

UNIVERSITY OF NAIROBI
INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

**Militia Groups and National Security in Kenya: A Case Study
of Eastland's, Nairobi**

SAMUEL. M. WACHENJE

SUPERVISOR: DR MARTIN. O. OUMA

**A PROJECT SUBMITTED IN PARTIAL FULFILMENT OF THE
REQUIREMENTS FOR THE AWARD OF MASTERS OF ARTS DEGREE IN
INTERNATIONAL STUDIES AT THE INSTITUTE OF DIPLOMACY AND
INTERNATIONAL STUDIES (IDIS), UNIVERSITY OF NAIROBI**

March, 2015

Declaration

I hereby declare that this research project is my original work and has not been submitted for a degree award in any other university.

Samuel. M. Wachenje

Signed.....

Date.....

This project has been submitted for examination with my approval as University Supervisor

Dr Martin. O. Ouma

Signed.....

Date.....

Dedication

I dedicate this work to all those who gallantly put their lives on the line as they strive to protect/save lives, alleviate human suffering and promote peace in an environment rife with conflict and violence as well as to those who have longed for security, stability and peace which has often proven elusive. May their yearnings materialize and live to cherish good tidings in secure, stable and peaceful environment.

Acknowledgement

The writing of this dissertation has been very challenging and without the support, patience and guidance of the following people, this study could not have been completed. To them I owe my deepest gratitude. To my supervisor Dr. Martin Ouma who found time to guide me despite many other academic and professional commitments. His wisdom, knowledge, commitment to the highest standards inspired and motivated me. Also, great appreciation goes to my colleagues at NDC and my family who in various ways inspired and encourage me throughout the process. To all I say may God bless you.

Abstract

There is a negative relationship between militias and national security. Militias tend to challenge the operations of a state in many ways. This ranges from undermining state's monopoly in the use of force to illegal taxation, serious intimidation and predation of citizens. Consequently, there has been sustained global and national scholarly and policy focus on specific ways militias emerge, their practices and how they undermine national security. This study falls within this terrain of militias and national security. It has examined the question of militias and their impact on Kenya's national security with particular focus on militia activities in the Eastlands parts of Kenya's capital city Nairobi. The area has witnessed high concentration of militias cum organized criminal groups. Special attention has been given to Mungiki which has been dominant. Theoretically, the study has been guided by multi-sectoral and multilevel approach to security and securitization theory. Multi-sectoral and multilevel approach is based on the argument that threats to security are both militarized and non-militarized. Also, they affect various sectors notably military, political, economic, societal and environmental. Securitization theory which is closely associated with Copenhagen and Paris schools of security acknowledges the reality that different states have varied security priorities. Significantly, the theory moves security agenda from being an objective phenomenon to being subjective and contextual depending on these priorities. These way many issues can be brought under the umbrella of security. Methodologically, the study is both qualitative and quantitative owing to the nature of data the researcher sought. It used both primary and secondary data. Primary data was collected through interviews and informal conversations whereas qualitative data was mainly collected through desk study review. The main finding of the study is that militias have undermined Kenya's national security. They have challenged state's monopoly in the use of force, corrupted its institutions, are used as tools of violence by political and economic actors, created an architecture of fear in the areas they operate severely weakening human security, have exacerbated poverty and unemployment. However, despite the challenges they pose, they have also played a key role in provision of public services and security in ungoverned urban spaces long neglected by the government.

Table of Contents

Declaration.....	i
Dedication.....	ii
Acknowledgement.....	iii
Abstract.....	iv
Abbreviations.....	ix
List of Tables and Charts.....	x
CHAPTER ONE.....	1
INTRODUCTION AND BACKGROUND TO THE STUDY.....	1
1.1. Introduction.....	1
1.2. Background to the Study.....	1
1.3. Statement of the Research Problem.....	6
1.4. Objectives of the Study.....	7
1.5. Research Questions.....	7
1.6. Justification of the Study.....	8
1.7. Literature Review.....	8
1.7.1. Evolution of the Concept of Security.....	9
1.7.2. Militia Groups, their Development and National Security.....	15
1.7.3: Militia Groups in Kenya.....	21
1.7.4. Gaps in Literature.....	29
1.7.5. Operationalization of Key Terms and Concepts.....	29
1.8. Theoretical Framework.....	30
1.9. Methodology.....	33
1.9.1 Methods of data Collection.....	34
1.9.2 Methods of Data Analysis.....	34
1.10. Study Layout.....	35
CHAPTER TWO.....	36
FACTORS UNDERLYING THE RISE AND CONTINUED GROWTH OF MILITIA GROUPS IN KENYA.....	36
2.1. Introduction.....	36
2.2. Definition of the Term Militia.....	36
2.3. Types of Militias.....	38

2.4. Evolution of Militias in Kenya.....	39
2.5. Factors behind the Rise of Militias in Kenya.....	44
2.5.1. Negative Ethnicity and Political Competition.....	45
2.5.2. Political Culture of Impunity and Extra State Violence.....	48
2.5.3. Socio-economic Factors: Underdevelopment, Poverty, and Unemployment	51
2.5.4. Environmental Resources Scarcity	53
2.6. A Typology of Main Militias in Kenya	57
2.6.1 Mungiki.....	57
2.6.2. Taliban	58
2.6.3. Kalenjin Warriors.....	59
2.6.4. Sabaot Land Defence Force	59
2.6.5. Chinkororo	60
2.6.6. National Republican Movement/Council.....	60
2.6.7. Baghdad Boyz.....	61
2.6.8. Jeshi la Mzee alias Kamjesh	61
2.7. Chapter Summary	62
CHAPTER THREE	63
OPERATIONS AND ACTIVITIES OF MILITIA GROUPS IN EASTLANDS, NAIROBI.....	63
3.1. Introduction.....	63
3.2. 1. The Identity of <i>Mungiki</i>	63
3.2.3. Origin of <i>Mungiki</i>	65
3.2.4. <i>Mungiki</i> Recruitment and Organization.....	67
3.2.5. <i>Mungiki</i> Ideology	69
3.3. 1. Mungiki Strategies and Operations.....	74
3.3.2: Mungiki and Kenyan Politics.....	79
3.4. Chapter Summary	83
CHAPTER FOUR.....	85
A CRITICAL ANALYSIS OF THE IMPACT OF MILITIA ACTIVITIES ON NATIONAL SECURITY	85
4.1. Introduction.....	85
4.2. An Overview of Eastlands, Nairobi	86
4.3.0 Presentation of Findings of Primary Data Collected in Eastlands, Nairobi	88

4.3.1 Demographic Profile of the Sample.....	88
4.3.1. 1 Sex of the respondents.	88
4.3.1.2 Age of the respondents.....	89
4.3.1.3 Level of education.....	91
Table 4.2	91
4.3.2: Socioeconomic Profiles of Respondents.....	92
4.3.2.1 Employment Status	92
4.3.2.2. Occupation of the Interviewees.....	94
Table 4.3	94
4.3.2.3 Unemployed.....	94
4.3.2.4 Monthly Income	96
Table 4.4	96
4.3.3 Influence of Politicians and State Violence	97
4.3.3.1 Political campaigns	97
4.3.3.2 Political Office	99
4.3.3.3 Role in Political Campaigns.....	99
4.3.3.4 Securing Victory for Politicians.....	100
4.3.3.5 Payment for Campaigns	100
4.3.4.1 Supplementing Government Services.....	101
4.5.1 Number of police stations	101
4.3.4.2 Security of the area.	102
Pie chart 4.7	102
4.3.4.3 Security providers	104
4.3.4.4 Payment for security	106
4.3.4.5 Payment per month	106
4.3.5.1 Provision of Cleanliness and Garbage Collection Services	107
4.3.5.2 Cleaners of the environment	108
4.3.5.2 Garbage collectors	108
4.3.5.3 Payment of garbage collectors	109
Pie chart 4.10	109
4.4. Specific Consequences of Presence of Militias, their Operations and Activities on National Security	110

4.4.1. Undermining of the Legitimacy of the State and its Institutions	111
4.4.2. Challenging the State’s Monopoly of Violence	111
4.4.3. Criminalization of the State through Complicity with security agencies.....	112
4.4.4. Undermining of National and Individual Economic Security.....	113
4.4.5. Nurturing a Generation of Militias.....	114
4.4.6. Displacing the State in provision of Public Services especially Security	114
4.4.7. Creating an Architecture of Fear.....	115
4.4.8. Triggering Activities which undermines National Values	116
4.5. Chapter Summary	118
CHAPTER FIVE	119
5.0. SUMMARY, CONCLUSIONS AND RECOMMENDATIONS	119
5.1. Introduction.....	119
5.2. Summary of Findings.....	119
5.3. Conclusions.....	122
5.4. Recommendations	123
5.4.1. Invest in Police Reforms	123
5.4.2. Invest in Community Policing	123
5.4.3. Allocate Resources for Slum Upgrading	124
5.4.4. Adopt a Development Based Approach to Security	125
5.4.5. Strengthen the Governance Systems at National and Local Levels.....	126
5.4.6: Invest more in Alternative Dispute Resolution (ADR).....	127
5.3.7. Provide Second Chances to Youth.....	127
Bibliography	130
Other References.....	134
Appendix 1: Interview Schedule.....	135
Appendix II: Glossary of Terms	137

Abbreviations

CHS	Commission on Human Security
GSU	General Service Unit
KANU	Kenya African National Union
KAMATUSA	Kalejin, Maasai, Turkana, and Samburu Association
KNHCR	Kenya National Human Rights Commission
KPU	Kenya Peoples' Union
MP	Member of Parliament
NGO	Non-Governmental Organisation
NRC	National Republican Council
ODM	Orange Democratic Movement
PNU	Party of National Unity
UN	United Nations
UNDP	United Nations Development Program
UNCHR	United Nations Commission on Human Rights
SALWs	Small and Light Weapons
SLDF	Sabaot Land Defence Forces
VAT	Value added Tax
WB	World Bank

List of Tables and Charts

Table

4.2.....**Error!**

Bookmark not defined.

Table 4.3 94

Table 4.4 96

Pie chart 4.7.....102

Pie chart 4.10 109

CHAPTER ONE

INTRODUCTION AND BACKGROUND TO THE STUDY

1.1. Introduction

This chapter introduces the study and delineates its terrain. Towards this end, it contains the review of necessary literature especially on security, militias and the consequences of militias on national security globally and in Kenya. Additionally, the chapter details the requisite theoretical framework drawn from literature review especially from human security and securitization approaches to the study, analysis and practice of national security. Finally, it provides a methodological framework for guiding data collection and analysis. Methodologically, the study is both qualitative and quantitative.

1.2. Background to the Study

Security remains the most significant concern for any state. Without doubt, the main reason why states exist is to ensure that inhabitants in their territory are protected from threats. These threats emanates from the domestic and international environment. Though states have not always managed to protect persons in their territories from every conceivable threat and at times are a source of insecurity to the same persons they have a duty to protect, they remains the most important securing actors. It is within the states that individuals can best expect to find protection and opportunity to pursue their cherished goals and ambitions. To that effect, Buzan has argued that, no matter how states have performed in their security functions, there is possibly no other entity which can best assure security compared to states.¹

In the traditional understanding and practice of security, the predominant preoccupation of states was on how to respond to externalized militarized threats from other states or state-sponsored

¹ B. Buzan, *Human security in international perspective*. A paper presented to ISIS, Malaysia, 14th Asia – Pacific Round table on Confidence Building and Conflict Reduction, Kuala Lumpur, 3rd June, 2000

actors.² Though this preoccupation varied globally, it was a reflection of the security environment which major powers operated in for much of the 20th Century. However, with exception of these major powers, the security realities elsewhere were different and remain so. These states, most of them newly independent, were and still are struggling with crisis of legitimacy, state building challenges and their artificiality. As a result, their main source of national security threats is domestic sphere.³ In the domestic sphere, they are challenged by sub-national groups, organized crime networks, underdevelopment and unemployment among other insecurity causing dynamics.

During the post-cold war period, the security environment has undergone major transformations. The transformations have led to convergence of some security threats across all states. This is due to emergence and growth of a complex of uncivil non-state actors either operating nationally or transnational. These actors in pursuit of their objectives have the capacity for undermining national and international security. They include terrorist networks, organized criminal groups and militias among others. Faced by these emergent actors and challenges, and freed from the limitations of the cold war's highly militarized security competition, there has been change in understanding and practice of security. The change has led to inclusion of new agendas which extend beyond explicitly military-oriented concerns.⁴ Subsequently, states in their formulation and implementation of nation security are increasingly including non-militarized issues in the

² M. Ayoob, *The Third World Security Predicament: State Making, Regional Conflict and the International System*. London: Boulder 1995, pp.7-9; E. A. Azar, *National Security in the Third World: The Management of Internal and External Threats*. Maryland, College Park: University of Maryland Press, 1988

³ M. Ayoob, *The Third World Security Predicament*, Ibid

⁴ Scholars such as C. A. Snyder *Contemporary Security and Strategy*. London: Macmillan, 1996, pp.1-13 have addressed this shift. The United Nations Development Programme (UNDP) had also published widely on this paradigmatic shift.

security planning and implementation. The shift has had profound influence on the national security and strategy debates' within and among states.⁵

The transformation in the understanding and practice of security is discussed in the literature review and further in chapter three which provides an overview Kenya's national security environment. The discussions shows that the concept of security is no longer limited to militarized threats. Scholarly, beyond the classical realist paradigm of national security, there has been expansion and deepening of the concept of security.⁶ There is now a consensus that the state, society and individuals are legitimate objects of security on their own rights. Importantly, threats emanate from many actors and they impact on different sectors such as military, political, economic, and environmental, and either of the sector has the potential of undermining national security.⁷

Kenya has grappled with a myriad of security challenges. The challenges are mainly foundational closely related to the process of state formation, and its capacity to perform its functions. Like many other African countries, Kenya is very diverse, with more than forty two ethnic groups, with different histories, traditions and culture languages and different religions.⁸ Though diversity can be a source of strength if well managed, it can also be source of tension and a threat to nationhood and national unity. Consequently, the challenge since independence

⁵ G. Muigai, "Jomo Kenyatta and the Rise of the Ethno-Nationalist State in Kenya", in Berman, B. et al (eds), *Ethnicity and Democracy in Africa*. Oxford: James Currey Ltd, 2004; A. Haugerud *The Culture of Politics in Modern Kenya*. Cambridge: Cambridge University Press, 1995.

⁶ See review of literature on security section

⁷ See B. Buzan, *People, States and Fears: An Agenda for International Security Studies in the Post-Cold War Era*. Boulder, CO: Lynne Reiner, 1991

⁸ Kenya Human Rights Commission, *Killing The Vote, State Sponsored Violence and Flawed Elections in Kenya*. Nairobi : Kenya Human Rights Commission, 1998

for the Government of Kenya has been skilfully manage its ethnic diversity and its national wealth for the good of all.⁹

Nonetheless in the past three decades or so, Kenya has started to experience more and more serious challenges to its national security. These national security challenges which are discussed elsewhere notably in chapter four include the growth and influence of international terrorist organizations, the illegal flow of small arms and light weapons, militias and organized criminal groups, rural poverty, dysfunctional governance systems, weak, politicized and de-professionalized security sector, underdevelopment and extreme inequalities, demographic challenges especially youth bulge, unemployment and growing urban destitution.¹⁰ The complex and interrelated factors have led to emergence of militia and organised criminal groups, which have remained a threat to Kenya's national security.¹¹ Among the most outstanding attributes of these militias has been the precipitation, planning and execution of organized group violence in order to achieve their goals, their continued challenge to state authority and legitimacy, and targeted attempts to displace the state spatially and temporally.¹²

The emergence of militia groups is closely related to Kenya's democratization journey.¹³ Major incidents of group violence in Kenya occurred just before the first multi party elections in the country in 1992.¹⁴ The 1991/1992 ethnic clashes in the Rift Valley region of the country were a manifestation of the social fragmentation of the nation and the lengths to which some leaders and communities would go to in order to protect their interests. Then and now, organized

⁹ K. Kivutha, C.P. Maina and N. Baraza (eds), *Constitutionalism in East Africa: Progress, Challenges and Prospects in 1999*. Kampala: Fountain Publishers, 2001

¹⁰ K. Murungi, *In the Mud of Politics*. Nairobi: Acacia Stantex Publishers, 2000.

¹¹ A. W. Guchu The Role of Small Scale Enterprise in Alleviating the Unemployment problem. Nairobi: Institute of Economic Affairs, 1997.

¹² K. Pius, *The Faces of Corruption*. Nairobi :Sino Printers and Publishers, 2004

¹³ K. Njogu, "Ahadi ni Deni", in Maupeu, H et al. (eds). *The Moi Succession: Elections 2002*. Nairobi: TransAfrica Press, 2005.

¹⁴ M. Hill et al, *Healing the Wounds of Trauma: How the Church can help*. Nairobi: Paulines Publications, 2004.

violence often perpetrated by well organized militias have become more visible in political fabric of Kenya.¹⁵ Electioneering periods are usually turbulent because of some unscrupulous politicians mobilizing and inciting group violence against their perceived enemies who in turn retaliate in kind thus creating a vicious cycle. This mobilization is usually based on ethnicity.¹⁶

The outcome of organized political violence has been emergence and salience of militias of different shades. Some like the dominant and violent Mungiki emerged in response to the 1991 and 1992 ethnic clashes in Rift Valley region. Initially, Mungiki was a Kikuyu community protection militia since the clashes particularly victimized members of this community. From its original goal, it has evolved into an organized criminal group and a ready tool for political violence. Many other militias have emerged motivated by ethno-cultural, religious, economic and political factors.¹⁷ A more detailed examination of these militias is provided in chapter two. An important point to note is that the greatest weapon of these militias is violence and fear among the populations as they undertake their criminal and political agendas.¹⁸

The existence of these militias some which also operate as organized criminal groups and their activities have consequences on Kenya's national security. These consequences need to be examined so as to contribute to better understand them. This is both a scholarly and policy endeavor. The contributions made by such an endeavor are critical if these militias are going to be defeated using a more holistic approach beyond the traditional use of force. This study makes such contributions through a comprehensive evaluation of militias in Kenya, their evolution, and

¹⁵ P. Kagwanja, 'Politics of Marionettes: Extra Legal Violence and the 1997 Elections in Kenya', in *Out for the Count*. Kampala: Fountain Publishers, 2001.

¹⁶ B. Berman, D. Eyoh and W. Kymlicka, "Ethnicity and the Politics of Democratic Nation-Building", in Berman, et al (eds), *Ethnicity and Democracy in Africa*. Oxford: James Currey Ltd, 2004

¹⁷ M. Ngunyi, 'Reconciling Reforms within Chain of Events: Prelude to the 1992 and 1997 Elections in Kenya. Nairobi and the University of Helsinki Finland: SAREAT, 1997

¹⁸ M. Gitu, 'Human Rights, Citizenship and Nationhood in Kenya: An Overview of Losses, Gains and Prospects', in Bujra, A (ed), *Democratic Transition in Kenya: The Struggle from Liberal to Social Democracy*. Nairobi: ACEG, 2005.

implications on national security. In particular, it focuses on *Mungiki* militia which has become a dominant non-state actor whose signature is gratuitous use of violence and intimidation.

1.3. Statement of the Research Problem

In 2012, the government of Kenya outlawed at least 33 illegal criminal and militia groups. This was an acknowledgement that the groups' activities were incompatible with national interests. Despite the government's move, these groups have continued to carry out their activities with little regard of reprisal from government security machinery.

In Eastlands, Nairobi, Mungiki, which has remained one of the dominant militia cum organized criminal group, has continued to organize and grow especially from 2001 to 2012. During this period, police records attest to the fact that illegal activities in the hands of these groups are prevalent, with police clashing with and apprehending Mungiki members in the area.¹⁹ Among the activities the group is engaged in are running extortion rings to finance its operations mostly in the transport sector, levying protection fees from landlords in middle and low class estates, retail traders and tenants, garbage collection, illegal power and water supply connection, selling illicit brew, trafficking of drugs just to name but a few.

On July 25, 2012 these illegal groups seemed to receive a reprieve following a ruling by the High Court of Kenya in Mombasa which declared the Kenya Gazette Notice that outlawed one of the illegal groups Mombasa Republican Council (MRC) unconstitutional. The ruling seemed to breathe in new life to the other banned groups countrywide Mungiki. However, the ruling never led to conferring of legitimacy on these groups and the government has consistently reiterated that they are inimical to national interests.

¹⁹ <http://www.nation.co.ke/News/Man-arrested-amid-fears-of-Mungiki-revival/-/1056/1537130/-/wt6eco/-/index.html>

Based on this reality, this study examines the evolution and activities of Mungiki in Eastlands Nairobi and its implications on national security. Specifically, it answers the following three questions: One, what factors have enabled the continued salience of Mungiki and other illegal groups despite their proscription by the government. Two, what are the national security implications inherent in the continued existence of these groups and; three, how can these groups be contained?

1.4. Objectives of the Study

The overall objective of the study is to analyze the evolution of militia groups in Kenya, with particular focus on Eastlands, Nairobi, and their implications on national security.

To achieve this objective, the study has the following specific objectives:

- i. To establish the factors underlying the rise and continued growth of militia groups in Kenya.
- ii. To examine and analyze the operations and activities of militia groups in Eastlands, Nairobi.
- iii. To examine militia implications on national security and provide research thesis recommendation for countering *Mungiki* and its fellow travelers.

1.5. Research Questions

1. What factors have enabled the rise of militia groups in Kenya?
2. What are the national security implications of the continued presence and activities of *Mungiki* in Eastlands, Nairobi?
3. What can be done to contain and end the illegal activities associated with Mungiki in Eastlands, Nairobi?

1.6. Justification of the Study

The study has both academic and policy justifications. Academically, the study makes scholarly contributions towards the understanding of the emergence, evolution and implication of militias cum organized criminal groups on national security. Thus, it contributes to the available scholarship on the nature and dynamics of militias organized criminal groups in Kenya. The contribution is important since it is grounded on field research carried out in a part of Nairobi City which has been menaced by militia and organized criminal groups for more than two decades. Drawing from original data, it provides important evidence based insights in this area of study and thus contribute new ideas on how to deal with militia.

In terms of policy, the study provides pertinent answers to critical policy questions posed by the topic under investigation. There is no doubt that Kenya is grappling with serious challenges posed by non-statutory armed groups which have thrived in the past three decades. The groups have been remarkably resilient, surviving various government efforts to disband them. This is a pointer to either failure in developing an appropriate policy response or lack of proper implementation. By bringing out the different dynamics enabling these militias and developing evidence based responses, the study makes important policy contributions which if adopted by government and civil society (communities and NGOs) working in this area shall enhance efforts aimed at dealing with these militias.

1.7. Literature Review

The section reviews literature related to the area of study. It is divided into three major sections. The first section reviews literature on the concept of security and its evolution. The review is important for it helps situate the study within the security discourse, assist in identification of theoretical framework and definition of national security and identification security threats. The

second section reviews literature related to militias and organized criminal groups. The inclusion of organized criminal group is because there difference between the two is often blurred with some groups taking hybrid form where they are simultaneously militias and organized criminal groups. The third section review literature on militias in Kenya, factors leading to their emergence, activities they are involved in, and their consequences.

1.7.1. Evolution of the Concept of Security

The concept of security is among the most essentially contested concept. This is because in different periods, the concept has been used to capture the most pressing issues. In other times, it has been abused by various governments, which invoke the word security to oppress or justify measures aimed at serving their interests. Initially, understanding of security was rooted in the classical realist paradigm which predominantly viewed security through state-centric lens. According to Snow, the state centric approach to security is rooted on the following principles: One, international system is composed of sovereign states as the primary units in both a political and legal sense; two, sovereign states possess vital interests and are the only units in the system entitled to vital interests; three, states relies on power to resolve their differences and secure their interests, and lastly, military force is critical in securing the state. Importantly, the approach is based on an idea that within the sovereign realm, there is order and outside there is anarchy.²⁰ According to this understanding, security threats are external to the state and are militarized in nature.

These principles guiding classical state-centrism especially the claim of internal order and external anarchy as well as of states as the main referents of security, and predominance of military force within the security calculus have been critiqued by scholars. Consequently, the

²⁰ See D. M. Snow, *National security for a New Era: Globalization and Geo-politics*: New York: Pearson Education Inc, 2004, p.51

concept of security has undergone major changes especially in the post – cold war period.²¹ The shifts have reflected the emerging dynamics of security which have been overrode by cold war ideological and strategic security concerns of the rival super powers, namely the United States and the Soviet Union. However, the shift on security debate was preceded, by few studies which strove to bring to attention the varied security experiences particularly in non-western world. Among the leading voices in this field were Ayoob, Azar, Chung-in Moon, McLaurin and Jackson.²²

A common thread among these scholars is their critique of classical realism on the ground that the approach was limited to major powers and was not applicable to non-Western world. According to Ayoob, the main security threats facing non Western world are predominantly internal and closely connected to the nature of state formation.²³ Similarly, Azar and Moon have argued that, rather than predominantly focusing on the hardware aspects of the state, to understand the security situations in non-Western states, there is a need to focus on the ‘software’ aspects of security which concerns with issues such as are legitimacy, integration and policy making.²⁴ Drawing from the same tradition, Jackson has observed that the main challenge facing non-Western states is absence empirical legitimacy because rather than these states developing organically, they were imposed on inhabitants of these territories. Consequently, beyond being juridical entities protected by norms of state sovereignty as contained in

²¹See W. I. Robinson, ‘Beyond Nation – State Paradigms: Globalization, Sociology and Challenge of Transnational Studies’, *Sociological Forum*, vol 13, No.4, 1998, pp.561-594.

