Analysing low intensity conflict in Africa using press reports

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ANALYSING LOW INTENSITY CONFLICT IN AFRICA
USING PRESS REPORTS

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RÉSUMÉ

Les sources directes sur les homicides ne sont généralement pas, en Afrique, suffisamment fiables et souffrent de biais. Les enquêtes de victimation en Afrique se révèlent également très biaisées en ce qui concerne l'estimation des homicides. En l'absence de sources plus fiables et exhaustives, les articles de presse peuvent au moins refléter quelques causes de mortalité spécifiques, à condition qu'une analyse politique des relations entre la presse et le pouvoir politique soit parallèlement conduite. Dans ce document, nous utilisons des données recueillies dans un quotidien majeur du Kenya pour décrire depuis 1990 les décès dus à trois sources de violence collective : la violence d'état (essentiellement la police), les violences communautaires et le banditisme. Nous utilisons une approche à la fois géographique et historique pour déterminer le niveau et la tendance du nombre de décès résultant du crime organisé et des conflits politiques. Notre analyse permet de plus d'identifier les divergences entre les discours parus dans la presse sur l'insécurité et la violence politique, et la réalité des décès rapportés dans cette même presse.

ABSTRACT

Unreliability and biases prevent us from analysing homicides using direct sources in most African countries. Victimisation surveys in Africa proved to be considerably biased regarding the recording of homicides. In the absence of more reliable and exhaustive sources, press reports can reflect at least some specific causes of death, on condition that a political analysis of the relation between the press and the political power is conducted. In this paper, using data collected from a leading Kenyan newspaper, we were able to depict the deaths since 1990 due to three main causes of collective violence: State violence (essentially the police), community clashes and banditry. We used a historical as well as geographical approach to determine the level and trend of the number of deaths as a consequence of organised crime and political conflicts. In addition, this analysis has helped us to point out the discrepancies between the press discourses on insecurity and political violence, and the reality of deaths reported by the very same press.

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INTRODUCTION

Causes of mortality have never been the subject of a systematic study in Kenya. There is no form of exhaustive death registration system either at the national level or at the local level, e.g. for Nairobi (Bocquier, 2003a), that could help to conduct such a study. Among the reasons for the incapacity of the existing administration to keep an exhaustive and continuous record of deaths are geographical coverage—birth and death registration are not a priority for allocating human and financial resources of the territorial administration—and under-reporting by families—certificates are not always used and concern mainly urban dwellers, therefore families are not in the habit of reporting births and deaths to the authorities. Births are probably better reported than deaths because birth certificates are required for provision of identity cards that are widely used in the urban context and for electoral purposes. Although there are potentially more sources that could be used for demographic analysis than in most African countries—due to the colonial legacy[1] and religious activism[2]—these are not reliable enough to conduct a study of mortality by causes through the births and deaths registration system.

Other potentially exhaustive sources that could be used by the demographer are censuses or police and mortuary records. Besides problems of under-reporting, the Census only asks about deaths in the preceding year and not about the possible causes of deaths. Police and mortuary records are made available to the public only in aggregate format. Furthermore they do not use an international classification scheme and, above all, they indicate obvious under-reporting. Deaths occurring in hospitals have more chance of being reported than deaths at home, especially for children.

In the absence of an effective registration system, the demographic surveys constitute an indisputable alternative. The Demographic and Health Surveys (DHS 1988, 1993) are valuable sources of information on infant and child mortality but do not cover adult mortality. The same is true for surveys conducted more locally like the Nairobi Child Survival Survey (NCSS 2000) and the Nairobi Urban Integration Survey (NUrIP 2001). Only in the DHS-1998 were women asked about the death of their sisters in the 15-50 age brackets. However the causes of deaths were not reported.

Had Kenya disposed of reliable Censuses or demographic surveys, other reasons might have biased the analysis of mortality. One cultural reason for misreporting is that many families want their dead to be buried at their place of origin, which is not necessarily the place of death. Also many sick people are taken back to their 'home village', so it would be wrong to attribute the resulting death to the living conditions or other circumstances at the place of death. This bias is reinforced by the dissolution of households. When an adult—especially the head of the household—dies or is gravely ill there is a high chance that the entire household dissolves or joins another household, which is even more common in small households. In that case, the circumstances of the death can be very difficult to assess from the report of the remaining members of the household and it is impossible to rely on a report when the deceased lived alone.

It seems therefore perfectly justifiable to collect specific data on mortality due to conflicts and violence. A first attempt was made by UN-Habitat to collect data on violent crime through a victimisation survey. In section 1 of this paper we show that this survey is subjected to a high bias, and we offer a better though tentative alternative to estimate the overall incidence of violence. In section 2 of this paper, we explain why press reports are a major source for the qualitative analysis of conflicts and violence in Kenya, before explaining the journalistic ethos in section 3. Section 4 then explains the principles used for press reports analysis.

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[1]   The '*Kipande*' pass is no longer required in post-colonial Kenya, but the State still controls its citizens through its administration at the District level. The administration that was mainly used for control could also be used for collecting data.
[2]   The various churches represented in Kenya hold their own birth and death registration systems, mainly to monitor the number in the congregation.

1. EVALUATION OF VIOLENT CRIME IN THE COUNTRY

Because there is no reliable source on causes of death, not speaking of violent crime, subjective perception and phantasm forestall any objective analysis of the phenomenon. Kenya is going through a period of high sensitivity to, and exasperation with, if not saturation, violence. It is in this context that the first victimisation survey was conducted in Nairobi in 2001 by the Safer Cities Programme of the United Nations Habitat agency (UN-Habitat, 2002). The declared objective of this programme is to convince the local urban authorities and by extension the national authorities, to adopt measures to improve the security of the citizens. The survey was conducted following the methodology developed by the Durban Victimisation Survey in 1997 and the Cape Town Victimisation Survey in 1998. Other victimisation surveys initiated by the Safer Cities Programme include Johannesburg (1997) and Dar es Salam (2000).

However the results published from the Victimisation Survey of Nairobi (VSN) cast doubt on the validity of the methodology used. Of the 1,000 respondents aged 18 and over, 38 declared that at least one member of their family was murdered in the year preceding the survey, i.e. from July 2000 to June 2001 (UN-Habitat, 2002:118-119). Such a rate is unreasonably high, knowing that the crude death rate for the entire population of Nairobi is about 15 for 1,000 inhabitants, all causes of death included (Bocquier, 2003a). The murders extrapolated to the adult population would have amounted to about 54,000 deaths according to the VSN, compared to about 27,000 evaluated for all causes of deaths, of which 10,000 to 13,000 are due to HIV/AIDS only. In Dar es Salaam, 12 murders were reported by 1,000 respondents. It is a much lower rate than in the VSN, but it is still much too high with regard to the overall mortality, which is about the same as in Nairobi (15 for 1,000). Why is there such a gross overestimation of murders in the UN-Habitat Victimisation Surveys?

The use of quotas is probably the origin of the problem. This sampling method, widely used in opinion polling and market research, does not ensure a representative sample of the population, contrary to reports. The clusters might have been chosen appropriately using random sampling at the first stage but the quota method used at the second stage to interview respondents was a source of huge, immeasurable biases. The procedure was as follows, quoting from the Dar es Salaam report[3]:

"1,000 respondents were approached. In this survey the same 20 ward areas were selected. […] The Ward Executive Officer supplied each fieldworker with a list of the plot and flat numbers in their respective areas. The field worker was then able to randomly choose which households would be approached and in a block of flats only two households were to be interviewed. In each ward area 50 respondents were interviewed in three age categories [18-30, 31-50 and 51 and over, for males and females]. *A respondent selection technique ensuring that the selection process was both random and rigorously implemented was constructed."* (UN-Habitat, 2000).

