MEDIA PRACTIONERS' ADHERENCE TO THE JOURNALISTIC CODE OF CONDUCT IN UASIN GISHU COUNTY-ELDORET (KENYA)

BY

MAKOKHA MILLICENT

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DEDICATION

This work is dedicated to my children; Hope Ashley, Samantha Gabby, Sir Henry Myles and Novena Nelima my niece.

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ABSTRACT

The media in Kenya was partly to blame for the post-election violence of 2007/2008. Since then, there has been renewed efforts and concern to monitor how the media operates. Despite, the existence of the journalistic code of conduct as a basis for all media activities there have been surging complaints on media. The aim of this study was to establish media practitioners' adherence to the journalistic code of conduct in Uasin Gishu County, Kenya. The study was guided by three objectives; to establish the extent to which journalists perceive the journalistic code of conduct in Uasin Gishu County; determine the extent to which journalists abide by the journalistic code of conduct in Uasin Gishu County; establish the level of editorial independence by journalist in Uasin Gishu County. The study was guided by Hutchins' Social Responsibility theory of the press which emphasizes the need for an independent press that scrutinizes other social institutions and provides objective and accurate news reports. Being a mixed method study, it used explanatory sequential design to administer field logistics. This design facilitated collection of quantitative data which informed the qualitative phase. The study had a target population of 26 media houses in Uasin Gishu County from which 10 media houses were purposively sampled. Questionnaires were used to interrogate general perception of reporters while interview schedules were used get detailed information from the editors. Quantitative data collected was analyzed by the help of SPSS version.21 (Descriptive analysis) and presented in form of descriptive tables. Qualitative data collected was presented inform of narratives and themes. The findings of the study reveal that journalists understand the journalistic code of conduct however; profit rather than the journalistic code of conduct determines the stories to be published. The study therefore concludes that there is no uniformity in the implementation of journalistic code of conduct among the various media houses in Uasin Gishu County. The researcher recommends for the need for MCK to initiate ways to delink media owners from management of media houses, MCK to regulate the relationship between advertisers and the media houses, MCK regulate relationship between the county governments and the media and the need for periodical review of salaries for journalists.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

DEFINITION OF OPERATIONAL TERMS

Journalistic code of conduct: Refers to a set of principles that guide the media practitioners in making decision as regards the news stories to be published. They are enshrined in   Kenya, Media Act, 2007.

Journalist: Is a person who is professionally trained on media matters and has the capacity of reporting and editing media content, it includes reporters and editors.

Media practitioners: These are people who work in the media and not necessarily trained as journalist: talents, journalists, editors and media owners

Reporter: Is a journalist responsible for gathering information and presenting it in a written or spoken form as news stories, feature articles or documentaries.

Editor: Is a journalist with special responsibility for making the final decision about what is included in the newspaper, magazine or news bulletin. He/She is a gatekeeper.

Media Council of Kenya (MCK): Is an independent body with the responsibility of promoting media standards in the country.

Editorial Independence: Is freedom from governmental, political or economic control or from control of materials and infrastructure essential for the production or dissemination of newspapers, magazines or periodicals.

LIST OF ABBREVIATIONS

UNESCO	United Nations Educational, Scientific and Cultural Organization
MCK	Media Council of Kenya
EAJA	Eastern Africa Journalist Association
KRA	Kenya revenue authority
ODM	Orange Democratic Party
PNU	Party of National Unity
KFCB	Kenya Film Classification Board
NMG	Nation Media Group
EACC	Ethics and Anti-Corruption Commission
NCIC	National Cohesion and Integration Commission

CHAPTER ONE

1.0 Introduction

This chapter focuses on the conventional trends in the adherence of the journalistic code of conduct; it considers the various arguments that have been advanced in favour of adherence to the code of conduct in the practice of journalism. It centers on the background of the study, statement of the problem, research objectives, research questions, the aim of the study, scope of the study, limitations, justification, significance of the study and theoretical framework.

1.1 Background to the Study

The Media Council of Kenya (MCK) is a leading institution in the regulation of media, conduct and discipline of journalists in Kenya. It works to promote ethical standards among journalists. The MCK introduced the Journalistic Code of Conduct for the practice of journalism in Kenya through the Media Act 2007 and Second Schedule of the Media Act 2013. The code is meant to "govern the conduct and practice of all media practitioners in the country" (Code of Conduct 4).

Ongalo (2014), notes that there was need for MCK to get a code of conduct to regulate the practice of journalism in Kenya. Despite the existence of the journalistic code of conduct, complaints against media reports/publications over inaccurate and biased reporting still exist. In the recent past the MCK registered numerous complaints against the media over professional standards enumerated in the journalistic code of conduct. According to the MCK website in July 2017, there were 7 complaints filed in 2014, 18

complaints filed in 2015 and 8 complaints filed in 2016 (MCK website July 2017). The MCK website further indicated there were 18 complaints filed in 2015, 16 complaints in 2016, 16 complaints in 2017 and 9 complaints in 2018 (MCK website February 2020). These complaints were mostly on inaccurate, unfair and biased reporting. Nguri and Mumbi (2009) allude that the issue of media ethics was ignited in the East African society principally because of Kenya's post-election violence in 2007/2008. They further note that it sent the world recalling the Rwandan genocide of 1994. Since then the concern has been almost universal that the media played a prominent role in pushing the country into the path of implosion and near self-destruction.

Ogenga (2008) observed that, "one reason for the contested presidential election was that the media carried extensive coverage of the voting process and released unofficial results in which Kenyans believed" (p.128). He further noted "the problems arose when the official results did not match what the media had predicted" (p.129). This is strengthened by the fact that the editors complained of poor reporting skills among many journalists. As such "independence of Kenyan journalists was seriously in doubt arising from their role in the 2005 Kenyan constitution referendum and the 2007 post-election violence. Oriare et al (2010).

In 2018, the Media observer, a publication of the MCK reported complaints against journalists on unethical coverage. Oriare et al (2010) affirms that "the media came under scathing attack and criticism over its perceived negative role in the 2007/2008 post-election violence" (p.57). Following what happened, Oriare et al (2010) states that Kenyans yearned for a professionally run media that will enhance respect and adhere to

professional principles and keep to global standards of journalistic practice. He further says that Kenyans want a media which respects the journalistic code of conduct with its 25 tenets.

Oriare et al (2010, p.27) notes that the Media Council of Kenya (MCK) has published and distributed hundreds of copies of the code to newsrooms but few journalists know about or use it. The low utility of the code of conduct suggests professional negligence on the part of trained journalists. Although media organizations have adopted the code of conduct for journalists, they have not been keen to promote its use among their employees. It further points out that corruption among journalists and editors is rampant in Kenya. This is supported with the numerous numbers of complaint cases found on the website of MCK.

Media Observer (2018:6) posits that "you don't need rocket science to tell that brown envelope never left our media circles" the publication claims that the vice was devolved to counties. This is contrary to tenet 10 of the journalistic code of conduct which states that, "A person subject to this Act shall not receive any money as an incentive to publish any information" (p.14).

Nguri et al (2009:51) noted that "balancing between running a media as both a business and a profession is a problem." They further explained that as a profession, the essence of media or journalism is to provide accurate, balanced and objective information to the public without fear or favour. As a business the media pursuit is clear-cut: to make and

maximize profits for its owners. The challenge is then very apparent: balancing between providing news without fear or favour and returning a profit for shareholders.

Sikka (2010) observed that, the degree to which the ownership of the media is concentrated in the hands of few-mega corporations are astonishing. But what is most shocking is the lack of outcry from the journalistic community. It seems to trouble almost no one in these circles that they are writing and reporting on behalf of a relative handful of corporate conglomerates whose clear interest lies in suppressing the material detrimental to their drive for profit both at home and abroad. The overwhelming majority of journalists see no conflict of interest in these circumstances, because they share the same general dedication to the status quo as the directors of corporations who employ them.

The profession of journalism (Nguri, et al 2009), observes that it stands on what can be termed the seven pillars of professional ethics: truthfulness, accuracy, objectivity, impartiality, fairness, public accountability and limitation of harm. Business on the other hand, does not necessarily operate under such strict code of ethics save for what workers in the line of making more and more money. Many journalists have found out the hard way that making a profit is not necessarily synonymous with such virtues as truth, objectivity or public's right to know.

Mfumbusa (2008) notes that since the advent of the print media in the 18th C, the vision of ethical journalism has been informed by an ideology of objectivity as well as norms such as independence and truth. He further notes that in liberal democratic framework, the role of the media has been traditionally conceived in terms of serving the public

interest. However, the reality is much more complex. Media professionals in Africa operate in a context marked by "the politics and culture of the large society that are essentially dishonest and corrupt."

Duplat (2003) argues that corruption is endangering the media world. He contends that it is common knowledge that some editors sell the editorial lines to politicians in exchange of favours. He further says that all professionals know of colleagues who accept money to cover press conferences or work as press officers for ministries. These behaviours discredit the profession and have a negative financial return since the public turn away from this kind of press.

A case of James Richard Wanjagi obituary advert by the "*Daily Nation*" on 7th Feb, 2018 partly illustrates the argument. In this case the obituary was meant to draw public attention to the fact that a prominent business man Jimi Richard Wanjigi was dead which was not true. This confirms the fact that most journalists can give in for anything to sacrifice the profession of journalism, it means that corruption still finds its way in the media.

The corruption complained about by Duplat (2003) is in concurrence with Mfumbusa (2008), who agrees that corruption has submerged the African media systems, assuming an air of weird respectability justified on the grounds of economic hardship. Mfumbusa noted that corruption in the media uses coded language such as "brown envelop" in Kenya, "Mshiko" in Tanzania and "Gombo" in Cameroon metaphor for kickbacks, tips, and freebees that are now part of the journalistic parlance. He further observes that the African media reality chronicled in numerous articles over last two decades show a gap

between journalists' lip allegiance to values of objectivity and the practice characterized by conflict of interest.

McQuail (2010) says that the perceived failing of the press, especially its commercialism and its lack of political independence, led to the development of professionalism in journalism. This, he notes took various forms, including organization into associations, the formation of the press council and the drawing up of principles of good practice in the form of codes of practice and ethics. On the other hand, the press councils are non-governmental bodies that are supposed to mediate between the public and the mass media. Their main function is to adjudicate on complaints from any party affected by the media. McQuail (2010) notes that this function requires some standards or principles to which reference can be made. Thus, media councils are instruments of self-regulation for the press that acknowledges a responsibility to the public. A journalistic code of ethics/conduct refers to a set of principles of professional conduct that are adopted and controlled by journalists themselves.

Kasoma, (2000) and Nyamnjoh, (1999), writes that African media scholars grapple with dwindling media credibility resulting from internal problems such as lack of professionalism, improper client patron relationship, disseminating unverified news or partisan news, incitement to revolt against public authority and libel. These problems appear to have suffused most of the sub Saharan African media systems. An example is based on ICC report (2013 p.12);

"Sang instructed listeners to burn properties in Eldoret belonging to non-Kalenjin by saying, "let's not destroy our own". Sang also broadcast in January 2008 that violence had started in Kisumu and that Kalenjin men should go there and join in."

In this case Joshua Sang was a program host on KASS FM a popular vernacular station with huge listenership in Rift valley especially Uasin Gishu County. Most of such cases are witnessed during political campaigns for instance during the 2002, 2007, 2013 and 2017 general elections in Kenya.

1.1.1 Background of media houses in Uasin Gishu County

Uasin Gishu County is among the 47 counties in Kenya, found in the former Rift Valley Province. Eldoret town has the largest population and also serves as its Centre of administration. Uasin Gishu County borders, Elgeyo-Marakwet and Baringo counties to the east, Kakamega county to the west. Trans-Nzoia County to the north, Kericho county to the south and Nandi County to the south-west.

Owing to its ever-growing economic base it has attracted various business investments in sectors such as education, transport, hospitality and travel, health care services and Media. The County has a total of 26 media houses both electronic and print media. These are: The standard group operating Radio Maisha, KTN news, KTN home television and Standard newspaper, Nation media Group operating NTV, Daily Nation newspaper and The East African standard. SAYARE media owning both a radio and television, KBC television and radio, Upendo FM, Education Publisher, KASS media having radio, television, and newspaper. Radio Africa group owning the Star newspaper and radio,

Royal media having Citizen television and radio Citizen plus other numerous radio stations and finally Milele FM.

1.2 Statement of the Problem

The Kenyan society remains skeptical on media trust and as to whether journalists are objective in their reporting despite the establishment of the Media Council of Kenya (MCK) to regulate journalism practice through the 2007/2013 media Act. Society at large perceives the media as biased and playing a partisan role in its reporting and writing of news. This is evidenced by the numerous complaints posted on the MCK website that are about unfair, inaccurate and biased reporting by journalists on various matters. These complaints indicate failure on the part of the journalists to observe the code of conduct. These complaints provoke certain fundamental questions as; how do journalists embrace their professional code of conduct? How do journalists and editors reconcile their personal interests versus media ownership and in-house demands in regard to reporting? And how does MCK avail the professional code of conduct to the practicing journalists?

Mfumbusa (2008) argues that Media professionals in Africa operate in a context marked by politics and culture of the large society that are essentially dishonest and corrupt to uphold truth. Duplat (2003) adds that corruption is endangering the media world. He affirms that it is common knowledge that some editors sell the editorial lines to politicians in exchange of favours. He further says that all professionals know of colleagues who accept money to cover press conferences or work as press officers for ministries. These behaviours discredit the profession and have a negative financial return since the public turn away from this kind of press. But they are not shocked that most

journalists are not shaken to change direction. In fact, murmurs are heard from themselves questioning whether the "handout" was there and whether it was good enough.

Media Observer (2018) pointed out that corruption among journalists and editors is rampant in Kenya and it has been devolved to Counties. Nguri et al (2009) notes the issue of media ethics was ignited in East African society majorly because of Kenya's post-election violence in 2007/2008. He further observed that it sent the world recalling the Rwandan genocide of 1994. Since then the concern has been almost universal that the media played a prominent part in pushing the country into the path of implosion and near self-destruction. Observing the Journalistic Code of Conduct is important in the practice of Journalism. Yet, all these allude to the fact that the journalistic code of code is not fully integrated in media publications. Hence my study on media practitioners' adherence to the journalistic code of conduct in Uasin Gishu County which is a host of many media outfits and adversely mentioned as a hot spot of political violence during electioneering period.

1.3 The Aim of the study

The aim of the study was to establish the media practitioners' adherence to the Journalistic code of conduct in Uasin Gishu County. This will in turn hopefully inform policies which help cut down the complaints against the media and promote public trust.

1.4 Research Objectives

1. To establish the extent to which journalists perceive the journalistic code of conduct in Uasin Gishu County, Kenya.

2. To determine the extent to which journalists abide by the journalistic code of conduct in Uasin Gishu County, Kenya.

3. To establish the level of editorial independence by journalists in Uasin Gishu County, Kenya.

1.5 Research Questions

1. What is the perception of individual journalists on the use of the journalistic code of conduct in Uasin Gishu County, Kenya?

2. Why do journalists fail to abide by the journalistic code of conduct in Uasin Gishu County, Kenya?

3. What affects editorial independence of journalists in Uasin Gishu County, Kenya?

1.6 Scope of the Study

The study focused on ten media houses in Eldoret town, Uasin Gishu County, Kenya. Geographically, the researcher chose Uasin Gishu County as a study area because the County is a hub of many media houses and it has been among hotspot areas for violence in Kenya as far as politics and Media reports are concerned (Letoo (2016). Also, former Rift Valley province, in particular Uasin Gishu County was seriously affected with the 2007/2008 post-election violence as a result of media reports partly from KASS FM

which led its journalist, Joshua Sang brush with an international criminal court of law-The Hague.

Regarding content, the researcher's first question focused on how the journalistic community perceives the code of conduct for practice of journalism. Only journalists attached to those media houses were legible to the study. The study concentrated also on data pertaining abiding to the journalistic code of conduct by the journalists within the media houses of Uasin Gishu County. This was to reveal the extent journalists use the code of conduct. Finally, the researcher looked at the extent of editorial independence of journalists in Uasin Gishu County; this would help to show the external as well as internal forces that influence journalistic practices.

