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Professional Project  
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DAILY  NATION

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Faculty Committee

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Randy Smith  
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In the Daily Nation newsroom  
October 2013



Covering the Westgate attack  
September 2013

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## Chapter 1

For my final project I chose to work abroad as a reporter. I worked at the *Daily Nation* in Nairobi, Kenya, one of East Africa's largest and most respected newspapers. I worked as a reporter covering crime, courts, politics, and general assignment stories.

The *Daily Nation* is a division of Nation Media Group, which publishes several newspapers and owns NTV, one of Kenya's largest broadcast networks. Nation Media Group was founded in 1959 and has published the *Daily Nation* as an English language daily newspaper ever since. Today, Nation Media is Kenya's premier news purveyor and one of the most respected news outlets in the region. While the *Daily Nation* still operates under a profitable print-first model, they are quickly expanding their digital reach and operate a constantly updated web edition of the paper, as well as a popular mobile application.

During my time at the *Daily Nation* I worked side by side with local reporters covering local, national, and international stories. My work was featured prominently in the print and digital editions of the *Daily Nation*. I was given a great deal of freedom and responsibility as a reporter, pitching stories and operating independently for much of my time there. As a reporter, I sought to focus my efforts on gaining experience that I could use in my future career, while relying on the skills and knowledge that I gained during the previous stages of my graduate studies.

This project is the culmination of my master's study in journalism, during which time I had the opportunity to take a variety of courses that have all added to my greater understanding and knowledge of the field of journalism and directly prepared me for this position at the *Daily Nation*.

I have taken both introductory news reporting and advanced reporting classes during which I was a reporter for the Columbia Missourian. While working at the Missourian I covered criminal and civil court proceedings as well as local government elections, the restructuring of the police department, and a number of other issues that had an impact on the local community. This experience gave me the skills necessary to contribute quality reporting during my time at Nation Media.

I have also gained international experience during my graduate study that has given me the skills necessary to report in an international environment. In January 2013, I had the opportunity to travel abroad to India for a course that looked at how businesses and media organizations are meeting the demands of the rapidly changing economic landscape. This course gave me a great deal of perspective on international business and the impact of globalization on the worldwide flow of information. I have gained experience reporting on international issues while working at the Global Journalist and taking the corresponding global news course. While working on the Global Journalist I gained experience in reporting on international political issues that I believe served me well during my time at Nation Media.

This project, as the culmination of my master's study, will be a fitting capstone to this array of coursework and will greatly help to prepare me for what I hope to do in the future.

The world seems like it is getting smaller every day. In today's global media climate it is possible to follow a story breaking halfway around the world in real time. The internet and social media have completely changed journalism over the past 15 years, and information is now much easier to find and disseminate. Now ordinary citizens with a phone and small blogging operations can compete with large wire services such as Reuters and the Associated Press for speed. In this climate, I believe that the true value of news will be in-depth commentary and smart analysis and will shift away from placing value on speed and being first.

At the same time that the world is becoming ever more connected, many national and regional newspapers are being forced to close foreign bureaus because of budget constraints at home. Rather than maintaining an expensive foreign post, many papers are relying more and more on wire services, local media, and freelance journalists for international news coverage (see <http://www.washingtonpost.com/wp-dyn/content/article/2007/02/16/AR2007021601713.html>).

With these two simultaneously occurring trends in play, I believe that in the near future there will be an increased need for freelance reporters who can deliver quality in-depth analytical coverage from the most under-covered regions of the globe. Africa, Central and Southern Asia, and South America are becoming increasingly powerful players on the world stage and will continue to become more important as they grow and develop.

For my career, I hope to take advantage of the lack of coverage given to these regions by becoming a freelance reporter, covering these areas for American news outlets. I hope to deliver quality in-depth and analytical journalism that is sometimes

missing from the social media coverage of these regions by bringing a strong journalistic background to reporting. I want to live and work in these regions, covering politics and international relations for an international market. I believe that my time at the *Daily Nation* has given me a solid footing and invaluable experience in foreign reporting.

At the *Daily Nation* I was given a great deal of freedom and independence. I was operating virtually on my own in most situations and used my colleagues at the newspaper only as a safety net. I believe that this state of independence was very much like the way a freelance reporter operates. I was responsible for finding my own stories and getting my own sources. This experience was excellent preparation for a career as a freelance reporter, a position that is wholly independent from the structure of a newsroom. This experience taught me how to operate independently as a foreign correspondent and gave me the confidence to be able to do so in the future.

During my time at the *Daily Nation* I also learned a great deal about the qualities and characteristics that a journalist must possess when being dropped into a new place and a new assignment. I learned that a foreign reporter must be highly adaptable and able to learn on the go as different situations present themselves. I learned that foreign reporters must always be vigilant and know their own limitations. I learned that a foreign correspondent needs to work twice as hard as local journalists to make contacts and to find sources. And I learned that local journalists can be a great help in navigating unfamiliar situations.

Perhaps the most important lesson that I learned while at the *Daily Nation*, and the lesson that I think is most applicable to my future career goals, is that the most basic quality a foreign correspondent needs to possess is great fortitude and persistence in the

face of opposition. There were many times as a reporter in Kenya that I thought I would never find a source or get a story. There were many times in which I thought something was impossible or just too hard to ever get done. But with an unending persistence I was able to overcome much of the difficulty that I faced, and I was able to produce some quality pieces of journalism for the *Daily Nation*.

I believe that this experience working at the *Daily Nation* has given me an incredible insight into the life and work of a freelance foreign correspondent. It has taught me that I can do it; I can live abroad and produce great journalism while dealing with all of the challenges of life in a city such as Nairobi. This project has given me the confidence to go after my dream of being a foreign freelance journalist and experience to fall back on.

## Chapter 2

The following are weekly logs that document my time working at the *Daily Nation*. Some of these weekly entries contain partial news articles written by me, which are denoted with italics. None of the work contained in this section was published in the *Daily Nation*. All published work is contained in Chapter 4 of this report.

### Week 1—Arrival

#### July 16 through July 19, 2013

I arrived in Nairobi late on Tuesday evening July 16, 2013. I had come by way of South Africa and Dubai, and had already been away from the United States for about three weeks when I arrived. This helped to both stave off jet lag and get me somewhat familiar with life in Africa before being dropped into the thick of things in Nairobi.

Even though I had been in South Africa for a number of weeks, and then briefly in Dubai, I still experienced some degree of culture shock upon arrival in Nairobi. The first thing that I noticed was that the entire city smells a little bit like a campfire, partly due to the practice of burning trash rather than putting it in landfills, and partly due to automobile exhaust. While driving from the airport to the heart of Nairobi you could periodically see these fires that dot the cityscape like stars dot the dark night sky. Traffic

was another shock. Not only did cars and buses billow clouds of thick black smoke, but the traffic pattern seemed to have a life of its own, largely unaffected by stoplights, signals, or the occasional traffic cop. Cars came and went as they could, abiding only by the principles of the every-other-car merge. But the culture shock came with an odd dichotomy—I also felt instantly at home.

After arriving at about 6 pm local time, and then spending three hours clearing customs, waiting for my luggage, and driving from the airport, there was no time to go to Nation Media headquarters on that first evening. However, I did drive by it, and my driver pointed out the building to me. Nation Center, as the building that houses Nation Media Group is called, is a large white and taupe building that is made up of two cylindrical towers connected by a rectangular base. The building sits on Kimathi Street in the middle of the Central Business District, which makes up the core of downtown Nairobi.

After getting some much need sleep on Tuesday night, I first went into the office on Wednesday morning for a meeting with Joseph Odindo, the Group Editorial Director at Nation Media. Mr. Odindo was a great help in giving me a comprehensive introduction to Nation Media, and then we discussed what I wanted to get out of my time here. I told him that I was predominantly interested in reporting, and in particular reporting about crime, courts, and politics, and he agreed that this would be a good role for me to take on. Mr. Odindo also gave me my first crash course in Kiswahili; Jambo *How are you?* Mzuri (pronounce kind of like Missouri) *I'm good.*

I was then taken down to the newsroom, which would be my home for the next four months, to meet the editors and reporters that I would be working with. First I met

Eric Shimoli, the News Editor, who would be my direct supervisor. Then I met David Aduda, the Editorial Administration Manager, who would also partially oversee my placement and research. From there I was introduced to the entire staff of the newsroom and many people from other departments. I spent the rest of the day meeting people, getting my computer set up with my email and the article entry system, and familiarizing myself with the *Daily Nation* news style.

The next day, I was taken to the Milimani Court, which is the High Court in Nairobi, to start to get a feel for my beat. One of the first things that struck me about court in Kenya is that everyone bows when entering or exiting the courtroom. At first I was really not sure what was going on, until one of my colleagues told me that it was customary to bow before any judge. The next thing that surprised me was that the judges did not wear white wigs and black robes, as I had previously thought they did. I was told that all judges used to wear traditional garb, but about three years ago a new Chief Justice had been appointed, and he brought with him a new style of dress. So today judges simply wear suits. Another big difference between Kenyan Courts and courts in the US is that there are no juries. While the Kenyan legal system is based on English Common Law and is an adversarial system with the presumption of innocence, juries were done away with at the end of colonial rule. Today only a judge or panel of judges can decide a case.

While in court this week I covered my first case, in which a woman was charged with defrauding a member of parliament by selling him a piece of land she did not own. Though I submitted the article, it was not published. Below is a short excerpt from that first article:

### *Woman Sentenced in Nairobi Land Fraud Involving MP*

*A woman was sentenced to pay Sh800,000 or spend two years in prison after being convicted of stealing Sh500,000 during the fake sale of a Nairobi land parcel to a member of parliament.*

*Ms Mary Njoki Waweru, 52, hid her face from photographers in court Thursday as her verdict was read. Ms Waweru was convicted of four counts that included making a document without the authority, uttering a false document, impersonation, and stealing.*

*The case stems from a February 2006 incident in which Ms Waweru conned Mr Macharia Mukiri, Member of Parliament for Molo Constituency, into paying her millions of shillings for a plot of land she did not own.*

## **Week 2—Settling In**

**July 22 through July 26, 2013**

To start off my second week reporting at the *Daily Nation*, I began to settle in and develop a routine of going to court. One of the first big cases that I covered was the ruling for an election petition being heard before the court. In this case, a woman was barred from running for a seat in the senate by the election commission because she was not a registered voter. The woman, named Kethi Kilonzo, was petitioning the court to allow her to run, saying that she was banned from the race for political reasons. Covering this case was a very interesting introduction into the Kenyan legal system. The time period that I am in Kenya is a particularly interesting time for the courts because it follows the 2013 elections that occurred on March 4, and many contested election results are being heard by the courts.

In Kenya, and really in Africa as a whole, elections are not the organized and civil proceedings that they are in the US. Here almost every election, no matter how small or large, is contested by the losing party and condemned as rigged, fixed, and fraudulent.

The Kenyan courts have over 180 election petitions filed before them ranging from the presidential contest (which was disposed of by the Supreme Court only a few days after the election) all the way down to municipal election seats.

For the Kilonzo petition, reporters packed into a tiny courtroom until it overflowed with people. I was there with one of my colleagues from the Nation, and although I wrote up a piece, his piece was published because he had been following the case for months. Below is an excerpt of my piece, which was not published:

*Wiper Party Given 20 hours to Field New Candidate*

*A panel of three High Court Judges ruled yesterday that the Wiper party had been denied a fundamental right when it was not allowed to enter a candidate for the Makueni senate race by the Independent Electoral and Boundaries Committee. The High Court gave the Wiper party until 8 am Saturday morning to produce a suitable and eligible nominee.*

*When the ruling was delivered supporters interspersed in the packed courtroom called triumphantly, "Wiper."*

*However the judgement was not a complete win for the party, as it found that Ms Kethi Kilonzo had rightly been disqualified by the IEBC for failing to be a registered voter. The Judges chided Ms Kilonzo, saying that she was a lawyer who was well versed in election law and should have known that she had to be registered in order to run for*

*the seat. According to Kilonzo's own testimony she "did not bother to check the register."*

*The court held that the burden to check the register lay with Ms Kilonzo alone, and that the Wiper party could not be punished since there was no evidence that the party was involved in any wrongdoing.*

Later on in the week I covered a ruling in which a secure transport company was ordered to pay 18 million Kenyan Shillings to a bank after the money had been stolen during an armed robbery. This became my first published piece. There was a dispute about whether or not employees from the transport company had been involved in the robbery and about whether or not the company took proper precautions during the trip. In the ruling, the presiding judge said that he had ruled against the transport company and ordered them to repay the money because they had failed to properly report the robbery after it occurred, they had failed to attain a proper armed escort, and they had taken a different route than they had agreed upon with the bank.

I also worked on a story this week that had a US connection. After following the website of the US Embassy in Nairobi, I learned about a program called the African Women's Entrepreneurship Program (AWEP), which a woman from Nairobi was chosen to participate in. The program takes African women who are trying to grow their small business on a trip to the US where they meet with successful business owners. The groups travels to New York and Washington DC before being broken into smaller groups that visit sites specific to their interests. I talked to a woman who had participated in the program in 2011, and she said that it was a huge networking opportunity and that she was able to almost instantly grow her business by making partnerships with companies like

Neiman Marcus and Walmart. I also interviewed an information officer from the US Embassy who described the US's interest in sponsoring the program and how it is actually run.

This week was very interesting and a great learning experience. Perhaps the biggest lesson that I have learned so far is that it takes a great deal of patience and persistence to report in a new city, let alone a new country. The obstacles are great, but the reward from the experience has already proved to be greater.

### Week 3—Finding My Way Around

July 29 through August 2, 2013

This week I finally began to feel at home at the newspaper and started to get the hang of things. I continued to cover court, for the most part, and started to be able to identify cases and trials that were important enough to cover. I spent a good deal of the week covering two trials that were going through the immigration courts.

The first case was about a German man who had been bicycling through Africa and had been arrested in Kenya for failing to obtain the proper entry visas. While this man spoke English, he clearly had a hard time understanding the procedures of the court. At one point the judge kept asking if he was going to plead guilty or not guilty, to which he didn't make a plea either way but tried to explain his situation. I actually began to identify with the man because I had just gone through a lot of trouble to attain the proper visas and permits to enter Kenya, and it is by no means easy. I could only imagine how difficult the process would be if English was not your first language.

After being in jail for over a week, the man retained a Kenyan lawyer who helped him navigate the court system. Eventually the man was able to tell his story, which I

thought was an interesting and compelling one, so I wrote an article about his immigration struggle that was later published in the paper as a short brief. According to his testimony the man rode his bicycle across the border from Ethiopia. He had obtained a Kenyan visa in Addis Ababa, which was not in question, however he had failed to report his entry into Kenya at the border. This is where the man's account of events began to differ from that of immigration officials who brought the case to court.

According to the man, he had stopped at a police station just over the border, and the officers there told him that he could only report to the immigration offices in Nairobi. He then rode his bicycle to Nairobi, which took him over a month to do so. Upon presenting himself to officials in Nairobi, he was arrested for improper entry.