This 'selection technique' is not mentioned in the document but it is clear that as many households as necessary were interviewed to reach the required 50 respondents distributed in the 6 age-sex categories. This led to strong cluster effects, since there is a high probability that all adults in the households will be interviewed, except for the last households that were interviewed in order to attain 50 respondents. According to this procedure, also known as 'convenience sampling', a question such as *"Was any of your immediate family members residing with you* [in Nairobi/Dar es Salaam] *murdered in the last 12 months?"* leads to a predictable problem of overestimation. A murder in a household will be reported as many times as members of the household are interviewed. The same cluster effect will occur for any kind of event that is not uniquely related to a particular member of the household, such as a burglary. Bigger households will also have higher chance on average of being victims of a murder or a burglary, simply because the number of person-years at risk is higher. The crime will be multiplied by as many members as there are in the household. On the opposite, when the victim of a murder lived alone, there is nobody to report the crime. The quota sampling thus leads to systematic biases that are almost impossible to measure.

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[3]   The Nairobi report was not sufficiently precise on sampling but the methodology was the same as in Dar es Salaam.

Clearly, the victimisation survey cannot help us to measure violent deaths in Kenya, even by restricting the analysis to Nairobi. Nevertheless we attempted to evaluate homicides by extrapolating from the rates computed by the World Health Organisation estimations for the year 2000 (WHO, 2002). Translated from the average rate for Africa, the total number of homicides in Kenya would have been 5,600 in 2000 (see Table 1). Using the average rates of South Africa—the only country in Africa where statistics are available on the subject— for the years 1999-2001, which were particularly deadly, Kenya would have had 3,600 homicides. Crime in South Africa is however much better controlled than in most other African countries, including Kenya, even during the peak of homicides that South Africa experienced in 1999 (Statistics South Africa, 2002). The homicides extrapolated from South African rates represent a minimum value and one might wonder if the extrapolation from WHO rates is not underestimated as well. As a rough estimate of a maximum value for Kenya, we simply doubled the South African rates and obtained about 7,200 homicides. Our guess is that the reality lies above the WHO average for Africa, i.e. between 6,000 and 7,000 homicides a year.

Table 1: Homicide rates for 100,000 inhabitants by World region by sex and large age-group (2000) and projection of yearly homicides in Kenya

Countries by income level (WHO classification)	All ages	15-29	30-44	45-59
All world	8.6	12.1	11.6	9.7
High	2.8	5.4	3.8	2.3
Low and middle	9.6	13.0	13.2	11.7
Africa	18.1	23.7	26.8	26.6
Homicides in Kenya extrapolated from WHO estimates for Africa	5,600	2,200	1,200	600
Statistics South Africa: Average rate 1999-2001	11.6	17.9	15.6	14.7
Homicides South Africa	5,000	2,300	1,400	700
Homicides in Kenya extrapolated from South Africa estimates	3,600	1,700	800	400
Homicides in Kenya extrapolated from South Africa estimates x 2	7,200	3,400	1,600	800

Sources: our own computation from WHO (2002) and Statistics South Africa (2002).

2. PRESS REPORTS ON VIOLENT DEATH, CIVIL SOCIETY AND HUMAN RIGHTS

To date, press reports have been mostly used by organisations belonging to what is collectively referred to as the civil society. From the press, the civil society garners quantitative analyses, which claim to be neutral and of a scientific accuracy. However, any serious sociologist would object to this nature of analysis. It is easy to show their biggest methodological errors, but this is insufficient for those who seriously seek to understand what press reports can reveal in a reasonably reliable manner. We must henceforth take a detour from the sociology of agents. Why do the civil society use press reports and how? What is the nature of the existing links between this civil society and the media under the framework of this second wave of democratisation? How do these two types of organisations make up a network that shares a common vision with the problems affecting their national society as well as a perception of foreseeable democratic solutions? Does the existence of organic links between the data providers (the press) and those that analyse them (civil society) create problems concerning the reliability of the conclusions?

2.1. Civil society and the second democratisation

The second democratisation emerged in a context of strong belief in the democratic potential of civil society. This doxa is in keeping with the 1990s change in two Western paradigms. On one hand the crisis of the welfare state and the return of liberal ideologies led to scepticism with regard to the

democratic qualities of the state. On the other hand, the idea of development boosted by the state has been replaced by a development concept giving more importance to basic demands and citizen dialogue. These two mutations led to the idea that the civil society has the capacity to create a public space where citizens see the necessity of changing the political system by mobilisation.

With a 10-year hindsight, we now know that this prophecy did not come true anywhere. In Kenya, as elsewhere, it is the opening up of politics (multipartyism) largely stimulated from the outside that allowed the dawn of an influential civil society. However, contrary to other African countries, Kenya politicised Christian churches and a body of jurists who were well organised and well-versed in human rights, even before the democratisation process. It is in these two spheres that the organisations seek to use the press to evaluate the number and type of violent deaths.

The doxa was also mistaken in thinking that the civil society would necessarily be democratic. From the mid-1990s, some sociologists, e.g. S.N. Ndegwa (1996) showed that many NGOs did not wish to be involved in politics and that they did not operate democratically. We thus distinguished between service associations and defence associations. As a matter of fact, NGOs do vacillate between these two axes but the majority of the defence NGOs, which will be discussed in this paper, also provided services. This is the case with the Kenya Human Rights Commission and the National Council of Churches of Kenya, whose use of press reports will be discussed here. The former organisation is involved in civic education, election monitoring and policies of community policing. The latter puts a lot of effort into the education system, health and has a preference for rural development. Like the majority of service associations, they are obliged to work with the state and often in close collaboration with the administration. These organisations have no desire to radically change the existing regime. They have a moderate reforming agenda.

The doxa was mistaken at a third level. It anticipates that the civil society will be capable of ensuring the link between grassroots demands and the state capacity. In the whole of Africa, the civil society has very little standing among the masses. It is a mostly urban phenomenon and in the case of the human rights associations, clearly linked to the middle class whose development has been very weak. Even if urbanisation makes progress, it does so at a much slower rate than in the 1970s and 80s. The economic crisis of the last two decades reduced the proportion of the middle class. Kenya, however, enjoys a high rate of literacy, with a higher number of secondary and university graduates than the rest of Africa. Nevertheless, the so-called 'Democracy & Governance' NGOs clearly personify the aspirations of a social class which feels particularly threatened by the excesses of a populist and ideologically pro-rural regime. They know the limits of their representation in the population and the resistance capacity of a political class which is as strong in the majority as in the opposition, and is not ready to embrace their political approach.

Regardless of the facts, it would be naïve to disclaim the influences on Kenyan civil society. Kenya is one of the very rare African countries where 'Democracy & Governance' NGOs have succeeded on several counts (1991, 1992 and especially 1997) in massively mobilising the lumpen proletariat of the capital. It is actually from this context that we must understand the propensity of the civil society to give supposedly scientific statistics on the violent deaths in Kenya.

2.2. Politicised human rights and 'judicialisation' of politics

Civil society organisations focus on measuring violent death in Kenya because they have developed a politicised conception of human rights and because of a specific political context.

The last two decades have been marked all over the world by a revival of the ideology of human rights. Louis Henkin (1996) has used the term 'age of rights' to summarise the achievements that have been made in the advancement of human rights (see also, Michael Ignatieff, 2001). But since the 1990s, the dominant western conceptualisation of human rights has been strongly criticised and many African jurists try to overcome its restrictiveness and ineffectiveness in practical human rights work. In Kenya, Mutuma Ruteere (2003) and many other members of the human rights NGO fraternity argue that « *the view of human rights as a set of legal and moral principles outside the realm of the political and material considerations of everyday life has turned the human rights project in Africa into an elite*

game of logic incapable of understanding or halting the long train of violations on the continent ». This evolution of the African understanding of human rights is based on a critique of the work done by International NGOs, such as Human Rights Watch, Transparency International, and International Crisis Group. Mutua (2002: 36–37) thus summarises his critique of this western movement : « *Conventionally doctrinal, INGOs are the human rights movement's foot soldiers, missionaries, and proselytes. Their crusade is framed in moral certainty in which 'evil' and 'good' are as separate as night and day. They claim to practice law and not politics. Although they promote pragmatic liberal values and norms, they present themselves as neutral, universal and unbiased* ». It leads many African jurists to believe that « *the human rights agenda can escape the trap of irrelevance by restoring its political content and character. It defends a view of human rights, not as academic politics but as part of political contests in repressive societies* » (Ruteere, 2003).