Methodologically the researcher used Mixed Method approach. Questionnaires were used to collect quantitative data by interrogating general discernments of reporters. In-depth interview schedules were used to interrogate deeper why editors fail to fully adhere to the journalistic code of conduct. Editors of ten media houses within Uasin Gishu County were cross examined, they were purposively sampled.

1.7 Limitation of the Study

The researcher would have been limited in terms of geographical coverage but since Uasin Gishu is a home of both small and big media houses as well as print and electronic media, the researcher was able to overcome geographical limitation thus achieving a national outlook.

Regarding content and methodological limitations, the researcher used both the questionnaires and the in-depth interviews to generate data. In the end the researcher was able to triangulate the findings of the study.

1.8 Justification of the Study

The media mistrust exemplified by the numerous complaints enlisted on the Media Council of Kenya website about the practice of journalism in Kenya make it a worthy while study in relation to the adherence to the journalistic code of conduct

The adherence to the journalistic code of conduct is a necessary study in Kenya and the world at large given the contemporary debate on media objectivity and other tenets of the journalism practice. The debate is on how journalists report and the validity of their reports in regard to the practice and role of journalism in society. The big mistrust and the numerous complaints enlisted on the Media Council of Kenya website about the practice of journalism in Kenya make it a worthy while study.

1.9 Significance of the Study

For media to play its traditional roles of informing, educating and entertaining it must be trusted. Therefore, strict adherence to the journalistic code of conduct will promote trust and enhance efforts by the MCK to promote professionalism and boost audience's trust. It will further benefit academicians as it contributes to the body of knowledge regarding the Journalistic Code of Conduct and practice of journalism in Kenya.

10.0 Summary

The traditional role of the media was to serve as a watchdog, unlike today media is a business that struggles for survival through adverts. The continued media mistrust exemplified by the numerous complaints enlisted on the Media Council of Kenya website about the practice of journalism in Kenya make it a worthy while study in relation to the adherence to the journalistic code of conduct. This in turn will help to understand why despite the code of conduct being in domicile the journalists have not fully complied to it.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter examines the development of the press and presents theoretical framework that guides the study. It also looks at the enactment of the journalistic code of conduct in Africa especially East Africa with a view of establishing gaps that exist in adherence of the journalistic code of conduct. It further moves on to position the study in the field of communication ethics. The chapter also has a review of related literature to the use of the journalistic code of conduct.

2.2 Theoretical Framework

2.2.1 Social Responsibility Theory

The study would have adopted many theories of communication and media effect on the society but finds Hutchins' Social Responsibility Theory (SRT) the most appropriate. The theory of social responsibility was found based on a commission of inquiry formed in 1942 and reported findings in 1947 under chairmanship of Robert Hutchins. The report coined the notion of social responsibility and named the key journalistic standards that the press should seek to maintain. The social responsibility theory is in the realms of normative theories of the media. Mc Quail (2010), notes that these theories are concerned with examining and prescribing how the media ought to work if certain set of values are to be observed or attained. According to Williams (2003), such theories give desired set of conditions or goals for the practice and performance of the media and shape the

expectations placed on the media by other social agencies as well as their own audiences. Mc Quail (2010) further observes that often, normative theories are encoded in the laws, regulations and Policies of the society. According to the SRT, its tenets holds that a responsible press;

- Should provide a full, truthful, comprehensive and intelligent account of the day's event in a context which gives them meaning

- The press should serve as a forum for the exchange of comment and criticism.

- The press should be a common carrier of the public expression,

- The press should give a representative picture of various groups in society and,

- Should present and clarify the goals and values of society.

The Hutchins report criticized the sensationalism of the press and mixing of news with editorial opinion. The commission supported the concept of a diverse, objective, informative and independent press institution which would avoid causing offense or encouraging crime, violence or disorder (Mc Quail 2010). The study therefore was guided with the principles of the social responsibility theory in investigating media practitioners' adherence to the journalistic code of conduct.

The social responsibility theory was suitable since the complaints against the media indicate failure to perform what the theory deems key for the media. These include;
Failure to provide full and truthful report, serve as a carrier of public information as well as to provide clarity on society values.

2.3 Situating the Research within the Field of Communication Ethics

This study is situated in the field of communication ethics. I therefore clarify what is meant by communication ethics. According to Frost (2011), ethics is 'the science of morals, moral principles or rules of conduct'. He further notes that the word ethics comes from a Greek word *'ethikos'* meaning 'for morals'. Morals in this context are concerned with 'the distinction between right and wrong'. Frost (*ibid*) observes that;

> "Ethics comes from Latin word *mos* (in plural mores) which refers to 'a measure or guiding rule of life; as determined not by the law but by men's will and pleasure"

According to Frost (2011), ethics is defined as:

> "The liberal arts discipline that appraises voluntarily human conduct insofar as it can be judged right or wrong in reference to the determinative principles"

To sum it up, Frost (2011) says that ethics is concerned with studying morality which will ultimately help in decision making whenever situations of moral dilemma arise. At its best the tug of war in ethics is when the journalist is in dilemma to make decision between the rights of the public to know versus other tenets of journalistic codes.

According to Frost (2011, p.10), there are three main theories that explain the source of morality in society. The first source is religion and Frost notes that;

> *"Most religions have a code of morality connected to them, usually passed to the people from God through a prophet. These morals are usually enforced by some form of reward in the afterlife for adherence, or damnation for continually breaking the code."*

The second theory states that;

> *Morals are a pact with society allows us to gain the benefits of living with others. These are taught to us by our parents and are initially enforced by our*

parents and, later more subtly but just as strongly, by society at large. Very few of us continue to do something that society generally thinks is bad and opposes…

The last theory says that;

We are moral because we are naturally attuned to doing the right thing- that somehow we instinctively know what is right and what is wrong and that even if we are not taught how to behave, we would still instinctively behave well.

Frost (2011) explains that societies have rules that have been formalized into becoming laws to ensure that everyone adheres to, its failure to which there are penalties. He notes that the importance of these actions requires legislation. However, the doctors' impropriety with a patient may affect an individual but do not directly affect society and thus they are not enshrined directly in law. Frost (2011) observes that professional ethics become important in such situations. He notes that if a journalist fails to deal with those s/he owe loyalty fairly then it is an individual who will suffer more than the society.

 Frost (2011) posits that there are a range of activities that journalist deal with that are not subject to the law but must be considered from an ethical viewpoint.

According to Frost (2011, p.12), a good journalist is;

Someone who gathers, in a morally justifiable way, topical truthful, factually-based information of interest to the reader or viewer and then publishes it in a timely, entertaining and accurate manner to a mass audience. But he observes that often journalism falls short of this ideal by the journalist forgetting his/her loyalty to the reader in the rush to show loyalty to the employer.

Frost (2011) affirms that a good journalist must source stories that are accurate, truthful and gathered fairly.

Frost (*ibid*) argues that it is only with enough information that people will make sound decisions and play their role in society. He points out that the journalist's

work involves discovery, disclosure and analysis of the information. He notes that the decision affecting the journalist's choices on what to publish and what not to publish should have a strong moral component as the methods used to gather the information. In this study the researcher focuses on the journalistic code of conduct which stipulates how the journalists are expected to handle news items as well as other publications for the public at large.

2.4. Global History of the Journalistic Code of Conduct

Ward (2008) posits that ethics is the analysis of what makes a good conduct and right character in light of the best available principles. He points out that ethics is not only concerned with living well but with how to live well ethically. He emphasizes that living well with each other is something that may compel us to forego some of our personal benefits and comforts. Ethical reasoning is how people interpret, balance and modify their principles in light with new facts technology and social conditions.

Ward (2007) notes that presently the boundary of ethics keeps changing from issues related to animal cruelty, violence against women, the environment and the rights of homosexuals. Ward (*ibid*), affirms that journalism ethics is a practical affair that seeks clarification on questions of how to act. For instance, he raises the questions of; is it ethical for journalists to reveal their confidential sources to the police? Is it ethical for the journalists to invade homes of prominent people like politicians in the name of investigating misconduct? Thus, he concludes that ethics provides theoretical study and modes of justification that provide ethical reasons for acting.

Journalism ethics is in the family of applied ethics which is the study of the framework for principles of a field of activities such as corporate governance, scientific research and professional practice. Therefore, journalism ethics is a species of applied media ethics that investigates the "micro" problem of what individual journalists should do in a particular situation and "macro" problems of what news media should give their role in the society. Journalists as members of news organizations have rights, duties and norms because they are human beings. They therefore fall under the general ethical principles such as; to tell the truth and minimize harm because as professionals they have social power to frame the political agenda and influence public opinion (Ward, 2007).

2.4.1 Types of Journalistic Codes of Conduct

Journalism codes are meant to control quality of media outputs. Nordenstreng (1999) observes that codes are part of the media wider system which includes the legal system on the basis of ethical codes to train and professional education to reflect on the codes. He posits that authority and representative character of codes depend on whoever formulated them and by which means. The types include;

- Single media codes-they are formulated as guidelines for specific publications. For instance, the Middle East News Association (NEMA).

- National Official codes-they are ratified by governments, government-controlled media councils or journalism association lacking democratic legitimacy.

- National independent codes-formulated by independent professional bodies of journalists e. g journalistic code of conduct in Kenya.

- Regional official codes – this is designed by multilateral state institutions like the Federation of Arab Journalists.

- Multinational codes – this is designed by different types of journalistic or other international bodies with more or less autonomy. Like the 1954 Declaration of Principles on the conduct of Journalists of the International Federal of Journalists.

2.4.2 Stages in the Development of Journalism Ethics

The history of journalism ethics can be divided into five stages (Ward, 2008);

1. The development of ethical discourse in journalism, this emerged in Western Europe during the 16th and 17th C. It was during the Gutenberg press which published periodical news in form of "newssheets" and "news-books" under state control. Despite their primitive ways of gathering news and partisan nature the public was assured of impartial truth based on matters of facts.

2. Creation of public ethics. This served as a creed for the growing newspaper press on the enlightenment public sphere. In this stage journalists claimed to be tribunes of the public and protecting their liberty against government. They advocated for reforms and eventually revolution. By end of the 19th C the press was a recognized institution, a power to be praised or feared with guarantee of freedom in the post revolution constitutions of America and France. The public ethics notion is what formed the idea of the press being a Fourth Estate, one of the governing institutions in the world.

3. Evolution of the idea of the Fourth Estate into liberal theory of the press. Liberal theory emphasized need for a free and independent press to protect the public and promotion of liberal reforms.

4. Simultaneous development and criticisms of the liberal theory of the press across the 20th C. These were as a result of the deficiencies in the liberal model. This was championed by journalists and ethicists who constructed professional ethics of objective journalism boosted by social responsibility theory. Objectivism emphasized adherence to fact and impartiality towards political party which was increasingly sensational (yellow) and dominated by business people.

5. Mixed media was the last stage of the development of journalism ethics. This saw critic journalists rejecting the restraints of objective professional reporting and adopting more interpretative and partial forms of journalism, for instance investigative and advocacy journalism. The mixed media stage was witnessed by end of the 19th c when liberal and objective professional models were under attack. During this time there were increased numbers of non-professional journalists and bloggers as well as communicators using interactive multi-media which challenged the ideas of cautious verification and gate- keeping. As a result, the journalism ethics continued to witness disagreements on the basis of most important notions of what journalism is and what journalists are for.

2.5 Review of Related literature

This section gives a review of related studies to the adherence to the journalistic code of conduct.

2.5.1 A Historical Perspective of Media Culture and Environment in Kenya

Peter et al. (2010) posits that the development of media has over time been influenced by the social economic changes in Kenya. Christian missionaries started the first press in Kenya and published the Taveta chronicle. After the partitioning of the continent by colonial powers and establishment of administration, settler authorities begun to have a direct influence on the development of the media in Kenya.

In 1901, Asian trader Alibhai Mulla Jeevanjees set up the East African Standard and later sold to the people keen to use it to serve the settler community interests. In many ways the colonial media served as a tool for perpetuating settler ideals across the Kenyan protectorate.

Peter et al (*Ibid*), states that the glamour for self-rule by the indigenous African population, starting from the mid-1920s to the 1950s led to the development of several African language publications in Kenya. These publications were essentially vehicles for spreading the liberation gospel among African communities and for ventilating the grievances for African nationalists. The concern then was not professionalism or the quality of publication but rather on their utilitarian value in mobilizing African population towards independence from the colonial powers.

Peter et al (*ibid*,) further argues that the dawn of independence in 1963 heralded new roles for the media. The challenges of poverty, diseases, and ignorance faced by most of the newly independent states in Africa, forced certain understanding about roles of the media from purely libertarian platforms, the media transformed themselves into vehicles for speeding up development. Indeed, it is this thinking that saw many African

governments nationalize media or begin to exercise unfettered control over them with the aim of using them to popularize the government's development agenda.

In Kenya, the government control of the media and media practice remained tight under President Kenyatta and Moi. Dissenting voices were shut out while those in power got time on national radio, television and newspapers to talk to *wananchi* (citizens). Gradually in the years following independence the media transformed into a propaganda department for the state - a complete deviation from the purely developmental goals it was supposed to play in the fight against poverty, diseases and ignorance.

Draconian press laws curtailed press freedom and other forms of public agitation. New leaders realized that influence and control over the flow of information was a necessary pre-condition for stemming undue criticism, consolidating political power and ultimately ensuring that the masses only played a passive role in national affair.

Duplat (2003) states that an 'underground' press flowered in the late 1960s and early 1970s giving the lie fleetingly to the generalization that newspapers are impersonal, middle class business. Peter et al. (2010), seems to back up Duplat (2003) by stating that, the history of Kenyan media in the 1970s, is consequently, full with episodes of state interference, harassment and torture of journalists. This gave rise to media self-censorship where journalists gave certain stories a wide berth if they sensed that it would attract political anger. Media ownership at the time was restricted to the government, with the handful private investors playing safe.

The re-introduction of multiparty democracy in 1991 after a long stretch as a single party dictatorship heralded a major opportunity for the media. The ownership base expanded and media content became bolder. This progress has not, however, been accompanied by more progressive legislations to entrench media freedom in the country. The 1990s saw spirited attempt, mainly by the government, to create law that would curtail rather than expand media freedom. All them came to naught because vigorous resistance from civil society and the media.

Since the 1990s, debate on the media has mainly centered on ethics, ownership, content and regulatory among other concerns. The key players have included civil society groups, media lobby groups such as the Kenya editors' guild, the media council of Kenya and the Kenya union of journalists. The formation of media focused civil society organization such as the African women and Child Feature Service, the Media Diversity Centre and the Media Institute among others have boasted lobbying efforts to frustrate the passage of draconian laws that give the government undue control over the media in Kenya.

2.5.2 The Perception of the Journalistic Code of Conduct and the Practice of Journalism in Kenya

Obonyo (2011), states that, the Media Act No.3 of 2007 establishes the Media Council of Kenya. It also caters for self-regulation of the media, discipline of journalists and the media. The act also spells out functions of the media council of Kenya. Section 35(2), the Act provides: "the media shall keep and maintain high professional and ethical standards and shall at all times have due regard to the code of conduct set out in second schedule

this Act". It further states that the council shall not seek to control or direct journalists in the execution of their professional duties.

Levi O., Nyamboga (2011) notes that Section 38 of the Act outlaws contravention of any section of the Act including any parts of it where no penalty is expressly provided. This section is instructive, that unlike code of conduct for the practice of journalism in use in other countries, which are merely housekeeping rules that do not attract legal consequences in cases of default, the Code of Conduct in Kenya has the force of law. Penalty of two hundred thousand Kenya shillings (Kshs.200, 000), six months in jail or both is provided for those found guilty.

