Media Influence on Public Policy in Kenya

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This research has been undertaken and report written by Christine Mwangi, Strathmore Business School. The funding for this research was provided by the Business Advocacy Fund.
1. Introduction

This study seeks to investigate whether print media has any influence on public policy in the business sector in Kenya. The press plays a major role in public life, influencing citizens’ focus of attention and providing many of the facts and opinions that shape perspectives on topics of the day. The public and policy makers at all levels receive subtle but powerful messages about what is important. The result has been that those aspects of public affairs that are prominent in the press frequently become prominent among the public and government officials (Koch-Baumgarten and Voltmer, 2010).

The study of the relationship between media and policy is fraught with complications related to causation. In developed economies, policy makers are highly sensitive to media coverage of their actions and activities (Campbell 2008). Political insiders are well aware of the influence media has in political decision making. However, scholars in political science find it quite difficult to define how media influences policy except in clear narrow issues.

Wangrave and Van Aelst (2006) reviewed 19 studies published over the last three decades that analyse media influences on policy making and found that 12 reported considerable media effects on policy making while seven reported minimal impact. The results, therefore, are mixed and more research is needed to explore whether the media ever influences policy making. This study seeks to understand the mechanisms that lead to the influence of media on public policy. Therefore the research question is “Does print media influence public policy in Kenya?” Influence is described as having an impact in the processes and outcomes of political decision making.

Given that politicians depend on public support, they are typically not willing or able to go against public opinion and risk losing popularity or even political power in future elections (Kepplinger, 2007). This in turn may lead politicians and policy makers into acting in ways that they previously would not have, had there been no public attention.

This study examines three economic and social issues in the Kenyan public domain: value added tax, pyramid schemes and illicit alcohol. These issues were selected because these have been long-standing debates in Kenyan political and economic sphere, relevant not only at the national level but also having impact in rural areas. Furthermore, these issues which have an impact on consumption, expenditure and saving are clearly understood by the “average” Kenyan and require no particular expertise to form an opinion. These issues are also capable of evoking strong emotion. Should the research find that print media does influence, we will seek to understand the mechanisms of how that happens using media content analysis.

The aim of this research is to contribute to literature on media and policy-framing in Kenya. An evaluation of media and policy frames relating to a diversity of three economic-policy related incidents provide an opportunity to explore the way in which the issues are framed and the effect of these frames on the policy agenda. This research will be useful for advocacy groups who regularly use media as a tool to communicate their proposals. The findings can help them understand ways in which they can more effectively engage the government for policy reform or change.

This research is also useful in highlighting the ways in which media responds to social and economic matters that have a significant impact on the public. The nature and form of media coverage is useful for media practitioners to understand their own biases, how they select frames and what this message evolves to eventually become over time. The study will be useful for policy practitioners to understand how their policy decisions are understood and communicated in the media.
2. Literature Review

The media plays an important role in modern political and economic life. Scholars have defined the media as “guardians of the public interest” (Sparrow, 1999) who champion truth, pluralism, objectivity, balance and accuracy (Bennett, 1990). However, often, the environment in which the media operates drives journalists to exploit sensationalism at the expense of the broader social, economic or political issues due to the need to beat competition and acquire favourable ratings and advertising revenue.

This “market” environment includes the media amongst other strategic actors in the policy debate, in attempts to re-define, alter, or “spin” political rhetoric (Hallin, 1992). This also places the media in a unique position, where they can create or define new frames with which to analyse issues as well as a conduit for the mass communication of frames provided by other actors.

One of the key issues that contributed to this study is the relationship between media and politics and policy stems from the effect that the media had in the 2007 elections that led to a significant wave of ethnic violence and hatred and over 5,000 deaths. This was primarily through partisan community radio stations that fuelled tension culminating to violence (Ngui, 2008).

This effect in one way demonstrated the power of the media in influencing the actions of a certain group of individuals to a point where they caused actual harm to friends and neighbours. It is clear that in this case the media had a direct impact on what these people perceived about their economy, country and friends. Conversely there was also a relationship between politicians’ use of the media and the reactions of the public. Television and radio platforms were used also to insinuate that they (the politicians) were acting (agitating for change – leading to incitement) on behalf of the disenfranchised Kenyan. Although this is not directly related to policy making, it woke Kenyans to the power of the media in democratic processes.

Media have increasingly become powerful due to the diverse ways it is consumed. Citizens can get access to information more easily than in the past thus can get alternative views from experts and independent journalists making it difficult for policymakers to control what information is accessible to whom and consequently makes concealing policy actions more difficult (Coleman et al, 1999). Journalists’ relationship with the political elite and government institutions is becoming more adversarial resulting in aggressive reporting on economic and social issues (Blumer and Gurevitch, 1995). Thus managing the media and predicting media response to issues has become critical to politicians’ careers.

This pressure is best demonstrated in an excerpt from Koch Baumgarten and Voltmer (2010) where they quote an admission from the UK Government on how media is posing a challenge to government decision making:

"The context within which Britain is governed altered almost beyond recognition. The unavoidable pressures of round the clock press and television leave government less time to tackle coherent legislative and administrative decisions. Our traditional structures- parliament, government, civil service, even the judiciary- have been substantially transformed and can no longer function as they used to. These changes are objective and largely irreversible. They cannot be attributed to any one government or any one political style.”

(Better Government Initiative)

Scholars have focused significantly on policy makers responding to media as a manifestation of public opinion (Molotch et al. 1987; Page and Shapiro, 1992). Policy makers assume that the public is heavily influenced by what they read in papers or watch on television and therefore perceive that adapting to the media would actually be responding to what they think are the expectations of
the electorate, resulting in the media actually having an impact on policy makers’ actions (Herbst, 1998). Sometimes the response will be symbolic and not substantive, with promises made but nothing substantive done. It is the more substantive action such as shifting policy positions, actual policy action taken, amendments made to existing policies or intended policy actions are dropped altogether that would be interesting to observe in this study and consequently termed as influence.

Unfortunately, this is rarely a linear process. Gavin (2010) explains that there is a “constellation” of players involved in the policy process. Media content itself can be influenced by audience demand and thus journalists are highly sensitive to what the public wants to read or know about, so they judge content by news value. The public itself can decide what it wants covered. In Kenya there was one such occurrence when a citizens’ campaign against elephant poaching in Kenya led to an increase in print and TV coverage of dwindling elephant populations and stories of reformed poachers who have since started protecting the animals they once hunted.

Empirical studies have had contradictory results in proving a direct link between media representations and policy outcomes (Soroka, 2003; Pritchard and Berkowitz, 1993). Nevertheless, agenda setting studies have shown that media attention attracts policy attention to public problems and creates a sense of urgency for policy makers to come up with solutions (Yanovitzky, 2002). However the presence of organized groups such as members’ associations or lobby groups who use media to influence or lobby government complicates this association. Government itself may also use media to popularize or demonize an intended policy action.

Gavin argues that even if it is possible to show a causal connection between media activity and policy developments (Walgrave and van Alset 2006), it is possible that the policy changes result from the actions of the interest groups’ involvement and not the media action. This then confounds the causal relationship between media and public policy.

In order to go around this problem, Robinson (2001) recommends examining the circumstances in which media may influence policy. He hypothesizes that media is likely to have influence on policy processes in times of policy uncertainty. Robinson identifies one source of uncertainty as ambiguity between policy sub-systems’. Uncertainty is the inability to analyse the present situation or predict future consequences because of inadequate knowledge, ‘ignorance or imprecision’. Ambiguity is vagueness about intended meanings, multiple interpretations or ambivalence (Zahariadis 1999). Robinson (2001) suggests divergent interpretations of the same problem or solution in different departments could give rise to uncertainty in the form of ambivalent communication or dissent and this gap could provide the media an opportunity to influence policy action. It is expected therefore that with regard to the role of the media in the policy process, their main influence may be in policy debate. The interpretative nature of policy problems is the reason why the policy process is usually characterized by ambiguity and uncertainty, which, as mentioned above, has been identified as an avenue for possible media influences.

Given the inherent uncertainty of the political environment the news media will always be of interest to those involved in the policy process. Agenda setting and framing are the most elaborated approaches that link the study of the content of political news to the knowledge, attitudes and behaviour of mass audiences. This body of research has shown that the salience (alignment with personal interest) of issues on the media agenda not only affects which problems citizens consider most important, but also their policy preferences and how they evaluate political officials (Iyengar and Kinder, 1985; Shaw and
McCombs, 1997). Salience and agenda setting studies demonstrate that the more attention there is on an issue the more the public is aware of it and the stronger the incentive there is for policy makers to frame a response to the issue (Cook, 1998).

Framing theory explores the way in which political information is contextualized and how this affects the meaning of a news story and ultimately the judgement of the audience (Price et al, 1997). Gamson and Modigliani (1989) describe frames as ‘interpretative packages’ that include assumptions about causes and consequences of a problem, affected values and resulting policy implications. These observations are in line with Kahneman and Tversky’s (1984) experimental study that demonstrates that the framing of policy alternatives as either avoiding risks or achieving gains strongly affects individual preferences.

The media shape how policy issues are framed; deliberately or not, through their choice of which players’ messages they focus on (Hirchsman and Thompson, 1997). Frames define the problem, diagnose its cause, offer and justify treatments for the problem and predict their likely effects (Entman, 1993). Framing effects occur when an issue can be presented using multiple lenses or thematic slants. Considering the fact that public policy issues are inherently multi-dimensional and complex, the possibilities and opportunities for framing issues are constantly available to the media. For instance, home brewed liquor is labelled as “killer brews” or “traditional brews”, which would evoke different emotions in the public: one would be interpreted a national safety crisis or illegal activity and the other would be perceived as preservation of indigenous cultures and practices. These frames can contribute to problem definition, causal interpretation or moral evaluation and consequently have an effect on policy debates and possibly political outcomes. There is a considerable amount of evidence which suggests the power of frames to shape the public’s support of policies and even interpretation of political events (Khaneman and Tversky, 1984).

The media’s selection and framing of issues can be explained by two factors. One is alliance with a particular ideology, cause or political party, usually referred to as bias or news slant. The other one is ‘media logic’ that denotes the professional standards and production routines that are reflected in the selection and presentation of political issues (Athleide and Snow, 1979). The most prominent form of media logic is ‘news values’, such as personalization, conflict, drama, deviance and impact. Media logic shapes – and often distorts – the reporting of politics even when journalists strictly adhere to the rules of neutrality and objectivity (Staab et al, 1990). Given the media’s fascination with drama, conflict and scandals, they are more likely to affect the policy debate when an issue meets these criteria of media logic. By emphasizing risks and policy failures the media systematically limit the range of policy choices that can be publicly legitimated. Frames then construct meanings which in turn serve certain interests for or against policy issues.

The ‘framing’ of policies in the media often differs from and contests the dominant policy frame usually given by government agencies. In some cases, this contesting media attention leads to policy change while in other cases, policy processes are resilient to media attention. Theories on agenda setting explain policy change as a result of media attention (Cobb & Elder 1971; Baumgartner & Jones 1993; 2005; Walgrave & Van Aelst 2006). We aim to contextualize theories on agenda setting by focusing on issue frames in media coverage and on the policy agenda. In this study we analyse media coverage and policy documents in terms of ‘frames’ of a policy issue. Here we assume that a limited number of possible frames of certain issues exist that can be promoted in media-attention and policies addressing the issue. We also
assume that in most newspapers one dominant frame will prevail, even though the issue can be portrayed from different viewpoints and by different actors in one message.

In order to resonate with socially shared cognitive frames of reference, frames include ‘framing devices’ to communicate the message to the greater audience (Gamson & Lasch 1983; Gamson & Modigliani 1989). Metaphors, catchphrases, examples, visual images and statistics are used to communicate the frame. These “devices” will be analysed to identify their contribution to the policy agenda or to policy change.

The impact of media also depends on the content of media coverage; the intensity, tone, framing and consonance. Topics that arouse emotional reactions are likely to have more impact than those that do not. The intensity of published reports and the more similar the messages of different news reports (consonance), the more impact they are likely to have (Linksy, 1986).

How then can we demonstrate media influence on public policy?

In this study we will use Dahl (1961) definition of influence that A must make a difference and in consequently affect B to illustrate influence. The media focus and attention only has influence if it leads to actions. These actions could be a budget increase, sackings, regulation on local or national level. In order to identify influence, the study will seek to identify policy makers and politicians proposing or promising actions relevant to the issues and check the implementation of these proposed actions. Politicians are known to make promises they do not keep, in cases where promises are made but not kept, the media can be said to have “pseudo- influence”.

