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RESEARCH ARTICLE



Reconceptualising Media Ownership and Shifting Power Relations in an Emerging Digital Media Framework

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ABSTRACT

This article discusses media ownership and shifting power dynamics of critical political economy within a digital media framework. It questions the term media ownership and calls for reconceptualisation of the term in an era where media ranges from old media (television, radio, and newspapers), social media platforms (Facebook, Twitter, YouTube, WhatsApp, TikTok), interactive webpages and blogs to podcasts and streaming services. A case for the argument of shifting power relations in media ownership is the recognition that the concept of media and the regulations for media ownership were first drafted in many countries when digital media and mobile technologies as we know them today had not emerged. Today, independent digital media, social media platforms and mobile app technologies are a critical 'alternative' news source. Therefore, the questions guiding this article are: How do we conceptualise media ownership in an increasingly mediated environment? To what extent has digital media contributed to shifting power dynamics in the media landscape in Kenya? With social media increasingly shifting from 'alternative' to 'mainstream' sources of news consumption, social media platforms such as Twitter and Facebook have not only become sources of breaking news but also become spaces for diverse voices and content. The article will focus on independent and alternative media ownership and shifting power relations within an emerging digital media framework in Kenya driven by user-generated content and repositioning users not only as media creators but also as media owners.

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The ever-increasing concentration of media and the rise of global oligopolies continue to be issues of concern for media plurality, freedom of expression, media integrity and net neutrality. This article seeks to question, rethink and reconceptualise media ownership in the digital age by critically analysing how emerging technologies offer contesting spaces for pluralism and diversity of content using Kenya as a context of focus. The article goes beyond 'mainstream' and 'alternative' media binaries. Instead, it approaches media ownership in a digital age as corporations and individuals controlling media institutions, publishers, websites, blogs, podcasts, influential social media accounts and other emerging

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mediums that disseminate news, creative content, and advertisements to mass audiences. While media ownership is often approached critically and defensively as the relationship between media concentration and diversity of expression, the relationship between media plurality and diversity of expression is unclear (Schlosberg 2017). Media pluralism has been used in calls for public intervention in media markets and has been employed so loosely that it allows varied interpretations to be attached (Valcke, Sükösd & Picard 2015). For many critics, however, part of the problem is rooted in how policymakers have defined and addressed the plurality question with its orientation towards a neoliberal market logic that places maximum weight on minimal intervention (Schlosberg 2017). For others, it encompasses how media ownership is regulated. The article will approach media ownership and pluralism from the point of duality within the new digital frameworks: external and internal pluralism. External pluralism delves into diversity in media ownership, while internal pluralism looks at diversity in media output and content (Doyle 2002). The two are often interrelated because diversity in ownership dictates the diversity in a range of voices and media content, as will be discussed in the article later.

Background to the study

The paradox of pluralism in mainstream/traditional media is that even with the loosening of national markets, a few transnational corporations are witnessing an increased concentration of ownership and power (Doyle 2002). The idea of plurality as a democratic safeguard is an established policy norm in liberal democracies (Schlosberg 2017). The need to safeguard pluralism has historically been the main reason for regulating media ownership. However, we see a concentration of media ownership and convergence through acquisitions and mergers in the Global South and the global north. In the global north, for instance, we have seen AT&T and Time Warner in 2016, Disney and 21st Century Fox in 2019, AT&T and Discovery in 2021, and Disney and Pixar in 2021. As a result, media ownership in the US is concentrated among very few corporations. For example, Disney owns ABC, 21st Century Fox, National Geographic, ESPN, Hulu, Marvel, and Pixar. In the Global South, we have Marco and Africa Communications Media Group in 2021, Nation Media Group (NMG) headquartered in Kenya, acquisition of one of Uganda's most influential newspapers, The Monitor, NMG acquisition of the *KenyaBuzz*, Standard Group headquartered in Kenya, acquisition of Mt Kenya Star, NMG acquisition of The Weekly Advertiser Free Sheet, Lebashe Investment Group acquisition of Tiso Blackstar Group 49 percent shares in Radio Africa. At the moment, Radio Africa Group owns The Star newspaper, Kiss Television, Kiss 100, Radio Jambo, East FM and Classic 105. Another example of media concentration is Media Max, headquartered in Kenya, which has cross-ownership of digital media, newspapers, radio and TV. It owns K24 TV, Kameme TV, Milele FM, Kameme FM, Emoo FM, Mayian FM, Meru FM, Msenangu FM, People Daily and MediaMax Digital.

