services.

EXPRESSION TODAY NO.10 OCT-NOV 2010