²² E. Azar, and M. Chung Moon, ‘Legitimacy, Integration and Policy Making: The ‘Software’ Side of Third World National Security’ in Azar, E and Chung-in Moon(eds), *National Security in Third World: The Management of Internal and External Threats*. New York: G House, 1998, PP.77-101; M. Ayoob, *The Third World Security Predicament*, Op cit, pp.7-9

²³ See M. Ayoob, *The Third World Security Predicament*, Op cit, pp.7-9, 28.

²⁴ E. Azar, and M. Chung Moon, ‘Legitimacy, Integration and Policy Making: The ‘Software’ Side of Third World National Security’ Op cit, pp.77-101

international law, they lack an organic foundation which would guarantee them unquestioned legitimacy from citizens.²⁵

These seminal studies have elaborated on the different security environment which non-western states have operated in. In place of external threats, they are predominantly faced by internal threat closely connected to the nature of their establishment and governance practices. In spite of this reality, the cold war security environment remained dominated by state centric approaches and strategic calculations of super-powers. These calculations glossed over the unique security challenges facing such states. Ayoob has observed that, as a result, security simply meant regime survival, no matter how unacceptable it was to the governed. This led to overlooking of gross human rights violations and widespread misery in these states as long as the super power client state did not defect to a rival camp.²⁶ Consequently, states especially in Africa remained anarchical internally plagued by rebellions, authoritarian and kleptocratic regimes, and massive human insecurity.

The preoccupation with superpowers security calculations emasculated alternative approaches to of security. In spite of this emasculation, even within state-centric paradigm, more robust approaches begun to emerge. Key pioneers of such approaches are Ullman and Buzan. Ullman in an article published in 1983 called for an expanded definition of security. He noted that security means ‘an action or sequence of events that threatens drastically and over a relatively brief span of time to degrade the quality of life for the inhabitants of a state or threatens significantly the narrow range of policy choices available to government of a state or to private

²⁵ Cited in J. Glenn, ‘The Interregnum: The South Insecurity Dilemma’, *Nations and Nationalisms*, (1), 1992, pp.45-63: 48.

²⁶ See M. Ayoob, Chapter on the Third World, Bipolarity and Cold War in M. Ayoob, *Third World Security Predicament*, Op cit, and pp.93-111.

non-governmental entities within the state.²⁷ This way, any event or processes which drastically undermined quality of life of citizens should be incorporated within the security framework. Drawing from the work of Ullman, Buzan published seminal study on security and made a case for expanding the concept of security to include non-militarized aspects. He argued that security can be undermined by factors from different sectors. These included military, political, economic, societal and environmental sectors.²⁸ An important point to note is that this widening move remained state-centric in its orientation.

After the end of cold war, there was marked proliferation of intra-state conflicts characterised by extreme brutalities and mass humanitarian crises, as well as resurgence of global human rights value system. This opened the security discourse to other perspectives which challenged the centrality of state as the main object of security and the understanding that only militarized threats should constitute security agenda. Among the pioneering scholars of alternative approaches to security are Booth, UNDP, King and Murray, Caroline.²⁹ These scholars argued that states are just but one of the objects of security. Significantly, experience shows that states rather than being protectors of persons within their territory can be a source of insecurity. More so, security should incorporate more than state security and physical protection of the citizens. It should include securing of non-state actors against various non-military threats which they face in day to day activities.

Essentially, the scholars linked security to sustainable development, issues of social and economic justice, individual and group well being. For instance, the UNDP 1994 report on human development, defined security as freedom from fear and freedom from want, hence

²⁷ See R. Ullman, 'Redefining Security', *International Security*, 8, No 1, 1983, pp 129-153.

²⁸ B. Buzan, *People, States and Fears: An Agenda for International Security Studies*, Op cit, pp.19-20

²⁹K. Booth, 'Security and Emancipation', *Review of International Studies*, 17, pp. 333-326;G. King and C. J. L. Murray, 'Rethinking Human Security', *Political Science Quarterly*, Vol. 116, No. 4, 2001-2002, pp.585-610

security came to refer to a process of protecting people from threat of diseases, hunger, unemployment, crime, social conflict, political repression and environmental hazards.³⁰ Similarly, the International Commission on Intervention and State Sovereignty concluded that the fundamental component of security is protection of people against threats to life, health, livelihood, personal safety and human dignity.³¹ A more scholarly theorising of human security was provided by Booth who argued that security is about emancipation of individuals. As such it means much more than mere survival. This makes it necessary to make a distinction between survival (existential condition) and security (having the conditions to pursue cherished political and social ambition). As such, security should be understood as survival – plus, the plus being some freedom from life determining threats and therefore some life choices [of individuals and groups].³²

The re-conceptualization of security moved security from being a predominantly a strategic issue to being a development, human rights and governance one, for it touched on threats related to economic development, social and political well being of individuals. This widened understanding of security and formed the basis of human security research program.³³ According to Chutter, the human security research program argues that for states and people to be secure, there is a need to address both the security of the state and citizens within the state's territory.

Consequently, states have a primary duty of protecting its people, to realize their security in the

³⁰ United Nations Development Program, *Human Development Report*. New York: OUP, 1994, p.22.

³¹ Cited, in S Alkire, *A Conceptual Framework for Human Security*. Oxford: Oxford University, CRISE Working Paper No.2, 2003, p.16

³² Ken Booth, 'Security and Emancipation', *Review of International Studies*, vol 17:3, 1991, pp.313-326, See Commission on Human Security, *Human Security Now: Protecting and Empowering People*. New York: UN Publications, 2003; United Nations Development Programme, *Human Development Report*. New York: UN Publication, 1994, p.22.

³³ See K. Booth, 'Security and Emancipation', *Review of International Studies*, 17, pp. 333-326; United Nations Development Program, *Human Development Report 1994*. New York: OUP, p.22.; Gary King and Christopher J. L. Murray, 'Rethinking Human Security', *Political Science Quarterly*, Vol. 116, No. 4, 2001-2002, pp.585-610; World Bank, *Voices of the Poor: Crying Out For Change*. New York, 2000 and K. Hussein, D. Griski and J. Wanjiru, *Security and Human Security: An Overview of Concepts and Initiatives: What implications for West Africa?* Paris: Sahel West Africa Club, 2004, p.14.

long run. For instance a population which is continually threatened cannot engage in economic activities, leading to widespread poverty and privatization of security through sub-national actors such as militias, rebels and organized criminal gangs. This in turn erodes state security.³⁴

Within these developments, there has emerged another approach closely associated with the Copenhagen school of security studies. This approach which was pioneered by Buzan and other scholars argues that, threats and vulnerabilities can arise in very different areas, military and non-military, but to count as security issues they must have to meet strictly defined criteria that distinguish them from normal as merely political. They have to be staged as existential threats to referent object by a securitizing actor who thereby generates an endorsement of emergency measures beyond rules that would otherwise bind.³⁵ The approach moves security from an objective to a subjective and contextual phenomenon. What counts as security is that which has been so labelled by officials and widely accepted by the targeted audience.

To avoid the risk of abuse where anything can be securitized, Buzan and others have developed a securitization theory to guide the identification of those issues which qualifies to be labelled as security issues. Accordingly, securitization should be based on criteria which categorizes issues as non-politicized (meaning the state does not deal with it and it is not in any other way made an issue of public debate and decision), politicized (meaning an issue is part of public policy requiring government decision and resource allocation or more rarely, some other form of communal governance) and securitized (meaning an issue is presented as an existential threat, requiring emergency measures and justify actions outside the normal bounds of political procedure".³⁶ On this basis what qualifies as security must be presented by securitizing actors on

³⁴A good argument on duality of security has been provided by, D. Chutter, 'Understanding Security Sector Reforms', *Journal of Security Sector Management*, vol 4, No.2, 2006

³⁵B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*. London: Boulder, 1998, P.5

³⁶ B. Buzan, O. Waever, and J. Wilde, *Security: A New Framework for Analysis*, Ibid

the basis of an acceptable criteria as posing existential threat to the securitizing actor and the target audience should accept the move made.

The literature review on security has shown that, as a concept it has gone through a series of transformation. Initially, it referred to militarized security threats. In the post-cold war period, it has been expanded to include a host of non-militarized threats, and has been deepened to include other legitimate objects of security notably individuals and communities. This has led to expansion and flexibility in the national security agenda setting and practice. Any issue which threatens the state, community and/or individuals is open to securitization and need not meet the military threshold. Consequently, national security is about protection of the state, communities and individuals within the state from both internal and external threats to their survival, safety and well being.

1.7.2. Militia Groups, their Development and National Security

The security threat posed by militias and organized criminal groups globally and nationally has attracted wide scholarly interests. This is due to the pervasive presence of these groups in various states. According to a study by Bartolucci and Kannerworff on intra-societal violence in urban areas, the human face of irregular threats is more prosaic in Africa. Citizens are beset by all forms of violence on a day-to-day basis, including robberies, assaults, carjacking, kidnappings, and sexual violence, with little recourse. Combined with the inability or unwillingness of the governments to provide for public security, the result of these threats has been labeled a 'retreat from the state' by large segments of African societies. In this process citizens opt to avoid direct contact with officials, and instead seek security and welfare in non-statutory arrangements including militias and organized gangs.³⁷

³⁷ V. Bartolucci and A. Kannerworff, 'Armed Violence Taking Place within Societies: SALW and Armed Violence in Urban areas', in Greene, O and Marsh, N (eds), *Small Arms, Crime and Conflict*. London: Routledge, 2012, pp.7-8

Additionally, they have noted that, the result of citizen's retreat from the state and absence of state has created security voids. The voids are increasingly filled by urban gangs, militias, highway robbers, criminal networks, vigilante groups, and self defense units. These units once they form, evolve into protection and extortion rackets, tools of violent political competition between identity-based groups, and also seek to enforce their own vision of a correct society. They are fuelled by high poverty rates, extreme income inequality, a demographic youth bulge, and rapid urbanization. The dynamics provide no shortage of willing participants seeking their livelihoods through criminal activities.³⁸

Prabhkan and Raipal in their analysis of India's national security environment have argued that presence of militias, vigilantism, gansterism, neighborhood instability, insurgencies, extortion, social insecurity, widespread fear and anxiety, intimidation of individuals and groups, subversion of freedoms, endemic corruption, poverty, extreme inequalities, and unemployment remains serious threats to national security. To effectively deal with them, they have recommended that a comprehensive understanding of national security should integrate the security of the state and those of the citizens since each is dependent on the other.³⁹

Le Sage in a study on various militias in Africa has concluded that militias are fielded by both non-government actors and governments. For instance, in Darfur, the government of Sudan has actively facilitated the Janjaweed militia group. Importantly, owing to the ethnic nature of these militias, ethnic cleansing is one of the strategies used with a goal of seizing land from rival groups, ensuring access to valuable resources or disenfranchising voters. Further, though many militias are initially celebrated by those they are protecting, militias have the tendency of

³⁸ Ibid, p.10

³⁹ P. Prabhakaran. *National Security: Imperatives and Challenges*. New Delhi: Tata McGraw-Hill Pub Co, 2008; B. Rajpal. *India's National Security Dilemma: The Pakistan Factor and India's Policy Response*. New Delhi: Indus Pub. Co, 2001

evolving into something more sinister as they accumulate financial and military power. They become predatory resorting to impunity, racketeering and are engaged in violent competition either with the government or rival groups. He has identified poverty, bad governance leading to weak security system, failure of government to provide services creating economic vacuums giving the militias a space to extract rents from the citizens in exchange of service provision as a key drivers of the growth of predatory militias.⁴⁰

A related study on militias in Sudan by De Waal has identified various reasons which have led to militia formations in Sudan. These are: Local disputes involving two or more groups when established systems of conflict resolution have broken down and increased access to gun through black market facilitates violent escalation of disputes; government strategy of dealing with restive groups where it establishes and services a militia group; material gains that are associated with raiding and other criminal elements; and presence of territories with limited presence of state leading to vacuum which are filled by militias motivated by altruistic and selfish factors.⁴¹

Muggah and Sang in study on Small Arms and Light Weapons (SALWs) have given prominence to rapid urbanization and youthful but marginalized population in explaining the emerging national security threats including militias and organized criminal groups. They have argued that, a major threat to national and community security in the coming decades relates to rapid and unregulated urbanization with more and more people moving to urban areas usually settling in poorly serviced informal settlement. Combined with an extremely youthful population often

⁴⁰ A. Le Sage, 'Africa's Irregular Security Threats: Challenges for US engagement', *Strategic Forum*, No.255, 2010

⁴¹ De Waal, A. "Some Comments on Militias in Contemporary Sudan" In Daly, M.W and Sakainga, A. A. *Civil War in the Sudan*. London: New York: British Academic Press, 1993, p. 142.

lacking legitimate economic opportunities, urban spaces shall remain sites of extreme violence as youths join gangs and militias operating in their neighborhood.⁴²

In a study focusing on the militias infested region of Niger Delta, Nigeria Ikelegbe has brought out salient dynamics which enables militias to form and thrive. He has stated that decades of oil exploitation, environmental degradation, and state of neglect has created an impoverished citizenry which after more than two decades has produced a resistance and the militias have been its vanguard. A regime of state repression and corporate violence has further generated popular and criminal violence, lawlessness, illegal appropriations and insecurity. The final outcome has been an economy of conflict where might is right.⁴³ In this violent economy, there is blurring of lines between state agencies and militias. Often government agencies are in complicity with militias as long as they are benefitting materially. The main consequence is criminalization of state.

Bruneau in a comprehensive study of Latin America gangs has identified five operational level national security challenges associated with gangs and related groups: These are: They strain government capacity by overwhelming police and legal systems through sheer audacity, violence, and numbers; they challenge the legitimacy of the state particularly in regions where the culture of democracy is challenged by corruption and reinforced by the inability of political systems to function well enough to provide public goods and services; they act as surrogate or alternate government in so-called ungoverned areas; they dominate the informal economic sector; they establish enterprises and use violence and coercion to create market dominance, and co-optation of government authorities to unfairly compete with legitimate businesses; they

⁴² R. Muggah, and F. Sang, 'The Enemy Within: Rethinking Arms Availability in Sub-Saharan Africa', *Conflict, Security and Development*, 13:4, 2013, 417-447

⁴³ A. Ikelegbe, 'The Economy of Conflict in the Oil Rich Niger Delta Region of Nigeria', *Nordic Journal of African Studies*, 14 (2), 2005, pp.208-234

infiltrate police and Non Governmental Organizations (NGOs) to further their goals and in doing so demonstrate latent political aims.⁴⁴

Similarly, Gurr et al have argued that strategically gangs and militias erodes the sovereignty of the state and engage in violent imposition of a radical socioeconomic restructuring of the state and its governance in accordance with its criminal values. Either way these activities contribute to evolutionary state failure process through which the state loses its capacity and/or the will to perform its fundamental governance and security functions. This failure weakens states legitimacy since citizens no longer relies on the state to provide order and control.⁴⁵ Skarpedas and Constantinos have characterized some of these militias as a direct challenge to statehood since they operate more like primitive states with rules, norms and systems of law. They also have their own enforcement and rudimentary judicial mechanism as well as monopoly of violence in given spaces.⁴⁶

Manwaring, a leading scholar in the study of gangs and militias, has brought the risks posed by these groups especially their power to capture the state and its institution. He has stated that using complicity, intimidation, corruption, and indifference, militias and gangs can quietly and subtly co-opt individual politicians and bureaucrats and gain political control of a given geographical or political enclave. Such corruption and distortion can potentially lead to the emergence of a network of government protection of illicit activities, and the emergence of a virtual criminal state or political entity. A series of networked enclaves could, then, become a dominant political actor within a state or group of states. Thus, rather than violently competing

⁴⁴ T. C. Bruneau, 'The Maras and National Security in Central America', *Strategic Insights*, Vol. 4, Issue 5, 2005

⁴⁵ D. C. Esty, J. Goldstone, T. Robert Gurr, B. Harff, and P. T. Surko, 'The State Failure Project: Early Warning Research for U.S. Foreign Policy Planning,' in Davies, J. L. and Gurr, T. R (eds.), *Preventive Measures: Building Risk Assessment and Crisis Early Warning Systems*. New York: Rowman & Littlefield, 1998.

⁴⁶ S. Skarpedas and S. Constantinos, 'Gangs as Primitive States', in Fiorentini, G and Peltzman, S (eds.), *Stealing the State. Control and Collapse in Soviet Institutions*. Cambridge MA: Harvard University Press, 1998

directly with a state, these groups can criminally co-opt and begin to seize control of the state indirectly.⁴⁷ Importantly, they create a climate of fear in their areas of operation through murder, kidnapping, intimidation and other forms of harsh measures. Additionally, they engage in some forms of service provision in areas where the government is unable or unwilling to provide services. Through such provision, they acquire some degree of legitimacy from the residents, in effect creating an ‘alternative to state’.⁴⁸

Other scholars such as Kamara, Miklaucic and Naim, Sulliva Diane, Finckenauer and Voronin, Bayart and Hibou in studies covering various continents and states have brought out the threats posed by militias and organized groups particularly the criminalization of state. They have characterized a criminalized state as one where the state institutions are complicit in criminal activities of the militias. Also, the militias are used by those in authority to pursue private gains. In some cases, the militias have managed to infiltrate organs of the state and intimidate state officials. In other cases, the law enforcement agencies operates as organized criminal groups with unlimited power to ruin lives, take properties and do whatever they like. The outcome is a state which operates more like a criminal enterprise, and where citizens do not have any faith that it can protect them leading to further militarization of the civil society.⁴⁹

Another aspect of the relationship between militias and state has been brought out by Taylor and Mathew in a study on Mexican and Brazilian non-statutory armed groups. They have argued that

⁴⁷ M.G. Manwaring, *A Contemporary Challenge to State Sovereignty: Gangs and other Illicit Transnational Criminal Organizations in Central Americas, El Salvador, Mexico, Jamaica and Brazil*. Carlisle PA: Institute of Strategic Studies, United States Army War College, 2007, p.20

⁴⁸ Ibid, p.21

⁴⁹ E. Diane, ‘Irregular Armed Forces, Shifting Patterns of Commitment, and Fragmented Sovereignty in the Developing World’, *Theory and Society*, MIT Open Access; M. Miklaucic and M. Naim, ‘The Criminal State’ in Miklaucic, M and Brewer, J (eds), *Convergence: Illicit Networks and National Security in the Age of Globalization*. Washington: Centre for Complex Operations, Institute of National Strategic Studies; J. P. Sullivan, ‘How Illicit Networks Impact Sovereignty’ in Miklaucic, M and Brewer, J (eds), *Convergence: Illicit Networks and National Security in the Age of Globalization* T. S. Kamara, ‘Liberia: The Emergence of a Criminal State’, *The Perspective.org*, July 2000, available at <www.theperspective.org/criminalstate.html>

at times there is some form of bargaining between the government and organized criminal groups/militias. This is more so where a state unable to provide security. Consequently, it enlists the help of these groups as a useful mechanism for ameliorating public perceptions of state weaknesses. In exchange, the groups are tacitly allowed to continue with their business as long as they do not violate the bargain. The bargaining can also take place between the dominant political elite and militias. In this case, the elite allow militias to thrive in exchange of political support and loyalty.

From the review of literature on militias and related organized criminal groups, several factors can be delineated. Militias emerge and grow in places where there is neglect in provision of services, rapid urbanization, weak systems of governance, and absence of peaceful ways of settling conflicts. More so, they may enjoy tacit or direct state support becoming an extension of the state or the dominant ruling elite. Where present, they challenge national security in various ways especially through challenging of state's monopoly in the use of force, and deploying of fear and violence against citizens. Further, they can infiltrate and corrupt state institutions. Additionally, they thrive on predation, extortion, and establishment of alternative 'quasi states'.

1.7.3: Militia Groups in Kenya

This sub-section reviews an array of literature on militia groups in Kenya. That militias have emerged and thrived in Kenya is not in doubt. According to Ngunyi and Katumanga, the militias have operated in various spaces. They have divided the spaces into three. These are: normative-traditional sphere regulated by customary/traditional law where pastoralist and ethno-regional militias operate in. The civic sphere which is governed by civil law and activities are regulated through formal institutions of government charged with the responsibility of rule application, and adjudication. Under this sphere we have most of vigilante groups operating in urban areas. Then

there is the predatory sphere regulated by ‘bandit law’ and selective application of civic and traditional law. The politicized and militarized militias such as Mungiki and Taliban operate in this space.⁵⁰

Mutahi has brought out the complex relationship between gangs/militias and communities they operate in and security agencies. The community provides safe havens, tolerate these groups and give them space to conduct their activities. In exchange, the groups provide various services to the community including security. The tolerance of the communities especially in urban slums is because majority of the live on the margins of ‘illegality’ which is characterized by unlawful acquisition of housing, non-payment of taxes, illegal tapping of water and electricity. Despite this exchange, the groups are also are predatory, exhorting and intimidating the same community. In other situation, the groups also have an ambiguous relationship with security agencies. They cooperate with some security agents in their criminality, sometimes are used as informers, and in other times they are brutalized either through mass arrests or extra-judicial execution.⁵¹

The author attributes the growth of gangs and related groups to the nature of Kenya as a hybrid state. In a hybrid state, the state and non-state actors share provision public goods of security. In such a situation, the state does not have a privileged position as the political framework that provides security, welfare and representation. It has to share authority, legitimacy and capacity with other structures. Besides, the groups are a response to citizens’ distrust of state institutions. He has stated that, ‘there is high level of distrust between public and police, and police are slow

⁵⁰ See M. Ngunyi and M. Katumanga, *From Monopoly to Oligopoly of Violence: Exploration of a Four Point Hypothesis Regarding Organized and Organic Militia in Kenya*. Nairobi: The Consulting House, 2012

⁵¹ P. Mutahi, ‘Between Illegality and Legality: (In) Security, Crime and Gangs in Nairobi Informal Settlements’, *SA Crime Quarterly*, No 37, 2011, pp.11-14

to respond compared to gangs which have a reputation of solving problems more quickly and efficiently.⁵²

Omeje and Githiagaro have argued that overtime, new security governance models seem to have taken shape in Kenya. At the heart of new security governance architecture is a plethora of self help efforts and privatization of state security. This is because the state has underperformed in security provision. Significantly, security agencies are politicized, de-professionalized, under resourced, under compensated and demoralized. Further the overall criminal justice system is ineffective and susceptible to corruption. The situation is compounded by the magnitude of structural violence leading to growth of uncivil society especially criminal gangs and militias.⁵³ The structuralized violence is especially manifested in form of inequalities, underdeveloped and poverty which has ethnic, class and regional dimensions.

Mueller in a study on electoral violence and institutional decay has shown the relationship between corruption and democratization process in Kenya and the rise of militia groups. She has argued that under Moi regime there was massification of corruption. The result was collapse in provision of public services such as roads, public transport system, collection of garbage, provision of water and electricity. The collapse created opportunities for other groups to step in under the pretext of providing these services. At the same time, the democratization process beginning in 1990s opened up the political space to competition. Faced by potential loss of power, the incumbent regime unleashed a new instrument of mass violence and displacement of opposition supporters using militias called Kalejin warriors.⁵⁴ Consequently, counter militias

⁵² Ibid, p.14

⁵³ K. Omeje and J. M. Githigaro, 'The Challenges of State Policing in Kenya', *Peace and Conflict Review*, Volume 7, Issue 1, 2012

⁵⁴ S.D. Mueller, 'The Resilience of the Past: Government and Opposition in Kenya', *Canadian Journal of African Studies*, 48:2, 2014 S. D. Mueller, 'Dying to Win: Elections, Political Violence, and Institutional Decay in Kenya', *Journal of Contemporary African Studies*, 29 (1), 2011, pp. 99–117;

motivated by the need to protect ethnic interests such as Mungiki emerged. These groups evolved into ready tools of violence used by politicians determined to win at whatever cost. As they evolved, they also developed their own interests different from those of their masters.

Hope in an analysis of consequences of corruption on Kenya has argued that corruption has led to criminalization of the state manifested in form of state capture. The very ‘criminal’ political and economic class plays a pivotal role in shaping policies, national security and political economy outcomes. This has led to underdevelopment, inequalities, public institution decay and high levels of unemployment due to illegal privatization of public resources and lack of political commitment to address these problems. Consequently, there is a fertile ground for militias and gangs to thrive.⁵⁵ Further, as long as the militias serves the objectives of this criminalized political and economic class, there can never be genuine state commitment towards dismantling them. This symbiotic relationship has made the challenges of militias an enduring one in Kenya. Mkutu has brought out different perspective on the emergence and thriving of militias in Kenya. Using the concept of ‘ungoverned’ spaces, he has argued that the Kenyan state has never fully penetrated rural parts of Kenya. This weak infrastructural capacity has led to ungoverned spaces. In these spaces, local communities have no option but to innovate and create their own governance arrangements including provision of security. The consequence has been militarization of civil spaces with militias, cattle warlords, organized criminal gangs and vigilantes vying for control. Using the example of the vast borderlands of Kenya especially in Northern parts, he characterizes the emergence of militias as demand driven. For instance, the cattle rustling militias in Kenya’s borderlands are emblematic of this reality.⁵⁶ There anarchy

⁵⁵ K. R. Hope, ‘Kenya’s Corruption Problem: Causes and Consequences’, *Commonwealth and Comparative Politics*, 52:4, 2014, pp.493-512

⁵⁶K. Mkutu, ‘Ungoverned Space’ and the Oil Find in Turkana, Kenya’, *The Commonwealth Journal of International Affairs*, 103:5, 2014, pp.497-515

reigns, and the only guarantee of communal survival is through having a well armed militia since there is marked 'absence' of the Kenyan state.

