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Representation of disability in the media: A review of Kenyan newspaper reports of 2015-2016

Peter W. Bukhala

Department of Health Promotion and Sport Science, Masinde Muliro University of Science and Technology, Kenya

Email: pbukhala@mmust.ac.ke

<https://orcid.org/0000-0002-4062-9677>

Abstract

Throughout history many societies have dealt poorly with disability. In Kenya, persons who have different types of disabling conditions have been excluded or isolated from mainstream society and denied opportunities due to a belief that they may be dangerous and not capable of participating in any meaningful activities. They are denied access to opportunities due to lack of knowledge and cultural beliefs. Even with Kenya having signed and ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and included these rights in the Constitution in 2010, many cases of injustices continue to pop up in the media. *This study was a review of newspaper articles for the year 2015 and 2016 on representation of {dis}ability in two Kenyan newspapers - The Standard and the Daily Nation. In the study, existence of negative attitudes, violence, sexual harassment, limited financial support and weak policies were noted. Isolation from society leading to stigmatization was also noted to occur thus making it is hard for people living with a disability to learn daily living skills and integrate in society. Finally, implementation of policies that provide for access to opportunities by those with disabilities at County level of government continues to slow full implementation of policies on disability.*

Keywords: disability, human rights, Kenya, media, newspaper



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Introduction

With the passage of the United Nation Convention on the Rights of Persons with Disabilities (UNCRPD) in 2008, nations that ratified the protocol were expected to spell out how they would address the inequalities that people with disabilities continue to suffer. Article 25 of the convention highlights the rights for persons with disabilities to enjoy the highest attainable standard of health without discrimination on the basis of disability. In addition, Article 30 of the convention outlines the right to equal access to opportunities and facilities within their environments. Kenya is a signatory to the convention and has an obligation to implement this requirement for all its citizens. In Kenya for example, the passage of crucial laws affecting people with disabilities have been commended as being progressive. The signing of the United Nations Convention on the Rights of Persons with Disabilities in 2007 culminated in the development of the chapter on the Bill of Rights in the Constitution of Kenya 2010. Unfortunately, no accurate data exists that documents the current situation of people living with disabilities in Kenya (Bwayo, 2015, ILO 2009, Murithi 2016). The Kenya National Survey for Persons with disabilities (Kenya National Bureau of Statistics 2008) indicated that of the 1.7 million people living with a disability in Kenya, 60% were young people below the age of 20 years and were not receiving adequate access to opportunities. Despite Kenya having signed and ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD, 2008) and other international obligations to ensure that persons with disabilities access inclusive environment on equal basis in the community, many people with disabilities still have limited, unequal, or sometimes no access to opportunities to develop their potential.

There is however scanty evidence-based research documenting these cases for policy action. This paper is grounded on the Social Responsibility Theory which asserts the innate goodness of press freedom (Baran, 2010). With reference to disability communication, the Social Responsibility Theory posits that the media should not harm but should promote an accessible environment and socio-cultural aspects that promote positive attitudes towards persons with disability. The theory also advocates that the media should be objective in presenting facts without any bias so that the audience can interpret the information and uncover the reality behind every case. The media is assumed to represent the people and society while the media code of conduct helps journalists to provide facts that are correctly analysed and interpreted so that the people get true and understandable news. However, in a study by Special Olympics (2005), it was noted that despite popular media having a well-documented ability to influence national perceptions and to accurately reflect the prevailing attitudes of society, portrayal of people with disabilities in the media is often unrealistic and limiting. This paper examined the way media, especially with regards to disseminating information on the people with disabilities in Kenya has portrayed the current situation. This paper highlights some of the predicaments faced by people with disabilities in Kenya and how the media represents their issues.

Methodology

The Standard and Daily Nation newspapers with a countrywide circulation in Kenya were reviewed for the period 2015 and 2016 for all articles written on disability. The two newspapers have the largest share on the market with regard to circulation in Kenya. In total 114 articles were identified that had been written on disability (Table 1) in the two newspapers. Both papers had reported on average the same number of articles - The Standard (54) and Daily Nation (60). All the articles on disability were downloaded and sorted thematically. Majority of the articles (54%) were written between October and December. This is not unexpected as issues of disability become trendy close to the celebration of the international disability day that is marked on 3rd of December. By analysing the content of the articles,

eight major thematic areas were identified. These included: the legal framework, type of disability, disability in the home, violence and sexual harassment, murder for having a disability, financial burden and accessibility.

