

**COUNTERING DANGEROUS SPEECH
TO PREVENT MASS VIOLENCE
DURING KENYA'S 2013 ELECTIONS**

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INTRODUCTION

This report describes a new set of violence prevention methods carried out in Kenya during the national elections of 2013, to counter inflammatory speech and limit its power to inflame audiences, while protecting freedom of expression.

Kenyans made unprecedented efforts to forestall violence in this period. More than ever before, they did it with words: by imploring one another to maintain peace, calm, and unity – on television and Twitter, on billboards and in graffiti murals. ‘Peace propaganda,’ as it became known, came from a wide variety of organizations (newspapers and TV networks, a paint company, churches, nonprofits) and individuals, from sports figures to Solo Muyundo, an artist who painted the words “Peace Wanted Alive” on a sidewalk in Nairobi’s Kibera slum. Even members of the General Service Unit, a paramilitary force once known for beating up demonstrators during the dictatorship of Daniel arap Moi, made a music video in which they danced in their combat fatigues and red berets, singing “let hatred not finish us... we forgive and love each other.”¹

The outpouring was inspired by acute fear that violence would erupt during the elections of March 2013, the country’s first presidential vote since December 2007, when the results were disputed and Kenya saw vicious attacks that left more than 1,000 people dead and half a million displaced from their homes. Speech – inflammatory, divisive, and widespread – was, according to many Kenyans and observers,² a catalyst of that disaster.

¹Rufftone and the GSU, Mungu Baba (Official Video), with the National Youth Orchestra and Tuvuke Peace Initiative, at [youtube.com/watch?v=TxpEEFiIgBg](https://www.youtube.com/watch?v=TxpEEFiIgBg)

²On the Brink of the Precipice: A Human Rights Account of Kenya’s Post-2007 Election Violence, Final Report, Kenya National Commission on Human Rights (Key findings: “7. The violence was largely instigated by politicians throughout the campaign period and during the violence itself via the use of incitement to hatred”). Available at wllstorage.net/file/full-kenya-violence-report-2008.pdf. See also Analysis: Taming hate speech in Kenya, IRIN Humanitarian News and Analysis, available at irinnews.org/report/96168/analysis-taming-hate-speech-in-kenya (citing Atsango Chesoni, executive director of the Kenya Human Rights Commission, “Hate speech is the precursor to violence and has [been] every electioneering year in this country”).

The next presidential elections were set for March 4, 2013. Once again, hateful and inflammatory speech rose in the months leading up to the vote, building on land disputes and inter-group grievances that remained (and still remain) unresolved. Killings and other violence began increasing a year before the election: more than 477 people were killed in inter-communal violence during 2012 and early 2013, according to Human Rights Watch.³

Despite many risk factors for disaster, on March 4 voting proceeded calmly, and Kenyans maintained peace even as they waited five tense days for the results of the presidential vote to be tallied and announced. Raila Odinga, who believed the 2007 election had been stolen from him, claimed the vote had again been rigged when he learned he had lost – but this time he made his case to the Supreme Court, and said he would accept the result. When the Court ruled against Odinga, many of his supporters were incensed. They were among Kenyans who felt that in the name of one overweening goal - preventing violence – dissent and debate had been effectively suppressed, besmirching the election and perhaps even damaging Kenyan democracy. Nonetheless, the Supreme Court certified the election as fair (echoing the views of the large contingent of international observers who had watched the voting)⁴, and the peace held.⁵

It is impossible to measure accurately what role each effort played in preventing violence in Kenya in 2013, since a wide variety of interrelated factors were at play. The International Criminal Court probably deterred would-be inciters, for example, by prosecuting cases against three Kenyans for their alleged roles in bringing about the 2007-8 post-election violence (or PEV as it is known in Kenya). They are President Uhuru Kenyatta, who won the election in March 2013, his running mate William Ruto, who became deputy president, and Joshua arap Sang, head of operations at the

³ High Stakes: Political Violence and the 2013 Elections in Kenya, Human Rights Watch, at 1. Available at hrw.org/sites/default/files/reports/kenyao213webwcover.pdf

⁴ For example see the Carter Center's final report, cartercenter.org/resources/pdfs/news/peace_publications/election_reports/kenya-final-101613.pdf

⁵ There was one serious outbreak of violence during the elections, on the night before the vote. The Mombasa Republican Council, a separatist group in Kenya's Coast Province, carried out two attacks in the cities of Mombasa and Kilifi, in which at least 13 people were killed. This violence did not continue or spread to other parts of the country "Vote counting begins after largely peaceful election in Kenya, Faith Karimi and Nima Elbagir, CNN, available at cnn.com/2013/03/04/world/africa/kenya-elections.

radio station KASS-FM who was a radio broadcaster at the same station in 2007-8, and who stands accused for on-air speech. Two of the cases are underway, but the president's prosecution has been repeatedly delayed and may never take place.⁶

Another important factor was undoubtedly the conduct of journalists. Criticized for airing and publishing inflammatory content in 2007-8, the owners, editors, and reporters of Kenya's broadcasting stations and newspapers were generally careful to avoid such coverage this time. They minimized some stories that might cause alarm or inflame Kenyans. For example, after armed secessionist guerillas carried out attacks in and near Mombasa during the night before the March 4 vote, killing at least 13 people, major Kenyan media organizations held the story until voting had been underway for several hours, and even then, played it down. On television, many of the lead broadcasters covering the election and its aftermath took an upbeat, reassuring tone, stepping a bit outside their usual roles to urge their viewers to stay patient and calm.

In sum, it seems undeniable that in its totality, anti-violence speech (also known as counterspeech or, playfully, 'peace propaganda') in Kenya – coming from broadcasters, clergy, soccer stars, soldiers, and other diverse sources - played a significant role in maintaining public calm in 2013. This report describes many of those efforts, which have persuaded us that it would be useful to conduct further experiments in Kenya and elsewhere, to develop and improve these new methods for preventing violence.