While corporations argue that mergers and media concentration will reduce costs, increase productivity, and improve services, critics say that the risks posed by the marginalisation of voices and the threat to freedom of expression are far worse. Concerns that concentration of media ownership limits diversity and plurality of voices and is, therefore, a threat to diversity in media content and opens media for control by owners and advertising interests. Scholars such as Edwin Baker (2006) and Richard van der Wurff (2008)

believe that dispersed media ownership is crucial for democracy because the basics of democracy entail a wide dispersal of power and ubiquitous opportunities to present preferences, views and visions (Baker 2006). Diverse ownership also prevents media houses and corporations from having absolute control over news-making and agenda control. Instead, it reduces the scope for abuses of public or political influence (Doyle 2002). However, concentrated media ownership matters not only because of pluralism but also because ownership patterns affect resource management in the media industry (Doyle 2002). This, then, determines which voices get allotted more resources and the views that get prominence in agenda-setting terms. While media concentration might be financially viable for media owners, the challenge is the limit imposed on the diversity of voices. The inherent power of political and economic elites in media ownership, control and shaping viewer perceptions and preferences has always been at the root of media ownership. However, with the emergence and proliferation of digital technologies, the influence seems far more uncertain and less significant (Schlosberg 2017). The emergence and expansion of digital technologies have threatened the survival of media corporations, particularly print media. Social media and other tech platforms have already upended the ecosystem in which the legacy media thrived on (Hasen 2020). This leaves audiences with an array of content to consume. Media corporations have had to quickly evolve to adapt to the changing times by creating digital media departments and having a heavy presence on social media platforms and mobile apps. The mainstream media is yet to become adept at creating digital content different from their legacy content (Nyabuga & Booker 2013). Much of the content online that caters to different value prospects has been increasing in number. While media ownership is evolving and countries are constantly trying to amend laws to adapt to the changing digital technologies, media ownership policies have consistently been captured by the interests of large media conglomerates.

The challenges that new media entrants often face, such as limited spectrum and high initial set-up costs, have been overcome by new technologies (Doyle 2002). We now have several independent media hosted solely on digital platforms through audio webcasting and streaming websites (Soundcloud, Spotify, Internet Radio), broadcasting video content through social media platforms (YouTube TV, Instagram TV, later renamed Instagram Video, Facebook Live) and web writing and hosting through blogs and news sites. As a result, digital technologies enable cross-media ownership, whereby one can have a YouTube channel for news and a podcast and simultaneously run a blog or a news site with daily news updates. As a result, media supporters of cross-ownership rules often reference the diversity available on the internet (Robinson 2010). In the pre-digital era, access to media encompassed productions that radiated outwards from a limited number of distribution points and were received by members of a larger mass audience (Couldry 2013). Today, the internet has brought a shift in media content from limited discrete forms (books, pamphlets, letters, reports, lists, analogue radio, and television) to unlimited collections such as databases and websites with identifiable locations (uniform resource locator, commonly referred to as the URL (Couldry 2013)). We also have collections of user-generated images, audio, and video content on digital media platforms such as Flickr, TikTok, Instagram, and YouTube. Traditional or 'mainstream' media also have created digital spaces for user-generated content on their websites for users to upload, comment and engage in conversations regarding current issues.

Digital platforms have fundamentally altered the consumption, distribution and production of news, and social media platforms have also taken on a critical role played by media companies before, that is, providing a point of access to news by audiences (Wilding, Fray, Molitorisz & McKewon 2018). Social media platforms replacing traditional news media (television, radio, newspapers) as access points for news raises an important question moving forward. How can we rethink media ownership and re-envision who media owners are and what media concentration means in a digital framework controlled by a few tech giants such as Alphabet, Meta, Foxconn, Apple, and Huawei? The article will redefine and reposition media ownership within a digital framework, drawing examples of media ownership, concentration, and pluralism from the Kenyan context.

Literature review

In this section, we will delve into a retrospective examination of literature pertaining to the critical phases of development in media ownership in Kenya, including the colonial and postcolonial eras, as well as the current digital age.

Colonial and post-colonial media ownership in Kenya

The challenge with studying media ownership in the Global South is the overarching colonial prisms that created a hegemonic biased view of what was considered media institutions in Africa and the global south. Essentially, African communities had existing media structures during pre-colonial times. However, what is often studied as media institutions usually begins with the colonial frameworks of media put in place by imperialist oppressors. For purposes of this article, we deliberately and categorically affirm that while our analysis focuses on a critique of colonial and post-colonial media structures, there existed African media structures before the advent of colonialism. This article in no way seeks to create the impression that media institutions in Africa began with colonialism, nor does it desire to overlook those dynamic media systems that existed then. In pre-colonial Africa, media systems were structured around the ubuntu notion of communal storytellers (griots), village historians, bards, musicians and dancers (Shaw 2009). The limited scholarship on pre-colonial media institutions in Africa is because communication and media studies have often ignored epistemologies and neglected ontologies relating to indigenous peoples by decentering their knowledge and lived experiences (Mano & Milton 2021).