In order to understand this evolution of the concept of human rights, we need to have a look at the sociology of these actors. M.E. Pommerolle (2003a) has written the history of the most important of the Kenyan Human Rights NGOs, the Kenya Human Rights Commission. She shows that since its inception in 1990, two generations of militants have successively been in existence—the 'activists' have been replaced by 'administrators'. Since its inception, the KHRC has tried to 'nationalise' human rights, first by not restricting human rights to the defence of civic and political rights (they are also interested in economic rights and in the inequalities created by the current land tenure), secondly by using original kinds of mobilisations—theatre, street funerals (Pommerolle, 2003b), use of Mau Mau recollections. Nevertheless, the second generation of KHRC employees have tried to institutionalise their approach without renouncing the principles that made the organisation a success. They have attempted to be accessible at grassroots level in order to become a real militant organisation. They have also tried to cooperate more with the state in order to facilitate their influence on public policies. From a radical movement of protesters involving mainly former political prisoners, they evolved into a more classical pressure group. The creation of a database on violent death must be understood in the framework of this mutation and institutionalisation which affects all the 'Democracy & Governance' NGOs.

The civil society has politicised the human rights but at the same time the state has politicised its politics. The second democratisation has often been perceived as a failure (ethnic cleansings, criminalization of the state…). Some people refer to this as a lost decade because the Moi regime was defeated only in 2002. This afro-pessimism is excessive because the legalisation of multipartyism had strong consequences. The discourse of human rights became legitimate even if the practices of the ruling elite didn't always follow suit. Additionally, human rights NGOs have imposed on the political agenda the need for a constitutional reform in order to better protect the rights of individuals and to create checks and balances against a too powerful executive power. The civil society tries to collect accurate data on violent deaths in order to advance this political reform through the law.

2.3. How NGOs use data on violent deaths

Because of the unreliability of official statistics (victims do not report offences and the police manipulate the available data), NGOs use the press as the only remaining source on violent deaths. Nevertheless, each NGO builds its data according to its own agenda, and this should be explained. They are mainly interested in studying two kinds of violent deaths: the extra-judicial executions[4] and the ethnic cleansings.

The KHRC was the first organisation to study extra-judicial executions. It is a way to emphasise the pathologies of the liberal-authoritarian Kenyan state which reacted to the rise of the opposition by abusing the regal administrations. In the cities, the understaffed police are unable to fight delinquencies. As the forces are also underpaid, they live off the population. According to Transparency International, Kenyans believe that the police are the most corrupt administration of the state. Also, the great number of policemen arrested or killed while committing crimes gives the

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[4] « *All deadly illegal and deliberate act perpetrated by a government agent, on order or by complicity and negating all right of life or impartial judgment to the victim* », KHCR, *Quarterly Human Rights Reports*, Vol. 1, N°2, April-June 2000, quoted by Pommerolle, 2003 b-.

impression that strong organic links exist between police and criminality. Many are policemen by day and criminals by night. The situation has deteriorated since the beginning of the 1990s when the police adopted a 'shoot to kill policy' which allows the police forces to kill suspects of crimes even when they (the suspects) do not threaten them. This blind repression is one of the factors leading to the feeling of insecurity that characterises Nairobi. KHRC puts the emphasis on extra-judicial executions because demanding police reform is a means to advance their agenda of more global modifications of governance through human rights.

The Nairobi Central Business Association is another NGO which has showed interest in extra-judicial executions. This association of businessmen is seeking to demonstrate that the growing insecurity in the city centre creates a negative environment for business and is not conducive to hosting offices of big corporations and embassies. In order to create the conditions for renewed economic dynamism of a city centre threatened by the development of highly secured suburban malls, the association is willing to develop constructive cooperation with the police forces through programmes of community policing (Pommerolle & Ruteere, 2002). Their aim is also to expel informal traders, who are regarded as exercising an unfair competition, from the city centre. The association therefore requires sociologists to demonstrate that crime is mainly located in the streets where the informal traders ply their wares.

The Security Research and Information Centre (2003) nurtures another agenda when studying the violent deaths caused by police or other actors. This association seeks to demonstrate that insecurity is mainly caused by the proliferation of small arms. According to their general paradigm, all African conflicts are linked if not caused by the trade of small arms. This school of thought constitutes one of the last actual expressions of the dependence theories explaining all African tragedies by international or exogenous factors. They try to lobby for international agreements aimed at forbidding trade and exportation of small arms. The SRIC belongs to a vast pan-African movement whose leader is Safer Africa based in Pretoria. Their simplistic perception of the African conflicts seems to be favoured by many western Embassies (DFID & Norway Embassy) which have generously sponsored the Kenyan survey.

The measurement of ethnic massacres through newspapers was done by KHRC, NCCK and Catholic publications of the Peace and Justice Commission, among others. In the short term, these organisations hope to distribute, especially abroad, exact information on these deaths. In the mid-term, they seek to demonstrate the necessity of effective counter powers capable of watching over and limiting the excesses of an all-powerful executive. Their objective is therefore to obtain a grassroots constitutional reform propelled by the forces of the civil society. This demand holds great scepticism towards the political class who are viewed as being incapable of breaking free from the dominant authoritarianism. Thanks to its capacity for mobilisation, the Kenyan civil society has a tendency to forget that the route to democracy involves a political society, which comprises political parties, elections and a leadership. This is actually one of the drifts of the contemporary conception of the human rights observed by Gauchet (2002: 326): « *It is no only that human rights do not suffice to define a policy. By housing the active conscience of democracies, human rights have simultaneously been representing the political difficulty of being of democracies.* »[5]. Kenyan DG NGOs belong to this political reduction movement, especially when its leaders like W. Mutunga advocate for '*a civilian coup*'. In Kenya, a strong civil society cohabits with a particularly institutionalised political society. Indeed, the aims of the NGO projects do not invalidate their analyses of violent deaths in Kenya except that their political objectives lead these organisations to lose interest in the methodology. They only seek arguments without laying claim to scientific work. This situation is worsened by the proximity of civil society and the media.

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[5]   « *Ce n'est plus simplement que les droits de l'homme ne suffisent pas à définir une politique, c'est qu'en devenant le foyer de sens actif des démocraties ils sont devenus simultanément le ressort de leur difficulté d'être politique.* »

3. VIOLENT DEATHS, JOURNALISTIC ETHOS AND THE SECOND DEMOCRATISATION

The press played a very minor role in the conquest of independence. In the first post-colonial decades, the media were muzzled or confined to the role of spokesman for the official forces of the country's nationalism. In Kenya's case, the media scene was dominated by newspapers owned by private enterprises which succeeded in safeguarding a form of independence and professionalism. However, and especially in the first decade of Moi's regime, criticism of the authorities was more limited. The role of the press in the second democratisation was more consistent even if it was exercised in a context of tension and relative liberty. This led to the emergence of a public space where media and civil society question and negotiate with the political class in an unequal exchange.

3.1. Increased freedom of the press and creation of a public space

Since the rebirth of multipartyism in 1991, the reign of direct censure stopped but journalists remained under surveillance. Several publications were forbidden, printers were threatened, and some judges forced several newspapers to pay huge amounts for defamation against influential ministers, without mentioning the Church, particularly the Catholic Church which is always very sensitive to questions on its dogma.

However, many things changed. First, the pluralism of the media was improved. The materialisation of electronic media (private TV stations and FM radio) greatly opened up the country. At the very least, the urban middle class, more than ever before, had their eyes open to the rest of the Africa (especially towards South Africa) and towards the West. Opinion newspapers increased and their often partisan critiques led to a freedom of expression and demand for investigation that forced the dailies to deliver precise and often high quality news.

Above all, the second democratisation gave much more importance to the media. Hyden & Okigbo (2002) assess that from then on, they became "*creators of a discursive realm*" (p. 35). Nevertheless, they were not duped: "*Relatively speaking the role of the media is more prominent today than it was in the 1950s. They fill a void in the political arena and are often asked to take on a task of promoting democracy that is beyond their current ability (...) Even if they are increasingly trying to play their part in watching government and informing the public on issues of general interest, the way they do it is still in need of considerable improvement before it is credible and effective*" (p. 47).