According to the Code of Conduct for the practice of journalism in Kenya, journalist should; gather and report news without fear or favour, and vigorously resist undue influence from any outside forces, including advertisers, sources, story objects, powerful individuals and special interest groups". Journalists should determine news content solely through editorial judgment and not the result of outside influence, resist any self-interest or peer pressure that might erode journalistic duty and service to the public, recognize that sponsorship of news should not be used in any way to determine, restrict or manipulate content and refuse to allow interests of ownership or management to influence news's judgment and content inappropriately. (MCK 2013:8-9), Mc Quail (2010: 175) expounds that, "Although the content of the code of journalism mainly reflects the 'Western' value systems, some key elements do translate to other cultural contexts". Hafez (2002) has compared European codes of journalism with those in North Africa, the Middle East and Muslim Asia. He concludes that there is a broad

'international consensus' that standards of truth and objectivity should be central values of journalism. This is similar to the Kenyan set up as the principles of truth and objectivity are the dominant values emphasized in the code of conduct for practice of journalism in Kenya.

The issue of media ethics has been thrust to the fore in East African society principally because of Kenya's post-election violence in 2007-2008. According to Nguri et al (2009), it sent the world recalling the Rwandan genocide of 1994. Since then, the concern has been almost universal that the media played a prominent part in pushing the country into the path of implosion and near self-destruction.

According to Nguri et al (2009), profession journalism is to provide accurate, balanced and objective information to the public without fear or favour. As a business the media's pursuit is clear cut: to make and maximize profits for its owners. The challenge to the journalists is very apparent: balancing between providing news without fear or favour and returning a profit for shareholders. He further points out that the practice of journalism stands on what can be termed as seven pillars of professional ethics contained in the code of conduct: Truthfulness, accuracy, objectivity, impartiality, fairness, public accountability and limitation to harm.

Other key tenets of the code of conduct are: recording interviews and telephone conversations -privacy, unnamed sources, intrusion into grief and shock, Confidentiality-Sex discrimination, misrepresentation, financial journalism, obscenity, taste and tone in reporting, Letters to the editors, paying for news and articles, protection of children covering ethnic, religious and sectarian conflicts, victims of sexual offences, use of

pictures and name, innocent relatives and friends, acts of violence, editors responsibilities, advertisements, hate speech (MCK,2013).

Businesses on the contrary do not necessarily operate under such strict code of conduct/ethics. Many idealistic journalists have found out the hard way that making a profit is not necessarily synonymous with such virtues as truth, objectivity or public's right to know.

Nguri et al (2009), Still captures the fact that the biggest challenge is balancing between the interests of the advertisers who provide the money for paying your salary and the professional calling which states that truth is sacred, irrespective of whether it hurts a major advertiser or not. He moves on that when journalist's quest for truth conflicts with other values and interests represented in the media organization, the reporter naturally starts exercising "self- censorship" in future encounters. The findings indicated the editors at times kill the story when it is not in line with what they were expecting as far as advertisers' interest is concerned.

The preamble of the journalistic code of conduct in Kenya is categorical on what is expected of journalists: "respect of the truth and the right for the public to truth is the first duty of a journalist." (MCK, 2013).

Nguri et al (2009), affirms that when journalists are faced with situations where the truth is inconvenient to major advertisers, in modern day media set up, a journalist is no longer a free agent in pursuit of the truth. He or she is an employee ultimately responsible to the line manager. More often than not the manager happens to be just that –a manager with

no journalistic background. The manager is trained to think bottom line. If an inconvenient truth conflicts with the business of profit making, the truth will most likely be sacrificed at the altar of the profits. The findings of the study concur with these arguments in the sense that editors kill stories which suppress or endanger interests of the media businesses.

This is also supported with the arguments in the Media Observer (2019) in which KTN suspended a documentary titled *profiteers by John Allan Namu* which was scheduled for broadcast after a week-long promotion. This raised important questions to editors at KTN; "who are the people who never wanted the story aired? Why did the editors bow to the pressures, halting the transmission? It is obvious there was interference. No media house can announce planned publication of a report without being sure of its content. If there were unresolved issues, KTN would certainly have ironed them out before promising its viewers".

Obonyo (2011) states that, a Nairobi media house based Chief Executive is reported to have once remarked to his staff in defining journalism, that journalism was whatever was used to fill the pages of the newspaper after the advertisements had taken their slots. This implies that journalism has to play second fiddle to commercial interests in the media houses.

However, Nguri et al (2009) concludes that perhaps time has come to start thinking of an enforceable code of ethics that will govern investors in the media business.

2.5.3 Journalists Abiding by the Journalistic Code of Conduct

This study was concerned with finding out the knowledge of journalists on the journalistic code of conduct and the practice of journalism in Kenya. Sikka (2010) states that the goals of the mass media are determined by those owning and controlling them, usually, are members of the economic elites that control the market economy itself. Given the crucial role that the media could play in the internalization of the dominant social paradigm and therefore the reproduction of the institutional framework which secures the concentration of power in the hands of the elite, it is obvious that those owning and controlling the mass media have broader ideological goals pursued by those owning and controlling other economic institutions.

Mc Quail (2010) also agrees that owners in market-based media have ultimate power over content and can ask for what they want to be included or left out. Peter et al (2010) writes that news coverage is geared towards protecting the interests of media owners. So, the content is manipulated to such an extent that sometimes it takes priority over objectivity in news coverage to reflect political and commercial leaning. This undermines media independence. They acknowledge that there is a thin line between the interest of editors based on the code of conduct and owners. Media owners in Kenya often delegate authority to senior editors to transact business and make industry decisions on their behalf.

Duplat (2003) further agrees that, people perceive the press as an element of control, a tool of domination, a fourth power. However, powerful as they may be, journalists feel the constraint of political, financial, social and judicial restrictions. Professionals

recognize that these pressures at times push them to skid out of control. Duplat (*ibid*) cautions that repetition of blunders results in the loss of public credibility. Therefore, Media need to recognize the advantage in following the journalistic code of conduct/ethics and professional guidelines.

Ongalo (2014) observes that the ownership and control of the media is not only an important factor in determining the structure, working and output of mass media but also in the production of meaning in the society. Further, Ongalo (*ibid*) states that, in general, the media proprietors and top level directorate find it easy to impose their will on the outlets in print, radio or TV which they own or control.

However, the fact that media owners influence media content is challenged by some scholars. Ongalo (*ibid*) points out that it is often difficult to pin down the precise influence which individual owners and controlling companies have upon the media, since great deal of that influence is likely to be covert, indirect, structural and long term. He affirms that generalizations are difficult to make since proprietor styles vary a good deal between different individuals and companies.

Sikka (2010) posits that control of large corporations has effectively passed from owners into the hands of professional managers who alone have the kind of expertise necessary to run complex corporate business enterprises. He argues that ownership might not constitute a problem if there were any regulatory body to ensure reasonable standards of accuracy and fairness in newspaper reporting

In this case, the researcher agrees with the views of these scholars in line with this research topic. The fact that there are numerous complaints is assertive of suggesting that there are some forces which take role during news processing which ultimately sidelines the journalistic code of conduct.

However, McQuail (2010) notes that there are quite strong conventions relating to journalism which protects the decision-making autonomy of editors on particular news stories. Berger (2018) confirm to Mc Quail (2010)'s affirmation.

Sikka (2010) argues that an analysis that would attempt to draw conclusions on the nature and significance of media institutions on the basis of profit dimension alone is bound to be one dimensional. Profit maximizing is only one parameter, often not even the crucial one, which conditions the role of the mass media in a market economy. In fact, one could mention several instances where capitalist owners chose even to incur significant losses in order to maintain the social influence which ownership of an influential daily offers to them, given the ultimate goal of mass media the main ways in which they try to achieve it. This has been for instance by;

i) Assisting in the internalization of the dominant social paradigm and,

ii) By marginalizing, if not excluding altogether conceptions of reality which do not confirm with the dominant social paradigm.

Mc Quail (2010) notes that it is not too surprising that journalists should claim more autonomy or that editor of established newspapers are reluctant to admit being told what to do by proprietors. Nevertheless, there is inevitable tendency for owners of news media to set broad lines of policy which are likely to be followed by the editorial staff they

employ. There may also be informal and indirect pressure on particular issues that matters to owners, for instance relating to their other business interests.

Peter et al (2010) acknowledges that private media in Kenya face immense commercial and political pressure that could erode their editorial independence. It states that, media owners often carry favours with advertisers and sponsor of media products and services to secure or retain advertising contracts. For most media owners, commercial interests are more important than media independence. They acknowledge that media owners directly interfere with editorial decisions to preserve and protect the interest of big time advertisers and sponsors. Commercial interests also come from shareholders and strategic business partners.

Duplat (2003), sums it up by observing that a journalist used to be regarded as a citizen who exercised his freedom of expression in a public way, with personal responsibility on what was published. Today, informing others have become a true trade; a job that requires competence and techniques, knowledge and ability to discern among the wealth of information at hand. Since the sharing of information is necessary for citizen's reflection, media are now embodying a public service.

Duplat, (*ibid*) further posits that, media are valuable agents in society. They are fundamental in shaping public opinion. Taking an ombudsman role between political powers and people, they are arbitrators of political games. Politicians have understood that the choices political commentators operate on the issues have a weight. The silence on an event is filled with consequences. This is why the freedom of the press must go hand in hand with the responsibility of media towards society.

It is true that external influence may shape media publication thus denying the media its editorial independence. This happens despite the existing of code of conduct to regulate media publications.

It is a fact that owners of mass media, as well as managers and the highest paid journalist, share the same interest in the reproduction of the existing institutional framework which constitutes the 'base' on which competition is developed, it has no base in the code of conduct.

2.5.3.1 How Advertisers Influence abiding by the journalistic code of code

Peter et al (2010), observes that advertising market is large enough to sustain media diversity in Kenya. Advertising revenue has grown steadily since, 2003 to stand at sh.7 billion in 2008. Advertisers are resilient and tend to place new advertisements even during economic recession.

Further, it is acknowledged that traditionally, the advertising to editorial content ratio is 3:2 media, which break even points set at 38% for advertisements (60% advertisement and 40% editorial content) the trend in Kenya is that advertisements take more than 60% of media space and airtime.

Peter et al (*ibid*), acknowledges that advertisers have immense influence on the media because advertising is the backbone of the media business. The commercial media cannot survive without advertising. They are always careful not to annoy advertisers. Correspondingly, media houses rarely publish offending stories about advertisers.

They note that the government has a tendency to place advertisement selectively in media that it perceives to be politically correct. In the run of 2007 election, the standard group complained that government was crippling it by denying it advertisements. During the Moi era, government withdrew adverts from the defunct weekly review in 1979 and Kenya times in 1981when the two papers became overly critically of it. Besides the government being the biggest spender in the economy, its negative action has an indirect influence on the advertisers who are reluctant to do business with media critical of it.

They note that the listing of nation media group shares and standard group on the Nairobi stock exchange puts a lot of pressure on senior managers to protect the strategic partners. Although media owners profess independence, the case is different. They note that big spenders on advertising such as Safaricom, Kenya revenue authority (KRA) and East African Breweries limited wields immense influence in media houses. They can influence the angle that news coverage will take. For example, it is almost impossible to see a negative story on the companies that spend heavily on advertising.

Peter et al (2010) writes that media owners tend to be politically co-opted by political parties. In the lead up to 2007 election, media owners took sides and supported various political parties and candidates. Nation Media Group, Royal Media Services, Capital groups were perceived to support PNU and president Kibaki while standard group, radio, Umoja and Kass FM were perceived to support ODM and Prime Minister Raila Odinga. While there is nothing wrong in endorsing a political party and candidate, it is unethical for media owners and their mouthpieces to do so without full public disclosure to their audience.

Politicians either own or have shareholding in most media in Kenya. During elections, politicians and political parties are sources of advertising and sponsorship. As such media may carry favours to get advertising revenue.

Journalists say, quiet, correctly 'nobody ever tells me what to write' I write anything I like. All these business about pressure' which is completely true, but the point is that they wouldn't be there unless they had already demonstrated that nobody has to tell them what to write because they are going to say the right thing…it is not purposeful censorship. It is just that you don't make it to those positions. That includes the left as well as the right. Unless you have been adequately socialized and trained so that there are some thoughts you just don't have, because if you did have them, you wouldn't be there.

Sikka (2010) says that to determine what is agreeable brings into play the 'external' control mechanisms. It is competition among the various media organizations, which homogenizes journalists' behaviour.

This competition takes the form of struggle to improve ratings of circulations. Ratings or circulations are important not per se but because the advertising income of privately owned mass media, which is the extra income that determines survival or death depends on them. The result is as Sikka (2010) points out that: ratings have become the journalist's last judgment where you look people are thinking in terms of market success. Sikka (*ibid*) wonders that only thirty years ago, market success was taken as a sign of compromise with the times, on the contrary, the market is accepted more and more as a legitimate means of legitimization.

Sikka (2010) posits that one may conclude that the role of the media today is not to make the system more democratic. In fact, one basic function of the media is to help in keeping the general population out of the public arena because' if they get involved, they will just make trouble'. Their job is to be 'spectators' not 'participants'.

Furthermore, the media can play a crucial role in offsetting the democratic rights and freedoms won after long struggles. This has almost always been the case when there was a clash between the elite and trade unions or popular movement generally. Walter Lipmann, the revered an American journalist was explicit about it as Chomsky points out. For Lipmann there is a new art in the method of democracy, called "manufacturer of consent". By manufacturing consent, you can overcome the fact that formally a lot of people have the right to vote. We can make it irrelevant because we can manufacture consent and make sure that their choices and attitudes will be structured in such a way that they will always do what we tell them, even if they have a formal way to participate. So, we will have a real democracy. It will work properly that is applying the lessons of propaganda agency. Within this analytical framework we may explore fruitfully the particular ways through which the filtering of information is achieved, as, for instance, it is described by Chomsky and Herman in their "propaganda model". Similarly Bourdieu shows in a graphic way how the filtering of information takes place in television, through the structuring of TV debates, the time limits, the methods of hiding by showing etc. particularly important is the way in which the media, particularly television, control not just the information flow but also the production of culture, by controlling the access of academics as well as of cultural producers, who in turn as a result of being recognized a public figure , gain recognition in their own fields.

Thus, at the end, the journalistic field, which is structurally very strongly subordinated to market pressure and as such is a very heteronymous field, applies pressure, in turn, to all other fields. An illustrative application of the above analytical framework is the crucial contribution of the mass media in the creation of the subjective condition for neoliberal consensus. Thus, the mass media have played a double ideological role without respect to the journalistic code of conduct.

2.5.4 How Media Ownership Affects Editorial Independence

Sikka (2010) notes that ownership, matters little as regards the media's overall goals defined above, whether they are owned and controlled by the state or the state-controlled institutions or whether, instead, they are owned and controlled by private capital. However, there are certain secondary differences arising from the different ownership structures which may be mentioned. These secondary differences have significant implications, particularly with respect to structures of the elite controlling the media, their own organizational structure and their 'image' with respect to their supposedly 'objective' role in the presentation of information.

As regards the elite structure, whereas under a system of the state ownership and control the mass media are under the direct control of the political elite and indirect control of the economic elites, under a system of private ownership and control, the media are just under the direct control of the economic elites. Again, the code of conduct does not feature anywhere close.

Peter et al (2010) acknowledges that big advertisers often put a lot of pressure on media to conform to their requirements and are intolerant to hostile media coverage. They often withdraw adverts if their wishes are not met. Some big firms also pay journalists to tilt coverage in their favour. They feel obliged to restrain themselves to remain in favour of this economic potent or that lobby group. This strongly contradicts the journalistic code of conduct.

Sikka (2010) notes that, this fact, in turn has some implication on whether filtering out of information takes place directly through state control, or indirectly through various economic mechanisms. As regards the media organizational structure, whereas state-owned media are characterized by bureaucratic rigidity and inefficiency, privately owned media is usually characterized by more flexibility and economic efficiency. Finally, the 'objective' image of mass media suffers less in case of private ownership compared to the case of the state ownership. This is because in the latter case control of information is more direct and therefore more obvious than in the former. Ongalo (2014) observes that, the ownership and control of the media is not only an important factor in determining the structure, working and output of mass media but also in the production of meaning in the society. Ongalo (2014) argues that in general, the media proprietors and top-level directorate find it easy to impose their will on the outlets in print, radio or TV which they own or control.