Officials contested the man's story, saying that there were multiple immigration offices along his route to Nairobi. They said he had passed offices at Eldoret and Kisumu and that he should have stopped at the first office that he could reach rather than waiting for over a month to report his entry at the offices in Nairobi. The officials said that ignorance of the law did not excuse his illegal entry, and that he should be held accountable. In the end, the man pleaded guilty and was ordered to pay 50,000 shillings or go to jail for one year. The man was able to pay the fine and was taken to the airport where he boarded a plane for Germany.

The next case that I covered was about human trafficking. Three men were in court to stand trial for allegedly smuggling 50 Ethiopian people over the border into Kenya. The men denied the charges and all had pleaded not guilty. The case was, at that point, several years old and I only covered the judge's ruling. The judge found the men not guilty on all charges and said in her ruling that suspicion alone was not enough

evidence to convict the men. She said that they could have just been innocent passengers. I wrote an article about this case as well, summarizing the judge's ruling and the case itself, which I gathered from looking through the case file.

Both cases that I covered this week were definitely interesting and it gave me a good introduction into the immigration courts here in Kenya. This whole week got me thinking a lot about immigration issues back home in the US. I think that one day I might want to cover this issue, because it is a very compelling and interesting part of the legal system. It also tested my ability to disconnect my personal feelings from a case and my ability to write a fair and balanced story for the newspaper. This is a very important skill, which I must admit I found difficult. I had to conscientiously reread everything that I wrote to double check that I was not advocating in either direction.

## Week 4—Fire

August 5 through August 9, 2013

This week began in a fairly ordinary way, but ended up being anything but ordinary. I started out the week by continuing to cover an election petition being heard before the High Court. The petition comes out of Garissa County, which is on the north eastern border of Kenya, where Kenya, Somalia, and Ethiopia meet. One of the towns in Garissa, called Mandera North, experienced a lot of violence and contention during the March 4th election, and as a result one of the men who lost the election for national assembly seat from that constituency was contesting the results. He had witnesses testify that violence and coercion was used against people of his ethnic group in order to sway the vote. After hearing the evidence before him, the judge ruled a recount of the ballots in 6 of the polling stations in that race and a full scrutiny of the electoral results.

While contested elections are fairly common in Kenya, it is rare that a judge will order a recount. This story was very interesting to follow and gave me a first hand look at how election matters are handled by the courts. I wrote a story about the recount being ordered, and it was published in the Counties section of the paper, which highlights news from around the country with a spotlight on each of the different counties.

On Wednesday of this week I arrived at work early in the morning, and was told by my editor that there was a big fire at Nairobi's international airport. What I thought was going to be a very normal day turned out to be one of the craziest reporting experiences that I have had thus far. I immediately volunteered to go to the airport as part of a team to help cover the fire. Within minutes of arriving at work, I was back in the car speeding towards the airport.

When we arrived at the airport the entire highway had been shut down and no one was being allowed past. After some heavy negotiations with police and a thorough inspection of our press credentials, we were finally allowed through the barricade and proceeded to the international arrivals gate where the fire had broken out. When we arrived, the upper floors of the building were still in flames as fire crews sprayed water on them to help put out the blaze. The one-story entryway to the building was already burnt out and the ceiling was beginning to collapse in on itself. Smoke was billowing from the building in thick black clouds and when the wind shifted directions it could make it hard to see and breathe. There was glass from broken windows scattered all around, both from the fire and the high-powered water cannons used to put it out.

I began to talk to as many people as I could. I interviewed passengers who had been inside when the fire broke out. They said that there was massive confusion during

the evacuation, and rescue crews took nearly 45 minutes to arrive. Many watched from outside the terminal as their luggage was consumed by the inferno. I interviewed paramedics, who said that there were luckily no serious injuries and that they had only treated people for minor cuts and bruises and small cases of smoke inhalation. I interviewed a fire chief from Nairobi who said that this was the biggest fire that he had fought in his 35-year career on the force. I also interviewed airport personnel, who were reluctant to give us any information and directed all reporters to speak with the company's PR official, who was nowhere to be found.

After an entire day of running around the scene, taking notes, and interviewing as many eyewitnesses as I possibly could, I returned with my team to the newsroom where we wrote a story that recounted what passengers had seen and asked the question of whether or not the fire was accidental or had possibly been set intentionally. The next morning the story was published on the front page of the paper.

Later that week I returned to the airport several times to get updates on the progress of the investigation. We also looked into how smoothly the airport was running without the central terminal, which was the largest at the airport. Later in the week I also covered a press conference given by the president of Kenya, Uhuru Kenyatta, who ruled out the possibility that the fire had been caused by terrorism.

This week was certainly very interesting, and tested my abilities as a reporter. It was also a great experience and an incredible opportunity to cover a breaking news story of international importance. It was quite an exhausting week, but in the end I was extremely glad that I had been able to be part of the team that covered the fire.

## **Week 5—Mob Injustice and My Trip to the Mortuary**

## August 12 through August 16, 2013

I began this week by going to court to see if I could find anything interesting to work on. After failing to find anything for the first couple of days, I decided that I should begin to work on a long-term project that I could come back to whenever I struck out in court.

I had been following, since my arrival, a number of cases of mob injustice (as it is called here) in which mobs of angry citizens took matters into their own hands and actually beat a suspect to death in the streets. This happens surprisingly frequently in Kenya, and is always well covered by the *Daily Nation*. One news article, written by my colleague Zadock Angira this past weekend, covered a wave of incidents in which nine suspected criminals were killed in two days; six by angry mobs, and three by police.

This notion of the public taking “justice” into their own hands was something quite foreign to me, and I was shocked by the frequency with which it happened. It seemed like almost every week since I had arrived there was a mob lynching somewhere in Kenya. Many times they were in the poor neighborhoods that surround Nairobi.

I decided that one long-term project that I would like to work on was a feature-type story on the rise in cases of mob lynchings. I wanted to find some statistics, if any existed, and I wanted to ask: What was causing this trend? Was it a lack of trust in police and the justice system? Was it mob mentality gone awry? Was it simply people becoming fed up with the seemingly endless waves of crime and violence in Kenya? Perhaps it was a combination of all of these factors? I was not sure if it would lead anywhere, but I wanted to try to find out.

After pitching this article to my editors, I was told that it would be a good piece for D2, which is an insert in the *Daily Nation* newspaper that has more feature and lifestyle articles. With clearance from the higher-ups, I began to get to work on the story.

One day late in the week, I decided to go to the Nairobi City Mortuary to see if they had any of the bodies of the men that had been lynched by mobs over the past weekend. I knew that this would be a long shot, but I decided to give it a try. When I arrived at the mortuary, I talked with one of the security guards who informed me that they had indeed received two of the bodies, but said that he could not tell me any more and that I would have to come back later in the day to talk to the superintendent. And so I left and returned later that afternoon at the time the guard had specified.

When I returned I was led to a small building towards the back of the property by a man in a long white lab coat. The entire property smelled like you would expect the Nairobi mortuary to smell, and it was not a pleasant place to be. As I walked by, families of the deceased came to claim bodies. One family, obviously bereaved, carried a very small casket no more than three feet in length.

When I reached the superintendent's office, he greeted me and asked what I needed. After explaining why I was there, that I was a journalist and I wanted to see the bodies of the two men killed by mobs, he told me that he wished he could help, but in order for non-family members to be allowed to see a body they would need a court order. I tried to talk my way around this obstacle, with no luck; the superintendent was firm that I would need a court order to see anything. He then told me that the bodies would probably not be around long enough for me to get a court order anyway, that they were usually picked up, either by family members or a funeral home, within a matter of days of

arriving. After weighing my options, I decided that I would need to find a different way to approach this topic.

After hitting a dead end at the mortuary, I returned to the newsroom to brainstorm. Although I really did not get anywhere with the story, I found out a way *not* to go about it.

## Week 6—University Murder

August 19 through August 23, 2013

This week I was in court for most of the week, following an election petition and a murder case involving local university students.

The election case was a continuation of an election petition that I have been following for a few weeks now. The case came out of Mandera County, which lies on the borders of Ethiopia and Somalia in the northeastern corner of the country. The area saw a good deal of violence and turmoil during the March elections, and as a result a man who lost his bid for a national assembly seat has contested the election in Kenya's High Court. A few weeks ago the judge in the case ordered a recount of votes cast at six polling stations that had experienced irregularities and questionable voting patterns.

This week, lawyers for both sides came to court to update the judge on the recount, which was taking longer than expected. Because some of the registration ledgers had been placed in the boxes for the presidential election, the recount became a more complicated matter than the judge had originally anticipated. So the parties met on two different days to discuss the delays and to determine a timeframe for proceeding. It was agreed that the recount should be concluded by next week, and a continuation of the hearings was set for the following Thursday.

In addition to continuing to follow the election petition, I also began to follow a murder case. The case surrounded a murder that occurred last summer in which a Kenyan college student from the United States International University (USIU) was kidnapped. The kidnappers attempted to ransom the woman for 100,000 shillings, equivalent to just over \$1000 USD. The woman was later found murdered on the outskirts of Nairobi.

One man and one woman, who were classmates of the murdered woman, were subsequently arrested and have been arraigned in court where they pleaded not guilty. The two made an application for bail, which was rejected by the judge because it was deemed that releasing the suspects could cause fear amongst the student population at USIU, as some of the students were scheduled to testify against the suspects at trial.

The case was very interesting and garnered a lot of media attention. In addition to newspaper reporters, there were also multiple television crews there shooting footage of the bail hearing. I later found out that this had been a really big case in the news, mostly because it involved young and privileged (by Kenyan standards) university students as the suspected murderers.

The article that I wrote, along with my colleague Solomon Kaweesa, was not published in the paper. Instead they just ran a picture of the accused individuals with a headline and a short caption written by the photographer. Below is an excerpt of our story:

*Two Denied Bail in Student Murder Case*

*Two students accused of kidnapping and murdering a fellow classmate were denied bail yesterday in Kenya's High Court.*

*Duncan Livingstone Kimanathi and Winnie Wairimu Kariuki are suspected of murdering Sarah Akello Aruwa in Kiambu County on June 30, 2012.*

*Mr Kimanathi and Ms Aruwa were both students at the United States International University (USIU), while Ms Kariuki was a student at Kiambu Institute of Science and Technology.*

*Aruwa's body was found in the thickets in Ngewa, Kiambu, a day after her abduction. She was 24 years old.*

*According to police records, the kidnappers had sent a message to the family of the deceased demanding a Sh100,000 ransom.*

*Lady Justice Roseline Korir said in her ruling that bail was denied because the court was not convinced that the accused would return for trial, since they face the death penalty if convicted.*

*The judge also said that there was a risk that the suspects could tamper with witnesses - many of whom are fellow students - and attempt to intimidate them.*

*The suspects have appeared in court several times and pleaded not guilty at their arraignment on July 10, 2012. They are due to return to court on December 9.*

## **Week 7—The Witchdoctor**

**August 26 through August 30, 2013**

This week I was in court for the majority of my time, and I covered some very interesting cases.

Many of the court reporters for Nation, and other newspapers as well, often cover the same court cases. These cases usually surround high profile companies or politicians, and you can tell immediately which cases are big by the number of court reporters

present. Many very interesting cases, usually surrounding crime, often go uncovered. So this week I thought it would be interesting to delve deeper into the court system and try to find cases that no one else was covering that had a human interest aspect to them. I think that this idea was successful, and I ended up getting two stories published from it.

The first story that I covered I found by simply sitting in the chief magistrate's court for the entire morning and listening for anything intriguing. The case had to do with a woman who was swindled out of 9 million shillings (about \$100,000 USD) by a con artist claiming to be an astrologer and witch doctor. The woman had fallen on hard times after the death of her husband and was looking for a way to help change her fortunes. Through a network of contacts, she tracked down a Tanzanian medicine man who claimed that he could help. Rather than helping, he allegedly conned her out of nearly every dollar that she had.

This case was a tough case to cover because the woman, who was obviously not in a good state of mind after the death of her husband, took the stand and gave an impassioned retelling of exactly how she had lost her money. However, this was also what made it an interesting story, as she gave a very detailed account. The woman took the witness stand and told the court about how the witch doctor had promised that he could change her string of bad luck and reverse her fortunes.

He began the con by repeatedly taking her to an old Muslim cemetery in Nairobi. During these visits, the woman would have her head covered so that she could not see anything. She said that she would then be visited by several voices, which she believed to be spirits. The voices repeatedly told her that they could tell that she was a good person and that they could cure her of her misfortune. They also promised the woman

that they would make her rich by giving her 200 million shillings (about \$2.3 million USD). The woman said that she believed every word that the spirits told her.

After some time elapsed and she visited the cemetery several times, the woman was given a metal box, which she was told contained the 200 millions shillings. The spirits told her that she would have to wait to open the box until she was completely cured of her misfortunes, which would take more time. In the meantime, the spirits told her that she would need to give them nearly 9 million shillings to protect the money. The woman complied with this request withdrawing nearly all of the money she had, most of which was invested for her children's future. After handing over the money, she never heard from the witchdoctor or the spirits again. She then reported the crime to the police, and the man who allegedly conned her was arrested.

The other case that I covered this week was a murder from 2010. I covered the judgment and sentencing phase of this trial. The murder was an incredibly gruesome one in which a boda boda (motorcycle taxi) driver was murdered on his way home from work. The man was found beaten in a cornfield, with a black rubber cord tied around his neck and barbed wire wrapped around his body. Two young men, both in their early twenties, were found by police just a few meters away from the body trying to get away with the man's motorcycle. Both men pleaded not guilty, but were found to be guilty at trial. They were both sentenced to death for the crime, which is a very common sentence for murder convictions in Nairobi (see [http://www.standardmedia.co.ke/?articleID=2000085216&story\\_title=united-nations-claims-kenya-continues-to-issue-death-penalty-to-minor-offenders&pageNo=1](http://www.standardmedia.co.ke/?articleID=2000085216&story_title=united-nations-claims-kenya-continues-to-issue-death-penalty-to-minor-offenders&pageNo=1)). Their defense attorney said that he would appeal the conviction and their sentence.

Both of these cases were moving and very interesting to cover. Both of the stories that I wrote about these cases were published.

## Week 8—The First Kenyan to Climb Everest

September 2 through September 6, 2013

This week I covered court, as well as covering an enterprise story that I found by reading National Geographic. I had three stories published this week, which makes it one of my most productive weeks so far.

The first court case that I covered this week was the appeal of a young woman who was a Chinese national accused of smuggling ivory. The woman was arrested in mid August while trying to board a flight to Hong Kong. While doing a routine inspection, customs officials found over 1,000 ivory beads weighing approximately 7 kilograms in her luggage. The woman had tried to disguise the beads as bags of macadamia nuts.

After her arrest, the woman was placed on trial for the illegal smuggling of game trophies. She was found guilty and sentenced to a total of 31 months in prison. The woman, through her lawyer, made an appeal that she be released and given a fine instead. She argued that she faced great hardships in prison because she was not accustomed to the food or the language. She asked to be allowed to pay a fine and then be returned back to her country.