THE PRECURSOR:

KENYA'S POST ELECTION VIOLENCE OF 2007-8

In the months before Kenya's presidential elections in December 2007, Kenyans were subjected to (and some of them produced) steadily increasing hateful language delivered in a wide variety of media, including public speeches by political leaders, flyers, posters, radio (from broadcasters and

⁶ Ruto and Sang were both present in court when their cases opened in September 2013; Kenyatta's trial has still not started and may not take place at all. Its start date had been postponed four times as of this writing, and prosecutors were requesting another delay, saying that they have been unable to collect some necessary evidence, such as Kenyatta's financial records, from the Kenyan government.

audience members calling in), SMS text messages, emails, and posts on the Internet. Much of this language was directed at other ethnic or tribal groups within Kenya, which has 42 such groups. Leaders often spoke to their communities in coded language, but this did not obscure the meaning of their words – on the contrary, colorful metaphors made their remarks and exhortations more powerful. For example, Kalenjin political leaders speaking to their rural constituents referred to members of the Kikuyu tribe living in majority-Kalenjin areas as “grass” to be cut or as “roots” to be removed “so there would be only one tribe here.”⁷

Dec. 27, 2007 – election day – was peaceful. Kenyans turned out to vote in record numbers, and two days later the results of the parliamentary vote were announced without incident, indicating that the opposition Orange Democratic Movement (ODM) had trounced the Party of National Unity (PNU) of incumbent president Mwai Kibaki, by winning 99 seats to the PNU’s 43. However the following day, amid rumors of rigging and irregularities, and the public denunciation of fraud by five electoral commissioners, Kibaki was abruptly sworn in as the new president. Confusion and dissent were evident on television – until the government ordered all television stations to stop live broadcasting. That attempt to stifle the problem was disastrous. Fear and anger erupted almost immediately, and violence broke out in many parts of Kenya. Even after months of vitriol, this eruption was shocking to a country accustomed to its status as a relative haven of stability in East Africa.

By the time the attacks stopped in early 2008, more than 1,000 people had been killed, and more than half a million displaced from their homes. Many of the internally displaced still have not returned at this writing.

During early 2008, inflammatory speech was “rampant and vitriolic” according to the Kenyan blogger Erik Hersman.⁸ Fellow Kenyan David Kobia, founder of the popular community forum Mashada, one of the oldest websites in Kenya, decided to shut it down entirely because he could not control the torrent of hateful and violent speech pouring onto the site. At

⁷ From *Ballots to Bullets*, Human Rights Watch, p. 36 and 37, *citing* Human Rights Watch interviews in 2008, and IRIN, “Kenya: spreading the word of hate,” IRIN News, January 22, 2008. Available at hrw.org/reports/2008/03/16/ballots-bullets

⁸ Erik Hersman, Mashada Forums: Kenya’s First Digital Casualty. Accessed October 13, 2013 at whiteafrican.com/2008/01/29/mashada-forums-kenyas-first-digital-casualty

the end of January 2008 Kobia wrote to Hersman, “As you may already know, I’ve been having quite a problem regulating Mashada.com, despite having recently hired people to moderate the forums. It is starting to become a reflection of what is going on on the ground in Kenya. I’d hate for it to hinder our current efforts since I’m directly connected to it, therefore I’m having to shut down the forums until further notice. Facilitating civil discussions and debates has become virtually impossible.”⁹

Almost immediately, at the beginning of February, Kobia put up a new site called “I Have No Tribe”¹⁰ encouraging Kenyans to come together as “Kenyamani” – a conflation of the country’s name with the Kiswahili word “amani” which means peace. Kenyans responded immediately with posts such as,

“I urge you all to please reach out to your fellow Kenyan & pass on the “KENYAMANI” we ALL so desperately need & pray for. We’ve focused enough on the negative, now let’s turn this tide around one Kenyan for amani at a time. As much as we’ve managed to shock the world with the blood we’ve shed & the countless who’ve fled their homes, let us overcome this with acts of peace.”

“At this time, we need to forget all the tribalism thoughts that have been planted in our heads and remember that WE ARE KENYAN not kikuyu, luo, kisii, kalenjin, etc.”¹¹

Kobia’s new site was an experiment with *counterspeech*, or speech intended to diminish hatred and violence, in the midst of an outbreak of both. When Kenya faced its next elections in 2013, there were many more such efforts, by a wide range of Kenyans. This turned Kenya into something of a laboratory for new experiments to diminish the negative effects of some forms of speech – while protecting freedom of expression. Several of those experiments are described below.

⁹ Id.

¹⁰ The site is available at ihavenotribe.com. Accessed on October 13, 2013.

¹¹ *Id.* Kikuyu, Luo, Kisii, and Kalenjin are the names of major ethnic groups in Kenya. These groups played considerable roles in – and suffered from – the 2007-8 violence.

THE ELECTIONS OF 2013: RISK FACTORS AND PEACE PROPAGANDA

After several postponements, Kenya's next set of parliamentary and presidential elections were scheduled for March 4, 2013. For many reasons, there was a serious risk of renewed violence. Once again, the vote was close and hotly contested by two leading candidates, dividing the voters approximately in half along ethnic lines. One of the two, Raila Odinga, was the same candidate who ran a close race against Kibaki in 2007 and was convinced his victory had been stolen then. Structural and historical conflicts including land disputes that fueled the violence of 2007-8 had been left unsolved. Many, if not most, Kenyans still identified first and foremost with their ethnic groups, saw the members of other groups as political enemies, and bore unresolved grievances, and grief, from the violence of 2007-8. There were also reasons for guarded optimism, such the judicial reform that had been undertaken by a new Chief Justice, and the adoption of a new Constitution in 2010.