However, in the case of Kenya, this pessimism is tilted. A relatively free press ensured the promotion of a renewed civil society. Without close collaboration with journalists, the handful of jurists in the DG sector of NGOs would never have had the impact they had in the 1990s. The success of the ideology of human rights is directly linked to the new power of the media. This is not unique to Kenya alone. M. Gauchet (2002: 350), whose interest lies in the Western situation notes that "*discussion on human rights, in its new role can only be understood in the new framework of the information society: it owes its efficiency to the resonance chamber that it offers*". In Kenya, journalists seek to professionalize their corporation by associating with the civil society. This allows them to break away from the control of the political class. The media ensures a resonance chamber for the civil society which in return feeds the papers with precise data and defends the freedom of the press especially at the courts[6]. This close proximity with human rights NGOs and media is also found in the value system to which the body of journalists pledges allegiance.

3.2. Cynicism and feeling of insecurity of Kenyan journalists

Two researchers recently studied the orientation systems, beliefs and attitudes of Kenyan journalists. Using different methods, B.A. Opiyo (1994) and B.M. Gituto (2002) came to surprisingly similar conclusions in an 8-year interval. Despite the diversity of beliefs within the body of journalists, they

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[6] DG NGOs comprise several lawyers specialised in the rights of the press. Additionally, civil society publications emphasize the study of freedom of the press: see for instance, K. Kabatesi, "Mass Media sectors: Assessing the Current Situation" in Wanjala & Kibwana (eds.), *Democratization and Law Reform in Kenya* (Nairobi, Claripress, 1997).

show that the greater majority among them are reformists. They are very critical of a sociopolitical situation that must be changed. This leads them to a cynicism concerning the political sphere. Gituto (2002: 87) spoke of an "*antipolitical bias*". They are not only very sceptic about the government (about 80%), but also about the opposition parties that do not constitute a viable alternative (77%). For two-thirds among them, politicians belong to an elite or a clique that has no interest in the public. Their scepticism extends sometimes to the civil society even though most journalists have faith in the churches.

With regard to the internal functioning of their profession, journalists call for more democracy in their work. They feel that the selection of events to deal with is beyond their control. Therefore, almost 69% among them agree with the declaration that "*many journalists are familiar with cases of corruption or governance problems but they cannot write about them or even investigate them*" (Gituto, 2002: 156). Additionally, they share a strong feeling of not only job insecurity but also for their physical well-being. They often consider their work as dangerous. Due to this, they have developed adaptation strategies. "*Journalists are doubly imaginative in order to withstand and face this situation of insecurity, by seeking to place themselves at the centre of news production, either by underhand dealings or by subterfuge*" (Gituto, 2002: ix). It is in this context of insecurity that the evolution of the sensitivity of journalists with regard to violent deaths should be analysed.

Sometimes, speaking about these deaths allows one to indirectly discuss bad governance and, in particular, police unreliability. The newspapers will basically report these deaths according to the level of press freedom at the time and according to the sensitivity of the political power to these events.

3.3. Media view of violence in Kenya

Journalists are very willing to give an accurate image of violence in Kenya as it allows them to communicate some of their criticism towards the regime. However, in spite of their professionalism, their presentation of violent deaths is always influenced by the hegemonic social representations on violence and insecurity and by the manipulation by authorities which is often difficult to eliminate. Obviously, media coverage of violence is conditioned by numerous contradictory factors. In the framework of our survey, this led to the difficult problem of how the deaths reported by the press should be labelled. The most obvious example is that of the Rift Valley massacres in the 1990s. At the moment when they were triggered off in 1991, the media spoke of acts of violence by bandits, thus making use of official police reports. A few months later, during the electoral campaign of 1992, the rhetoric changed. According to the ruling body, ethnic tensions would appear following the rebirth of multipartyism (1991) which would revive the community gaps that the single party era had put under a bushel. Already journalists were suspicious that these were more ethnic cleansing directly involving the leaders of the state. But they had no proof, and it would be too risky to accuse the most influential ministers of ethnic massacres. Therefore, the journalists had to continue using the official labelling but at the same time, they disseminated results of surveys carried out by local and international human rights NGOs. Under pressure from the civil society, parliamentary commissions of inquiry were set up in the middle of the 1990s. For the most part, they proved the role played by the governmental elites. The press could then change the labelling of violent death and speak clearly of ethnic cleansing.

It is also risky to distinguish some violent death to the extent that the same actors change in nature from one moment to the next and from one place to the other. An example is the numerous deaths caused by the Mungiki prophetic sect. In view of the state's powerlessness, local communities created vigilante groups (or militias) charged with watching over their residential area. In this manner, the Mungiki are most often paid by owners of buildings in Mathare (one of the main slums in Nairobi) to ensure security in and around their property. When the members of this sect kill a thief in the course of their security services, the newspapers describe this as summary justice (mob justice). However, the Mungiki also hold the matatus of the largest transport routes in Nairobi, Thika and Nakuru at ransom. In this case, the murders they commit are reported as being perpetrated by gangs. On the other hand, in 2002 when they massacred the Talibans, a Luo vigilante group linked to the politician R. Odinga, the papers reported this as ethnic clashes between the Luo and Kikuyu. Nevertheless, the same actors are found in all the three situations.

There is a tendency in the laws of journalistic news to ponder 'scientific' accuracy of the registration of violent death by the media. For example, sometimes newspapers are less interested in certain deaths, which become commonplace because some other 'bigger' news has taken the headlines. In this manner, relatively ordinary deaths such as those linked with summary justice will be relegated to news briefs, reported on another day, or simply forgotten. Just like most Kenyans, many journalists consider it acceptable to kill those suspected of theft so they will not report cases of mob justice. On the other hand, spectacular deaths will capture the attention of the media for several days and the newspapers will repeatedly comment on the same violent deaths.

Therefore, the sociologist who works with data from the press must also take into account the urban bias of African daily newspapers. Journalists are urban dwellers who mainly write for readers who live in towns and mainly those in the capital cities. The dissemination of the press in the provinces has increased but it is still lacking. Violent death that occurs in Nairobi has a higher chance of being of interest to the readership than deaths in the provinces. Additionally, the newspapers have very few news correspondents outside the capital. Thus, there a major event must occur for a team to be sent out to the field. New stories therefore have to rely on official data from the administration and also on news from the civil society, mostly Christian (Peace and Justice Commissions in each diocese, NGOs with local projects, etc).

With regard to the agenda of the actors involved in journalistic work, bearing in mind the specific manner journalists have of creating reality, we must draw up a methodology capable of pulling out the maximum reliable news from the data given by the press.

4.   EXTRAPOLATION FROM PARTIAL PRESS REPORTS

As we mentioned earlier there are no reliable sources of data on causes of death, let alone homicides. Although press reports are neither more exhaustive nor less biased than official sources, we believe that they constitute a valuable source of information. This section will first explain how the database was constituted and how biases can be dealt with. After this, it will explain how a historical and a geographical approach of violent deaths in Kenya was conducted.

4.1.   General principles of the quantitative approach

A database on violent deaths was constituted from an exhaustive collection of press reports published in the Daily Nation from January 1990 up to September 2003. About 5,700 deadly events were reported in the whole period (almost 14 years), i.e. 35 events a month, after elimination of double entries. These events made up a total of 15,300 deaths, i.e. a mean number of 93 deaths per month. This could appear very high compared to the press reports in other countries, even by African standards, although we do not actually know of any such counts for other countries.

This number of reported violent deaths is obviously a tiny proportion of all deaths. In Kenya it is estimated that around 4.5 million deaths occurred in the same period for all ages and from all causes, of which about 1.5 million died of HIV/AIDS. But could it be that the press only properly reports violent deaths alone? In the absence of proper data, it is almost impossible to precisely answer this question. However, at least for homicides, by comparison with our estimation in Table 1, it would appear that the press largely underreports violent deaths. If our estimate of the number of homicides in 2000 is correct (between 6,000 and 7,000), then the press would be very far from the reality since about 7,400 homicides were reported for the entire 14 years period (Table 2). In the years 1998 to 2002, 'only' 3,000 were reported, an average of 600 a year. This would represent only 10% at best— or 8.6% at worst—of the total number of homicides in the country.