According to a comprehensive study done by Ngunyi and Katumanga on militias in Kenya, militias are an outcome of re-organized spaces such as slums. The spaces provide opportunities that naturally attract crime. This is due to decay of governance creating vacuums which are filled by criminal gangs and militias. The militias and gangs often assume the role of the state, acting like an alternative quasi state, leading to symbiotic and predatory relationships with already impoverished citizens, social neglect and lack of legitimate sources of livelihoods, and complicity between government and political agents and militias. They have identified other factors behind the rise of militias notably demoralized and inadequately resourced and coordinated state security bureaucracy. In addition, the security services are also complicit sub-letting arms, providing operational intelligence to these groups, and strategically withdrawing from an area to facilitate operations of these criminal groups/militias. The outcome has been an oligopoly of violence, where violence is both public and private, and the state lack the monopoly of its legitimate use. More so, there is politicization and de-professionalization of the security architecture, rise of violence entrepreneurship and bandit economy constituted of networks of illegal activities such as cattle rustling, money laundering, arms, drug and human trafficking, and extortion rackets.⁵⁷

A multi-city study by the World Bank addressing urbanization and violence has brought out specific characteristics of urban areas which make them conducive to growth of militias and organized criminal groups. The study has observed that as centers of social, political and economic power, cities can be flashpoints for violence and insecurity. This is because of various

⁵⁷ M. Ngunyi and M. Katumanga, *From Monopoly to Oligopoly of Violence: Exploration of a Four Point Hypothesis Regarding Organized and Organic Militia in Kenya*. Nairobi: The Consulting House, 2012

dynamics. For instance rapid urbanization may outstrip both the capacity and the resources of government to manage it, leaving vast areas without consistent state presence. Other urban areas may experience growth without creating enough opportunities to support growing population leading to joblessness and poverty. This pushes more and more people to illegal sources of livelihood including joining of militia groups.⁵⁸

Additionally, as centers of power, cities provide space for convergence and collusion of many players which makes growth of militias possible. The players, both state and non-state, have social, economic and political motivations and are willing to use violence to achieve their objectives. Consequently, militias emerge to meet the demand for violence acting as ready tools which are instrumentalised for various economic, social and economic causes. Significantly, once established, the militias develops own interests. The outcome is blurring of motivations for and objectives of militia formations leading to a complex insecurity terrain.⁵⁹

A report by the Commission of Inquiry into Post-Election Violence state that although Kenya's population growth rate has been reduced and is now reported down to 3%. However, it still has an estimated two million youths who are unemployed. Furthermore between 1992 and 1996, the number of street children increased by 300% in just four years. Many of these initially rootless children who are now adults are the product of displacement by ethnic violence. They have grown up on the streets and are inured to violence making them vulnerable to joining militias.⁶⁰ Consequently, there is a huge reserve of potential militias and all that is needed is an entrepreneur of violence who can bankroll such militias. This explains the ease of militia formation in Kenya.

⁵⁸ World Bank, *Violence in the City: Understanding and Supporting Community Responses to Urban Violence*. Washington: World Bank, 2010

⁵⁹ World Bank, *Violence in the City: Understanding and Supporting Community Responses to Urban Violence*, Ibid

⁶⁰ Government of Kenya, *Commission of Inquiry into Post-Election Violence in Kenya*, (WAKI Report). Nairobi: Government Printer, 2009

A research by the institute of Education Affairs⁶¹ has brought out some social-psychological insights which engender cultural violence. The study states that, one need only to take a ride in a matatu to see the stickers inside. These stickers are masochistic and frequently misogynous. The names stuck on the back of most matatus celebrate the thrill of speed (like, Concorde Express, We lead others follow, Airbus,), the invincibility of weaponry (Scud Missiles, Patriot) and the heroism of the stubborn (Saddam Hussein, Tupac Shakur). The ghettotization and the gangsterization of social dialogue suggest that there is a substantial class in Kenya that has reached the nadir of civil exchange. Their weapons of change are likely to be violence and anger. Because many in the underclass are educated they are also likely to provide intellectual leadership and coherence to fundamentalism of the Mungiki and other militia groups.⁶²

Oyugi has attributed the rise of militias to the logic of political competition. He has noted that many politicians have used violent gangs to decimate their opponents, to protect themselves from a dictatorial state in the 1990s, and to gain power then and now. This has led to emergence of gangs such as Mungiki, the Taliban, Chinkororo and others. Also, entrepreneurs of political violence have provided these militias with life and ability to operate without fear of being held accountable.⁶³ This is because, they have manipulated the criminal justice system frustrating any process aimed at bringing the militias to account. In other cases, they invoke the mantra of ethnicity. Similar conclusions have been made by December and Lucherman.⁶⁴

Various investigative studies on the cycles of violence have brought out the role of impunity in continued presence of militias. In spite of the death and destruction caused by militias and

⁶¹ P. Simatei, 'Ethnicity and Otherness in Kenya Cultures', in Ogot, B. (ed), *Ethnicity, Nationalism and Democracy in Kenya*. Maseno: Institute of Research and Postgraduate Studies, Maseno University College, 1995.

⁶² Institute for Education in Democracy *Understanding Elections in Kenya: A Constituency Profile Approach*. Nairobi: Kenya, Institute for Education in Democracy, Adams Arcade, 1998

⁶³ W. Oyugi, "The Politics of Transition in Kenya, 1992-2003: Democratic Consolidation or Deconsolidation?" in Oyugi et al (eds), *The Politics of Transition in Kenya: From KANU to NARC*. Nairobi: Heinrich Boll Foundation, 2003.

⁶⁴ G. December and Luchermann *Comparative Politics of the Third World*. London: Lynne Rienner Publishers, 2003

captured in reports from NGOs such as the Kenya Human Rights Commission, Human Rights Watch, and two government inquiries-the Kiluki parliamentary committee and Akiwumi commission-no one has been punished and the government has often tried to keep the findings of such reports secret.⁶⁵ For instance, Akiwumi Report was not made public until 2002, even though it was published in 1999.⁶⁶ Impunity has encouraged organization of violence and killing for political ends.⁶⁷

A renowned Historian Ogot has brought out the impact of the legacy of colonial political practices on independent Kenya. One of the main issues that he brings out is ethnicity. He postulates that ethnicity emerged as a social force in Kenya right from the colonial times when distinct communalities were forced not to interact. Through the colonial systems oppressive tendencies, a number of tribal associations were formed to protect specific rights of exclusive groups. This marked the beginning of fragmentation and polarization of along ethnic lines. Further, ethnic bias and subsequent politicisation of social identities undermined horizontal social relations as ethnic groups, became the main basis of inter-group interactions.⁶⁸ Eventually, the moral ethnicity which celebrates unity in diversity, was transformed into negative ethnicity, whereby, identity became a marker of inclusion and exclusion, and a source of narratives justifying prejudice and stereotypes against the 'others'. The fragmentation has provided a foundation for establishment of ethno-regional militias.⁶⁹

⁶⁵ Kenya National Human Rights Commission, *On the Brink of the Precipice: A Human Rights Account of Kenya's Post-2007 Election Violence*, Final Report, 15th, August, 2008, Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Parts of Kenya 1992(Kiliku Committee) and the Judicial Commission of Inquiry on the Tribal Clashes (Akiwumi Commission).

⁶⁶ Ibid

⁶⁷ Ibid

⁶⁸ See, B. Crawford, 'The Causes of Cultural Conflict: An Institutional Approach' in Crawford, B. and Lipshuty. R. D. (eds), *The Myth of Ethnic Conflict*. California: Berkeley, 1998, pp.19 -21.

⁶⁹ B. A. Ogot, "Ethnicity, Nationalism and Democracy-A Kind of Historiography", in Ogot, B (ed), *Ethnicity, Nationalism and Democracy in Africa*, Maseno: Institute of Research and Postgraduate studies, Maseno University College, 1995.

The review of militias in Kenya forms the basis of chapter two where more literature shall be brought in to explain the dynamics of militia formation and the activities they are engaged in. In the review salient features have been brought out. One, there is a close relationship between militia emergence on one hand and the democratization process, corruption and decay of state institutions on the other hand. Two, militias have emerged to fill up the voids created by failure of the Kenyan state to undertake its duties especially in the provision of public services including security. Three, there exists a complex relationship between militias, the communities they operate in and the state security agencies. The relationship is simultaneously symbiotic, parasitic and predatory. Four, the destitution of the youth manifested by unemployment and poverty has contributed to the presence of militias. Five, there is emergent culture of violence characterized by impunity and psychological brutalization.

1.7.4. Gaps in Literature

Having reviewed the necessary literature the following gaps have been identified. One, there is no study which has explicitly analyzed militias and national security in Kenya. The studies reviewed have approached militias mainly from political or developmental perspective, and where their security implications are brought out, they are approached from these prisms. Two, there is no scholarly field study which has been conducted on militias in Eastlands giving the residents an opportunity to provide their lived experiences with these militias. Whatever literature is available is the one provided by reports of various governmental and non-governmental organizations and often they lack solid scholarly grounding. This study fills the above gaps through directly linking militias and national security in Kenya and doing so on the basis of primary evidence gathered from the target population.

1.7.5. Operationalization of Key Terms and Concepts

Ethnic Violence

The term is used here to refer to different forms of physical violence pitting two or more groups which have mobilized around their ethnic based identities.

Militia/Vigilante Groups

An organized group of citizens, with or without support from the state who undertake security related activities and at times evolve into engaging in criminal activities and predation of the communities they operate in subsequently undermining national security.

National Security

The study is based on an expanded and deepened understanding of security. Thus, it shall use the term national security to refer to the protection of the state, communities and individuals within the state from both internal and external threats to their survival, safety, freedom and well being.

Political Culture

This term is used in this study to refer general configuration of citizens' beliefs, values and attitudes towards politics and civic duty.

Political Violence

The term is used in this study to mean strategic use of defensive and offensive physical violence by rival political groups with an aim of achieving political rewards through consolidation of support, and disenfranchising of those in opposition.

1.8. Theoretical Framework

This study has utilized two approaches to security. These are multi-sectoral and multilevel approach to security as primarily developed by Buzan and securitization theory from Copenhagen school of security. The use of the theories has been informed by the main objective of the study. The objective is to study the impact of militias on national security. This calls for a

theory which is both useful and fruitful in the analysis of major internal threats facing Kenya and their implications on national security. The demand for usefulness and fruitfulness has been met by these theories.

This is because, the use of multi-sectoral and multilevel approach to security has enabled the study to locate the analysis of militias and national security at the most basic objects of security, that is, individuals, communities and states. The choice of locus is important since militias operates within the society and much of their activities affects individuals and communities more than they do affect state security as understood traditionally. Consequently, an analysis focused more on these objects better captures the impacts of militias on national security relative to one limited to state as the object of security.

Similarly, securitization theory moves security from being an objective and unchanging phenomenon to one which is subjective, changing and context based. By injecting the elements of subjectivity, change and context, the study has been able to identify changes in Kenya's internal security environment, the emergent issues, and their securitization based on the threats they pose. Importantly, it has enabled the inclusion of human security concerns.

The multi-sectoral and multilevel approach to security rejects traditional/militarized conceptualization of security. According to Buzan, the traditional approach glossed over more than it revealed because threats to security are both militarized and non-militarized. Based on this argument, he identified various sectors which have a bearing on national security. These are: military, political, economic, societal and environmental. Threats to these sectors have capacity to undermine the security of state and are interlinked.⁷⁰ In a major statement of the approach, Buzan observed that,

⁷⁰B. Buzan, *People, States and Fears*, Op cit, p.8 ; B. Buzan, 'New Patterns of Global Security in the Twenty-First Century', *International Affairs*, 67.3, 1991, pp. 433;

“Security of human collectivities is affected by factors in five major sectors: military, political, economic, societal and environmental. Generally speaking, the military security concerns the two level interplay of the armed offensive and defensive capabilities of states and states’ perception of each others’ intentions. Political security concerns the organizational stability of states, systems of government and the ideologies that give them legitimacy. Economic security concerns access to the resources, finance and markets necessary to sustain acceptable levels of welfare and state power. Societal security concerns the sustainability, within acceptable conditions for evolution, of traditional patterns of language, culture and religion, and national identity and custom. Environmental security concerns their maintenance of the local and planetary biosphere as the essential support system on which all planetary biosphere as the essential support system on which all other human enterprises depend”.⁷¹

To make this approach more fruitful by tempering its state-centric bias, it is augmented by the theory of securitization which opens up the security concept to include a whole range of concerns beyond the ones identified by Buzan. The theory argues that security is neither an objective condition nor an outcome of correctly perceiving a constellation of material forces and identifying what need to be secured. More so, the object and substance of security is not stable and unchanging. Instead, security is an outcome of a specific social process; a move that takes politics beyond the established rules of the game and frames the issue either as a special kind of politics or above politics.⁷² This move is made by securitising actors-individuals with deontic power -and by their move, an issue is removed from ‘normal politics’ to ‘above politics’.⁷³ For this move to be effective it requires legitimation by an audience. Thus, an issue becomes a security issues when a status wielding actor makes a ‘security declaring’ move, and correspondingly the targeted audience accepts the move as legitimate.

Thus by examining security related declarations, and changing environment, we can delineate key security threats facing Kenya and the place of militias in evolving or exacerbating them. Importantly, through focus on what has been securitized, there is flexibility since there are no

⁷¹ B. Buzan, *People, States and Fears: An Agenda for International Security Studies*, Op cit, pp.19-20

⁷² B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*. Op cit, P.5

⁷³ Ibid, p.5

fixed boundaries on what should be analysed arising from paradigmatic rule of incommensurability. Such flexibility is not possible if the study was guided by orthodox theories such as Marxist or realist theories which have fixed understanding of the concept of security.

Under securitization theory, the study has been able to incorporate human security concerns. These are concerns based on identifying individuals as legitimate object of security on their own right. Usually as objects of security, individual security is approached from the perspective of freedoms. The notion of equating security to freedoms has been articulated by both the United Nations Development Program (UNDP) and United Nations Commission on Human Security. Publications by these organisations have observed that human security means protecting vital freedoms. It means protecting people from critical and pervasive threats and situations, building on their strengths and aspirations. It means creating systems that gives people the building blocks of survival, dignity, and livelihood. Ultimately, human security connects different types of freedom – freedom from fear, and freedom to take action on one’s own behalf.⁷⁴ As such any activity which undermines these freedoms constitute a threat to security and can be securitized.

1.9. Methodology

Research methodology involves defining the research problem, formulating the research problem, formulating the research question, defining the population and the sample size and analysing the responses, presenting results, making recommendations and conclusion.⁷⁵ The study adopted both qualitative and quantitative methodologies. This mixed method approach offers various benefits. One, the combination assists in enabling confirmation or corroboration of each method through triangulation. Two, mixed methodology allows for rich analysis since the

⁷⁴ See Commission on Human Security, *Human Security Now: Protecting and Empowering People*. New York: UN Publications, 2003; United Nations Development Program, *Human Development Report*. New York: UN Publication, 1994, p.22

⁷⁵O. M. Mugenda and A. G. Mugenda, *Research Methods: Qualitative and Quantitative Approaches*. Nairobi: Africa Centre for Technology Studies, 2003, p.198

researcher is able to collect data without being limited by any single method of analysis. Three, by mixing the two methods, there is complementarity of data and study's participants enrichment since they have an opportunity to tell their story in own words.⁷⁶

1.9.1 Methods of data Collection

The study used desk study and in-depth interviewing method. Desk review utilized content analysis method and focused on the following categories of data: Contextual, diagnostic data, and strategic data.

Desk study involved review of scholarly materials (books and journals), print, audio and audio – visual reports and internet sources on national security and militias globally and in Kenya.

Information generated from desk-study research was reinforced by data generated through in-depth interview method using an interview schedule which combined both open and close ended questions. According to Lewis in-depth interviewing enables the researcher to have deeper and detailed understanding of a phenomenon under study, capture non-verbal elements and adapt the interviews to meet the demands of spontaneity and emergent unanticipated information.⁷⁷

The interviews focused on purposively sampled officials working in government and non-governmental agencies involved in matters related to national security and militias. The interviews also included participants from the communities most affected by militias in Eastlands, Nairobi especially those residing in slum areas.

1.9.2 Methods of Data Analysis

Data collected in the course of this study has been analyzed using both qualitative and quantitative techniques. The statistical package for social sciences (SPSS) has been used to

⁷⁶ See R. Burke et al, 'Towards a Definition of Mixed research', *Journal of Mixed Methods Research*, vol 1, No.2, 2007, pp. 122-133

⁷⁷J. Lewis, *Qualitative Research Practice: A Guide for Students and Researchers*. London: Sage, 2003

analyze quantitative data. Qualitative data has been coded and analyzed and in some case quoted verbatim so as to give voice to the experiences of some individuals in the hands of militias. The findings of the study have been presented using tables, pie charts and narratives.

1.10. Study Layout

The thesis is divided into five chapters.

Chapter One introduces the study by defining the problem, reviewing literature and identifying the most appropriate theories and methodologies.

Chapter Two provides a comprehensive analysis of militias in Kenya and the dynamics which have enabled their emergence and salience.

Chapter Three provides a detailed analysis of *Mungiki* militia operations and activities in Eastlands, Nairobi.

Chapter Four provides a detailed analysis of data collected and shows how it affects national security.

Chapter five summarizes the study's findings, makes conclusions and recommendations.

CHAPTER TWO

FACTORS UNDERLYING THE RISE AND CONTINUED GROWTH OF MILITIA

GROUPS IN KENYA

2.1. Introduction

The previous chapter provided background to the study. It did so by delineating the main terrain and parameters of this study through couching the research problem, reviewing of literature, and identifying an appropriate theoretical and methodological framework. This chapter traces the emergence and evolution of militias in Kenya. Accordingly, it is divided into six sub-sections. The first sub-section provides different perspectives on the definition of a militia. The second section identifies categories of militias and the spaces they operate in. The third section delineates the historical development of militias in Kenya, whereas the fourth section identifies the main factors which have fuelled their growth. The fifth section briefly reviews militias operating in Kenya, and the sixth section concludes the chapter.

2.2. Definition of the Term Militia

The term militia is commonly used to refer to a military force composed of ordinary citizens to provide emergency, law enforcement, or paramilitary service or those engaged in such activity, without being paid a regular salary or committed to a fixed term of service. Green and Luchermann define militia as relatively autonomous groups often in charge of security of an individual person. Their funding sometimes may come from government although through covert channels. In other cases militia groups are often launched in an attempt by government to wash their hands off violent acts.⁷⁸

⁷⁸ G. December and L. Luchermann, *Comparative Politics of the Third World*. London: Lynne Rienner Publishers, 2003, p. 61

Another way of defining militia is based on the basis of where their loyalty lies. This way there are three perspectives. One, a state centric perspective which views civil militias as state-centered projects or paramilitary units of the state's armed forces.⁷⁹ This perspective emphasizes on the structural foundations of civil militias. It assumes that the term militia properly used is limited to state sanctioned military groups which are not members of regular armed forces and are mandated to augment state's effort in provision of security. The limitation of this definition is that it overlooks the many non-state militarized groups, some challenging the state. To cure this oversight, there has emerged society-centered perspective on militias. This perspective is more inclusive defining militias as armed non-state groups comprised of actors and interests that are either at 'war' with the state or, conversely, in alliance with it.⁸⁰

However, though the definition is inclusive, its view of militia is benign. Militias are heroes who have taken weapon in pursuit of a common state or societal good. This view is not reflective of the reality and practice of militias. To address the shortcoming, a more integrated definition has developed. The hybrid perspective based definition treats militias as a complex phenomenon that transcends simplistic formal/informal, state/non-state, and, benign/sinister motives dichotomies. This definition captures the actual workings of militias. They have fluid loyalties, usually determined by context and the highest bidder. More so, they are motivated by a wide array of factors and both benign and sinister interests. The factors might include grievances, financial gains, and economic greed.⁸¹

In this study, we shall use a hybrid perspective since it is more fruitful, useful and inclusive. The definition contextualizes militias and captures the many hats they wear. Sometimes they are

⁷⁹ De Waal, A. "Some Comments on Militias in Contemporary Sudan" In Daly, M.W and Sakainga, A. A. *Civil War in the Sudan*. London: New York: British Academic Press, 1993, p. 142.

⁸⁰ A Usman, 'The Perverse Manifestations of Civil Militias in Africa: Evidence from Western Sudan', *Peace, Conflict and Development: An Interdisciplinary Journal*, vol 7, 2005

⁸¹ See P. Collier, 'Rebellion as a Quasi-Criminal Activity', *Journal of Conflict Resolution* 44, 2000, pp.839-853

predatory, other times protective, and other times are engaged in sheer criminality or gratuitous violence or are hired as tools for political violence and settling of private scores. More so, they may have multiple relationships with society and state. This makes them protectors of common interests, violent political movements, organized criminal groups and social-cultural and religious movements. Ultimately, the identity assigned to them depends on one's relationship with the militia, and framework of analysis.

2.3. Types of Militias

According to Cockayne and Lupel there are three subtypes of militias and organized criminal groups. The criterion for belonging to a given subtype is determined by the nature of relationship between the group and the state/society. On the basis of this criterion we have predatory, parasitic and predatory militias.⁸² The predatory militias are engaged in competition with the state in open conflicts over control of resources whereas parasitic groups are preoccupied with extracting rents from populations and authority structures without necessarily challenging the state. When it comes to symbiotic groups, there is an explicit or implicit agreement on coexistence between them and the state/society. They operate within existing state or societal structures, either through overlaps of membership or through arrangements based on reciprocity.⁸³

Another method of developing a typology of militias is on the basis of their predominant framework constituting norms and rules of their operations. Under this method, militias can be categorized into three broad categories. These are those militias which operate in the normative-traditional sphere. The sphere is regulated by customary/traditional norms, rules and law.

⁸² Cockayne and Lupel cited in M. Miklaucic and M. Naim, 'The Criminal State' in Miklaucic, M and Brewer, J (eds), *Convergence: Illicit Networks and National Security in the Age of Globalization*. Washington: Centre for Complex Operations, Institute of National Strategic Studies, 2010, p.156

⁸³ Ibid.

Militias operating in this sphere are rooted in a given culture and their activities are largely presumed to be protecting of communal interests variously defined. Pastoralists' militias engaged in raiding neighbors as well as ethno-regional militias belong in this sphere.⁸⁴

The other type of militia operates within the civic sphere. This is a formal sphere governed by 'civil law'. Consequently, activities in the civic sphere are regulated through formal institutions of government charged with the responsibility of rule application, and adjudication. Militias operates under this framework are usually sanctioned by the state.⁸⁵ In Kenya, the colonial home guards and post colonial Ngoroko belongs to this type of militias. The final type of militias operates in predatory spheres. These are spheres which are characterized by void of both the normative-tradition or civil framework of rules, norms, and laws. In their place 'bandit law' and selective application of civic and traditional law applies. The type of militias operating in this sphere are politicized and militarized.⁸⁶ They thrive through creating architectures of fear, and challenge of state's and traditional authority. Militias such as Sabaot Land Defence Forces and Mungiki to a large extend belong to this type.

2.4. Evolution of Militias in Kenya

The history of militias in Kenya can be traced to the war waged by the *Mau Mau* against the British in the 1950s. The *Mau Mau* was an armed group of Africans –predominantly Kikuyus – that rose up in protest against white rule. Among the grievances that led to this revolt were land scarcity, forced labour and meager wages. The movement was however, suppressed after a state

⁸⁴ N. Mutahi and M. Katumanga, *From Monopoly and Oligopoly*, Op cit, pp.34-37

⁸⁵ Ibid, p.36

⁸⁶ Ibid, p.36

of emergency was declared. Although the movement was eventually subdued, its contribution towards accelerating the pace to independence was immense.⁸⁷

In post-independence Kenya, the phenomenon of the militia group has its roots in the creation of a youth wing by the former ruling party, KANU. The KANU regime first used its youth wing to harass the first opposition party, the Kenya African Democratic Union, which existed for only one year after the attainment of independence. However, youth-wingers were used more forcefully after a split in KANU saw the formation of the Kenya People's Union (KPU). KANU on various occasions deployed the members of its youth wing to intimidate and harass KPU supporters. The presence of these youth-wingers persisted even after the proscription of the KPU in 1969. Thereafter, all elections during the one party era witnessed violence meted out by youth-wingers, with prominent politicians hiring them to harass and disrupt their opponents' rallies.⁸⁸ The youth wingers served as a breeding ground for the rise of criminal gangs and militias after the country returned to multi-party democracy.