Under the Constitution, numerous changes were made in order to prevent intercommunal conflict, such as dividing Kenya up into a set of 47 counties, and devolving a measure of power to them. Also, a new government agency that had been created as a temporary measure in the aftermath of 2007-8 became statutory. The National Cohesion and Integration Commission, or NCIC, had been tasked with the enormous job of bringing a very diverse and fractious country into harmony. One of its mandates is to serve as a kind of public watchdog for "hate speech," and refer cases to Kenya's Director of Public Prosecution, or DPP. The NCIC struggled with this task, in part because Kenyan law is confusing on the topic of hate speech.¹² It did

¹² Under Section 13 of the National Cohesion and Integration Act of 2008, which established the NCIC, a person who uses speech (including words, programs, images or plays) that is "threatening, abusive or insulting or involves the use of threatening, abusive or insulting words or behaviour commits an offence if such person intends thereby to stir up ethnic hatred, or having regard to all the circumstances, ethnic hatred is likely to be stirred up". In contrast to most definitions of hate speech, the Act refers to ethnic hatred only, not hatred based on religion, gender, nationality, sexual orientation, or any other group category. Other Kenyan laws also touch on hate speech: the 2010 Constitution notes that freedom of expression does not extend to hate speech, but does not define that term; while Kenya's Code of Conduct for political parties (attached to the Political Parties Act) forbids

refer numerous cases for prosecution, but none has been fully tried. Instead the NCIC resorted to sending ‘cessation notices,’ or warning letters, to public officials whose speech was, in the view of the NCIC, hateful or dangerous.¹³ These notices were not made public.

Against this backdrop, a wide variety of Kenyans spoke out publicly in 2012 and with increasing urgency in the first months of 2013, to prevent violence, in the belief that their country’s survival was at stake. Sports figures, business leaders, artists, clerics, and even journalists stepped out of their usual roles to appeal directly for peace. Television broadcasters exhorted their viewers to remain patient and optimistic. They also redoubled the impact of positive messages on social media by presenting and describing upbeat tweets and Facebook posts (such as one joking that the cardinals meeting at the Vatican would choose a new Pope before Kenya’s electoral commission got around to announcing the winner of the election). Although hateful messages were also spreading on social media platforms, those were not considered equally newsworthy.

In one of many memorable examples of journalists engaging directly in ‘peace propaganda,’ Kenya’s newspaper of record, the *Daily Nation*, published a banner headline “Never Again” over a rare front-page editorial on March 4 - election day - with a sharp, eloquent warning that captured a widespread view: *“if we bungle today’s election or go back to killing each other, not only will the world give up on us as a civilised nation but Kenyans too could lose faith in their own country.”*¹⁴

Foreign governments and funders and Kenyan organizations of all kinds invested millions of dollars in programs to promote reconciliation and keep the peace. Some of Kenya’s businesses also produced their own advertisements calling for peace, such as Crown Paint’s ads in the national flag’s colors of red, green, black, and white, with banner headlines, “peace love unity.” To counter the spread of hateful messages online, the company also offered cash and cellphone time to Kenyans who sent peace messages

parties to “advocate hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm.”

¹³ Author interviews with Mary Onyango, former deputy chair of the NCIC, and with an advisor to Raila Odinga.

¹⁴ Susan Benesch, The Kenyan Elections: Peace Happened, Huffington Post, March 21, 2013, huffingtonpost.com/susan-benesch/kenya-elections_b_2921096.html

to each other online (and to the paint company) “including photos, poems and stories.” On the streets of Nairobi, graffiti artists and schoolchildren made peace murals. On television, soccer stars reminded young men of the personal costs of violence, even for those who don't suffer it directly: "you can't hang out and relax with your friends, without peace."

Such language became so ubiquitous in Kenyan public life, in the months before the election, that Murithi Mutiga of the Nation newspaper coined the term “peace industry” to describe the effort and expense to produce all of it. Messages of peace were echoed by a wide variety of Kenyans including broadcasters, politicians, sign-painters, and energetic Twitter users including Chief Justice Willy Mutunga, during and after the election itself.

THE EXPERIMENTS: UMATI, NIPE UKWELI, VIOJA MAHAKAMANI, AND PEACETXT

This section describes four projects designed to prevent violence in Kenya in 2013 by diminishing the impact of inflammatory speech, a relatively new approach that has never been tested so extensively in Kenya or any other country. Policies against objectionable speech nearly always target the speaker, with punishment, or the speech itself, with censorship. These efforts, by contrast, focus on the audience, with a view to “inoculating” them against the effects of inflammatory speech. This idea was pioneered by the Radio La Benevolencija Humanitarian Tools Foundation (La Benevolencija), a Dutch NGO that “provide[s] citizens in vulnerable societies with knowledge on how to recognize and resist manipulation to violence and how to heal trauma, encouraging them to be active bystanders against incitement and violence.”¹⁵ La Benevolencija has more than a decade of experience producing media programming designed to inoculate audiences against incitement, in Rwanda and other African states, and several of the Kenyan efforts were inspired by their pathbreaking work.

One of the Kenyan projects, Umati, monitored inflammatory speech and classified it according to its dangerousness, defined as its capacity to catalyze violence. That gave rise to a second effort, Nipe Ukweli, to

¹⁵ Radio La Benevolencija, Mission and Vision, available at labenevolencija.org/la-benevolencija/mission-and-vision/

persuade Kenyans to resist and refute dangerous speech, especially false rumors which have special potency among groups of people who are already fearful and anxious. The third project produced four episodes of a popular Kenyan television program, *Vioja Mahakamani*, intended to educate Kenyans about inflammatory speech, with a view to helping them resist it. The last project, *PeaceTXT*, sent out pro-peace text messages to counter the sort of inflammatory messages used to catalyze and organize Kenyan violence in 2007 and 2008. All four of these efforts are outlined in more detail below.