Table 2: Percentage distribution of violent deaths by cause and by area as reported by the Daily Nation (January 1990 – September 2003)

	Accidents			Homicides						
	Road Accident	Natural elements	Other accident	Banditry	State (police)	Commu-nities	Mob justice	Personal and family	Total	% by area
Rural	35.9	7.6	6.6	21.8	8.6	10.2	4.8	4.6	100	76.8
Nairobi	31.3	2.3	10.9	14.6	26.3	3.7	7.5	3.4	100	14.7
Other urban	53.1	19.2	5.0	7.7	8.0	0.5	4.8	1.8	100	8.6
Kenya	36.7	7.8	7.1	19.5	11.1	8.4	5.2	4.2	100	100
Deaths (1)	*5 615*	*1 190*	*1 079*	*2 989*	*1 704*	*1 284*	*794*	*642*	*15 297*	-
Events (2)	*1 517*	*471*	*464*	*1 223*	*777*	*263*	*487*	*466*	*5 668*	-
(1) / (2)	3.7	2.5	2.3	2.4	2.2	4.9	1.6	1.4	2.7	-

It is clear that press reports cannot substitute for a death registration system or police data, assuming that the latter would be well maintained. The press not only underreports violent deaths, its reports are also biased towards the most exceptional events. The average number of deaths is 2.7 per event (2.3 for homicides and 3.2 for accidents). There is obviously a higher chance of being headline news when one dies in a bus with many others rather than alone, driving one's car straight into an electric pole. On the other hand, the road accident in which the future President Kibaki was involved in December 2002 made the headlines, less because of the two deaths that resulted than because of the consequence of that accident on the fate of the country.

Road accidents are actually the first cause of violent death as reported by the press whatever the location of occurrence (rural or urban). Knowing that road accidents are only reported in exceptional circumstances—deaths of well-known personalities, very deadly and horrible accidents—there are reasons to believe that dangers on the roads are a major source of the feeling of insecurity, at large, among Kenya citizens. From that point of view, the press gives the public opinion on the incapacity of the State to deal with road security.

However, homicides largely contribute to the feeling of insecurity and are more cited by opinion leaders—political and religious—as a major tell-tale of the incapacity of the State to deal with social and political violence. The importance of homicides is more qualitative than quantitative. Homicides are the main cause of violent death only by combining banditry, community clashes and State violence. Because they are of particular concern to the journalists, our hypothesis is that their reports on such manifestations of violence should cover most of the reality of the phenomenon. Facts should not be too biased even if they are subjected to all manner of interpretation. Journalists have a vested interest in reporting on the failure of the State in controlling crime. They are also keen on pointing out the root of political and community violence and the drift of the State towards criminal activities. On the other hand, we think that journalists underestimate mob justice against alleged thieves because they generally back the general opinion that 'those thugs deserve it'.

Journalists not only underreport, they are also clearly selective of events to report to their readers. The classification of events can also introduce biases. Journalists do not always use the same criteria for violence caused by communities, militias, vigilante groups or ordinary bandits. For this reason, we had to create an exhaustive database of all violent events reported in the press and analyse them in relation to each other. It is the simultaneous analysis of different categories of events—as classified by the journalists—that can allow us to decipher the reality of violence. This is particularly true of banditry, communities and State violence that often depend on each other, either by reaction—e.g. police forces reacting to an upsurge of banditry—or by co-action—e.g. militias joining forces with police to crush squatters. Who the actors of violence are is often not open to debate. Rather than cutting short this debate, we preferred to analyse all causes simultaneously.

The following paragraphs explain how the analysis of homicides is conducted and why it should be put in both a historical and geographical perspective. Accidents are discarded: they could be the object of a separate analysis. This paper shall focus on four actors of violence: bandits, State (mainly the police), communities (including the infamous ethnic clashes) and mob justice. The latter being a minor reported actor of violence is sometimes joined with communities. These deaths represent more than 45% of all deaths reported by the Daily Nation, i.e. 500 deaths a year from 1990 to 2003 (Figure 1). The homicides we are studying exclude domestic violence and inter-personal violence at large. For ease of comprehension, the terms 'collective violence' and 'collective homicides' will be used to qualify the conflicts studied in this paper. We excluded from this analysis the 257 deaths resulting from the terrorist attack on the US Embassy in 1998, which is classified as 'other' in Figure 1.

Figure 1: Repartition of violent deaths per year by cause reported by the Daily Nation (1990-2002)
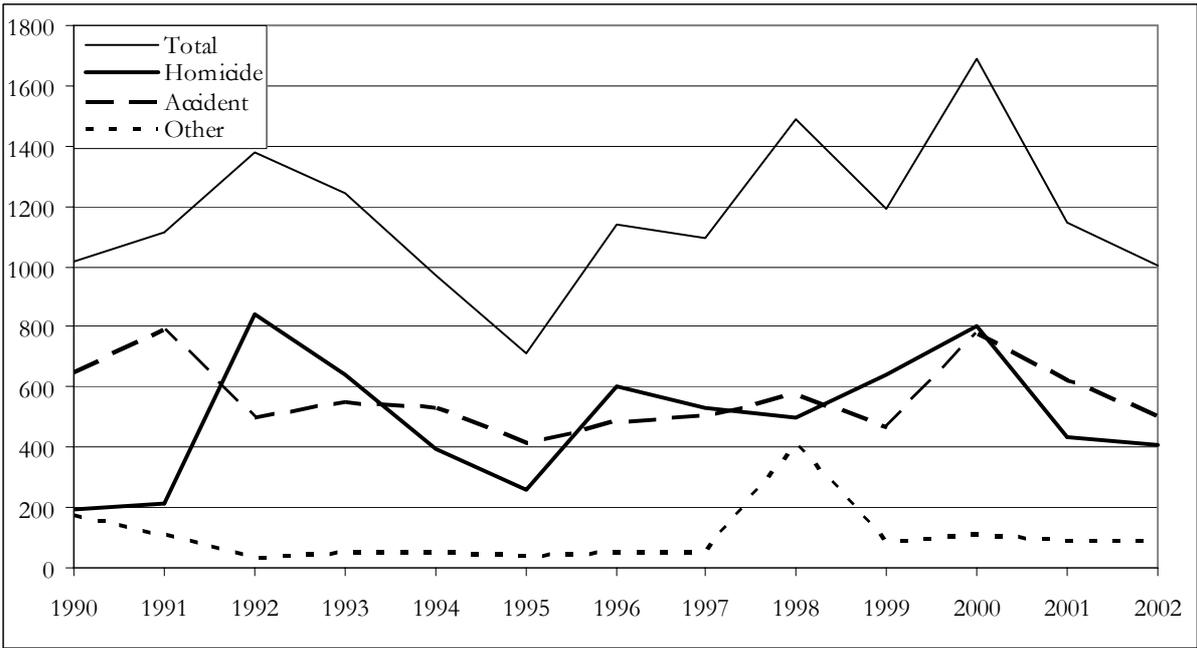

4.2. The method to estimate the variation of reported deaths

Despite being of particular concern in Kenya, the rate of collective homicides is not our main focus here. As we said earlier, no reliable source of data can allow us to conduct the epidemiology of violence in Kenya. We are more concerned with the variation of homicides resulting from collective violence than from the level of this violence, even though its high level is a particular concern. By analysing the peaks and cycles of collective violence by geographical area we hope to attribute some causes to it.

Let us suppose that the homicide rate for the whole country is constant over time around 23 per 100,000 inhabitants. The expected homicides would then increase according to the growth of the population, as shown in stripes in Figure 2. Most of those homicides would be domestic and inter-personal homicides, whose intensity probably varies slowly over time. Even if the rate of domestic and inter-personal homicides was not exactly constant, it would not vary much from one year to another. The total number of homicides would follow a slow upward trend together with the total population in Kenya. Our hypothesis is that collective homicides reported in the press are more subjected to variation over time. Although they form a small proportion of all homicides, they contribute more to the overall variation, as shown in black in Figure 2, like a crest over the overall trend. We just hope that the bias in reporting collective homicides (shown in white in Figure 2 for the sake of demonstration, though it is obviously unknown) is not too great and does not greatly affect the interpretation of the press reports.