The establishment of the colonial press was influenced by the policies of imperialist powers anchored in a western value system of media ownership (Shaw 2009). Unlike the democratic, communal system of the pre-colonial press, the colonial press was established to serve and promote the economic and political interests of the colonial system. The British colonial press was ethnocentric and existed to serve colonial interests and counter-nationalist aspirations (Faringer 1991). The colonial reign on the African continent, enabled by newspapers and railroads, imposed on Africa a new world information order of spewing propaganda to serve and sustain the British empire. This was coupled with attempts to enforce an authoritarian press and suppress the development of an indigenous press (Faringer 1991). The first pre-colonial newspapers in sub-Saharan Africa were the *Royal Gazette* and *Sierra Leone Advertiser*, established in 1801 in Anglophone

West Africa (Faringer 1991; Shaw 2009). In East Africa, the first known record of colonial print media in Kenya (formerly known as the East Africa Protectorate by the British from 1895 to 1920) were two newspapers: *Taveta Chronicles* and *Uganda Mail* owned by missionaries in the 1890s. The newspaper content mainly involved news, health, education, and religion. In the early 1990s, most of the newspapers published were owned and edited by white settlers, such as *The Times East Africa* (1905), *Nairobi Star* (1905), *Leader of British East Africa* (1908) and *The Living Church* (1968), among others.

The audiences of these publications were white settlers and British colonialists who were in the early stages of setting-up administrative units in Kenya. This starkly contrasts West Africa, where the press got off primarily as indigenous newspapers due to a small European population (Faringer 1991). In East Africa, where many white settlers were located, the press was controlled mainly by colonialists to promote and sustain the colonial agenda. In 1902, a newspaper owned by an Indian businessman Alibhai Mulla Jeevanjee began circulating. What followed in later years was a dozen other Indian-owned newspapers, including *The Colonial Times*, which the outspoken nationalist Pio Gama Pinto edited in 1962 (Brennan 2001). The Indian-owned newspapers targeted both the Indians who had come to build the Railway, as well as the African nationalists who were beginning to emerge. Since Jeevanjee was a leader of the East African Indian National Congress, he could incorporate articles from African nationalists such as Harry Thuku in his newspaper. The content of these Indian newspapers contained a range of issues. But most importantly, they set out to challenge the colonial rule and fight for equal treatment of all. The editors of these newspapers faced repression from the colonial administration, where some were arrested, some fined, and others sentenced for publishing content that criticised the colonial government.

In the late 1920s up to the early 1950s, there was increased journalistic activity. This resulted in a proliferation of African newspapers and Magazines. African nationalists owned these publications. Some of the publications in this era included a Kikuyu language newspaper, *Muigwithania* (reconciler), in 1928, owned by the Kikuyu Central Association and whose editor was Jomo Kenyatta. Other media owners at this period included nationalists Francis Khamisi, Henry Mworira, Bildad Kagia, Kenya African Union, John Cege, Gakaara wa Wanjau and Harry Thuku. The most successful media owner then was nationalists John Cege, who owned more than a dozen publications between 1940 and 1952. Some of his publications included *Wiyathi* (freedom) (1940), *Muthamaki* (the statesman), *Hindi ya Agikuyu* (the time of the Agikuyu), *Mwaraniria* (the conversationalist), *Wihuge* (stay alert) and *Muramati* (the caretaker) (Akyeampong, Gates & Niven 2012). Authors such as Gakaara wa Wanjau owned publications such as *Witikio wa Gikuyu na Mumbi* (the belief or creed of Gikuyu and Mumbi) and *Roho ya Kiume na Bidii kwa Mwafrika* (the courage and hard work of the African) (1952) were radical and focussed on the fighting the colonial rule. The two publications featured prominently in his detention during the state of emergency in 1952. The owners and editors of these vernacular publications faced a lot of repression from the colonial government, as did the Indian newspapers. While others were fined for publishing seditious materials, others were jailed without trial, and some faced death threats, like Henry Mworira (Durrani 2016).

Media ownership by Africans during the colonial era was motivated by two issues. First, pluralism in ownership allowed for diversity in content. Since publications oriented towards the British settlers did not publish content from African writers or any content

that criticised the colonial rule, Africans developed their publications as platforms to express dissent against colonial rule. It is important to point out that the roots of media contestations and democratic protests can be traced back to pre-colonial Africa, where griots, although often viewed as praise singers, could criticise their patrons within the group norms and values (Shaw 2009). The second motivation for media ownership was freedom of speech and expression. Colonial print media was used as a propaganda machine to justify the colonialists' actions and spread British ideologies while suppressing African ideologies. African media ownership created media that promoted freedom of expression among Africans during the liberation struggles. Such publications were owned by the colonial government and included *Kenya Weekly news* (1928–1968), *Off Parade* (1943), *Nairobi News* (1905), and *The Kenya Daily Mail* (1926–1963), among dozens of others. However, others seemed motivated by a drive to conduct genuine business-like business tycoon Alibhai Mulla Jeevanjee from South Asia, who also provided contracts for building the Kenya-Uganda Railway. In the 1950s, over fifty indigenous publications were critical of colonial rule in Kenya. As a result, the media played a significant role in Kenyan independence in 1963 since, as earlier discussed, indigenous African-owned newspapers acted as public spaces of defiance and rebellion against colonial rule. Although most vernacular publications were forced to close by the colonial administration, their role in educating the public cannot be underestimated.