However, the fact that media owners influence media content is challenged by some scholars. Masterman (1985) as cited in Ongalo (2014) notes that it is often difficult to pin down the precise influence which individual owners and controlling companies have

upon the media, since great deal of that influence is likely to be covert, indirect, Structural and long-term. He affirms that generalizations are difficult to make since media ownership styles vary a good deal between different individuals and companies. The scholar further posits that control of large corporations has effectively passed from owners into the hands of professional managers who alone have the kind of expertise necessary to run complex corporative business enterprises. He argues that ownership might not constitute a problem if there were any regulatory body to ensure reasonable standards of accuracy and fairness in newspaper reporting. Berger (2018) argues that there is evidence that the skilled editor and editorial team will be able to convince the owner that the freedom to exercise responsibility is in the best interest of the proprietor.

However, Mc Quail (2010) quickly notes that there are quite strong conventions relating to journalism which protects the decision making autonomy of editors on particular news stories. Masterman and Berger too agree with Mc Quail. Meyer's (1987) survey evidence confirmed that US journalistic ethics frowned on owner intervention, although editors reported a fair degree of autonomy in practice. Duplat (2003) also posits that there is need to follow the ethical and professional guidelines for journalists while reporting.

2.5.4.1 How Hierarchical Structure Affect Editorial independence

Another important internal control mechanism is the hierarchical structure which characterizes all media institutions. And which implies that all important decision is taken by a small managerial group within them, who are usually directly responsible to the owners. The hierarchical structures create a constant internal competition among journalists as to who will be more agreeable to the managerial group.

Similarly, people in the managerial group are in constant competition as to who will be more agreeable to the owners. So, everybody in these hierarchical structures knows well what is agreeable and what is not and acts accordingly. Though they know what they are doing is not supported by the code of conduct.

Oriare et al (2010) observes that the independence of Kenyan journalists is seriously in doubt. They were politically co-opted during the 2005 referendum on the proposed new constitution. Their independence was equally in question in 2007 elections and violence that followed. One could identify a level of political and ethnic bias in stories filed a round these three events. Media owners routinely run interferences for various interests in newsrooms and editorial decision-making processes.

They note that, there were editorial biases, largely by senior editors, in some newsroom. Editors have come under increasing criticism for being corrupt, heavy handed, and biased. In March 2008, the nation media group editorial director, Mr. Wangethi Mwangi, told a meeting of editors in Nairobi that they were guilty of perpetuating various biases in unnamed media before and during the post-election violence in Kenya.

However, Sikka (2010) states that the filtering of information works through self-censorship rather than through any kind of 'orders from above'. The effect of internal hierarchical structure, is to impose through internal competition that it created a kind of homogenization in the journalist' performance. To large extent this is bound to affect the editorial independence of editors.

This is in line with my research objective of editorial independence of the media, in this its observed that some internal forces influence the outcome of the media.

2.6 The Research Gap for my Study

This study is anchored on complaints raised against the media in Kenya on the practice of journalism. These complaints indicate there is a gap between theory and practice of journalism, hence questions on the adherence of the journalistic code of conduct which defines the ethical considerations in publications.

Inaccurate, biased and unethical reporting has continued to be a serious issue in the world and Kenya in particular. This is evident in several series of The Media Observer, a publication of MCK that monitors the adherence to the Journalistic code of conduct by media practitioners in Kenya. The Media Observer has highlighted a number of media articles both from print and electronic media that do not adhere to the journalistic code of conduct for practice of Journalism in Kenya.

On the first objective, the researcher identified the gap on the basis that the responses of reporters and editors (journalists) indicated their understanding the journalistic code of conduct. However, the complaints found on MCK website and the findings reveal that the reporters and editors are not fully abiding by the journalistic of conduct. This can be sealed by the researcher's recommendation for Continuous Sensitization on the use of the code of conduct by the MCK.

On the second and third objective, the gap identified was on the fact that, theoretically it's presumed that reporters and editors have editorial independence. This was not the

case. The findings indicated that they are controlled by owners as well as the county government. This can be sealed by the recommendation for MCK to initiate ways to delink media owners from management of media houses. Also, MCK to regulate relationship between county government and media houses to promote media independence.

It is in view of these that my study is set to establish media practitioner's adherence to the journalistic code of conduct for practice of journalism in Kenya.

Below is a sample of complaints from MCK website)

Table 1.1   Sample of Complaints from the MCK website as on 20th February, 2020.

CASE No	COMPLAINT BY	COMPLAINT AGAINST	NATURE OF COMPLAINT	CURRENT STATUS
01	ItijeMailutha	Nation Media Group	Inaccurate reporting -biased and unfair	Ongoing
03	Geothermal Development Corporation	Star Publications	Inaccurate and biased reporting	Ongoing
04	NjonjoMue	Classic 105	Inaccurate and biased reporting	Ongoing
05	Gladys Boss Shollei	The Star	Inaccurate and misleading Broadcast	Ongoing
07	Nancy Targok	Nairobian& Another	Inaccurate and biased	Ongoing
08	Bridge Intl Schools	Standard Group	Inaccurate and biased reporting	Ongoing
09	KFCB	Larry Madowo	Inaccurate and biased reporting	Ongoing
10	HarunMwau	NMG & Another	Inaccurate and biased reporting	Ongoing
13	David Kuria Mbote	Weekly Citizen	Inaccurate and biased reporting	Ongoing

2.7 Summary

In this chapter the researcher dealt with literature expounding on the perception of the journalistic code of conduct by media practitioners in Kenya, abiding by the code of conduct by media practitioners in Kenya and editorial independence of the media practitioners. Further the researcher identified the gap that exists between the requirement for the ideal practice of journalism and the actual practice of journalism in the country hence resulting into the discrepancy that validates this study.

CHAPTER THREE

RESEARCH METHODOLOGY

3.0 Introduction

This chapter deals with research methodology, design, site, target population, sampling procedure, sample size, research methods, data analysis and presentation methods. This study explored the perception of journalists on the use of journalistic code of conduct; it also established whether the journalists in Uasin Gishu County abide by the journalistic code of conduct. Finally, the study explored the editorial independence of journalists in Uasin Gishu County.

3.1 Research Approach

The research took a mixed method approach. Creswell (2014) mixed methods involves the collection and mixing or integration of both quantitative and qualitative data in a study. This is in agreement with Somekh and Lewin (2000) who stated that mixed method approaches to social inquiry include the planned use of two or various kinds of data gathering and analysis techniques. The dual argue that mixed method approaches uniquely generate better understanding in a study than studies bound by a single methodological tradition.

Mixed method was used to help in exploratory of issues as pertains the adherence of the journalistic code of conduct by journalists as well as to beef up on what was established in the first phase.

In this study the quantitative data was sourced using questionnaires and the qualitative data was collected using in depth interview schedules. This is because qualitative research is concerned with subjective assessment of attitude, opinion and hehaviour (Kothari 2004).

3.2 Research Design

Creswell (2006) states that research designs are procedures for collecting, analyzing, interpreting and reporting data in research studies. Creswell (2014) further observes that research designs represent different models for doing research, and these models have distinct names and procedures associated with them. Creswell (*ibid*) argues that once a researcher has selected a mixed methods approach for a study, the next step is to decide on the specific design that best addresses the research problem. Creswell (2006) identifies four major types of mixed method designs as; the triangulation design, the embedded design, the explanatory design and the exploratory design. In this study, the researcher used explanatory design which is also known as the explanatory sequential design.

Creswell (2014) states that explanatory is a two-phase mixed methods design with an overall purpose of qualitative data helping to explain or building upon initial quantitative results. This design was suitable in this study for qualitative data was used to explain the quantitative results which is in concurrence with Creswell (2006) who explains that explanatory sequential design is well suited to a study in which a researcher needs qualitative data to explain significant or non-significant, outlier results or surprising results.

The study used the participant selection model a variants of explanatory design. Creswell (2006) identifies two variants of the explanatory design: the follow up explanations model and the participants' selection model. The study used participants' selection model which allows the researcher to select participants for the second phase. In this case there was need for the researcher to select participants (editors) for a follow up in-depth interviews. The researcher therefore used mixed methods explanatory sequential design with participant selection model variant to survey the media houses in Uasin Gishu County, Eldoret.

In this study quantitative data was collected from reporters serving in the media houses in Uasin Gishu County while qualitative data was from the editors within these media houses. Creswell (2006) posits that qualitative makes use of two main methods of data collection: focus group discussion and in-depth interviews. The study relied on in-depth interviews with the editors so as to dig out more information on the perception of reporters, indication of failure to fully abide by the journalistic code of conduct and lack of full editorial independence.

The interviews were digitally recorded and transcribed before analyzing. Quantitative data were collected from journalists due to their limited time or busy schedule and nature of work. The questionnaires were given to them and collected later.

3.3 Research Site

The study was carried out in Uasin Gishu County, Eldoret, Kenya. Eldoret town is the headquarters of Uasin Gishu County. Uasin Gishu County and Rift Valley as a whole have been hot spots for Kenyan politics as well as violence, determining ultimately who

wins the presidency. The researcher found the county suitable for the study since it has been a fragile zone basing on the aftermath of the 2007 general elections and the subsequent elections. Based on international criminal court (ICC) report (2013, p.12);

> *Sang instructed listeners to burn properties in Eldoret belonging to non-Kalenjin by saying, "let's not destroy our own". Sang also broadcast in January 2008 that violence had started in Kisumu and that Kalenjin men should go there and join in.*

Ole Letoo (2016) observes that National Cohesion and Integration Commission (NCIC) identified 19 counties as possible hotspots for violence in the 2017 general elections, among them is Eldoret a town in Uasin Gishu County (para.4). Eldoret town too is among the fastest growing towns in Kenya owing to its economic potentiality emerging from agriculture, educational institutions, businesses, health organizations and international athletes. This has attracted most media houses in the country to set up in the area in order to tap news adequately. Uasin Gishu is home to giant and small media houses in the country. They include; Royal media consisting of Radio Citizen and Citizen television, Nation Media Group consisting of NTV, Daily Nation and The East African standard, The Standard Group Media consisting of Radio Maisha, KTN television and The Standard Newspaper, the Education publisher newspaper, Milele Radio, Kass Media consisting of Kass Radio and Television, The Star Newspaper h, The Nairobian newspaper, UPendo FM and Kenya Broadcasting Corporation (KBC) among others.

Most of the media Bureaus in Uasin Gishu (Eldoret) town also serve neighboring counties like West Pokot, Turkana, Trans-Nzoia, Kakamega and Bungoma counties.

3.4 Target Population

The target population of 26 media houses within Eldoret, Uasin Gishu County, from which 10 were purposely drawn. The 10 media houses comprised of giant and small, 4 print and 6 electronic among which some were religious sponsored. The researcher considered both print and electronic media houses since the complaints from the MCK website are against both. The researcher considered reporters and the editors from the ten media houses as shown in figure 2.2 page 41.

Table 2.1: Sampling Frame

1. SAYARE –Radio &TV
2. Upendo FM Radio
3. Citizen TV
4. Radio Citizen
5. NTV
6. Daily Nation
7. The Standard N/P
8. KTN news
9. The Education publisher N/P
10. KASS TV/Radio
11. The Star Newspaper

12. KBC-Radio

13. KBC TV

14. Bibilia Husema Broadcasting (BHB)

15. Daystar TV

16. Nairobian Newspaper

17. Taifa Leo

18. K24 TV

19. West TV

20. Radio Jambo

21. Radio Maisha

22. Chamgei FM

23. Mulemba FM

24. The people Daily Newspaper

25. Milele FM

26. Radio Amani

Table 2.2. Sample size

S/n	Media houses		Sample size	
	Media house population (reporters& editors)		Reporters	Editors
1	SAYARE –Radio	14	3	1
2	Upendo FM Radio	7	3	1
3	Citizen TV	5	3	1
4	Daily Nation	12	3	1
5	The Standard N/P	13	3	1
6	The Education publisher	10	3	1
7	Milele FM	2	1	1
8	KASS Radio	6	3	1
9	The Star Newspaper	2	2	1
10	KBC-TV	6	3	1
	Total	78	27	10

3.5 Sampling Procedure

There are approximately 26 media houses in Eldoret town, Uasin Gishu County. These include both print and electronic media that are privately and one government owned. The researcher used purposive sampling to choose the 10 media houses. The 10 media

houses comprised of giant and small, print and electronic and some religious sponsored. Simple random sampling was used to get three reporters from each media house except two media house which had less than three reporters of which one and two were sampled. This gave a sample size of 27 reporters. The target population included; SAYARE radio, Upendo FM Citizen television, Daily Nation newspaper, The Standard newspaper, Education Publisher, Milele Radio, Kass Radio, The Star Newspaper and Kenya Broadcasting Corporation TV (KBC-TV).

Then purposive sampling was used to select 10 editors from ten media houses who were the respondents in the in-depth interviews for the study. These gave a sample population of 27 reporters and 10 editors drawn from ten media houses based in Uasin Gishu County, Eldoret.

3.5.1 Sample Size

The study used a sample size of 47% of the target population which consisted of 27 reporters and 10 editors giving a total of 37 participants. This sample size was used because it was optimally representative of the population. This is because the target media houses consisted of those privately and publicly owned. Also, within the target group there were big and small media houses some of which were religiously sponsored.

3.6 Data Collection Instruments

The study collected data from sample respondents through questionnaire and in-depth interviews.

3.6.1 Questionnaires

In order to meet the objective of the study, structured questionnaires were used. Mugenda and Mugenda (1999) this is because they are easier to analyze as they are formulated in line with the research objectives. The selection of this tool was guided by the nature of data that was to be collected, the time available as well as the objective of the study. The overall aim of this study was to establish the extent of media practitioners' adherence to the journalistic code of conduct. Closed ended questionnaires were suitable since the reporters were literate; it was also suitable for sensitive topics such as the influence of advertisers and media owners on the content which reporters may feel uncomfortable speaking to an interviewer.

Since reporters are always busy closed questionnaires were suitable because they consume limited time. The disadvantages of the questionnaires were countered by the use of in-depth interviews. See appendix I as found on page 79

3.6.2 Interviews

The researcher used in-depth interviews to collect qualitative data from the editors of the ten media houses within Uasin Gishu County, Eldoret. In depth interviews were used because they allow probing for initial findings from the questionnaires. Og'ondo and Jwan (2011) identified a number of strengths of semi-structured interviews. They posit that semi-structured interviewing enables the researcher to develop a relationship with the participants. They both argue that given the dialectic nature of knowledge construction in such interviews, establishing rapport is fundamental to the quality of the inquiry. The

interview allowed the researcher to establish rapport with the interviewees and investigate issues in an in-depth way. The interview also helped to discover how individual editors thought and felt about the issue of adherence to the journalistic code of conduct and why they hold particular opinions. The interviews further helped to investigate sensitive topics which people may feel uncomfortable discussing in a focus group, in this case the issue of external pressure on decisions made by a media house. See appendix II as found on page 82

3.7 Data Collection Procedure

The researcher obtained a research permit from the National Council of Science and Technology (NACOST) through the school of Information Science, Moi University. The researcher visited the district officer's office in Uasin Gishu to seek consent before proceeding for the research. The researcher notified the media house bureau chiefs (Eldoret) of the intention to conduct the study. The reporters who were involved in the study were briefed by the researcher about the study and assured of their confidentiality and anonymity. The questionnaires were distributed to the respondents who filled them voluntarily during specific days agreed upon by the researcher and the respondents and then handed back to the researcher.

The quantitative phase informed the qualitative phase. This was done based on the findings of the research objectives; on the first objective, the findings indicated that reporters were knowledgeable about the journalistic code of conduct, on the second objective the findings showed that the reporters do not fully abide by the code and on the third objective, the findings indicated that reporters had partial editorial independence.