**Figure 2: Theoretical repartition of the number of homicides per year (1990-2002)**
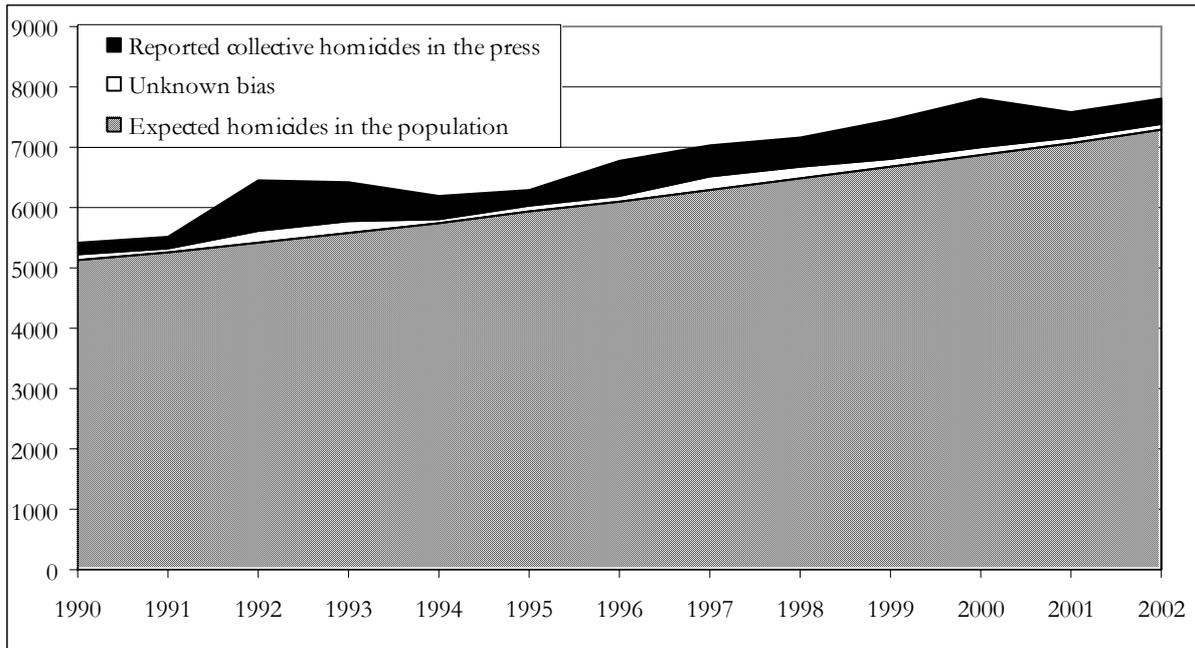
To analyse in detail the variations of homicides over time, we cannot simply use the yearly number of deaths as they are subjected to important variations over the year. At the same time, daily variations would be too confusing. Figure 3 illustrates the need to adjust the daily variations. Each dot in the graph represents the number of homicides daily. Reporting each on a log scale eases the reading but nevertheless, the interpretation is almost impossible. Averaging the number of deaths by week is an obvious solution and is illustrated in Figure 4. However, to facilitate the interpretation, we used the Lowess smoother, a technique that performs a locally weighted regression of the number of deaths at the time that they occur. The smooth values are represented as a curve in Figure 3 and 4.

**Figure 3: Number of daily homicides and Lowess smoother**
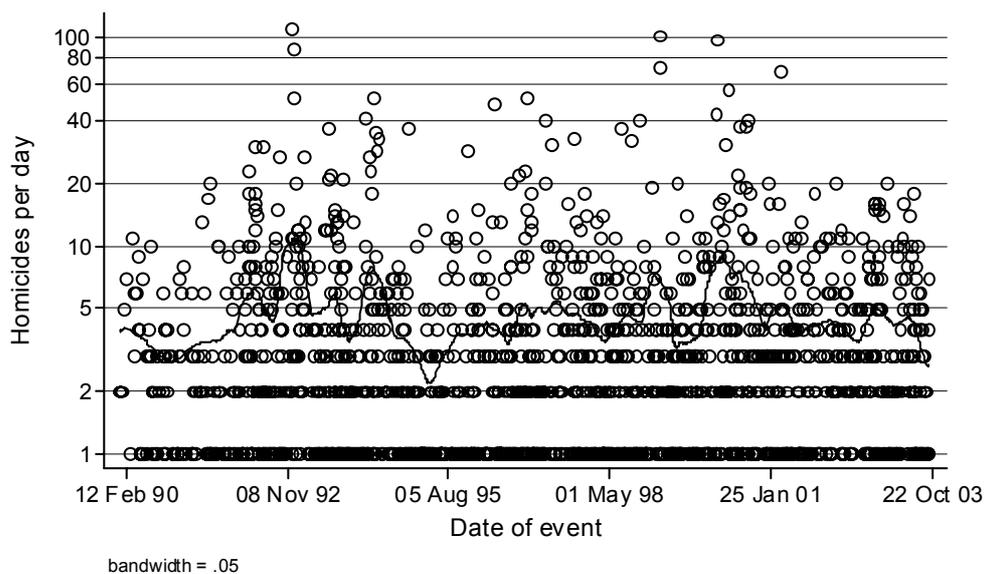
Figure 4: Number of weekly homicides and Lowess smoother
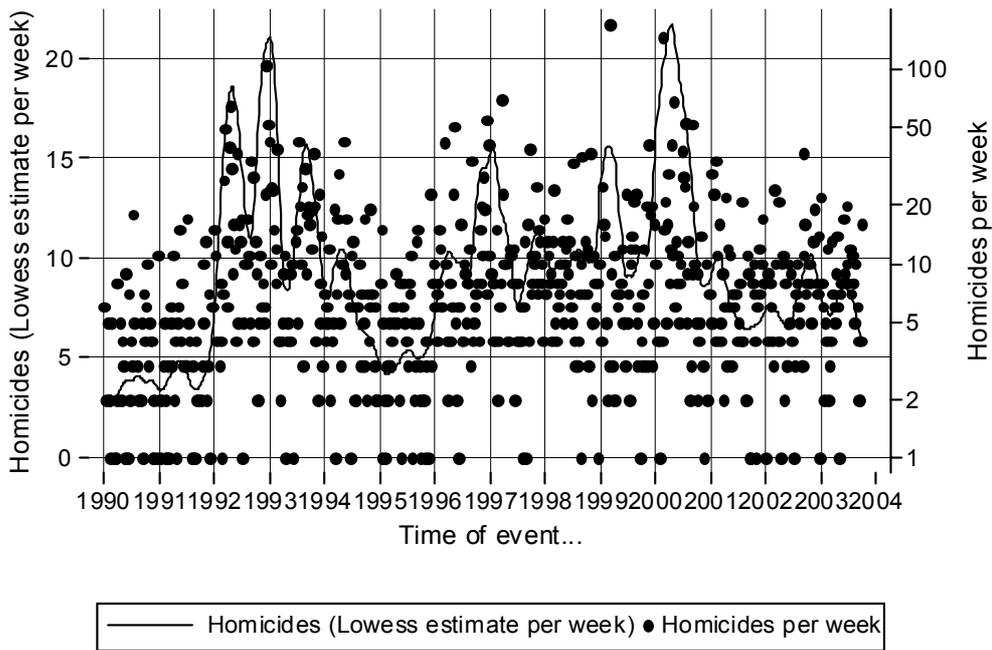
4.3. Historical approach

The use of smooth curves is best illustrated by comparing the different causes of homicides, i.e. the different offenders. Figure 5 shows the variations of homicides from 1990 to 1995. The increase of the number of homicides around the elections (December 2002) appears quite clearly.