After independence, the African-led government inherited the Kenya Broadcasting Corporation (KBC) and operated as a government mouthpiece. When Jomo Kenyatta and his colleagues took over leadership at independence, they were aware of the power of the media. They set out to control and manipulate the media for their interests (Mukhongo 2015). In the 1970s and 80s, during KANU's one-party authoritarian rule, the media faced heavy-handed censorship and repression from the government. Those who were critical of the government were arrested, jailed, or forced into exile. It was difficult for media owners in Kenya who did not spread government propaganda. During this period, opposition politicians were suppressed by fear, arrested, detained, or exiled. The media had become a government mouthpiece, and Kenyans were treated to propaganda curated as daily 'news coverage' about the presidents' daily events and church services. During this period, small pockets of resistance still exist among university students and youth movements. In the 1970s, The University of Nairobi students started two publications: *The Anvil* and *The University Platform*. The students used the publications to push for socio-political change. However, the government banned the publications, and student editors such as Chelagat Mutai were apprehended and jailed (Murunga & Nasong'o 2007). Possessing any material that was critical of the government was deemed illegal. Individuals such as Onyango Oloo were jailed for up to five years for owning seditious materials (Klopp & Orina 2002). Academic freedoms were curtailed, and university professors faced repression from the government for publishing materials that were also critical of the government. Those who were jailed and later went into exile included Ngũgĩ wa Thiong'o and Ali Alamin Mazrui (Murunga & Nasong'o 2007). Names of other Kenyan professors who went into exile include Yash Pal Ghai, Micere Githae Mugo, and Peter Anyang' Nyong'o.

The reintroduction of the multi-party system in 1992 relieved the media environment. However, media houses and journalists who were critical of the government continued to be harassed, news coverage censored, and arrests of journalists who wrote stories that

spoke truth to power. There was massive interference with the editorial works in most media houses. In contrast, others, such as *Kameme FM* (a local radio station), faced constant shutdowns, as noted by Joseph Waruguru in a BBC news article ('New Threat to Kenya Vernacular Radio' 2000). Vernacular stations established in the 90s operated in fear and often faced shutdowns when they became critical of the government. The media environment during President Moi's era was the most challenging. In the last few years, the media in Kenya has enjoyed relative freedom, unlike other neighbouring countries such as Uganda, Tanzania, and Ethiopia. The election of President Kibaki ushered in hope for media freedoms. The media, however, also faced repression through oppressive legislation such as the Kenya Information and Communications Act (Amendment Bill 2013) and physical attacks from government security forces such as the raid on KTN (television station owned by Standard Media Group) office in March 2006. According to George Ogola (2010), during the attack, several computers from the KTN newsroom were confiscated, printers were disabled, and copies of the next day's newspapers were destroyed. Before this raid, the government had expressed displeasure with the media house for constantly criticising then-President Kibaki.

Kenya enjoys relative media and internet freedoms; however, media freedom is still under threat, especially from the government. Previously, we had cases where the government shut down broadcast media houses or banned publication of newspapers. In 2015, for instance, the government shut down several radio and TV stations to force them to migrate from the analogue to the digital platform. On January 30 2018, the government shut several media stations down after they carried a live broadcast of the swearing-in of Raila Odinga as the 'people's president' after the hotly contested re-election of Uhuru Kenya during the 2017 Kenyan Elections. Of importance to note is that the stations which have constantly faced closure are privately owned media houses which are also the biggest in Kenya. The Kenya Broadcasting Corporation (KBC), which is state-run, has not experienced government suppression and has often acted as a government mouthpiece, unlike among privately owned media houses. Due to the unpredictable media environment in Kenya, both the media producers and their audiences have devised ways of avoiding or minimising such repression. One of these ways is to increasingly use internet platforms as spaces for producing content and public deliberations. Internet tools provide some level of anonymity and freedom of expression but are also faced with new challenges, as shall be discussed later in this paper. In addition, internet platforms remain popular in urban centres where individuals have the affordance of both smartphones and the affordance of data. Yet, media convergence on the internet continues to be fascinating, providing various ways individuals can own, create, and broadcast their content in several digital formats. The internet has therefore changed the way we view media ownership. In the next section, we attempt to conceptualise media ownership in an increasingly mediated environment.