However, the state attorney argued that ivory poaching and smuggling was a grave problem in Kenya and that the woman must serve time in prison. He said that the woman had already received leniency and that the 31 month sentence she received was,

in fact, a light punishment. After hearing both arguments, the judge upheld the woman's prison sentence.

The next case I covered this week was an immigration case surrounding two casino managers who were arrested for not having proper work permits. The men, a South African and a Brazilian, were working as shift managers at Millionaires Casino in the Westgate mall, which is very close to my apartment. The men were arrested in an immigration raid. Both men pleaded guilty and were sentenced to pay 250,000 shillings (just under \$3,000 USD) or spend 18 months in prison.

Towards the end of the week, I stumbled upon a story that Nation had not covered and that I thought would be a really good piece for the paper. I was reading National Geographic online when I came across a short blurb about an expedition in Spring 2014 in which the first Kenyan would attempt to climb Everest. I pitched this story to my editor, and he said I should definitely go ahead with the piece.

I began working on the story by finding a website created for the expedition and downloading the media pack provided. I wrote up as much of the story as I possibly could using this media packet, creating an outline for the story. I then called the only number provided by the website, which was for a public relations firm in New York.

After asking the PR representative some initial questions and getting the most basic information, I asked her for the phone numbers and contact information from the two climbers in the expedition so that I could interview them. I also asked her to email me a couple of pictures to use with the story, which she was able to do without any problem.

I then called the Kenyan climber, named Steve Obbayi, who gave me a very interesting interview. He said that he was very proud to represent Kenya, though he was

a bit nervous to make the dangerous climb. He had climbed several big mountains in Africa, including Mount Kilimanjaro and Mount Kenya, but Mount Everest was by far his most challenging climb yet. Steve said that one of his major motivations for this expedition was to inspire Kenyans and people from other African nations to take up outdoor sports. According to Obbayi, Africans rarely engaged in sports like rock climbing, skiing, or scuba diving, though this was beginning to change. He said that he hoped to encourage a younger generation of African mountaineers.

Obbayi and his climbing partner will begin their expedition in March when they hope to reach the base of Mount Everest. If all goes according to plan, Obbayi said, he will get the chance to plant the Kenyan flag on the summit sometime in May.

This story was a great story to get to work on. It was a welcome change from covering crime and courts, which can, at times, be quite depressing. This story was about the power of human determination, and I thoroughly enjoyed writing this piece.

## Week 9—When a Car Flips in Front of You

September 9 through September 13, 2013

This week began on a very interesting note. As I was walking back from court Monday afternoon, having not found much to write about, a car accident occurred right in front of me at a very busy intersection in the center of Nairobi's Central Business District.

As I was crossing Uhuru Highway, at the intersection of Haile Selassie Road, a Land Rover SUV came barreling through the traffic circle. The car was travelling way too fast, and nearly hit a bus when entering the roundabout. The driver of the SUV swerved to avoid the bus and in the process rolled his vehicle. I witnessed the entire

accident happen and immediately ran over and pulled out my cell phone and notebook. I was on the other side of the traffic circle when the accident occurred, and by the time I reached the car, a large crowd had already gathered around the vehicle and had helped pull the driver of the car out through the front windshield. The driver appeared to be shaken, but was immediately up and walking around.

I started covering this breaking news situation by taking pictures of the overturned vehicle with my cell phone. After taking about 10 pictures, I started to talk to people who had witnessed the accident and police that had arrived on the scene. I first tried to interview the driver, but he was taken away by an ambulance, so I thought it would be better not to interrupt his medical care. The first person I ended up interviewing was a pedestrian that had witnessed the accident. The man described what he had seen, which was pretty much exactly what I had seen myself. He described how the SUV entered the roundabout at a very high speed and was forced to swerve after almost colliding with a bus, causing his vehicle to roll.

Next I talked to one of the police officers at the scene. He told me the official version of events and gave me a bit of background about the driver, who was employed by a security company. He also told me that this particular roundabout was a frequent spot for collisions, though he had not seen another car roll over there. Lastly, he gave me a bit of information about how the wreck would affect traffic, which was already beginning to back up at the busy intersection. The officer said that it would take at least a couple of hours before the investigation was concluded and the car was cleared from the road.

I then ran back to the office and put together a news package with the photos; however, the article was not published.

I returned to court on Tuesday but again didn't find much that was worthy of reporting on. The Judges were all away on a retreat of some sort, so only traffic and immigration courts were in session. The majority of the Judges would not be returning to court for the remainder of the week, so I decided I didn't need to be in court.

Instead I turned my attention back to the story about mob lynchings, though I didn't really get anywhere with that story either. I started by trying to contact the psychology department at the University of Nairobi to interview someone about mob psychology, but I didn't receive any reply to my calls or emails. I then tried to walk there and just pop in to the psychology department, but one of the receptionists told me that none of the professors were available and that I would have to come back later. I also emailed several scholars in mob psychology from other universities around the world, but also did not receive any replies.

I then tried to set up an interview with someone from the police department, but ran into similar roadblocks. After calling several times and emailing several people, I was told that the person that I needed to talk with was away on leave and that he would not be back until October. I was also told that the police did not have any statistics on the incidents of mob lynching, and so any interview I did get would really only be for comment. This story does not really seem to be going anywhere, but I am determined to stick with it and try to find new and creative avenues to tell it.

The last thing that I did this week was familiarize myself with the background of the cases of Deputy President Ruto and President Kenyatta before the International

Criminal Court (ICC). Though we have correspondents covering the trials from the Hague, and there was not much for me to help with, I wanted to be prepared if I was needed. So I began to read everything I could about the individuals, their cases, and the court in general, which was all truly fascinating to learn about.

## Week 10—An Immigration Officer and a Drug Lord

September 16 through September 20, 2013

I began this week in court covering the case of an immigration official who let a suspect drug kingpin from Nigeria slip through the border. Investigators have accused the official of receiving a bribe to let the drug dealer pass through into Kenya, but the man denied this charge and said that he mistakenly let the drug dealer through after the electronic tracking system malfunctioned.

I have learned since working on this story that this is a very common issue in the Kenyan immigration process. Many illegal immigrants, often completely harmless and just looking for work or better education, are able to enter Kenya by bribing a border guard. This has become one of the single biggest issues with border security in Kenya and accounts for many of the illegal entries into the country. While the vast majority of these immigrants do not pose a threat, sometimes drug dealers and even terrorists can penetrate the border in this way.

The article I wrote was not published, because another reporter was covering the trial of one of the drug dealer's associates who was captured after also sneaking across the border. The immigration officer's case was only mentioned briefly at the bottom of that article in order to combine the two and save space. Below is an excerpt of the article that I wrote about the immigration officer's case:

*Immigration official accused of allowing drug lord to slip through border*

*Top immigration officials testified yesterday that a temporary malfunction of the PISCES identification system, used to identify and stop illegal immigrants, could have been to blame for allowing the notorious Nigerian drug dealer Anthony Chinedu to slip through the border into Kenya on July 9.*

*Mr Edward Njau, an immigration officer at the Namanga border crossing where Chinedu entered Kenya, has been charged with allowing a prohibited immigrant into the country. Chinedu is widely believed to have a large circle of influence paid for with drug money. He has been accused of bribing police and immigration officials in the past to help him escape prosecution and deportation.*

*Njau has been accused of negligence for not stopping Chinedu and his associate Anaeke Chimezie, who passed through the border under Njau's nose. However Njau's boss and colleague told the Chief Magistrate's court that the computerized system used to identify suspected criminals may not have been working properly on the day Chinedu and Chimezie entered.*

*It is unclear whether both Chinedu and Chimezie snuck back into Kenya, or whether Chinedu snuck through alone using Chimezie's passport. Police have yet to locate Chimezie or Chinedu.*

*Njau's supervisor, Mr Paul Macharia, took the witness stand and told the court that Njau called him on July 10 and told him that a mistake had been made the previous day. Njau told Macharia that he believed he had accidentally let Chimezie pass through the border.*

*Another colleague, Mr Raphael Mwandolo, testified that he received complaints that the computerized tracking system had jammed on the day that Chimezie was allowed to pass through.*

*On the morning after Chimezie snuck through, Njau was given a hardcopy of the records, which included a stop order for Chimezie. Mwandolo testified that Njau claimed to recognize Chimezie from these records and that he immediately notified his supervisors of the mistake.*

*Njau was arrested on July 12 for allowing Chinedu and Chimezie entry.*

*Chinedu and Chimezie, both suspected drug kingpins, were deported from Kenya on June 3, after residing in the country for many years. Their deportation set off an international row, with Nigeria holding the plane they were on at Murtala Mohammed Airport for nearly three weeks until diplomatic negotiations resolved the conflict.*

*Another of Chinedu's cohorts deported at the same time, Enobemhe Emmanuel Peter, was arrested last week in Nairobi. When questioned, Peter said that he had snuck through Namanga border crossing in August using a different passport.*

In addition to working on this case, I also covered a couple of other stories this week, including one story gleaned from the US Embassy website. The piece was about a competition sponsored by the US Embassy and General Electric to bring electricity to rural areas of the country. The competition, in which a grant of up to \$100,000 USD would be awarded, was open to African individuals, organizations or cooperatives, and private companies that had innovative ideas about powering places that were off the electric grid. The goal of this competition was to provide cheap and renewable energy to people who lived in remote rural villages and did not have any access to electricity.

I did a couple of interviews for this story and talked to one expert who said only 16 percent of Kenyans had access to adequate sources of electricity. He said that many communities rely almost entirely on kerosene lamps for light, which affected everything from air quality in homes to children's ability to do schoolwork. Working on this story made me appreciate the infrastructure in the United States, where it seems like even the most rural areas have access to grid power and even cable TV.

The last story I covered this week was about a woman who was in court for sentencing after being convicted for committing armed robbery. The woman, along with others, broke into a lady's home and robbed her while armed with guns. Although no one was injured during the robbery, robbery with violence (as it is called here) is treated very seriously, and the woman was given the death penalty. Upon hearing her sentence, the woman screamed and collapsed onto the floor, before having to be carried out of the courtroom by guards.

## Week 11—Westgate Terror Attack

September 23 through September 27, 2013

When I first heard about the shooting at Westgate mall, I was out of Nairobi for the day. I was told by a taxi driver that there had been a shooting at Westgate and that it was probably a robbery. I looked at the mobile version of the *Daily Nation* and the headline read: Three Dead in Shooting at Westgate. But over the next few hours the death toll began to rise, and it became clear that it was not a robbery but a deliberate terrorist attack.

Westgate mall is less than a mile from my apartment complex, and so I was very familiar with the area. Westgate is an upscale mall in Nairobi's Westlands district, a

wealthier area of town about a 20-minute drive from the central business district. The Westgate mall is one of the nicest malls in Nairobi and is often frequented by Westerners, which is one of the main reasons why it was attacked.

Westgate was the first place that I went to when I arrived in Nairobi. I had landed late in the evening and asked my taxi driver to take me to a restaurant near my apartment; he took me to Westgate. It was also where I grocery shopped, topped up my cell phone with minutes, or met friends for drinks. It felt very odd that a place I was so familiar with had become the biggest news story in the world.

At first, I thought that the attacks would be brief, even if they were very deadly. This proved to be false, as the siege lasted over four days as the Kenyan army tried to gain control from the militants. I returned to Nairobi on the day after the attacks, while the mall was still very much in the control of terrorists and hostages were still being held inside. By that point, the death toll had risen to over 60, with others still trapped in the building or missing. Upon returning to Nairobi, I made my way down to the mall to see if I could help cover the attacks.

When I arrived at the scene there was a large press pool area that had been established behind a police barricade, and there were many members of local and foreign media there to cover the story. I touched base with some of the Nation reporters already on the scene and then immediately went to work surveying the area and taking notes.

There was a large plume of smoke rising from the building, and many reporters were talking about how the terrorists were burning mattresses as a sort of smokescreen. There were gun fights still raging in the background, though it was clear that the press pool was removed enough to be a safe spot to cover the siege from. I began taking notes as to what

time the gunfights occurred and how long they lasted. Later on in the day, there were several large explosions. Over the next few days, I contributed to Nation's running coverage of the fight between the terrorists and Kenyan forces.

After the siege had ended, reportedly by anti-aircraft missiles fired by the Kenyan Army, I began working to cover stories about the victims and shop owners who now had to pick up the pieces of their lives. The first post-siege piece I worked on was a story about people returning to the mall to recover their cars and things from inside the stores. One of the major issues that arose was the widespread looting that had occurred, with rescue workers taking everything from jewelry and foreign currencies to wigs and children's toys. I interviewed a number of shop owners who had been robbed by rescue workers, and several more who were still waiting to get inside and see what had happened to their stores.

Interviewing the storeowners was by no means a pleasant experience, as many of them had been inside when the attacks occurred. But the hardest thing I had to do while covering the terrorist attacks was to talk to a man named Manish Mashru. Mr. Mashru's 16-year-old daughter was participating in a cooking competition on the roof of the mall when the attacks occurred. He told me, as he cried, how she was always cooking and trying out different recipes and different spices. His daughter was shot and killed on the roof of the mall. His wife was also shot in the face, but survived, though doctors believed she would have permanent brain damage.

This week was an eye-opening experience and a lesson in covering tragedy. I never expected that doing an interview like that would be so hard. I felt like I was

intruding with every question I asked, though Mr. Mashru obviously wanted to talk about his daughter and wanted her story to be told.

## Week 12—Following Up on Westgate

September 30 through October 4, 2013

This week I worked primarily on continuing to follow the Westgate terror attack story. I spent a great deal of the week trying to get officials to let me inside the mall, but they were not letting anyone in without express permission from the Department of Defense, which was very difficult to get. The mall was walled off by a large perimeter of aluminum sheeting and was heavily guarded at all times.

So instead of trying to get inside the mall, I decided just to wait outside the gate and talk to people to see if any stories popped up. The first story I covered this week was about a press conference called by frustrated storeowners who were struggling to get answers about the state of their shops, amidst widespread reports of looting and vandalism. The press conference began with words from one of the prominent storeowners and community leaders from the area. He talked about the lack of access to information and the inability of storeowners to get inside the mall to survey the damage caused during the attacks.

After the storeowners were able to voice their frustration, the Secretary of Commerce and Tourism spoke. She said that the government was going to immediately form a committee in order to address the issues of the shop owners. She said that the committee would be made up of both government officials and storeowners, and they would work together to find solutions that worked for all parties involved. I then interviewed a few more storeowners that were among those frustrated by the slow

process of getting information. I wrote up the story and it was published both online and in the morning paper.

The next article that I worked on this week was about a bootleg DVD that was being sold about the Westgate terrorist attacks. Various versions were being sold all over Nairobi, so I went down to the local bus station and market and purchased a copy. The man selling the videos was very reluctant to speak with me, but I pressed him and was able to get him to answer a few questions. He said that the video had been one of his best selling videos of the year, and about five people purchased a copy during our 15-minute interview. I bought a copy for myself and went back to the newsroom to watch it.