In this case the qualitative phase was anchored directly on the findings of the quantitative data. This allowed the quantitative results to be explained in detail through qualitative data. This was done sequentially after administration and analysis of the questionnaires, thereafter in-depth interviews with the editors to confirm and fill in the gaps of the information collected from reporters.

The editors' interview lasted for about 20 to 25 minutes each. The interviewee chose their convenient places for the interview. The responses were being recorded using an audio recorder following consent from the interviewee.

3.8 Pilot study

The pilot study was conducted by the researcher in SAYARE media. Teijlingen et al (2001) argue that a pilot study might give advance warning about where the main research project may fail, where research protocols may not be followed or where proposed methods or instruments are inappropriate or too complicated. The main reason for piloting the questionnaire and interview schedules was to ensure that the items would detect the kind of responses the researcher intended to get, that the items are acceptable in terms of their content, and that they adequately covered aspects which the researcher particularly wanted to explore. Furthermore, it was to help minimize the likelihood of respondents having problems in answering the research questions, data recording problems and for assessment of trustworthiness of the study, Yin (2003). The feedback obtained indicated that the questionnaire and interview guides were clear and easily understood by media practitioners. The pilot study involved six journalists who were 50% of the SAYARE journalists.

3.9.0 Data Analysis and Presentation

Clarke and Braun (2006) Data in this study was thematically analyzed. Jwan and Ong'ondo (2011) six point stages were used. Themes were generated basing on repetition of words among the responses as well as using comparison and contrast in establishing the similarities and differences in the responses got from the interviews as suggested by Ryan and Bernard (2003). Data analysis involved putting data into categories and putting the emerging issues together to generate themes in attempt to answer the research objectives and questions.

Jwan and Ong'ondo (2010) suggested a six-point qualitative research procedure: transcribing the data, re-familiarizing with the data, first phase coding, second phase coding and third phase coding, and producing a report. The steps followed are discussed as below:

3.9.1 Transcribing the Data

Recordings were transcribed manually and then typed; transcriptions were then kept for future reference.

3.9.2 Re-familiarization with the Data (Pre-coding)

The researcher had to read and re-read the transcripts to be familiar with the data and also to be able to establish patterns as regards the research questions. This was done by creating a file for each respondent where observations were captured on the similarities and differences in what was voiced. Editing to ensure uniformity, completeness and

accuracy was done at this stage. The researcher also ensured that the original meaning in the transcripts was not tempered or interfered with. After familiarizing with the data emerging issues were noted, which helped in coding the content for easy understanding, tabulation and retrieval. Jwan and Ong'ondo (2010) define a code as a label or headline given to data in a way that is highlighted and grouped as making a particular pattern.

3.9.3 First Phase Coding (Open coding)

Open coding involves creating categories from transcribed data from interviews (Mugenda & Mugenda, 1999). The categories may be many basing on the quantity of the information the researcher sourced in the in-depth interviews. The researcher read the transcripts word per word and identified the codes guided by the research questions of the study, then moved on to assign a word or a phrase which conveyed the meaning of the content.

3.9.4 Second Phase Coding (Axial Coding)

This phase involved grouping together similar codes and eventually tagging them based on the research questions and also guided by the literature review. All the categories for the participants in relation to the research questions were identified. The researcher then proceeded to look for similarities in the codes and grouped the similar codes together without losing meaning. This was important to avoid overlaps and redundancy. All similar or closely related categories were put under a broader level. The several codes were then used to come up with themes.

During the assigning of codes, the researcher was careful that the codes do not change the original meaning of what had been recorded. This was observed in all the data. The main aim at this stage was to remove redundancies and overlaps and also reduce the voluminous data. At the end there were more elaborate groupings than had been obtained in the open coding stage thus the needed categories were ushered in.

3.9.5 Third Phase Coding (Selective Coding)

At this stage, the various categories were selectively placed into themes. The analysis done here was based on the developed themes in line with the research questions.

3.9.6 Producing Final Report

This was guided by the research questions of the study and the various themes that were generated to answer the research questions. When going through the last phase of coding the researcher was keen to ensure the purpose of the study had been achieved. This involved paraphrasing while ensuring originality of the statements as given by the interviewees. The researcher did this to ensure what took place during the interview had been captured to help in adding credibility to the findings of the study.

Quantitative data was entered and analyzed by the statistical packages for social scientists (SPSS) version.21. The researcher used descriptive analysis to analyze the quantitative data in line with the study objectives. The general themes created in the qualitative data analysis were corroborated with the qualitative data as the study took an explanatory sequential design of mixed methods.

3.10 Trustworthiness of the Study

Trustworthiness is ensuring the research process is truthful, careful and rigorous enough to support the arguments it does (Bassey, 1999). In this study the researcher used the six-point stages as highlighted by Jwan and Ong'ondo (2010). These included transcribing the data, re-familiarization with the data, first phase coding, second phase coding, third phase coding and producing the final report. In this study, trustworthiness was ensured by following the four criteria considered by qualitative researchers according to Shenton (2004). These are: credibility, transferability, dependability and conformability.

3.10.1 Credibility /Internal Validity

This focuses on internal validity which aims to ensure that the study achieves what it was set to achieve. According to Shenton (2004) a number of provisions can be adopted to ensure credibility of the study. For instance; there is a need to adopt research methods which are well established. This requires that specific procedures used such as asking questions and analyzing data should be derived where possible from those that have been successfully used in similar studies. In this case, the study of Kafu and Ong'ondo (2017) was influential in regard of the first phase of quantitative findings informing the second phase of qualitative study.

To promote credibility there is also need to develop early familiarity with the culture of participating organization before the first data collection. Shenton (2004) argues that this may be achieved via consultation of appropriate documents and preliminary visits to the organization. He adds that this will allow the researcher have good understanding of the

organization and also establish good trust between the parties. Following this the researcher got a research permit from National Council of Science and Technology which was presented to the media houses prior to visitation to collect the first batch of data. The researcher was also permitted by the bureau chiefs to interact with the reporters on that visitation thus rapport was created which was important in enhancing credibility of the findings. Furthermore, random sampling of the individuals to serve as informants was done. This, Shenton (2004) argues that it helps in avoiding bias. He also says that any unknown influences will be well distributed within the sample. Shenton (2004) notes that random sampling provides the greatest assurance that those selected are a representative sample of the large group. For this study, the researcher used simple random sampling to get reporters who participated in the first phase of the study which was quantitative.

Shenton (2004) also advices on the use of triangulation, this involves the use of different methods, which form major data collection strategies for qualitative research. Guba, (1981) argues that the use of different methods helps compensate for their individual limitations and exploits respective benefits. Triangulation may also involve use of a wide range of informants, for instance triangulating via data sources; this way individual view points and experiences will be attained. Still site triangulation may also be achieved by participation of informants from several organizations so as to reduce the effect of particular local factors peculiar to one institution. In this study the researcher used informants from different media houses hence different viewpoints and experiences were sourced thus triangulating the findings. To be specific 10 media houses were sampled from whom reporters as well as the editors who formed the key informants of the study were sourced.

Creswell (2014), states that validity means that the researcher checks for the accuracy of the findings by employing certain procedures. It is the degree to which findings obtained from the analysis of the data actually represent the phenomena under study. Validity therefore has to do with how accurately the data obtained in the study represents the variables of the study. If such data is a true reflection of the variables, then the inferences based on such data will be accurate and meaningful.

3.10.2 Dependability /Reliability

Shenton (2007) says that for dependability to be achieved the research process of the study should be narrated in detail to help the future researchers to repeat the same process or get the same results. The process of the research may include; the research designed its implementation, the operational detail of data gathering and reflective appraisal of the process. Following this, the researcher has critically explained in the methodology section all the processes that were followed in data collection and analysis. This was aimed at making the findings of the study dependable.

3.10.3s Conformability

Conformability is the degree to which the results of qualitative study can be revised or corroborated by others (Mugenda & Mugenda, 2012). Shenton 2007) argues that for conformability to be achieved measures must be put in place to ensure that the findings are a reflection of the interviewees' experiences and ideas rather than the preferences of the researcher. In this study the researcher used triangulation of the interviewees and the participating organization; the interviews were recorded to ensure their trustworthiness.

The participants were also free to share their opinions minus the influence of the researcher.

3.11 Ethical Consideration

Ethics are associated with morality, matters of right and wrong and conforming to the standards of a given profession or group. Jwan and Ong'ondo (2011) emphasize that researchers are called upon to carry out research morally and plan questions ethically. The following are the various ethical concerns handled in this study.

3.11.1 Obtaining Necessary Permission

The researcher got a letter from Moi University School of information Sciences, and then proceeded to seek permission from the ministry of Higher Education office of National Council of Science and Technology, and from the respondents who were to participate in the study. The nature and the rationale for the study was explained to the respondents by the researcher. According to Creswell (2014), prior to the big day, researchers are expected to get an approval of those in authority for instance gatekeepers in order to get access to the sites and study the participants. This normally involves writing a letter that specifies the extent of time, potential impact and the outcome of the research. In this regard a letter was written to the bureau chiefs of the media houses in Eldoret, Uasin Gishu County.

In the course of data collection, the researcher respected the participants' rights and safeguarded their personal integrity. This was done by ensuring that each questionnaire

had a code number for reference. Further, more in the presentation of data no name of the respondent nor the media house they are working for has been revealed, hence the anonymity of the respondents was maintained. The participants were assured that the information given will be treated confidentially and for the purpose intended only. They also had the freedom to withdraw from the study at any point or time though none decline.

3.11.2 Not Pressuring Participants into Signing Consent Forms

According to Creswell (2014), a researcher is not supposed to force the participants into accepting to participate in the study. The participation is supposed to be voluntary and the purpose of the study should be well articulated to the participants through the instructions in the consent form. In conducting this research, the researcher obtained permission from the various respondents who included the journalist reporters and editors from the media houses in Eldoret town. Sufficient explanation was given to them regarding the nature of the research.

3.11.3 Anonymity and Confidentiality

According to Creswell (2014) researchers delink names from responses during the coding process. For instance, in qualitative research they use aliases or pseudonyms for individuals and places in order to protect the identities of the participants. In this study the participants gave voluntary consent and they were free to exit the research at any time. The participants were also assured of their anonymity and confidentiality. During the research respondents were instructed not to include their names on the questionnaires.

Instead the researcher used numbers that could later be used to identify the respondents. During analysis the same numbers were used to represent the media houses as well as journalists from those media houses.

3.11.4 Avoiding Harm to Participants

Creswell (2014) cautions against disclosing information that will harm the participants or the participating organizations. In this study the researcher took caution by ensuring that the name of the organizations and the name of the participating journalists is not disclosed as this was the consensus with the participants prior to the filling of the questionnaires and conducting to interviews.

3.12 Summary

In this study the researcher used an explanatory sequential of mixed methods in surveying the ten media houses in Eldoret Municipality, Uasin Gishu County. The target population was reduced to a sample size of 47% of the total population. Simple random sampling was used to select the reporters and purposive sampling to get the ten editors. This means that each journalist was given an equal chance to participate in the study. In this study the researcher first analyzed the quantitative data which was later supported or explained by the qualitative data that was collected through in-depth interviews.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND DISCUSSION

4.0 Introduction

This chapter entails the detailed presentation of results, discussion and analysis of the study. The findings are presented in the following order: Demographic characteristics, quantitative and qualitative findings and discussion.

4.1 Demographic characteristics

4.1.1. Respondents' Registration with Media Council of Kenya per Media House.

When the reporters were asked on their registration status with the Media Council of Kenya (MCK), majority of the respondents (33) which is equivalent to 89% agreed that they were registered while 4 (11%) respondents were registered by the Association of Media Women in Kenya (AMWINK). This meant that the data collected was from two groups registered by two different bodies. This poses a danger of uniformity in adherence to the code of conduct. Below is figure 4.2 showing respondents' registration by MCK.
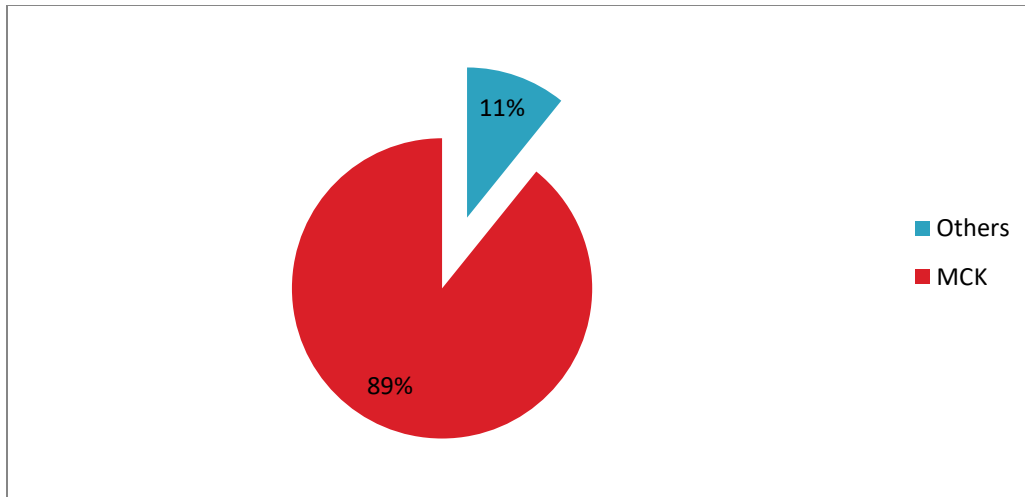
Figure 4.1 Reporters' registration by MCK

4.1.2 Respondents' Working Experience

When respondents(reporters) were asked for how long they had been practicing journalism, majority (18) reported that they had been in the field for between 1and 5 years and 7 reported that they had been in the industry for between 6 and10 years. Only 1 had a working experience of over 10 years. The table 4.1 and fig 4.3 below gives a summary of the working experience for the reporters.

Table: 4.1 *shows number of reporters and experience in years*

No of reporters	5	3	6	2	3	4	2	1	1
Experience in years	1	2	3	4	5	6	8	10	11
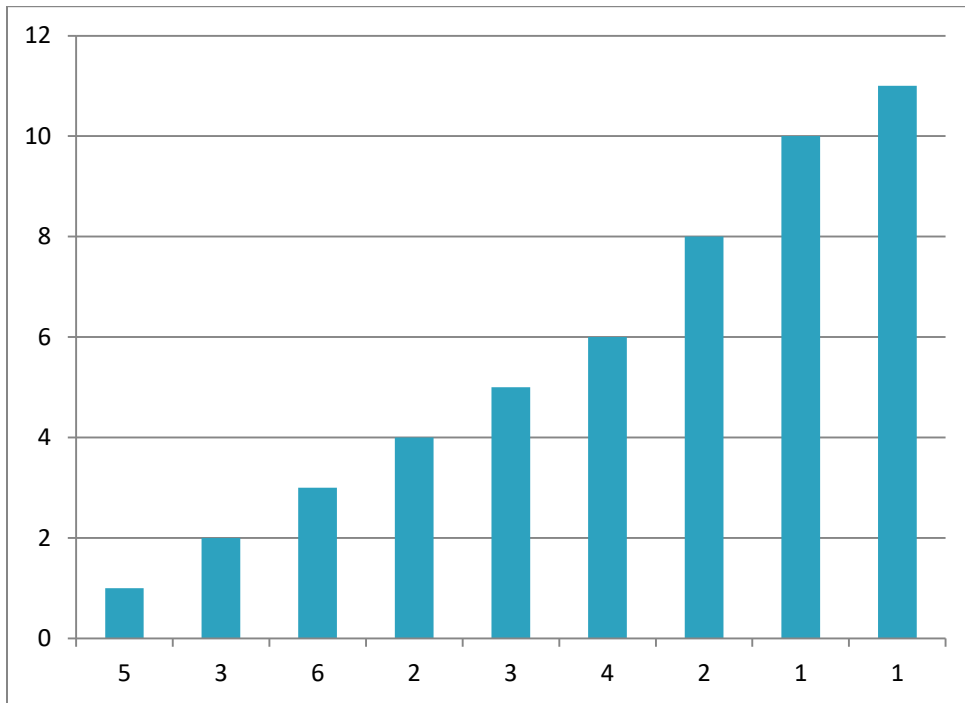
Figure4.2: Reporters' Working Experience

When respondents(editors) were asked for how long they had been working in the media industry, majority (6) reported that they had been in the field for between 6 to 10 years and 2 reported that they had been in the industry for between 11 to 15 years, and 1 indicated has been in the field for between 1-5 years and another 1 between 16-20 years. Table 4.1 and figure 4.2 gives the data findings summary.