This study will demonstrate causality by using the process tracing approach. Process tracing enables a researcher to focus on unfolding events over time in a descriptive manner by observing changes and sequence in a situation all the while identifying key events in time, consequently enabling one to provide a good analysis to illustrate causation (Collier, 2011). This study looks at the evolution of the news coverage over a 10 year span, providing a rich set of data to work with and opportunities to investigate policy makers’ behaviour spanning two governments.

The aims of this research are to contribute to the literature on Kenyan media’s influence on policy making. This is an area where there is not much literature and an analysis of three notable issues in the public domain will provide opportunities to understand the mechanisms of and opportunities for media influence on policy in Kenya.
3. Research Methodology and Study Design

Three specific areas of focus in economic policy are studied. These areas have been chosen due to the fact that economic issues are matters that affect population in general. Government national economic policies affect consumers and are not targeted to unique communities or ethnic groups.

The purpose of this research is exploratory. Exploratory research is useful when the research questions are vague or when the topic is not well understood or there is little theory available to guide predictions. Exploratory research is used to develop a better understanding (Hair et al 2003). Exploratory studies are a valuable means of finding out what is happening, to seek new insight, to ask questions and to assess phenomena in a new light. It is particularly useful if researchers wish to clarify the understanding of a problem. Studies that establish causal relationships between variables may also be termed exploratory studies. The emphasis here is on studying a situation or a problem in order to explain the relationship between variables (Saunders and Thornhill, 2003). Exploratory studies are also designed to test whether one event causes another (Hair et al, 2003).

The theoretical framework of this research is the constructivist paradigm. This influences the way knowledge is studied and interpreted. The paradigm that a researcher chooses sets down the intent, motivation and expectations for the research. It consequently influences the research design (Mackenzie and Kipe, 2006).

The research methodology is qualitative in nature. Qualitative research involves an interpretive approach to its subject matter. This means that qualitative researchers study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them (Newman & Benz 1998). Further, a qualitative research approach is one in which the inquirer often makes knowledge claims based primarily on constructivist perspectives (i.e. the multiple meaning of individual experiences, meaning socially and historically constructed, with an intent of developing a theory from collected evidence). The researcher collects data with the primary intent of developing themes from the data (Creswell et al, 2003).

Research Design

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<th>Theoretical Framework/Paradigm</th>
<th>Research Methods</th>
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<td>Interpretive</td>
<td>Qualitative: Thematic Content Analysis and Process Tracing</td>
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Print media content analysis is the technique that was employed to analyse the data and establish the frames. Media content analysis is a recognized specialized sub-set of content analysis which is a well-established research method. This method was first introduced by Harold Laswell (1972) to study propaganda. The specific approach that is used in this research is the behaviourist approach formulated by Shoemaker and Reese (1990) that is primarily concerned with the effects that content produces. In this particular case the content we are studying is print media from two leading newspapers in Kenya (The Standard and The Daily Nation who have the highest circulation and readership in the country) and effect we are investigating is public policy. The method that is used to identify the impact of these frames on policy is process tracing.
The period of analysis selected was 2005-2015. This was for reasons of data availability and also to compare the responses of two different governments in place. The Kibaki government ran from 2003 to 2012 and the Kenyatta government has been in power since 2013. Every single newspaper over 10 years was thoroughly scoured for any article on the three topics. The sample of issues to investigate had been selected using purposive sampling because these were issues that affected the Kenyan consumers and general population without discrimination and therefore it would be interesting to see whether government action taken to address consumer or citizen concerns were driven by print media coverage. Most sampling in qualitative research is purposeful sampling (Patton, 1990). This is a strategy in which particular settings, persons, or events are deliberately selected for the important information they can provide that cannot be gotten as well from other choices.

However, in terms of the newspaper articles sample, we sampled the entire population of the articles retrieved in the topics of interest from both newspapers.

The issues

**Alcoholic Drinks Control Bill 2010:** In 2010 the Mwai Kibaki government (2003-2012) initiated laws to control the proliferation of adulterated liquor that was often sold under the guise of “traditional liquor” which had been socially accepted and legalized for production by government under certain conditions. This is a contentious industry and the Bill had proposals that the media at times supported and other times did not. The sale of this liquor had significant social and economic impacts on the country and its regulation process was often contentious and different government agencies differing on the regulation of the industry. The analysis of media coverage on this industry is important to investigate whether or not it had any impact in the government’s or policy maker’s decision making.

**VAT Bill 2013:** This was a new Bill to repeal the prior VAT Act. The Amendment to the Act would lead to an increase in prices and previously zero rated consumer products would become standard rated. It will be interesting to see how media coverage based on consumer interest has contributed (or not) to amendments in the Act since it was introduced.

**Pyramid Schemes:** Kenyans lost KShs 7.4 Billion between 2004 and 2006 as a result of pyramid scheme investments (Nyenze, 2009).

The issues selected demonstrate different types of relationships between media coverage and policy decisions. In all three issues, there was an Act of Parliament passed as a policy tool. The nature and structure of this media coverage is investigated to demonstrate whether it contributed to any subsequent policy action.

Limitations

In this particular study one factor –the print media focus on a particular issue – is the isolated factor that is the major cause of some policy decision. However, we cannot know whether these policy decisions would have happened “anyway” without any media intervention but great focus is put on demonstrating causal links and explanations that would support any conclusions. These explanations will be based on means, motives and opportunities.

The qualitative nature of the content analysis relies heavily on the researcher “readings” and the “key words” identified in the media texts. This is a very time intensive process and typically this kind of research has involved small samples of media. All efforts were made to increase the reliability of the data
by using a computer-assisted approach and using NVivo to support the coding process. This software enabled the researchers to code the data and retrieve text based on key words to form “frames”. Therefore, the frames are not necessarily “found” by the researchers but are computed by the software. The software makes it possible to track the evolution of the data analysis.

The 10-year span selected allows for the collection of “rich” data that is detailed and varied enough to provide a full and revealing picture of what is going on (Becker, 1970). This enhances the validity of the findings.

Table 1 shows the total number of articles referring to any of the issues for the 10-year period by each newspaper. Surprisingly, there were no articles of interest in these issues in the years 2005 and 2006. It was noted that The Standard had significantly more articles retrieved than Nation newspaper with regards to the Alcohol story. This led the team to think there was a problem with the search terms since The Nation archives were digital while The Standard archives manual. However, it was also noted that in the Pyramid Schemes story, The Nation had a larger number of articles retrieved than The Standard, this could mean that the media houses had different approaches to covering different issues.

Table 1: Total number of articles retrieved 2006 – 2015 per topic

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4. The Case of Illicit Brews

In a speech, Hon. John Mututho (2014), the Chairman of the National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA), admitted that alcoholism problems have been a struggle for the Kenyan nation even as early as 1902 when serious challenges with the drug were experienced in Fort Hall District in 1902, (current day Murang’a County).

The Colonial British Administration, through M. Francis Hall appointed a Chief named Wangu Wa Makeri on recommendation of senior chiefs in Central Kenya to assist in eradicating the alcoholism. Demonstrating the historical background of the use of Chiefs in the fight against the sale and consumption of domestically prepared alcohol. The successes of these efforts led to the enactment of a Prohibition Act and African Drinks Control Act that was meant to control indigenous alcohol production and consumption.

After the colonial era, there has been a chequered history of regulating Traditional Alcohol consumption in Kenya. President Moi in 1978 banned the production and sale of traditional brews, stating that they retarded development. However, after President Mwai Kibaki’s government took over in 2003, Hon Amos Kimunya, the Finance Minister made history by introducing the Licensing Laws (Repeals and Amendments) Act, 2006, which repealed the Traditional Liquor Act of 1971. Hon. Kimunya came up with one law, the Liquor Licensing Act, which broadened the licensing of traditional brews and enabled the mass production, bottling and sale of these “traditional” products countrywide. This law came into effect on May 1 2007.

The Act defined Traditional Liquor as “… any intoxicating liquor manufactured by traditional African methods other than distillation, which is offered, or intended to be offered, for sale in a state of continuing fermentation without further processing.”

This excluded Chang’aa, a popular home-made cheap alcoholic drink, from the definition of a traditional brew, since it undergoes further processing through distillation. The law made it illegal to brew because it neither follows the regulatory guidelines of beer or alcohol processing nor is it approved by the Kenya Bureau of Standards.

However, this understanding was not obvious in government agencies. Different reactions to this change revealed that government agencies themselves had understood that traditional liquor including Chang’aa could be brewed at home, as long as one had a licence.

In May 2007 following the enactment of the law, media attention on increased consumption of alcohol spiked and it was evident that the actions taken by Finance Minister Amos Kimunya, to allow the manufacture and sale of traditional brews, led the country through a downward spiral. The newspaper coverage before that time shows that there were no articles, major reports or concerns about alcohol consumption in the country but coverage intensified after 2007, which demonstrated that the repeal of this Traditional Liquor Act of 1971 had had an adverse impact on society and so media reported on it.

The Government approach to deal with the repealing of this Act seemed inconsistent. Following the media’s exposure of conflicting government positions on the manufacture of traditional brews, the minister of Finance clarified his position in parliament stating “The Government has not, and I repeat, has not authorized anyone to start brewing traditional liquor unless they follow the law as captured within the Liquor Licensing Act .....” This was a direct response to media reports that the government had allowed the brewing of Chang’aa (Amran, 2007; Anyour and Martin, 2011). This clearly contradicted the understanding of the then Deputy Nairobi Provincial Commissioner who explained to journalists that a licence to brew traditional
liquor would only cost KShs 500 and those without licences could get them on the grounds that in various parts of the country, the licences were being provided (Sunday Standard, 2007). The Provincial Commissioner also at the time reportedly felt that the move was welcome and would increase government revenue through legitimate licensing and taxation of these brewing activities (Njagih 2007).

The previous government under President Moi had outlawed all production and sale of traditional liquor. It was a total ban and was considered illegal, unfortunately this had not been stemmed in any law because it was a verbal directive. In hindsight, it appears that the consequences the country faced were as a result of the difficulty to regulate and monitor domestic and private production of Alcohol.

The misunderstanding arose from the fact that Traditional brews were socially and culturally acceptable brews and could be brewed under certain provisions in the Traditional Liquor Act of 1971. However Chang’aa was a clearly prohibited drink and this prohibition was provided for under the Chang’aa Prohibition Act of 1980. This means that all along traditional brews were legal as long as these were licensed but Chang’aa was still illegal. The difference being that Mwai Kibaki government did not issue a directive banning the brewing of traditional alcohol. The new Mwai Kibaki government allowed traditional brewing – with a licence.

This fact was not distinguished by reporters and it is in-fact the case that Hon. Amos Kimunya did not legalize the brewing of Chang’aa. The media however, reiterated to Kenyans that it was legal to brew “traditional” alcohol as long as one had a licence. There was no analysis of the issue seen in 2007 print media detailing the implications of the law and the differences between Chang’aa and traditional alcohol. In a weak regulatory environment with a high number of poor and illiterate people, the meaning of Hon. Kimunya’s actions was lost in translation. The media coverage emphasized more on the repeal of the Act and the consequent legality of brewing Chang’aa with some headlines reading “Brewers may soon have bottled brands of Chang’aa” (Amran 2007). This is what led Hon Kimunya to explicitly denounce the allegations in the media that the Government had permitted the brewing of Chang’aa, in parliamentary proceedings. This demonstrates that the media were indeed a source of news for the policy maker and he did not want adverse mention in the press implying that the abuse of liquor manufacturing was in any way, authorised by government. This also demonstrated the importance the Minister placed on public opinion or perception through the media.

The reason why Chang’aa was such an issue for Hon. Kimunya and why he wanted to disassociate his government with it is because unlike traditional brews which are made from fermented fruits and undergoes no further distillation process or chemical additives, Chang’aa is a mixture of ethanol, methanol and other deadly intoxicants. It has no formal recipe and is formulated at the brewer’s discretion making it illegal.

Another problem Kimunya faced was that the Liquor Licensing Act he had introduced had no clear distinction between processed beer and traditional beer and in fact the word “Traditional” brew appears only in the definition of terms. The Liquor Licensing Act defines itself as “an Act of Parliament to make provision for regulating the sale and supply of liquor, and for matters incidental thereto and connected therewith”. (Liquor Licensing (Repealed) Act, 2007 p.1)

Compared to the Traditional Liquor Act (1971) which defined itself as “an Act of Parliament for the control of the manufacture for sale, and the sale, of intoxicating liquor, other than spirits, of traditional types; for the control of
premises upon which such liquor is manufactured or sold; for the imposition of a tax upon the manufacture of such liquor; and for connected purposes.” (Traditional Liquor (Repealed) Act, 1971 p.3)

The brewing requirements of the Traditional Liquor Licensing Act of 1971 were strict with stipulated guidelines on how to get authorization to brew traditional liquor. These included presenting an application for a license to a licensing board that consisted of District Commissioner of the district concerned and five other members appointed from among residents in the district. It was also expected that there would be public meetings of the residents of each location to vote in favour of or against the issuing of a liquor license.