Media ownership in the digital era

When we study ownership and concentration within a digital media framework, what is glaring is the shift and repositioning of key players. Instead of mass audiences, we have digital users and sub-cultures. What would have been gatekeepers are now citizen

journalists, hacktivists and producers/prosumers (Schlosberg 2017). The substantial internet use and proliferation of mobile technologies in the global south enabled the shift in ownership and control of content and the emergence of new actors. Digital media creation, production and engagement range from self-produced videos uploaded to YouTube; social media influencers creating and uploading content on TikTok and Instagram; public figures tweeting from their phones; to demonstrators live streaming protests on Facebook and Twitter (Couldry 2013). As a result, Nick Couldry argues that specialist media producers and editors are investing not only in their content but also in user-generated content, allowing users to contribute to and comment on content through blogs and comment sections on news media websites. This has then given rise to a new breed of media owners, who as Justin Schlosberg (2017) emphasises, there is need for a critical distinction between media owners and media ownership, asserting that whereas the phrase media owners are invoked to highlight the influence of influential media figures over the public conversation, media ownership draws our attention to the forms of governance, laws, regulation, and institutional cultures associated with ownership structures.

The unlimited data collection with few restrictions has led to an exponential growth of data volume, new forms of collaborative authorship such as Wikipedia, and individual authorship such as social media posts, microblogging, blogs, vlogs and so forth (Couldry 2013). In addition to traditional media outlets as mainstream media outlets, bloggers and citizen journalists have been using the web to reach an audience. With so many voices just a click away, some say the concentration of local media ownership does not matter as much (Robinson 2010). To conceptualise Tom Robinson's (2010) ideas, we take an example of a big media company like MediaMax or Nation Media Group in Kenya. If these two companies own or buy out all the news/media products in Kenya, we would assume that it would affect how news is consumed. However, today, in a mediated environment where people can click/access other alternative voices, media concentration would not matter as much. Yet, in an environment where many alternative voices are dependent on access to the internet and other digital tools, those who cannot afford them would still be affected by the media concentration. Schlosberg (2017), on the other hand, argues that even today, in the mediated environment, media ownership still matters, and he gives three reasons. Firstly, because of how media are organised has an impact on how media report stories. Secondly, it matters because professional media institutions retain a powerful presence in the current information environment; and thirdly, because professional media institutions are still needed to support meaningful democratic and cultural expression (Aalberg & Curan 2012; Couldry 2013; Schlosberg 2017). Digital technologies, however, offer spaces for contestations and alternative voices through digital media ownership, independent media, user-generated content and user comments and engagements. This article, therefore, seeks to enunciate how digital technologies have redefined what is considered media ownership and the need for media policies to adapt to changing digital media environments. While it can be argued that to 'own' in media terms is to 'control' (Schlosberg 2017, 10); when studying media ownership in the Global South, it is essential to look at the global imbalances between the so-called media-rich and the media-poor countries and communities, but also question the terms regarding what it means to be media rich and media poor by reconceptualising what we mean by media ownership.

Methodological approach

In this section, we explain our approach towards analysing scholarship and surveys in reconceptualising media ownership in Kenya and cite examples of studies that have used a similar approach. The study adopts an approach of comprehensive analysis of scholarship on media ownership and compares it against latest survey reports by the Media Council of Kenya, Communications Authority of Kenya and the Ministry of Information, Communications and the Digital Economy. This article critically analyses long-established views about media ownership and the policies that govern the media industry in Kenya to challenge what media ownership means under a new digital framework of news creation, publication, distribution, and news consumption. Informed by the data from the latest media surveys, the article deliberately argues for redefining what we consider as media, media sources and media owners. Our justification for reconceptualising media ownership is informed by prior studies that have used a similar approach in various studies ranging from media studies in Africa (Mano 2009), citizen journalism (Mwaura 2021), digital social inequality (Halford & Savage 2010) to critical digital literacy (Pangrazio 2016).

As Couldry (2013) points out, media as a term is ambiguous because it can refer to (a) institutions and infrastructures that make and distribute content in a form that is fixed and carries its context with it or (b) it can refer to the content itself. Therefore, we seek to analyse how digital media has challenged those very concepts of what media ownership is by analysing for instance whether mobile phones are media devices, whether content creators can be media owners, and whether social networking platforms should be reconceptualised as more than networking sites and be considered as forms of mass media channels or mass media platforms. A major challenge for media ownership is the digital framework and licensing models because often owners of digital content are subject to the End User Licence Agreement (EULA), and digital retailers often insist that ownership of media content is dependent on the terms of the EULA (Perzanowski & Schultz 2018). A case for our argument is the recognition that when regulations for media ownership were first drafted in many countries around the world, social media and mobile technologies as we know them today had not evolved. Therefore, to understand media in contemporary complexity, we need to address the construction, representation, and contestation of the term itself (Couldry 2013) and call for a rethinking of the media policies that govern both traditional media and social media platforms such as Facebook and Twitter. While social media platforms are not subject to mass media regulations, latest data findings from a 2022 report (We are Social 2022) show that Kenyan leads on the list of countries globally where users mainly source their news content from social media. The question then becomes, if users are increasingly sourcing their news from Facebook, should we then reconceptualise them as mass media platforms? We are aware that such a question raises many varied responses, but we hope that this is a start in a push to rethink how we approach and define media especially in countries where populations heavily rely on mobile phone technologies to access and consume media content.