The video was just a poorly edited film, lasting about an hour and a half, of pirated newscasts strung together. It was primarily made up of footage from Nation, KTN, and Citizen TV. It showed video of the attack, the rescue operation, and then long interviews with President Uhuru Kenyatta. The video was clearly made illegally, because it had large portions of material pirated from news organizations that had given no authorization for the film to be made.

I then went on the street in front of Nation Center and asked people for their reaction to the film. Many people were repulsed by the idea of making a profit from the attacks, while others expressed interest in the film and said they would buy a copy if they came across it. The most common reaction that I received was from people who said that the video was fake and a rip off. Many said that it probably wouldn't even work and said further that it might break your DVD player.

I wrote up the story that afternoon and it was published online that evening. This story about the Bootleg Westgate video became one of the three most popular articles on

the Nation website for that week, which I found very interesting. Even more interesting perhaps were the online comments that the article received. Most of the people who commented on it did so in support of the people who made and sold the bootleg video. Most of them were saying that it was just good Kenyan ingenuity to make and sell such a DVD, regardless of the fact that the material was pirated.

## Week 13—Court and Somali Immigration

October 7 through October 11, 2013

This week I was taken off of following the Westgate attack story and returned to covering my regular duties. I began this week by attending court and looking around for any stories that might pop up.

The first story I covered was about two men who were appealing to get off of death row. The men were convicted by a lower court of robbery with violence and were sentenced to death. The men had been convicted of robbing a motorcycle taxi driver at gunpoint and leaving him tied to a tree. Though the driver lived through the attack, he was beaten and traumatized. The two men were arrested and were brought to trial, mainly based on the testimony of the motorcycle driver himself.

The crime reportedly happened in 2008, and the men were convicted and sentenced to death soon thereafter. Both men were identified by the motorcycle driver, who said that he knew the men before the robbery occurred. At the trial court in Limuru, the judge found the victim's testimony compelling and found the men guilty, before sentencing them both to death. As I have discussed before, the death penalty is a very common sentence for armed robbery convictions. Any robbery committed with violence

usually receives a death sentence unless there are compelling mitigating circumstances to convince the judge to issue a lighter sentence.

The two men appealed the charges, and their case was heard before the High Court of Nairobi. On appeal, the judge found that the evidence used to convict the men was far too narrow. She found that the evidence came from only one source, the victim himself, who had contradicted himself several times during the course of the trial. The judge therefore overturned the men's convictions and released them from death row.

Upon hearing the judge's decision, both men were visibly relieved, and their family members inside the courtroom cheered and cried. I wrote a short article on this story which was published in the print edition of the paper the next day.

The next case I covered this week was about a land dispute between a number of siblings, which I thought was an interesting human interest piece with greater implications for the country. Land rights and land grabbing are a very big issue here in Kenya, and I thought that this story would be a good and relatable piece that had to do with those issues.

The case surrounded a piece of land that was in dispute after the death of the man who owned the land. The man had four children, all of adult age. When he died, the man left behind no will and no money. He left only a large plot of land in Western Kenya, which the four children had all grown up on. After the man's death, his eldest son tried to claim the land all for himself, saying that the father had told him the land was his. The other three siblings, two daughters and a younger son, all disputed this claim. They wanted the land to be divided and sold off, with the profits being shared equally between each child. According to their testimony, the elder brother was only trying to steal what

should rightly be shared equally between all of them. However, the elder son claimed that it was the father's wishes that he should live there and the land should not be sold. After taking some time to deliberate, the judge ruled that the land should be split equally between all four children, and that each of them was then free to do with the land what they liked. The judge said he came to this conclusion because there was no written will stating that the father wanted to pass it on only to the eldest son.

## Week 14—Final Days

### October 21 through October 25, 2013

On the last week of work here at the *Daily Nation*, I began to wind down all of the pieces and projects that I had been working on. I also continued to cover court throughout the week, and tried to pick up some quick-turn stories that I could finish before leaving Kenya for good.

There was one major court case occurring this week in which four former teachers and school officials were being tried for embezzling money by overpaying for school supplies and then receiving a kickback after the purchase. This case was fairly large news in Nairobi and had already spanned several weeks. One of the reporters already covering the case asked me if I could assist this week because the defendants would be testifying and there was going to be a lot happening in the trial. So I went along to assist in any way I could.

The courtroom was packed when we arrived, and there was only standing room left in the back of the court. The trial focused on events surrounding a large purchase made by the Nairobi school district of scientific equipment such as beakers, scales, and test tubes. The equipment was worth several million shillings, but a group of teachers

and school officials were accused of overpaying for the equipment and then receiving a large cash payment from the manufacturing firm as compensation. Executives from the equipment manufacturing company were also being tried in a separate hearing that would take place a few weeks after the teachers and school officials were tried. All of the men on trial denied any wrongdoing and claimed that they didn't receive any money from the sale.

Testimony began soon after we arrived, with the defendants taking the stand to tell their side of the story. One by one the defendants denied all of the charges against them, saying that they had gotten the best deal on the equipment that they could and denying that they personally took any money. Many of the defendants also said that they had never met each other before and therefore couldn't have committed a crime together.

Much of the work that I did on this case was note taking, specifically making sure to get dates and times given by the defendants during their testimony. Though I did not directly help with the writing of any stories, my notes were used by other reporters to help fill in their own articles.

In addition to covering court this week, I also began to say goodbye to my colleagues at the *Daily Nation* and to prepare for my departure. I had two debriefing meetings, one with David Aduda and one with Eric Shimoli, in which I gave them some feedback on my time with the newspaper and thanked them for all of the support I was given. I also spoke individually with many of my fellow reporters and exchanged contact information with them in case they were ever in the United States or I was ever back in East Africa.

On the final day of my tenure at the *Daily Nation* I packed up my desk, deleted my email account, surrendered my press pass to the HR department, and exited the Nation Center building for the last time. The next morning I boarded a plane bound for London, and eventually the United States, returning home after being in Africa for over four months.

## Chapter 3

For the professional component of this project, I worked as a reporter for the *Daily Nation* covering crime, courts, and politics. I worked at Nation from 8 am to 5 pm, five days a week, sometimes working even longer hours. I worked from July 17, 2013, until October 25, 2013. During this time, I learned a great deal about journalism in Kenya and the state of the media there, as well as a great deal about myself and my abilities as a reporter.

My main task while at the *Daily Nation* was covering crime and courts. For the first couple of weeks, I shadowed other reporters until I learned my way around. These first few weeks proved to be very valuable, and I gained a great deal of knowledge about the justice system that became useful later on when I began to find my own stories. I spent a lot of time in court, going to the high court of Kenya nearly every morning. I also covered crime, politics, and general assignment stories.

My daily routine started with reporting to the offices at Nation Center every morning at around 8 am. There I would touch base with an editor to see if there were any major news stories that I could assist with. Usually there were no big breaking news stories, so I would begin my day by reading news from around the world and looking at good source websites, such as the United States Consulate's site, for story ideas. If I found a story idea, I would immediately go to work finding sources and compiling an

article. If I did not find a good story idea, I would head up to the Nairobi municipal courts looking for story ideas there.

I spent the majority of my time working in the courts. I would go to court nearly every morning and try to find a story good enough to write about, which was sometimes difficult. The first two or three times I went to court I went with other Nation reporters, but I was soon expected to be self-sufficient and had to find my own stories. This was largely a process of trial and error. One of my main strategies for finding a newsworthy case to write about was to simply walk around the building and look for courtrooms with a lot of people in them. Frequently these courts would be hearing cases that had a lot of public interest, and these were good stories to write about.

I tried to avoid courtrooms that other Nation journalists were already covering and find stories that no one else would have. After only a few weeks I felt very comfortable in the courts and could generally find a good story that was not otherwise being covered. Occasionally, for very large stories, I would work alongside other Nation reporters and assist them in note taking and interviewing. Covering court in Nairobi was a great experience and made me familiar with a wide range of subjects. I regularly covered criminal proceedings, reporting on several capital murder cases as well as robbery cases, rape cases, and corruption and bribery cases.

I also covered a number of civil cases, mostly having to do with land grabbing and disputes. Kenya's land registry is very patchy and disorganized compared to Western countries, and disputes often rise over who owns exactly which piece of land. These cases were very interesting because they often pitted large corporate interests against small families or villages of people who had lived on the land for years. These

land dispute cases are a large issue playing out all across Africa, and seeing these court cases first hand gave me a great insight into the forces at play.

Lastly, I covered several contested election petition cases that were big national news in Kenya. One of the major problems with democracy in Kenya is that very few politicians, or their supporters for that matter, willingly accept the results of elections. Nearly all elections from local school board elections to presidential elections are contested as “rigged” and taken to court. This process obviously hurts the trust that people have in politicians, elections, and the entire governmental system by constantly questioning the legitimacy of officials. Having arrived just after the 2013 national elections, I covered a number of these cases, and each one was an interesting and rewarding experience.

One of the election petition cases that I covered came from Mandera, a county in the northeastern part of Kenya where Ethiopia, Somalia, and Kenya meet. The election was for a seat in the national assembly, and two men from rival tribes were running for the seat. Days before the elections there were bouts of violence with people’s homes ransacked and set on fire. Many people fled the area across the border to Ethiopia during the violent outbursts. After the election was over, the losing party alleged that the man who won orchestrated the violence in order to sway voters and rig the election. In court both sides presented witnesses to back up their side of the events, and eventually a full scrutiny of the vote, which basically entails an entire recount as well as cross checking votes with the registrar, was ordered by the judge. After the recount was completed, the judge ruled that the election was fair and the winner would maintain his seat in office.

The entire process took months and a great deal of government resources, only to certify the results that had originally been decided.

Covering this election petition as a reporter gave me a great deal of insight into the forces at play in the politics of Kenya. Furthermore, I think that covering court proceedings can give a reporter a great overview of a society because it is a smaller representation of everything that happens in a country. Covering court can quickly show someone the good, the bad and the ugly side of any country or place and give them, in the broadest terms, a deeper understanding of the forces at play there.

Outside of covering court, I had some amazing experiences that I will never forget, not least of which was rushing to the scene of an airport fire at Jomo Kenyatta International Airport. I interviewed passengers who ran out of the burning building only to realize that all of their luggage was still inside. I talked with government officials who were scratching their heads and trying to figure out who to blame. I talked to a 35-year veteran of the fire department who said that it was the biggest fire he had ever fought, while the flames raged behind us. I talked with fire and explosives experts from the United States FBI as we walked amongst the rubble. I attended a press conference given by President Uhuru Kenyatta and stood only 10 feet away from him as he confirmed that the fire was not caused by a terrorist incident.

A few months later I covered the terrorist attack that occurred on September 21, 2013, when armed gunmen stormed the Westgate Shopping Center, a day which would ultimately become the second worst terrorist attack in Kenya's history (for deadliest attack see [http://news.bbc.co.uk/onthisday/hi/dates/stories/august/7/newsid\\_3131000/3131709.stm](http://news.bbc.co.uk/onthisday/hi/dates/stories/august/7/newsid_3131000/3131709.stm)). The siege that ensued lasted over four days and claimed the lives of 67

people, many of whom were children. During my time on this story, I covered the initial crisis and the hostage situation that followed, as well as the aftermath of the incident as the ordinary Kenyans affected by this tragedy tried to pick up the scattered pieces of their lives.

The Westgate attack is one of the largest and most important stories that I have yet covered. It is also one of the most emotional stories that I have ever worked on, and I am certain that I will never forget this event. While this was an international media event covered by hundreds of media outlets from around the world, this attack still felt very personal to me, and reporting on it was, at times, a great challenge.

The attack occurred at a mall that was only a few minutes walk from my apartment. I often went to Westgate for lunch or to pick up groceries. When I was feeling homesick or lonely, I would go to the mall just to stroll around and, for a moment, forget that I was thousands of miles from home. Westgate was one of the most Western places in Nairobi. It had an American style grocery store, a movie theater, a burger joint. It was where many Western visitors and expats would gather and hang out. It is for this reason that the Westgate mall was attacked by Al Shabaab terrorists (see <http://www.bbc.com/news/world-africa-15336689>).

After covering the initial siege by government forces trying to recapture the mall, I covered the toll the attacks took on the ordinary Kenyans affected by the attacks. I interviewed several storeowners who were attempting to pick up the pieces of their lives and their shops. I interviewed police and government officials who were working tirelessly, though not always effectively, to resolve the situation. And I interviewed families who had lost loved ones, often with tears streaming down their faces. At times I

felt like an outsider, like I was prodding and shouldn't have been there. But I found overwhelmingly that people wanted to talk about their lost loved ones. They wanted to tell me about how wonderful they were and how much they would be missed. All I could do was write furiously and nod sympathetically.

Though it was extremely challenging, the stories that I wrote in the aftermath of the Westgate attack are some of the proudest moments of my life. I have never felt like I was doing more important work than I did then, telling the stories of the ordinary people who died that day while just trying to go about their daily lives.

In addition to covering the fire and Westgate, I had several interesting experiences including going to the Nairobi mortuary looking for bodies and going to one of the largest slums in Africa to see how ordinary people there are plagued by crime. I wrote stories about witchdoctors and con men. I rode on the back of a motorcycle, swerving through Kenyan traffic, to get to the scene of a crime. This job certainly took me places I would have never expected.

Two major difficulties that I encountered while working as a reporter in Kenya were:

- 1) Difficulties with the language
- 2) Difficulties getting my work published

In terms of the language barrier, getting over this problem was basically a matter of learning my limits as a foreign reporter. No matter how much Swahili I learned, and in the short four months I was in Kenya I unfortunately did not learn a lot, I was never going to be able to be as familiar and comfortable with the language as local people were. There were a number of occasions where I was sitting in court to cover a case and in the

middle of the hearing, everyone started speaking Swahili. I simply had to accept this as a fact of life and go get another reporter to assist me as quickly as I could. In other instances outside of court, I found that I could often ask people to speak English, and although I felt silly doing so, it was usually not a problem. This sometimes turned out to be a way to loosen people up around me, as they would often laugh and then feel less tense about talking to a reporter.

The next major challenge that I had was getting my work published. When I first arrived, I felt that I was writing some good stories that were just simply not being used. I would take all the appropriate steps of alerting an editor that I had a story and talking to the sub-editors about pictures and fact checking, but still had no luck getting published.

As time went on, however, I began to realize more and more what sort of articles were getting published and what they were looking for. This came both from continued reading of the *Daily Nation* as well as talking to other reporters about the stories they were working on. Also, as people around the office got to know me more, they were more willing to offer story ideas and advice. After about a month of being at the newspaper, I began to get my stories published regularly.

I believe that learning to deal with these two difficulties was one of the most rewarding parts of my professional placement in Kenya. As an aspiring foreign correspondent, it is crucial to be highly adaptable. Getting thrown into new places and situations is just part of the job description, and good reporters need to be able to adjust to nearly anything. Working through these issues took perseverance, but in the end I believe that I became a better journalist because of this experience.

