# THE NEXUS OF SOCIO-ECONOMIC AND POLITICAL VULNERABILITY AND NON-STATISTS ACTORS CRIMINAL ACTIVITIES IN KENYA

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## Abstract

*There are inreased criminal acts by various militia groups challenging the stability of the Kenyan government. There has been significant growth of these militia groups in the recent past which has engendered a lot of insecurity to the state. Such destructive conflicts in the transnational era need deep understanding of their genesis so that they can be managed effectively. However, this has not been the case. The government has been unable to address insecurity issues stemming from these militants. Attacks on vulnerable population are still rampant. Citizens die as a result of these activities as well as causation of wanton destruction of property. The approach of this paper is diagnostic and prescriptive, attempting to tackle the failures of the government that has spiraled the development of these outlawed groups. With many dynamics at play such as poor governance, weak state systems and lack of political will, there is general feeling of resentments amongst the ethnic communities who feel marginalized in the post-independent era. Injustices meted against them during and in the post-colonial period have not been corrected neither have they been compensated. This discontentment breeds anger and hatred which are some of the push factors. Such indignation manifests itself through brutal and barbaric acts of these violent groups. This article addresses the ideological root causes of these terror groups. It further recommends solutions to the root causes thus providing long lasting rejoinder to the insecurity menace that bedevils the government.*

**Keywords:** militia, insecurity, injustices & terror

## 1.0 Introduction

Militia gangs and vigilante groups in Kenya continue to swell in size. Their activities are mostly concentrated within the urban environment especially in Nairobi in slum areas. They also

operate in rural areas. Intimidation and fear through brutality dominates their methods of operations The trend is worrying due to the fact that Kenya  next General election will be held on Tuesday, August 8, 2017 as per the Constitution (Kiplangat, 2015).  During the electioneering periods everybody rally`s behind his or her community while asking for votes. This enhances creation of tribal cocoons which promotes polarization of the country. Presently, there is stalemate between the ruling party Jubilee Coalition and the opposition party, Coalition for Reforms and democracy (CORD), on the credibility of the electoral body, Independent Electoral and Boundaries Commission (IEBC). The Coalition for Reforms and democracy (CORD) members allege that the electoral body lacks integrity to conduct free and fair elections. Fearing that through the constitutional processes they won`t be able to effect the changes they want within the body, they have opted to go for demonstrations. These demonstrations have already resulted into deaths with scores being injured. Kaluoch (2016) noted that five patients with bullet wounds were taken to the Jaramogi Oginga Odinga Referral Hospital while five others with minor injuries were treated in Siaya. There were overwhelming numbers of casualties from Monday's 30th May, 2016 demonstrations. One person died while undergoing treatment another person died in the streets. However, the Government is developing cold feet on dialogue with the Opposition. This creates a breeding ground for the militia groups (Williams, 2012).

Post-cold war era has seen the rise of terror gangs. This period has witnessed a shift of interstate wars to intrastate conflicts. The divergence has been majorly due to identity crisis. As a result, there have been violent conflicts characterized by gunpowder politics.  In Kenya, such militia groups includes Taliban boys, Baghdad boys, Kosovo boys, Chinkororo, Kalenjin Warriors, Sabaot Land defence Force (SLDF), Mombasa Republican Council (MRC), Mungiki and Al shabaab- a foreign militant group operating on Kenyan soil. Complexity of Al shabaab prompted the Kenya`s Army excursion into Somalia so that it could create a buffer zone. Al shabaab`s terror activities threatened the country`s economy which relies heavily on tourism as a source of foreign earner. These militias are likely to be used with the politicians during the electioneering periods to intimidate their opponents as have happened in the past.

## 2.0 Profiling the Militia groups

These gangs have committed atrocities against the civilians. SLDF, MRC, Mungiki and Al shabaab have caused unwarranted sufferings to the people of Kenya. Yet the government`s security apparatus have been unable to efficiently deal with these securities runaway situations. Profiling the groups would help understand their ideological call; a deep insight into their formation. Using this tool, one is able to address root causes rather than the symptomatic elements. It is imperative and prudent for the security apparatus to have understanding of the genesis of the outlawed social movements. Profound knowledge facilitates the development of feasible policies for termination of the groups. They should not get out of hand like Boko Haram of Nigeria- an islamic insurgent group in Northeast Nigeria.