More specifically, the youth-wingers were instrumental in the formation and rise of the *Mungiki* in the post-1992 election period. They initiated militant resistance against groups that had been unleashed on the Kikuyus in well thought out violent attacks to rid the Rift Valley of 'outsiders'. The *Mungiki* was forced to use a similar tactic to save its own. During the multiparty period and particularly during the reign of Moi and KANU, these groups transformed themselves into criminal gangs and militias and through their violent acts intimidated and disenfranchised opposition supporters, especially in areas that were designated as 'KANU zones'.⁸⁹

⁸⁷C. Elkins, 'The Struggle for Mau Mau Rehabilitation in Late Colonial Kenya', *International Journal for African Historical Studies*, Vol 33, No.1, 2000, pp.25-57

⁸⁸ K. Wamwere, *Towards Genocide in Kenya: The Curse of Negative ethnicity*. Nairobi: Mvule Africa Publishers, 2008

⁸⁹R. Ajulu, 'Politicised Ethnicity, Competitive Politics and Conflict in Kenya: A Historical Perspective', *African Studies*, Vol. 61, No. 2 2002, p. 262; R. Ajulu, 'Kenya: One Step Forward, Three Steps Back: The Succession

In 1992, these groups were operating mainly from Moi's political base in the Rift Valley, where the *Kalenjin Warriors* and *Maasai Morans* attacked rival ethnic groups. In 1997, these groups were being trained and armed in the Coast province (Kaya Bombo) and recruited, trained and organised in the Shimba hills, Kaya Waa and the Similani caves in the Kwale district, at the instigation of prominent politicians and with the support of the government and the military. They were subsequently deployed to foment ethnic violence in the run-up to the 1997 elections at the Coast.⁹⁰

As opposition groups became increasingly vulnerable to these state-sponsored militias, they resorted to creating their own militia groups to counter the state-sponsored militias and to provide protection for opposition parties during election campaigns. Some of the opposition-sponsored criminal gangs and militias were the *Jeshi la Embakasi*, *Baghdad Boys* and *Amachuma*.⁹¹ The result has been a growth of self-styled militias, vigilante groups and organized criminal gangs in both urban and rural areas. These groups have sprouted in almost every part of the country, posing an increasing challenge to a poorly trained and ill-equipped police force. The most notorious of these gangs are the *Mungiki* (Nairobi/Rift Valley/Central), SLDF (Mount Elgon), *Kaya Bombo Youth* (Mombasa/Kwale), *Sungu Sungu*, *Chinkororo* and *Amachuma* (Kisii/Nyamira/ Gucha/Transmara) and *Taleban*, *Jeshi la Mzee* and *Jeshi la Embakasi* (Nairobi). Nonetheless, the genesis of the current groups in Kenya can be traced to Kenya's return to multi-party politics in 1991. Violence variously christened 'ethnic clashes' or 'land clashes' which erupted in many parts of the country. Between 1991 and 1996, over 1,500 people died and

Dilemma', *Review of African Political Economy*, Vol. 28, No. 88, 2001, pp.197-212:199; F. Jonyo 'Ethnicity in Multiparty Politics' in Chweya ,L (ed) *Electoral Politics in Kenya*. Nairobi, Clari press, 2002, pp. 96-99

⁹⁰ A Mazrui, 'Ethnic Voices and Transethnic Voting: The 1997 Elections at the Kenya Coast', in Rutten, M, Mazrui, A and Grignon, F (eds), *Out for the Count: The 1997 General Election and Prospects for Democracy in Kenya*. Kampala: Fountain Publishers, 2001, R. Ajulu, 'Kenya: One Step Forward, three steps back: The succession

Dilemma', *Review of the African Political Economy*, Op cit

⁹¹ Ibid

almost 300,000 displaced in the Rift Valley and Western provinces. In the run up to the 1997 elections fresh violence erupted at the Coast killing over 100 people and displacing over 100,000.⁹²

Following the legislation of competitive politics an orgy of “ethnic” violence erupted in the multi-ethnic Rift Valley and Western provinces. This was perpetrated by “Kalenjin warriors” and ‘Maasai morans’ usually clad traditional costumes (shukas) wielding traditional weapons such as bows and arrows, spears, machetes and clubs and were painted with clay markings often used during initiation rites.⁹³ According to the Human Rights Commission Report (1998), among the so-called warriors were junior military, police, General Service Unit (GSU) officers and ex-servicemen. They trained at camps in secret places, including Doinett, Nesuit and Marigat forest as well as Kerio Valley and gave leadership to the “warriors” Over 1,500 people perished and more than 300,000 were forced to flee their homes for safety. This formed the first wave of Kenya’s disinherited and disenfranchised internal refugees. In the run up to the second multi-party election scheduled for 1997, organized violence occurred almost within a month of the first NCEC conference held in Limuru on April 3, 1997. As vigilante groups proliferated, violence rocked Kenya’s urban centres as well as the countryside.⁹⁴

For a long time, KANU youth wingers, attached to the various party branches were the only informal groups that unleashed violence against the ordinary people. By May 1997, new vigilante groups calling themselves Jeshi la Mzee (the old man’s army) purportedly President Moi’s army which is not recognized by law as part of the country’s security system was formed

⁹² A Kenya Human Rights Commission Report, *Killing the Vote: State Sponsored Violence and Flawed Elections in Kenya*. Nairobi: Human Rights Commission, 1998, pp. 12-18; Kenya National Human Rights Commission, *On the Brink of the Precipice: A Human Rights Account of Kenya’s Post -2007 Election Violence*, Final Report, 15th, August, 2008, p.17.

⁹³ Institute for Education in Democracy *Understanding Elections in Kenya a Constituency Profile Approach*. Nairobi: Institute for Education in Democracy, 1998, pp.17-41

⁹⁴ A. Haugerud, *The Culture of Politics in Modern Kenya*. Cambridge: Cambridge University Press, 1995, p. 90

across the country. Most of these vigilante squads consisted of members of KANU youth groups as well as mercenaries hired by the KANU's stalwarts.⁹⁵ The *Jeshis* marked another step in evolution of militias. This is because though not officially recognized by the state, their connection to the government was visible and there was no concerted effort by regime elites to hide this connection.

Those groups unleashed violence in many parts of the country targeting groups perceived to be unsympathetic to the incumbent regime. Ethnic violence broke out in Gucha and Transmara Districts between members of Kisii and Maasai community. In Migori, violence broke out between the Kalejin and Luos and in Kuria district the Luos were fighting against Kuria. In the Coast province, there was violence between indigenous communities and those labeled as 'upcountry people'. One major outcome was development of counter militias. Within Kisii community there emerged a vigilante squad called Chinkororo. It was composed of youths from the Kisii community to counter the Maasai morans. In Kuria, there emerged 'Kuria warriors' who were often armed with guns.⁹⁶

In Coast province, the perpetrators of the violence were said to be Mijikenda 'warriors'. As in the case of Kalenjin 'warriors' during the clashes of 1991-95 in the Rift Valley, the Mijikenda fighters were not merely 'warriors'. They were trained in guerilla warfare in Shimba Hills, Kaya Bombo, Kaya Waa and Similani caves in Kwale. Their trainers were ex-servicemen, Swahili-speaking Hutu refugees from Rwanda and a few Ugandans. The army of warriors also included

⁹⁵ M. Lawrence, W. Kioko, K. Akiraga, *Building an Open Society: The Politics of Transition in Kenya*. Nairobi: Calipress Limited, 2002, pp. i-iv

⁹⁶ M. Hill et al, *Healing the Wounds of Trauma: How the Church can Help?* Nairobi: Paulines Publications, 2004, p.15

in its rank non-coastal members who were earlier trained at the Maasai Mara game reserve. They also said to have taken a traditional oath to bind them to fight.⁹⁷

Due to these cycles of violence, gangs and militias continued to proliferate all over the country. Some of the displaced individuals, including youth from Laikipia District moved to Nairobi and became members of *Mungiki*, which up through the 1980s had been largely a cultural cum religious cult in the Kikuyu inhabited parts of the Rift Valley region. Later, it metamorphosed into a Mafioso style gang that grew eventually becoming a shadow government in the slums of Nairobi and in parts of Central province. Initially, the *Mungiki* were seen as substituting for a lack of public services in the slums⁹⁸. Later it started bullying individuals and businesses including matatus and owners of real estate into making payment for services which it would provide including connecting electricity, providing pit latrines and meting out justice.

The overview of the evolution shows that militias have emerged mostly as tools of the regime in power or in reaction to regime ethnic violence. Thus, it is observable that political leadership and their practice of competitive politics provide an important framework for understanding the evolution of gangs and militias in Kenya. The political leadership has embraced deployment of political violence as a strategy for winning elections. This way they have encouraged rise of ethnic militias and have financed their operations. The following subsection provides a detailed examination of factors which has led to the growth of militias.

2.5. Factors behind the Rise of Militias in Kenya

In this sub-section, the study identifies the main political, economic and political factors which have been central to the development of militias groups in Kenya. The factors include negative ethnicity and the nature of political competition, culture of political violence and impunity,

⁹⁷ Institute for Education in Democracy in Kenya, *Understanding Elections in Kenya*. Nairobi: Lino Educational Typesetters, 1998, pp. 4-23

⁹⁸ W. Mitullah et al, *The People's Voice: What Kenyans Say*. Nairobi: Claripress, 1997, pp. 1-14

social-economic factors such as poverty, unemployment, inequality and underdevelopment, and resources scarcity. Each category of factors is elaborated below:

2.5.1. Negative Ethnicity and Political Competition

Smith defines an ethnic group as human population characterized by a myth of common ancestry, shared memories and cultural element, a link with historical territory or homeland and a measure of solidarity.⁹⁹ Though presence of multiple ethnic groups in a given state has been associated with instability and violence, it should be noted that ethnic identity is good and desirable. The problem arises when ethnicity becomes a marker for inclusion and exclusion, hatred and discrimination and a basis for claims to entitlement. This dynamic has been captured by Lonsdale using the concepts of ‘political tribalism’ and ‘moral ethnicity’. Lonsdale has observed that the challenge is not moral ethnicity but political tribalism. He notes that, political tribalism – the unprincipled competition for access to the state on behalf of leaders who draw support from administratively contained ethnicized constituencies should not be confused with moral ethnicity-the moral economy at the core of ethnicities, that allocates reputations to the means by which people pursue self interests and involves notions of civic virtue that check unbridled and unprincipled self interests.¹⁰⁰

Consequently, the concern should be with negative ethnicity. It occurs when communities in response to real and imagined grievances weaves narratives of injustices and attributes such injustices to ‘another’ ethnic group. When this interacts with instrumental manipulation by politicians, negative ethnicity emerges. Brown has argued that,

‘ethnic groups have histories of themselves in relation to others. The history tends to be highly selective in their coverage of events. Distorted and exaggerated with time these

⁹⁹ A. D. Smith, *National Identity*. London: Penguin. 1991, p.29

¹⁰⁰ J. Lonsdale, ‘Moral Ethnicity and Political Tribalism’ in Kaarsholm P and Hultin J (eds), *Inventions and Boundaries: Historical and Anthropological Approaches to the Study of Ethnicity and Nationalism*. Roskilde University: Institute of Development Studies, 1994, pp.138-139.

histories present one's own group as heroic, while other groups are demonized, grievances are enshrined and other groups are portrayed as inherently vicious and aggressive. These myths once embellished and amplified by opportunistic politicians create escalatory pressures and moral justifications of group actions.¹⁰¹

In Kenya the challenge has been negative ethnicity which has been a product of governance practices since independence. This is because policies in Kenya since independence have resulted in horizontal inequalities or systemic inequalities between groups. The exclusion and inequality between groups have generated powerful grievances that leaders exploit to mobilize people to political protest by calling on cultural markers (a common history, language or religion) thus exploiting the masses at group level.

Studies suggest that in Kenya, the capture of state power by the Kikuyu and kindred groups (the Meru and Embu) systematically improved the chances of access to development resources of these groups, as well as to employment and education. All of this created a feeling of marginalisation among other competing ethnic groups. This was especially true of large ethnic groups such as the Luo and Luhya, and later the Kalenjin.¹⁰² Subsequent regimes have attempted to rectify this state of affairs, but the end result has been that policies have ended up being merely a justification for preferential treatment of groups hitherto excluded from such access. Upon coming to power in 1978, the new president, Daniel arap Moi, slowly but surely introduced a rectification process that would, by the close of the century, see the Kalenjin become the successors of the Kikuyu as far as control of the structure of privilege was concerned.¹⁰³

¹⁰¹ M. C. Brown 'Causes and Implications of Ethnic Conflict' in Brown M. E. (ed), *Ethnic Conflict and International Security*. New Jersey: Princeton, 1993, p.11.

¹⁰² C Leys, *Underdevelopment in Kenya: The Political Economy of Neo-Colonialism*. London: Heinemann, 1975; W Oyugi, 'Ethnicity and the Electoral Process: The 1992 General Elections in Kenya', *African Journal of Political Science*, 2(1), 1997, pp. 491–569.

¹⁰³ R. Ajulu, 'Kenya: One Step Forward, Three Steps Back: The Succession Dilemma', *Review of African Political Economy*, Vol. 28, No. 88, 2001, pp.197-212:199

To safeguard the privileges, the Moi regime, put in place mechanisms that it hoped would ensure that it would not be ousted from power in any future elections.¹⁰⁴ However, this was not to be, as the maneuvers by the regime in the run-up to the third multiparty general elections in 2002 succeeded in galvanizing a multi-ethnic opposition alliance against the regime, finally leading to the exit of the Moi/Kenya African National Union (KANU) regime. However, the national multi-ethnic backing that led to Kibaki's ascent to power in 2002 did not last, as the president increasingly started favoring members of his own community in both public appointments and economic endowments. This contributed to anti-Kikuyu feelings in the country, as demonstrated in the 2005 referendum on the constitution as well as the 2007 general elections.¹⁰⁵

The use of ethnicity as a marker for inclusion in or exclusion from accessing state resources has given rise to the emergence of an 'in group' and an 'out group', with the 'out group' attempting to break the structure of exclusion. The response of the 'in group' is to build barriers to ensure the continuation of its privileged position. At the centre of this scenario are the elites who, because they feel excluded or threatened with exclusion, begin to invoke ethnic ideology in the hope of establishing a 'reliable' base of support to fight what are purely personal and/or elite interests.¹⁰⁶ Accordingly, the conflicts in Kenya take the shape of dominated ethnic groups trying to liberate themselves from oppressive systems while dominant groups attempt to maintain the status quo.

¹⁰⁴J. Osamba, 'Violence and the Dynamics of Transition: State, Ethnicity and Governance in Kenya', *African Affairs*, 26(1&2), 2001; K. Kibwana, 'Constitutionalism and Political Issues Surrounding Regionalism in Kenya', Nairobi: Kenya Human Rights Commission, 1994.

¹⁰⁵ M. Mwangi, *The Water's Edge: Mediation of Violent electoral conflict in Kenya*. Nairobi: IDIS, 2008

¹⁰⁶ K. Wamwere, *Towards Genocide in Kenya: The Curse of Negative ethnicity*. Nairobi: Mvule Africa Publishers, 2008, p.140.

This state of affairs has resulted in various ethnic groups creating political parties headed by one of their own in the hope that if they capture power, they will benefit from access to state resources.¹⁰⁷ Electoral politics in Kenya thus consists of highly cohesive bloc-voting ethnic groups. Kenyans generally vote for the same party as their ethnic kin, and particularly so if a contending party has a representative from their own community as a presidential candidate. Consistently, parties have been formed at the behest of a single leader who provides financial patronage and who draws a core of founders linked more by personal ties forged in the ethnic arena than by ideological commitment. Even where coalitions have been formed, they have been coalitions of ethnic groups rather than coalitions of parties that share the same ideological commitment. The formation of political parties along ethnic lines has been accompanied by the formation of militant groups that claim to safeguard the interests of their specific communities.

2.5.2. Political Culture of Impunity and Extra State Violence

From the beginning of multiparty politics, there has been an upsurge of violent conflicts perpetrated by militias especially around the electioneering period. Before and after 1992, 1997, and 2007 there were violent conflicts which targeted members of specific ethnic communities. This cyclical violence is an outcome of the entrenched culture of violence and impunity. According to United Nations Commission on Human Rights (UNCHR) impunity is defined as, ‘the impossibility, *de jure* or *de facto*, of bringing perpetrators of violations to account – whether in criminal, civil, administrative or disciplinary proceedings – since they are not subject to any inquiry that might lead to their being accused, arrested, tried and, if found guilty sentenced to appropriate penalties, and to making reparations to their victims’.¹⁰⁸

¹⁰⁷ S. Ndegwa, ‘Citizenship and Ethnicity: an Examination of Two Transition Moments in Kenyan Politics’, *American Political Science Review*, 91(3), 1997

¹⁰⁸ United Nations Commission on Human Rights, Cited in Commission of inquiry into Post-Election Violence in Kenya, Report, p .443.

In Kenya, every cycle of violence has led to establishment of investigative commission accompanied by expression of state's determination to bring perpetrator of violence to justice. Despite the intention there has been a marked failure by Kenya to meet its obligations to not only investigate but also take appropriate measures in respect of the perpetrators particularly in the areas of justice by ensuring that those suspected of criminal responsibility are prosecuted, tried and duly punished.¹⁰⁹ This failure means that persons involved in organizing, financing and perpetration of political violence have continuously escaped prosecution and punishment. Since 1992, various Commissions of Inquiry have brought out incriminating evidence linking some political leaders to the political violence. The Parliamentary Select Committee to Investigate Ethnic clashes in Western and other parts of Kenya (Kiliku Committee), the Judicial Commission of Inquiry on the Tribal Clashes (Akiwumi Commission) and Task Force on establishment of Truth, Justice and Reconciliation Commission, provided information and names of individuals who were involved in organising and financing political violence.¹¹⁰

Yet there record of prosecution has been disappointing since no individual has been found guilty in a court of law. According to Waki report, this is because the government tends to dismiss the findings of various investigations under the pretext that they are biased and prejudiced, evidence gathered is often inadequate to sustain a case, there is absence of robust capacity and resources on the part of the investigating authorities, and self censorship or fear on the part of the investigators who are susceptible to pressure and manipulation making them dilute their findings.¹¹¹ The outcome has been a belief by entrepreneurs of political violence that they can get

¹⁰⁹ J. Klopp 'Kenya's Unfinished Agenda's' *International Affairs*, Vol 62, No 2, 2008. PP. 144-147

¹¹⁰ See, the Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Parts of Kenya 1992(Kiliku Committee) and the Judicial Commission of Inquiry on the Tribal Clashes (Akiwumi Commission), and the Task Force on the Establishment of Truth, Justice and Reconciliation Commission.

¹¹¹ CIPEV Report, pp.446-7

away with their crimes. Subsequently, impunity has thrived and at the heart of this impunity is proactive use of militias as a tool for unleashing political violence.¹¹²

Related to impunity is the normalization of political violence as a tool for political competition. Many politicians have used violent gangs to decimate their opponents, to protect themselves from a dictatorial state in the 1990s and to gain power then and now. This has itself given gangs such as Mungiki, the Taliban, Chinkororo and others a life and ability to operate without fear of being caught.¹¹³ The normalization of violence is closely connected to the democratization process in Kenya. Beginning in 1990s violence became institutionalized during presidential and parliamentary elections. Under the amended constitution, to win the presidency, President Moi needed to win his parliamentary seat, obtain a majority of the votes cast in the country, and received 25% of the votes cast in 5 provinces during 1992 elections.

In both the presidential and parliamentary elections, the opposition to president Moi and to the ruling party, KANU, consisted mainly of non-KAMATUSA (Kalenjin, Maasai, Turkana and Samburu) voters. Various reports covering elections held during this period shows that high ranking political figure, civil servants and other close to the heart of the government organized and used violent to intimidate people in areas of potential opposition support, most of whom were Kikuyu, Luo, Luhya and Kamba.¹¹⁴ The strategy was to keep opposition supporters from voting and the means was to hire gangs in the Rift Valley and elsewhere to kill people from their home areas so that KAMATUSA candidate could win.

Importantly, through killing the ballot, president Moi could be assured of obtaining 25% of the vote in the five provinces, the majority of the votes cast for the president, and the majority of

¹¹² M. Mwangi, *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya*. Nairobi: ICDRC, 2008, p.11.

¹¹³ Daily Nation Friday 17, 2008

¹¹⁴ A Kenya Human Rights Commission Report *Killing the Vote, State Sponsored Violence and Flawed Elections in Kenya*. Nairobi: Human Rights Commission, 1998, pp. 4-10; R. Ajulu, 'Kenya: One Step Forward, Three Steps Back', Op cit, pp.197 -208

elected members of parliament. In short, violence became a means of securing political power and winning elections. Taking the cue from the success of 1992 strategy, election related violence occurred not just in 1992 but also in 1997 and 2007.¹¹⁵ In the process, a pattern has been established of forming groups and using extra-state violence to obtain political power and of not being punished for it.¹¹⁶

Since then, Mungiki and other gangs in the country such as the Taliban, Chinkororo, Kamjesh, and Baghdad boys have grown and multiplied. This has exacerbated the institutionalization of extra-state violence both during and after elections. The institutionalization of violence continued to increase up through the 2007 elections when Kenya was engulfed by widespread ethnic violence. Up through to the 2013 elections, Mungiki and other political militias have continued to sell their services of violence on a willing buyer willing seller basis.¹¹⁷ This has made electioneering period, a period of fear due to its high potential for violence.

2.5.3. Socio-economic Factors: Underdevelopment, Poverty, and Unemployment

From independence, Kenya's government sought to stimulate development through extensive investment and establishment of many parastatals in industry, infrastructure, marketing and other areas. The government also built elaborate machinery to regulate commercial activity by private entrepreneurs. The idea was that the government's heavy role was to be transitional and eventually a capable private sector would take over these functions. This did not happen and by early 1990s there were over 340 state-owned enterprises by which of which 255 were commercially oriented. Up to now, the government is currently responsible for a wide array of

¹¹⁵ M. Lawrence, W. Kioko, K. Akiraga, *Building an Open Society: The Politics of Transition in Kenya*. Nairobi: Clari Press Limited, 2002, p. 5

¹¹⁶ Ibid, p.8

¹¹⁷ S.D. Mueller, 'The Resilience of the Past: Government and Opposition in Kenya', *Canadian Journal of African Studies*, 48:2, 2014, P. Kagwanja and R. Southall, 'Introduction: Kenya-A Democracy in retreat?', *Journal of Contemporary African Studies*, 27: 3, 2009, pp.259-277

development functions and activities through its ministries, specialized departments, parastatals and companies.¹¹⁸ How despite the extensive involvement in development agenda the government has not managed to address underdevelopment, poverty and inequality.

The Institute of Economic Affairs further states that Kenyan politics is characterized by personalities and by ethnic division rather than policy issues, and many of the least controversial roles of the government-maintaining law and order, establishing and maintaining an efficient regulatory framework, availing basic health and education services to all citizenry-have gradually been abrogated. The government is largely pre-occupied with its own short term political and economic survival and its capacity to serve the citizenry is significantly impaired¹¹⁹. Preoccupied with regime survival, the aim of the government in the 1990s was to mobilize political support to gain and maintain political power. Consequently, huge amounts of public resources were diverted to patronage rather than on maintaining infrastructure and providing social services. Also regions deemed to be in position were denied developmental resources and there was a deliberate strategy to undermine their economic base and impoverish them. This meant that many parts of the country started to crumble. In Nairobi for instance, there was visually evident decay of roads, services and the proliferation of uncollected garbage, making the ‘city in the Sun’ shadier and shadier.¹²⁰

As a result of economic decay, and corruption the capacity of successive governments to manage the state has been severely weakened over the past years. Administrative capacity has similarly weakened, and service delivery is shoddy. The creation of ministries (which are responsible for the provision of services to the citizenry) has been more political than rational, and has resulted

¹¹⁸ M. M. Lawrence, W. Kioko, K. Akiraga, *Building an Open Society: The Politics of Transition in Kenya* .Nairobi : Claripress Limited, 2002, pp. 3-16

¹¹⁹ Ibid, p. 18

¹²⁰S. D. Mueller, ‘Dying to Win: Elections, Political Violence, and Institutional Decay in Kenya’, *Journal of Contemporary African Studies* 29 (1), 2011, pp. 99–117

in coordination problems, territorial disputes and duplication of functions, widespread poverty and underdevelopment.¹²¹ This crumbling as well as decline in social services and security has paved the way for violent gangs under the pretext of self-help strategies in service provision. Importantly in the face of high unemployment, these groups right from the beginning became important sources of livelihood to thousands of unemployed youth.¹²² As a result, militia groups in Kenya mostly consist of unemployed youths seeking alternative ways to meet their daily needs. They occupy a niche left by the government's failure to provide services and legitimate employment opportunities.

The unemployed and hopeless youths also provide a recruitment pool for political violence. The problem is once the short term objectives of the merchants of violence are achieved, the groups are not disbanded. Rather, they are left to fend for themselves through illegal taxes and other forms of extortion developing interests of their own. Meanwhile, politicians bury their heads in the sand knowing the youths will be available awaiting activation should their services be needed. In between, the militias develops own interests usually in form of organized criminal activities such as extortion, illegal taxation and violent takeover of slum areas.