Table 1: Number of newspaper articles published on disability in the Daily Nation and The Standard newspapers 2015-2016

Year	The Standard Newspaper	Daily Nation Newspaper	Total
Jan. 2015	0	0	4
Jan. 2016	1	3	
Feb. 2015	0	0	0
Feb. 2016	0	0	
March2015	0	0	0
March2016	0	0	
April2015	0	0	3
April 2016	0	3	
May 2015	0	0	16
May 2016	2	14	
June 2015	0	0	10
June 2016	5	5	
July 2015	0	0	12
July 2016	4	8	
Aug. 2015	0	0	4
Aug. 2016	0	4	
Sept. 2015	3	0	3
Sept. 2016	0	0	
Oct. 2015	9	4	15
Oct. 2016	2	0	
Nov. 2015	13	2	20
Nov. 2016	0	5	
Dec. 2015	14	12	27
Dec. 2016	1	0	
TOTAL	54	60	114

Legal Framework in Kenya

The twenty-first century has been a period over which the needs of Persons with Disabilities (PwDs) have gained prominence nationally and internationally (Lawson & Priestley, 2008). This can be seen in the passage and enactment of laws and policies which address issues pertaining to disabilities. In Kenya these include the passage of laws and subsequent policies to govern the way issues relating to disability ought to be handled. The passage of the Disability Act, (GOK, 2003), the ratification and signing of the United Nations Convention on the Rights of Persons with Disabilities in 2007 and 2008 respectively and the promulgation of the Constitution of Kenya in 2010 have placed the country high in focusing disability in the national agenda. These new policies have been used to call for the attention of government departments and communities to the plight of persons with disabilities and the need to mainstream disability in the society (Disability and Development 2012). In this regard, PwDs should

be able to access opportunities as set out in the Constitution. It is now more than six years since the enactment of these laws, but the media still reports the struggles PwDs have to go through to receive what is their right. As noted in the media (TSA, 2015a, 2015b, 2015c, 2015d), some of the county governments have not enacted policies to effect this requirement. First, the Constitution provides for public entities to create opportunities for minimum 5% of the total workforce to be reserved for people with disabilities. This requirement has not been attained basing on media reports (Benyawa, 2015; Kibor, 2016; Mwarania, 2015; Ongwae, 2016).

The Kenyan Constitution provides for equity in sharing business opportunities and in line with this, there is a provision for 30% of government tenders to be reserved for women, youth and PwDs. It was envisaged that every government entity would ensure that those with disabilities compete for those opportunities under this category. Unfortunately, media reports show that this is not always adhered to. Even where the provision is made, entities would rather give to women and youth and not those with disabilities (Odhiambo, 2015). The National Council for Persons with Disability is now advocating for the law to specify a 10% tender allocation specifically for those with disability (Kibor, 2016; TSA, 2015a; TSA, 2016b).

Nature of disability

Reports about persons with different types of disabling conditions (physical, visual, mental, psychosocial etc.) being excluded, isolated from mainstream society and/or denied opportunities due to negative attitudes towards them continue to appear in the media (DNA, 2016). Children who live with a disability are among the most stigmatized and marginalized and those with psychosocial and intellectual disabilities are the most stigmatized among persons with disabilities in Kenya (Muthoni, 2015b; Mwenja, 2016). Strong social, religious and cultural stigma has been associated with negative attitudes held towards those with psychosocial and intellectual disabilities. Parents and guardians who have children with intellectual disabilities and who can afford, send them to rehabilitative institutions to where they are sometimes detained for as long as payment to the institution is sustained (Wesonga, 2016). Those parents/guardians who cannot afford the cost of rehabilitative institutions, isolate, chain and cage them at home where they are exposed to inhumane and degrading treatment (Nzuma, 2015).

There is lack of concrete information on who and where People with Disabilities (PWDs) live to be able to monitor and identify their needs (Bwayo, 2015a; Jebet, 2016a; Murithi, 2016). Unfortunately, the figures available are an estimate as many parents have been reported to hide their children with a disability and those may not be accounted for (Nzuma, 2015). As one respondent noted:

“We need to have the true figure of all people living with disabilities if we are really committed to addressing their plight effectively” (Bwayo, 2015b).

