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# UNDERRATED, IGNORED AND NEGLECTED

Despite the huge potential it has on the country's economy, the creative industry in Kenya has been overlooked by consecutive regimes, leaving its wake a huge dejected lot of creatives, writes **Barry Silah**

**K**enya's creative sector employs hundreds of thousands of people, but it still lags behind other established markets in the continent such as Nigeria and South Africa, a situation that continues to create untold frustration amongst the creatives.

Issues to do with poor royalties collection and distribution, piracy, and taxation are some of the most troubling problems that have afflicted the creative space in the country for many years. Industry stakeholders are crying foul that in subsequent governments, the plight of creatives has been largely ignored, despite the fact that the sector is a multi-million industry capable of making an immense economic contribution.

During the previous and current regimes, creatives have made their voices so loud, mostly through workshops, in a bid to have the country's leadership change its perspective towards the industry. UNESCO regional advisor for culture in the East Africa region office, Masonari Nagaoka, once stated: "Kenya's creative economy is not only a source of jobs, but a beacon of innovation and unity."

Upeo Talent Agency founder and CEO, Mike Mutenyo, says the government could be in the middle of a rock and a hard place when it comes to implementing policies.

"The challenge is that the arts and creative industries are often placed under a ministry that's already handling too much. A dedicated ministry for culture, arts, and the creative economy would help address the sector's needs more effectively. Today, most of those sub-sectors may take more money for operations and administration than the people they are actually intended

for. Progress in the sector often slows down when departments are reorganised with successive governments or moved around during cabinet reshuffles," he tells *Spice*.

The brand and talent manager adds, "Government support is vital because policies, laws, and regulations are what determine how things are implemented, enforced, and funded. For example, issues with Intellectual Property (IP) and copyright laws cause creatives to lose significant income such as royalties from TV and radio."

## The state disregard

Not so long ago, Kenya was treated to a bloody showdown between the restless Gen-Z and government forces over what they termed as repressive clauses in the now dropped Finance Bill 2024. This issue saw a couple of creatives also take to the streets and on social media in unison with fellow citizens decrying what they dubbed as an "uncaring government".

One prominent name that was a prominent fixture in the discussion was filmmaker and director, Phillip



Mike Mutenyo



Eric Omondi

SAVARA

Young producers are getting frustrated because they see little value in the business when royalties are not coming through

Karanja who points out that for the longest time, the arts sector has always been given a raw deal, and that the time is ripe to shift the narrative.

"Creatives deserve better and this is not just talk. We know the power we wield in society and how we can influence change. The rejected Finance Bill for instance was an emotive one and it brought out the pain and pent up anger in Kenyans. I took time to study the Bill and it was retrogressive and thankfully it has been shown the door. The sector I am in, would have been hit heavily with crude taxation, but even beyond that, the Finance Committee in preparing

**SWEETNSOUR** By Mwangi Alberto

**Socialite Huddah Monroe and MP Salasya air dirty linen in public**

Call it an unlikely combination or whatever, but the fact is that controversial Mumias East MP, Peter Salasya, and Kenyan socialite Huddah Monroe have left tongues wagging in the recent times. Reason? For quite some time now, there have been tell-tale signs of the legislator trying to shoot his shot at the damsel. But what this has managed to birth are on-line wars regarding their standards on dating each other. Recently, Huddah blew Salasya out of the water when she labelled as “*chakula ya kuku*” some Sh10,000 the MP had sent to her in an alleged attempt to woo her. This criticism left the first-time legislator’s ego badly bruised, and that’s when he decided to

let the cat out of the bag. “She is broke everyday she was asking money from me through WhatsApp *hadi akanipa number yake ya Kenya nikamuonea huruma nikasema let me just help her with 10,000 while I was in Mombasa [sic],*” Salasya posted on social media. This made the socialite to apologise for her earlier remarks. Seemingly irked by the apology, the MP posted on Instagram, telling off Huddah and labelling her as mediocre. He wrote: “Somebody tell this woman I have no time for her mediocrity. *Sasa aende aimbe wimbo na kudance na wasanii na kuchukuwa pesa kwa watu wenye wana pesa yenye haina kazi, mimi nipige siasa that’s where I thrive... [sic]*”



Angela Mwandanda

creative artists, the return to normalcy has been difficult and depressing because the gig economy has not quite resumed to line.

Another challenge popping up is the lack of collective bargaining amongst the industry players, which has rendered the creative sector almost helpless. Much of the industry remains fragmented, splintered, and run by independent individuals and micro-organisations that operate outside of government policies. The lack of a structured unity depreciates the sector’s ability to engage in any meaningful dialogue with the government.