Figure 5: Average number of homicides per week in rural areas (Lowess smoother – 1990-1995)
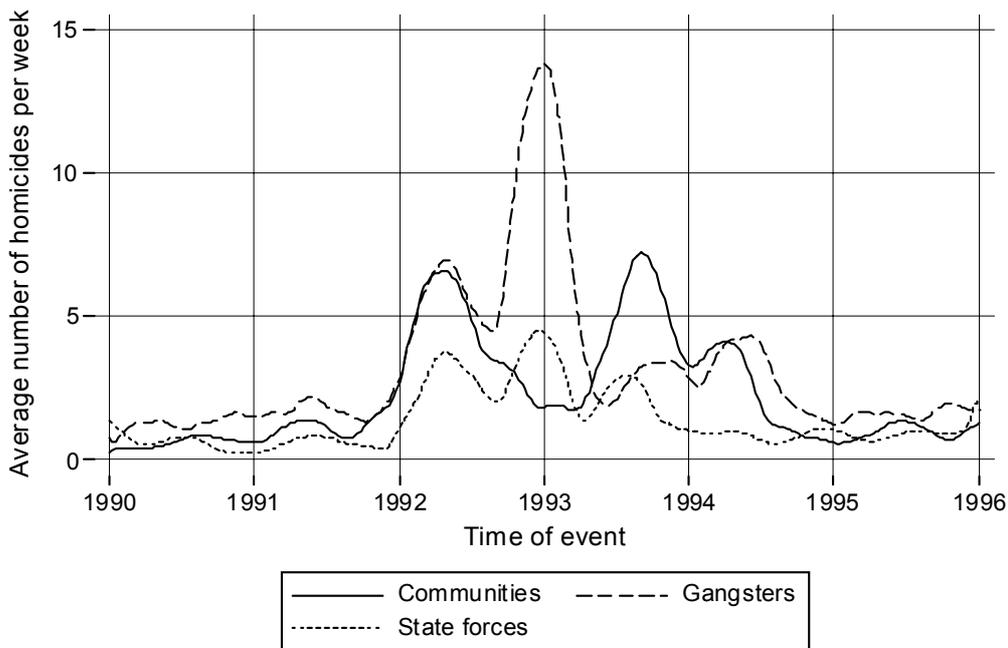

This example illustrates the need to interpret the causes of homicides as reported by journalists. From Figure 5, it would appear that gangsters are the main cause of homicides during the elections period. But one notices that for the same period, journalists declared fewer homicides due to communities,

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contrary to the period before (first half of 1992) and after (second half of 1993). At that time, the press was still under the pressure of the Government and preferred to use the official rhetoric on violence. The homicides that resulted from ethnic tensions were attributed to bandits by the police. What appeared later—as assessed by different parliamentary commissions—to be ethnic cleansing in which the party in power (KANU) was closely involved, could not be reported as such at the time they occurred.

It is even highly plausible that some political violence was disguised as accidents and duly reported as such by the press. By comparison with the variations of homicides for all offenders in Figure 6, the peak of road accidents at the time of elections appears suspicious. Actually all the peaks of road accidents in 1992-1994 match the peaks of collective homicides. It is no longer true in 1995-1999, but the phenomenon appears again in 2000-2003. This obviously needs further investigation.

Figure 6: Average number of homicides and road accidents per week in Kenya (Lowess smoother – 1990-2003)
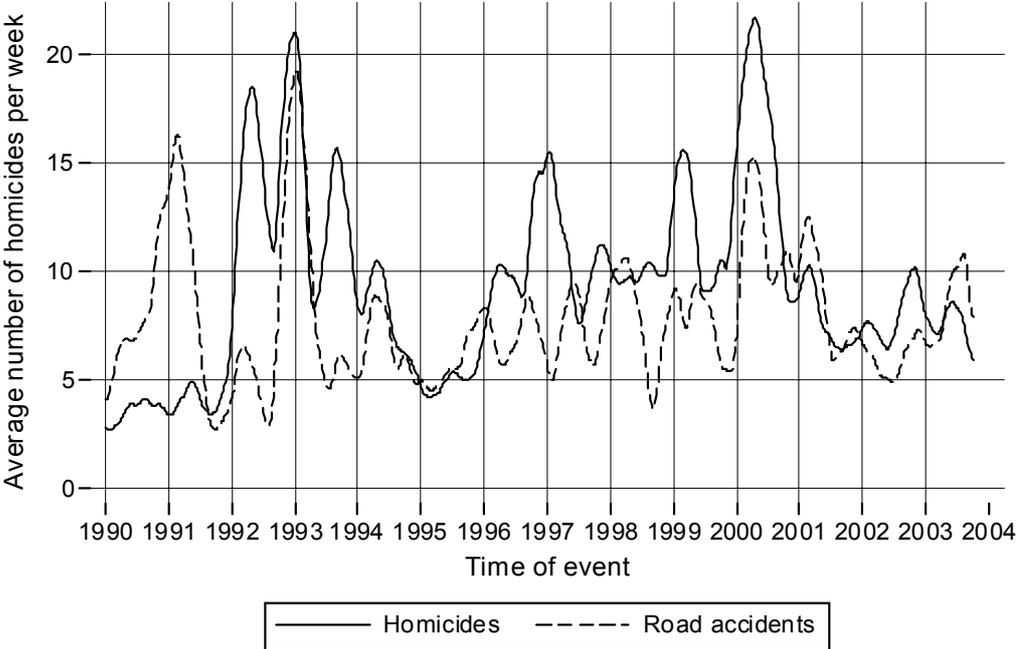
One of our main hypotheses, when we started the collection of data on violent deaths, was that elections should be a major time for collective violence. That was what most journalists themselves— and also human rights and religious organisations—were complaining of. Surely, the first elections under the multiparty regime in 1992 showed a bad example. However keen the journalists were to report on the potential violence at the time of the next elections in 1997, they were unable to show as much violence as in the 1992 elections. Truly the number of homicides was particularly low on average in 1995 and increased in the year 1996 to 1998. However homicides did not particularly increase around the elections of December 1997, thus contradicting the allegation of the journalists themselves. In reality, from 1996, the political violence was less concentrated in the Rift Valley and more diffused in the whole country. Most of the ethnic cleansing operated in the 1992-1993 election period. The violence was more sporadic and less deadly in 1997-1998. Actually, the years 1999-2000 were more deadly in the mid-term between two elections. As for the December 2002 elections, they triggered violence but at a much lower level than previously seen.

Figure 7: Average number of homicides per week in rural areas (Lowess smoother – 1996-2003)
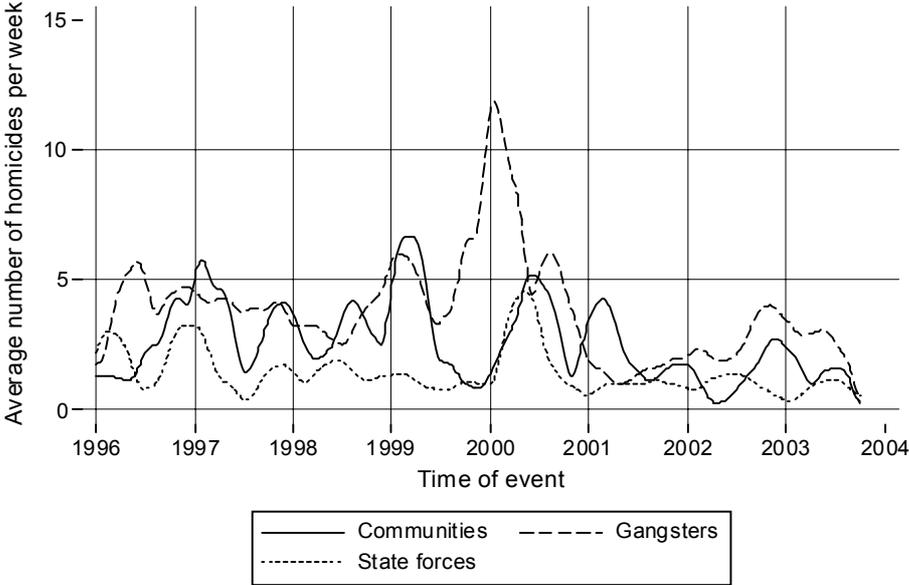

4.4. Geographical approach

The homicides in the Turkana-Pokot-Samburu area illustrate the kind of monitoring of violence that can be done at a more local geographical level. It is a region of regular conflicts between different, mostly pastoral tribes (Turkana, Pokot, Samburu). Almost 1,300 homicides were committed in 1990-2003, accounting for 19.1% of all homicides reported by the press, though the region hosts around 2.5% of the population of the country. It is even more striking that those deaths are concentrated in time, essentially around the December 1992 elections, in 1996, in early 1999 and early 2000 (Figure 8).