There were also clear guidelines on health and safety which indicated that only premises approved by the medical officer of health for the area could be granted a licence. Health and Safety regulations included general cleanliness and adequate latrine accommodation, readily available to the satisfaction of the medical officer of health. These guidelines were specifically attributed to the brewing of Traditional Liquor.

This was not the case in the new Liquor Licensing Act. The repeal of the Traditional Liquor Act (1971) made the safety guidelines redundant and there was no clear regulatory framework to sit in its place. This led to the misunderstanding that the brewing of traditional liquor could be done if one just but got a licence. When Hon. Kimunya was explaining himself in Parliament, trying to justify the repeal of this Act, he explained that the repealing of the old Acts was due to them being outdated and/or imposed disproportionate costs to the users compared to the actual or anticipated benefit. This was envisioned to ease the cost of doing business in Kenya and encourage increased investment in the economy to achieve the Kenyan dreams outlined in Vision 2030. At the time in May 2007 over 110 licences were eliminated and another 1,300 were under review for amendment or elimination (Parliamentary Debates, 2007). This was under a wave of excitement in the country with the economy having evolved from negative growth to over six per cent in a record four years of Kibaki’s government.

The media also covered other leaders’ reactions to this news and highlighted President Moi saying the move was retrogressive and would retard development, claiming that the Kenyan people, especially the youth would turn to alcoholism (Kimuta, 2007). Unfortunately, some of the laws repealed had unprecedented social and economic consequences for Kenyans.

Media coverage focused heavily on specific themes when discussing the issue of alcohol consumption in the country. Reports were written from different perspectives; several times doctors, public affairs consultants gave their technical positions on matters of addiction focusing on the responsibility of brewers big and small, in being responsible about advertising to impressionable youth. There was much focus on the importance of education on dangers of excessive consumption of alcohol and underage drinking.

There were also clear calls for a national alcohol policy from letters to the editor and special reports in the media (Wa Ngugi 2007). This was particularly notable in 2007 following the repeal of the Traditional Liquor Act that was perceived to give free reign to any person who could brew alcoholic drinks. The media highlighted positions from experts and policy consultants who advised that a coherent legal framework would be necessary to ensure that enforcement of the law would be successful. Interestingly, the need to rationalize and accept traditional brews was also prevalent as it was felt that the rejection of traditional brews was a colonial hang up and puritanical, not accepting the realities and social construction of the Kenyan people. The push to legalize traditional brews was also fuelled by perceptions that those were drinks that majority of Kenya’s poor can afford and are accepted culturally
Bowry 2008). This beginning set the stage for a long journey of combating the proliferation of illegal alcohol manufacture in Kenya.

**Key Media Frames on the Alcohol Debate**

This research provides an interpretive account of the media frames identified from the data and considers broader cultural elements. Several scholars have used this approach in studying media frames (Haller and Ralph 2001). These frames can be considered as “categories” that classify the text. These observed frames are experiential and contextually contingent rather than empirical and careful description is provided to validate this approach.

The details provided in the frames analysed assists in demonstrating the gravity of the illegal alcohol issue at the time, to the Kenyan public and policy makers, and also provides context for the actions government took. These actions are explained further on in this report.

Key words in the textual analysis demonstrated the areas of focus for the media in reporting the issues. Children were a key concern and the categorization of the alcohol being discussed as illicit or illegal was significant. The prominence of regulatory agencies being mentioned in the print media versus other stakeholders such as mainstream beer production companies like The East Africa Breweries Limited was also notable. Clearly creating a conflict frame that pitted the effects and negative outcomes against lax government action. Productivity as a theme was often cited as well as the “youth”. The mention of specific regions in the Country was significant because it demonstrated the media focus on the disproportionate effects of alcohol use and/or abuse. Details of the occurrence of key words in the 10-year period are provided below:

**Table 2: “Key words” over time**

<table>
<thead>
<tr>
<th>Frame</th>
<th>Nation</th>
<th>Standard</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
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<td>Productivity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment</td>
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<td>15</td>
</tr>
<tr>
<td>Education</td>
<td>17</td>
<td>38</td>
<td>55</td>
</tr>
<tr>
<td>Women</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wives</td>
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<td>16</td>
<td>24</td>
</tr>
<tr>
<td>Husbands</td>
<td>8</td>
<td>35</td>
<td>43</td>
</tr>
<tr>
<td>Poverty</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slums</td>
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<td>76</td>
<td>111</td>
</tr>
<tr>
<td>Insecurity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gangs</td>
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<td>8</td>
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</tr>
<tr>
<td>Violence</td>
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<td>61</td>
<td>65</td>
</tr>
<tr>
<td>Vigilante/s</td>
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<td>11</td>
</tr>
<tr>
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</tr>
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<tr>
<td>Death</td>
<td>69</td>
<td>88</td>
<td>157</td>
</tr>
<tr>
<td>Quality of Alcohol</td>
<td>30</td>
<td>49</td>
<td>79</td>
</tr>
<tr>
<td>Blind/ness</td>
<td>34</td>
<td>44</td>
<td>78</td>
</tr>
<tr>
<td>Dens</td>
<td>44</td>
<td>142</td>
<td>186</td>
</tr>
<tr>
<td>Filthy</td>
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<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Media Influence on Public Policy in Kenya</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rehabilitation Centers</strong></td>
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<td>70</td>
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<tr>
<td><strong>Sachets</strong></td>
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<td>25</td>
<td>32</td>
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<tr>
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<td>54</td>
<td>61</td>
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<tr>
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<td>211</td>
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<td></td>
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<td><strong>Traditional brew/ liquor/ drinks</strong></td>
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<td>229</td>
</tr>
<tr>
<td><strong>Busaa</strong></td>
<td>20</td>
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<td>120</td>
</tr>
<tr>
<td><strong>Muratina</strong></td>
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<td>43</td>
<td>54</td>
</tr>
<tr>
<td><strong>Changaa</strong></td>
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<td>367</td>
<td>483</td>
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<tr>
<td><strong>Families/ Social Fabric</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Morality/moral/morally</strong></td>
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<td>27</td>
<td>27</td>
</tr>
<tr>
<td><strong>Casual Sex</strong></td>
<td>4</td>
<td>11</td>
<td>15</td>
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<tr>
<td><strong>HIV</strong></td>
<td>4</td>
<td>19</td>
<td>23</td>
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<tr>
<td><strong>Breaking Families</strong></td>
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<td>39</td>
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<tr>
<td><strong>Children</strong></td>
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<tr>
<td><strong>Domestic Violence</strong></td>
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<td>21</td>
<td>24</td>
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<tr>
<td><strong>Economic Activity</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>Productivity/tive</strong></td>
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<td>13</td>
<td>18</td>
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<tr>
<td><strong>Tax Revenue</strong></td>
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<tr>
<td><strong>Vision 2030</strong></td>
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<td>21</td>
<td>31</td>
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<tr>
<td><strong>Catering Tourist Development Levy Trust</strong></td>
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<tr>
<td><strong>Regions/ Political Use</strong></td>
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<tr>
<td><strong>Central Kenya</strong></td>
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<td>116</td>
<td>160</td>
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<tr>
<td><strong>Policy/ Law/ Enforcement</strong></td>
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<td><strong>Chang'aa Prohibition Act</strong></td>
<td>2</td>
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<td>14</td>
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<td>1138</td>
<td>1407</td>
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<td><strong>Legalizing Chang'aa</strong></td>
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<td>28</td>
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<td><strong>Kenya Bureau of Standards</strong></td>
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<tr>
<td><strong>Police Raid</strong></td>
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<tr>
<td><strong>Agencies</strong></td>
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<td>53</td>
<td>85</td>
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<td><strong>Enforcement</strong></td>
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<td><strong>Implementation</strong></td>
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<tr>
<td><strong>Guidelines</strong></td>
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<td><strong>Bribes</strong></td>
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<td><strong>Mututho</strong></td>
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<td>101</td>
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<tr>
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<td>412</td>
<td>555</td>
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<td><strong>EABL</strong></td>
<td>23</td>
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<td>83</td>
</tr>
<tr>
<td><strong>COFEK</strong></td>
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<tr>
<td><strong>NABAK</strong></td>
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<tr>
<td><strong>PERAK</strong></td>
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<td>16</td>
</tr>
<tr>
<td><strong>Keroche</strong></td>
<td>24</td>
<td>53</td>
<td>77</td>
</tr>
</tbody>
</table>
Specific themes that were pulled out of the data and categorized above are described below:

**Social Fabric, Morality and Families compromised**

Alcohol was depicted as a vice that causes disruption to families (Okoth 2009 and Gitonga 2012). Coverage of entire pages sometimes had nothing but pictures of seized illegal alcohol in residential areas. The use of images was rich and would depict men sleeping on the roadside in broad daylight, too inebriated to reach home. The plight of wives and mothers was emphasized with focus being on wives losing their husbands attention and affection and mothers losing their children to alcohol addiction (Kemei 2009). Domestic violence was also attributed to the increase in alcohol consumption. The effects of Alcohol consumption on families is clearly articulated with stories of children dying from neglect and accidents as parents, mostly mothers, brew in their homes (Ayodo 2007). Children were also reportedly dropping out of school due to the negative effects of parents’ alcohol abuse.

Other stories linked violence, prostitution, unwanted pregnancies, robberies and the spread of HIV to the consumption of these brews. Selling of alcohol to underage children was also noted for its role in impeding education initiatives in local areas (Kiprotich 2009). Parents who drink had been put on the spotlight for not being role models by taking children to bars and clubs as they socialize. The media seem to have given this a lot of attention across the years and calling on psychology and sociology experts to elaborate on the long term implications of the alcohol abuse plight (Owuor 2008). This theme had significantly more mentions in the period after 2010 when the new Alcohol Drinks Control Act came into place and it repealed the Chang’aa Prohibition Act, making Chang’aa brewing legal.

**Alcohol use/ abuse as “political”**

Another angle the media took was to politicize the issues by implying that the government was legalizing traditional brews to please the public and secure votes (Kendo 2007). Another theme with a political angle is when the media covered a member of parliament from Naivasha who claimed that Central Region has become the dumping ground for cheap liquor manufactured in the region, in an attempt to destroy its social fabric and weaken the region to destroy its ability to have a huge population of voters or even leaders. The Central Kenya leaders were also given coverage as they claimed that the deadly effects of the poisonous liquor consumption had been disproportionately high in Central Kenya (Kiberenge and Kiarie 2011, Jamah 2011, Tanui 2014).

**Poverty**

It was often highlighted that the brewing dens were located in low income areas and the dangerous alcohol was mainly consumed by poor people who could not afford better beer. The media did not seem to understand whether the poverty is what caused the drinking or whether the drinking caused poverty. The general tone was that poverty was the cause and the young people wasting away their time drinking would not do so if they had opportunities to engage in meaningful recreational and employment activities (Muchiri 2014, Kamau 2014, and Iraki 2014).

**Productivity**

Vision 2030 was referred to as an important goal for the nation and would be threatened by illegal alcohol consumption (Ombati 2009). President Kibaki several times acknowledged that the situation was dire and severe action
needed to be taken by all leaders to ensure that the country’s manpower does not waste away in Chang’aa dens (Njagih 2010).

**Police/ Law Enforcement Corruption**

Cases of police corruption are covered extensively and told in narrative form with real live stories told from a first person perspective, depicting the challenges of operating traditional breweries and even premises where Chang’aa was sold. The media coverage demonstrated an industry that was enabled by the same law enforcement meant to crackdown on it. Stories were told of disconnects between the Chiefs who live in these locations and are the representatives of the Office of the President; representing the law, and the Police who have powers to arrest and detain law breakers. Other stories focused on the Authority responsible for spearheading the campaign against drug and alcohol abuse being caught up in fake licensing scams operating in its premises with its officers pocketing license fees and authorizing production of poisonous substances as beer (Munuhe 2013).