Disability and family

Some of the children born with disabilities are abandoned by their families due to different beliefs people have throughout the whole world and especially in Africa (Wesonga, 2016). Reasons for abandonment may be shame, traditional beliefs or even bad omen (Koech, 2016; Mwenja, 2016). Cases of children with disabilities being abandoned or hidden are frequently reported in the daily newspapers (Gitonga, 2015; Macharia, 2016; Murithi, 2016; Mwenja, 2016; Nzuma, 2015). The most commonly reported reason why families give up their children with a disability have ranged from inadequacy of appropriate facilities, lack of knowledge on how to care for them and cultural beliefs. Some families also sell their children with disability to other people so that they can get rid of them and to enrich themselves. Those

who buy children with disability use them to beg on the streets (Ochieng', 2015). For those parents who fear that their children may be abused by someone in the neighborhood (Chemweno, 2016; Openda, 2016), or fear the reaction from other members of the community, keep them hidden away often with little or no interaction (Jebet, 2016b; Shanzu, 2015).

It has also been reported that the cost of taking care of children with disability can be overwhelming to families. Heavy cost incurred while taking care of those with special needs has been cited as a major cause of dysfunctional families (Kajilwa, 2016). It is a pity that some women who give birth to children with disability are rejected by their husbands (Bwayo, 2015b). In addition, many cases of persons living with disability have been noted to exhibit more health complications that may require hospitalization from time to time. In such cases some parents or care-givers will abandon them in hospital (Mwangi, 2016b). Koech, (2016) notes that when PwDs are abandoned in hospitals, it puts much strain to the hospital facilities as bed occupancy is supposed to be paid for as well as drugs. Additionally, some parents have been reported to abandon their children with disability when they die (Koech, 2016) or may kill them to escape the cost of taking care of them (Mwenja, 2016).

Violence

Despite worrying statistics on the high number of cases of gender-based violence against women and girls, those with disabilities are more at risk of violence according to a survey done in Kenya. A study by a Non-Governmental Organisation called Women Challenged to Challenge in 2014 indicated that violence and abuse of women and girls with disabilities is treated with less importance in the community (Muthoni, 2015b). Those with disabilities also face a lot of violence in their communities, especially those with intellectual, visual or hearing impairments (Mwenja, 2016). Women with mental disabilities are more vulnerable as the perpetrators know that the victims may not identify them owing to their disability (Gwengi, 2015). Media reports have also shown that some parents respond to their children with disabilities in a violent way due to the shame they have brought to the family or due to the stress brought by the disbelief of having given birth to a child with a disability (Shanzu, 2015; Wesonga, 2016). Society may not feel obliged to report such violence on PwDs as they would for those without disabilities. It is often assumed that PwDs can only be corrected through physical punishment as they are often seen as troublesome. Cultural practices in the country have contributed negatively to the government's effort as many PwDs are still hidden, mistreated or even killed (Koech, 2015; Luvega, 2015; Nzuma, 2015; Brice, 2016). Cases of ill-treatment of people with disabilities are reported frequently in the national media. As noted by the chairman of the National Council for Persons with Disabilities in Kenya:

“Devolution has not done much for people living with disabilities but aggravated their agony despite a constitutional provision safeguarding their interests” (Kibor 2016).

Unfortunately, even when the perpetrators of violence are known, lack of access to the justice system is a major challenge (Muthoni, 2015). In addition, low family and society capacity to seek justice have contributed to making such services inaccessible. Sometimes cases reported to the police do not end up in prosecution due to lack of concrete evidence or lack of patience on the part of the police to follow through. As reported by one responded in the daily newspaper:

“A deaf victim will want to report violation, but an officer wants to hear what happened from her and not the interpreter” (Muthoni, 2015)

There is also confinement of the children in the house under the guise that they are being protected although the main reason being shame and embarrassment to their family (Wesonga, 2016). Such children are denied their rights to enjoy social liberties and access to opportunities within the community.