Figure 8: Average number of homicides per week in Turkana-Pokot-Samburu area (Lowess smoother – 1990-2003)

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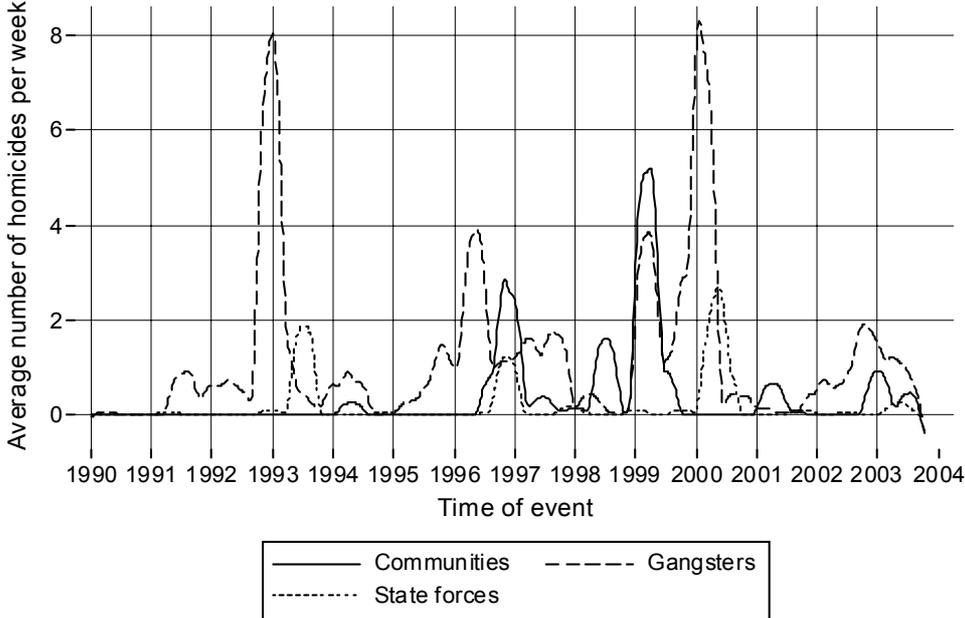
Another good example of the geographical interpretation of the series is with the homicides due to State forces (mainly the police). By analysing those homicides both in rural areas and in Nairobi (too few cases were observed in other urban areas) we can identify a change in the State policy regarding law and order in Nairobi. In Figure 9, we rescale the State homicides in rural areas so that they better reflect their importance in the overall rural population, which is about 12 times as much as the population in Nairobi agglomeration. First, it can be seen clearly that except for 1992, the police killed much more people in Nairobi than in rural areas. Second, there was a peak in early 2000 both in rural areas and in Nairobi. Third, in 2001 and 2002, the average number of deaths due to police hovers between 1 and 2 per week as against 0 and 1 per week from 1993 to 1999. There was a rise of homicides before the December 2002 elections but a drop in the period during and after the elections. Fourth, there is a recent peak forming in the second half of 2003, which is rather unprecedented and indeed very worrying. This totally contradicts the recent reform in the police, which was supposed to reconsider its 'shoot-to-kill' policy.

Figure 9: Average number of homicides per week due to the State (mainly the police) in rural areas and in Nairobi (Lowess smoother – 1990-2003)
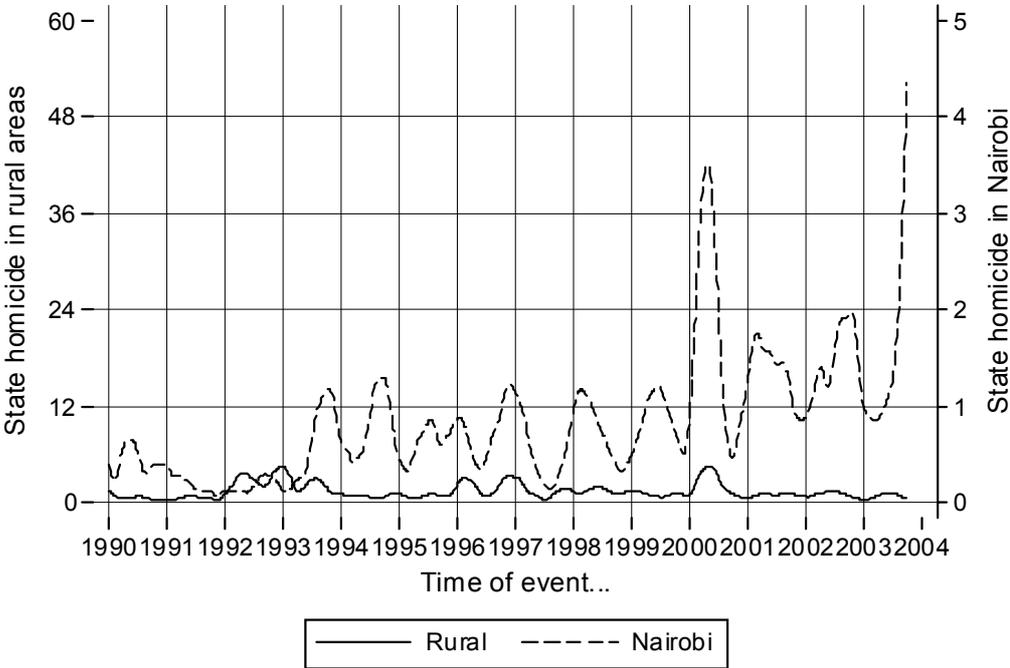
In Nairobi, the police kill many citizens of all social backgrounds. The press reports confirm what most Kenyans already know. Over the 1990-2003 years, police killed on average 6.5 times more in Nairobi (a yearly rate of 2.22 per 100,000 inhabitants) than in rural areas (0.34/100,000). The State is the first cause of collective homicides in Nairobi, with 3.6 deaths a month. By comparison, banditry causes 'only' 2 deaths a month, whereas community clashes and mob justice cause 1.5 deaths a month. The media perceives this situation as a pathology of the police. It could merely be a characteristic of a neo-colonialist State. But that does not explain why the brutality of the police increased in recent years in Nairobi: the yearly rate almost doubled from 1.71/100,000 in the 1990s to 3.36/100,000 in the 2000-2003 period. In this latest period, the rate is 12 times higher than in rural areas (0.28 per 100,000 inhabitants). The rate of homicides also increased between the two periods for banditry (+29%) and for communities (+40%), but not as much as for police (+97%). In other words, 71% of the overall increase of the reported collective homicides in Nairobi is due to State forces.

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CONCLUSION: The potential of press reports to analyse low intensity conflicts

The analyses presented here are largely exploratory and were meant to introduce the method. There is much more to analyse simply by comparing trends for different causes of deaths, by region and nationally. Other variables were not analysed here: our database does not only record the date of events and the offender but also the physical agent of death (firearm, blade, explosion, vehicle, etc.), the number of victims by sex and whether they are adults or not (press reports usually do not give more details on age). We also collected characteristics, often the profession of the victims but this information was much more difficult to collect because press reports do not usually make a description of each victim when they are many.

As explained earlier, the press reports cannot provide data for a precise epidemiology of violent deaths. They are obviously subjected to some non-measurable bias, depending on the press freedom in the country and on the interest of the journalists and their involvement in the political debate. However, properly analysed, they can certainly serve as a surveillance system of violence, especially when it is collective. Press reports help at measuring the trend of collective violence over time, at a fairly low geographical level. The quantitative approach also helps to put the violence into perspective and to avoid conventional wisdom on violence, which usually presents violence as increasing. For example, our analysis shows that violence actually decreased in rural areas, and that the 1997 and 2002 elections were not as deadly as previously thought. The quantitative approach also helps in monitoring recent trends. The increase in State violence in Nairobi in the few last months is clearly an indication that there is something wrong in the capital city, despite the change of regime after the 2002 elections and the lack of parallel increase of death due to banditry.

More sophisticated analytical tools could be used to analyse our data. In this paper, we used fairly simple descriptive tools, such as percentages, rates and graphs. Time series analysis is an obvious option. The difficulty will be to introduce in the model the relevant independent variables. In particular, changes in politics and political actions in general are not easily dated. Testing the interactions between different series of violent deaths is also worth trying.

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