2.5.4. Environmental Resources Scarcity

According to Dixon, environmental resources scarcities emerge when the stock of available resources is quantitatively depleted or qualitatively degraded at a rate faster than the rate of regeneration. For instance population growth can lead to scarcity by increasing demand for resources, environmental degradation can lead to scarcity by decreasing the supply, and skewed distribution of resources can produce a condition of structural scarcity by concentrating resources

¹²¹Institute for Education in Democracy *Understanding Elections in Kenya a Constituency Profile Approach*. Nairobi, Kenya, Institute for Education in Democracy, Adams Arcade, 1998, pp. 2-9

¹²²K. R. Hope, 'Kenya's Corruption Problem: Causes and Consequences', *Commonwealth and Comparative Politics*, 52:4, 2014, pp.493-512

in the hands of a few and subjecting the rest to greater scarcities.¹²³ Irrespective of the type of scarcities, environmental resources have remained a key source of violence in Kenya and have led to wide scale inter-communal violent conflicts usually perpetrated by militias on behalf of their respective communities.

One major resource which has been a locus of inter-communal violence in Kenya is land. The land question has been an underlying factor behind much of the organized violence in the Rift Valley, as well as being critical to the more localized ongoing conflicts in Mt Elgon, Coast province and Molo. Since the 1990s, certain leaders have exploited grievances over perceived 'historical injustices' and poorly handled settlement schemes incite inter-communal violence. These grievances are related to perceived favoritism and corruption by successive governments in allocation of fertile land, including a refusal to prevent and reverse settlement of outsiders (notably Kikuyus) in land originally appropriated from the local residents by the colonial authorities. For instance in the Nandi district which has been an epicenter of land based violent conflicts, the Nandi have over years nursed the ambitions of recovering what they think they lost when Europeans forcibly acquired their land. Matters were made worse when after independence, people whom the Nandi consider as foreigners, though African Kenyans acquired part of their land.¹²⁴

Land based conflicts have become increasingly violent especially since 1992 elections when KANU mobilized communities to target migrants living in settlement schemes in Rift Valley and in Coast Province. Using specific grievances around the process of land allocations in the settlement schemes, the violence was aimed at displacing opposition voters. At the same time, a

¹²³ T. Homer-Dixon, "The Ingenuity Gap: Can Poor Countries Adapt to Resource Scarcity?" *Population and Development Review*, Vol. 21, No. 3, September 1995, pp. 587-612.

¹²⁴ C. Huggins, 'Simplified Typology of Violent Conflicts in Kenya' in Nyukuri E et al (eds), *Land Tenure and Violent Conflict in Kenya in the Context of Local, National and Regional Legal and Policy Frameworks*. Nairobi: ACTs, 2008, p.15

promised return to a *majimbo* constitution was interpreted by many as a chance to evict Kikuyu settlers and reclaim these ‘ancestral lands’.¹²⁵

In 2007, the post-election violence exposed the threats posed by competition over access to land. Though the mass violence was seen as electoral, in retrospect, the land situation in the Rift Valley had been, according to Anderson and Lochery, a ‘time bomb waiting to explode’.¹²⁶ Indeed the violence revolving around the land question confirmed the observation that, ‘land retains a focal point in Kenya’s history. It was the basis upon which the struggle for independence was waged. It has traditionally dictated the pulse of our nationhood. It continues to command pivotal position in the country’s social, economic, political and legal relations.’¹²⁷ In a satellite mapping of the post-electoral violence, Anderson has shown that in the Rift Valley, 95 percent of the clashes occurred on land affected by settlement schemes which had been undertaken by post-independence regimes to resettle the landless.¹²⁸

In Mt. Elgon region, supply and demand induced scarcities have been identified as the cause of militianisation of competition for access between the Sabaot, Mosop and Soy communities. The now suppressed Sabaot Land Defence Forces represents this type of militianisation of resource conflict. On the supply side the setting up of game reserve in Chepkitale in 1968 took over substantial part of Chepkitale trust land, reducing the available grazing area of the Mosop and restricting their access to forest resources that formed an important component of their livelihood. This led to tension and eventual conflict between Soy and Mosop over scarce land

¹²⁵ Ibid

¹²⁶ D.Anderson and E. Lochery, ‘Violence and Exodus in Kenya’s Rift Valley, 2008: Predictable and Preventable?’ *Journal of Eastern African Studies*, Vol 2, No.2, July 2008.

¹²⁷ Kenya National Human Rights Commission, ‘*Unjust Enrichment: The Making of Land Grabbing Millionaires*’, Living Large Series, Vol.2, No.1, 2006, p.7

¹²⁸ Human Rights Watch, ‘*Ballots to Bullets: Organized Violence and Kenya’s Crisis of Governance*’, vol 20, No. 1(A), 2008, P.14

resources.¹²⁹ On demand side the increase in demographic pressures made stiff inter-communal competition inevitable. When the competition interacted with other variables such as inequitable distribution (structural scarcities) due to corruption, nepotism and politicization, communities opt to use force to displace those who were perceived as outsiders in a bid to reclaim their ancestral land.¹³⁰

In the pastoral regions, environmental resource scarcities has lead to cycles of internationalized and national inter-communal clashes revolving around competition for pasture, water and land uses. A report by Saferworld on the connection between pastoral conflicts and climate change has concluded that environmental challenges when combined with severe droughts and a history of antagonism have led to widespread violent conflicts in Northern Kenya.¹³¹ Further disputes over pasture and water access between pastoralists and farmers have increasingly led to violent clashes. This kind of violence has been more destructive and claimed more lives over long period of time than episodic outbursts of election related violence elsewhere in Kenya.¹³²

An important observation to make is that, whenever there is conflict over natural resources, militias emerge either motivated by offensive and/or defensive objectives. In some case, as has been in Northern Kenya counties of Mandera and Wajir, some of this militias exhibit military training and have access to heavy weapons such as artilleries. In other areas, they have managed to undertake sustained armed resistance as was the case with Sabaot Land Defence Forces. These militias are emblematic of future militias considering that more strategic resources such as oil,

¹²⁹ R. Simiyu, *Militianisation of Resource Conflicts: The Case of Land Based Conflict in the Mount Elgon Region of Western Kenya*. Pretoria: Institute of Security Studies, 2008, p.49

¹³⁰ Ibid , P.56

¹³¹ Saferworld, *Climate Change and Conflict: Lessons from Community Conservancies in Northern Kenya*. London: Saferworld, 2008, P.4

¹³² Ibid, p.4

gas and geothermal are being discovered in regions which already have militias, are marginalized and there are other ongoing inter-communal conflicts.¹³³

2.6. A Typology of Main Militias in Kenya

The chapter has so far traced the evolution of militias in Kenya and the factors which have led to their emergence and salience. Building on this, the following subsection provides an overview of the main militias which have operated in Kenya. The militias include Chinkororo, Amachuma, Sungusungu, Al Shabaab, Angola Msumbiji, Banyamulenge, Baghdad Boys, Charo Shutu, Coast Housing Land Network, Congo by Force, Dallas Muslim Youth, Forty Brothers, Forty Two Brothers, Jeshi la Embakasi, Jeshi la Mzee and Jeshi la King'ole. Others are Japo Group, Kamjesh, Kamkunji Youth Group, Kaya Bombo Youth, Kosovo Boys, Kuzacha, Makande Army, Mombasa Republican Council, Mungiki Movement, Mungiki Organisation, Mungiki Sect, Republican Revolutionary Council, Sabaot Land Defence Force, Sakina Youth, Siafu and Taliban.¹³⁴

2.6.1 Mungiki

It is Kenya's most feared militia whose operations are concentrated in the Mt. Kenya region of Central Province, Nairobi and parts of Rift Valley Province.¹³⁵ *Mungiki* is reputed for its organized operations and fundamentalist believe in traditional "Kikuyu" religious lifestyle. They pray while facing *Mt. Kenya*, the perceived abode of *Ngai*, the Kikuyu Supreme Being. It divided into 3 major arms: Religious, Political and Military wings. In tune with the inevitable changes at the global arena, *Mungiki* is reported to be silently sponsoring some of its young members for

¹³³ See for instance K. Mkutu, 'Ungoverned Space' and the Oil Find in Turkana, Kenya', *The Commonwealth Journal of International Affairs*, 103:5, 2014, pp.497-515

¹³⁴ J. Mbaku, 'Multiparty Democracy and Political Change: Constraints to Democratization in Africa. USA: Africa World Press, 2006

¹³⁵ BBC NEWS | Africa | Kenyan sect 'beheads' policeman

higher studies in some socialist-leaning countries in Latin America as part of a strategic plan to acquire power.¹³⁶

Mungiki is alleged to have been involved in Naivasha and Nakuru killings in January, 2008 during the height of the post-election violence. It took the intervention of the Kenyan military from the nearby Lanet barracks at the heart of Nakuru town to quell the unrest. Apart from its religious fanaticism, it is wealthy and controls huge chunks of land in major parts of Kenya.¹³⁷ *Mungiki* is in-charge of many bus termini in Kenya where *Matatu* operators are forced to part with several hundred shillings each day as “protection fee”. Additionally, it is engaged in many other illegal and legal activities aimed at wealth generation. The identity, operations and activities of *Mungiki* are discussed in more details in chapter three.

2.6.2. Taliban

After *Mungiki*, the best-known urban armed group is the *Taliban*, predominantly Luo militia which emerged as a counter force to *Mungiki*. This militia is active in Mathare, Huruma, Baba Dogo, Kariobangi North and South parts of Nairobi's Eastlands district. Members communicate and identify themselves via a system of secret hand signals.¹³⁸ Like *Mungiki*, the group runs extortion rackets, notably on public transport operators though today its influence has been almost entirely curtailed by their *Mungiki* rivals.¹³⁹ Apart from Kibera and Mathare North terminus, the rest of bus stages in Nairobi City are in the hands of *Mungiki*. *Taliban* has no membership oath or cells anywhere in the country, but it does have squads in various slum

¹³⁶BBC News, "Deadly shoot-out with Kenyan sect", 5 June 2007

¹³⁷*Washington Post*, "Brutal Kenyan Sect Aims to Provoke Strife", 2nd July, 2007, p.15

¹³⁸ Center for Governance and Democracy, *Money and Politics: The Case of Party Nominations in Kenya*. Nairobi: CGD, 2004

¹³⁹ J. M. Makinda, 'Democracy and Multi-party Politics in Africa', *Journal of Modern African Studies*, Vol.34, No. 4, 1996

locations. Its leader is still in jail following the 2002 skirmishes with *Mungiki* over the control of public transport along Nairobi's Juja Road.¹⁴⁰

2.6.3. Kalenjin Warriors

It is said to be community defense group along the conservative traditions of the Rift Valley-based community. Among the *Kalenjins*, military training forms an integral part of the graduated progress from childhood to adulthood.¹⁴¹ Young men in these ethnic groups, where tradition demands a strict respect of hierarchy and obedience to community's elders, also undergo circumcision as a rite of passage. As a result, young *Kalenjin* men develop a sort of cohesion among persons of the same age group making it quite easy to mobilize during a call for action.¹⁴² The weapons of choice for the *Kalenjin* warriors are spears, bows and poisoned arrows, machetes and clubs. Just as *Mungiki*, they are relatively organized and well funded by members of the *Kalenjin* political elite, some of who rose from rags to riches during the Moi (a *Kalenjin* from *Tugen* sub-tribe) regime.¹⁴³

2.6.4. Sabaot Land Defence Force

Known by its acronym, SLDF, the militia has been behind the long-drawn armed conflict in the highly volatile Mt. Elgon District. It was formed by members of the *Sabaot* community with a view to fight against historical injustice over land allocation in the Chebyuk settlement scheme. The conflict mainly orbits around two main (*Sabaot*) clans - the majority *Soy* clan and the minority *Ndorobo* clan.¹⁴⁴

¹⁴⁰ M. Mann, *The Dark Side of Democracy: Explaining Ethnic Cleansing*. Cambridge: Cambridge University Press, 2004.

¹⁴¹ Republic of Kenya, *Commission Investigating into Post Election Violence*. Nairobi, Government Printer, 2008.

¹⁴² Republic of Kenya, *The Kenya National Dialogue and Reconciliation (KNDR)*, 2008

¹⁴³ Republic of Kenya, *Report of the Commission of Inquiry into the Illegal/ Irregular Allocation of public Land*. Nairobi: Government Printer, 2004

¹⁴⁴ Republic of Kenya, *Report of the Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya*. Nairobi Government printer, 1999

The SLDF is one of the few non-state groups in Kenya that possesses firearms and has directly challenged state security agencies leading to deployment of Kenya Defence Forces (KDF). Unconfirmed reports suggest the group's arsenal includes automatic rifles and rocket-propelled grenade launchers, which are said to have made their way from neighboring Uganda and Southern Sudan.¹⁴⁵

2.6.5. Chinkororo

Chinkororo, outlawed in the 1990s, represents the armed wing of the *Abagusii* community. It is found in several districts in Nyanza Province. Traditionally, *Chinkororo* was a community defense force, guarding territory against cattle rustlers and other perceived "enemies". The group also undertook retaliatory attacks whenever there were raids in Kisii areas. Since the post-election violence, elements of the *Chinkororo* have engaged in clashes with *Kalenjin* warriors from the neighboring Sotik and Bomet districts in the Rift Valley Province.¹⁴⁶ In the run-up to last year's general election, the group was behind a spate of armed attacks against opposition candidates who were seen as serious challenger to then Road minister Simeon Nyachae's dominance of *Gussi* politics. Machetes, spears, clubs, bows and arrows are some of the weapons used by the feared armed militia.¹⁴⁷

2.6.6. National Republican Movement/Council

This militia came to the limelight two years ago after the police raided its military training ground in the coastal district of Kwale. Retired military officers from the region are said to be behind its operations whose ultimate goal is to overthrow the Kenyan Government. In June 2007, police launched a manhunt in the region for suspected members of an illegal group; however,

¹⁴⁵ Republic of Kenya, *Report of the Parliamentary Select Committee to Investigate Ethnic Clashes in Western and other parts of Kenya-The Kiliku Report*. Nairobi Government printer, 1992

¹⁴⁶ S. Romborah, *Militianization of Resource Conflicts: The Case of Land Based Conflict in the Mount Elgon Region of Western Kenya*. Leiden-Netherlands: Institute of Security Studies, 2008.

¹⁴⁷ South Consulting: The Kenya National Dialogue and Reconciliation (KNDR) Monitoring, Op cit

charges against the group members were dropped after they had been held in remand prison for several months.¹⁴⁸ A brother of Cabinet minister Ali Chirau Mwakwere, who was the alleged ringleader of the group in *Mulungunipa* forest, is still at large. He is a former soldier said to have been sacked from the armed forces on disciplinary grounds.¹⁴⁹

2.6.7. Baghdad Boyz

The main base of Baghdad Boyz is in Kisumu city, though it has spread its presence to Eldoret town and Kibera slums in Nairobi.¹⁵⁰ It was notable for its violence during the post-electoral violent conflict in 2007. In Kisumu city, *Baghdad Boyz* led the looters who ravaged shops in the central business district.¹⁵¹ The looting inflicted huge loss to the town's economy, which experts have estimated to be in the region of six billion Kenya shilling apart from rendering many other young Kenyans jobless. The group works closely with another predominantly Luo militia, called the *Kosivo Boyz*, renowned for its expertise in using sling stones.¹⁵²

2.6.8. Jeshi la Mzee alias Kamjesh

Just like most of the Kenyan rug-tag armed groups, its operations are concentrated in slums, mainly *Kangemi* and *Kawangware*. The group is said to give indisputable loyalty to abrasive former Westlands Member of Parliament Fred Gumo. It is known to terrorize candidates during the run-up to general elections. Honorable Gumo has in the last two decades maintained his position as the group's *de facto* leader and financier thus keeping a firm grip on the politics of

¹⁴⁸ Kenya Thabiti Taskforce, *Root Causes and Implications of the Post Election Violence of 2007*. Nairobi: Kijabe Printing Press, 2009

¹⁴⁹ ICJ-Kenya, *The Political Economy of Ethnic Clashes in Kenya: A Report of International Commission of Jurists*, Kenya Chapter. Nairobi: ICJ-Kenya, 2000

¹⁵⁰ A. Kamoet, *A Historical Overview of Mt Elgon Crisis: Proceedings of the Mt. Elgon Crisis*. Workshop held at Masinde Muliro University of Science and Technology, Kakamega, Kenya from 28th to 29th June, 2007.

¹⁵¹ KHRC, *Killing the Vote: State-Sponsored Violence and Flawed Elections in Kenya*, Op cit

¹⁵² W. Kabukuru, 'Kenya: What Went Wrong', *New African*, Issue No. 470, December 2008, pp.20-25

Westlands constituency. The group's membership is predominantly from Luhya ethnic group where Gumo's Gumo hails from.¹⁵³

2.7. Chapter Summary

The chapter has shown that militia groups have been present in Kenya especially in the past three decades. Most of these militias emerged after the re-introduction of multiparty politics which have been characterized by mobilization of ethnic based violence and strategic use of violence to win elections. Whether mobilized for offensive or defensive purposes, their use has led to institutionalization of political violence. The militia situation has been exacerbated by the prevalence of culture of impunity since political and ethnic violence entrepreneurs and perpetrators are not brought to account for their criminality. Predominantly, these groups are composed of marginalized groups in society, especially the urban and rural poor. Driven by the sheer need to survive, thousands of marginalized youths in Nairobi have drifted into these militant gangs. This underscores the fact that the genesis of these militias and criminal gangs is tied to the inability of the government to address its basic welfare responsibilities. As a result there is widespread underdevelopment, poverty and unemployment providing fertile grounds for the militias to emerge and thrive.

¹⁵³ W. Kabukuru, 'Kenya: The Soul Searching Begins', *New African*, Issue No. 471, March 2008, pp. 26-29.

CHAPTER THREE

OPERATIONS AND ACTIVITIES OF MILITIA GROUPS IN EASTLANDS, NAIROBI

3.1. Introduction

The preceding chapter has brought out factors underlying the rise and continued growth of militias in Kenya. Further, it has identified the factors which have enabled their evolution. Building on the conclusions made, this chapter reviews the emergence and growth of militias in Eastlands, Nairobi. In this review, particular focus is given to *Mungiki*, a militia which has remained the most dangerous and dominant in this area. It traces its emergence in late 1980s, its identity, strategies and activities. To do, it has four sub-sections. The first subsection examines its evolution. The second subsection addresses its strategies and activities. The third subsection provides an overview of their relationship with Kenya politics. This will help to lay the ground for the analysis of *Mungiki* activities in Eastlands, Nairobi and their implications on national security.

3.2. 1. The Identity of *Mungiki*

Mungiki has been variously described by different scholars. The Norwegian Country of Origin describes it as a religious movement clothed with diverse aspirations ranging from political to religio-cultural and social economic liberation.¹⁵⁴ Similarly, Servant has characterized it as a cultural movement with a goal of restoring Gikuyu traditions and egalitarian order.¹⁵⁵ Kagwanja has characterized it as a fully fledged criminal organization.¹⁵⁶ Elsewhere, Kagwanja has presented *Mungiki* as a manifestation of intergenerational struggle within the Kikuyu

¹⁵⁴Norway Landinfo Country of Origin Information Centre, 'Kenya: Mungiki - Abusers or abused?' 29th January, 2010. Accessed at http://www.landinfo.no/asset/1123/1/1123_1.pdf

¹⁵⁵J. Servant, 'Kikuyus Muscle in Security and Politics: Kenya's Righteous Youth Militia', *Review of African Political Economy*, 34 (11), 2007, pp. 521-526.

¹⁵⁶P. Kagwanja, 'Facing Mount Kenya or Facing Mecca. The Mungiki, Ethnic Violence and the Politics of the Moi Succession in Kenya, 1987-2002', *African Affairs*, 102, 2003, 25-49. Available at <http://afraf.oxfordjournals.org/cgi/reprint/102/406/25>

community. This way it is a change oriented political movement.¹⁵⁷ Another characterization has been provided by Ramussen who argues that *Mungiki* is a basically a revolutionary youth movement.¹⁵⁸ None of this characterization of *Mungiki* is wrong. Each reflects a facet of *Mungiki* as it shall be shown below. Basically, it is simultaneously all those things that have been used to characterize it.

The word *Mungiki* is a Kikuyu word that has been taken from the etymological root *Muingi*, meaning masses or people. It is a term derived from the word, *nguki*, which means *irindi* (crowds) and reflects a belief that people are entitled to a particular place of their own ontological order.¹⁵⁹ At its inception the *Mungiki* was basically an outfit whose main agenda was the economic emancipation of Kikuyu families that had been forcibly evicted from their homes in Rift Valley province owing to the political tensions that accompanied the re-introduction of pluralism in the early 1990s.

Initially, disciples were young people who had lost land that had been their only means of livelihood in parts of the Laikipia and Nakuru districts. As such, it is mainly comprised of the less advantaged in society. However, overtime *Mungiki* has managed to recruit followers from educated ranks all the way to university. The members are joined together by strong feeling of exploitation and alienation, accusing small elite class of amassing wealth at the expense of masses.¹⁶⁰ The ability to recruit across classes especially the educated class has given *Mungiki* an intellectual capacity to articulate and propagate its ideals based on emancipatory agenda.

¹⁵⁷P. Kagwanja, 'Facing Mount Kenya or Facing Mecca? The Mungiki, Ethnic Violence and the Politics of the Moi Succession in Kenya, 1987–2002', *African Affairs* 102(406), 2003, pp. 25–49.

¹⁵⁸J. Ramussen, 'Mungiki as Youth Movement: Revolution, Gender and Generational Politics in Nairobi, Kenya', *Young*, 18, 3, 2010, pp.301-319

¹⁵⁹G. Wamue, 'Revisiting our Indigenous Shrines through Mungiki', *African Affairs*, 100, 2001, pp. 453–467

¹⁶⁰Ibid

From this start as a quasi socio-cultural religious entity, the *Mungiki* has evolved into a formidable militant group in Nairobi, Central and parts of Rift Valley provinces. Riding on its appealing ideology based on pseudo-communist ideals (such as pooling resources and holding land in communal trust) clothed in socio-cultural epithets of communal justice and equity, it has been a magnet to thousands of Gikuyu youths. The ideology has enabled it to appeal to many landless, homeless and jobless youths.¹⁶¹ Consequently, from its humble beginning and benign intention, Mungiki has undergone radical transformation and by March 2009, the *Mungiki* had become what the then Police Commissioner, Major General Hussein Ali, described as the most serious internal security threat to Kenya.¹⁶²

3.2.3. Origin of *Mungiki*

In terms of origin, there is consensus among scholars that the *Mungiki* movement started in 1987.¹⁶³ Initially, it was a part of another Gikuyu traditionalist sect called the Tent of the Living God (*Thaai*) founded by a 57 years old dreadlocked Ngonywa wa Gakonya. This sect was a challenge to Christianity advocating for return to Gikuyu religion. It is from this sect that *Mungiki* split from though there are no clear reasons for the split. Considering, how *Mungiki* has operated we can argue that, the most probable reason for the split was that the young members were impatient and wanted a more proactive and radical approach to the challenges facing them. According to its founding leaders, the *Mungiki* traces its birth to dreams experienced by two schoolboys, Maina Njenga and Ndura Waruinge, in the Rift Valley Province. In these dreams,

¹⁶¹ C. Wanderi, 'Mungiki: Legitimate or Criminal?' *The African Executive*, 2008,

<http://www.africanexecutive.com/modules/magazine/articles.php?article=3160> (accessed 12, October 2009).

¹⁶² J. Ngirachu and C. Waithaka, 'How Mungiki became most serious internal security threat', *Daily Nation*, 12th, March, 2009

¹⁶³ Ibid; P. Kagwanja, Politics of Marionettes: Extra-Legal Violence and the 1997 Elections in Kenya', in Rutten, M, Mazrui, A and Grignon, F (eds), *Out for the Count: The 1997 General Election and Prospects for Democracy in Kenya*. Kampala: Fountain Publishers, 2001; D Anderson, 'Vigilantes, Violence and the Politics of Public Order in Kenya', *African Affairs*, 101, 2002; M. Ruteere, *Dilemmas of Crime, Human Rights and the Politics of Mungiki Violence in Kenya*. Nairobi: Kenya Human Rights Institute, 2008.

they claim to have heard God's voice telling them to 'go and liberate my people'. They accordingly decided to form the *Mungiki* after consultations with elders, including former leaders of the *Mau Mau* movement from one of which Ndura Waruinge is descended.¹⁶⁴ The *Mungiki* ranks were swelled by members of the Kikuyu population who were affected by the land and ethnic clashes in Molo, Elburgon, Rongai, Narok and Eldoret in 1991 to 1993 and Njoro and Laikipia in 1998. The *Mungiki* traces its roots to this particular period because of the marginalisation of the Kikuyu population and the sufferings that emanated from the ethnic clashes in the countdown to the 1992 general elections that primarily targeted the Kikuyu population in the Rift Valley. The Kikuyu saw the *Mungiki* as the saviour of its ethnic group in times of adversity as it repulsed its attackers.