In many cases once the chiefs reported cases of illicit alcohol production and sale to the police, the same police officers become “frequent visitors” always threatening arrest and accepting “payments” to forestall the arrests (Ngige 2014). The media gave anecdotal evidence from people who would consume the brews in bars owned by police officers. Other stories even involved prison warders caught attempting to sell the prohibited substances to prisoners, substances that contained paint thinner, turpentine and spirit. Notwithstanding the fact that deaths had occurred in prisons after consumption of these substances.
Economic Activity

The coverage of the Chang’aa and traditional alcohol brewing in the country was presented from various angles. There was balanced coverage in terms of portraying it as a social ill, as well as representing it as a fully-fledged industry that had support from the local communities it served, particularly in low income areas and slums all over the country. This industry was reflected as also providing employment in the form of daily wages to “scouts” looking out for police as well as labourers in the distilleries. The impression given sometimes was that the operations of these illegal alcohol distilleries were too sophisticated for the average slum dweller and that the Chang’aa business was protected by well-connected business people (Kareithi 2008).

However, big breweries were presented in the media as advocating for responsible drinking and pushing for regulation and a total ban on traditional brews and Chang’aa. The rationale for this was also looked at from a business perspective, with main stream breweries also looking to tap into the low income market by producing potent, safe brews at an affordable price. The issue was frequently depicted as a war between the mainstream international foreign breweries and the small local breweries.

A focus on licenses and reporting on people caught operating without proper documentation was another effort the media took in highlighting the problem of alcohol sale and distribution.

Youth/Underage Drinking

The newspapers covered stories of college students drinking away their youth and using alcohol to cope with the demands of school and life. The issues of peer pressure that perpetuates drug abuse in Kenyan schools was regularly featured. The frequency and intensity of the articles on teenage alcohol consumption implied that the drinking problem in the country was larger than anticipated. The media slant was one of the hopelessness that the youth felt in their future prospects due dismal employment opportunities (Kithi 2008, Ombara 2008). The proximity of bars to residential areas and the unregulated operation of these residential bars was seen to also contribute to encouraging young people to drink and behave irresponsibly due to increased access (Owuor 2008). The writing would be emotional and appeal to nationalism by stating that “A country that fails to invest in its youth is a country without a future; it is time to stand up and save the youth and our communities from self-destruction”. The responsibility for managing the youth and protecting them would be placed on parents, the government and sometimes the entire Kenyan society.

Regions: Central Kenya

The effect of illegal alcohol production and consumption was severe in Central Kenya, particularly in Kiambu and Murang’a Counties. There were reports of broken families, violence, thefts by addicts and declining population rates as well as an increase in the number of spinsters as a result of not having any appropriate suitors (Gikandi 2008). This was depicted as a matter of grave concern to these communities because leaders were worried that their lineages, culture and way of life may change as a result (Weru 2009). Murang’a town was particularly notorious for excessive consumption of alcohol because the licensing of liquor outlets was uncontrolled. This was mentioned by the media as having directly contributed to school dropout rates and declines in population growth, leaving many kindergarten schools empty.

Rehabilitation

The reporters would also focus on how rehabilitation efforts could complement the Government’s initiatives to prevent alcohol abuse. This coverage would
focus on the need for funding for government agencies to support rehabilitation efforts (Mwakio 2009) and even stories of people who have been successful in recovering from addiction and finding new pre-occupations in income generating activities like farming (Lucheli 2008, Gitonga 2010).

Public Health and Safety

There were reports especially during spikes in media coverage of deaths that had occurred due to consumption of these brews. There were reported cases of people getting blind immediately after consuming these drinks (Ombati and Kareithi 2010). Other reports had graphic explanations of poisonous and harmful additives in the brews to ensure potency and to “bewitch” their clients to beat competition (Wanyonyi and Muruka 2010). Other reports highlighted the use of river banks- where many city low income dwellers get their water supply from – as prime locations for make-shift breweries and these locations become hot spots for “crime and violence” (Muiruri 2009). In-keeping with the health and safety frame, the media also covered road accidents that were suspected to be caused by drunk driving. Though it is not clear what percentage of deaths were directly caused by inebriated drivers.

Media’s visual depiction of the alcohol scourge

A Chief is amongst those consuming the illicit brews.
Dysfunctional families: Women going to look for their husbands in drinking dens and taking them home.

Youth lost in drunken stupors
Deaths caused by illegal alcohol consumption in the most unlikely places.

Mututho Law coverage on front page
Negative impacts on quality of life from illegal alcohol consumption

**Media coverage intensity**

The table below shows the number of articles on alcohol consumption and production across the years being studied. It is important to note that the coverage and salience of the alcohol issue grew in significant across the years from 2007.

**Table 3: Number of combined articles in The Standard and Nation newspapers on illicit brews issue 2007-2015**

<table>
<thead>
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<tr>
<td>Illicit Brews</td>
<td>23</td>
<td>29</td>
<td>74</td>
<td>130</td>
<td>121</td>
<td>93</td>
<td>67</td>
<td>221</td>
<td>174</td>
</tr>
</tbody>
</table>

The National Agency for the Campaign Against Drug Abuse (NACADA) was institutionalized under the Ministry of Provincial Administration and Internal Security, in April 2001, to initiate a public education campaign against drug abuse especially among the youth in schools and other learning institutions. This Authority was expected to take a lead role in fighting illegal alcohol.
Media coverage on the woes of Alcohol abuse had been increasing in salience and newsworthiness from 2007-2009 with intense coverage in 2009 of 74 articles in both newspapers on the issue of Alcohol alone compared to 23 in 2007 and 29 in 2009. The coverage in the newspapers was consistently graphic, showing images of dirty unkempt environments that were filthy and unhygienic where these “traditional brews” were manufactured for public consumption. The media reports were consistently negative, graphic and had emotive depictions of the effects of these illegal brews, using words like “raid”, “den”, “alcoholism tears the family apart” and similar heart wrenching titles. The media liberally used photographs of tanks of the illegal brew being poured out into roads after police raids on premises, men, too drunk to get home, sleeping in trenches and of women protesting their husbands’ absence from home due to alcoholism.

On Wednesday 20 May 2009, The Standard ran a two page special feature titled “Dens where police dare not patrol” that detailed the challenges the police were having in implementing the prohibition of Chang’aa brewing. From January 2009 to May 2009 there were 30 articles on illicit brews which was more than the coverage on the topic in 2007 and 2008.

The Government promptly responded. Through an advertiser’s announcement in the newspapers on 29 May 2009, NACADA explained its position on alcohol abuse to the public. This was only 9 days after the special feature covered by The Standard. The statement from the NACADA focused on the health and social cost of excessive alcohol consumption, particularly among the youth and women. The policy would be focused on restricting accessibility to alcohol especially to the youth, mitigate risky behaviours such as drinking and driving, and protect ‘at risk’ groups such as young people. The contexts of alcohol consumption like the bars, clubs and other settings as well as alcohol product safety would also be targeted as harm reduction interventions to ensure the overall safety, security and productivity of Kenyans. These were the exact ways in which the media communicated to the public on the alcoholism vice, as demonstrated in the categories in the previous section.

Illicit Alcohol was specifically mentioned and in the statement, Busaa, Muratina, Banana which are formally recognized as traditional liquors were categorized as illicit alcoholic beverages, in the same class as Chang’aa. The statement called for a new legislation declaring all the traditional liquors and Chang’aa illegal as well as imposing punitive fines and/or imprisonment for contravention of the law. In the same breadth the notice indicated that the new law would “Empower the regulatory authority board to issue permits regarding all forms of non-commercial alcohol.”(NACADA, 2009)

This was a direct contradiction of all the statements regarding traditional liquor, because this liquor is non-commercial as it is domestically produced. This message did not cause any real change in public perception and looking at 2009 reports after May 2009 the situation on consumption and production of illegal alcohol did not improve.

Local leaders’ approach to the increased consumption of alcohol was clearer than that of National Government in some cases. Members of Parliament in constituencies adversely affected by the consumption of illegal alcohol declared “war” against the producers and sellers of the alcohol and urged the public to support their case. One MP from Imenti North, declared that he would lead “door to door” campaigns against the brews since the Provincial Administration (Chiefs and District Officers) had failed to squash production and sale (Weru 2009). Some government officials like District Commissioners declared licensed bars would be closed if chiefs gave in reports that licensed establishments also acted as a retail outlet for illicit alcohol.
In some cases, the police and the provincial administration worked hand in hand to arrest individuals caught brewing illegal alcohol and would seize all the product. For instance in Biomet central division, February 2009, 23,000 litres of the brew was seized and 150 people arrested. In Nakuru, May 2009, 31,000 litres of the brew were impounded by the District Commissioner. There were successes when the provincial administration and police worked hand in hand to crackdown on illicit brews. The media vividly covered these stories with pictures accompanying the reports of these seizures.

One notable Member of Parliament took serious action to combat the vice. Mr. John Mututho got government support in 2009 for a bill that was seeking to legalize Chang’aa and traditional liquor by repealing the Liquor Licensing Act and the Chang’aa Prohibition Act that had outlawed the production and sale of Chang’aa. This was the Alcohol Drinks Control Bill. The bill proposed that these drinks could be produced and consumed as long as they followed government regulations. The then NACADA Coordinator was interviewed by journalists on the decision to legalize all brews and said that since we cannot eliminate all illicit liquors, legalization of Chang’aa and controlling its production will enable many access to legally produced drinks at affordable prices” (Jamah, 2009 p.8). She also claimed the move would boost local investment and tax revenues, since traditional brews are estimated to contribute to at least half of the KShs 42 Billion from the alcohol industry in 2009.

It was envisaged that the legalization of the production, consumption and sale of Chang’aa would make it an honest business by ensuring that it followed government approved standards of quality health and safety. Industry stakeholders felt differently, and were not supportive of this proposed bill. The perspective covered in the media implied that mainstream breweries did not support the law as it would erode their profits by increased competition (Jamah 2009). Though this was true to some extent, it is also fair to note that these heretofore unregistered brewers were not known by the Kenya Revenue Authority and did not have to meet government regulatory standards and so could sell their alcohol extremely cheap, with no regard for safety, unlike the registered companies and it would be unfair to de-regulate the market without these considerations.

It is evident from the data and the themes emphasized in the media coverage, that the bill was inspired by the persistent coverage of the media by publishing 74 articles in 2009 alone on the alcohol menace. This was an average of 6 articles a month on the alcohol issue - more coverage than the previous two years combined.

The Alcoholic Drinks Control Act (2010) was signed into law by President Kibaki in August 2010 and implemented in November 2010. The new law included some provisions that were hotly contested by industry such as:

- Labelling of all products, with up to date information of the producer and their location – in case of any incidents with the consumption of the brew. A health warning of the dangers of alcohol on all bottles that should be not less than 12 by 8 inches in size.
- Establishments that sell alcohol would not be allowed within a radius of 300 meters from a learning institution and a clear and conspicuous signage that states “Alcohol is dangerous to your health” in every bar.
- The law prohibited the sale of alcohol to a person under 18 years.
- No facility would be allowed to sell alcohol unless cleared by the National Environment Management Agency (NEMA), Kenya Bureau of Standards (KEBS), the Government Chemist and the National Campaign Against Drug Abuse (NACADA).
No Alcohol will be sold in sachets less than 250ml and must be packed in bottles, not plastics.

The media reports, following the enactment of this law, were balanced with a mixture of hope and positive stories depicting a change in the sale and production of alcohol, which would lead to a sober, safer, more productive society (Orengo 2010, Njagih 2010). The media also highlighted different viewpoints from stakeholders in the alcohol business.

Government officials often quoted media terms, phrases and stories in the support of alcohol legislation by legislators in Parliament. According to the Official record of the National Assembly, in 2010 a Minister while supporting the then Alcohol Drinks and Control Bill, declared that ‘...if nothing is done [to stop the youth from drinking], we are going to lose generations to come”; he also said “... our population growth is rapidly changing because young men can no longer be productive. Our daughters have no men to marry! My worry is Wahu, my daughter, will she ever get a husband ...” These are phrases that are heavily inspired by newspaper reports as this is the angle a lot of the reporting has taken, depictions of hopeless youth, frustrated wives, declining enrolment in kindergartens and retarded population growth (Ayodo, 2007; Kemei 2009). This suggests that media coverage is a source of information for Members of Parliament and actually used media reports as evidence to support their policy positions.

It appears that media reports enabled members of parliament demonstrate that public debate is translated into legislation, enliven the debate and make it recognizable to the public as well as emphasize arguments.