**The Sabaot Land defence Force (SLDF)**

The militant group was founded at the foot of Mt. Elgon. This rag-tag militia was the most dreaded gang in the Western Kenya Region. Parallel administration it created allowed it to collect revenues through forced taxations. Atleast, the military operation killed the leader of the group around July 2008 thus weakening it. According to Simiyu (2008) during the reign of this terror group, over 1300 people were killed with over 30,000 being displaced and 120 forced disappearances. Military interventions offer temporary solutions to the problems at hand. The root cause of the emergence of the outlawed group remains largely unresolved and could be a time bomb. Land issue at the epicenter of this conflict was never settled.

To date, Western Kenya remains volatile. There have been sporadic attacks on civilians by unknown criminal gangs in Bungoma and Kakamega Counties. Around June 2013, nearly over 10 people lost their lives including children and women, and over 100 people were injured. The attacks were carried out in homes in Busia and Bungoma Counties. The killers are still at large with the government doing very little to arraign them. Okwach (2015) reported that over 20 machete wielding gang attacked the villages three days after another village was attacked. The victims were hacked inside their homesteads and household goods stolen. Seemingly, the government is overwhelmed by the insecurity situations, consequently, has failed to address the underlying key issues occasioning the recurrent attacks. These attacks are likely to resurface during the campaigning periods.

**Mungiki**

The pseudo-religious movement with political and socio-economic agitations advocates for maintenance of African culture and practices- kikuyu traditional practices in particular. It is mainly found in central Kenya, Nairobi slums and Rift Valley. The group is notorious of its violent activities (Landinfo, 2010). Most of beheadings that occur in central Kenya are blamed on the group and as such are liable for gross violation of human rights. Extortions and violence constitute their mode of operations (Wamue, 2010). It is blamed for most of the deaths which occurred during Kenya`s 2007/2008 post election violence (PEV) in the general area of Naivasha. PEV happened in Kenya during 2007 general election when the exercise was bungled. It was a hotly contested election and the opposition blamed the ruling party for having stolen their victory.

The government declared the sect outlawed, meanwhile, carried out extra-judicial executions to root out the vigilante. Their activities reduced, however, the group still exists. Such a shoot to kill policy would only offer transitory relief to the government. In long term, better strategies need to be espoused. For instance, the sect members could be mobilized and sent to rehabilitation centres where there would be quipped with technical skills.

**The Mombasa Republican Council (MRC)**

This outfit at the coastal Kenya is seeking secession for the 16km coastal stretch from the republic of Kenya. The separatist organization coined the slogan `Pwani *si* Kenya, ` translated as Pwani is not Kenya. It claims of marginalization and political of exclusivity. The continuing disputes over land ownership; the sense that wealth and jobs are largely held up by `upcountry` people; the belief that coast people are denied educational facilities and the revenues generated from tourism all end up elsewhere has resulted into the burgeoning membership (Willis & George, 2012).

The group emerged under the guise of a social movement, however, the government outlawed it. Recent attacks at Mpeketoni in Lamu County are believed to be having some connections with the MRC movement. It is thought to be having some links with the Somalia militants- al shabaab. As long as these grievances are unresolved, the MRC threat will always haunt any seating government (Kamude, 2012).

**Al shabaab**

The Islamic terror group which operates in Somalia and beyond seeks to overthrow the Somalia government. It intends to establish an Islamic emirate with an extreme version of sharia. They intensified their terror activities in Kenya forcing the government to send her troops to Somalia to create a buffer zone (Nyambura, 2011). They have vowed not to stop their terror activities until Kenya withdraws her troops from Somalia. However, the Kenya`s contigent is under the umbrella of AU and as such there are no Kenya`s military operations in Somalia save the AU troops` operations.