UMATI

In 2012 and 2013, the Umati monitoring project scoured the Kenyan Internet for hateful speech and “dangerous speech,” (speech that can inspire or catalyze violence by one group of people against another), producing a unique database of speech systematically culled from the country’s online spaces. For eight hours a day, human monitors searched Kenyan blogs, Tweets, online newspaper comments, Facebook pages, and other sites. Each time they found an example of hateful or inflammatory speech, they used the *Dangerous Speech Guidelines*¹⁶ to classify the example according to its dangerousness, or capacity to inspire or provoke violence. This pathbreaking work was carried out by the research arm of iHub, Nairobi’s innovation hub for the technology community. Susan Benesch advised throughout the project.

Umati focused on online speech for several reasons. It is widely believed that inflammatory speech distributed via mobile and digital technologies played an important role in catalyzing the violence of 2007-8. Yet only scant documentation of such speech is available. Umati sought to correct this if, as feared, inflammatory speech featured in the 2013 elections as well.

Already in 2007 and 2008, digital media became fountains of inflammatory speech in Kenya. Inciting messages were sent by the thousands via SMS and on email, and posted on websites like Mashada. Five years later, social media platforms such as Twitter and Facebook had been widely adopted by

¹⁶ Susan Benesch, *Dangerous Speech: A Proposal to Prevent Group Violence*, available at voicesthatpoison.org/guidelines

Kenyans. More than 35 percent of Kenyans were on the Internet¹⁷ by early 2013, and approximately half of those were also on Facebook. Social media users are disproportionately urban, educated, and wealthy in Kenya as in most countries, but SMS is used very widely since the great majority of Kenyans are rapidly adopting mobile telephones. Indeed, there are now more mobile telephone SIM cards than adults in Kenya.¹⁸ Many more Kenyans are expected to become active in social media soon, using relatively inexpensive “feature phones” on which they can reach the Internet.¹⁹

The goals of the first phase of the Umati project, which ran from September 2012 to May 2013, were the following:

1. To propose both a workable definition of hate speech and a contextualized methodology for online hate speech tracking, that can be replicated locally and in other countries.
2. To collect and monitor the occurrence of hate speech in the Kenyan online space.
3. To forward any distress calls the Umati team came across online, e.g. on Twitter and Facebook, to Uchaguzi (www.uchaguzi.com). Uchaguzi was an application of the Ushahidi crowdsourcing platform during the 2013 election that permitted Kenyans to report on election-related events on the ground, including inflammatory speech and violence, via SMS.

¹⁷ Communications Commission of Kenya, Quarterly Sector Statistics Report Fourth Quarter Of The Financial Year 2011/12, (April-June 2012), cck.go.ke/resc/downloads/SECTOR_STATISTICS_REPORT_Q3_11-12.pdf.

¹⁸ For details on Kenya’s rapid adoption of mobile phones and Internet penetration, see Africa Can End Poverty, How Kenya Became a World Leader for Mobile Money blogs.worldbank.org/africacan/how-kenya-became-a-world-leader-for-mobile-money

¹⁹ Mobile Usage at the Base of the Pyramid in Kenya, iHub Research and Research Solutions Africa, infodev.org/articles/mobile-usage-base-pyramid-kenya; M. Mäkinen. & M.W. Kuiru, Social Media and Postelection Crisis in Kenya, *International Journal of Press/Politics* 13, pp. 328-336; Joshua Goldstein, When SMS Messages Incite Violence in Kenya, blogs.law.harvard.edu/idblog/2008/02/21/when-sms-messages-incite-violence-in-kenya.

4. To further education on the possible outcomes of hate speech, so as to promote civil communication and interaction in both online and offline spaces.

In eight months, the Umati monitors collected 5,683 examples of hateful speech: a distressing but fascinating dataset that yielded several unexpected findings. First, 25 percent of the examples were classified by the monitors as very dangerous speech, and contained a call to beat, kill, or forcefully evict people because of their membership in a group (usually an ethnic group or tribe). This was a much larger proportion than the Kenyan Umati team had expected.²⁰ The team was also surprised that 94 percent of those who posted hateful or dangerous speech online used their own names or pseudonyms. Due to difficulties in distinguishing fake from real names, for the scope of the project, Umati considered pseudonyms as “identifiable” speakers.

A third striking finding was that more than 83 percent of the entire body of hateful speech was found on Facebook pages alone, and fewer than five percent were found on Twitter. A considerable discrepancy between the two platforms would be expected, for example because Twitter users know that their messages will be read by a wide and diverse audience, while Facebook users tend to believe (sometimes mistakenly) that they are addressing only like-minded friends. There are likely also differences in the populations of Kenyans on Facebook and Twitter. The discrepancy seemed too great to explain with these factors, however. Wondering whether something was happening to diminish the incidence of hateful speech on Twitter, the Umati team noticed counterspeech Tweets, which they dubbed “KOT cuffing” after the Twitter hashtag “Kenyans on Twitter” (#KOT). We hope to investigate further, to discover whether counterspeech on Twitter decreased hateful or violent Tweets.

Umati will continue in a new, extended form, at least through the end of 2014. The team hopes to find effective ways to automate its monitoring: it is not sufficient to search for offensive or violent words, since words nearly always have multiple meanings, and since their capacity to inspire violence

²⁰ Umati Final Report, Sept 2012-May 2013, iHub Research and Ushahidi, available at dx.doi.org/10.1080/17531050802094836.

depends on a variety of contextual factors.²¹ In addition, effective automation would make monitoring much less expensive. Given the complex cultural contextual factors that affect the dangerousness of speech in context, however, it would be best to use automation for a broad sweep to gather data, and human analysts to conduct a more fine-grained evaluation.

NIPE UKWELI

The *Nipe Ukweli* (Kiswahili for “Give me Truth”) campaign was born from Umati. In January 2013, Umati monitors found that inflammatory speech was increasing both in amount and in virulence. Concerned, we decided to put together a new effort that would actively counter dangerous speech, especially false rumors which had been shown to give rise to specific violence in 2008, when they were widely distributed by text messages.²² False rumors have triggered violence in many countries beset by intergroup tension, and the technique of refuting the falsehoods has been successfully used elsewhere. In Ambon, Indonesia, a group of self-described “Peace Provocateurs” began countering false rumors by SMS in September 2011.²³

We chose the name *Nipe Ukweli* to emphasize the fact that lies are often used by inflammatory speakers to manipulate a population or to ‘play’ them in Kenyan parlance. We wanted to stimulate (gentle) indignation against this practice, and to encourage Kenyans to resist and, where possible, to refute false rumors. *Nipe Ukweli* was also inspired by the example of one Kenyan Twitter user who, in August 2012, had countered a rumor that Muslims in the Coast Province were burning churches en masse.