While the movement seemed not to have a clearly spelled out program and agenda, it had a vision of mobilizing Kenyans against the yoke of mental slavery. This was to be achieved through demonstration effect in the hope that other communities would copy *Mungiki's* strategy leading to development of community-based kingdoms rooted in African culture and religion.¹⁶⁵

However, in the face of politically instigated clashes in early 1990s which targeted members of Gikuyu community, an urgent duty to protect the community arose. The group started to mobilize its members against the government, which it accused of starting and fuelling ethnic clashes. Reminiscent of the *Mau Mau* style of mobilisation of the 1950s, the *Mungiki* reportedly began administering oaths as a way of uniting its members.¹⁶⁶ This period marked its transformation into a political militia.

¹⁶⁴ Ruteere, *Dilemmas of Crime*, Op cit

¹⁶⁵ G. Wamue, 'Revisiting our Indigenous Shrines through Mungiki', Op cit, pp.459-460

¹⁶⁶ K. Kanyinga, quoted in the *Sunday Nation*, 4th February, 2007.

3.2.4. *Mungiki* Recruitment and Organization

As observed in the above subsection, *Mungiki* since its inception has actively recruited members. Recruitment takes place in four ways: Firstly, people who just stroll into one of its religious meetings out of curiosity are inspired by its teachings (*Kiriria*) and join the group. Secondly, through proactive initiative by people who have heard about the movement from colleagues, friends or in the media and decide to join. Thirdly, through forceful recruitment of individuals who are coerced to take a binding oath and swear allegiance to *Mungiki*. Fourthly, there are those who join because they have been endeared to the successful social activities of the group.

Once member are recruited, *Mungiki* maintains control over them through a series of oaths. The oaths include one taken during initiation into *Mungiki* called *kuhagira*. Other oaths are an oath for repentance, called *horohio*; one to prepare for combat, called *mbitika*; and a continuous oath called *exodus*, which signifies the sect is nearing Canaan, or victory.¹⁶⁷ Another method of maintaining control over membership is through the use of brutal tactics such as killing defectors, beating those who violate its code of conduct and forcing them to make atonement. Further, the group uses highly symbolic violence to enforce discipline through fear. In one case it sawed off the arm of a man in Nyeri when he declined to join the group, but there are indications that hundreds of others have enlisted for fear of being killed. The brutal tactics resemble those of the SLDF, which slashed off people's ears and fingers to force them into submission.¹⁶⁸

Additionally, the *Mungiki* operates with a chilling set of rules and a strict code of conduct. *Mungiki* operatives stick to the 48 rules of the gang, which call for unpredictability and invisibility. Most of these rules revolve around personal survival, alertness, courage and conquering tactics. The rules urge members to spy on others and always be aware of what is

¹⁶⁷ Ngirachu and Waithaka, 'How Mungiki became most serious internal security threat', Op cit

¹⁶⁸ Standard team, Gang uses force to get new recruits, *East African Standard*, 18th May, 2009.

happening around then and to be open to possibilities for extortion.¹⁶⁹ Using these rules, the militia has managed to develop a range of strategies which has enabled it to prey on the population and at the same time evade government agencies. This has imbued it with salience.

Due to its recruitment drive and the ideals it espouses, the group has membership that cuts across all ages and sexes. However, the bulk of its followers is drawn from the lower classes, mostly former street children, unemployed youths, hawkers, artisans, small traders in the *Jua Kali* (the informal sector), and the alarmingly growing number of urban poor from Nairobi's slum areas of Githurai, Kayole, Dandora, Korogocho, Kariobangi, Kawangware, Kibera, Mathare and Kangemi. It also has a strong constituency among the landless, squatters and internally displaced persons (IDPs) in areas in the Rift Valley such as Londiani, Eldoret, Molo, Olenguruone, Elburgon, Subukia, Narok, Nakuru, Laikipia and Nyahururu. It is estimated that at its peak *Mungiki* had between 1.5 and 2 million dues-paying members, of whom at least 400 000 were women.¹⁷⁰ Due to the various challenges it has faced, it is not possible to verify the current number of members.

Organizationally, the *Mungiki* does not have a highly centralized organizational structure but its leaders head various efficient units. There is an operational unit consisting of spiritual enforcers who fan the mysticism and cultural romanticism that glue members together. The unit announces the declaration of oaths, distributes the oath-taking paraphernalia, and collects money from cells to implement the spiritual leader's projects. The defense unit is the army that has bases in the

¹⁶⁹ Standard team, Gang uses force to get new recruits, East African Standard, 18th May, 2009.

¹⁷⁰ P. Kagwanja, 'Warlord Democracy: The Proliferation of Militia and Pre-Election Violence in Kenya, 1999–2002', Kenya Human Rights Commission, Unpublished report, 2003; Anderson, 'Vigilantes, Violence and the Politics of Public Order in Kenya', Op cit.

Nyandarua district, in Umoja, Dandora and Ngara in Nairobi, and in Kitengela.¹⁷¹ This army has been responsible for well orchestrated violence in various parts of the country.

There is also a public relations unit, which issues statements, a foreign relations unit, a coordination unit, and an administration wing. The group is divided into sub-organizations similar to a 'cell structure' called *matura*, or village units, with each cell composed of 50 members who are further subdivided into five platoons. A committee is in charge of each unit and carries out all sect functions, including oath-taking and recruiting. The *Mungiki's* organizational structure is replicated everywhere, especially in Central Province. In Maragua, for instance, the sect was said to have had more than 200 platoons spread across ten branches and 33 sub-branches manned by more than 2,000 militiamen by the year 2000. A platoon comprises ten militiamen, each with a personal registration number.¹⁷²

3.2.5. *Mungiki* Ideology

An ideology is defined as a logically coherent system of ideas and beliefs which with more or less sophisticated conception of history, linking the cognitive and evaluative perception of one's social condition-especially its prospects for the future-to a programme of collective action for the maintenance, alteration or transformation and providing justification for a particular cause.¹⁷³ In the study of social movements, ideology is used as a generic term for values, beliefs and goals associated with a movements or an overarching ideational framework of an entity and provides the basis for individual and collective action.¹⁷⁴

¹⁷¹ Information gathered from interview with a member of Mungiki conducted on 10th January, 2013

¹⁷² The First Post, 9 July 2007; *East African Standard*, Kenya: Mungiki runs deep and wide, 27th April, 2008; Ngirachu and Waithaka, How Mungiki became most serious internal security threat.

¹⁷³ W. A. Mullins, 'On the Concept of Ideology in Political Science', *The American Political Science Review*, 1972

¹⁷⁴ R. Garner, *Contemporary Movements and Ideologies*. New York: McGraw-Hill, 1996; P. E. Oliver and H. Johnston, 'What a Good Idea! Ideology and Frames in Social Movement Research', *Mobilization*, 5, 2000

Ideology serves a central role in any social movements. Several scholars have identified such roles which provide members with frames through which they understand the world and what is happening, mobilizing support, activating and motivating adherents, transforming bystanders into supporters and defining the course of action.¹⁷⁵ This power makes ideology an important strategic tool. Importantly, it is in ideology that subjective and strategic narratives exploiting a given grievance are weaved. These narratives comprise of plots through which events acquire significance and explanation in terms of specific causes. In such narratives, there are protagonists who are given particular identities, often relational and events are interpreted on the basis of these identities. Such narratives are selective, deciding what is relevant or irrelevant, constructed in a manner to justify and morally sanitize action and dehumanize the target of that action as deserving it.¹⁷⁶ The power of ideology makes it a very important element in understanding the success of *Mungiki*.

The Mungiki ideology is a religio-cultural and political one based on the rejection of the Western customs. Since its inception, the group has sought to bring about the renaissance of the *Gikuyu* culture as a first step towards the liberation of the people. It has advocated for the return to traditional beliefs and practices and stressed the lost glory and dignity of the *Agikuyu*, which it sought to re-establish through 'Kirinyaga Kingdom'. The fundamental principles of the *Mungiki's* ideology are cultural self determination, self-pride and self-reliance. To this end, it has utilized traditional methods such as prayers, songs, prophetic utterances and oath-taking and initiation rites to censor the forces of neo-colonialism. These have been used to protect and uphold such basic values as a belief in God (*Ngai*), reverence of ancestors, belief in the sacredness of land, and respect for moral values. According to *Mungiki* tenets, the cultural re-

¹⁷⁵D. L. Westby, 'Strategic Imperative, Ideology and Frame', *Mobilization*, 7, 2002

¹⁷⁶A. Kundnani, 'Countering the Counter-Jihad: Security Narratives and the New Far Right', *ICCT Research Paper*, 2012

engineering of the *Agikuyu* should apply to the whole country irrespective of differences in culture. The meshing of political and religious themes is evident in *Mungiki* hymns and prayers. Mount Kenya (*Kirinyaga*) is believed to be the holy dwelling place of *Ngai* and members look for signs from the god, turning their faces towards the mountain in prayers and hymns.¹⁷⁷

Experts are still divided as to whether the *Mungiki* is a religio-cultural or a political entity. Those who see it as a religious entity include Grace Wamue and Kwamchetsi Makokha.¹⁷⁸ Wamue's insightful account relates to the spiritual and cultural philosophy surrounding the *Mungiki*'s activities. The *Mungiki* calls for a return to African traditions and spirituality as a means of resolving social problems. It rejects Christianity, stating that it corrupts African values. The *Mungiki*'s main objective, Wamue argues, is 'to mobilize Kenyan masses to fight against the yoke of mental slavery.'¹⁷⁹ The *Mungiki* sees the Bible as a tool of confusion, referring to it in Gikuyu as '*gikunjo*' (meaning binding or imprisoning).

Symbolically, the ideology is manifested through movement's adoption of Gikuyu religious rituals and cultural symbols, including the use of tobacco snuff. Members of the movement refer to themselves as 'warriors' in keeping with ancient Gikuyu social structure.¹⁸⁰ Makokha argues that the *Mungiki* has grown out of the mysterious and little understood ideology and theology of the group. Its members have a god on Mount Kenya whom they worship and to whom they pray. In his opinion, the movement could actually be religious and may just be uncertain about what doctrine to follow.¹⁸¹

¹⁷⁷ M. Gecaga, 'Religious Movements and Democratization in Kenya: Between the Sacred and Profane', in Murunga, G and Nasong'o, S (eds), *Kenya: The Struggle for Democracy*. London: Zed Books, 2007.

¹⁷⁸ K. Makokha, 'The Mungiki mystique just shattered to pieces', *Daily Nation*, 27th October, 2000; Wamue, 'Revisiting our Indigenous Shrines through Mungiki', Op cit

¹⁷⁹ Wamue, 'Revisiting our Indigenous Shrines through Mungiki', Ibid, P.459

¹⁸⁰ Wamue, 'Revisiting our Indigenous Shrines through Mungiki', Ibid

¹⁸¹ Makokha, 'The Mungiki mystique just shattered to pieces', Op cit.

However, the *Mungiki*'s ideology rooted on adherence to traditional Kikuyu religion has been questioned, particularly because its leaders keep shifting their religious affiliations. For instance, the conversion of its leaders to Islam and Christianity creates more doubt given their stance against the latter. At some point in mid-2000, the *Mungiki* started to gravitate towards Islam. Eventually, on 2 September 2000, at a ceremony held in Mombasa's Sakina Mosque, 13 of its leaders (among them Ndura Waruinge, renamed Ibrahim), converted to Islam. Others included former member Mohamed Njenga and provincial coordinators Hassan Waithaka Wagacha, Mohamed Kamau Mwathi (Nairobi), Kimani Ruo Hussein (Rift Valley), and Khadija Wangari representing women.¹⁸² In the months that followed, hundreds of ordinary *Mungiki* members, especially from Nakuru in the Rift Valley, converted to Islam, enrolled in Islamic classes, and received books and other materials on Islamic doctrine from Kenya's Muslim community.¹⁸³ This move was seen largely as a means of camouflage in the face of repression, as most members of the sect tended to emphasize the political rather than the cultural/religious motive behind the *Mungiki*'s Islamisation. This demonstrated *Mungiki*'s tactical use of religion to promote its objectives.

Similarly, after being exposed as a collaborator with the state, Ndura Waruinge, the *Mungiki*'s national coordinator, announced that he had left the movement. He staged another conversion, this time to Christianity, and changed his name to Ezekiel Waruinge. More so, after Maina Njenga, the *Mungiki* spiritual leader found himself at odds with the new government and was subsequently arrested and imprisoned, he announced that he had converted to Christianity and

¹⁸² Daily Nation, 3rd September, 2000

¹⁸³ Kagwanja, 'Warlord Democracy', Op cit

was baptized in a publicized ceremony at the prison.¹⁸⁴ When he was released, he led *Mungiki* members to converting to Christianity and established a church.

Such shifts in faith by the *Mungiki* leadership and followers have made Ruteere argue that the characterization of the *Mungiki* as a religious movement is a deliberate tactic on its part. This strategy has served the movement well, for it has helped to attract sympathy from human rights organizations. After the government's initial crackdown on the movement in the early 1990s, the *Mungiki*'s leaders sought protection from human rights groups. In fact, for several years, *Mungiki* members provided reliable information on prison conditions and gave detailed descriptions of the inhumane activities in Kenya's prisons to the Kenyan Human Rights Commission.¹⁸⁵ This overture helped the movement popularize its case with international human rights groups such as Amnesty International and Human Rights Watch. In its annual human rights reports, the US State Department regularly mentioned the *Mungiki* as an example of religious persecution by the state.¹⁸⁶

In the light of these activities, the *Mungiki* could be regarded as having a political rather than a religio-cultural ideology. In reality, its politics reflects a keen sense of frustration with the political system in which its followers' voices are barely heard. *Mungiki* members claim to represent the unfulfilled aspirations of the *Mau Mau*, for an alternative political dispensation.¹⁸⁷ Like the *Mau Mau*, the land question is central to their politics. The movement is built on dissatisfaction with marginalization and deprivation of its constituency. This explains why the movement has been successful in recruiting members from among the squatters and slum

¹⁸⁴ Ruteere, Dilemmas of Crime, *Sunday Nation*, 3rd December, 2006.

¹⁸⁵ US Department of State, Annual report on International religious freedom for 2004 –Kenya, <http://www.unhcr.org/refworld/docid/450fb0b228.html> (accessed 4 May 2009).

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

dwellers.¹⁸⁸ Thus, although the *Mungiki* is depicted as a founded on a religio-cultural ideology, it remains to a large extent an entity searching for power, particularly political power.

3.3. 1. Mungiki Strategies and Operations

The *Mungiki* is the most lethal militia group currently operating in Kenya. Achieving this enviable status is a pointer to its strategic success. One of its strategies is persuasive use of ideology to mobilize followers and support. As observed above, it is through this ideology that *Mungiki* has managed to recast the grievances arising out of ethnic violence, landlessness, and poverty to a class and cultural issue. According to *Mungiki*, the grievances are as a result of the capture of wealth by a small elite and the lack of way out is a reflection of the failure of the western cultural system imposed by colonialism.¹⁸⁹ Through *Kirira*, *Mungiki* has actively taught African values winning thousands of converts along the way.

The second strategy has been the use of an effective organization structure based on cells similar to those used by *Al-Qaeda* to spread its influence and control over ethnic enclaves in primary market areas.¹⁹⁰ The use of cell structure makes it more resilient in the face of government crackdown. This is because a disruption of one cell does not affect operations of the others. Also, in case of arrest and interrogation, members do not have information which can adversely affect the group nationally. Lastly, through decentralized decision making, cells are able to operate according to the context without being limited by the national bureaucracy.

The third strategy is *Mungiki* ability to step in and fill the vacuum created by absence of government and its failure in service provision. In many areas especially in urban centers *Mungiki* has taken over the provision of services such as garbage collection, ‘supplying’ water and electricity, and security. The provision of these services albeit for a payment has led to

¹⁸⁸ Ruteere, *Dilemmas of Crime*, Ibid

¹⁸⁹ Wamue, ‘Revisiting our Indigenous Shrines through Mungiki’, Op Cit, p.461

¹⁹⁰ *Sunday Nation*, 4th February, 2007.

improved security in areas previously plagued by crime and allowed residents to cheaply access services which were previously controlled by cartels.¹⁹¹ This has created a symbiotic relationship with the community giving *Mungiki* some form legitimacy.

The fourth strategy has been through the use of fear. *Mungiki* use of gratuitous violence is well documented.¹⁹² Through acts such as decapitation, and beatings, it has managed to instill fear and intimidate communities in areas they operate. As a result, they are faced with little opposition though in some places such as Nyeri and Kirinyaga, communities have risen up against the group.¹⁹³ However, the response to such opposition has been brutal. In other circumstances *Mungiki* deliberately create insecurity as way of influencing people to engage them in security provision. Usually, people are mugged and brutalized, and businesses vandalized. Then victims are offered a guarantee of safety for themselves, their families and their premises, in exchange for a fee. Those who resist are killed or maimed to serve as an example for others and to close the circle of fear.

The fifth strategy has been efficient delivery of justice to citizens in their areas of operation, Working in a tight, disciplined manner, the *Mungiki* has taken over the provision of such ‘services’ in Central Province and parts of Nairobi city, and replaced administrative chiefs and assistant chiefs who dealt with matters such as the arbitration of family disputes.¹⁹⁴ In some parts of Central Province, *Mungiki* gangs have taken over control of villages. The *Mungiki* has managed to set up what can only be described as a parallel government, a so-called *Mungiki* government, complete with its own elaborate tax collection machinery and a judicial system to

¹⁹¹ Interview with a member of *Mungiki* conducted on 10th January, 2013

¹⁹² J. Servant, ‘Kikuyus Muscle in on Security and Politics: Kenya’s Righteous Youth Militia’, *Review of African Political Economy*, 34 (11), 2007, pp. 521-526.

¹⁹³ P. Mathagani, ‘Kibaki pledges tough action to rein in *Mungiki*’, *East African Standard*, Nairobi, 5th December 2008

¹⁹⁴ *Ibid.*

boot.¹⁹⁵ The group's enforcement and judicial services are popular due to the efficiency compared to the slow and frustrating state's enforcement and judicial mechanisms.

The sixth strategy is a financial one which has enabled the group to mobilize millions of shillings to finance their operations and also provide members with sources of livelihood. The group obtains funds from membership dues, garbage collection, and extortion money from residents for protection against theft and property damage, fees for the use of public toilets, income from control of *matatu* (a form of public transport) routes, charges to small businesses, and donations from politicians and businesspeople.

Each *Mungiki* member pays 3 Kenyan shillings per month, which according to the then national coordinator, Ndura Waruinge, added up to a total monthly income of 4.5 million Kenyan shillings by the mid-1990s.¹⁹⁶ However, the precise income from membership remains as controversial as its operations, with figures mentioned by its leaders ranging from 1.5 million to 2 and lately 4 million. In reality, the figure could be as low as a couple of thousand, particularly given the demographic pattern of Kenya. The Kikuyu constitutes 22 per cent of Kenya's close to 37 million people. For *Mungiki* to reach a figure of 4 million, close to a half the Kikuyu population would have to be members, and that is not the case.

Collection of illegal taxes from the *matatu* industry has remained a major source of funding. Before the October 2003 reforms, the *Mungiki* openly controlled *matatu* operations on busy routes to Kayole, Dandora, Huruma and Kariobangi in Nairobi, while it also controlled and collected levies from routes outside Nairobi.¹⁹⁷ At the peak of its influence, the *Mungiki* is said to have collected at least 10 000 Kenyan shillings per day per route, amounting to nearly 200 000

¹⁹⁵ An interview with a member of Mungiki conducted on 10th July, 2013

¹⁹⁶ Kagwanja, "Politics of Marionettes"; Katumanga, *Nairobi – a City Besieged*, Op cit

¹⁹⁷ *Daily Nation*, 5th April, 2004

Kenyan shillings per day from all routes under its control.¹⁹⁸ The gangs collected 200 shillings per day from each 14-seater *matatu* and 250 Kenyan shillings from 25-seater minibuses. *Matatu* crews also paid a fee to be allowed to operate, with drivers and conductors parting with 1,000 and 400 Kenyan shillings respectively. After the collapse of constitutional reforms in 2005, the *Mungiki* reclaimed its control of the *matatu* industry and tightened its grip on the lucrative *matatu* industry and the low-income residential areas of the city and other urban areas.

Further, the group collects protection fees from slum residents. Households in Mlango Kubwa of Eastleigh, Mathare, Huruma, Huruma Ngei, Kariobangi, Dandora, Baba Dogo and other estates have to pay between 30 and 50 Kenyan shillings each month, shopkeepers pay 300 Kenyan shillings, kiosk and vegetable vendors 150 Kenyan shillings, Chang'aa brewers pay 300 Kenyan shillings a week and vehicles that deliver vegetables to Korogocho and Kariobangi 400 Kenyan shillings per delivery. Trucks that deliver sand, ballast, cement, stones and other building materials to sites in Eastlands also pay a fee. Workers such as masons, electricians and casual laborers at construction sites have to pay an 'access fee' to be allowed into the yards. The gangs also run illegal water collection points where they charge between 10 and 20 Kenyan shillings for a 20-litre jerry can of water tapped from city council pipes.¹⁹⁹ Cumulatively, the money collected runs into millions of shillings per month. Importantly, members have found sources of livelihoods since all of its activities are undertaken by members.

In parts of Central Province, the *Mungiki* has been able to set up a formidable motorcycle taxi enterprise whose proceeds are used to bankroll its illegal activities. This, combined with extortion rings operated by the *Mungiki*, has turned the underground gang into a well-moneyed outfit whose kitty runs into millions of shillings. Wealthy politicians and shrewd businesspeople

¹⁹⁸ P Kagwanja, 'Power to Uhuru: Youth Identity and Generational Politics in Kenya's 2002 Elections', *African Affairs*, 105(418), 2005, pp.51–75.

¹⁹⁹ *Ibid.*

in the province have been financing the purchase of motorbikes and expect political support and protection in return.²⁰⁰ However, *Mungiki*'s economic activities have led to collapse of legitimate enterprises which have become unsustainable due to continued extortion. In Central Province, most shopping centers have experienced closure as traders have been forced to give up their business because they were unable to pay the protection fees (ranging from 20, 000 to 150, 000 Kenyan shillings) demanded by the *Mungiki*. Farming has suffered too, with tea and coffee farms left unattended, as farmers have fled their homes.²⁰¹

Another source of funds for the *Mungiki* is the Kikuyu political and business elite. This was evident during the 2002 general elections, when *Mungiki* leaders suddenly started driving cars and owning plots and houses in upmarket areas, all without having a permanent source of income. During these elections, members of the group frequently met with KANU politicians and also received money and other items in return for getting members to vote for KANU in the elections.²⁰² This also happened in the 2005 referendum and 2007 elections, when politicians paid the group to advance their cause. During the post-election crisis, the Kikuyu elites are reported to have paid the group for the reprisals of the killing of Kikuyus.²⁰³

The final strategy is the group's ability to adapt in the face of sustained crackdown. The gang's capacity to mutate when faced with danger has made it very difficult for the state to destroy it. Initially, *Mungiki* members used to be the snuff-sniffing, dreadlocked variety. When it became apparent that this was an easy way for the security forces to identify and track them down, they changed their image to decently dressed young men and women. Recent attempts by the government to curb the *matatu* extortion wing have forced them to dress as modern teens. It is

²⁰⁰ Standard reporter, Gangs operate thriving taxi business, *East African Standard*, 19th May, 2009

²⁰¹ G. Munene, 'Protection fee demands drove away traders', *Daily Nation*, 3 May 2009; Nation correspondent, 'Traders who fled after Mungiki threats return', *Daily Nation*, 23rd April, 2009.

²⁰² Mutahi, 'Violence and Politics of Militias in Kenya', Op Cit.

²⁰³ Kenya National Human Rights Commission, *On the Brink of Precipice*, Op cit

this ability to camouflage and change tactics and styles that has made it almost impossible to pin down the gang.²⁰⁴

3.3.2: Mungiki and Kenyan Politics

The section on *Mungiki* and Kenya's politics is given separate attention since as observed in this study, it arose as a reaction to the Moi regime's excesses in political practices especially the use of violence against communities perceived to be in opposed to the regime. Additionally, it is in politics where *Mungiki* security implications can be more acutely felt should it manage to criminalize the state through state capture particularly infiltrating or co-opting political leadership.²⁰⁵

The *Mungiki's* involvement in politics during the Moi and Kibaki regimes has been characterized as based on a love-hate relationship. Both regimes have tried to seek the *Mungiki's* support during campaign periods such as the 2002 elections and 2005 constitutional referendum. However, both regimes have been hostile to the group in non-election years and have even outlawed it.

Before 2002, police constantly broke up *Mungiki* meetings, but in the run-up to the 2002 elections the group was allowed to hold rallies in Nairobi, Thika and other towns. Some KANU officials even participated in these meetings and donated money. The movement's link to the government became evident when its two known leaders attempted to run for elections on the ruling party's ticket.²⁰⁶ However, at the last minute, the ruling party succumbed to popular pressure and barred the *Mungiki* leaders from participation. Regardless, the group vigorously campaigned for KANU's presidential candidate Uhuru Kenyatta whom they believed represented a generational shift of power.