The group has clandestinely recruited the Kenyan youths into the organization. Idle jobless youths are easily lured into the group with promises of good pay. Since 2007, 85% of al shabaab`s attacks took place in Somalia while another 12% in Kenya (Seth, 2013). Many western countries have been forced to issue travel advisories to their citizens visiting Kenya. Despite the policy adopted by the government, `shoot the individual terrorist on the street, ` the groups activities are yet to stop. Most of the Kenyan borders are porous. Officers who man these border posts are very corrupt. They are poorly paid despite high costs of living. The government needs to finish off corruption at border post as well as giving the officers manning these points of entry commensurate remunerations.

## 3.0 Research Methodology

The researcher used mixed methods under qualitative and quantitative approaches. Descriptive research design was used in the study because it employs a combination of qualitative and quantitative approaches. Further, the problem addressed by social and health

sciences researchers are complex and the use of either qualitative or quantitative approaches by themselves would be inadequate in addressing these complexities (Okoth, 2012). In addition, there is more insight to be gained from the combination of qualitative and quantitative than using either by itself. Their combined use provides a wide understanding of research problem (Creswell, 2009). The researcher has used data analysis triangulation to ensure the validity and completeness of both quantitative and qualitative data collection and analysis is well captured. The research was conducted in Kiptororo Ward of Nakuru County. The ward is the epicenter of clashes and militia groups operate freely within the greater Kuresoi Constituency. As illustrated by Sagiye, 2015; Murimi, 2015; Wambugu, 2012; and Mwakale, 2007, the area (the greater Kuresoi Constituency) is prone to violent conflicts during electioneering periods. Even after elections, the area still experiences sporadic violence.



An arrow head lodged in the arm of a resident of Olpusimoru in Kuresoi after clashes erupted in the area on December 25, 2015

**Source: Nation Media Group, 2015**

The target population was the locals of Kuresoi location which has a population of 7000 people (Softkenya, 2015), 6 chiefs and 6 sub-chiefs of Kiptororo ward.  Through random sampling, 700 respondents were selected for the study. Sampled questionnaire were sent to the respondents who filled the questionnaires and returned them. Kothari (2009) emphasizes that a sample size of between 10% and 20% of the population is considered adequate for a detailed or in-depth studies. Purposive sampling was used to select informants for interviews. The chiefs and sub-chiefs were interviewed so that their views and opinion were captured as to the rise and growth of militia groups within the country. Data was analysed qualitatively and quantitatively to make deductions, interpretations, conclusions and possible recommendations. Quantitative data were elicited from the questions in the questionnaire where means, frequencies and percentages were computed. The statistical package for social sciences (SPSS) was used. Data was presented in tables, figures and graphs. The researcher made use of descriptive statistics to analyse quantitative data and results given in form of central tendency, frequency counts and percentages.

## 4.0 Results and discussion

The central government should focus on the root cause of these outlawed groups. Marginalization and political injustices during and in the post-independent Kenya has instigated a lot of disgruntlement amongst the ethnic groups who feel sidelined. To ease this tension, the government needs to reconcile the past with the present so that nearly all ethnic groups should feel part and parcel of the government as shown in the discussion.

### 4.1 Marginalization

The regions perceived to be in the opposition are sidelined from the government`s development projects. Such regimes practice politics of exclusivity. Places such as Nyanza region, Coastal region, North Rift and North Eastern region have been marginalized for long. They experienced low levels of growth development.

After independence in the 1960s, the northern frontier wanted to secede to join the greater Somalia. As a result the government launched the shifta campaigns to weed out the agitators of secession. In the wake, the government forces committed atrocities including the Wagalla massacre. During the shifta wars over 2000 locals were killed. Violations against women and girls were widespread and systematic. The violations included rape and other forms of sexual violence (TJRC, 2013).

Most of the youths have been recruited by al shabaab into terror activities. They receive training deep in Somalia then later deployed to carry out terror activities. The youths at the coast have not been spared by the allure of good remunerations of the terror group. With reliable sources of income, it would be difficult to persuade these youths to join the militia group.