²¹ Such factors are described in Benesch’s *Dangerous Speech Guidelines*, which were adapted for use by Umati’s monitors. *Supra* FN 16.

²² ²² For examples of inciting Kenyan messages sent via SMS in 2007-8, and detailed description of their impact, see Michele Osborn, *Fuelling the Flames: Rumour and Politics in Kibera*, *Journal of Eastern African Studies* 2:2 (2008), 315-327, available at [dx.doi.org/10.1080/17531050802094836](https://doi.org/10.1080/17531050802094836)

²³ Andrew Stroehlein, *How ‘peace provocateurs’ are defusing religious tensions in Indonesia*, *The Independent*, March 12, 2012, available at independent.co.uk/news/world/asia/how-peaceprovocateurs-are-defusing-religious-tensions-in-indonesia-7562725.html

In the weeks leading up to the Kenyan election, Nipe Ukweli worked to educate citizens both online and offline, on the meaning of ‘hate speech’ and ‘dangerous speech’ and on how to respond to them, including ignoring or countering inflammatory messages, and reporting them to the Uchaguzi crowdsourcing platform, which was directly linked to first responders and emergency personnel.

Online, the Umati team sent out messages on Twitter and Facebook, publicizing Nipe Ukweli’s messages, as seen in this flyer.

Offline, a dedicated staff held community forums in the violence-prone areas of Mathare, Kariobangi, Kamukunji, and Dandora (some of the sites worst hit by post-election violence in 2007 and 2008) after publicizing these forums through churches, social gatherings, announcements during other peace forums, phone calls, and community radio. The team also promoted Nipe Ukweli’s messages on community radio stations, such as Safari Africa Radio and Korogocho-based Koch FM, to reach out further to grass-roots communities in Nairobi’s slum areas.

Nipe Ukweli’s messages were also spread by word of mouth. Target groups were the youth, elderly, church and group leaders, vocal people in social groups, political activists and aspirants, and other organizations’ leaders. According to feedback from audiences, the messages were well-received.²⁴

²⁴ Nipe Ukweli: Outreach to Sensitize Communities on Dangerous Speech. Summary Report, James Ndiga Njeru, iHub Research. available at ihub.co.ke/ihubresearch/jb_NipeUkweliSummaryReportMarchpdf2013-11-18-16-07-39.pdf

NipeUkweli

Dangerous Speech is:
Speech capable of moving the audience to harm, or to condone the harm of a group of people.



What Makes Speech Dangerous?

Hate speech is more dangerous (can spur violence) when:

- The speaker has influence over people who are already in fear or angry
- The language describes other people as animals or pests, and suggests that it is ok to hurt them or to “defend” against them
- The language is very offensive
- There has been violence between the two groups in the past

What can YOU do?

- **Correct the lie.** Spread true and positive messages to counter the negative messages.
- Report the dangerous speech **via SMS to 3002** to Uchaguzi. Send the name of the speaker, the location the speech was said and what they said.
- Report the dangerous speech **via the Internet** through <http://bit.ly/umatikenya>
- **Walk away.** Discourage the spread of dangerous speech by refusing to be a listener.

This flyer was distributed in both English and Swahili to educate readers about dangerous speech and encourage them to take action.

VIOJA MAHAKAMANI

The third effort to diminish the impact of inflammatory speech was a set of television programs: episodes of the longstanding popular Kenyan show *Vioja Mahakamani*, which means “drama in the court room” in Kiswahili. Benesch worked with the cast and directors, and television producer colleagues at the nonprofit Media Focus on Africa, to imagine, sketch out, and produce four 30-minute episodes of the show, all intended to help Kenyan audiences become less susceptible to inflammatory speech, or to “inoculate” them against it. (By no coincidence, this term was borrowed from the field of public health, which has long experience in using media programs to encourage change in human attitudes and behavior.)

Vioja Mahakamani’s cast of actors, some of whom have been on the program continually since the 1970s, embraced the ideas and threw themselves into the project. The actors were essential at every stage, since *Vioja* has no scriptwriters. Each show is written collectively by the actors and directors, who talk as a group until they have agreed on the topic, characters, and a rough outline of the plot. They never produce a full script; the dialogue itself is improvised in the course of filming. This method produced fascinating in-depth conversations among the actors and directors on the topic of inflammatory speech.

The actors were accustomed to searching conversation – interspersed with uproarious laughter – due to the remarkable nature of their show. *Vioja Mahakamani* is a comedy that creates satirical humor out of court proceedings, even while teaching law-abiding and socially responsible behavior. In each episode, one or more characters are accused of a crime, and the case is adjudicated in the course of the 30-minute show. It is the longest surviving comedy on Kenyan television, having aired weekly on the public Kenyan Broadcasting Corporation (KBC) since its inception in 1974.

All four episodes were filmed in late August 2012. The *Vioja* cast decided collectively that the set-up scenes that began each episode should be filmed in “hot spots” as they are called in Kenya: towns and villages where inter-communal violence was most severe during the aftermath of the 2007 election. The cast selected Eldoret, Kisumu, Burnt Forest, and Karagita, and

went on the road. Whenever their van stopped, bystanders recognized the actors instantly, and crowds gathered.

This provided opportunities for the actors to engage with the spectators, in what became impromptu peacemaking efforts. For example at the last stop in Karagita, an impoverished town near Lake Naivasha, the actors filmed an especially painful scene, in which they brandished machetes and clubs to re-enact part of what had happened there in early 2008. Afterward the actors spoke a bit with the crowd that had gathered, to explain why they were filming such a distressing scene. The result was an impassioned oration from the actors. The audience was riveted.