The discussions in this article were informed by an analysis of latest reports from the media council of Kenya, Communications Authority of Kenya, and the Ministry of Information, Communications, and the Digital Economy. The approach for reconceptualising

media ownership was also informed by the recognition that countries in the Global South, such as Kenya, beset with infrastructure challenges, have seen tremendous uptake of mobile phone technologies and portable media. Therefore, news stories and updates sourced and distributed through Twitter, WhatsApp, Facebook and YouTube are increasingly becoming primary forms of news consumption in the global south. We therefore must reconsider what we define as media, particularly in countries often described as media-poor, yet they utilise mobile technologies rather than traditional media such as TV, radio, and newspapers. A case in point is countries in the global south, such as Malaysia, South Africa, Chile, Kenya, Indonesia, Ghana, Brazil, Philippines, Bangladesh, and Nigeria, which have an explosion of mobile technologies and yet are often still labelled as being media poor and media ownership is often defined through the lens of TV, radio, and newspapers. The argument, then, is for broadening the conceptualisation of media to include a wide range of digital media products, producers, and engagements. At this point, it is also befitting to point out that the term media can be contentious, as supported by Couldry (2013), because, for instance, arguing that specific communities are media-poor raises questions about who defines the term media and what media means to diverse groups, especially in the global south. We therefore reviewed and critically analysed selected cases of mobile phone use as media devices to record and distribute news, journalists and social media users publishing breaking news on social media such as WhatsApp, Twitter and Facebook and social media users heavily relying on social media platforms as their primary sources of news. Analysing the latest data from media surveys in Kenya, the study critically questions and challenges the concept of media ownership through (a) reconceptualising media ownership within a digital media framework and (b) analysing how ownership of digital media has contributed to shifting power dynamics in the Kenyan media landscape.

Analysis, discussions and reconceptualising media ownership

The discussions below, address the two critical questions mentioned above regarding reconceptualising media ownership with a digital media framework and analysing the shifting power dynamics in the media landscape in Kenya. The recent trend that has emerged in the study of digital media as alternative media focuses on intersections between alternative and mainstream media, challenging the previous assumption that alternative media stands in stark contrast and opposition to mainstream media (Atkinson 2017). An analysis of news sources and news consumption by audiences in Kenya supports the argument that social media and mass media are not as disparate as previously assumed but instead they intersect in content creation, news consumption, media sources, media ownership, media policies, and ideological influences (Atkinson 2017; Kenix 2011). An analysis of news consumption patterns indicates that there are varying intersecting ways in which users access news, ranging from watching Citizen TV, KTN or NTV updates on Twitter, listening to radio on Facebook, reading *The Standard Digital* or *Nation Africa* news updates on Twitter or getting news updates through WhatsApp groups.

According to data from the Media Council of Kenya, a significant portion of Kenyans, 24 per cent, primarily relied on digital platforms such as social media to consume news, including television, radio and newspapers (Media Council of Kenya 2021). Beyond media

consumption, the process of news production is rapidly changing and in 2022, the Media Council of Kenya, in a public notice signed by the Chief Executive officer and Secretary to the Council, notified the Kenyan public and all security officers that mobile/smart phones while in use by duly accredited journalists are to be recognised as professional journalistic equipment (Media Council of Kenya 2022). Media norms that were previously considered alternative are now mainstream necessitating a shift in reconceptualisation of media as a result of high penetration rates of mobile technologies, fragmentation of media spaces, liberalisation of media markets, and the reduction in costs of media production through mobile technologies (Bailey, Cammaerts & Carpentier 2008). What we are witnessing today is digital and traditional media borrowing from one another and adopting and assimilating practices utilised by the other. For example, traditional news outlets have adopted the approach of reader-writers in recent years where they receive audience feedback through interactive media and then broadcast the feedback as content (Atkinson 2017; Willems 2013). Digital media have opened spaces for alternative voices and fostered pluralism in media ownership and content creation. This has been driven by the robust adoption and penetration of mobile phone technologies in Kenya and supported by the Communications Authority of Kenya's Sector Statistics Report Q1 2022-2023, which found that out of a total population of 49.4 million Kenyans, there were 60.7 million mobile phone devices connected to mobile networks of which 32.9 million were feature phones, while 27.9 million were smartphones. The report also found that active SIM subscriptions increased by 1.2 percent to 65.5 million mobile SIM subscriptions, while data/internet subscriptions were 48.3 million (Communications Authority of Kenya 2022). The high numbers for mobile phone penetration have been driven by heavy investment by the government in internet connectivity infrastructure (Ministry of Information, Communications and Technology 2019).