²⁰⁴ Interview with a member of Mungiki, 10th January, 2013

²⁰⁵ See chapter two on implications of state criminalization and capture.

²⁰⁶ P. Kagwanja, 'Power to Uhuru: Youth Identity and Generational Politics in Kenya's 2002 Elections', Op Cit

During the Moi regime, the group was allowed to demonstrate to show its support for the ruling party while at the same time criticizing the-then official leader of the opposition, Mwai Kibaki. At one presidential rally, former Molo Member of Parliament (MP) Kihika Kimani paraded dreadlocked youths in Nakuru town, introducing them as repentant *Mungiki* followers. The *Mungiki* entered the political fray in the run-up to the 2002 elections, when its national coordinator, Ndura Waruinge, and the movement's spiritual leader, John Maina Kamunya alias Maina Njenga, joined the Forum for the Restoration of Democracy – Kenya (FORD-K) political party and unsuccessfully vied for positions as secretary-general and vice-chairman of the party respectively.²⁰⁷

As the battle for Moi's succession heated up, the Moi regime sought to bring the group into its fold in order to get the Kikuyu youth's support.²⁰⁸ The *Mungiki* supported KANU's presidential candidate, Uhuru Kenyatta (a kikuyu), and on nomination day, hundreds of thousands of *Mungiki* youths marched through the streets wielding *machetes*, clubs or sticks in his support. Kenyatta was later forced to disown the sect as a result of intense public criticism.²⁰⁹ In addition, two legislators (who were staunch Uhuru supporters then), Kihika Kimani and Stephen Ndicho, threatened to unleash *Mungiki* on those opposed to Uhuru.

The Kibaki regime's interaction with the *Mungiki* was double-sided. On the one hand, there were those who were sympathetic to the politics of the *Mungiki* leadership in the Kibaki government and used the *Mungiki* when the need arose. On the other hand, there were those of the opinion that the group is a threat to state security and ought to be eradicated. For instance, in the 2005 constitutional referendum campaigns the government engaged the gang with the aim of winning its support for the then proposed constitution. During the referendum campaign, the then special

²⁰⁷ Ibid

²⁰⁸ Ibid

²⁰⁹ *East African Standard*, 26th, August 2002.

programme minister, Njenga Karume, and the former *Mungiki* coordinator, Ndura Waruinge, met in Nairobi to discuss how the youth could be mobilized to support the proposed constitution.²¹⁰ Subsequently, the *Mungiki* openly came out in support of the government position, holding rallies attended by well-known politicians.²¹¹

This again happened in the countdown to the 2007 elections when some political leaders within the government used *Mungiki* to mobilize for support. Significantly, when the 2007/2008 Post-election violence broke out, *Mungiki* was allegedly used as a protection militias since members of the Kikuyu community were under siege in many parts of the country. Due to the group's violent interventions, the group acquired the tag of defender of the beleaguered Kikuyu in the Rift Valley. Supported politically and financially support by senior members of the Kikuyu elite, it swung into action and attacked members of the Luo, Luhya and Kalenjin groups in Naivasha and Nakuru.²¹² The post-election violence temporarily rehabilitated the *Mungiki* in the eyes of the Kikuyu population, as its members were seen to be better protectors of the community than the Kibaki government in face of attacks by ethnic militias.²¹³

However, the rehabilitation was short lived. This is because the group used the goodwill to reorganize and reestablish control. The Kibaki regime was not comfortable with this and responded through brutal use of force leading to a cycle of contention with the group. For instance, in April 2008, the group paralyzed public transport and forced businesses in parts of Central and Rift Valley provinces to close for four days running; during the unrest 14 people were killed. It was only when the prime minister extended an olive branch to the sect members

²¹⁰ *Daily Nation*, 10th, November, 2005.

²¹¹ *Daily Nation*, 2nd, June, 2007.

²¹² Kenya National Human Rights Commission, 'On the Brink of Precipice', Op Cit

²¹³ International Crisis Group, 2008, Kenya in crisis, Africa Report No 137, 2008, http://www.crisisgroup.org/library/documents/africa/horn_of_africa/137_kenya_in_crisis_web.pdf (accessed 9 September 2009).

that they halted their riots.²¹⁴ During this period the gang executed ten people in the president's Othaya constituency, to prove it would maim and intimidate those who attempted to defy it.²¹⁵

In the face of government forceful reaction, the *Mungiki* attracted sympathy coincidentally from some sections of Kibaki government. This was indicative of the fact that some members had cooperative relationship with the militia. In April 2008 a group of politicians calling themselves 'elders' from Central Province and comprising Njenga Karume (former minister of defence), Joseph Kamotho (former Mathioya MP), Elias Mbau (Maragua MP) and Jane Kihara (former Naivasha MP), demanded the release of *Mungiki* leaders and the initiation of dialogue between the sect and the government.²¹⁶

Despite the sustained government crackdown, *Mungiki* challenge to the political leadership persisted. For example on February and March 2009, the *Mungiki*, on a number of occasions, paralyzed transport in Central, Nairobi and Rift Valley provinces. On 10th March, 2009, emboldened by the report of the UN Special Rapporteur on Extrajudicial, Arbitrary or Summary Execution, Phillip Alston, which called for the resignation of the attorney-general and the commissioner of police over extra-judicial killings of its members, the *Mungiki* held widespread protests, paralyzing transport and shutting down some towns for long periods during the course of the day. Sect members blocked roads using hijacked long-haul trucks, erected barricades, and stoned and forced public transport operators off the road. They also forced businesses to close in many parts. The worst-affected towns were Nairobi, Kiambu, Nyahururu, Nyeri, Naivasha, Embu, Nakuru and Molo.²¹⁷

²¹⁴ N. Mburu, Leaders must tackle youth problems to stop militias, *East African Standard*, 23rd April, 2009.

²¹⁵ P. Mathagani, Kibaki pledges tough action to rein in Mungiki, *East African Standard*, 5th December, 2008

²¹⁶ International Crisis Group, Kenya in Crisis, Op Cit

²¹⁷ *Daily Nation*, 11th March, 2009

As the above instance suffices to show *Mungiki* continues to have a love and hate relationship. Though the group is not as strong as it used to be, it has continued in its activities. There is no doubt that sustained crackdown and extrajudicial executions have weakened the group. A report by Oscar Foundation, a free legal aid clinic NGO-Kenya reported that in the five years up to August 2007, Kenyan police had killed over 8,000 people in crackdowns against the *Mungiki* sect with further 4,000 people still missing. These allegations were based on interviews, autopsies, and police reports, and were widely circulated both in Kenya and through an appeal to the International Criminal Court.²¹⁸ Though the information cannot be verified with absolute certainty, it shows the extent the group has been degraded.

In Central Province, politicians appear uncertain over how to contain the *Mungiki* monster. Unable to find the exact cause for *Mungiki* lawlessness, MPs say it is difficult to eradicate the deep-rooted gang. At grassroots level, leaders who have spoken against the group asking residents to report it to the police have received death threats. On the other hand, residents have accused senior politicians in the region of supporting *Mungiki* activities for political advantage. Some say the support *Mungiki* adherents have been receiving from politicians since the run-up to the 2002 general elections has in fact strengthened the gang.²¹⁹

3.4. Chapter Summary

The chapter has traced the emergence and growth of Mungiki beginning in 1987 when it emerged as a religio-cultural organization to the present when it has transformed into hybrid militia which has predatory, symbiotic and parasitic relationships with the state. The group has a well couched ideology based on emancipation of the repressed poor persons in Kenya. Through a range of strategies combining use of persuasive ideology, creation of architecture of fear,

²¹⁸Wikileaks.org, "Kenyan Assassinations: Slain Human Rights Lawyer Oscar Kamau Kingara letter to the International Criminal Court", 1 Jan 2009

²¹⁹ Standard team, Love-hate relations between politicians, and gangs, *East African Standard*, 20th May, 2009

creative ways of wealth generation and manipulating of the political system, *Mungiki* has thrived since its inception. Consequently, it has emerged at the top of Kenya's militias' food chain.

CHAPTER FOUR

A CRITICAL ANALYSIS OF THE IMPACT OF MILITIA ACTIVITIES ON NATIONAL SECURITY

4.1. Introduction

Chapter three has presented a detailed analysis of the *Mungiki* militia. It has elaborated on its humble beginning as a religio-cultural organization to its transformation to a political militia cum organized crime enterprise.²²⁰ This transformation has occurred in the past three decades and is closely connected to the democratization process which engendered use of political violence as a strategy for winning elections, the institutional decay in Kenya leading to ungoverned spaces, underdevelopment, poverty and unemployment. Within this environment, *Mungiki* has perfected organizational and operation strategies enabling it to become a dominant militia with influence in many regions of Kenya. *Mungiki's* presence and its activities are more felt in urban areas. As observed in chapter one, urban areas are conducive to growth of militias and organized criminal groups. This is because they are centers of social and economic power providing enormous opportunities for economic extraction, mobilizing and peddling of political influence. Also, they have pockets of ungoverned spaces characterized by chaotic architecture, neglect, poverty and destitution. The pockets act as incubators for militias and various forms of individual and group criminality.²²¹

This chapter presents findings from the primary data collected in Eastlands, Nairobi by the researcher. The data is presented quantitatively and qualitatively. Additionally, it makes an analysis of these data and integrates it with arguments developed in previous chapter to show

²²⁰ See chapter three

²²¹ See chapter one subsection 1.6.3.

implications of *Mungiki* activities on national security. Further, it briefly reviews the main government response to the *Mungiki* and other militias.

4.2. An Overview of Eastlands, Nairobi

The Administrative set up in Kenya is hierarchical with the province at the apex then districts, divisions, locations and sub locations. The capital city of Nairobi with a population of close to three million people is one of the eight provinces in the country but due to the small area it occupies (473.98 Km²), it does not have districts like the other provinces and is considered as a one-district province. There are eight divisions in Nairobi, namely Starehe (10.6 Km²), Makadara (20.1 Km²), Kasarani (85.7 Km²), Embakasi (208.3 Km²), Kamukunji (11.7 Km²), Westlands (97.6 Km²), Dagoretti (38.7 Km²) and Langata (1.284Km²).

Embakasi division is situated on the South-Eastern part of Nairobi which is characterized by densely populated low cost housing estates such as Umoja, Kayole and Dandora. The division has the highest population in Nairobi with 434,884 people according to the 1999 census. Various economic activities take place in this area where there are a number of industries, the main international airport and the inland oil depot. There are also quarries, small-scale (Jua Kali) enterprises and various service-oriented institutions, which provide job opportunities to a number of the residents.

The presence of these economic activities has attracted a large number of mainly unskilled migrant job seekers to Embakasi. As a result a number of slums such as Kwa Njenga, Quarry, Soweto, Kijiji and Carton city have cropped up in the area as they provide affordable accommodation. The slums are densely populated and are characterized by temporary structures, lack of water and sanitation, and poor infrastructure such as roads, drainage and lights. Social amenities such as public formal schools and health facilities are almost non-existent in these

slums. Some of the residents engage in illegal activities such as selling illicit brews and drugs, theft and prostitution so as to earn a living. Many of the children are unfortunately exposed to these vices early in life and this result in disruptive behaviour when they join school. Others run away from their homes to go live in the streets.²²²

Makadara comprises of Harambee, Lumumba and Hamza locations of Makadara location, Makongeni and Kaloleni sub-location; Industrial Area and Nairobi south sub- location of viwandani location and South B location of Hazina and Mukuru Kwa Nyayo sub-location of Nairobi area. It has some of the oldest estates in Nairobi. Makadara constituency is one of the eight constituencies in Nairobi province. It consists of Central and South central areas of Nairobi. Makadara constituency has common boundaries with Makadara division of Nairobi. The entire constituency is located within Nairobi city council area the constituency has an area of 20km² and a population of 73020. The constituency has run-down housing estates a high level of unemployment and lack of recreational amenities.

Kamukunji Constituency is an electoral constituency in Kenya. It is one of eight constituencies of Nairobi Province. It consists of central to eastern areas of Nairobi. Kamukunji constituency has common boundaries with Pumwani Division of Nairobi. The entire constituency is located within Nairobi City County area. The constituency has an area of 12 km². It was known as Nairobi Central Constituency at the 1963 elections, but has had its current name since the 1969 elections. Prominent politician Tom Mboya was the first MP from this constituency. He was assassinated in 1969.

Kasarani Constituency is an electoral constituency in Kenya. It is one of eight constituencies of Nairobi Province. It consists of northern and northeastern areas of Nairobi. Kasarani constituency has common boundaries with Kasarani Division of Nairobi. The entire constituency

²²² Interview with a resident of Mukuru kwa Nyayo slum conducted on 15th January, 2013

is located within Nairobi City County area. The constituency has an area of 86 km². It was known as Nairobi Northeast Constituency at the 1963 and 1969 elections and as Mathare Constituency from 1974 elections to 1994 by-elections. Since 1997 elections it has been known as Kasarani Constituency.

4.3.0 Presentation of Findings of Primary Data Collected in Eastlands, Nairobi

The main task of this chapter is to present analyze and interpret findings in relation to the hypotheses, tables and pie charts will be used for this purpose. The presentation is broadly divided into the vital statistics of the interviewees, their socioeconomic status, and their view of *Mungiki* either as members of the community or the group, and the activities of the group.

4.3.1 Demographic Profile of the Sample

4.3.1. 1 Sex of the respondents.

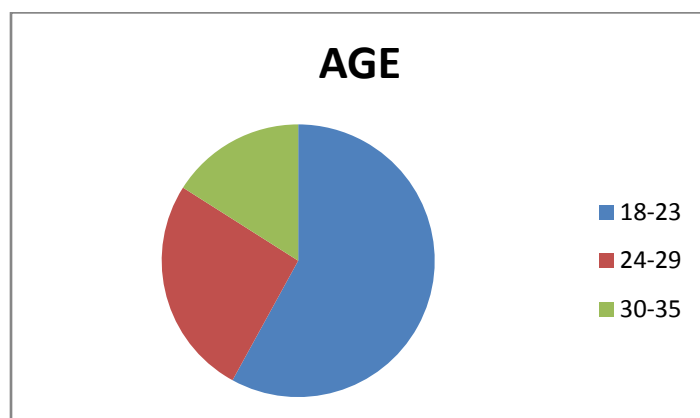
Table 4.1

Sex	Frequency	Percent
Male	27	54
Female	23	46
Total	50	100

The total number of interviewees was 50 distributed across Eastlands. They were purposively sampled to represent gender and social economic considerations. In terms of the gender, 54% of the respondents were male while 46% were female. Therefore majority of the respondents were males. The higher percentage of males is reflective of the fact that majority of persons who are members or victims of *Mungiki* are males especially youths.

4.3.1.2 Age of the respondents.

Pie Chart 4.1



Ministry of youth affairs and sports defines youths as individuals between the ages of 18-35 years. 58% of the respondents were between 18-23years, 26% of the respondents were between 24-29 years and 16% of the respondents were between 30-35 years. Therefore a majority of the respondents fell between the ages of 18-23.

From the interviews, respondents were unanimous that youth aged between 18 and 29 years is the most vulnerable joining *Mungiki*. This is because they are most affected by unemployment as they face multiple barriers to employment including poor educational attainment, stigmatization and lack of capital to engage in entrepreneurship. As such, they are acutely affected by poverty which drives them to engaging in criminal activities.

This was well stated by unemployed youth interviewed, who observed that,

“What I could say is that the life we are living is the main contributor to this crime. Imagine if you [are] hungry and you got no food and you don’t know where you will get something to put

inside of your stomach. You will be forced to do anything to get some food even if it means get involved in criminal activities”²²³

However, there is also a wide perception of youths as people who have lost direction and are not willing to work hard and legitimately. A respondent stated that,

“Youths prefer being idle and that’s why they are being arrested. They just find it easier to just take things from other people and it is not that they cannot work. Most youths from other areas don’t choose which job they want to do like doing odd jobs but our youths here are choosy. They like waiting to mug people in the streets and get money in the easy way. But when you tell them that what they are doing is wrong, they end calling Mtiaji (traitor) which means you are colluding with the cops so that they (youth) can be caught”²²⁴

This perception of youths is widespread. Indeed, it reflects general attitudes towards the youths where the word youth is often used together with the word ‘trouble’. A running theme among the youths interviewed was that it does not make difference where one is a criminal or not especially in the eyes of law enforcement agencies.

They noted that,

“The police often target the youth for no good reason. They arrest you on the streets and harass you saying you are a criminal. Sometimes they force you to accept you are criminal or event plant evidence to prove the same. So it doesn’t make much of a difference whether one engages in crime or not, either way you will be forced to bribe or you will be taken to court on trumped up charges”²²⁵

From this perspective, it is observable that victimization by the police is a factor in contributing to increased criminality in Eastlands including the rise of militias. This is because constant

²²³ Interview with an unemployed youth conducted on 10th February, 2013

²²⁴ Interview conducted on 10th February, 2013

²²⁵ Ibid

victimization leads to self fulfilling prophecy where some youths conclude that maybe they are criminals. Indeed, a number of interviewed youths indicated that they joined *Mungiki* after being brutalized by the police during the numerous anti-*Mungiki* crackdowns.

4.3.1.3 Level of education.

Table 4.2

Level of Education	Frequency	Percent
Primary	2	4
Secondary	36	72
Tertiary	12	24
Total	50	100

Among the interviewed youths, 4% of the respondents had attained only primary school education, 72% of the respondents had attained secondary school and lastly 24% of the respondents had attained tertiary level education. This evidences the fact that *Mungiki* militia is not simply made up by a bunch of uneducated youths. This explains why it has been so successful in carrying out its activities. Within its ranks they are members capable of providing intellectual leadership, organizational and strategic planning and a coherent ideological framework.

Importantly, one thing that stood out during the research was the high degree of consciousness among the members. They were much aware of injustices perpetrated against Kenyans by a small clique of elite deeply steeped in corruption. As one respondent stated,

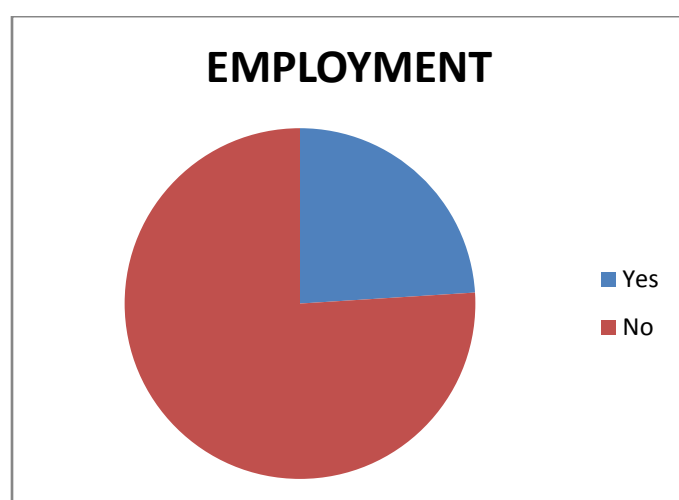
“Since independence, the system has been rigged against the poor people. Mau Mau fought for land, freedom and independence. But when the independence came, it is those who had

collaborated with the colonialists who benefitted. Up to today, they have controlled politics and economy and are blind to what happens on the other side of the city. The poor person is denied opportunities, and exploited. We are still slaves in our own country and that is why we need a revolution!”²²⁶

4.3.2: Socioeconomic Profiles of Respondents

4.3.2.1 Employment Status

Pie Chart 4.2



In terms of employment, though the youths are educated, they are faced with shortage of employment opportunities. Only 24% of the respondents are employed whereas 76% of the respondents are unemployed. The high levels of unemployment are indicative of the plight of youths in Kenya where majority are unemployed. Importantly, as observed in chapter two, this high level of unemployment is a key driver to the emergence of militias driven by frustration and lack of legitimate source of livelihood.

A respondent interviewed in Kayole, a low cost estate in Eastlands, which is major base for *Mungiki* in explaining the intensity of *Mungiki* militia in the area observed that,

²²⁶ An interview with a *Mungiki* member conducted on 11th Feb, 2013

*“It is like that, because of lack of opportunities for youths. Most youths have nothing else to do in their idle times, and they are scattered around the streets and corners of the community doing nothing and eventually end up doing these [violent] things. I think, in my opinion, the underlying cause of violence in the community is the lack of opportunities for youths.”*²²⁷

A very important aspect of the long term impact of unemployment is the effect it is having on the younger generation who do not have role models in their older siblings. The brothers, cousins and friends are destitute, and to the younger generation this confirms that no matter the effort they put they too will end up hanging on the streets and engaging in criminality. Indeed, this is making some of them join *Mungiki* while they are still in primary school attracted by the glamour and power associated with being a member. Worse, in Kayole a virulent gang of delinquents called *Gaza* has emerged. It is predominantly made up of teenagers and is highly violent.

The situation was succinctly put by a respondent that,

*“Well, I think it is the lack of opportunities, you know? For young people. They don’t have anything else to do and start doing things with other youths that are already involved, that have a history, and there is nothing to do then. Children in this community look up to these people, and this is a bad example for young people, and there are no other opportunities, right? Involvement with delinquents raises the adrenaline levels and offers them a better status in the community. Therefore, this generates more violence because if they had other opportunities I think they could follow other paths in their lives.”*²²⁸

²²⁷ Interview conducted on 12th February, 2013

²²⁸ Interview conducted in Kayole at 15th February, 2013

4.3.2.2. Occupation of the Interviewees

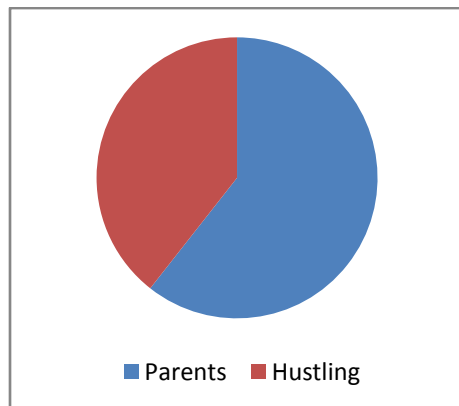
Table 4.3

Occupation	Frequency	Percent
Salaried	7	58.3
Self-employed	5	41.7
Total	12	100

Among the 24 percent of interviewees indicated that they were employed, 58.3% were employed in the formal sector while 41.7% were self employed.

4.3.2.3 Unemployed

Pie chart 4.3



Of the 76% of the respondents who are unemployed, 60.6% of them depend on their parents to meet their daily needs while 39.4% of them hustle to meet their daily needs. Majority of the youth rely heavily on their parents. The most important aspect of this finding is that most of the

unemployed youths are dependent on their parents. This means that they have been born in those areas and belong to what is referred to in Swahili slang as *wazaliwa* (people who have been born and raised in this area).

Having been raised in Eastlands, they are quite familiar with the place and this makes them effective in extortion since majority of the enterprises are owned by persons who have moved to the areas mainly from rural areas. They are easily intimidated by the *wazaliwa* since they lack the same support network compared to those who have been born in the community.

A respondent observed that,

*“The insecurity situation is worsened by the failure of the neighbors to come to your aid when you scream. People fear helping out because they might also be killed by other gang members who lie in wait for those who come to help. The neighbors will stay indoors throughout the night. They will only come in the morning to ask you about the incident. Yet when you needed their help, they were not there for you”*²²⁹

Another one observed that, as ‘newcomers’ they are helpless when victimized by *wazaliwa*. She stated that,

*“Many times we know who the attackers are. You come across a person who has robbed you. You know him very well but you fear to go and report. Because of threats and what Mungiki does to those who challenge it, you can’t even say how it was. You just leave it . . . you leave it because your life is in danger”*²³⁰

Importantly, as born members of the community, the community is sympathetic to them. They see them as their children and tend to protect them.

²²⁹ Interview conducted in kwa Njenga on 16th January, 2013

²³⁰ Ibid

4.3.2.4 Monthly Income

Table 4.4

Monthly income	Frequency	Percent
Below 1,000	4	23.5
1,000-5000	10	58.8
5,000-10,000	2	11.8
Over 10,000	1	5.9
Total	17	100

The unemployed respondents were put on a monthly income scale of below Ksh1000- over 10,000, 23.55% had an income of below ksh 1000, 58.8% had a income scale of between ksh 1000-5000 while 11.8% had an income of between ksh. 5000-10000 and 5.9% had an income of over ksh.10000.Majority of the respondents fell between Ksh. 1000-5000 that is income they get through hustling or is given to them by their parents. They are therefore poor because their earnings are below a dollar a day.