Sexual assault

Cases where persons with disabilities have been sexually abused due to a belief that an HIV/AIDS patient would get cured if they had sex with a person who has never had sex have been reported (Bwayo, 2015a). There are myths that people with disabilities are asexual and hence they are targeted for this purpose. Owing to the inability of some of those with disabilities to recall or see the perpetrators make them easy targets (Chemweno, 2015; Gwengi, 2015). In addition, those with mental disabilities are targeted for sexual abuse since they cannot recall perpetrators, run away or anticipate harm from potential perpetrators (Chemweno, 2015; Openda, 2016). Children with mental or intellectual impairments appear to be among the most vulnerable and at risk of sexual violence than their non-disabled peers. Caring for such children requires a lot of attention and is also hectic. The burden becomes greater when sexual assault leads to pregnancy. Parents have to carry the burden of caring for the child and the mother with a disability (Chemweno, 2015). Some of the support staff within the homes have been known to take advantage of the child with a disability and abuse them physically, sexually and mentally. This is obviously done without the knowledge of the parents as most of the time the child may not understand her situation (Chemweno, 2015). Some parents may also be aware of this but may not do anything as they feel they have no alternative help to care for the child or in other cases some parents may be willing to negotiate out of court with those who assault PwDs (DNA, 2016a). Faced with these challenges, parents may just decide to lock their daughters with a disability in the house to ensure their safety.

Murdered for having a disability

Current technology on screening of unborn children poses a new challenge for those with disabilities. Cases of parents opting for abortion once the report shows the child would have a disability have been cited in the media. Though few would ever admit it, it is clear that some people are ashamed of their children with disabilities and may abandon or kill them (Kajilwa, 2016). In some cultures, body organs of those with albinism are prized in witchcraft and used to make charms and potions (Brice, 2016; Luvega, 2015) while others simply want to be relieved of a responsibility (Mwenja, 2016). Young people born with albinism are in danger in the region especially due to cultural beliefs that claim people with albinism possess magical powers and that keeping some of their body parts would make one rich (Luvega, 2015). During election periods, many cases of people with albinism being hunted down and amputated for their body parts are reported in the Eastern Africa countries (Brice, 2016; Luvega, 2015).

Financial support

Although the Constitution of Kenya clearly indicates that 30% of all government tenders should be reserved for women, youth and persons with disabilities, this has not been implemented as required. Even with devolution, which was to bring resources and services close to the people, many people with disabilities continue to complain that they are discriminated (TSA, 2015a; Otieno, 2016). Whereas the Constitution is clear about the obligation of the government towards persons with disabilities, the implementation of clauses that provide financial support to PwDs continue to be done in a haphazard manner and differently from one county to the other (Mbula, 2015; Ogembo, 2015). The burden of taking care of persons living with disabilities has remained the responsibility of private organisations who have to solicit for funds from well-wishers, willing corporates and to engage in income generating

activities to raise funds for PwDs (Nyamai, 2015; DNA, 2016). As noted in one of the newspapers:

“taking care of the blind and ensuring they get the same basic service, which are a right for every Kenyan, is quite expensive especially learning equipment for these students” (Kajilwa, 2015).

The National treasury only provides Kshs. 2,000 (€20) for each individual with a disability each month as support while counties have to supplement (Jebet, 2016; Nyarora, 2016). In many counties, no structured policies are in place on how to supplement government efforts to ensure adequate resources are available to those with disability. For example, in some counties those who receive the funds are assessed based on their social backgrounds and their vulnerability, others require individuals to register before they are considered for the funds (Jebet, 2016). Other counties allocate lump-sum amounts to disability groups without clear rationale (Muraya, 2015; Wambui, 2016). The lack of clear documentation of people living with disabilities in each county has left loopholes for cartels to siphon funds meant for these people (Bwayo, 2015b). Whatever funds given to people with disability at county level remains at best tokenism (Munene, 2015).

Additionally, persons living with disability have to fight to get any funding (Otieno, 2016b) or to retain what is constitutionally allocated to them (Ongwae, 2016; TSA, 2016a). In some cases, to get an audience with a county representative they have to picket at the office and demand for their money that was approved by the county assembly (Otieno, 2016b). The attitude of some county government officials leaves a lot to be desired. They will use those with disabilities and abandon them (Gitonga, 2015). They see the people with disability as a bother and describe them in derogatory terms:

“These people are always on our doorsteps seeking assistance as if they were not covered by the national government” (Nyarora, 2016).