Digital media platforms offer alternative spaces for independent media and digital creators and have helped overcome the challenge for new mass media entrants, which was often the cost of media ownership. However, with digital technologies, the question of resources is a much lesser concern due to the availability of open-source platforms and mobile technologies. WhatsApp, for instance, has become increasingly popular in Kenya because it is free, and allows for ease of shareability and spreadability of media content. However, due to its popularity in Kenya, it has also attracted government censorship. For instance, in an effort that mimics the gatekeeping practices prevalent in mainstream media, the Kenyan government issued warnings to WhatsApp group administrators during the 2017 and 2022 election periods, holding them accountable for any content posted within their groups as a means of controlling harmful speech. This was a case of the government taking the rules that govern gatekeeping in mainstream media and implementing them on social media platforms. This hearkened to the times when newspaper editors were arrested in Kenya when newspapers published stories that the government deemed unfavourable. For instance, in 2013, *Sunday Standard* editor David Makali was arrested along with Kwamchetsi Makokha for publishing a confidential report about the politically motivated killing of Crispin Odhiambo-Mbai, a key figure in the constitutional reforms efforts.

Media ownership in Kenya has long been a privilege for a few influential individuals with economic and political connections. However, over the years, the changing media environment in Kenya, from state-owned and digital technologies have become

a powerful force in enabling smaller players to have a stake in cross-ownership by setting up news sites, podcasts, and YouTube channels which can still reach mass audiences. In Kenya, cross-media ownership by smaller media players has been enabled by the government strategic plan of 'mobile first' and specific objectives of the national ICT policy emphasising the provision of high speed, wireless internet across the country and promotion of accessible news and media platforms both online and offline (Ministry of Information, Communications and Technology 2019). While the cross-ownership of media by conglomerates often raises concerns among critics (media hegemony, control over massive troves of user data, and unbiased global information flow), high levels of access to digital media technologies is promoting pluralist voices in cross-ownership. The internet has led to media convergence of different media formats, such as having a Facebook live-streamed show, hosting a podcast on Facebook and posting regular written posts as blogs, all hosted on a single platform like Facebook. The versatility of digital platforms and the ability to allow users to integrate various platforms have helped users grow a rabid fan base and rapid content creation. Kenya's most watched YouTube channels are *Timothy Kimani 'Njugush'*, *Crazy Kennar*, *Flaqa Raz*, *Mungai Eve*, *Otile Brown*, *Citizen TV*, *K24*. A look at the above reveals that while some are YouTube channels by traditional media such as Citizen TV and K24, others are by individual content creators such as *Otile Brown* and *Churchill Show*, while others are by artists and music bands such as *Sauti Sol* and *Willy Paul*. In this context, therefore, YouTube has become a platform where a user with a mobile phone can watch the news, listen to music, play games, watch movies, and engage in transnational conversations and discussions on world events with other users globally. While Kenya leads Africa in content creation and YouTube accounts are growing in Kenya, on the other hand Media Council of Kenya findings indicated that there was a decline from 74 per cent in 2020 to 58 per cent in 2021 for respondents who watch television for more than 30 minutes in a day ('Kenya Leads Africa on YouTube Content Creation' 2022; Media Council of Kenya 2021).

New media, like traditional media before them, have already become ordinary content of everyday life (Couldry 2013) and, in Schlosberg's (2017, 4) words, 'behind the very concept of an information age lies a belief in the empowering potential of digital communications, fostering new forms of civic accountability' and in place of a mass media audience, it has produced an endless 'tail' of fragmented user communities; in place of traditional gatekeepers, we now have 'prosumers' and 'producers', citizen journalists, hacktivists, culture jammers, gate watchers, the 'networked fourth estate' and, above all, the crowd. With social media emerging as a powerful source of news consumption for young people, Facebook, YouTube, WhatsApp, and Twitter have not only become spaces where they get breaking news but also spaces for engaging in discussions and arguments about ongoing events in the country. Many social media users in Kenya get their news alerts from Twitter and WhatsApp. According to July 2022 Global Social Media statistics, Kenya is ranked among the top 5 digital communities worldwide in terms of following influencers on social media and is third in Africa after Nigeria and South Africa in terms of sourcing news from social media platforms (We are Social 2022). Bloggers such as Robert Alai, Boniface Mwangi, Cyprian Nyakundi, Dikembe Disembe, Pauline Njoroge and others have become major news sources for Kenya. Other influential public figures with a large Twitter following, such as Donald B Kipkorir, Ahmednasir Abdullahi and Mutahi Ngunyi also engage in sharing latest political news