Technical analysis of the government guidelines was missing from the media reports. Journalists would report the facts and the news but rarely gave insight into the possible challenges the implementation of this law would face. The responsibility for alcohol control and regulation fell within multiple government agencies such as the Kenya Revenue Authority, NACADA, KEBS, Ministry of Public Health, Provincial Administration, the Kenya Police Service and these agencies did not always work well together or even understand their role in fighting the illegal production and sale of unlicensed alcohol. The courts as well are a key enforcement mechanism since it has been customary for courts to give offenders minimum penalties and fines of as low as KShs 5,000 because maximum penalties are defined by law and minimum penalties are decided by individual judges, creating a corruption loophole and a subversion of law. Courts at the national level, also seems to be some lack of clarity of what can be prosecuted. A ruling in 2011 by the high court declared that being in possession of Chang‘aa or consuming it was not a crime (Thuku 2011). The only crime was selling. This also contributed to weakening enforcement of illegal production because possession was not a crime.

These obvious contradictions in government policy made it difficult for media to provide accurate information on government policy and inadvertently led to mis-informing the public on various occasions. This demonstrated journalism that was functioning in a weak and dysfunctional regulatory environment, with government agencies that had little or no co-ordination. The data proved that the Kenyan approach was to report the actual happenings from any corner of the country and from any stakeholder or during any “event”. Investigations into deeper causes of the issues from the journalists or media houses themselves was lacking. Emphasis was placed on actual deaths, negative social outcomes associated with alcohol, almost taking sensational twists full page spreads of dismal circumstances and images of the public breaking into premises suspected of brewing or selling the brews. Analysis into the complex nature of issue in question lacking, not looking at correlations between slums, police officers and regulatory agencies. The media did not seem to have a
clear position on what they wanted the public to do with the information they were exposed to. It seems the print media was just a mouthpiece, for anyone who wanted to chime in on the issue and their coverage was not driven by any ideology or preferred position. However, in all fairness to get a balanced perspective, expert opinion was regularly sought from public health professionals, sociologists, psychologists and even economists. This would provide some deeper analysis into the issue, more than the regular writers could provide.

Another challenge in the implementation of the law was that the process of the production of Chang’aa could not be defined (Anyour and Martin 2011) by the Kenya Bureau of Standards because the ingredients were currently subject to the brewer’s discretion and the substances characteristically used to increase potency were not fit for human consumption and many times led to death, blindness or mental illness.

In the past, the Minister for Internal Security had ordered the closure of bars and clubs in residential areas but this order seemed difficult to implement because there has been a consequent rise in bars in city estates (Mukinda 2008). However, it is not unusual that there would be difficulty in enforcing these same laws in 2010 if Members of Parliament (law makers) and the enforcing institutions such as the licensing authority, NACADA, and the Kenya Bureau of Standards were un-coordinated and corrupt (The Standard 2010). There was evidence in media coverage of an entire section of government that seemed to have no power to carry out its mandate.

The progress of the implementation of the Mututho law was given entire pages of newspaper coverage with pictures of revellers still enjoying their drinks in bars in residential areas, which was supposed to be illegal. Stakeholders such as the Pubs Entertainment and Restaurants Association of Kenya (PERAK) would use the media to demonstrate that it is difficult to legislate people’s “freedom” and that is why many of their members would have their bars open even after 3am – which was the mandated closing time for all bars and entertainment facilities. The media also highlighted the fight against a section of the law that required alcohol manufacturers to have large labels on all their products and the courts supported the companies in barring the Internal Security Minister, the Attorney General and the NACADA, from implementing the Alcoholic Drinks and Control Act (2010) (Kwamboka 2011). There was a lot of interest in law makers and even President Kibaki to crack down on the poisonous brew trade (Ngige 2011). There still was consistency in media coverage of the issue (104 articles in 2011) but it turned out that President Kibaki made promises to take decisive action but did not get to follow through. It is evident from the data that in President Kibaki’s case the media influenced the policy agenda but did not quite influence policy change since there were no substantive policy shifts.

Journalists are professional observers and they would attribute the observed behaviours in the environment and describe them accordingly. For instance, in this study, they would significantly highlight the actions that the government agencies were taking or not taking, occasionally demonstrating a lack of a coherent government strategy to combat the spread of these poisonous brews. The subjects of these reports such as the regulatory authority NACADA would deflect this negative coverage and present itself blameless and dissatisfied with the enforcement mechanisms such as the police and the provincial administration. These agencies being the protagonists – the people supposed to handle the situation the country was in- would act in a manner that would assign blame to other agencies and never take responsibility so as to deflect the consistent and embarrassing media coverage. Hon John Mututho the Chairman of NACADA would go as far as blaming the Kenya
Revenue Authority for tolerating the spread of the alcohol by auctioning methanol in the public market while there were other regulatory agencies such as the Kenya Bureau of Standards that was responsible for consumer protection.

Kenya’s local government system changed after the March 2013 elections and the management of local affairs was structured under devolved government. This required that the provisions of the “Mututho law” had to be ratified and implemented by the individual county governments and their county assemblies, which are the county law making bodies. This also proved to be a substantive blow to the initiatives and gains made in fighting the menace because another layer of government procedure had been employed.

The impact of the media on the policy makers depends on the content of media coverage, its topic, intensity tone, framing and consonance. The topics of illicit brews and alcohol consumption focused more on the negative social effects and displayed this through colourful language such as “filthy brewing dens”, “peddling death”, “and a drowning nation”. These terms typically arouse negative emotional reactions and have a strong impact. The media reports especially in May 2014 had significant intensity with 74 articles published by both newspapers in the month, this being an average of more than two articles every day that month. This negative framing defines the boundaries for legitimate action taken by policy makers, for instance, what really would be appropriate action for the government to take against those who are “peddling death” or destroying the youth who are the future of the nation?

The clearest example that the print media in this case influenced public policy outcomes arose from the intense and daily coverage of the illicit brew menace in May 2014, following a number of deaths from illegal alcohol consumption (Muchiri and Nyawira 2014). The articles covered by the media expressed the public’s frustration with the government in dealing with the drinks menace. Numerous pictures of drunks on road sides, grieving families and hospitalized beer patrons were juxtaposed against a government regulatory mechanism that was broken. This had happened before prior to 2014, specifically in 2011 when the NACADA chairman wanted Alcoholism declared a national disaster in the wake of deaths in Central Kenya from the brews. The Kibaki government did not take any decisive action in terms of policy changes, sackings or budget allocations. The media coverage was significant with 121 articles on the issue that year.

The Kenyatta government however took decisive action, following deaths from consumption in May 2014 and significant media coverage by articles averaging more than two a day, there was the high profile sacking of the CEOs of NACADA and the Kenya Anti-Counterfeit Agency. Other public officers who were also relieved of the duties were from the Provincial Administration and Intelligence officers who had failed to curb the spread of the illegal brews (Olick 2014). This was done by the Interior Cabinet Secretary in consultation with the Inspector General of Police, the Health Cabinet Secretary and NACADA Chairman. The Government also ordered the closure of a company which traded in spirits containing 100% methanol and that sold two of the products resulting in deaths of more than 50 people in May 2014 (Mbaka 2014).

There were arguments that this would have happened anyway following the deaths but there had been deaths in the years preceding 2010 and no decisive action such as this had been taken by the government. The months where there had been a clear spike in media coverage with articles on killer brews appearing almost daily, and with images of impounded warehouses full of alcohol and other human interest stories on the plight of people affected by
impact of the illicit brew trade, it is not impractical to assume that the media attention did have an impact. This demonstrated a government that is sensitive to media coverage.

The media had continued to cover stories on the devastating social effects on alcohol abuse by writing 147 articles on alcohol over the 12 months from June 2014 to June 2015. This was an average of 12 articles a month on the issue. In July 2015, President Uhuru Kenyatta issued a verbal directive for a four-day operation to destroy all “Second Generation Alcohol” (Gikandi 2015). President Uhuru, while issuing the order during a meeting with Central Kenya legislators who were considered to be the worst hit by the menace, stated that provincial administrators who were being lax in carrying out their duties would be dismissed and asked Members of Parliament in the affected regions to collaborate with the Police Commanders to shut down the outlets selling liquor without valid licences. At the end of these raids 448 illegal drinking dens had been destroyed, 542 illegal bars closed, 15 million litres of harmful spirits seized and 200,000 suspects arrested – according to NACADA (Chege F. & PSCU 2015). Chiefs were also casualties of the crackdown and 99 of them were fired and 15 senior police officers also sacked over their failure to curb the spread of illicit brews in the country (Ombati 2015). The government again had responded. During the implementation of this directive, the public got involved in destroying the “killer brews” so much so that they would destroy legitimate, retail businesses. Property worth millions of shillings was reportedly lost during the raids (Nyawira 2015).

It is possible that negative reports have an impact on policy makers. In the wake of negative and unpopular reports, policy makers can opt to do nothing, hoping the coverage will quickly end or they can react to minimize the anticipated effects on the general public. The direct and indirect effects of media coverage can never be proven with scientific rigor but at least the chronological order of the events that led to decisive action by government are clear. From the data, it is clear to see that Kenyan print media has an effect on Kenyan policy makers in the current government especially with the use of negative frames and increased prominence of an issue. The intensity of media coverage had an impact in President Kenyatta’s government more than it did for President Kibaki where the media only influenced the policy agenda, considering that the issues, frames covered by the media and the approaches used in coverage in both administrations were the same.
5. The Pyramid Schemes Case

Background

Pyramid schemes have been defined by the Central Bank of Kenya as “investment frauds where promoters promise high, unrealistic financial returns or dividends that cannot be obtained through traditional investments” (CBK, 2007). The increase in economic growth following President Kibaki’s successful governance of the Kenyan economy and the limited financial investment opportunities for the population at the time had increased the gullibility of the population to get-rich-quick schemes. Pyramid schemes gained a lot of popularity and quickly spread amongst the populace who could not resist the allure of quick returns. The euphoria was further fuelled by the success stories of investors who had ‘harvested’ (getting back double their investment upon maturity) which spread quickly and acted as a marketing tool for the schemers.

The reach of these pyramid schemes was astounding with operations being across the country in cities such as Eldoret, Kisumu, Nairobi, Nyeri, Bondo and Mombasa. The lure of these schemes is that they actually did pay out money to the initial investors and the returns were supernormal. One member reportedly told newspaper reporters that the schemes beat saving money in the bank and the money invested earned interest within a short time. One would invest KShs 10,000 and receive KShs 25,000 within 6 weeks, more than 100% interest in a little over a month. (Masibo and Macharia, 2007)

The pyramid Scheme saga was consistently covered from 2006 to 2009 following the loss of income by Kenyans from organizations which presented themselves as investment companies that could give high rates of return within months to individuals who invested in them. The number of articles published in the 10 year period from 2006 to 2015 are detailed in the table below.

Table 4: Number of articles on Pyramid Schemes per year

<table>
<thead>
<tr>
<th>Year</th>
<th>Nation</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2007</td>
<td>74</td>
<td>9</td>
</tr>
<tr>
<td>2008</td>
<td>9</td>
<td>3</td>
</tr>
<tr>
<td>2009</td>
<td>64</td>
<td>17</td>
</tr>
<tr>
<td>2010</td>
<td>28</td>
<td>0</td>
</tr>
<tr>
<td>2011</td>
<td>21</td>
<td>8</td>
</tr>
<tr>
<td>2012</td>
<td>21</td>
<td>2</td>
</tr>
<tr>
<td>2013</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>2014</td>
<td>19</td>
<td>1</td>
</tr>
<tr>
<td>2015</td>
<td>14</td>
<td>6</td>
</tr>
</tbody>
</table>

This study identified key words that were repeatedly used to discuss the issue of pyramid schemes. Most of these words were associated with the negative impacts of the schemes. They are contextualized and further arranged into themes and explained below.

Table 5: Key words occurrence in pyramid schemes newspaper articles

<table>
<thead>
<tr>
<th>Time period 2005-2015</th>
<th>Pyramid Schemes key words frequency over time</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nation</td>
</tr>
<tr>
<td>DECI</td>
<td>74</td>
</tr>
<tr>
<td>George Donde</td>
<td>39</td>
</tr>
<tr>
<td>Amos Kimunya</td>
<td>22</td>
</tr>
<tr>
<td>Amos Wako</td>
<td>4</td>
</tr>
<tr>
<td>Uhuru Kenyatta</td>
<td>2</td>
</tr>
<tr>
<td>Joseph Nyagah</td>
<td>8</td>
</tr>
<tr>
<td>Ministry of Cooperatives</td>
<td>3</td>
</tr>
<tr>
<td>Ministry of Finance</td>
<td>9</td>
</tr>
<tr>
<td>National Treasury</td>
<td>3</td>
</tr>
</tbody>
</table>
### Media Themes to discuss the Pyramid Schemes

#### Death

The pyramid scheme debacle caused a number of deaths which the media highlighted in their coverage. One manager of a pyramid scheme was thrown out of a building by frustrated depositors when he could not explain to them when or how they would get their money back (Mugwanja and Njagi, 2007).
The organization for which he worked was called Development Entrepreneurial Community Initiative (DECI) which was nationwide in its reach and the most notable pyramid scheme in the country. Other deaths involved 20 cases of suicide by people who felt they had lost all hope after their earnings were swindled (Nyenze, 2009 p.94). One such story involves a man who mortgaged his family home and invested the money in Kenya Business Community Sacco and lost everything. His home was auctioned, his wife was admitted to hospital due to stress and died. The man’s oldest son was also unable to finish his final year studies in a Nairobi college due to lack of fees and due to the state of despair amongst the family, the young man committed suicide which led the old man’s youngest son to run away from home never to be seen again (Kiarie, 2015). These are the kind of detailed stories the newspapers provided, that made the pain of the victims all too real to the public. The media used pictures of people mourning the death of loved ones and even a picture of a crowd protesting outside the DECI building.