All in all my position at Nation was extremely rewarding. I learned a great deal from the experience and will keep the lessons with me for years to come.

## Chapter 4

This section contains the work product that I wrote during my time at the *Daily Nation*. All of the following pieces were published in either the print or digital version of the paper, sometimes both versions.

Page 51- Securicor ordered to pay Sh18m—published 7/23/2013

Page 53- Lawyers given time to respond to CDF suit—published 7/26/2013

Page 54- Three acquitted of human trafficking—published 8/3/2013

Page 55- German fined for illegal entry—published 8/3/2013

Page 56- Judge orders scrutiny of votes— published 8/6/2013

Page 58- Was sabotage to blame for JKIA the fire disaster?— published 8/8/2013

Page 62- Seven officers held over looting at JKIA— published 8/10/2013

Page 65- Court lowers bail for Sh9m ‘witchdoctor’— published 8/27/2013

Page 66- Two convicted of motorcyclist’s murder— published 8/29/2013

Page 67- Ivory Case Chinese convict pleads for fine— published 9/4/2013

Page 68- Casino ex-staff fined for working illegally— published 9/5/2013

Page 69- Engineer in bid to plant Kenyan flag on Mt Everest peak— published 9/6/2013

Page 71- Woman gets death sentence for robbery— published 9/21/2013

Page 72- Rescue, forensic officers accused of looting Westgate— published 9/30/2013

Page 75- Westgate owners cite lack of access and frustration— published 10/1/2013

Page 77- Hawkers cash in on terror attack video— published 10/2/2013

Page 80- Two freed from death row following appeal— published 10/4/2013

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# DAILY NATION

22/7/2013

## Securicor ordered to pay Sh18m

A security company has been ordered to pay Sh18.5 million to Consolidated Bank for money lost in an armoured car robbery



PHOTO | FILE A Consolidated Bank branch in Nairobi. NATION MEDIA GROUP

A security company has been ordered to pay Sh18.5 million to Consolidated Bank for money lost in an armoured car robbery.

Mr Justice George Kimondo found Securicor Security Services negligent in their contractual duties to deliver cash for the bank, and ordered the company to pay the amount lost in addition to interest and all court costs.

“Transporting a huge consignment of cash required basic care: a special vehicle, professional security guards and an armed escort, and the use of a secure route,” the judge wrote in his ruling late last week.

“On this occasion, and which speaks volumes, no such escort was provided.”

The case stems from an incident that occurred on December 23, 2002. A cash container was stolen from Securicor while in transit from the bank’s Maua branch to Nairobi.

dence against Mr Muthama and that investigations would continue before the file was handed over to the Director of Public Prosecutions.

#### NAIROBI

### Lawyers given time to respond to CDF suit

State lawyers were yesterday given more time to file responses to a petition seeking to block the implementation of the Constituencies Development Funds Act 2013. The case will deal with a petition filed by watchdog organisations to block the Act. The groups have questioned the constitutionality of the new Act and are seeking to block its implementation. The organisations want the High Court to issue an order invalidating sections of the Bill and that it be amended to closely comply with the Constitution. Parliament passed the Act on January 14. The High Court set the hearing for September 18.

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## NAIROBI

### Three acquitted of human trafficking

Three men were yesterday found not guilty of human trafficking. Mr Bernard Kungu, Mr Stephen Kahiru and Mr Thomas Palatei were arrested by Loitokitok police on December 23, 2012 after they were stopped at Imbirikam border. Police found 50 Ethiopians in their lorry who were not authorized to be in the country. Senior principal magistrate Lucy Mbugua said suspicion alone was not evidence.

**NAIROBI**

# German fined for illegal entry

BY NATION CORRESPONDENT

A German man was ordered to pay a Sh50,000 fine or spend a year in jail after he admitted that he entered the country without proper immigration clearance.

Mr Clemens Johannes Salzmann said he was riding his bicycle across Africa when he was arrested after presenting himself to immigration officials in Nairobi on July 24.

Immigration officials testified yesterday that Salzmann obtained a proper visa in Addis Ababa on April 30, but failed to report his June 15 entry in Kenya .

Salzmann in defence said he thought he could only report at Nairobi but the officials told him he passed their offices along his route at Eldoret and Kisumu.

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# DAILY NATION

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5/8/2013

## Judge orders scrutiny of votes

A scrutiny of votes, including a recount for six polling stations in the petition challenging the election of Mandera North MP Adan Mohammed Nooru, has been ordered

A scrutiny of votes, including a recount for six polling stations in the petition challenging the election of Mandera North MP Adan Mohammed Nooru, has been ordered.

High Court judge David Onyancha said there were strong allegations that some polling stations were marred with "serious irregularities" in the way the March 4 elections were conducted.

Polling stations to be scrutinised include Wargadud Dam, Quramathow, Sukela Tifna Primary School, Arda Agarsu Centre, Shantoley Primary School and Kubi Hills.

A request for the recount was made on behalf of petitioner Bashir Haji Abdullahi, who lost the election by about 4,900 votes to Mr Nooru.

Mr Abdullahi is challenging the results and wants the court to invalidate the election.

He alleges that the election was won through collusion and use of force by his opponent and the electoral commission. However, Mr Nooru and the IEBC have denied manipulation of the election.

Mr Abdullahi had asked the court for the scrutiny of votes for all the 55 polling stations in Mandera North constituency but the judge ordered a recount for only six where the

irregularities might have occurred.

The petitioner further alleged that his party agents were evicted from polling stations and that there were cases of impersonation and double voting.

The full scrutiny ordered by Justice Onyancha will compare the ballots cast against the official register to clear any issues. "This will assist the court in investigating any irregularities," the judge ruled.

The recount will be conducted as quickly as possible under the supervision of the court, the official registrar and agents from both parties.

The hearing of the petition will continue as the recount is conducted.

All election petitions from Garissa County were moved to Nairobi on April 26 due to space constraints in the Garissa Law Courts.

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# DAILY NATION

7/8/2013

## Was sabotage to blame for the JKIA fire disaster? Investigators seek answers

Investigators were on Wednesday examining the possibility of sabotage as they combed through the debris of a fire at JKIA



The fire at JKIA on the morning of August 7, 2013.

### In Summary

- Fire and emergency teams took too long to respond after travellers raised the alarm

**NATION TEAM newsdesk@ke.nationmedia.com**

Investigators were on Wednesday examining the possibility of sabotage as they combed through the debris of a fire which destroyed the international arrivals terminal at Kenya's largest airport.

They were exploring the possibility of arsonists seeking to destroy immigration records or other sensitive security data at Nairobi's Jomo Kenyatta International Airport.

One theory was that it took too long for anyone to respond to what had initially started as a small fire which witnesses said could have been contained had the response been quicker.

All this came as top security officials, including Inspector General of Police David Kimaiyo, National Intelligence Service chief Michael Gichangi, CID boss Ndegwa Muhoro and officers from the anti-terrorism unit held a series of meetings at JKIA the whole day.

President Uhuru Kenyatta earlier led a high-level team of government officials to JKIA.

The fire caused massive air traffic disruptions as the busiest airport in the region was shut down. More than 16,000 travellers were affected.

Planes were diverted to Mombasa and Eldoret in Kenya and Kilimanjaro and Dar-es-Salaam in Tanzania.

On Wednesday evening, authorities said 120 witnesses from KAA, immigration and others had been interviewed and recorded statements.

Plans were being made for international planes to Kenya to first land at Moi International Airport in Mombasa for clearance and then the passengers to fly to Nairobi on domestic flights.

The fire that started at dawn destroyed huge sections of the international arrivals terminal, including the area connecting to Units One and Two, as well as shops, banks, forex bureaux, travel agencies and airline offices.

Teams of forensic investigators, intelligence officers and explosive experts were at the scene to establish the cause of fire.

Passengers who were caught up in the early morning incident were hurriedly evacuated, and some watched helplessly as their luggage was destroyed in the blaze.

President Kenyatta was shown around the ruins and later issued a statement through his spokesman Manoah Esipisu.

"The cause of fire is being investigated and at this point there's no reason to speculate. There was no loss of life. There was serious disruption of aviation operations at this airport. Contingency measures have been put in place to stabilise the situation and return airport to normal operations," the President said.

Interior Cabinet Secretary Joseph ole Lenku said a team comprising police detectives and intelligence officers had been formed to carry out the investigations.

Kenya Power technicians were also called in to help in the investigations.

Directorate of Criminal Investigations boss Ndegwa Muhoro said forensic and explosive experts would be part of the investigations.

"We are not leaving anything to chance," he said.

The fire started at one of the Immigration booths, at around 4.30am, and spread through the baggage area, and the enclosed bridges connecting Units One and Two.

Five flights were diverted to other airports and two others were stopped from flying to JKIA before leaving their destinations.

Nine flights had landed before the airport was closed.

The airport serves six million passengers every year, translating to about 16,000 travellers passing through it daily.

The incident comes days after duty free shops in Units One and Two were demolished and traders evicted

(<http://www.nation.co.ke/News/Traders+evicted+as+duty+free+shops+repossessed/-/1056/1934674/-/exrim3/-/index.html>) after many years of legal tussles between the airport management and Kenya Duty Free Ltd owner, controversial businessman Kamlesh Pattni.

Offices belonging to Kenya Airports Police Unit, National Airport Services, Immigration and Customs department were destroyed.

After 3pm, the cargo terminal, which is almost a kilometre from the main airport building, was opened to serve domestic flights.

By last night, the international flights schedule remained suspended even after Unit 3 was cleared for use.

“The Kenya Civil Aviation Authority has granted clearance for use of Unit Three for departures and arrivals of international flights. We want to guarantee security and safety of all passengers and it’s our most important consideration at this time,” the President’s spokesman said in the statement.

Reported By Fred Mukinda, Dave Opiyo, Zadock Angira and Ben Nadler

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# DAILY NATION

9/8/2013

## Seven officers held over looting at JKIA

Seven police officers have been arrested for looting when fire broke out at the Jomo Kenyatta International Airport as the mystery surrounding four passengers awaiting deportation deepened on Friday.



PHOTO | NATION Fire engines at the Jomo Kenyatta International Airport on August 7, 2013.

### In Summary

- GSU men to be arraigned in court as police probe the disappearance of four illegal migrants on Wednesday

**ANGIRA ZADOCK [zangira@ke.nationmedia.com](mailto:zangira@ke.nationmedia.com) and BEN NADLER [bnadler@ke.nationmedia.com](mailto:bnadler@ke.nationmedia.com)**

Seven police officers have been arrested for looting when fire broke out at the Jomo Kenyatta International Airport as the mystery surrounding four passengers awaiting deportation deepened on Friday.

The seven instructors, including an inspector of police from the General Service Unit, may be arraigned in court on Monday over the looting on Wednesday morning.

The men were supervising the course officers who had been brought in to offer reinforcement but items allegedly stolen from the building that was under fire were found in their possession.

**Alcohol stolen**

They include cash and alcohol from some of the destroyed shops. The Inspector of Police, Mr David Kimaiyo, on Friday said he had not been properly briefed but warned that stern action would be taken against any officer found to have been involved.

This happened as police focused their investigations on four passengers who were awaiting deportation when the fire broke out but cannot be traced.

Of particular concern to the detectives was the whereabouts of an illegal immigrant who had been denied access into the country. The man, of Somali descent, was being held at the immigration's Prohibited Immigrants Room at the airport when the fire broke out.

Mr Joseph Mathinji Muriithi, the senior immigration officer in charge of the night shift, told detectives that when he was alerted of the fire, he went and ordered the transfer of the passenger to the JKIA police station.

In his statement, he did not indicate the passenger's name, only saying he was of Somali origin. Mr Muriithi also said that he never took the prisoner to the police station himself but asked a junior officer to do it.

However, when the detectives checked at the station, the man was not there and there were no police records indicating that he had been booked in custody.

Investigators yesterday collected some samples at the scene of the fire including burnt items. They are trying to establish the nature of a substance that was seen oozing from the ceiling board shortly before the fire broke out.

Mr Muriithi on Thursday told detectives that when he went to the area where the smoke was coming from, he saw a sticky white liquid oozing from the ceiling board of the immigration offices.

There was speculation that this substance could be related to the fire outbreak.

The staff of Kenya Airways are also to be interrogated after investigators established that there was another fire at their kitchen, which is a few metres from the immigration offices.

The footage retrieved from Kenya Airways headquarters showed three women in KQ uniform in the kitchen cooking food just before the fire broke out at the same kitchen.

President Kenyatta yesterday seemed to rule out a terrorist attack as the cause of the fire.

"We can now confirm that there was no element of a terror incident in this fire. There is no evidence of an explosion or an improvised explosive device. This was a simple fire gone bad," he said on Friday.

The President also warned that anyone found culpable, including for gross negligence, would be dealt with.

Although he ruled out terrorism, the President seemed to leave the door open to the possibility that the fire was caused by arson or sabotage.

The Head of State also said that they were going to fast-track the rebuilding of the airport and speed up the timetable for the newly constructed Unit 4 building.

Two US military fire experts are assisting local investigators, and the US is also providing immigration equipment to help restore regular international service.

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## Court lowers bail for Sh9m 'witchdoctor'

BY NATION REPORTER

The bail given to a man accused of conning a Nairobi woman of Sh9 million by pretending to be a witchdoctor who could multiply the cash by 10 times has been reduced.

The chief magistrate's court reduced Mr Amos Chipeta's bail from Sh3 million to Sh100,000 after he said that his family could not afford to pay the earlier amount.

The charges stem from a 2012 case in which Ms Catherine Njeri alleges that Mr Chipeta tricked her into handing over Sh9 million by promising that she would reap Sh200 million in return.

Ms Njeri testified last week that she hired Mr Chipeta in August 2012 as an astrologer to help ease the financial troubles that she was going through after the death of her husband.

She said Mr Chipeta claimed to be a witchdoctor and occasionally took her to Kariokor cemetery where voices told her to give the accused the cash.

The hearing starts in October.

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**NAIROBI****Two convicted of  
motorcyclist's murder**

Two men were yesterday found guilty of murdering a boda boda operator in Kasarani. Francis Wanjohi and Paul Kimani were convicted of murdering Peter Kariuki near Mirema Drive on the night of February 20, 2010. Kariuki's body was found in a maize plantation with a black rubber cord tied around his neck and barbed wire wrapped around his body. A pathologist told the court that he was strangled. The two will be sentenced in October.

arrested.

## NAIROBI

### Ivory case Chinese convict pleads for fine

A Chinese woman convicted of ivory smuggling yesterday requested the court to release her from jail and instead fine her. Biemei Chen was arrested at Jomo Kenyatta International Airport on August 14 with seven kilogrammes of ivory beads disguised as macadamia nuts and jailed for 31 months. The ivory was worth Sh1.2 million. Biemei said she could not cope with the food and language.