updates with their followers. As a result, digital technologies have, threatened the survival of media corporations, mainly print media, leading to an increase in mergers and acquisitions. With the emergence of digital technologies, newspaper readership has declined notably, and some print newspapers have had to shift from daily to weeklies or entirely to digital formats with paywalls to survive. Radio has however not been as severely impacted as print media, with radio listenership in 2021 standing at 74 per cent, with a decline of 5 per cent from 2020. Television on the other hand declined by 12 per cent. In 2020 newspaper readership was at 25 percent and remained the same for 2021 (Media Council of Kenya 2021). While newspapers face the biggest decline, radio is still attracting listenership with a slight decline and YouTube and Facebook have become primary news sources, making huge profits.

Just as the government has imposed restrictions on traditional forms of media, a similar pattern of censorship can be observed regarding digital media platforms. A case in point is when the government of Kenya, through organisations such as the National Cohesion and Integration Commission (NCIC), have been cracking down on citizens on social media. Bloggers and other online users have been arrested, detained, and even jailed for what the government refers to as ‘improper use of social media.’ In 2016, a businessperson, blogger and critic of the government, Jacob Juma, was brutally murdered (‘Top Kenyan Businessman Shot Dead’ 2016), while in 2013, blogger and journalist Bongoko Bosire disappeared without a trace. Bosire Bongoko was the owner of *Jackal News*, described as ‘a popular website that gained prominence for publishing titillating titbits of the high and the mighty’ (Some 2015). We have also witnessed situations where alternative media platforms such as Facebook, Twitter and Instagram have gagged certain individuals considered to be inappropriately using the platforms and have had their accounts suspended. Blogger Cyprian Nyakundi’s Twitter account was arrested for violating its terms and conditions (Kulundu 2018). Interestingly, Nyakundi asked his supporters to boycott Twitter and join *Gab*, a social networking service created as an alternative to Twitter (Ellis 2016). In 2021, the Kenya Film Classification Board ordered comedian Eric Omondi to take down a YouTube show, *Wife Materia*, and Omondi and cast members were arrested and charged with violating the Kenya Film and Stage Act (Freedom House 2021). Based on the examples discussed, it can be argued that if individuals or entities in control of mass media institutions no longer hold the power to set the agenda for society, media ownership becomes less of a concern, even when it is highly concentrated, as noted by Schlosberg (2017). Instead, it would be more productive to rethink the concept of media ownership and create policies that are inclusive of new players in the media landscape who are now a significant force in the production, distribution, and consumption of news content in Kenya.

Conclusion

Given the contradictory and complex nature of media content, creation, and ownership in the digital age, it is imperative to re-examine and research media ownership from new perspectives, and to reassess its effects on democracy and accountability, as noted by Schlosberg (2017). It is crucial to expand our understanding of media ownership beyond individual media institutions or markets and to analyse the intricate network of relationships, power dynamics and licensing agreements that comprise the complex

media landscape. This article sought to pave a way in redefining and reconceptualising what media ownership is in a rapidly evolving media landscape. Firstly, it sought to conceptualise media ownership in an increasingly mediated environment. Secondly, it sought to analyse how the ownership of alternative digital media has contributed to shifting power dynamics in the global south while drawing examples from Kenya.

To support the overall aim of the article, we traced how media ownership has evolved since the pre-independence period to the current era in Kenya. What was evident is that digital media has contributed immensely to a shift in political economy of the media in Kenya. Over the years, alternative media has evolved, and today, digital media intersects with mainstream media, unlike binary opposites as in previous years. Therefore, it can be concluded that political economies of the media are rapidly evolving in relation to developments in media institutions, technologies, markets, and society and scholars need to be open to theoretical revision in these fast-changing technological times on the media landscape (Winseck 2011). Today, as we witness alternative digital media increasingly becoming the main source of news, it is essential to acknowledge the immense and relentless contribution that alternative media platforms and alternative media owners have made to the media and socio-political landscape of Kenya. When discussing media ownership, it is vital to consider the new digital media owners who have arisen due to the ever evolving and proliferating media technologies. With the emergence of digital media producers and products, we have seen a new generation of media owners. Therefore, the traditional framework of media ownership must adapt and evolve to include these new players. As previously stated, alternative forms of media ownership have played a crucial role in shaping power dynamics, challenging the status quo, and elevating and repositioning digital media, previously on the periphery and margins of the media landscape. In short, the media landscape is constantly evolving, and the old framework of media ownership is no longer sufficient, it's time to re-evaluate and adapt to the new norms of media ownership.

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