Accessibility

According to the Persons with Disability Act, (2007), it is an offence to deny a person with a disability entry into a public building. Under the law, public buildings were to be modified by 2008 to provide for easy access by PwDs. Article 54 of the Constitution of Kenya also reaffirmed the rights of PwDs to be treated with dignity and respect as they access any building. However, as noted in a study by the Kenya National Commission on Human Rights, majority of buildings sampled were inaccessible for those who used a wheelchair (Ayodo, 2015; DNA, 2015; Mbae, 2015; Sosi, 2016). People living with disabilities get frustrated accessing government buildings (Koskei, 2015) as most buildings do not have any ramps thus limiting access to services in offices located in storey buildings (Koskei, 2015; Sosi, 2016; Wanyoro, 2016). They have to be carried by well-wishers up the stairs as described by one responded:

“We normally end up pleading with people to carry us up and down the building whenever we go to seek services from government offices” (Mwangi, 2016b).

Despite there being a requirement on construction of new buildings to include provision for ramps/lifts, many are being built without this consideration (Ogembo, 2015, TSA, 2016b). For example, it took the intervention of people with disabilities to sue the judiciary to have a lift installed in a law court in Nyeri County for access of the elderly and those with disability (Nyamai, 2015). County governments continue to pay lip service to enacting laws that would make this a mandatory requirement for all

buildings (Koskei, 2015; Ogembo, 2015; Oloo, 2016; Sosi, 2016).

Accessing employment is a tall order for people with disabilities. Employers are still not ready to hire them in their organisations. They are denied opportunities for having a disability. As described by a respondent:

“I went to seek a job at the County Council. As soon as the chairman of the council saw me he said –there is no job for you. He referred me to a rehabilitation centre built for people “like me” where we could learn how to make shoes and weld and we would receive free food rationing” (Kajilwa, 2015).

Disability continues to hinder even those who are qualified as they are denied opportunities just because they have a disability (Ongwae, 2016). Even where PwDs are employed, discrimination against them have been reported and county governments are now thinking of passing laws to stop this ill (Matara, 2015). In some counties, bylaws have been proposed to punish those who discriminate against PwDs accessing employment (Matara, 2015, Obiria, 2015) or to ensure a given number of PwDs are hired by employment firms (Benyawa, 2015). These measures are being taken by authorities in some counties despite the constitutional requirement for a minimum 5% employment of PwDs in all organisations. In addition, many PwDs continue to miss out on employment opportunities or financial support as they are not registered (Bwayo, 2015b; Mbula, 2015).

Education as a social pillar remains a far dream for most PwDs, as the mandate of helping those with disability to access quality education continues to be a preserve of the Non-Governmental Organisations (NGO) (Bwayo, 2016a, Psirmoi, 2016). The national government has not provided adequately for learners with disabilities. As noted by the Kenya Society for the Blind, taking care of PwDs and ensuring they get the same basic rights is quite expensive to be left to NGOs (Kajilwa, 2015). County governments have also been accused of failing to integrate issues of disability in their development plans. For example, education bursaries are given to bright and needy students when the same should equally apply to the needy with a disability (Nyamai, 2015). This is made worse by parents who refuse to register their children with disability into schools but hide them in their homes (Koech, 2015).

There is no reasonable accommodation for those sitting for exams (Amalemba, 2015; Matara, 2016, Njagi, 2016). They have to complete their tests at the same time as those without disability without consideration of the limitations brought about by the nature of disability. In addition, deployment of teachers without special needs training to institutions admitting learners with a disability is another hindrance to accessibility (Matara, 2016).

Conclusion

Despite many of the feature stories carried in the two newspapers depicting negative views towards people with disabilities, there was emphasis by the writers on what they thought should be done to ameliorate the situation. The stories carried in the newspapers reflect a sorry state of affairs for persons with disabilities in Kenya. Though good policies have been enacted to enhance the lives of Kenyan citizens with disabilities, implementation remains a challenge. Additionally, the media seems more inclined to present more negative issues concerning disability in Kenya with little highlight of success stories that may be happening around the country. For example, in the 2016 Paralympic competitions held in Rio de Janeiro, there was very little coverage in the papers, yet the Olympic stories inundated the press during the same period. Stories on disability are reported as footnotes or at best roundup news and

rarely are feature stories showcasing success stories of people with disabilities excelling in their fields of expertise documented (Musa, 2015). Few of the reports in the newspapers show positive steps being made by the national and county governments towards realization of human rights and persons with disabilities. Significant gaps in access to health services, education, employment and public participation are stark realities that persons with disabilities continue to face and live with yet coverage of these issues are reported as anecdotes. This paper proposes a more proactive reporting by the media so that both government and communities are sensitized on the needs of persons with disabilities.

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