Table: 4.2 Working Experience of Editors

Editors of Media house	1	2	3	4	5	6	7	8	9	10
Experience in years	4	4	5	10	15	6	2	4	11	12
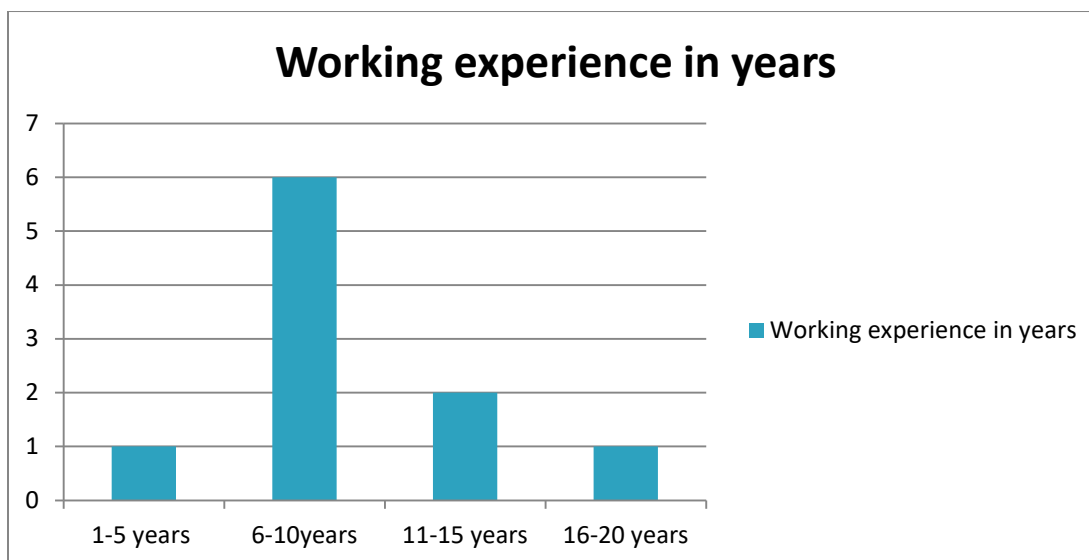
Fig 4.3 The Editors' Working Experience

These findings indicate that there is lack of job stability for the reporters, this can be attributed to poor working conditions which is a major challenge in the media industry. This is supported by Kenya's ranking on the global freedom index. According World Press Freedom Index (2020), Kenya was at position 103 down 7 places from 96 in 2018.

4.1.3 Respondents' Educational Level

The sampled respondents(reporters) were of different educational levels. Majority of them (17) had diploma, 6 had certificates and 5 had degrees. Figure 4.4 below shows a summary of reporters' educational level.
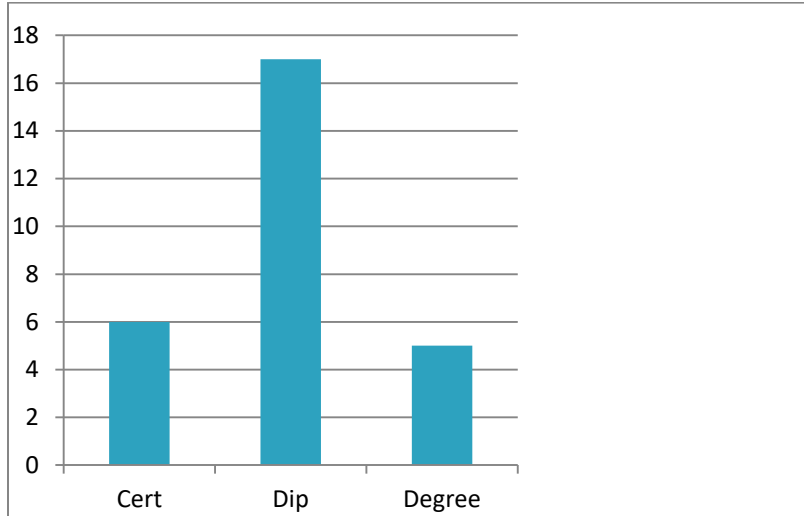
Fig 4.4 Reporters' Educational Level

The sampled respondent(editors) majority of them 8 had degrees and 2 had diplomas but were almost completing their bachelors' studies. Apart from formal education, the editors had additional qualifications which included training in marketing, political, environmental, gender, violence and conflict reporting as well as responsible covering of elections.

These findings signpost the assumption that educational level may not majorly determine your output in the media industry. This is similar to the earlier findings by a website survey into the training of journalism in 2012 by the society of editors (SoE) in the UK, which showed the editor's continuing prejudice against higher education, Greenslade (2012). The study showed that 77% agreed that the undergraduate degree was not essential qualification to be a journalist.

Figure 4.5 below shows a summary of the educational level of editors.
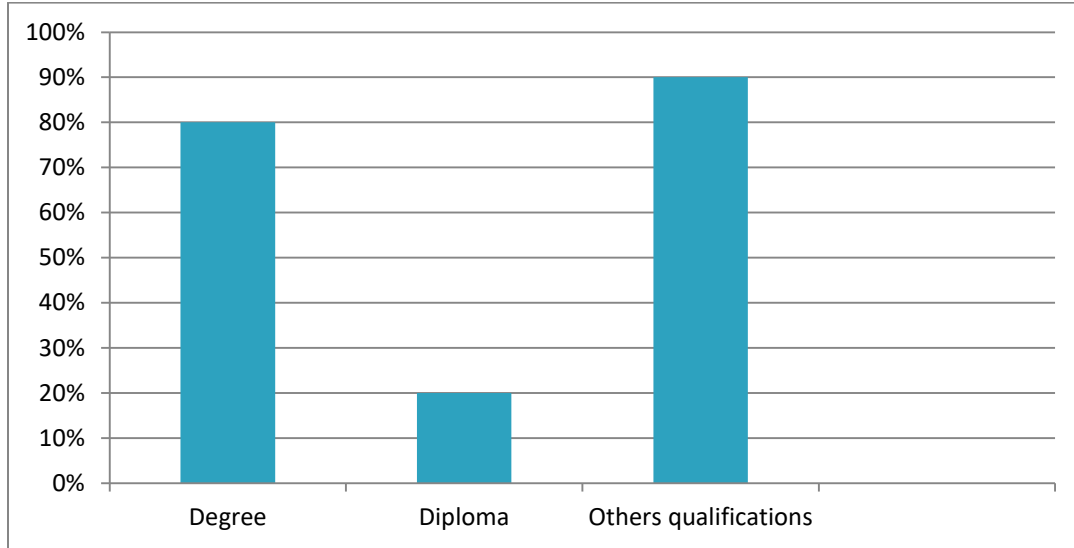
Fig 4.5 Level of Education for Editors

4.2 Data Presentation, Analysis and Discussion

4.2.1 Journalists' perception of the Journalistic Code of Conduct

The study sought to determine whether reporters are aware of the journalistic code of conduct. A set of statements relating to journalistic code of conduct were presented to the respondents. They were required to respond by ticking the most appropriate response. On a scale of 1 for strongly agree (SA), 2 for disagree (D), 3 for neutral (N), 4 for agree (A) and 5 for strongly disagree (SD) the following were the responses. Majority of the respondents (88.5%) agreed that the use of the code of conduct promotes professionalism in media reporting. On average the respondents agreed with this statement with a mean of 4.4. When asked if their media had a copy of journalistic code of conduct that guided their news gathering and reporting, majority (76.9%) agreed, 19.2% disagreed and 3.8% were neutral. On average respondents agreed with the statement with a mean of 4.1.

Respondents were asked if they understand how objectivity, fairness, accuracy, independence, accountability and integrity are to be applied in reporting, majority of them (84.6%) agreed that they do, while others 11.5% did not know, 3.8% were neutral on the aspect. On average the respondents agreed with the statement with a mean of 4.0. The study reframed the statement and asked respondents if they have never heard about the code of conduct for the practice of journalism, 92.3% disagreed to have never heard and 7.7% agreed. Respondents averagely disagreed with the statement with a mean of 1.5. Table 4.3 below shows a summary of the results.

Table 4.3: Reporters' perception of the Journalistic Code of Conduct

	Percentages					Mean
	S.D	D	N	A	S. A	Mean
The use of the code of conduct promotes professionalism in media reporting	3.8	3.8	3.8	23.1	65.4	4.4
My media house has a copy of the journalistic code of conduct that guides us on news gathering and reporting	3.8	15.4	3.8	23.1	53.8	4.1
Do you understand how objectivity, fairness, accuracy, independence, accountability and integrity are to be applied in reporting	3.8	7.7	3.8	57.7	26.9	4.0
I have never heard about the code of conduct for the practice of journalism	69.2	23.1	0	7.7	0	1.5

Concerning the theme; perception of the journalistic code of conduct, 10 editors were purposively sampled. Their response on perception of the journalistic code of code were sampled too.

"They are a set of rules you operate within as you do your day-to-day work; like balance, objectivity so that you achieve what is required. They provide the operating frame of ethics." (Respondent no.5)

"*Are rules that govern journalists, much more of media law for journalists to understand how, where and when to do what?"* (Respondent for media no. 2)

While probing for in house training, most editors acknowledged the fact that they carry on training to enlighten the trainees on how practical reporting is done.

"As a ministry we set a bar high such that other media house follows it. They copy what we have…Because we are a government agency our agenda setting is set upon government policies mainly". (Respondent no. 10)

A small percentage of the editors indicated they don't do periodical in-house training but they carry on in-house training after recruiting just before engaging the reporters in the field.

"We do training before they start writing for us, so that they may be conversant with the code." (Respondent no.6)

From the results therefore, it is clear that reporters and editors had adequate knowledge of the journalistic code of conduct for the practice of journalism in Kenya. They all acknowledged to have read and understood the journalistic code of conduct for practice of journalism in Kenya. This contradicts, Oriare et al (2010) who argued that journalists had inadequate knowledge on the journalistic code. Oriare et al (2010: 58) argues that, "the Media Council of Kenya (MCK) had published and distributed hundreds of copies of the code to newsrooms but few journalists know about or use it". The variation on the understanding and utilization of the professional code is dependent on the variety of media practitioners who are trained at different levels.

They further noted that the low utility of the code of conduct suggests professional negligence on the part of trained journalists. This meant that organizations that have adopted the code of conduct have not been keen to promote its use among their employees.

The study further established that media houses carry-on in-house training before new reporters are given assignments, this edifies their perception on the journalistic code of conduct. This is supported by 76.9% of the reporters and 100% of the editors.

Further, Respondents were asked if they understand how objectivity, fairness, accuracy, independence, accountability and integrity are to be applied in reporting, majority of them (84.6%) agreed that they do, while others 11.5% did not know, 3.8% were neutral on the aspect. This is a strong indication of how knowledgeable reporters are on the journalistic code of conduct. However, the fact that the respondents failed to agree 100% it implies there is more need for sensitization about the code of conduct by the stakeholders such as the MCK.

4.2.2 Journalists' abiding by the journalistic code of conduct

The study further sought to determine if reporters and editors abide by the code of conduct in the process of preparing and reporting news. Almost all of the respondents - reporters (92.3%) agreed that in their work as journalists they are guided by the journalistic code of conduct. When asked if the sources of the story at times pay for their publication, the responses were varied, 23% disagreed, 23.1% were neutral and 53.9%

agreed. This gives an indication of external forces having a hand of interference during news processing.

Table 4.4 below shows a summary of the results **of Reporters' Abiding by the Journalistic Code of Conduct**

	Percentages					Mean
	S. D	D	N	A	S. A	
In my work as a reporter, I am guided by the journalistic code of conduct	3.8	3.8	0	38.5	53.8	4.3
The sources of the story at times pay for their publication	3.8	19.2	23.1	34.6	19.2	3.5
In deciding the story to publish, profit of the business comes first as opposed to the code of conduct	3.8	19.2	26.9	26.9	23.1	3.5
At times the media publishes the content which is slightly obscene	11.5	30.8	3.8	50.0	3.8	3.0

When editors were asked whether they always uphold the journalistic code of conduct majority (9) agreed but were quick to acknowledge the fact that stakeholders like; advertisers, politicians, owners and the government at times affect their decisions as media houses. These is in concurrence with quantitative findings with a majority of the respondents who acknowledged the same fact. This is supported by Oriare et al (2010) who acknowledges the fact that big advertisers often put a lot of pressure on media to confirm to their requirements and are normally intolerant to hostile media coverage. It is argued that they often withdraw adverts if their wishes are not met. Some big firms also pay journalists to tilt coverage in their favour. They feel obliged to restrain themselves to

remain in favour of this economic potent or that lobby group. This strongly contradicts the journalistic code of conduct.

On the part of the profit driving the publications, the researcher established that 50% of the respondents were in support while 23% disagreed with 26.9% taking a neutral stand. On the same, many editors (6) were quick to say that at times the editors at the head office end up changing stories sent to them from the regional bureaus when they realize they do not please their other affiliates though they are in-line with the journalistic code of conduct.

For instance;

> "*We have people who influence the outcome, such that you find some media houses twisting stories which are in line with the code of conduct*", (Respondent no.10)
> *She further noted that the editors at the head office are likely to kill a story if it's contrary to the interests of the stakeholders.*

The researcher found out that at times media houses have friction with the government to an extent that the government declines giving the media the information they want.

> *"At times when covering minors, the government will always restrict and at times deny giving you information"* (Respondent no.10)

This was confirmed by the council of governors led by its chair who on 29th, August 2020 when they issued a statement that the counties will no longer advertise with the Nation Media following their investigative stories about the counties. This alludes to the intimidation that the media face from other stakeholders in the industry

This is in line with the arguments in Ongalo (2014) who maintains that in general, the media proprietors and top-level directorate find it easy to impose their will on the outlets

in print, radio or TV which they own or control. This poses the big question as to whether editors are rightly executing their responsibilities as gate keepers?

The findings further indicated that even in small media houses the editors are not allowed to publish stories which paint negative the main sponsors of the media.

> "I can give an example of the current happenings of girls getting pregnant. We have so many catholic schools that are governed by the Catholic Church so the Catholic Church would not want to get to the limelight because it tarnishes the image of the church. So as much as we may want to run a truthful story the rules from above will question why have you aired that story? Don't you think you are tarnishing the name of the church? We have heard stories that priests have raped, other media houses can do it but we cannot do it." (Respondent no. 2)

These findings contradict the journalistic Code of Conduct (pg. 8) which states that a journalist should, "Gather and report news without fear or favour, and vigorously resist undue influence from any outside forces, including advertisers, sources, story objects, powerful individuals and special interest groups".

It further says that a (pg.9);

> Journalists should determine news content solely through editorial judgment and not the result of outside influence, resist any self-interest or peer pressure that might erode journalistic duty and service to the public, recognize that sponsorship of news should not be used in any way to determine, restrict or manipulate content and refuse to allow interests of ownership or management to influence news' judgment and content inappropriately. (MCK, 2013)

For instance, 50% of the findings of the questionnaires (reporters) indicated that profit rather than the journalistic code of conduct determines publication of stories. These findings further disagree with the journalistic code which states that "…resist any self-interest or peer pressure that might erode journalistic duty and service to the public…" (MCK, 2013: pg.9).

For instance, one of the editors said that some church doctrines forbid them from publication of stories concerning use of contraceptives.