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## National News | 11

### BRIEFLY

#### NAIROBI

### Casino ex-staff fined for working illegally

Two former managers of Millionaires Casino in Westgate Mall, Nairobi, were yesterday found guilty of working without proper permits. Simon Kelsey of South Africa and Kalolyan Petrov of Brazil were arrested in an immigration raid on September 3. They were fined Sh500,000 and Sh250,000 or serve jail terms of 36 and 18 months, respectively.

**Engineer in bid to plant Kenyan flag on Mt Everest Peak** [Published in the *Daily Nation* - September 6]



A Nairobi man is set to walk into the record books this spring by becoming the first Kenyan to summit Mount Everest, the world's tallest peak at 8,848 meters above sea level.

Steve Obbayi, 39, said that he has dreamed about planting the Kenyan flag at the top of Everest for a long time.

Obbayi is an entrepreneur by trade but has been climbing big mountains since 1993. He has climbed many of Africa's largest peaks including Mount Kilimanjaro and Mount Kenya, but Everest will be his largest challenge yet.

"Climbing Everest is an extremely difficult challenge both mentally and physically. Just getting to the base of the mountain is a challenge, let alone climbing to the top," Obbayi said in an interview with the *Daily Nation*.

Obbayi, a former high-school rugby star, was raised in challenging circumstances in Nairobi and has overcome these hardships through determination and hard work.

He said he hopes to use this expedition to inspire other Kenyans to follow their dreams. "We have grown up in a society where these kinds of sports were only for Westerners—scuba diving, mountain climbing—those were not African ways of doing things," Obbayi said.

"I want to tell Africans that we can do anything we want. I want to inspire people to take up an epic challenge in their own life."

Obbayi is part of a two man team called Expedition Everest that aims to raise awareness about the lack of sanitation and toilet facilities in many parts of the world. Forty percent of the world's population, or roughly 2.5 billion people, do not have adequate access to sanitation and hygiene facilities, according to the Expedition Everest webpage.

Obbayi's climbing partner, Toby Storie-Pugh, 37, was raised in the UK but has spent considerable time living and working in Kenya. In 2008, Storie-Pugh founded Flying Kites, a children's home outside of Nairobi that provides education and opportunity to orphaned and destitute children. He took leave from Flying Kites in 2012 to form Expedition Everest.

Obbayi was picked to join Expedition Everest from a pool of over 200 people. The applicants went through an interview process, which included interviews with Sibusiso Vilane, a South African who became the first black African to climb Everest in 2003.

Then, five applicants were chosen for a test climb of Mount Kenya, where Obbayi stood out because of his fitness and self-determination.

A Kenyan woman was initially chosen for the climb, but had to drop out for personal reasons. She would have become the first African woman to make the ascent, had she completed the task.

Since being chosen, Obbayi has undergone extensive physical and technical training. He has forgone time in the gym and instead focused on jogging and walking as much as possible.

Obbayi and Storie-Pugh have also climbed Mount Kenya and Mount Kilimanjaro together as part of their training. They will soon be travelling to Nepal to climb Baruntse, which is over 7,000 meters tall.

Obbayi said that he is most proud to be representing Kenya in the climb. "I am honored to represent my country and have dreamed about this for a long time," he said. "I am really excited for the opportunity to make a positive mark on the world stage."

#### Everest Fast Facts

- Mount Everest is the highest mountain in the world with its peak reaching 8,848 meters above sea level
- The peak was named Mount Everest by England's Royal Geographic Society in 1865
- The border between Nepal and the Tibet region of China runs across the summit point of Everest
- A group of British Mountaineers made the first attempt to summit Everest in 1922 but failed
- Edmund Hillary and Tenzing Norgay became the first people to reach the summit in 1953
- Sibusiso Vilane, a South African motivational speaker, became the first black African to summit Everest in May 2003

He informed police.

## NAIROBI

### Woman gets death sentence for robbery

A woman convicted of robbery with violence was yesterday sentenced to death by the High Court. Jamila Kabuiya Abuti was found guilty of committing armed robbery in Lang'ata. She collapsed upon hearing the sentence. The court heard that Abuti and two others stormed Zahra Ugas' home on May 12, 2012 brandishing pistols. They threatened to kill her if she did not hand over her valuables.

## NAIROBI

Deputy VC ...

[Print this page](#)

# DAILY NATION

19 HOURS AGO

## Rescue, forensic officers accused of looting Westgate mall

Shoppers, kin and traders return to collect what was left of their belongings



A woman walks past the Westgate Mall on September 28, 2013 in Nairobi. Security officers involved in the rescue operation at the Westgate mall and those in the ongoing forensic investigations, are on the spot over alleged looting in some of the shops.

## Photo/AFP

### In Summary

- The shop owners alleged the forensic investigations were being conducted unprofessionally as it is standard procedure for investigators to record their activities through video and still pictures to preserve evidence, but in this particular case, such basic procedures were shelved./
- Mr Sachdeva was with a group of nurses and doctors, but was only allowed into the building with three other people.

Security officers involved in the rescue operation at the Westgate mall and those in the ongoing forensic investigations, are on the spot over alleged looting in some of the shops.

When shoppers and merchants returned to the mall over the weekend to sift through the rubble and retrieve what was left of their belongings abandoned during the attack, they found that most of their premises had been vandalised.

The shop owners alleged the forensic investigations were being conducted unprofessionally as it is standard procedure for investigators to record their activities through video and still pictures to preserve evidence, but in this particular case, such basic procedures were shelved.

“There were instructions that we should not record anything as officers moved from shop to shop searching for evidence,” said an officer in confidence, as he alluded to officers helping themselves to what’s on shop shelves, cash drawers and safes.

Other survivors were in shock after seeing what was left of their property.

Mr Manish Mashru, 43, went with family members to the mall to retrieve his car that was left parked on the rooftop. His 16-year-old daughter Neha was killed in the attack as she participated in a cooking competition on the roof of the mall. His wife, who had accompanied their daughter to the event was shot in the face but survived.

When he went to the Westgate mall yesterday to get the vehicle his wife and daughter drove on that fateful Saturday, he was escorted to the rooftop parking by police.

The back window of his car was totally shattered by bullets and there were bullet holes on doors with shopping bags left untouched in the back seat.

Dr Pushpa Sachdeva, whose dental clinic-The Smile Specialists, was on the fourth floor of the mall, went to the mall with dozens of empty boxes to retrieve whatever she could from her practice.

"We are just trying to salvage anything we can," she said.

Mr Sachdeva was with a group of nurses and doctors, but was only allowed into the building with three other people.

Alfred Ng'ang'a, a spokesperson for Nakumatt supermarket, said that it was unlikely that any personal items would be retrieved, as nearly everything in had been destroyed by fire.

"There is not much inside that we can salvage," he said.

"Everything had been destroyed in the attack." Nganga said that assessors were still inside trying to determine the total costs of the damage.

Despite the bleak outlook and the extensive destruction, many store owners and shoppers still returned to Westgate to pick up the pieces of their lives that were left behind.

Reported by Ben Nadler [bnadler@ke.nationmedia.com](mailto:bnadler@ke.nationmedia.com) and John Njagi [jnjagi@ke.nationmedia.com](mailto:jnjagi@ke.nationmedia.com)

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# DAILY NATION

21 HOURS AGO

## Westgate shop owners cite lack of access and frustration

A committee will be formed in order to facilitate quick resolution to the problems facing traders who had shops at Westgate mall

In Summary

- "We will form a committee made up of government and traders from the mall so together we can come up with a quick recovery plan," Ms Kandie.

**Ben Nadler [bnadler@ke.nationmedia.com](mailto:bnadler@ke.nationmedia.com)**

A committee will be formed in order to facilitate quick resolution to the problems facing traders who had shops at Westgate mall Cabinet Secretary for Commerce and Tourism Ms Phyllis Kandie, announced on Monday.

Ms Kandie said the committee will comprise government officials and traders although she did not say which ministries or departments would be included in the committee.

She spoke alongside several prominent businessmen at a press conference in front of the memorial outside Westgate mall.

"We will form a committee made up of government and traders from the mall so together we can come up with a quick recovery plan," she said.

The formation of the committee comes amid reports that most of the businesses at the shopping mall were looted during the rescue operation that followed a terrorist attack.

Over the past few days the store owners have streamed to Westgate to try to get a glimpse of what is left of their businesses. Many have expressed frustration with the lack of information and access given to them by the government and police.

Speaking on behalf of many Westgate business owners, Mr Muchiri Wahome, CEO of Deacons Kenya Limited, which operated four stores in Westgate including Mr Price Home and Woolworths, said that the shop owners still had many unanswered questions.

"We do not have adequate access to information," Mr Wahome said. He called on government officials to speed up progress and be more forthcoming with information about investigations.

While store owners are being allowed into the mall, they are only given limited access and are escorted by police officials. Some shop owners have complained that they are only being allowed to go in with a small number of people and can't adequately carry out what is left of their businesses.

Mr Zahid Amir Ali, owner of Aqua Pet Shop on the second floor of Westgate, came yesterday to try to survey the damage done to the shop. He said that the process of entering the mall was orderly, but that he had little information about the state of his business.

"We only know what we have seen in the pictures," he said.

Many store employees who left personal items behind were hoping to get in to try to locate them.

[Print this page](#)

# DAILY NATION

1 DAY AGO

## Hawkers cash in on terror attack video

Several pirated DVDs showing the terrorist attack at Westgate Mall hit the streets of Nairobi.



A pirated DVD showing the terrorist attack at Westgate Mall that was on sale on Ronald Ngala street in Nairobi on October 3, 2013. Officials from the Kenya Film Classification Board raided movie stalls as hawkers selling them were arrested. Photo/ANTHONY

## OMUYA NATION MEDIA GROUP

### In Summary

- Running for 97 minutes, the film, narrated in Swahili, is a crude compilation of footage from news broadcasts and still images taken from various news sources
- The video, which has little in the way of a plot or commentary, was manufactured by a group called Titanic Videos

## BEN NADLER

Several pirated DVDs showing the terrorist attack at Westgate Mall hit the streets of Nairobi on Tuesday and are flying off the shelves.

Hawkers around the Nairobi CBD are selling different movies depicting the attack and hundreds of copies were sold on the first day they became available.

Daily Nation reporters obtained and viewed a copy of one such video, called Terror Attack at Westgate.

## ALL WALKS OF LIFE

A hawker near the Central Bus Station, who asked not to be identified for fear of prosecution, said the video was selling like hot cake.

During a 15-minute interview with Nation reporters, he sold more than five copies of the DVD, which cost Sh100 each.

He said Kenyans from all walks of life were snapping up the videos.

Running for 97 minutes, the film, narrated in Swahili, is a crude compilation of footage from news broadcasts and still images taken from various international news sources and pirated newscasts from NTV, KTN and Citizen TV.

It also features dramatic footage and images of the siege and rescue operation, as well as several interviews with top government officials.

It also contains long speeches by President Kenyatta and former Prime Minister Raila Odinga.

The video, which has little in the way of a plot or commentary, was manufactured by a group called Titanic Videos and claims to be an "original movie," despite containing no original footage or analysis.

While the videos are likely to attract the ire of the police, many ordinary Kenyans also reacted with disgust at making a profit from the tragic events.

Ms Faith Osiemo, a Nairobi woman, said that she could not believe people were trying to make money from the attack. She said the film was "very, very offensive."

Ms Osiemo also questioned the authenticity and quality of the film. "They haven't investigated anything; they are just after our money," she said.

Other people expressed curiosity about the DVD, saying, they would buy a copy if they came across one.

**DAILY NATION**  
Friday October 4, 2013

## BRIEFLY

**NAIROBI**

### Two freed from death row following appeal

Two men were yesterday released from death row after an appeals court ruled there was insufficient evidence to merit the conviction. Mr David Mwaura Wachira and Mr Samuel Muthia Maina had been sentenced to death by a Limuru court for robbery with violence. The men had been accused of using a pistol to rob a boda boda operator of cash and his motorbike in 2008.

**NAIROBI**

## Chapter 5

### From Violence to Peace: The *Daily Nation* and the change in how ethnicity is reported from the 2007 to the 2013 presidential elections

Just before New Years Eve 2007, following one of the most contentious elections in the country's history, Kenya plunged into turmoil. A nation once considered one of the safest and most developed countries in Africa was gripped with unthinkable violence and came to the brink of tribal war. In just over 2 months, from when the election was held on December 27, 2007 to late February 2008, over 1,000 men, women, and children were killed, often in the most violent ways, and several hundreds of thousands more were displaced from their homes.

According to an article by Jeffery Gettleman that was published in the New York Times on December 31, 2007, "In several cities across Kenya, witnesses said, gangs went house to house, dragging out people of certain tribes and clubbing them to death." The country, Gettleman wrote, "has plunged into intense uncertainty, losing its sheen as an exemplary democracy and quickly descending into tribal bloodletting."

The root cause of the violence was the highly polarized 2007 presidential election between Mwai Kibaki and Raila Odinga, an election that split the country along ethnic lines. According to the 2013 CIA World Fact Sheet on Kenya, the country's population is made up of seven distinct ethnic groups including the Kikuyu, Luhya, Luo, Kalenjin, Kamba, Kisii, and Meru peoples, which are further divided into 42 tribes. When tensions

run high, whether because of natural disaster, the sharing of resources, or socio-political reasons, the country tends to fracture into tribal groups, as was exactly the case in this election. Dennis Galava, managing editor of the *Sunday Nation*, said in an interview in October 2013 that the country is “divided on ethnic lines mainly on politics and sharing of resources.”

Mr. Kibaki, a Kikuyu, and Mr. Odinga, a Luo, had run campaigns laced with ethnic undertones, according to members of the Kenyan media. “During campaign rallies, we had noticed ethnic polarization in the messages being sent out by politicians,” Eric Shimoli, senior news editor at the *Daily Nation*, said in an interview in October 2013. This caused ethnic polarization, splitting the country between Kibaki supporters and Odinga supporters. “The country was actually divided almost equally into two,” Shimoli said.

After election day, as the votes began to be tallied, it looked as though Odinga was going to win the election and defeat the incumbent Kibaki. Odinga was known as “the peoples candidate” and had very strong support from several ethnic groups as well as the nations poor, while Kibaki was a life-long politician and had strong support from the Kikuyu people, Kenya’s largest ethnic group in terms of population, as well as many in the business community.

“At first it appeared to be a close contest, then it appeared that Raila was winning,” Shimoli said. Within the first days of vote counting, it appeared as though Odinga was leading the vote tally by over a million votes, according to media accounts from the time of the election. But seemingly overnight, the election swung in favor of Kibaki, drawing cries of foul play from Odinga and his supporters, who exposed

irregularities in the vote and accused the Kibaki government of rigging the election, according to an article by Jeffery Gettleman of the New York Times. Kibaki was hastily sworn into office in a secretive ceremony as the country began to deteriorate in the background.