Standing on the dusty, litter-strewn dirt road where the scene had just been filmed, Matayo Keya who plays “Makokha,” a buffoon-like Vioja character and one of the most beloved to Kenyans, said, “My brothers and my sisters, let us stand together for peace and learn to love one another now.” The spectators grew quiet. “Let me tell you,” he continued, “if you bring a Kikuyu here and you cut him, he will bleed.” (Kikuyus are one of the ethnic groups in Kenya; Luos are another; members of both groups fought bitterly in 2007-8.) “If you bring a Luo here and you cut him, he too will bleed. And let me tell you, you will have only Kenyan blood on the ground.” The crowd became still quieter. Finally “Makokha” relieved the tension (and perhaps gave his message a smoother passage into the minds and hearts of the audience) by turning to love and to humor. He cried out, “I love you all! Do you love me too?” The spectators roared in delighted unanimous response, “YES!” and stood together as they actors left, until their van was no longer visible.

The four Vioja episodes²⁵ were broadcast on national television in Kenya on four Wednesday evenings in October and November, and were re-run in the months leading to the election.

No one predicted how uncannily relevant they were. The first episode portrays an influential local figure who gives a speech to members of one tribe, inciting them against another. That episode aired in Kenya on the

²⁵ The episodes (in Kiswahili) and their transcripts (in both Kiswahili and English) can be accessed at voicesthatpoison.org/vioja-mahakamani-episodes.

evening of Oct. 3. Only a few days earlier, in late September, news broke that Ferdinand Waititu, a member of parliament, had addressed a rally in his district of Kayole, calling for Maasais to be forced out of the area. He said: “Tunasema hiyo Wamaasai wote hatuwataki hapa Kayole” (We are saying today that we do not want Maasais in Kayole). “Wamaasai wote ni lazima waondoke, ni watanzania na hawana vitambulisho” (All Maasais must leave; they are from Tanzania and without identification cards). This statement is entirely false. In clashes after the rally, three Maasais were killed, and Kenyans feared that this was a step toward renewing the violence of 2007-8.

Previewing the first episode on the morning of Oct. 3, a few hours before it aired, one of the Vioja actors said in light of the Waititu case, “This is really going to speak to Kenyans. No one will believe that we made this show in August. Everyone will think we made it this week!”

For an objective and scientific gauge of the effectiveness of the Vioja Mahakamani episodes, the Dangerous Speech Project commissioned an independent evaluation by the Center for Global Communication Studies (CGCS) of the Annenberg School for Communication at the University of Pennsylvania, a leader in evaluating the impact of human rights media programming on audience attitudes. The evaluators showed all four episodes to one group of Kenyans, and another set of Vioja episodes (not related to inflammatory speech) to a control group.

The study²⁶ found that Kenyans who watched the four episodes on inflammatory speech became more skeptical of such language, since they showed a greater understanding of the idea that incitement can be a form of manipulation – that leaders often use incitement to their own advantage. Recommendations from the study’s authors included:

1. Continue to focus on the political incentives of manipulation in edutainment programs.

²⁶ Lauren Kogen, Testing a Media Intervention in Kenya: Vioja Mahakamani, Dangerous Speech, and the Benesch Guidelines, Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania, available at voicesthatpoison.org/vioja-evaluation/

2. Continue to work with celebrities as agents of change, role models, sources of information, and sources of positive speech.

The Vioja Mahakamani episodes were filmed in Kiswahili, since that is the most popular of Kenya's national languages (and since the show uses that language, mixed with occasional words of English and the Kenyan slang language Sheng). To make the episodes (and the experiment that they constituted) accessible to English-speaking audiences, the Dangerous Speech Project commissioned a 10-minute documentary on the subject. The documentary is underway at this writing, and should be available in early 2014 on the Dangerous Speech Project's website, voicesthatpoison.org.

PEACETXT

PeaceTXT²⁷ was a project implemented by Sisi ni Amani (Kiswahili for "We are Peace") with collaboration from Cure Violence, an NGO based in Chicago, that sought to reduce violence by distributing short messages encouraging peace and patience in response to specific circumstances or events that could be precursors to violence in Kenya.

From December 2011 until the election in March 2013, Sisi ni Amani campaigned in communities across Kenya to encourage citizens to sign up for their free SMS (text messaging) service. By the time of the election, more than 65,000 individuals were subscribers, according to Sisi ni Amani.

On election day and for two days afterward, Sisi ni Amani staff and volunteers monitored news across the country and identified potential triggers for outbreaks of violence. Such triggers included attempts to discourage people from voting in the coastal city of Mombasa; long lines and equipment failures in Mathare; an explosion in Nairobi; and general reports of agitation and rising tensions while votes were being counted. In response to these and other reasons for concern, Sisi ni Amani sent out text messages to subscribers in the affected areas, encouraging patience and reminding recipients of the importance of maintaining peace. The messages

²⁷ We are indebted to Sisi ni Amani's founder and director, Rachel Brown, for invaluable conversations and for supplying internal reports and documents on which this section is based.

were designed with the help of experts from fields including advertising, to make them as effective as possible at influencing subscribers. Volunteers from the respective areas also reviewed messages prior to distribution, to make sure that messages were phrased in language that best suited the local culture.