**Loss of Income**

There were tales in the media of numerous victims of the pyramid schemes who were completely impoverished for instance when one family man mortgaged his home in Embu for 2 million and “invested” all of it in pyramid schemes. After the schemes went bust the man was rendered homeless. Other stories are told of women who were majority of the victims, falling into illnesses such as depression and heart sickness following their losses. The amounts invested in the various pyramid schemes were as little as KShs 1000 and as much as KShs 22million (Shiundu Wafula Njeri, 2009). The newspaper reports provided information on how even relatively wealthy individuals also fell victim to the scams - testimony from a lady who admitted to having invested KShs 131 Million to various pyramid schemes before they collapsed. It was reported that there were over 26,000 victims drawn from 45 out of the 47 counties in the country. The pyramid schemes that had the furthest reach and the biggest deposits were DECI, Akiba Microfinance, Kenya Business Community Savings, Sasanet Investment Cooperative Society and Mont Blanc Afrique (Kiarie, 2015).

**Churches**

Churches were heavily involved in the proliferation of pyramid schemes because in some cases they introduced their congregations to invest in these groups and even gave the managers and owners of pyramid schemes platforms to sell their services to unwitting citizens who believed in the clergy. Newspaper articles reported that the schemes foundations were rooted in the Christian faith. This could be a reason why it was so hard to convince Kenyans that the pyramid schemes were a scam. The churches preyed on their congregants’ gullibility and ignorance.

Elaborate personal narratives were given where it was found that church leaders were sometimes promised commissions based on the number of investors recruited into pyramid schemes. Biblical teachings and Christian literature were used as a tool of convincing the religious leaders that the schemes would benefit members both economically and in their Christian faith. The schemes took advantage of the ‘prosperity gospel’ by the Pentecostal/Evangelical churches. Examples of schemes that used the religious approach were “CLIP” which perpetrated their pyramid scheme through sale of Christian literature and DECI where investors were convinced that they were planting a ‘seed.’

Many clergymen were also victims as some used church offerings and sold church property to invest in these very schemes.
Media’s pictorial coverage of the Pyramid Schemes story

PARLIAMENT

Big Names linked to Sh34b pyramid cons

Minister says 20 have committed suicide after being ruined in quick riches fraud

By ALPHONSE SHUNDU

Twenty people have killed themselves after being ruined by pyramid schemes which an MP claimed were operated by prominent people.

NAMED

Andrew Ligale
Ms Mary Genga
Mr Njeru Ndwiga
Mr Stanley Munge

Victims of pyramids fraud await justice

Formerly jovial mother nowadays walks with a bundle of tablets she takes for depression and stroke

By JOHN NIAGA

Before Mrs Esther Wawia, a mother of five, died last month in a pyramid scheme with the promise that she would get her money back in a few weeks. She was a healthy young woman.

Nowadays she walks with a bundle of tablets she takes for depression and stroke. “Since I lost Sh300k in the scheme, my life has never been the same,” said the small-scale farmer from Kiambu West.

Mrs Wawia’s situation represents that of many other victims in the pyramid schemes where 100 Kenyans keep on each entering体系 as an escape from the灰色经济, including businesses, pensions and anyone who could get rich on a small or some sort of savings, quickly dissatisfied

Victims of the schemes showing documents with Revenue Authority stamps
Media Influence on Public Policy in Kenya

State keeps off pyramid schemes

Government will not compensate those who lost their money in schemes: Minister

The Government will not compensate depositors who lost billions of shillings in collapsed investment schemes, Finance and Planning Cabinet Secretary Henry Rotich has said. The Cabinet Secretary said the schemes were neither financed nor regulated by the Central Bank of Kenya (CBK) as required by law.

However, he said the government had taken some steps in response to complaints from depositors who had lost money, including curbing their proliferation, monitoring the public, enforcing the law, and establishing a task force to deal with the issue. The task force has been meeting weekly to discuss the situation and make recommendations to the government.

Dr. Oginga was answering the first question in Parliament since his appointment a week ago by President Uhuru Kenyatta. Mr. Franklin Gitau (iganga South, Kamu) asked how the minister knew that several Kenyans lost billions of shillings last year when the investment schemes, known informally as “pyramid schemes” collapsed, and why the government had allowed them to operate.

The MP also wanted to know if the Minister knew that several Kenyans lost billions of shillings last year when the investment schemes, known informally as “pyramid schemes” collapsed, and why the government had allowed them to operate.

Dr. Oginga said the government was working to compensate the affected depositors, arguing that the CBK had frozen the accounts of some pyramid schemes.

Dr. Oginga described the pyramid schemes as “illegal entities which CBK does not superintend.”

He added: “True, CBK froze accounts of some of the pyramid schemes, but we can only pay the affected investors following court orders.”

Dr. Oginga’s MP Abubakar Namwamba summed the House when he said the pyramid schemes had been sponsored by political parties to manipulate Kenya’s election outcomes. The Coalition for Reforms and Democracy (CORD) and ODM (Kenya) had promised during their campaigns last year that those who lost money in the collapsed schemes would be compensated. “He is now in the Government and could we know if that promise was made in good faith?”

Not responsible

The MP argued, but clarified that the Finance Ministry was not responsible for the scams created during campaigns.

Central Imenti MP Giroo Imranjan (CUD) sought to know how many pyramid schemes had been set up countywide, while the Velshile counterpart Yusuf Chanzu (CCM) said his constituents had lost millions of shillings.

Mr. Charles Kihoro (ODM-K) and the Nakuru senator Bonny Khalwale (Nev Port-K) said Dr. Oginga’s answer was unsatisfactory, and demanded that the question be deleted. Their requests were rejected by Speaker Kenneth Marende.

Reported by Okino Onando and Oddy Ombori

Media coverage of government refusal to engage with victims on compensation matters

The National Pyramid Schemes Victims Initiative calling for victims to register
The collapse of these schemes began in 2007 when depositors began to ask for their returns on investments and deposits but found offices shut. DECI Company, one of the largest operators, was among the first pyramid schemes to collapse. In order to allay fears of its imminent collapse, DECI issued a press release in the newspapers claiming that it was restructuring its operations in compliance with the Micro Finance Act and so could not proceed to fulfil its obligations. DECI differentiated itself from a pyramid scheme publicly stating in the media that it was a “revolving fund”, which was a different concept from that of pyramid scheme. From the DECI press release it appeared that organizations were not operating in secret. DECI’s public notices included assurances to the public they would resume operations once they ironed out their differences with the Central Bank of Kenya. It was known as early as February 2007 that these organizations were collecting public funds, but they were not stopped or arrested. This gave the organizations time to move their funds or even transfer assets they had purchased to other owners, effectively laundering their money (Nyenze).

There was a public notice on 14 March 2007 placed in the Daily Nation from the Betting Control and Licensing board that prohibited pyramid schemes and further indicated that any person found operating, promoting, participating or facilitating the schemes would be liable to a fine not exceeding KShs 100,000 or two years imprisonment. This was not a deterrent at all especially for organizations that had collected up to KShs 1 Billion from unwitting “investors”. The media seemed to be ahead of the government law enforcement, the regulators and even the pyramid schemes themselves. The intensity of media coverage in 2007 led the Central Bank and the Betting Licensing board to issue notices. The media was directly prompting government action. In May 2007, the Central Bank also instructed commercial banks to investigate accounts that seemed to belong to pyramid schemes and not to accept further deposits (Mugambi, 2007).

Following these Central Bank notices, it was reported in the newspapers that the illegal businesses would alter their legal status by operating as Savings & Credit Co-operative Societies to avoid the law (Barasa & Otieno, 2007). On 25 May 2007, once again, the Central Bank of Kenya issued a press statement informing the public that pyramid schemes were high risk and illegal and asked the public to avoid and desist from participating in the fraudulent activities. The public was encouraged to report any such activities or losses from these activities to the Banking Fraud Investigation Department. The bank stated that only organizations licensed under the Banking Act could receive deposits from the public. This followed 25 newspaper articles between January and May 2007, while there had been no article on pyramid schemes in 2005 and 2006. The response on 25 May by the Central Bank can be attributed to the intense media coverage. Elemund-Praestekaer and Wein (2008) describe influence as “A” making a difference in “B” to speak of influence. The focused media attention on this issue therefore has influence only if it leads to action. In this case the action was taken; a warning from the Central Bank of Kenya.

The victims of the pyramid schemes who were consistently increasing in number also got organized. They lobbied the government to compensate them for their losses, because there was no consumer protection from the regulating authorities for money lost through pyramid schemes. The victims pooled together to form the National Pyramid Scheme Victims’ Initiative (NPSVI) to consolidate their case and to have a comprehensive proposal to Government to convict the perpetrators and to recover some of their lost income. As at May 2008, the members of this organization were over 20,000.
They would use the press to call for gatherings all over the country in their pursuit for justice. They also organized themselves to file a suit against the government using lawyers from the US and the UK’s Queens Privy Council to demonstrate their seriousness in wanting compensation for government negligence.

The media coverage of the social impact of the pyramid schemes and the lack of action from government persisted in 2007 through 2009. In response to the lost billions and the complaints that the public levelled against government in the print media, a task force was created. The Task Force on Pyramid Schemes (Nyenze, Task Force) was appointed by the Hon. Minister of Co-operative Development on 14 January 2009 and launched on 9 February 2009. Its mandate was to inquire and investigate into the operations of pyramid schemes and pyramid related schemes. The Pyramid Schemes camouflaged as co-operative societies in the last phase of their operations. This left the Hon. Minister for Co-operative Development with the responsibility for dealing with the crisis as all queries were directed to the ministry. All this media coverage led to the set-up of the Nyenze Taskforce to help avert a looming crisis and resolve the plight of those affected.

The pyramid schemes operators played on the need for quick money demonstrated by Kenyans across the different social classes. The rich and the poor both fell victim to the scams and lost 7.2 billion shillings according to a report filed by the Nyenze taskforce.

Nevertheless, it is alarming that it took the Government almost two years to form the task force even after the effects of the pyramid schemes were consistently in the media.

The task force went all over the country for three months giving the public audience and opportunities to present their complaints and information on the operations of the pyramid schemes. The task force used the media to publicize its activities. This method was used to inform members of the public on public hearing venues, registration centres for claims and invitations for persons and institutions to appear before the task force. The task force was able to use the print media thrice through the Daily Nation and once in the Standard Newspaper. In addition, announcements were made through KBC Radio station and severally through vernacular radio stations.

A list from the Nyenze Report of the top 10 pyramid schemes that were operating in the country are listed below:

<table>
<thead>
<tr>
<th>Table 6: Prominent pyramid schemes in Kenya</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME OF SCHEME</td>
</tr>
<tr>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>DECI</td>
</tr>
<tr>
<td>Clip Investments Sacco Ltd.</td>
</tr>
<tr>
<td>Kenya Business Community Sacco Ltd.</td>
</tr>
<tr>
<td>Sasanet Investment Sacco Ltd.</td>
</tr>
<tr>
<td>Jitegemee Investment Sacco Ltd.</td>
</tr>
<tr>
<td>Circuit Investment</td>
</tr>
<tr>
<td>Family In Need Organization (FINO)</td>
</tr>
<tr>
<td>Global Entrepreneurship</td>
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<tr>
<td>Spell Investment</td>
</tr>
<tr>
<td>Mont Blanq Afrique</td>
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<td>TOTALS</td>
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Source: Registration claims data (Nyenze, 2009 p.16)

In media reports it was evident that there was confusion amongst government agencies with regards to how the pyramid schemes would operate in the financial system and under what regulation. The receipts that
were issued to “investors” had Kenya Revenue Authority stamps implying compliance to regulation and government consent for the operations of the pyramid schemes. The organizations also had trading licences that were issued by municipal governments. In some cases, the launch of these organizations occurred with implied government support such as having Administration police bands participating in the celebrations, further strengthening the perception that the pyramid schemes were legitimate businesses (Njagi, 2011).