Susan Linee, an editorial consultant for Nation who was previously the East Africa bureau chief of the Associated Press, said during an interview in October 2013 that the violence began in Kisumu, Kenya's third largest city, which sits on the shores of Lake Victoria near Uganda. The Luo community there began to riot almost immediately after Kibaki's reelection was announced. "They were rioting because they felt that their candidate had been cheated out of the victory," Linee said. Violence soon spread across nearly all of Kenya, with some of the worst violence happening in the sprawling slums of Nairobi. Luos committed acts of violence against Kikuyus, Kikuyus committed acts of violence against Luos. Mobs formed going from house to house, burning property and beating and killing people. Other ethnic groups soon got into the mix, reopening old wounds and engaging in conflicts with people from neighboring tribes, according to media reports.

When the dust cleared, over 1,000 people had been killed and more than 500,000 others displaced, according to a report prepared by the United States Congressional Research Service. It was one of the darkest days in Kenya's history.

After the election violence ended and the nation started to heal, many onlookers began to look at several factors that may have perpetuated and exacerbated the violence. Some pointed to the media and how they handled reporting on ethnic tensions before and during the crisis as one of those factors.

According to a policy briefing centered on the media's role in the conflict conducted by the BBC and released in April 2008, local media had some role in fanning the flames of the conflict. However, the report was quick to point out that some media outlets, particularly regional radio stations, were far more culpable than other news outlets, mostly national media houses, that had tried to stop the bloodshed.

“On January 22, 2008, international reports began to appear, claiming that media, and particularly local language (commonly called vernacular) radio stations in Kenya, were responsible for fanning ethnic hatred and fuelling violence,” the BBC report read. It continued, “While the mainstream media has been praised for trying to calm the situation, people within and outside the media argue that it has failed to live up to professional and ethical standards and has contributed to the crisis.”

While some vernacular radio stations directly fueled ethnic hate, mainstream media outlets such as the *Daily Nation*, East Africa's largest newspaper, were also blamed for subtly and unknowingly contributing to the violence through their reporting of the campaign, the election, and the conflict, according to the BBC report.

When asked about the *Daily Nation*'s coverage during that time, a number of *Nation* staffers acknowledged that they had not fully understood the possible consequences of their reporting. “What was the case at that time, when we were reporting we were not always thinking of what might be the consequences of that reporting. We had not expected the violence, we just thought it would be the usual political contests where people make a choice and use words against their rivals,” Glava said.

Shimoli said of the *Daily Nation*'s coverage, "As media we had never covered ethnic conflict to that level. We had seen it happen in Uganda, Somalia, Sudan, Burundi, Rwanda, Congo, but we never actually thought that it would happen in our own backyard and that we would be confronted with it here. That is one of the problems we had, we were supposed to report on this thing but we didn't know how. We had reported on everyone else, other countries, but never on ourselves. We didn't know the boundaries, we didn't know what to do."

The *Daily Nation* had always had a policy stating that ethnicity should only be mentioned when it was essential to the story, but even with this policy in place, issues still arose. "We had our media policy, and even one that was specifically prepared for the Nation for the election, which we do for every election. Whenever we have an election the editors, the staff, and the managers come together and draw up guidelines on how to cover the election. But we did not factor in the elements of the ethnic warfare to come," Shimoli said.

The staff of the *Daily Nation* never directly advocated in one direction or another, but simply covered politicians during their campaigns gave a voice to ethnic divisiveness. "The media let everyone talk, but we had not expected that our talk could lead to a very divisive situation or cause violence of that scale. So it would just be our pointing or suggesting, one politician would chide a rival," Galava said.

In the midst of the violence, many leaders of the community, led by Nation Media and other major news outlets, organized a meeting and quickly put a plan of action into place. According to Shimoli, media house banded together and all agreed to run an editorial called "Save Our Beloved Kenya," which preached togetherness and unity. This

show of solidarity helped begin the process of ending the violence and signaled to politicians that the major media outlets were firmly against any ethnic divisions.

Fast forward to the 2013 presidential elections and a peaceful transition of power occurred. In these latest elections, which took place on March 4, 2013, Raila Odinga once again lost, this time to Uhuru Kenyatta, in an election that was much more civil and calm, according to Shimoli. Though there were some instances of remote violence, they were much more rare in occurrence and had mostly to do with regional elections, not the presidential race.

In the run up to the 2013 presidential elections, media outlets were better trained to deal with situations of ethnic polarization. “This time the media was a lot better trained. There was training by the media council, by USAID, by the British High Commission, by the media houses themselves. And this time we said if you incite people we are not going to suppress that news, we are going to reveal you,” Shimoli said.

Put differently, the country’s major media houses made it a specific policy to unite the country with their coverage. The *Daily Nation* even went so far as to publish an editorial saying what kind of discourse it expected from politicians.

The pendulum had swung so far in the other direction, in terms of media coverage, that Kenya’s major news organizations have even been criticized for pushing unity too much. “In this last election almost all media has been referred to derogatorily as ‘Peace Journalism,’ where people gave more emphasis to stories and campaigns of people that were promoting oneness among Kenyans and not dividing,” Galava said.

In the 2013 race, journalists took an active stance on ethnic inclusiveness, sending a signal that violence and division were not good for the country. “So this time I think that having suffered that, we were very cautious,” Shimoli said.

“Although I have heard it said that we have swung too far in the opposite direction and have been too cautious,” he said, “I don’t think so, but I work for a media outlet so I am here to be judged.”

## Appendix

Between the original proposal for this project and the finished work, there have been some changes brought about by circumstances born out during the execution of this work. The dates of my placement at the *Daily Nation* changed slightly because of the working schedule of my editors at Nation, as well as the ongoing costs associated with living and working in Kenya. In terms of the work that I did at Nation, I decided not to take on any work in media training, as I thought that working solely as a reporter was more beneficial for my future goals as a journalist. Lastly, the analysis component of my work has changed. Instead of a research-style journal article, I decided to do a magazine-style piece, again because I thought it would be more in line with my future plans as a journalist. The substance of my planned analysis changed, because my original topic was too vague, in my opinion, to write a quality article about. Instead of doing a hugely broad topic such as how culture affects press freedom in Kenya, I decided to narrow my topic to something that could be more thoughtfully explored in a magazine-length piece. I therefore landed on the topic of how the *Daily Nation*'s reporting of ethnicity changed between the 2007 and 2013 presidential elections.

Below is the original proposal for this project as approved by my faculty committee:

Ben Nadler

Proposal of Professional Project

May 2013



Professional Placement: Nation Media Group - Nairobi, Kenya

Dates of Placement: July 15, 2013 - November 15, 2013

Proposed Date of Defense: Thursday November 21, 2013

Faculty Committee

Dr. Sandy Davidson (Chair)

Randy Smith

Dr. Lee Wilkins

## 1. Introduction

For my professional project I will be traveling to Nairobi, Kenya, to work at Nation Media Group, one of the largest media organization in East Africa. Nation Media operates television networks, radio stations, and a number of print publications in Kenya, Uganda, Tanzania, and Rwanda, and is expanding into neighboring areas. Their flagship print publication, the *Daily Nation*, is one of the most influential newspapers in Kenya. While working at Nation Media, I will be reporting on international issues for the *Daily Nation* as well as assisting in media training. For the research component of my project, I plan to use qualitative methods, mainly in-depth interviews, to explore how culture relates to and informs laws governing press freedom in Kenya. I will be in Kenya from July 15, 2013, until November 15, 2013.

This project will be the culmination of my master's study in journalism, during which time I have had the opportunity to take a variety of courses that have all added to my greater understanding and knowledge of the field of journalism and directly prepared me for this position at Nation Media Group.

I have taken both introductory news reporting and advanced reporting classes during which I reported on crime and courts at the *Columbia Missourian*. While working at the *Missourian* I covered criminal and civil court proceedings as well as local government elections, the restructuring of the police department, and a number of other issues that had an impact on the local community. This experience has given me the skills necessary to contribute quality reporting during my time at Nation Media. These courses have also taught me the fundamental skills necessary to produce quality

journalism, which has helped to prepare me for the media training component of my placement.

I have also gained international experience during my graduate study that has given me the skills necessary to report and teach in an international environment. In January 2013, I had the opportunity to travel abroad to India for a course that looked at how businesses and media organizations are meeting the demands of the rapidly changing economic landscape. This course gave me a great deal of perspective on international business and how globalization impacts the worldwide flow of information. I have gained experience reporting on international issues while working at the *Global Journalist* and taking the corresponding global news course. While working on the *Global Journalist* I have gained experience in reporting on international political issues that I believe will serve me well during my time at Nation Media.

In addition to helping to prepare me for the professional component of my project, I think that my work at the *Global Journalist* will help with my research component. The *Global Journalist* is highly focused on press freedom issues, and this experience has made me familiar with the varying states of press systems around the world. It has given me the skills necessary to independently and objectively analyze aspects of press freedom laws.

I have had the opportunity to learn a great deal about media law during my graduate study by taking a communications law class and serving as a graduate teaching assistant for an undergraduate communications law class for two semesters. This opportunity gave me a depth of knowledge of U.S. First Amendment law that will provide a base literacy for research that explores how culture impacts press freedom laws

in Kenya. In addition to this law background, I took a course on qualitative research methods that will provide a platform of comprehension from which I can conduct qualitative research that adds to the greater depth and understanding of the issue.

This project, as the culmination of my master's study, will be a fitting capstone to this array of coursework and will greatly help to prepare me for what I hope to do in the future. After completing my project, and my degree, I hope to be an international correspondent for an American news organization and to live and work abroad in Asia, Africa, or the Middle East. I hope to cover international politics and world events from the ground level, and this project is the perfect first step toward that goal. Getting the opportunity to work in Kenya will provide the essential international experience necessary to both get hired as an international correspondent and to thrive in such a position.

## **2. Professional Component**

As previously noted, I will be working in two capacities for Nation Media while there from July 15, 2013, through November 15, 2013. My first task will be to assist in media training through their network of media labs. Due to the lack of specialized journalists in East Africa, Nation Media often hires professionals that have been trained and had careers in other sectors, then turns them into reporters. So, for instance, they often take businessmen and women and put them through a training program in one of their media labs to train them in the fundamentals of journalism and reporting. With the academic and practical experience that I outlined in my introduction, I believe that I can be an asset to these training programs by helping to teach the fundamentals of newspaper reporting while stressing the importance of accuracy and balance.

My other task while in Kenya will be to report on international and world issues for the *Daily Nation* newspaper. In this role I hope to cover both Kenya in the international news, such as President Kenyatta's upcoming International Criminal Court hearing in July, and news from around the world for a Kenyan audience. I believe that I can bring a unique perspective to the pages of the *Daily Nation* by giving an American viewpoint on international issues, which in Kenya are often U.S. and European focused. I would also like to cover crime and courts for the *Daily Nation*, if that opportunity presents itself.

I plan to work from 9 a.m. to 5 p.m. at Nation Media 5 days a week and to do my research and compile my project on nights and weekends. Working 40 hours a week for the 19 weeks that I will be there gives me 760 work hours, well over the 420 required for the professional project standards. The abundant physical evidence required for this project will come in the form of articles that I have written in the *Daily Nation* as well as reports and evaluations written about my performance, both in the media training role and the reporting role. My project will be supervised by Joseph Odindo, the Editorial Director of Nation Media Group, who will provide a written evaluation of my professional project.

I will post my field reports, weekly descriptions of the work I am doing and the progress that I am making, on a blog that will document my journey. The blog posts can be found at my blog "Ben in Africa" ([beninafrica2013.wordpress.com](http://beninafrica2013.wordpress.com)) and can be viewed by anyone with knowledge of the web address. These weekly field reports will explain specific stories and articles that I have been working on, in addition to describing

in detail the training work that I have done in the media lab, and other interesting aspects and duties of the position.

While I will be based in Nairobi, Kenya, during my stay in East Africa, I also hope to have the opportunity to travel to the Nation Media operations in neighboring countries such as Tanzania and Uganda. Many of these offices have media labs, and I would certainly look forward to the opportunity to assist for a period of time at any of the various locations.

### **3. Analysis Component**

The analysis component of my project will explore how the culture of a given society impacts the press laws that the nation has in place and, in turn, the level of press freedom that the society lives with. My research question will be: How does culture impact and shape the laws that govern a free press and media in Kenya? At the center of this question is an attempt to understand how restrictive media laws come about in any given society. The results of this research will ideally be applicable to the study of other countries and the interaction between their culture and press freedom.

This research will culminate in a professional analysis that thoroughly investigates the connection between a society's culture and its laws that govern and restrict press freedoms. I believe that this research will be useful to any journalist or scholar who wants to look at the press freedom situation of any particular country. This research can help identify some of the root cultural causes that give rise to laws restricting press freedom. With this research, it may be easier to understand why a nation has the laws that it has and how a cultural shift can help bring about a legal change. This research could also be helpful to anyone comparatively looking at the press freedoms of

different nations and will serve as contextual background for explaining why one nation might have a relatively free press system while another nation has an entirely different and more repressive press system. Ideally this research will give greater context to any further research that will improve press freedom around the world by helping to identify the root causes of restrictive laws.

### **3a. Theoretical Framework**

The theory that I will use to support my research will be social semiotics. When first discussed, semiotics was described as “a science which studies the life of signs within society” (Saussure, p. 16). Semiotics is considered to be the study of the construction and interpretation of meaning between two or more people. In other words, semiotics is the study of how signs and symbols create meaning between two or more human beings, thus forming the basis of communication. One example of this would be to look at a simple gesture such as a head nod. In many cultures, nodding your head up and down is generally recognized as a symbol for “yes” or agreement. This is an example of an otherwise banal movement of the head that has very specific and significant meaning when placed in the right context between two or more people.

Social semiotics, a modern divergence of semiotic theory, examines the creation of meaning specific to a particular cultural group or community and how that creation of meaning forms the basis of social systems and organizations (Hodge & Kress, p. 2). In other words, signs and symbols, that are often culturally specific, form the basis for many of the systems and institutions that in turn form society. “Forms of (communication) correspond to particular forms of social organization and are necessary to their very existence” (Hodge & Kress, p. 2-3). One form of social organization being referred to by

Hodge and Kress is the legal framework of a country, which relies on signs, symbols, and meaning in order to operate. Social semiotics will help to explore how shared meaning and culture shape laws surrounding press freedom in Kenya.

According to Annelise Riles, a professor of law and anthropology at Cornell University, “You can’t understand the meaning of a legal contract without understanding the culture” (Myers, p. 11). Culture is the framework upon which all social systems, including legal systems, are built. Riles noted, “You can learn a lot about law by studying history, literature, anthropology, film, and other humanities subjects that examine how people live” (Myers, p. 11). This suggests that studying the culture of a society might provide great insight into the underlying causes of laws that govern press freedoms in a given society.

For my research I will use social semiotics theory to examine how signs and symbols that are culturally significant within society have come to change and mold press laws in Kenya. Social semiotics will be used to help identify key cultural aspects that have significance within the given society and, just as importantly, will help me understand the meaning transferred from those culturally significant signs or symbols. I believe that social semiotics will give me the platform needed to thoroughly study the underlying cultural tendencies of Kenyan society and how they have helped shape the press laws there.