After Raila Odinga petitioned the Supreme Court, challenging the electoral results indicating that he had lost the presidency again, discourse shifted among many of Odinga's supporters. The term 'peace' became associated with inaction, and support for Kenyatta's Jubilee Alliance. In response, Sisi ni Amani held a series of forums in Eastlands, a large section of Nairobi including many middle-class Kenyans, to explore how to reshape its messaging around peace and justice to avoid having its efforts misinterpreted. The forums helped Sisi ni Amani to prepare messages for several possible outcomes of the Supreme Court's decision, as intended, and also helped "re-normalize conversations between supporters of different coalitions."²⁸

Sisi ni Amani sent out a message to most of its subscribers, imploring them to keep peace while awaiting the impending verdict in the case. The following day, after the Supreme Court announced the unanimous decision of six justices that Uhuru Kenyatta and his running mate, William Ruto, had been validly elected – rejecting Odinga's challenge and bitterly disappointing many of his supporters – Sisi ni Amani sent targeted messages to subscribers in neighborhoods and cities including Odinga strongholds, especially in response to reports of actual or potential violence. Subscribers in other areas received messages thanking them for upholding "patience, humility, and peace."

In the weeks surrounding the election, Sisi ni Amani sent out over 680,000 text messages to its over 65,000 subscribers, with encouraging results. The organization conducted a survey after the elections and of nearly 8,000 PeaceTXT subscribers who responded, 92% believed that the messages had a positive impact; 85% reported discussing messages with others; and 75% said that they had forwarded a message to someone else during the

²⁸ "Sisi ni Amani Kenya: 2013 Elections Overview," pp. 4-5. Internal document on file with author.

campaign.²⁹ Additionally, an astounding 98% of respondents said that they would tell a friend to subscribe to messages from Sisi ni Amani, indicating that the vast majority found the messages important and helpful. The organization also received a significant amount of unsolicited feedback from subscribers, organizational partners, and community members, thanking Sisi ni Amani for its work and even expressing demand for messages in areas which were not targeted.

Although a more significant assessment remains to be done (Sisi ni Amani noted that its respondents were self-selected, for example), the organization has already identified several key takeaways from its work in 2013. Effective messaging requires knowing when *not* to send messages – for Sisi ni Amani, this included small or late-night disturbances to which calling attention would be disruptive to the community; situations or messages that could be perceived as having a partisan slant; and times – especially during the long tallying process – when repeated messages could become annoying to subscribers. Infrequent, carefully targeted and personalized messages, when combined with institutional collaborations and work on the ground, seem to be the most promising ways to conduct this type of intervention.

Sisi ni Amani’s founder Rachel Brown reports that she hopes to continue analyzing and promoting this model for violence prevention, and plans to bring in additional experts to evaluate PeaceTXT’s effectiveness. She and her colleagues also plan to expand the model for use in other countries.

LOOKING BACK ON THE ELECTION FROM NAIROBI: KENYA’S POST-ELECTION 2013... PEACE, CALM, CYBERWAR, COMA?

On April 22, 2013, the Dangerous Speech Project convened a workshop in Nairobi to look back at efforts to keep peace by limiting dangerous speech and its inflammatory effects, during the electoral period in 2013. We invited participants to take stock of what amounted to a national experiment, at a

²⁹ See also Mark Benjamin, “At PopTech: Violence interruption leveraged by mobile phones,” available at poptech.org/blog/at_poptech_violence_interruption_leveraged_by_mobile_phones

moment when the election was safely behind Kenya, but still at the front of Kenyans' minds.

By late April when we gathered, the election had been concluded, the Kenyan Supreme Court had rejected Raila Odinga's challenge to the result, and Uhuru Kenyatta had been inaugurated as president. Still, Umati monitors were finding an alarming level of hatred online, especially between members of the Kikuyu tribe, to which President Kenyatta belongs, and his defeated rival Raila Odinga's Luo tribe – hence the word “cyberwar” in the title of our workshop: *'Kenya's Post Election 2013... Peace, Calm, Cyberwar, Coma?'*

The words “peace” and “calm” were both included in our title, to distinguish between a mere absence of violence – calm – and sustainable peace. By all accounts, Kenya is still deeply divided, and the inter-group grievances underlying the post-election violence of 2007-8 have not been resolved. Indeed, as panelist Henry Maina pointed out, hundreds of thousands of Kenyans who were displaced during that violence still have not been able to return home, and many still live in makeshift camps. Our panelists and audience participants eloquently debated this key question: was the calm election a likely and necessary step toward a more robust peace, or did it only mask (and postpone) the risk factors for violence?

The final word in our title, coma, referred to the term “peace coma,” used by the cartoonist and writer Patrick Gathara in his published columns³⁰ to take the latter view, very strongly. Gathara argued that the onslaught of peace propaganda had had a negative side-effect: suppression of dissent. “As the elections approached we were assailed with unceasing calls for peace and appeals to a nationalism we knew to be to all too elusive,”³¹ Gathara wrote. He criticized Kenyan journalists for failing adequately to question the electoral process or the result, in favor of anodyne coverage and cheerleading for calm and patience. Before long, he claimed, “a compact had developed between the media and the public. Kenya would

³⁰ Published in Kenyan newspapers, Gathara's columns are also collected on his blog, Gathara's World, at gathara.blogspot.com

³¹ Patrick Gathara, *The Monsters Under the House*, March 18, 2013, available at gathara.blogspot.com/2013/03/the-monsters-under-house.html

have a peaceful and credible poll no matter what. The narrative would be propagated by a few privileged voices and it would countenance no challenge. The media would sooth[e] our dangerous passions with 24-hour entertainment shows masquerading as election coverage.”³² During and after the election, Gathara asserted, Kenyans expressed much less dissent than they felt, in part because they had been led to believe it might engender violence, and in part because the police cracked down swiftly on those who attempted to demonstrate in public. (When the electoral commission announced that Uhuru Kenyatta had narrowly defeated Raila Odinga’s in the presidential race, Odinga’s supporters began protesting in some of his electoral strongholds, and were quickly dispersed by police.)

“What maturity is this that trembles at the first sign of disagreement or challenge?” Gathara continued in his column. “What peace lives in the perpetual shadow of a self-annihilating violence?”³³

Gathara was one of five panelists at the *Peace, Calm, Cyberwar, Coma?* workshop, and was invited in part for his strong critical views. The others were Mutuma Ruteere, a Kenyan human rights activist now serving as UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; Haron Mwangi, CEO of the Media Council of Kenya, an independent watchdog and monitoring body; Henry Maina, Director of East Africa for Article 19, a human rights organization promoting freedom of expression; and Limo Taboi, an active blogger who is also the finance director of the Kenyan nonprofit tech innovator Ushahidi. Susan Benesch moderated the vigorous discussion in her capacity as founder and director of the Dangerous Speech Project.