With the slogan of `*siasa mbaya maisha mbaya*`-bad politics breeds poor quality of life, President Moi (Kenya`s 2$^{nd}$ president) abandoned development projects in areas which did not support his political ambitions. Such regions saw little or no any developments for 24 years of Moi`s rule. To date, regions like Nyanza still suffer from the aftermath effects. It tops the poverty index in the country. From the study, 76% of the respondents strongly agree that marginalization is the major cause of criminal gangs. An informant remarked that the land issues have not been resolved within the cosmopolitan Kuresoi community hence when there are tensions, the tribes form gangs to protect their own from retaliatory attacks from other tribes. When a people are marginalized, they look for all ways including the unscrupulous means for survival. This is further shown on figure 1.1.
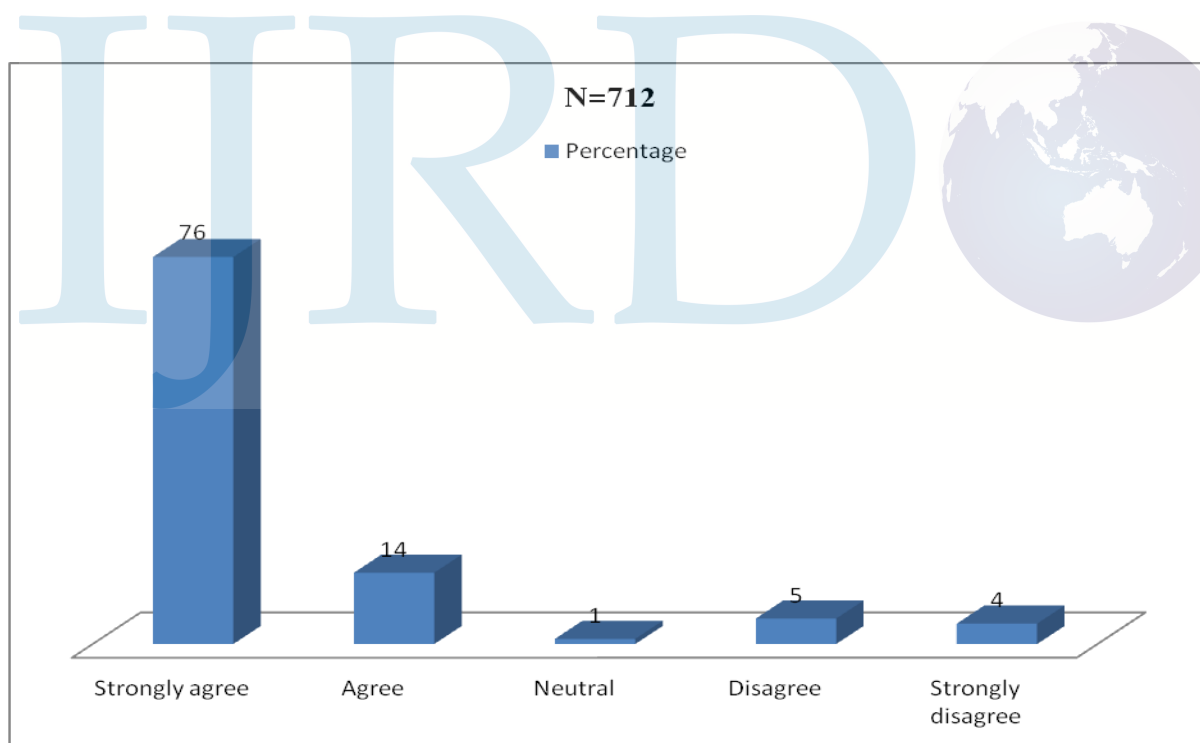


*Figure 1.1: Marginalization as a cause of growth of criminal gangs*

**Source: Field, 2016**

## 4.2 Political Injustices

It is the prime duty of government to protect its citizens of any threat whether imagined or actual.  But when the said government sponsors violence against her citizens, then the rule of law is no longer functional. Injustices committed by the government against its people could lead to growth of militia. Excesses such as assassinations, detention without trials and extra-judicial executions, result into formation of social movements to counter such oppressive mechanisms. Failure of central administration to be responsive to the needs of the people would lead to various criminal acts.