It was apparent that the pyramid schemes were also using media reports to consolidate their actions and to get some form of licensing. The easiest at the time was that of a Savings and Credit Co-operative Society (SACCO) which also had no regulatory framework at the time. This is corroborated by the task force report that detailed how some pyramid schemes had dual registration as companies and SACCO societies as demonstrated below:

(i) CLIP Investment Sacco Society Ltd and Kings Script Publishers Ltd.
(ii) DECI and Tujibebe Sacco Society Ltd
(iii) Jitegemee Entrepreneurs Sacco Ltd and Mont Blanc Afrique Ltd
(iv) Kenya Business Community Sacco and Kenya Multipurpose Business Ltd
(v) Sasanet Investment Sacco Society and Sasanet Investment Ltd.
(Nyenze, 2009)

The findings of the task force placed high ranking government officials, church leaders, members of parliament, prominent law firms and relatives of politicians at the centre of the scandal. Following the release of the report, The Nation newspaper gave its front page to the story, implicating the wife of a former minister in the co-operative development ministry, the wife of the finance minister Mr. Amos Kimunya, the chairman of the Independent Boundaries Review Commission, and a former ambassador. In fact, the chairman of DECI, the pyramid scheme that had the most investors and caused the most damage, was run by the brother of a former MP and his sister was a former ambassador. This implied that the government had its own officials involved in defrauding Kenyans. It was alleged that the government was protecting these pyramid scheme officials (Shiundu, 2009).

Though the Central Bank of Kenya and the police instituted several cases against the suspected managers of the schemes, no one to date has been convicted or punished for the crimes. DECI, by far the largest scheme, had their accounts frozen by the Central Bank of Kenya but managed to get the ban lifted through the same process. The DECI Chief Executive, George Odinga Donde, was sued for operating without a licence but somehow the case was dropped. This was after one accused party, Mr. Ligale of the Independent Boundaries Review Commission admitting to introducing Mr. Donde to his constituents, who subsequently participated in the pyramid schemes. Apparently they had been misled into thinking that Mr. Donde’s outfit was modelled after Muhammad Yunus’ Grameen Bank which had won him a Nobel Peace Prize.

The media focus following the publishing of the Nyenze report emphasized the lack of action from the Central Bank, the National Treasury, the Judiciary, Police Service and the Ministry of Co-operatives.

The recommendations of the task force were largely ignored and not implemented by the Ministry of Cooperatives and Marketing Development. It was also alleged that the Central Bank of Kenya had frozen the accounts of these pyramid schemes, and the victims wanted compensation from those frozen accounts. The Central Bank denied claims of having any funds from the schemes. There was evidently no legal precedent of framework for handling the pyramid schemes scandal.
The confusion in the government over who was responsible for action on the matter, was highlighted in the newspapers. The Cooperatives reportedly met the then Finance Minister Mr. Uhuru Kenyatta seeking advice on how they could recover their funds and were directed to the Minister for Cooperatives Mr. Joseph Nyaga, which demonstrated government’s reluctance to address the issue (Ndegwa and Opiyo, 2011). Mr. George Dongo, one of the chief architects of the pyramid scam was arrested several times in 2007 but was always released on bail and was never convicted until his death in June 2012 (The Saturday Nation, 2012). In 2011 the Attorney General, Amos Wako was accused by members of parliament of shielding prominent individuals behind the pyramid schemes. Gitobu Imanyara, Imenti Central MP, alleged that Mr. Wako had sued the directors of the companies, but later filed a “nolle prosequi” – unwillingness to pursue the case, which apparently had enabled the fraudsters to withdraw frozen funds totalling to KShs 139 million. The then assistant finance minister, Mr. Oburu Oginga however claimed that the funds were released following court appeals from the respondents and had nothing to do with the Attorney General (Daily Nation, 2011; Ndegwa and Opiyo, 2011).

The Central Bank of Kenya also denied any culpability for negligence stating through newspaper reports, that the victims willingly and voluntarily joined the pyramid schemes which were neither licensed nor regulated by the Central Bank and as such the CBK could not hold any regulatory mandate over the schemes but they did issue warnings through press releases for the public to conduct due diligence on these organizations. As much as the Central Bank did not have regulatory mandate over the pyramid schemes, it seems neither did the Ministry of Co-operatives Development and Marketing nor did the Attorney General of Kenya. No government institution was taking action against the widespread fraud.

In-keeping with this denial of culpability, the Attorney General’s office also issued a public notice in January 2012 requesting all pyramid scheme victims to submit the details of the civil court claims to the AG’s office. This was intended to assist the government in expediting the conclusion of the cases. This has not led to any criminal or civil convictions. In August 2012, a Member of Parliament from Ikolomani, Mr. Bonny Khalwale proposed a bill named the “Prohibition of Pyramid Scheme Bill “. When defending this bill these were some of his comments:

“The taskforce which was set up made very clear recommendations. These recommendations have never been acted on reason being that some of the players were the high and mighty, who are in the high echelons of power. They have set aside this book and it is now on the shelves, so that nothing is acted on and people continue suffering. There was a recommendation that there be formed a standing committee to preside over this matter. This has never been done by the Government. There was a recommendation that a judicial commission be formed, but the Government has refused to form it. There was a recommendation that a trust fund be set up under the Ministry of Co-operative Development and Marketing to manage the funds and the properties to be recovered. The members of the said fund were expected to include other relevant Government Ministries and agencies and Kenyans of good repute. The Government has not done this. There was a recommendation that the CID moves on to these people. The CID, up to date, has refused to move on to these people who committed economic crimes.” (Government of Kenya, Hansard Report)

This bill lapsed after the parliamentary session ended in 2012 preceding the next election and was never re-introduced.
The most serious confirmation of the lack of government interest in pursuing the matter is seen in these 2015 remarks given by Hon. Nyenze, author of the taskforce.

"The recommendations were never effected at all because the matter touches on who is who in Kenya. The report ruthlessly named the culprits behind the schemes and the property bought with the money, but there is no good will to implement it. The number of victims was much higher than the 148,000 we managed to access and the invested amount was much higher than KShs 8 Billion. We gave a list of the accounts that had the money but the money was withdrawn and transactions continued with impunity even after the report had been released" (Kiarie, 2015)

However not all is doom and gloom, some action was taken.

A total of 17 pyramid schemes were registered under the Ministry for Cooperatives and Marketing Development. The Commissioner for Cooperative Development (CCD) is charged with the registration of Co-operative Societies. The Commissioner acted using various means to stop the operations of pyramid schemes operating as SACCOS.

In the case of pyramid schemes, the media were very successful in telling the policy makers and the public what to talk about and what was happening but not very proficient in telling them what to do about it. This conclusion is supported by literature in agenda-setting (McCombs 2005, Weaver 2007). The impact of media influence in terms of actual policy change were not very significant because even the private member's bill that was possibly as a response to the representation of public suffering and loss, was unsuccessful. Nevertheless, the media was successful in communicating to politicians the public preferences on the issue. Negative frames of the issue were consistently successful in getting government attention. Such as the warnings issued by the Central Bank in 2007 after intense coverage and the sponsoring of a private member's bill in 2012 on pyramid schemes after media focus on the lack if implementation of the Nyenze report.

In this pyramid schemes case, a lot of action was discussed by the Central Bank, the Co-operative Ministry, Members of Parliament and even a national task force set up. This demonstrates that the policy-agenda was influenced, but substantive action in the way of arrests and punitive action against pyramid schemes and their architects was lacking so policy action was not influenced.

However, this media focus was not in vain, since some SACCOS were de-registered in 2007 following the intense coverage, which shows some weak policy action. The SACCO Societies Act 2008 which had been many years in the making, was fast-tracked to close the regulatory loophole in SACCOS. This legislative action shows that as much as the core issue of the pyramid scheme was not addressed through direct policy reform or regulatory framework, there was influence on a related policy as consequence of media coverage.
6. The Case of Value Added Tax

Background

The KRA Commissioner General Mr. John Njiraini, in July 2013 was concerned that the Value Added Tax revenue collected by the government in VAT was suspiciously low especially for large companies. He was also concerned that import patterns in the economy were shifting towards zero rated goods and possibly resulting in tax evasion related to taxable goods. This suspected activity was costing the government billions and was resulting in increasing deficits attributed to VAT. The Tax General was also under pressure to finance the 1.64 trillion budget that was to steer the country into its new devolved governance system (Mumo, 2013). The ruling Jubilee government had also made campaign promises to provide free maternal healthcare and laptops to all primary schools in the country and needed a way to fundraise for that.

This financing was expected to come from taxes and commodities and not on income tax which was already high at 30%. The Government was expected to raise VAT’s contribution to total revenue from 5 per cent to more than 9 per cent of GDP.

The Finance Minister, Mr. Henry Rotich had stirred trouble during the annual budget speech on 13 June 2013 when he declared that he would re-introduce a VAT bill that would impose a 16% tax on basic goods such as milk, bread and maize flour. When the Bill was first introduced in parliament, it faced strong opposition from law makers and legislators. The original Bill under the Kibaki Government, proposed the increase of VAT from 16% to 20% and it was shelved after MPs, activists, consumer lobbies and manufacturers opposed it. The 2013 Bill proposed by Rotich intended to impose a 16% tax on previously zero-rated and exempt items. It was reported in the media that the directive to tax basic goods was an International Monetary Fund grants and loans conditionality (IMF, 2013 p.18). It was expected that the amount of revenue the government would raise from these tax measures would be KShs 10bn.

The intention of the VAT Bill was to tax processed food such as packaged milk and sifted maize flour. Unprocessed milk and maize would not be taxed. However, this was ironic because the agricultural inputs that would be used to produce that unprocessed food would still be incorporated into this new tax regime, effectively increasing the cost.

The Consumers’ Federation of Kenya (COFEK), Civil Society Groups, the opposition and the public were aware of this intended move by the Finance Minister and took to the media to condemn the intended action and vowed to mobilize the rest of the country to resist the implementation of the VAT Bill 2013. There was significant coverage of various civil society groups who vowed to hold demonstrations against imposing Value Added Tax on basic commodities (Mutambo, 2013).

Media Reports on Value Added Tax and Policy Effects

Table 7: Number of articles in newspapers

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013</th>
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<tr>
<td>Nation</td>
<td></td>
<td>67</td>
<td>3</td>
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<td>Standard</td>
<td></td>
<td>6</td>
<td>44</td>
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Media reports on Value Added Tax received great media attention in 2013 following the budget speech by the Finance Minister that the VAT Bill would be passed with fewer exempt and zero rated goods. The media articles focused on a “conflict” frame, of a government against the welfare of its citizens by introducing taxation on basic goods. The data revealed the following themes used by the media:
“Unga” Taxes

This was what tax on basic food items was referred to. It was felt that taxes on milk and bread would have adverse effects on society and would be very punitive to the poor. Some Civil Society groups that greatly protested the proposed VAT Bill 2013 were from slum areas. The groups were demanding among other things, the abolishment of VAT on basic commodities and the subsidizing of farm inputs. Others were more sophisticated and organized themselves into a coalition called “Tax Justice” that coordinated the signing of a petition for a review of the bill. The petition was signed by 10,000 people. The Tax Justice group believed that the taxing of zero rated basic goods would starve the economically marginalized. Items in the agriculture production value chain such as pesticides, fertilizer and livestock feed would also be taxed at 16% and this cost would not be borne by the producers but would be passed on directly to the consumer (Njoroge, 2013).

Lobby groups such as COFEK weighed in on the discussions of VAT on food items by writing in the newspapers (Mutoro, 2013), vehemently protesting the government’s proposal. The terms used in the article were emotive and colourful in an attempt to demonstrate the potential harm that the increase in tax would cause to Kenyans. For instance: "Taxing food is seen as the last straw of humiliation and extreme pain for consumers who are already enduring a steep rise in the cost of living, low per capita income, biting unemployment and insecurity (Mutoro, 2013)."

These groups regularly and consistently used the media to present their views against the proposed VAT Bill and hence the intense coverage with 111 newspaper articles in 2013 on VAT. There was increased coverage in June and July following the budget speech and public outcry.