In response to Benesch’s question about the “peace coma” described in his writings, Gathara introduced a still more provocative term: “peace lobotomy.” The Kenyan population had been cowed by fear of themselves and each other, he suggested, and the goal of preventing violence had led to self-censorship in some cases. Noting that Kenya has often seen violence during elections, Gathara said that before the 2013 electoral process, “this violence has always been seen as perpetuated by the Government. We never

³² Id.

³³ Id.

blamed ourselves.” After 2007 in Kenya, he said, there was a “campaign to convince us that we were all responsible for this.”

In the view of Henry Maina of Article 19, responsibility was indeed widely shared. The post election violence was inspired by the thinking and speech of many Kenyans. “It was not just those six guys,” Maina said, referring to six Kenyans who were indicted by the Prosecutor of the International Court for crimes against humanity allegedly committed during the post-election violence in 2008. (Charges against three of the six were later dropped.) “It was intellectuals, ordinary citizens, etc. that framed the issues in certain ways. We played a certain role to encourage the PEV 2007,” Maina said.

Maina and Mutuma Ruteere, the UN special rapporteur, pointed to another source of the relatively low level of public dissent during the 2013 elections: Kenyan journalists, after being blamed for helping to stimulate the violence of 2007-8, produced unusually mild-mannered and uncritical coverage in 2013. Maina pointed out that after the electoral commission repeatedly failed to announce results on the schedule that it had promised, journalists at the tallying center refrained from asking many questions even when the chairman of the electoral commission invited them to do so. “Certainly, more reporters should have asked questions, but no one wanted to rock the boat,” said Limo Taboi of Ushahidi. “In the interest of the public, drummed in for the last 4 years, the media did its job.”

“The ghost of 2007 is really what has been hanging on the actors this time around,” Ruteere said, encapsulating many of the other remarks. For example, all Kenyan journalists were aware that of the three Kenyans still being prosecuted by the International Criminal Court, one is a radio broadcaster: Joshua arap Sang of the station Kass FM. “There was a general worry that in 2007, we swung too far and so this time around, the media did not want to be the ones to stoke the fires.” Nicholas Benequista, a researcher from the University of Oxford who studies Kenyan journalism and who took part in the workshop, saw a more subtle reason for the journalists’ reserve. “There has developed a dependency on politicians for the news,” he said. When journalists were not able to publish (possibly inflammatory) comments by politicians in that kind of environment, Benequista asserted, “it undermined the ability of journalists to report the news the way they normally do.”

Haron Mwangi, the Media Council chairman, said he believed the media were indeed responsible for contributing to the post-election violence of 2008, and that this time they had been cautious for good reason. The ghost of 2007 may have been useful, in other words.

A full evaluation of the role that Kenyan journalists played in 2013, Mwangi said, would take further study, including by the Council. “We need to look at the bigger picture,” he said, including previous elections in Kenya. “The Kenya media is attuned to a situation of taking extremes. African media has a tough time reporting in post-conflict locations.” The term “critical reporting” was misused in 2007 according to Mwangi, to justify inflammatory language. In response, the Media Council “handled media to avoid incitement,” training hundreds of Kenyan journalists between May 2012 and Feb 2013. For the first time, Mwangi said, “we were not even worried about vernacular radio stations,” which broadcast in the languages that Kenyans describe affectionately as their “mother tongues,”³⁴ and were known in 2007-8 for setting their audiences against one another. With the widespread campaigns against inflammatory speech in 2012 and 2013, “Did we sacrifice something?” Mwangi asked the other workshop participants – clearly searching for an answer that is still elusive, in his view. “What is the evidence that we missed something? What is the consequence of that missing something?”

Perhaps suggesting an answer, he said, “The peace that we have is quite superficial. There have been tensions. And even after 2007, we did not solve the underlying issues. What we need now to concentrate on is to interrogate issues. How can we be a sustainable peace? How are we able to criticize the government?”

Interestingly the workshop audience – a diverse group of Kenyans who were mostly younger than the panelists – was generally much more optimistic.

“I would disagree with the notion that there is peace coma,” one commenter from the audience said. “Peace could never be even more (too

³⁴ As the author’s field research in Kenya confirmed, the language in which a message is transmitted may greatly affect its influence on a listener or reader. Several Kenyan interview subjects said, independently, “If I hear something in English or in Kiswahili, I hear it with my head. But if I hear it in my mother tongue, I hear it with my heart.”

much) overemphasized. This is because of the level of violence that existed in 2007 was unbelievable.”

Other workshop participants said they felt the Kenyan media had been right to pull its punches somewhat, since that helped to prevent violence. “If the media had not been responsible as they were now, the country would have gone to flames,” one said.

The thoughtful group also looked backward – and most importantly, forward. There was consensus among all workshop participants that there is still more work to be done, to understand Kenya’s efforts to maintain peace, from 2007 to the present and into the future.

“Have we fully appreciated and understood what happened in 2007?,” a student participant asked. “If we say we are at a peace coma, does that mean we are truly looking at what is happening online? (At the time of the workshop there was – and still is at this writing – vigorous debate and considerable hateful speech in Kenyan online spaces, which the Umati project continues to collect and analyze.) What are we going to do in 2017 (when Kenya is due to hold its next presidential elections)? Going forward... where are we going?”

The workshop was an invigorating reminder of the high level of reflection and analysis among Kenyans, regarding how to counter inflammatory speech and prevent violence – while also preserving democratic debate and freedom of speech. This is one of the reasons why Kenya is a good laboratory for experiments like the ones described in this paper, and why such experiments should be continued there.