> "*We are governed by the church doctrines and the clergy are involved in our decision making. The church advocates for natural family planning but we have other forms of family planning including the use of pills, the syringe and so forth, the church forbids that. So, I cannot run a story concerning family planning if not natural family planning*". (Respondent no. 2)

These findings agree with Nguri et al (2009) who argue that many idealistic journalists have found out the hard way that making a profit is not necessarily synonymous with such virtues as truth, objectivity or public's right to know.

Nguri (*ibid*), further captures the fact that the biggest challenge for the journalist is balancing between the interests of the advertisers who provide the money for paying your salary and the professional calling which states that truth is sacred, irrespective of whether it hurts a major advertiser or not. He moves on that when journalist's quest for truth conflicts with other values and interests represented in the media organization, the reporter naturally starts exercising "self- censorship" in future encounters.

This has been confirmed in the findings of in-depth interviews in which respondents indicated that stories are abandoned on the basis that they hurt the advertisers and other affiliate parties.

> "*We cannot publish a story that paints negative our advertisers like coca cola, l earning institutions and the county government*", (respondent no. 1)

It has also been affirmed by the media observer, a monthly publication of the MCK in an article, "Journalists have lost a battle to advertisers" (The Media Observer 2015 p.20). The findings also compliment with Nguri et al (2010). He says that, faced with situations

where the truth is inconvenient to major advertisers, in modern day media set up, a journalist is no longer a free agent in pursuit of the truth. He or she is an employee ultimately responsible to the line manager. More often than not the manager happens to be that a manager with no journalistic background. The manager is trained to think bottom line. If an inconvenient truth conflicts with the business of profit making, the truth will most likely be sacrificed at the altar of the profits. This was confirmed by the editors who said they have also been given training in marketing.

Jeff S. (2011) observes that the neutral response does not matter much because of the fact that items in the questionnaire are summed, averaged or combined. Also, items in the questionnaires are explained in comparison to other findings. In this regard, neutral response in these findings does less affect the results since they are interpreted in comparison with the interview findings, which still affirm the fact of external pressure in determining stories to be published. Profit being the driving force it implies that at times media practitioners do not fully abide by the code of conduct on business grounds.

4.2.3 Editorial independence of Journalists (Reporters and Editors)

The study established that most of the decisions in the media house are influenced by owners and other interested parties. For instance; Majority of the respondents(reporters) (80.8%) agreed that most decisions are influenced by media owners, 11.5% disagreed and 7.7% were neutral. This concurs with the affirmation of Mc Quail (2010) who argues that owners in market-based media have ultimate power over content and can ask for what they want to be included or left out. Peter et al. (2010) writes that news coverage is geared towards protecting the interests of media owners. So, the content is manipulated to

such an extent that sometimes it takes priority over objectivity in news coverage to reflect political and commercial leaning.

Table 4.5 Study *findings on the editorial independence of reporters*

	Percentages					**Mean**
	S. D	D	U	A	S. A	
Most decisions are influenced by media owners	0	11.5	7.7	65.4	15.4	3.8
All decisions regarding the news to be published are based on the journalistic code of conduct	0	19.2	3.8	53.8	23.1	3.8
The tenets of objectivity, fairness, accuracy, independence, accountability and integrity are well observed during reporting	0	15.4	11.5	61.5	11.5	3.7
Most decisions are influenced by advertisers and politicians	3.8	7.7	19.2	57.7	11.5	3.7

However, the respondents were keen to agree that majority of the decisions are based on the journalistic code of conduct with a consensus of 76.9% and only 19.2% disagreeing.

On a scale of 1-5, 1 being the highest and 5 the least. The editors were to rate the editorial independence of the media houses in Uasin Gishu County Kenya. Most respondents, 6 rated the independence at 3 and the least of 4 rated it at 2.5. They all cited interference from the politician, county government, advertisers and media owners.

The findings of both the reporters and editors advance doubts as whether the code of conduct is adhered to fully. For instance, one of the editors acknowledged that,

> *"The politicians and advertisers are the ones who set the agenda and they may also turn to be gate keepers of the story we air"*. (Respondent no.10)

This was echoed by another respondent,

> *"Owners affect our content a lot because they are the ones who decide what is to be published"* (Respondent no. 1).

This was strengthened by the fact that some media houses cannot publish contrary to their internal doctrine which forbids them for instance from publishing stories which relate to contraceptives as well negative talk about the church.

> *"As much as we may want to run a truthful story the rules from above will question why the story was aired? Don't you think you are tarnishing the name of the church?"* (Respondent no. 2)

The researcher further established weather advertisers and politicians influence decisions, 69.2% of the respondents agreed that they influence, 19.2% were neutral and 11.5% disagreed. This is in agreement with Oriare et al (2010), who acknowledge that the big advertisers often put a lot of pressure on media to endorse their requirements and are intolerant to hostile media coverage. This is because they can often withdraw adverts if their wishes are not met. This is also supported by Nguri et al (2009), which captures the fact that the biggest challenge is balancing between the interests of the advertisers who provide the money for paying your salary and the professional calling which states that truth is sacred, irrespective of whether it hurts a major advertiser or not. This has often put the editors at cross roads of whether to respect the calling whose truth is sacred or please the boss who is the employer. This justifies why there are still numerous complaints against the media filed under the Media Council of Kenya (MCK).

Mulanda (2015), argues that the big advertisers, mostly private companies, hold sway in media houses. They wield huge power with their millions like carrots and the ubiquitous stick in case a media house tries to go against their interests. He notes that these companies include; Mobile companies, soft drinks companies, brewers, airlines and consumer goods. Mulanda (2015) affirms that the companies are notorious for making media houses to bend backwards for ads and the Media houses are often the reluctant partners who have no other option

.

Tables 4.6 and and Figure 4.6 shows the summary of the study findings on editorial independence

Table 4.6: Level of Editorial Independence of Media Houses Based on Editors

Codes representing the media house	1	2	3	4	5	6	7	8	9	10
The level of independence on a scale of 1-5	2.5	3	3	3	3	3	2.5	2.5	3	2.5
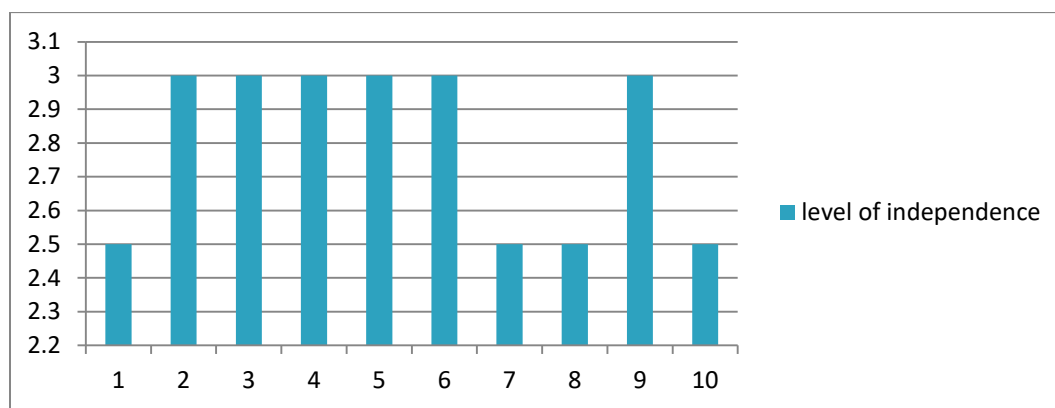
Figure 4.6: Level of Editorial Independence of Media Houses Based on Editors

These findings confirm the arguments by scholars that media practitioners do not have full editorial independence in the media houses. For instance, Mulanda (2005) its argued that;

> The reason why financial journalism has died is because of the battle of advertiser. He notes that the hands of journalists have a golden handcuff. Rocking the boat is like biting the hands that feeds you. Thus, scratch-my-Back-I-scratch-relation between media houses and advertiser has put journalists between the vicious commercial gun slingers and an increasingly critical public whose trust in media is waning (Mulanda 2015)

This compliments the earlier arguments of the editors in which one of them noted that;

> *"In particular the devolved county government administration may shy away from advertising because of the articles or stories published by media houses".* **(**Respondent no.5).

Another respondent noted that;

> *"When you have an advertiser who wants to pay you or sponsor your story of course you go as per the way he or she wishes, you can't go against them*". (Respondent no.10)

However, one of the respondents (editor) indicated that they are not affected by the politician but rather the religious who are the main sponsors of the media house.

> *"We are not affected by advertisers or politicians but largely the church*" (Respondent no. 2)

These findings agree with the arguments of Mc Quail (2010) who argues that owners in market-based media have ultimate power over content and can ask for what they want to be included or left out. This is cemented in the findings by the fact that sponsors/owners of the media would not allow some stories like those concerning family planning, issues of the clergy impregnating women or girls, negative stories about the county government,

major advertisers and sponsors to be published by media houses owned by the church and other business fraternities.

These findings also concur with the arguments of Oriare et al (2010), writes that news coverage is geared towards protecting the interests of media owners. So, the content is manipulated to such an extent that sometimes it takes priority over objectivity in news coverage to reflect political and commercial leaning. This he says undermines media independence. He further acknowledges that there is a thin line between the interest of editors based on the code of conduct and owners in Kenya. Media owners in Kenya often delegate authority to senior editors to transact business and make industry decisions on their behalf. This is highlighted in the findings from editors;

> Sometimes it's tricky, because maybe you are doing a political story then the politician calls and tells you not to publish the story. For example, the politician can call the editor, do you want business or the story so it will depend on the editor to decide whether to publish but because the politician gives the business the editor will just do away with the story. (Respondent no. 6)

Duplat (2003) further approves by stating that people perceive the press as an element of control, a tool of domination, a fourth power. He affirms that powerful as they may be, journalists feel the constraint of political, financial, social and judicial restrictions. Professionals recognize that these pressures at times push them to skid out of control. Duplat (*ibid*) cautions that repetition of blunders results in the loss of public credibility. This is supposed to be a wake-up call to the media fraternity on why upholding the journalistic code of conduct is important.

Ongalo (2014) observes that the ownership and control of the media is not only an important factor in determining the structure, working and output of mass media but also in the production of meaning in the society. Further Ongalo (*ibid*) argues that in general, the media proprietors and top-level directorate find it easy to impose their will on the outlets in print, radio or TV which they own or control.

4.3 Chapter Summary

The findings in this chapter have indicated to a large extent that journalists in Uasin Gishu County are knowledgeable about the code of conduct for the practice of journalism. Although they do not fully abide by it, most of their operations are woven around the code of conduct. External forces such as advertisers, media owners and politician play a big role in shaping the content.

CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter gives a summary of the research findings; it also gives suggestions on how to promote standards in the field of journalism.

5.2 Summary and Conclusion of the Findings

This study focused on the adherence of the journalistic code of conduct by journalists in Uasin Gishu County, Kenya. The several reporters and editors from ten media houses in Uasin Gishu County were selected to participate in the study. The researcher used questionnaires and in-depth interviews respectively.

5.2.1 The perception of journalists about the Journalistic Code of Conduct

The study was to establish the extent to which reporters and editors in Uasin Gishu County, Kenya understands the journalistic code of conduct for the practice of journalism in Kenya. The findings of both the questionnaires and the in-depth interviews showed that they have adequate knowledge on the code of conduct. This was supported by 88.9% of the reporters and all the editors.

5.2.2 Journalists Abiding by the Journalistic Code of Conduct

The study further established that the reporters and editor do not strictly adhere to the journalistic code of conduct in their practice of journalism. The findings revealed that in some cases profit as well as religious doctrines substitute the code of conduct. For instance, 50% of the reporters indicated that profit determines the stories to be published. The editors too affirmed of senior editors at the head office killing stories which do not please their affiliate parties like advertisers and politicians. These findings contradict the journalistic Code of Conduct which states that a journalist should,

> Gather and report news without fear or favour, and vigorously resist undue influence from any outside forces, including advertisers, sources, story objects, powerful individuals and special interest groups (MCK, 2013 P.8)

It further says that;

> A journalist should determine news content solely through editorial judgment and not the result of outside influence, resist any self-interest or peer pressure that might erode journalistic duty and service to the public, recognize that sponsorship of news should not be used in any way to determine, restrict or manipulate content and refuse to allow interests of ownership or management to influence news' judgment and content inappropriately. (MCK, 2013)

The findings from the reporters and editors showed that profit rather than the journalistic code of conduct determines what is published.

5.2.3 Level of Editorial Independence by Journalists

The findings of the study revealed that media houses are not fully independent from internal and external influences in regard to decision making. The findings from the questionnaires and in-depth interview showed that advertisers, politicians and media owners partly interfere.

The findings of the questionnaire indicated by 69.2% those advertisers and politicians influence decisions in the media houses. It was further supported by findings of in-depth interviews, which indicated by 80% that the advertisers, politicians and the owners influence the decisions. This means that reporters and editors do not have fully editorial independence.

These findings agree with Mc Quail (2010) who argues that owners in market-based media have ultimate power over content and can ask for what they want to be included or left out. This is cemented in the findings by the fact that sponsors/owners of some media houses would not allow some stories like those concerning family planning and issues of the clergy impregnating women or girls be published in the media houses owned by the church. To a larger extent, the findings found that the practice of journalism by media houses in Uasin Gishu County, Kenya is guided by the Journalistic Code of Conduct.

5.3 Conclusion

Basing on the fact that there are numerous complaints posted on the MCK website concerning unfair, inaccurate and biased reporting by journalists on various matters. These complaints show failure on the part of the reporters and editor to observe the code of conduct. The complaints provoke certain fundamental questions as; how do journalists embrace their professional code of conduct? How do journalists and editors reconcile their personal interests versus media ownership and in-house demands in regard to reporting? And how does MCK avail the professional code of conduct to the practicing journalists?

Therefore, in this study the researcher concludes that;

- Reporters and editors from across the media house exhibit high understanding of the journalistic code of conduct for the practice of journalism in Kenya.

- Reporters and editors do not fully abide by the journalistic code of conduct for the practice of journalism in Kenya. This is because of immense pressure wielded from advertisers, politicians and media owners.

- Reporters and editors from the various media houses do not have fully editorial independence from the internal and external pressure. They are mostly influenced by the devolved government, advertisers, politicians and media owners

5.4 Recommendations

Media practitioners' adherence to the journalistic code of conduct is critical in their role of informing, educating and entertaining the society. For media to be trusted they must adhere to the journalistic code of conduct in their operation of news sourcing and reporting. To enhance media practitioners' adherence to the journalistic code of conduct. The researcher recommends the following:

i)   Continuous Sensitization by the Media Council of Kenya (MCK)

There is urgent need for the MCK to start an initiative of sensitizing the journalists and editors on the need to be firm and faithful on the journalistic code of conduct in the course of their duty. This will help reduce the external interference to the news content carried by media houses. It is evident that groups like the politicians, media owners and advertisers pose a lot of friction in the course of packaging news.

ii)   Mandatory facilitation of the reporters by their employers.

There is need for the government and the MCK to put into legislation the requirement by the media houses to put in place support mechanism for the journalist reporters and editors. This will help them when they are going to cover outside functions and especially political events, so they may not be easily compromised.

iii)   MCK to champion for periodical review of salaries by respective media houses.

From the interaction with the journalist reporters and editors in Eldoret it was found that their salaries are not noble and this makes them prone to temptations of bribery and freebies from the news makers hence floating the journalistic code of conduct. Based on this, the media houses are supposed to be compelled by the stakeholders such as the MCK, to be reviewing journalist salaries especially those that deal with sensitive and fragile reporting.

iv)   MCK to initiate awards on watchdog function.

The MCK with other stakeholder who champion for media independence should team up to introduce awards which will encourage the journalist reporters and editors to always adopt the journalistic code of conduct in their practices.

v)   Government and MCK should pass a legislation that delink media owners from management of media houses.