The rationale used by Mr. Rotich to defend his tax proposals was that the Government was not willing to subsidize the poor using taxation; rather, it would be done through expenditure. He explained to a reporter that “The VAT bill came into being in 1989 and since then we have been amending it... The idea is to shed off quite a number. We are also implementing other cushioning measures for the poor. As you know, I almost doubled the resources going to vulnerable people, the elderly and all that [...] the poor will get support through the expenditure approach” (Press Briefing by Hon. Rotich, 2013)

Policy Action

It was reported that legislators, from the opposition (CORD) and government (Jubilee) were bowing down to public pressure, and resolved to amend the VAT Bill to exclude the tax on the contentious items. This consensus to amend the bill was arrived at through the Finance Committee of parliament (Ngirachu, 2013).

The media highlighted inconsistencies within parliament itself with the Parliament Budget Office (PBO), an advisory, technical non-partisan arm of parliament supporting the VAT Bill. The PBO also used newspapers to present their position supporting the bill claiming that the existing VAT Bill would earn the government more than KShs 100 Billion in revenue. The PBO reported that the current exempt and zero rated goods created collusion between KRA staff and trading cartels that defrauded the government using tax refund mechanisms provided for under the existing VAT Act (Ngirachu, 2013).

The VAT Bill was also used by parliamentarians as a bargaining chip to promote their own interests. The Bill was critical for the government to raise more revenue to fulfil its commitments to the IMF. The Daily Nation highlighted the irony in the parliamentarians’ defence of the poor as they declared that they would not debate the VAT Bill if they did not get their KShs 5 million car grants paid by the national treasury (Daily Nation, 2013).
Nevertheless, the Bill was debated in parliament and passed in August 2013, with amendments to the contentious sections. The exemptions were on maize seed, rice, wheat flour, bread, infant milk, sanitary towels and mosquito nets. Agricultural inputs and machinery were also spared the VAT. The majority leader, representing the government told newspapers that “We will be the first country in the region to enact the first VAT law at the same time cushion our people from higher costs of basic foods” (Kiplang’at, 2013).

As much as the majority leader in parliament confirmed that the basic food items had been exempted from tax, newspaper reports after the passing of the bill confirmed that basic food items were still subject to tax and had been passed in the law, resulting in protests and public outcry (Muraya 2013, Herbling 2013, Rwenji 2013, Kamau 2013, Ocoth and Masese 2013). These reports gave the facts on the ground with little analysis. At the time of the Bill’s presidential assent, the Kenya Revenue Authority had not given clear clarification through the media on how the new tax laws were to be implemented and what goods were subject to VAT, exempt or zero rated under the new law. However, various tax experts mentioned in the articles recommended that the government should have staggered the implementation of the Act.

Traders also reportedly increased cost of basic foods such as milk and bread, anticipating price increases arising from the new law. The confusion arose from the “exemption” of food items from the 16% VAT when in the previous Act these were “zero rated”. The implications of this were that while VAT would not be charged on these items, exemption means the suppliers cannot claim input VAT incurred on purchases and directly attributable costs in supply of these goods. The input VAT cost will thus be passed on to the consumers which will result in increase in prices.

During this price increase confusion, the media demonstrated the confusion in the National Assembly and the Senate as one senator blamed the price increase of basic goods on a deliberate effort to “curtail the mandate of the senate” by the National Assembly speaker. The Senator stated that had the VAT Bill passed through the senate, the price increases would have been averted (Kisero, 2013).

In real sense, the VAT Act 2013 was clear that basic food was exempted from VAT but the opposition to the Act demonstrated by consumer lobby groups, some law makers and activists was insincere with regard to wanting tax exempted from consumer goods. In the opinion pages of the newspaper some comments giving insight to this contradiction were highlighted (Kisero, 2013) but this confusion was again attributed to the poor handling of the dissemination of information regarding the VAT Act.

The government moved to crack down on rogue traders who were unjustifiably increasing the cost of consumer goods and blaming it on the VAT Act. The media reported that 50 traders, most of them from the large retail outlets had been arrested for illegally charging VAT on VAT exempt goods (Barasa 2013). This was after President Uhuru Kenyatta himself asked for clarity regarding implementation of the VAT Act 2013 (Karambu and Barasa, 2013). The president himself had to reiterate to the public that the bill he had assented had exempted wheat flour, bread, milk and maize flour.

Opposition MPs took advantage of the lack of clarity around the VAT Act to push for an amendment in September 2013. The intention of the amendment was to increase the number of goods and services exempt from tax, after the VAT Act 2013 had dropped over 400 items from the exempt and zero rated list. When reporting to the media, the lawmakers would include items already exempted from tax as some of the items they wanted to exempt in their amended Act (Ngirachu 2013).
The real issues with the VAT Act 2013 had nothing to do with basic food items, and had more to do with VAT on exercise books, mobile phones, farm inputs, travel agents’ service fees and electricity which would result in the transfer of this additional cost to consumers.

The Value-added Tax (VAT) (Amendment) Act 2014 came into effect on 29 May 2014. It expanded the list of goods and services that are exempt from VAT. Its objective was to protect low income citizens from the rising prices of basic commodities ensuing from the enactment of the VAT Act 2013 through the explicit mention of what items had been exempted from VAT, mostly consumer goods.

Sometimes there were views from media editors that actually agreed with the government standpoint on the VAT Bill. One such editor from the Daily Nation agreed with Mr. Rotich’s approach to targeting the poor directly instead of giving “blanket” tax subsidies to the entire population and thus giving the subsidy to the well off in society as well (Kisero, 2013).

The sensitivity of the VAT Bill and the fact that there were many influential lobby groups that were opposed to the VAT Bill, including CORD the official opposition party, makes it difficult to attribute the effect of the Amendment of the VAT Act to the media coverage. This difficulty is further complicated by the fact that the actual issues that evoked emotion, such as the taxing of wheat, maize flour and milk were actually not included in the VAT Bill in the first place and were sensational tactics of the opposition party which is characteristic of politicians.

The intensity of the coverage in September 2013 followed the passing of the amended VAT Bill which made no mention of basic food exemptions from taxes. However, there was the exemption of some agricultural inputs which was possibly due to the large number of advocates for the amendment of the VAT Bill. In this issue the press reported the facts and gave a platform to various stakeholders to present their positions to the public.

**Media’s pictorial coverage of the Value added Tax**

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Kenyans react to hiked prices of basic goods

By MERCY KAHENDA and JOACKIM BWANA

The move by the government to introduce Value Added Tax (VAT) on some consumer goods has elicited public outcry in Mombasa. Yesterday, the price of half a litre of milk increased by about Sh10 from the previous Sh45 to Sh55 in supermarkets and Sh60 in retail shops.

The coverage of the hike in the cost of basic food items
"Unga taxes" protests coverage

Opposition party using media on 20 September to claim that they would like to exempt basic goods from tax. The media did not notice this as unusual.
KRA notice 13 September 2013 clarifying Government position that basic food items are exempt from tax
7. Conclusion

Examination of media attention allocated to these three issues to test potential influence on public policy reveals that intense, congruent and incident-driven media coverage had various impacts on public policy.

This study proves that media attention does lead to influence in some cases but not always, for instance in the pyramid scheme case, there was no decisive policy action taken by policy makers even though there was intense, congruent, incident-based coverage on the effects of the scheme. The lack of direct influence on policy by way of regulation or arrests in this case can be attributed to the presence of high profile individuals entwined in the proliferation of pyramid schemes and the resulting lack of political will even when the impact on the public was clearly articulated in a report from a government task force. However, there was influence on the policy agenda and for the policy agenda to be influenced, policy makers needed to respond to what they read in the newspaper articles and this study proves that Kenyan policy makers did.

In the VAT case, the public uproar and outcry on perceived increases in the cost of basic food items was a result of an incomplete understanding of tax law nuances and an inability of the media to articulate this to the public. The illicit brews case however stood out and clearly had an influence on public policy with the passing of an Alcoholic Drinks Control Act 2010, and the sacking of senior government officials and several targeted crackdowns on alcohol manufacturing factories leading to numerous arrests. The success of the alcohol regulation coverage was driven largely by vivid depictions of the plight of Kenyans and a consistent use of negative frames by media houses.

The content of the coverage as well was also rich, demonstrating different viewpoints from affected parties, the general public, experts, politicians, policy makers and even representatives from diverse government agencies. This contributed to providing policy makers with a comprehensive view of the issue from perspectives they otherwise would not have considered thus influencing their course of action (Wolfe, 2012). For instance, when a minister in a parliamentary debate quotes a newspaper article claiming there are no more men for young women to marry due to alcohol dependence. The minister used this frame to underline his argument that the alcohol scourge in the country would affect future generations of Kenyans.

Another interesting observation from the research was the congruence of media reporting. Nation Media Group and Standard Group almost had similar coverage of the issues, particularly the illegal brews and the pyramid schemes coverage. Studies have shown that congruent media coverage evokes strong responses from political actors if various media outlets focus on the same issue, frame it in a similar way and cover it persistently (Eilders, 2000).

In the use of frames, human interest frames dominated media reports. These were frames where other politicians, subject matter experts, NGOs and the general public presented their perspectives on the plight of the population in all three cases. These human interest frames focussed on individuals rather than impersonal institutions or institutional forces. The personalizing of issues enabled the journalists to arouse sympathetic interest in all the cases by describing individuals caught up in the unfortunate events illustrated in the three cases in this study.

In relation to recommendations for government action, these often came from third parties and not necessarily the media itself, and in such cases there was often a governance frame that was addressed to the relevant government bodies. This governance frame usually identified the governance systems that needed to take action on the issues.
Threat frames were also heavily used to shed light on consequences of government inaction. In all three cases there were discussions on the future and what it would look like if the issues were left unaddressed. Conflict frames were also prevalent especially in the VAT case and Alcohol case where the government and opposition party had different views on the VAT Bill (2013) in the former and where government agencies were in disagreement over responsibility for the spread of illicit brews. These conflict frames pit individuals and/or institutions against each other and emphasize conflict regardless of whether the events themselves suggest it. Combative situations are used by the media to pique the readers’ interest.

The findings of this study reinforce the theories in literature on framing and its power to influence policy. A Norwegian study found that strong frames accepted by society and accompanied by extensive media pressure, can lead to changes in legislation or influence legislation itself (Ihlen and THorbjornsrud, 2014). The findings are also consistent with interviews from British political actors who conceded that legislative debates often are influenced by media attention and may even accelerate the speed of response to an issue (Davis, 2009). In all two of the three cases studied, media focus resulted in some action in the Kenyan policy realm.

This unique study that investigates three different cases of intense media coverage and the potential influence of media on public policy is the first of its kind to attempt to shed light on the Kenyan media’s role in public policy. This study concludes that there is media influence on policy but in varying degrees. The findings of this research illustrate that policy makers in Kenya are not immune to media attention especially in cases where there is intense and congruent coverage that is incident-driven and legitimate.

The Alcoholic Drinks Control Act (2010) and the private members bill related to Pyramid Schemes Prohibition Bill as well as the formation of the Nyenze Task Force were results of intensive, consistent and congruent media coverage. The third case of the VAT Act, the coverage did not actually represent legitimate concerns over the increase of the cost of basic food items; rather, it was political showmanship, it did not influence policy at all. This finding is important because it does highlight the challenges the Kenyan media faces in translating technical matters to the public, such as tax codes and impact of taxation on the economy, making them subject to manipulation by people who have a better understanding of technical topics and therefore result in mis-reporting and misleading the public.

This research also demonstrates weaknesses in media reporting in Kenya. The analysis shows that the media were very good at telling the politicians what is happening and what to talk about but they did not seem to have the capacity to tell the politicians what to do about the issues. This conclusion resonates with agenda setting literature that explains that media may focus on reporting the news and not analysing it (McCombs 2005; Weaver 2007).

In terms of a robust democratic environment, it is reassuring to find out that in Kenya media coverage does elicit policy makers’ attention and even forces them to discuss reported issues in their debates as well as make attempts to enforce laws that protect the public. The findings of this research which covers three case studies over a 10 year period makes it possible for the results to be generalized to other contexts especially to issues that have both a social and economic impact.

It is hoped that in the support of these newspaper research findings, the research team will be able to conduct further research that involves respondent validation. This is soliciting feedback about the data and conclusions of this research from the policy makers and the media. This is the single most important way of ruling out the possibility of misinterpreting the
meaning of what participants say and do and the perspective they have on what is going on, as well as being an important way of identifying the researcher team’s own biases and misunderstandings of what is found from the content analysis. (Hammersley & Atkinson, 1995). This method is also called triangulation and reduces the risk of chance associations and systematic biases due to one method (Thurmond 2001).

Further research could also look into how this relationship between media and public policy plays out in the digital media and especially in social media platforms such as twitter. It would be revealing to see the relationships between the public, journalists and policy makers on economic and social issues and whether the findings of this study are similar or replicable in the virtual world.
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