One recent example of researchers using social semiotics to explore the relationship between culture and a social institution is a study that explores the social semiotics of funerary rights in Iran. Salmani Nodoushan applies social semiotics to explore how meaning is created surrounding death and burial of a loved one, especially

regarding the cultural importance of religion and the afterlife (Nodoushan, 2013). This study explores how signs and symbols create meaning and structure surrounding funerary proceedings in Iran. This is an example of research that takes the study of social semiotics and applies it in order to study the real-world social impact that these signs and symbols can have. I plan to look at a similar connection when studying how signs and symbols can impact laws that are made surrounding press freedoms within Kenyan society.

Through the theoretical framework of social semiotics, I believe that I can thoroughly explore how culture impacts press freedom laws in Kenya.

### **3b. Literature Review**

Kenya is a nation in East Africa that borders Somalia, Ethiopia, the newly recognized South Sudan, Uganda, Tanzania, and the India Ocean. The overall population of Kenya is just over 44 million people, with around 22% of Kenyans living in urban cities, or about 10 million people, while the rest live in largely rural areas (“CIA Fact Sheet,” 2013). The largest city in Kenya is the capital of Nairobi, which is home to approximately 3.3 million people.

Kenya has an unemployment rate of approximately 40%, and about half of all Kenyans live below the poverty line (“CIA Fact Sheet,” 2013). The Kenyan workforce is primarily based on farming, with 75% of working Kenyans engaged in agricultural labor. The remaining 25% of the workforces works in industry or service, with Kenya boasting a large tourism sector (“CIA Fact Sheet,” 2013).

The predominant religion in Kenya is Christianity, with over 80% of Kenyans following some denomination of Christianity (“CIA Fact Sheet,” 2013). There is also a

considerable Muslim population in Kenya, the influence of its Islamic neighbors to the North.

Kenya is a democratic republic, and its legal system is a combination of English common law, Islamic law, and law derived from local custom (“CIA Fact Sheet,” 2013).

Until the Nineteenth Century, the people of Kenya went largely undisturbed by European influence, unlike many of the tribes of West Africa that were in frequent contact with European merchants, missionaries, and slave traders (Tignor, p. 3). Thus there was a culture clash when the British began to install colonial rule in Kenya between 1890 and 1900. The British installed systems of money, government, education, media and other formal institutions that Kenyan tribesman were totally unfamiliar with (Tignor, 4). However, when British rule came to an end in 1963, many of these institutions had become essential to Kenya and have since been maintained.

After Kenya’s independence from Britain in 1963, ownership of Kenya’s news media split into two distinct categories. The first category, owned and operated by the Kenyan government and run through the Ministry of Information and Broadcasting, was essentially a communication tool of the government used to educate and entertain, as well as to promote the message of the ruling party (Omolo Ochilo, p. 24). This ownership included major broadcasting networks, radio stations, and print publications. The second type of media ownership in Kenya included privately owned companies that operated with fairly high levels of autonomy, including Nation Media Group and its competitor Standard Media (Omolo Ochilo, p. 24).

In 1992, the Kenyan government relaxed its grip on the media, and since then Kenyan media has grown to become one of the most vibrant and respected media systems

in Africa (“Elections and Aftermath,” p. 3). The media have played a critical role in promoting democratic reforms, contributed to stabilization, and have helped to transform Kenyan society. Private media organizations in Kenya have been at the forefront of pushing for democratic reforms, oftentimes against government protest. They have become an outlet for the investigation of corruption and have helped to bring about political change. “The media have been in the forefront, especially the print media, in sensitizing the Kenyan population on the virtues of a democratic system” (Omolo Ochilo, 25).

In 2010, Kenya adopted a new constitution, which instituted electoral and institutional reforms. This constitution also made reforms aimed at bolstering free press in Kenya. “Articles 33 and 34 of the 2010 constitution have been widely praised for expanding freedoms of expression and the press, and specifically prohibiting the state from interfering with the editorial independence of individual journalists as well as both state-owned and private media outlets” (“Freedom House,” 2012).

One of the largest threats to media outlets in Kenya today is defamation law, under which large judgments have been issued against media companies. Individual journalists can also face harsh legal action because defamation suits can be brought in either civil or criminal courts, and in both cases the burden of proof rests with the defendant (“Freedom House,” 2012). Civil judgments can result in large fines, and in one recent high-profile case, the Kenyan Television Network (KTN) was ordered to pay 7 million Kenyan schillings to now-president Uhuru Kenyatta for remarks made by opposition leader Raila Odinga during a live interview (“Freedom House,” 2012).

Kenyan journalists also face threats of violence from non-state groups who have raided offices of investigative newspapers and threatened the lives of journalists and editors (“Freedom House,” 2012). While such incidents are infrequent throughout the whole of Kenya, they are more prevalent in regions that border Somalia where Islamic militants are able to stage attacks from across the border (“Freedom House,” 2012).

One major issue facing the Kenyan press has been a tendency to trumpet political ideology. “Media in Africa and Kenya for example, are increasingly used by governments as channels for the propagation of countries ideological stand on particular matters as well as being used as channels to disseminate the ruling party matters” (Omolo Ochilo, 25).

Like in many parts of Africa, and indeed the world, tribal and ethnic loyalties are constantly a factor in Kenyan society, affecting everything from politics to media. The Kenyan population is ethnically diverse, which has in the past contributed to ethnic violence and strife. “In Kenya there is a constant murmur about ethnicity” (Frederiksen, p. 1074).

Kenya has seven distinct ethnic groups, including Kikuyu, Luhya, Luo, Kalenjin, Kamba, Kisii, and Meru peoples, as well as a small minority of European, Asian, and Arab immigrants within its borders (“CIA Fact Sheet,” 2013). When tensions run high because of turmoil (whether from natural disasters or sociopolitical disorder), tribal loyalty can become the default reaction, causing rifts within society (“Tribal Rift and Risk,” 2013). Tribal relations heavily effect elections and government rule, with various tribes negotiating and maneuvering to attain or maintain power and influence. “Kenyan Politics cannot be understood without understanding Kenyan ethnicity” (Hornsby, p.1).

The native population of Kenya consists of 42 tribes that all have their own distinct cultures and values (Oucho, p. 38). These 42 tribes were lumped into larger ethnic categories by the British colonial administration in an attempt to organize and categorize the native peoples (Oucho, p. 38). Over years and generations, these tribes have become politically aligned, and ethnic tensions over power and resources are consistently at the forefront of Kenyan politics. Because of this, ethnic violence in Kenya usually accompanies elections, when contention between tribes and political parties is at a highpoint. “The problem of ethnically focused political violence in Kenya has come to world attention in 1969, 1991-3, and 2007-8; each time worse than the last” (Hornsby, p. 2).

The Kenyan Press is seen as a vibrant example of what press systems could be like in Africa (Wrong, 2013). However, during the 2007 elections, spurred by a combination of tribalism and nationalism, the media system contributed to violence that gripped the nation and left more than a thousand people dead. Kenyan broadcasters and radio stations spread messages that agitated ethnic strife. “Hate speech spread by vernacular radio stations and via SMS egged on the men with machetes” (Wrong, 2013). Spurred on by irresponsible media organizations, ethnic militias formed and began a reign of terror and intimidation on other ethnic communities with which they were politically opposed (Frederiksen, p. 1066).

Local, or vernacular radio stations as they are called, have been accused of spreading ethnic hate and violence by fanning the flames of division that came after the election results were disputed in 2007. Though most of the messages were implicit rather

than explicit, radio stations broadcast messages of ethnic hate and fear over the airwaves, contributing to six weeks of violence (“Elections and Aftermath,” p. 4).

Many of the radio hosts in Kenya are not trained journalists, but entertainment personalities with little to no training in reporting on political unrest or in mitigating violence (“Elections and Aftermath,” p. 4). Many vernacular radio stations were simply turned into political tools that reverted to ethnic loyalties and inflamed tensions. These issues have raised questions as to how media can cure itself of such problems without facing government censorship.

The recent presidential elections in Kenya, held in March 2013 in which Uhuru Kenyatta was elected, proved to be underscored by tribalism, while being relatively peaceful when compared to the elections of 2007. “Politicians are still campaigning largely on the basis of ethnicity and not on issues, including that of class, a particularly important matter when most politicians are rich and most voters poor” (“Tribal Rift and Risk,” 2013), read an editorial in the *Guardian* from just before the election. It continued, “Deflecting class tension by appealing to ethnic constituencies is the most fundamental of the country’s problems” (“Tribal Rift and Risk,” 2013).

Tribal ties and identities have great influence on the culture of Kenya and will be a necessary component of any research that seeks to understand the effect of Kenyan culture on the press freedom laws there.

Many media companies have tried to learn from the lessons of the past elections and have put policies in place to try to avoid contributing to ethnic violence. With the 2007 election in mind, “media executives reached a gentlemen’s agreement to avoid anything that might whip up ethnic tensions ahead of this year’s election” and decided

“there would be no live coverage of announcements or press conferences by political parties” (Wrong, 2013).

Since the election of Kenyatta, the president has pledged to aid in the maintenance of a free Kenyan press. Kenyatta has vowed to protect media and has put his support behind bills that aim to protect Kenyan media organizations (Mayabi, 2013). However, some members of the Kenyan media still believe that there needs to be further separation between government and media, with much of the media infrastructure, such as broadcast signal providers, for example, still controlled by the central government (Mayabi, 2013).

### **3c. Methodology**

To answer the central research question that I have proposed (How does culture affect and shape the laws that govern free press and media in Kenya?), I will do in-depth, qualitative interviews with reporters and editors in Kenya, from Nation Media and possibly other media outlets. “The interview as a method in media and cultural research enables us to find out about people’s ideas, opinions, and attitudes” (Stokes, p. 114). Contacts from my position as a reporter at the *Daily Nation* will ideally lead to knowledgeable and willing research participants. I will ask these participants questions that first establish the laws that restrict press freedom and how they affect working journalists. I will then ask questions that seek to establish the cultural mores of their society and how they affect (if at all) the laws governing press and media. These interviews will comprise the bulk of my research and will ideally provide the necessary material needed to competently show a link between culture and laws governing press freedom, as well as exploring that link through examples and specific instances.

I will also use textual analysis to examine and analyze Kenya's constitution, statutes, and case law, as they pertain to the relationship between culture and press freedom in Kenya. Textual analysis is defined as "a method of analyzing the contents of documents that uses qualitative procedures for assessing the significance of particular ideas or meanings in the document" (Scott, 2013).

I will gain access to these primary sources of law (the constitution, statutes, and case law) through my research affiliation with Strathmore University in Kenya. In order to obtain a research permit from the Kenyan government for this research, I must first seek affiliation from a local university in Kenya. I have contact Strathmore University in Nairobi, and I am currently in the process of getting the proper affiliation status there. Research affiliation at Strathmore will give me access to the university library system, which includes a law library and large online database. This will allow me to access and analyze all of the primary sources of law necessary to explore the connection between culture and laws that restrict or promote a free press system in Kenya.

For the first month of my professional placement, I hope to get settled in my position and begin to get introduced to my colleagues and to Nairobi. A reporting position at the *Daily Nation* will provide me with an excellent entry point for my research, as I will be able to quickly learn about the general press system and specifically the laws that control and govern the media. This will enable me to develop a base knowledge of the press system that I am researching in a relatively short amount of time and will also give me good one-on-one access to possible interview participants. After about a month of getting to know people and the culture, as well as learning first hand about the press system, I plan to begin conducting formal interviews with participants.

According to Stokes, “interviews are the primary means by which we use people as sources of evidence in our research” (Stokes, p. 114). These formal interviews will make up the bulk of my research and will develop understanding of the links between the culture of Kenya and its system of press freedoms.

I hope to gain access to between six and eight good participants who are knowledgeable reporters, editors, or media scholars in Kenya. I hope to find these participants through my relationships at Nation Media and by using their contacts to find helpful and informative individuals outside of that organization. I will be looking for men and women who have had careers in the media industry, with the aim of having people from a diverse group of backgrounds within the media world.

I would like to interview, for instance, people from the following groups: newspaper editors or reporter, magazine editors or reporters, new media (digital) editors or reporters, radio journalists, media entrepreneurs, broadcast journalists, and media scholars, as well as non-media participants that could add something to the conversation, such as government officials, history scholars, lawmakers, culture scholars and experts, lawyers, et cetera. This tactic is known as “purposive sampling,” which is defined as “randomly selecting units without replacement from the particular section of the population believed to yield samples that will give the best estimate of the population parameter of interest” (Gaurte & Barrios, p. 278).

I will be seeking a varied group of individuals as participants in terms of age and ethnic background with the common unifying feature that they all have distinguished careers in their fields and that they all are knowledgeable about the history and/or culture

of Kenya. All participants will probably also have to speak English, mainly because of my lack of knowledge of any other languages.

Once possible participants are identified, I will approach them and ask if they will take part in my research. Participants will be found and brought into the project on a rolling basis, meaning that it is not necessary to have all of the participants ready before interviewing begins on the first participant. In-depth interviews will then be conducted in a one-on-one setting and will last between one and two hours. This will allow for a more conversational tone to the interview in which I can ask short but pointed questions, and the participant is allowed to speak and fully explore the question without being interrupted (Anderson & Jack, 1998).

This type of interview will hopefully produce long and rich narrative answers to the research question that adds context and deepens the conversation about press freedoms and culture (Anderson & Jack, 1998). Interviews will be recorded with audio equipment and later transcribed for ease of note gathering. I will also take minimal handwritten notes during the interviews in order to gather interesting body language or facial reactions that add to the expressive nature of the information being conveyed by the participants. Each interview will be discussed separately in my final research and then analyzed in the context of the other interviews to form a portrait of how culture affects press freedom in Kenya.

After conducting six to eight quality interviews, I will use member validation to further strengthen and triangulate the results of my research. According to Seale, “Member validation can be understood as the research community seeking communication with (and perhaps reassurances from) members of the wider community

with whom (or on whom) research is done” (Seale, p. 64). As previously mentioned, Joseph Odindo, the editorial director of Nation Media Group, will be my supervisor for this project. Because of the close proximity in which Mr. Odindo and I will work, I do not think it would be beneficial to use him as an interview subject. Instead, I will use Mr. Odindo, if possible, for member feedback validation.

I will present my research with analysis and findings to him, once completed, and then ask him a short series of questions as to whether, for example, any assumptions about the culture were incorrectly made. This will provide a final layer of strength to my research and methodology by adding a necessary mirror on the research from someone within the culture who might be able to point out flaws in the research that I might have missed (Seale, p. 62-64).

With these components, I believe that I can portray a balanced and thorough picture of how culture impacts press freedom laws in Kenya and comprehensively explore that link in order to develop further understanding of the root causes of laws that restrict or promote a free press and media.

Possible places of publication for this research could include a number of online press freedom organizations such as the Committee to Protect Journalists ([cpj.org](http://cpj.org)), Freedom House ([freedomhouse.org](http://freedomhouse.org)), and Reporters Without Borders ([rsf.org](http://rsf.org)), while an excerpt could be aimed for publication at a magazine such as National Geographic that might be interested in the affect of culture on press freedom laws in Kenya.

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