There is need to come up with legislations that completely delink the owners of media houses from their management. This is because the owners look at the media houses as business entities yet media houses are supposed to serve as watchdogs. The principles of a business are not synonymous with those of a media house. According to Nguri et al (2009) the profession of journalism stands on what can be termed the seven pillars of

professional ethics: truthfulness, accuracy, objectivity, impartiality, fairness, public accountability and limitation of harm. Business on the other hand, do not necessarily operate under such strict code of ethics save for what workers in the line of making more and more money.

vi)   MCK should regulate the relationship between advertisers and the media houses

From the findings of the study, there are indications of advertisers setting agenda for media houses. This in turn has resulted in the interference of the journalist editors' worker hence disregarding the code of conduct in some cases. Therefore, the MCK should champion a legislation that will facilitate the business between the advertisers and the media houses.

vii)   MCK should regulate relationship between the County Governments and the media

For media to serve its watchdog function well there is needed to regulate how they relate with the national government, county governments, politicians and other interest groups. This will promote truthfulness in media content. This should be done urgently by the MCK so as to provide a neutral working environment.

5.5 Suggested Area for Further Research

The researcher suggests that those interested in this area can undertake further researcher in the following areas;

1. The influence of media stakeholders on the media content.

2. Ways of promoting use of the journalistic code of conduct in media practice.

3. Importance of adherence to the journalistic code of conduct.

REFERENCES

Bassey, M. (1999). *Case Study Research in Educational Setting*. Buckingham, Philadelphia: Open University Press.

Berger, A. A. (2018). *Media and communication research methods: An introduction to qualitative and quantitative approaches.* Sage.

Catherine Kafu &Charles Ochieng Ong'ondo (June 2017). *Parental Guidance on Viewership by children in Uasin Gishu County in Kenya*. Research journal's Journal of Media Studies Vol. 3 | No. 3.

Creswell, C. (2014). *Research Design: Qualitative, Quantitative and Mixed Methods Approaches, 4th Edition.* Los Angeles: University of Nebraska-Lincoln Sage.

Creswell, C. (2006). *Understanding mixed method research:* Sage Publications.

Daily Nation. (2018, February 7). *James Richard Wanjigi*. Nation Media Group

Duplat, D. (2003). *Freedom of the Press; Media Training in Africa-Responsibility of Media*. Limuru Kenya: Kulbe Press.

Edwin R. Van Teijlingen and Vanora Hundley. (2001). *The importance of pilot studies*. United Kingdom: University of Surrey.

Frost, C. (2011). *Journalism Ethics and Regulation.* England: Pearson.

Hafez, K. (2002). *Journalism Ethics revisited; A comparison of ethics codes in Europe, North Africa, Middle East and Muslim Asia*. Political Communication, 19, 225–250.

Jeff S. (April 19, 2011) *Survey Items Should Include A Neutral Response: Agree, Disagree, Undecided?* https://measuringu.com/neutral-option/retrieved 28th Jan 2021

Jwan, J. O., & Ong 'Ondo, C. O. (2011). *qualitative research.* Eldoret: Moi University.

Kasoma, F. (2000). *The Press and Multiparty Politics in Africa.* Tampere: University of Tambere Press.

Kenya. (2013). *Kenya Information and Communication Act.* Nairobi: Parliament.

Kothari, C (2004). *Research Methodology: Methods and Techniques.* New Delhi: New Age International (P) Limited Publishers.

Levi Obonyo, Erneo Nyamboga. (2011). Journalists and the rule of Law. Nairobi, Kenya: The Kenyan section of the International Commission of Jurist.

Masterman. L. (1985). *Teaching the Media.* London: Comedia Publishing Group.

McQuail, D. (1994). *Mass Communication Theory.3rd Edition..* London: Sage.

Media Council of Kenya (2013) *Code of conduct for the Practice of Journalism in Kenya.* Nairobi.

Media Council of Kenya. (2018,). *The Media Observer, 20th Issue.* Nairobi: Media Council of Kenya.

Media Council of Kenya. (2019). *The Media Observer, 41st Issue.* Nairobi: Media Council of Kenya.

Mfumbusa, F. (2008). Newsroom Ethics in Africa: Quest for a Normative Framework. *African Communication Research.,Vol.1 NO.2*.

Mugenda. O, M. A. (1999). *Research Methods: Qualitative and Quantitative Approach.* Nairobi: ACT Press.

Nguri, Mumbi, Kamweu. (2009). Media Training in Eastern African. *A journal for The Media Council of Kenya*.

Nordenstreng. K. (1999). Media Ethics in Europe. In Search of Core Values. *Media Ethics in Europe. In Search of Core Values*, (p. The International Colloquim). Tunis.

Obonyo. L, N. E. (2011). *Journalist and The Rule of Law.* Nairobi, Kenya,): Friedrich Ebert Stiftung (FES.

Ogenga, F. (2008). The role of the Kenyan Media in the 2007 Election. conflict resolution in Kenya (p. 204). University of the Witwatersrand: Journal of African Election.

Ongalo, O. (2014). A critical analysis of Media Professionalism in Kenya. Nairobi: University of Nairobi.

Peter Oriare. Rosemary Okello-Orlale. Wilson Ugangu (2010). *The media we want: The Kenyan media vulnerabilities study.* Nairobi, Kenya: Fredrich Ebert Stiftung (FES)

Roy Greenslade (2012), *Editors don't think university education is essential for journalists.* https://www.theguardian.com/media/greenslade/2012/nov/13/journalism-education-editors(visited 2017)

Shenton, A. (2004). Strategies for Ensuring Trustworthiness in Qualitative Research Projects. *Education for Information*, 22,63-75.

Sikka.S. K. (2011). *Issues in Contemporary Media.* New Delhi: New Delhi. Stephen, O. L. (2017, 4 26). *Video-ncic-identifies-19-counties-at-risk-of-violence*. Retrieved from https://www.the-star.co.ke/news/2016-04-26.

Stephen. J & A. Ward, S. (2008). Hand book for *Journalism Ethics. Routledge* UNESCO. (2009). Media and Gender. In M. D. Bruin, *Gender and newsroom cultures* (pp. 41-45). France: UNESCO.

APPENDICES

APPENDIX I: QUESTIONNAIRE

I am Millicent Makokha, a Master's of Science in Communication and Journalism student from Moi University taking research on the **Adherence to the Journalistic Code of Conduct by media practitioners in Uasin Gishu County, Kenya**. You have been selected as a participant in this research and I kindly request you to respond to questions in this questionnaire.

Participating in this study is voluntary. I assure you that all the information you provide will be treated confidential and will only be accessible to myself and my supervisors for the purpose of academic research.

Name .... **Sign**.......................................

SECTION A: BACKGROUND INFORMATION FOR EDITORS

Kindly   tick where appropriate for you

1. Gender

(a) Male   [   ]   (b) Female   [   ]

2. Level of education?

a) KCSE   [   ]   b) Certificate   [   ]   c) Diploma [   ]

d) Degree   [   ]   e) Masters   [   ]   f) other qualifications [   ]

3. Are you certified by the media council of Kenya?

(a) Yes   [   ]   (b) No   [   ]

If no, why...

4. Which media house do you work for?

....

5. For how long have you practiced as a journalist?

(a) 1-5 years   [ ]

(b) 6-11 years   [ ]

(c) 12 years and above   [ ]

SECTION B: Tick against your preference

To what extent do you agree with the following statement	Strongly agree(SA)	Agree (A)	Neutral (Neutral)	Disagree (D)	Strongly Disagree (SD)
There is a Journalistic code of conduct that guide the practice of a profession					
I have a copy of the code of conduct for practice journalism					
I have read and understood the code of conduct for the practice of journalism in Kenya					
I have never heard about the code of conduct for the practice of journalism					
I have never seen and read the code of conduct for the practice of journalism in Kenya					
In my work as a journalist I am guided by the code of conduct					

In some cases I don't follow the code of conduct					
The practice of journalism in Kenya is not guided by the code of conduct					
The media house I work with is totally independent from any external and internal influences					
All decisions regarding the news to be published are based on the code of conduct					
Most decisions are influenced by advertisers					
Most decisions are influenced by politicians					

APPENDIX II: SAMPLE INTERVIEW SCHEDULE FOR EDITORS

I am Millicent Makokha a Master's of Science in Communication and Journalism student from Moi University taking research on the **Adherence to the Journalistic Code of Conduct by media practitioners in Uasin Gishu County, Kenya**. You have been selected as a participant in this research and I kindly request you to respond to questions in this interview.

Participating in this study is voluntary. I assure you that all the information you provide will be treated confidential and will only be accessible to myself and my supervisors for the purpose of academic research.

Name ....   Sign.......................................

SECTION A: BACKGROUND INFORMATION FOR EDITORS

1. Gender

(a) Male   [   ]   (b) Female   [   ]

2. How old are you?

3. What is your highest level of education?...

....

4. Do you have any other qualifications other than training in Journalism?......................

....

5. For how long have you been practicing? …………………………………………..

....

SECTION B

 1. What is your understanding of the journalistic code of conduct?............................

....

(Probe for carrying on in-house training for reporters) ………………………………….

....….

2. In your opinion how important is the journalistic code of conduct to reporters

....

3 How does the code of conduct affect your decision as a media house?..

            ....

            ....

4. Do you always uphold the journalistic code of conduct?...

            ....

 5   How do stakeholders like advertisers, politicians, owners and the Government affect your decision as a media house?..

            ....

            ....

 6. On a scale of 1 to 5, where do you rate media independence in Uasin Gishu County, Eldoret town- Kenya?

APPENDIX III: STATUS OF COMPLAINTS HANDLED BY THE

COMPLAINTS COMMISSION SINCE AUGUST 2016 TO JUNE 2019

Case No	Complaint By	Complaint Against	Date Filed	Nature of Complaint	Action
05	Arya Pratidhi Shah Sabha	The Star	04.04.2014	Inaccurate and biased reporting	Dismissed for want of prosecution by the Complainant/Non- attendance
17	Kiraitu Murungi	Nation Media Group	03.07.2014	Inaccurate and biased reporting	Dismissed for want of prosecution/Non attendance
18	KTDA	Nation Media Group	07.07.2014	Inaccurate and biased reporting	The Respondent was found to have violated the Code of Conduct for the practice of Journalism.
26	Abdul Ebrahim Haro& Two Others (Consolidated)	The Star Newspapers	17.09.2014	Inaccurate and biased reporting	Dismissed for want of prosecution
15	Alice Wahome & Another	K24 t/a Kameme FM		Inaccurate and biased broadcast	Withdrawn by mutual consent

(2016)

Case No	Complaint By	Complaint Against	Date Filed	Nature of Complaint	Action
05	Muthengi Wa Wambua	Nation Media Group and Musyi FM	21/3/2016	Misleading and biased reporting	Dismissed at the preliminary stage The Complaints was filed out of time
06	Brookside Dairy Limited	The Standard Newspaper	25/3/2016	Incomplete and misleading headlines	Listed for mention in July 2019
07	Brookside Dairy Limited	The Star Newspapers	25/3/2016	Incomplete and misleading article	Heard Experte. Judgment in favour of the Complainant
08	Brookside Dairy Limited	The Nation Newspapers	25/3/2016	Incomplete and misleading	Mention in July 2019

	Complainant	Respondent	Date Filed	Nature of Complaint	Action
09	Robert Gicharu	Nation Television	20/6/2016	Insensitive and inaccurate Broadcast by the NTV	Dismissed for want of prosecution/Non attendance
10	Bridge International Academies Ltd	Nation Media Group Ltd	20/6/2016	Misleading and inaccurate article in the Saturday Nation	Dismissed for want of prosecution/ Non attendance
11	Bishop Daniel M Njogu	Inooro FM	20/6/2016	Inaccurate and misleading	Dismissed for want of prosecution
12	Jonathan Munywoki Muthoka (Bishop)	Nairobian newspaper	26/8/2016	Misleading and sensational article in the Nairobian	Withdrawn by the complainant.
13	Amos Wangora (KenTrade)	Citizen Weekly	1/9/2016	Continuous sensational and misleading articles in the about Ken Trade	Dismissed for want of prosecution
14	Peter Murunga Susan Rokih	Citizen Tv &Dolphas Ochola	16/9/2016	Inaccurate and false publication Solicitation	Withdrawn. The Matter is criminal in nature
16	Miguna Miguna	The Standard Group	21/11/2016	Inaccurate and malicious publication	Interlocutory application dismissed. Hearing once Complainant is available.

(2017)

	Complainant	Respondent	Date Filed	Nature of Complaint	Action
1	Aero Dispenser Valves Limited	The East African Newspaper	4/1/2017	Misleading article about the complainant	Scheduled for hearing on 4th of July 2019
2	Corporate Pension Trust Services Limited	Standard Newspaper	4/1/2017	Inaccurate misleading publication about the pension trust	Withdrawn from after conciliation
3	John Mbugua	Royal Media services	9/1/2017	Misleading remarks about the 2007 PEV	Dismissed. Not within the jurisdiction of the Complaints Commission
4	Dr Kipkerich Chumo Koskei	Nation Media Group	7/2/2017	Inaccurate and misleading article about the Complainant	Dismissed for want of prosecution/non attendance

				Inaccurate and misleading article about the Complainant	Withdrawn. Complainants have a filed a case for defamation at the High Court
5	Apex advancement Limited	Standard Group	5/3/2017		
6	Dr Kenneth Mutuma	Standard Group Limited	15/3/2017	Inaccurate and misleading article about the Complainant	Withdrawn. Complainants have a filed a case for defamation at the High Court
7	Doris Wyne	Standard Group Limited	22/3/2017	Inaccurate and misleading article about the Complainant	Withdrawn. Complainants have a filed a case for defamation at the High Court
9.	Eric Kyalo Mutua	Mediamax T/a K24 TV	30/4/2017	Misleading and inaccurate article about the complainant	Judgment scheduled for 4th July 2019

2018

Case No	Complaint By	Complaint Against	Date Filed	Nature of Complaint	Action
02	Tatu City & 2 others	Nation Media Group and Six Others	5/6/ 2019	Inaccurate and biased reporting	Mention on 4th of July 2019
04	Samuel Muigai	Nation Media Group	25/9/2019	Inaccurate and biased reporting	Hearing on 4th of July 2019
05	Samuel Muigai	Standard Group	25/9/2018	Inaccurate and biased reporting	Mention on 4th of July 2019
06	Nation Media Group & 6 others	Tatu City Limited	10/12/2018	Inaccurate and biased reporting	Mention on 4th of July 2019

2019

Case No	Complaint By	Complaint Against	Date Filed	Nature of Complaint	Action
02	Priscilla Muthoni Maingi & Another	New York times and another	25th February 2019	Publication of gory images	Mediation on 4th of July 2019

As on 25/2/2020

Appendix IV: NACOSTI letter of authority

NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

Telephone: +254-20-2241349, 20-267 3550,
0713 788 787, 0735 404 245
Fax: +254-20-2213215

Email: secretary@nacosti.go.ke
Website: www.nacosti.go.ke

9ᵗʰ Floor Utalii House
Uhuru Highway
P.O. Box 30623-00100
NAIROBI-KENYA

When replying please quote

Date:

14ᵗʰ October, 2013
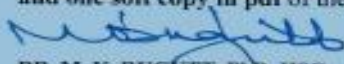
Our Ref: **NACOSTI/RCD/14/013/1704**

Millicent Makokha
Moi University
P.O.Box 3900-30100
Eldoret.

RE: RESEARCH AUTHORIZATION

Following your application dated *13ᵗʰ September, 2013* for authority to carry out research on *"The adoption of journalistic code of conduct by media practitioners in Eldoret Town, Uasin – Gishu – Kenya: A survey of Eldoret Town, Kenya,"* I am pleased to inform you that you have been authorized to undertake research in **Uasin-Gishu County** for a period ending **31ˢᵗ May, 2014.**

You are advised to report to **the County Commissioner and the County Director of Education, Uasin-Gishu County** before embarking on the research project.

On completion of the research, you are expected to submit **two hard copies and one soft copy in pdf** of the research report/thesis to our office.

DR. M. K. RUGUTT, PhD, HSC.
DEPUTY COMMISSION SECRETARY
NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION

Copy to:

The County Commissioner
The County Director of Education
Uasin-Gishu County.

National Commission for Science, Technology and Innovation is ISO 2008: 9001 Certified.