Former Tattuu member, Angela Mwandanda, who is the Recording Industry of Kenya (RIKE) national coordinator believes that a broader conversation needs to be activated, so that everyone is brought on board in seeking solutions.

“We certainly need more progressive ideas. Policies by the government and legislation by the parliament must be pro-creatives. The jobs created in film, music, theatre, dance and arts are huge, but we need a proper cover to address issues such as piracy and royalties. There are engagements around licensing and taxation, especially for folks in the digital content space,” says Angela.

She adds: “We also need capacity building, mentorship and training for creatives to align them with realities of the 21st century. As RIKE, we have made it our business to check on copyright and educate members and content producers on ways to protect their work. We want to see everyone play their role and collectively we all want to be better professionals. In this information age, it is important for everybody in the creative sector to be aware and be inquisitive because this is a job, but still the government remains a key partner in our conversations as enablers.”

**Talent and possibilities**

A recent report by Baraza Media Lab suggests that the creative economy is the biggest resource in any nation. “Kenya’s creative sector is a vibrant one, brimming with talent and possibility, especially when looked at through the opportunities it affords to the youth of a country. When examining the music industry, the crux of the issue comes down to copyright. Based on data from the Kenya Economic Survey, the creative sector, despite experiencing a contraction, has been recording an increase in annual average earnings for its employees. However, to most players, particularly in the music arena locally, there is still a grey area and misunderstanding on revenue sharing; a subject deemed sensitive, controversial and sometimes complex,” reads the report.

Producer and performing artiste Savara Mudigi opines that the mistrust between artists and agencies boils down to lack of proper structure.

“I feel like we definitely need to see changes because the trickle-down effect cannot just be felt. Young producers are getting frustrated because they see little value in the business when royalties are not coming through.

“Government can be accused of this and that, but at the same time at our level, we have Collective Management Organisations who need to do their job as per agreements and the law,” says the former Sauti Sol band member in conclusion.

the document only allocated the State Department of Culture and Creative Arts a mere Sh3.8 billion in an ecosystem where thousands reside,” he says.

Phil adds, “The interesting thing was that out of that allotment, only Sh800

million was to go to the creative sector that employs thousands, with Sh3 billion going to recurrent expenses such as rent and salaries. Priorities just seem to be off!”

In June 2023, President William Ruto assured the creative industry of his full support. He said that the government had initiated a programme under the Ministry of Sports, Arts and Culture to grow the arts industry. “We would want to see the arts grow, so that they can also contribute productively to our growth,” he said.

When Ruto spoke again at the Kenya National Drama and Film Festival last year, he said he had in mind a programme that would create a continuum through which gifted youth would secure dream careers after their studies.

“This is a flagship project through which we will revolutionise the way we organise sports and the arts in Kenya. We are lucky that we are implementing a curriculum that recognises performing arts such as music, dance, drama and film as learning components,” he said.

**Talk without action**

However, industry players believe that the government is mostly engaging in talk shops and not much tangible things happen on the ground. Comedian and activist, Eric Omondi, has many a time accused the State of taking the creative space for a ride. During the June demonstrations, he was one of the artistes who issued warnings and pleas to the Kenya Kwanza government to protect the sector from abuse and exploitation.

Creatives from across the arts space were particularly affected during the height of the Covid-19 pandemic. In Africa, financial losses in the cultural and creative industries during the second quarter of 2020 varied significantly from one country to another. The recovery process was difficult and for many



Phil Karanja

**China probes Tommy Hilfiger, Calvin Klein over cotton issues**

China has announced it is investigating the company that owns US fashion brands, Tommy Hilfiger and Calvin Klein for suspected “discriminatory measures” against Xinjiang cotton companies. The move marks a new effort by Beijing to fight back against allegations from western officials and human rights activists that cotton and other goods in the region have been produced using forced labour from the Uyghur ethnic group. The US banned imports from the area in 2021, citing those concerns. China’s Ministry of Commerce accused the firm of “boycotting Xinjiang cotton and other products without any factual basis”. PVH, which owns the two brands and

has a significant presence in China as well as the US, said it was in contact with Chinese authorities. It has 30 days to respond to officials, at which point it could be added to the country’s “unreliable entities” list, raising the prospect of further punishment. A Chinese Commerce ministry official denied that the probe was linked to US plans to ban certain Chinese electric vehicle technology. “China has always handled the issue of the unreliable entity list prudently, targeting only a very small number of foreign entities that undermine market rules and violate Chinese laws. Honest and law-abiding foreign entities have nothing to worry about,” they said.

-BBC



Indya Moore models for Tommy Hilfiger. COURTESY