Poor leadership and bad governance has seen politicians support some of the militia movements for personal gains i.e. using the gangs to intimidate the opponents. Individuals in the past have deployed such archaic tactics to gain political mileage. In the periods of multiparty politics and ethnic upheavals in the 1990s, Mungiki mobilized against the government which it accused of fuelling the ethnic animosity. This was the period of President`s Moi single party kleptocracy policy. In the post-Moi era, the group entered a new phase of metamorphosis and became a full-fledged criminal gang. This group has a wide network and has been able to survive the government`s extrajudicial killings. The membership continues to swell. As postulated by other conflict experts the government has failed to address the root causes of the militia movements (Kagwanja, 2015).

Collective survival where the government`s security apparatus has failed, has necessitated formation of militant groups for communal protection. This precipitated the growth of Taliban in Kariobangi, Nairobi, which protects the luo community in the area against mungiki attacks. It further manifestated itself during 2007/2008 PEV when these groups were summoned by respective communities to offer protection. For instance, the mungiki group was used to unleash terror on people who were perceived to be the Orange Democtratic Movement (ODM) supporters in Naivasha region. They are notorious for beheadings and mutilations (Moody, 2008). Politicians use these groups to further their selfish political ambitions.

Land ownership has been a problem in the post-independent Kenya. Squatters in the colonial period were never settled after independence. Their land had been grabbed and consequently they were displaced. Kenyatta`s (the first Kenya`s president) administration did not settle these colonial injustices. Cohorts within the presidential circle also perpetuated the colonial legacy by acquiring white settlers' schemes leaving scores of people landless in the independent Kenya. The land ownership remains such a contested issue. The landless people in the post-independence were not compensated neither was land restored to them. Instead more land was alienated from the already affected communities for the benefit of politically privileged ethnic groups and political elite. This led to deeply held resentments against specific ethnic communities who benefited from the resettlement at the expense of those who believe they are the right owners.

The recent killings in Lamu County at the beginning of this year have been due to grievances that have not been addressed. The indigenous people resent that they are landless in

their ancestral homes. It has been a time bomb and that the government had been apprised of but no actions had been taken.  Lamu killings left over 100 people dead with very many injured. Property worth millions of money too was destroyed. The initial government report on Lamu land ownership shows that 80% of land in this area is being owned by the people from upcountry and that the transactions were not legally done (Okanga, 2014). At least, for the Lamu County, the government has taken the right direction in settling the land problem.

The same sentiments are echoed by the MRC. The locals here claim that prime jobs have been taken by the people from upcountry. Post-independent demographic growth and commercialism aggravated the situation while the politics of social exclusions have further antagonized the local communities (Paul, 2011). The coastal lands have been unscrupulously allocated to people other than the indigenous individuals. This has seen various attacks on the government installations by the MRC militia. In terms of developments, the coastal region has also been sidelined. The coastal youths largely remains unemployed. The area suffers from poor road networks. The al shabaab and MRC operatives have found it easy luring these idle youths into their respective militia groups. As the coastal people chants the coined slogan, Pwani *si* Kenya, much has not been done by the government to address the people`s problem.

The coastal woes have been worsened by the extrajudicial killings of the people perceived to be supporting these groups. This has seen the radicalization of the Mombasa Muslim youths. Most of the recruitments into these militia groups is said to be taking place in some of the mosques. The government has been conducting arbitrary arrests on any one linked to terror groups. In a democratic society, the government should arrest these people and arraign them in court rather than shooting them like some wild animals on the streets.  74% of the respondents feel that without political injustices being addressed, the growth of criminal gangs cannot be curbed easily. An informant lamented that the injustices affecting the Kuresoi community have not been addressed for so long and when there are tensions, these issues resurface. For communal protection of the ethnic groups who feel threatened, they would seek to formation of criminal gangs to safe guard their existence. This is further illustrated in figure1.2.
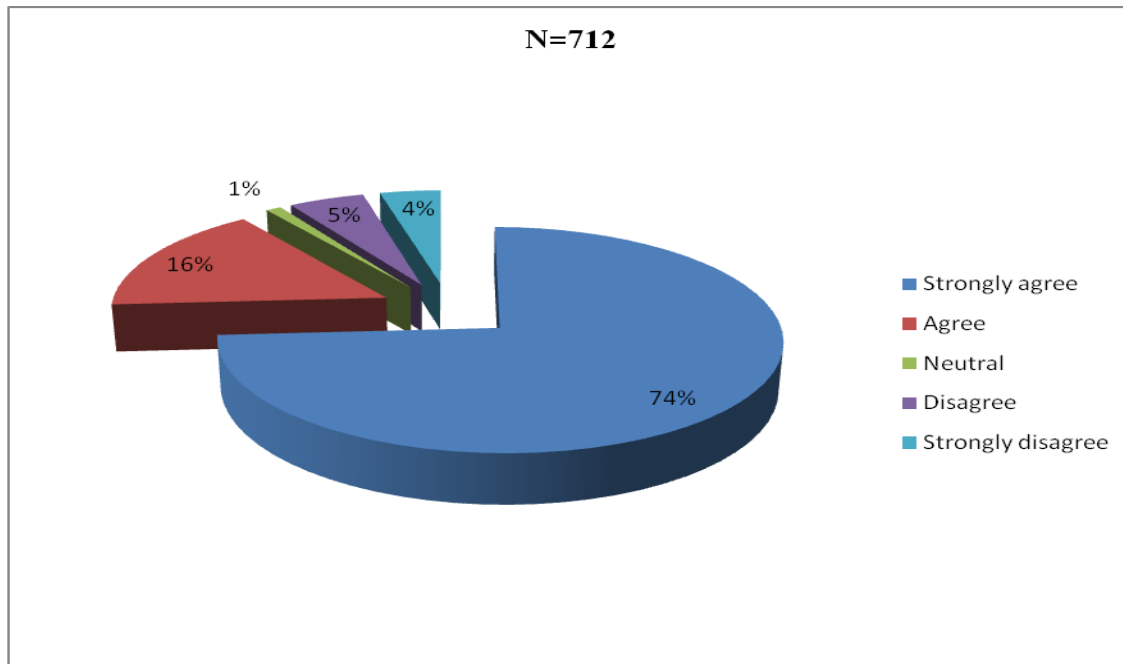
*Figure 1.2: Political injustices as a potential growth for the criminal gangs*

**Source: Field, 2016**

## 5.0 Conclusion

The government needs to address these root causes of militia movements. They have caused a spate of insecurity within the country.  Insecurity run away needs clinical actions by the central government if the situation is to get any better. The political injustices need to be settled. Development projects should be rolled out in the formerly marginalized areas. Equities should be equally distributed throughout the country. Key government appointments should mirror the national outward look.

The government should conduct civic education to sensitize the youths on dangers of relying on handouts from the politicians. When such politician gets the elective post, his/her campaign manifesto is thrown into the safe awaiting for the next general election. The government should initiate projects specifically tailored for the youths. These sustainable projects should be able to empower the youths.

The land injustices should be addressed dating back from the colonial times. The Ministry for Land should be charged with reclaiming pieces of land illegally allocated to private developers at the expense of the locals. Land problems if not settled will continue to haunt the nation for decades to come. During the electioneering periods, the skirmishes as a result of land

struggle must be witnessed. In such instances, militia groups become handy; they are usually deployed to instill fear by terrorizing the other competitors.

The Truth, Justice and Reconciliation Commission (TJRC) which was formed to investigate the injustices and atrocities committed since 1889 so that the ills could be resolved. Unfortunately, its recommendations have not been implemented. This report continues to gather dust at the state archives. There is lack of political will.

The government needs to incorporate a department within the national Intelligence Service (NIS) that monitors any signs of formations or growth of the militia groups. Parameters should be created against which these outlawed social organizations can be gauged. Any positive indication should spring the security agencies into action.

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