The level of poverty has provided a large pool for militia recruitment. Usually, much of the so called hustling especially in slum areas has a criminal element in it. It involves mugging and breaking into people's homes and stealing household goods especially electronics. This has made residents highly vulnerable. A respondent in Soweto slum characterized their neighborhood as highly prone to muggings and robbery. She noted that,

“Soweto is very notorious in crimes of mugging and robbery. . . . Thugs will stop you on the streets, and in broad, daylight, and ask you for your phone and other precious commodities,

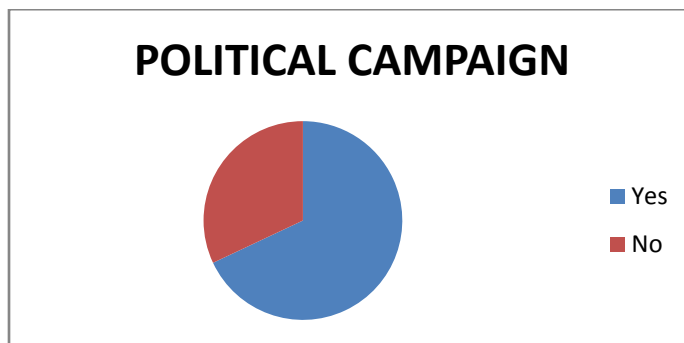
such as money, wristwatch, and shoes among others. They rob you at gunpoint and strip you of all your possessions. It's very risky walking along the streets."²³¹

4.3.3 Influence of Politicians and State Violence

A running theme throughout this study has been the role of militias in politics. In chapter two and three, the study has established the relationship between militias including *Mungiki* and the entrepreneurs of political violence. It has shown that these militias are important players in the political violence market place selling their services to the highest bidder. The following subsection analyses findings on the ways *Mungiki* participate in Eastlands politics.

4.3.3.1 Political campaigns

Pie chart 4.4



Among the respondents, 68% had campaigned on behalf of various candidates whereas 32% of the respondents have never campaigned for politicians. Among those who have been involved in campaigns they observed that the main motivation is the amount of money they are paid usually three hundred shillings a day. This is due to the high levels of unemployment. In addition to daily pay, the politicians entice these youths with promises of land and jobs and protection against harassment by the state as they engaging in legal and illegal activities.

²³¹ Interview conducted in Soweto on 19th February, 2013

The problem with *Mungiki* involvement in the political campaigns is that they usually use intimidation and violence against targeted opponents. This is usually countered by other militias hired by rivals and the confrontation ends up taking an ethnic dimension since the area is multiethnic and politics are highly ethnicized. This eventually leads to loss of lives, properties and creation of an environment of fear ultimately subverting the democratic process.

A respondent observed that,

*“During the campaign period there is a climate of fear. Violence can break out anytime and this makes many people to travel to upcountry driven by fear of violence. When violence breaks up as was the case in 2007 elections Mungiki and Taliban engage in killing of perceived opponents, looting, and even rape.”*²³²

He went on to narrate what he witnessed in 2007 post-election violence when *Mungiki* attacked their neighborhood in Mathare slums,

*“I found my friend penis had been cut and placed on his mouth, his testis were chopped off and placed on his hand. I found that blood was still pouring out of his body and he was kicking as he was dying....My brother was clobbered before he was mutilated. The people who did that to him were using spiked clubs. They had fixed nails on the club and as they hit his face, the nails would pluck flesh from his body”.*²³³

Another stated that,

“During the 2007 post-election violence I was told that the MP funded the youth to loot and burn all businesses belonging to non PNU members. One time during the violence, I accompanied some to the MP’s home ... he addressed us and told us that he is happy with our

²³² Interview conducted on 15th February, 2013

²³³ Ibid

actions meaning the violence and further told us that it should continue until the opposition (ODM) is chased out of the area”²³⁴

4.3.3.2 Political Office

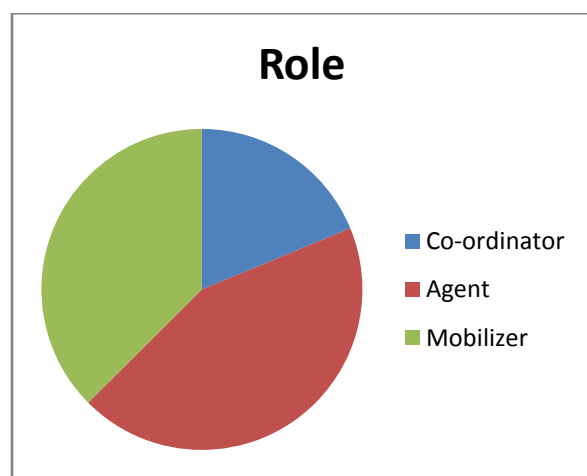
Table 4.5

Political office	Frequency	Percent
Presidential	3	18.8
Parliamentary	7	43.8
Civic	6	37.5
Total	16	100

Politicians were put into three categories of those who campaigned 18.8% campaigned for a presidential candidate, 43.8% campaigned for a parliamentary candidate while 37.5% campaigned for a civic candidate. Majority campaigned for members of parliament because in terms of numbers they are more compared to the other two categories and also pay more.

4.3.3.3 Role in Political Campaigns

Pie chart 4.5



²³⁴ Interview conducted on 12th February, 2014

As much as these youths campaign for politicians they are given roles to play 18.8% of the respondents who campaigned for politicians were coordinators, 43.8% were agents, while 37.5 % were mobilizers. They take orders from these politicians who sponsor them. Under the guise of being either coordinators agents or mobilizers they easily turn into violent gangs who kill, maim and even evict residence they perceive as opposition supporters as described above. Politicians in turn shelter them from arrest and prosecution leading to a culture of impunity.

4.3.3.4 Securing Victory for Politicians

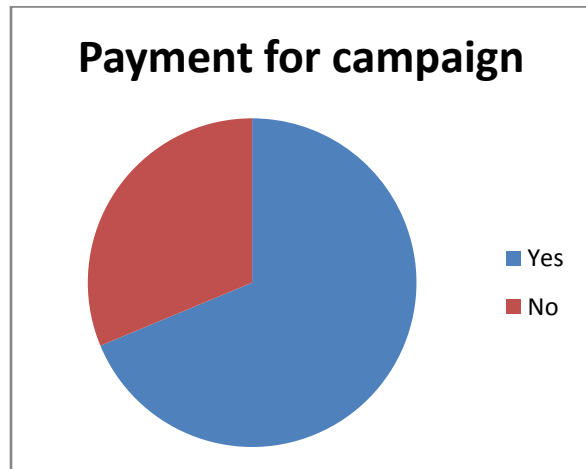
Table 4.6

Politician won	Frequency	Percent
Yes	11	68.8
No	5	31.3
Total	16	100

The main purpose of sponsoring these youths during election period is to manipulate the results, and therefore 68.8% of those campaigned for won while 31.3% lost. Politicians use violent gangs to decimate their opponents and to gain power then and now.

4.3.3.5 Payment for Campaigns

Pie chart 4.6



Politicians pay these youths for their services.68.8% of the respondents were paid for their services, while 31.3% were not paid. Politicians therefore sponsor them when it suits them. The small percentage 31.3% that were not paid was mainly due to defeat of the politician. This in turn has made the youth form political gangs which sell their services of violence on a willing buyer willing seller basis. Eventually as observed in chapter two, these militias develop interests of their own which they pursue with impunity as they await the next electoral cycle.

4.3.4.1 Supplementing Government Services

4.5.1 Number of police stations

Table 4.8

No. of police stations	Frequency	Percent
None	1	2
One	23	46
Two	24	48
Above three	2	4
Total	50	100

The government has a mandate to maintain law and order this is done through establishing police stations in areas of residence. 2% of the respondents had no police stations in their area of residence while 46% had one police station, 48% had two police stations and 4% had more than three police stations.

Despite the presence of police stations, this has not translated into security for the residents or protection from the activities of the militias. Indeed during the interviews, there was obvious expression of lack of trust in the police as providers of security.

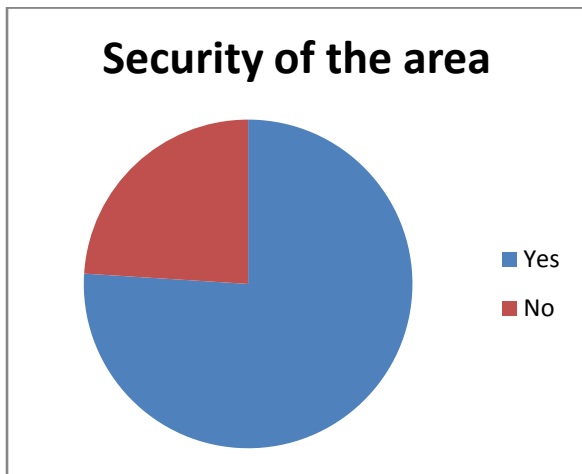
A respondent noted that,

*“The police do not bother to help you when you are attacked, threatened, mugged or your house has been broken into. They only come if someone has been shot or killed. They come to pick them up but they don’t bother with the other crimes. It is very hard to see them when other crimes are involved.”*²³⁵

Another respondent observed that just like *Mungiki*, the police are also involved in extracting of rents from the residents and there is also some complicity with militias. She noted that, *“even if we have police, they don’t come to curb crime but to collect bribes from people who own business and those engaged in other criminal activities.”*²³⁶

4.3.4.2 Security of the area.

Pie chart 4.7



Despite the establishment of police stations majority of the respondents 76% still felt that their areas of residence were not secure while 24% of the respondents felt that their area of residence is secure. They are daily faced with risk of being victimized. Common criminal activities include: arson when *Mungiki* is used by businesspeople to destroy rival business or by private

²³⁵ Interview conducted on 17th February, 2013

²³⁶ Interview conducted on 17th February, 2015

developers and land grabbers to forcefully displace residents to move from an area so that it can be grabbed, physical attacks and murder especially of those opposed to the militia's activities and members of rival gangs; sexual abuse, armed robberies, extortion and widespread muggings. As noted, the police are corrupt and at times collude with the criminals leading to blurring of line between them and the criminals. A reality captured by a respondent who explained the extent of criminalization of police services thus,

*“When you see a policeman coming towards you, you get confused because you don't know if he is going to behave like a thug or a policeman. You can't really tell”*²³⁷

The other category adversely affected by insecurity is business. Most of the businesses are subjected to extortion in the name of protection fees and those who refuse to pay are targeted. Consequently, a respondent noted,

*“Business people have been victims of this. Like during night time you cannot do your business well fearing for thieves. So this makes for example those who operate kiosks to close at around 7:00pm”*²³⁸

As a result of insecurity residents have been forced to live in restricted environment where they even fear to go out at night even to answer a call of nature especially in slum areas which have outdoor sanitation facilities. A female respondent noted that,

*“In the evening, one fears to go to the toilet. There are people who sit around that area. You fear because you don't know if they will follow you inside once you are in.”*²³⁹

During the interviewing of residents especially in slum areas there emerged an important insight which connected insecurity to the architecture of the built environment. This insight has long been developed by criminologists in the broken window theory of crime. The broken window

²³⁷ A interview conducted on 23rd February, 2013

²³⁸ An interview conducted on 15th February, 2013

²³⁹ *ibid*

theory, posits that dilapidated infrastructure and physical disorder facilitate crime by signaling to would-be-criminals that there is little consequence to crime in the area. Factors such as broken windows, graffiti on walls, abandoned buildings, and lack of lighting create an environment that promote crime and delinquency and thus impact on citizen's feeling safe. According to the theory, the nature of built space is important in explaining the development of criminal groups. Chaotically built and neglected urban spaces such as slums are conducive to emergence and growth of militia/ organized criminal groups.²⁴⁰

A respondent succinctly observed that,

*"I would like to say the other thing that is acting as the main contributor of all this crime is the way we live in this village. First you would find that when for example I am being mugged at the road, if this person runs away and enters in to one of those alleys you cannot get him. He just disappears.....And if only these structures could be built in a better manner this issue of insecurity would actually go down."*²⁴¹

4.3.4.3 Security providers

Table 4.9

Security providers	Frequency	Percent
Watchmen	27	71.1
Community organization	4	10.5
Youth group	7	18.4
Total	38	100

²⁴⁰ See J.Wilson and G. Kelling.. Broken Windows: The Police and Neighborhood Safety, *Atlantic Monthly*, 1982 (March); T. Crowe, *Crime Prevention through Environmental Design*. (2nded.). Boston: Butterworth-Heinemann, 2000

²⁴¹ An interview with a resident of kwa Njenga slums conducted on 12th February, 2013

As observed in chapter one on literature review of militias and national security and in chapter two on emergence of militias, these groups develop in ungoverned space.²⁴²

In Eastlands, owing to insecurity respondents look for alternative security providers. 71.1% of the respondent's security was provided by watchmen, 10.5% respondent's security was provided by community organizations and 18.4% respondent's security was provided security by youth groups. These alternative security providers ensure that the respondents' area of residence is at least secure.

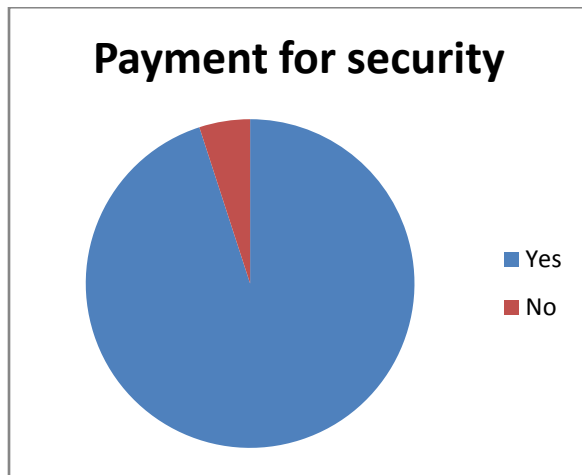
Considering the dominance of *Mungiki* militia in this area, it has remained the main security provider supplying watchmen and youth groups to patrol and guard residents. Despite this role, it is also a source of physical insecurity. As observed in chapter three, one of its strategies is to create insecurity as a way of forcing residents to pay for security services. The security costs impose a burden on resident and businesses.

The provision of security is also extended to landlords, and private developers. An interesting observation by residents was that *Mungiki* even charges access fees running into thousand to housing developers so that their site as well as those employed can be secured. Failure to pay leads to violent attacks of workers and at times forceful takeover of the site. This inevitably increases the cost of construction and also discourages would-be investors.

²⁴² See chapters one and two

4.3.4.4 Payment for security

Pie chart 4.8



Majority of the respondents pay for security services provided by alternative security providers. 95% of the respondents pay for security and 5% of them don't pay for security. Payment in this case acts as a motivation to ensure security in the area. These unemployed youths look at this as an opportunity to extort money from the residents and in some instances demand payment as protection fee. The outcomes of these modes of security have been discussed above.

4.3.4.5 Payment per month

Table 4.10

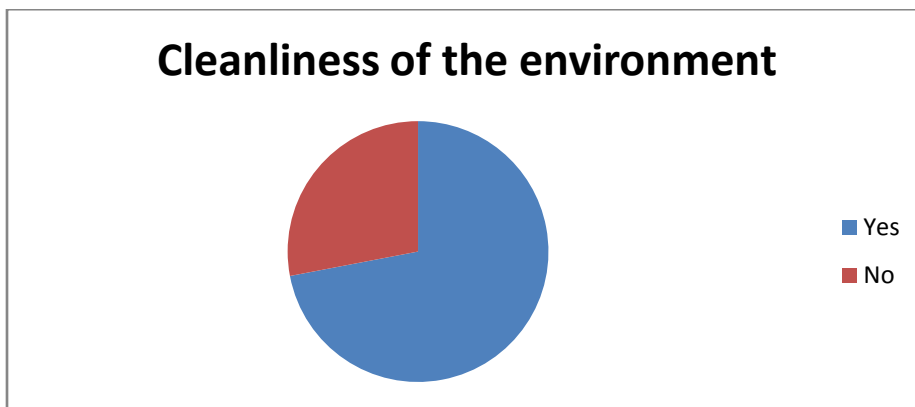
Payment per month	Frequency	Percent
Below 50	2	23.5
50-100	10	58.8
100-150	9	11.8
Above 150	15	5.9
Total	36	100

Of the respondents who paid for security services, 23.5% paid a fee of below 50 shillings, 58.8% paid a fee of between 50-100 shillings, 11.8% paid a fee of between 100-150 shillings and 5.9% paid a more than 150 shillings.

4.3.5.1 Provision of Cleanliness and Garbage Collection Services

Much of Eastlands, Nairobi is poorly serviced by the authorities mandated to collect garbage. Consequently, residents have opted for alternative providers. Again, since the residents are not able to identify who everyone *Mungiki*, we argue that the group controls the cleaning and garbage collection business directly and indirectly since it is the dominant militia in Eastlands and has successfully managed to control most of such services. Data under this subsection shows the extent of involvement of alternative service providers in garbage collection

Pie chart 4.9



In terms of whether garbage was being collected, 72% of the respondents felt that the environment in their area of residence was clean while 28% felt that the area was not clean. However, from simple observation by the researcher, much of Eastlands especially the slum area is choking with garbage.

4.3.5.2 Cleaners of the environment

Table 4.11

Alternative cleaners	Frequency	Percent
City council	5	13.5
Community organization	12	32.4
Youth group	20	54.1
Total	37	100

Ideally, the city council (now Nairobi County government) should be in charge of cleaning the areas of residence within its jurisdiction. However, this is not the case. 13.5% of the respondents stated that the environment was cleaned by the city council, whereas 32.4% and 54.1 % of respondents noted that environment was cleaned by community organizations youth groups respectively. This shows that the government has failed in provision of services providing entry point militias notably *Mungiki* which as noted in chapter three manages to infiltrate a given community using the pretext of service provision.

4.3.5.2 Garbage collectors

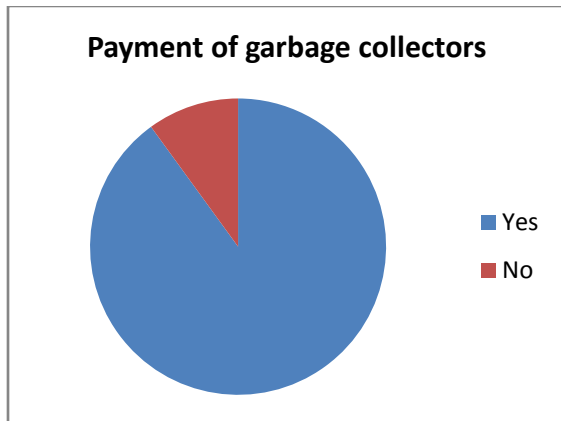
Table 12

Garbage collectors	Frequency	Percent
City council	3	6.1
Community organization	9	18.4
Youth group	36	73.5
Others	1	2.0
Total	49	100

When it comes to garbage collection, only 6.1% of the respondent had their garbage collected by the city council. 18.4% of the respondents' garbage was collected by community organizations and 73.5% of the respondents' garbage was collected by youth groups and 2% of the respondents disposed off their garbage using other means. The government has also failed in its mandate to provide garbage disposal services. A small percentage 6.1% of the respondents' garbage is disposed off by the city council. Unemployed youth form community organizations and youth groups to dispose the respondents' garbage for payment

4.3.5.3 Payment of garbage collectors

Pie chart 4.10



Similar to local authorities these unemployed youth offer their services for payment.90% of the respondents stated that they pay for garbage collection services.

4.3.5.4 Payment of garbage collectors

Table 13

Payment of garbage collectors	Frequency	Percent
Below	1	2.2
50-100	11	23.9
100-150	18	39.1
Above 150	16	34.8
Total	46	100

According to data gathered 2.2% of the respondents paid below 50 shillings ,23.9% paid between 50-100 shillings, 39.1% paid between 100-150 shillings and 34.8% paid more than 150 shillings monthly for garbage collection services.

4.4. Specific Consequences of Presence of Militias, their Operations and Activities on National Security

The presentation of findings has shown the extent of *Mungiki* militia activities in Eastlands, Nairobi. Using the primary data findings together with secondary data findings presented in other chapters, the following section shows how the militia has undermined national security. This analysis shall be guided by multi-sectoral and multilevel approach to security and securitization theory. It is within this understanding that the study defined national security as the protection of the state, communities and individuals within the state from both internal and external threats to their survival, safety, freedom and well being.²⁴³ As such, any activity which has negative

²⁴³ See Chapter one

bearing on survival, safety, freedom and wellbeing of these objects of security undermines national security.

4.4.1. Undermining of the Legitimacy of the State and its Institutions

Legitimacy of state refers to the degree citizens have accepted and embraced the state and its rules. Midgal has observed that where legitimacy is absent there is general lack of loyalty to the state by substantial segments of the population. This is evidenced by the lack of essential props such as authority, reciprocity, trust and accountability. Also the rules are localized and there is a perpetual contest between national and the local power centers which command effective loyalties of important segments of the population.²⁴⁴

This view is confirmed by the analysis of *Mungiki* whose ability to act with impunity and control service provision has been brought out. Consequently, residents have really lost faith in state's ability to provide even basic services like security. Importantly, that *Mungiki* can prey on them with impunity has led to increased resentment and sense of grievance among the residents who are direct victims of *Mungiki*. These reinforce the sense and perception of neglect, inequality and economic exclusion. The outcome has been retreat from the state and increasingly violence has become acceptable as the only way out of their social, political and economic conundrum. This explains why whenever there is violence in Nairobi, its epicenter is in Eastlands especially in slum areas.

4.4.2. Challenging the State's Monopoly of Violence

One of the main attributes of a state is capacity to wield monopoly of force in all its territories. Though no state can fully expect to have a territory free of privatized violence, the presence of organized militias challenging state's monopoly of violence is a major security challenge. This

²⁴⁴ Midgal, 1988, p.83 cited in K.J. Holsti, K.J. Holsti, *The State, War and the State of War*. Cambridge: Cambridge University Press, 1995, p.105-6

is because it leads to a shift from monopoly to oligopoly of violence.²⁴⁵ Indeed, one major way *Mungiki* has undermined national security is through its use of violence targeting both states and citizens. As shown in chapter three and four, use of gratuitous violence has been one of the key strategies employed by *Mungiki*. It uses violence to intimidate, and eliminate opponents. Importantly, it has been used as a tool of political violence, and as witnessed in 2007/08 post-electoral violent conflict such violence has the capacity of fracturing Kenya as a state.

4.4.3. Criminalization of the State through Complicity with security agencies

In chapter one, we introduced the notion of criminalization of the state. This occurs when a militia manages to infiltrate the institution of state, corrupt government agencies, have influence over political actors, and seize control of territory where they can engage in criminality without fearing state's response. Importantly, criminalization occur when the state institutions are complicit in criminal activities of the militias; the militias are used by those in authority to pursue private gains, in extreme the law enforcement agencies operates as organized criminal groups with unlimited power to ruin lives, take properties and do whatever they like.²⁴⁶

In varying degree, *Mungiki* has contributed to the criminalization of the state. As observed in this chapter residents brought out the fact that the police are complicit in *Mungiki's* activities and indeed extracts rent from them. Further, though not on permanent basis, the militia has managed to control territories especially in slum areas where they can engage with criminality without fearing state sanctions. More so, *Mungiki* relationship with political leadership has

²⁴⁵ Ngunyi and Katumanga, From Monopoly to Oligopoly of Violence, Op cit

²⁴⁶ E. Diane, 'Irregular Armed Forces, Shifting Patterns of Commitment, and Fragmented Sovereignty in the Developing World', *Theory and Society*, MIT Open Access; M. Miklaucic and M. Naim, 'The Criminal State' in Miklaucic, M and Brewer, J (eds), *Convergence: Illicit Networks and National Security in the Age of Globalization*. Washington: Centre for Complex Operations, Institute of National Strategic Studies; J. P. Sullivan, 'How Illicit Networks Impact Sovereignty' in Miklaucic, M and Brewer, J (eds), *Convergence: Illicit Networks and National Security in the Age of Globalization* T. S. Kamara, 'Liberia: The Emergence of a Criminal State', *The Perspective.org*, July 2000, available at <www.theperspective.org/criminalstate.html>

given it some capacity to influence some of them. In exchange of political support, such politicians have tacitly defended the actions of *Mungiki*. Lastly, the group has been an important tool of violence for persons in authority when in pursuit of private gains such as protecting their privileges. Chapter three for instance showed that *Mungiki* was supported and financed by individuals in government during post-election violence of 2007/2008.

4.4.4. Undermining of National and Individual Economic Security

Economic security concerns access to the resources, finance and markets necessary to sustain acceptable levels of welfare and state power. For the resources to be available at national level, the government has a monopoly of extracting rents from the society in form of taxation. Importantly, the amount of resources it can extract is influenced by among other factors, the level of economic activities within the state. The resources raised are used to provide public goods. Similarly, individual welfare especially ability to meet basic needs is hinged on the economic resources he/she controls. Such resources are raised from various economic activities including wage labor and entrepreneurship. The ability of the state and individual to mobilize these resources is a key determinant of economic security which in turn is a major pillar of economic security.

Mungiki has undermined economic security in various ways: One, it has usurped the taxation function of government through an elaborate network of illegal taxation. Two, due to its predation, it has led to decline of economic activities in some regions especially in central Kenya. As shown in chapter three, *Mungiki* has led to closure of businesses and collapse of farming as farmers flee their farms. Third, through illegal taxation, it has raised the cost of economic investments either through insecurity which forces businesses to invest more in security or through charging access fees as it has been doing in construction sector in Eastlands.

At individual level, *Mungiki* operates in areas which are already characterized by high levels of poverty especially slum areas. Its predatory activities such as demanding of protection fees from individuals and small businesses have led to further impoverishment of the population. Similarly, as shown in this chapter, residents have been forced to close their businesses early and this reduces their profitability potential. Finally, their activities have reduced investment flows in slum areas because they are used by business people to destroy rival businesses. Such investments would inevitably increase employment opportunities. The state of affairs has multiplier effects with serious consequences on human security because it weakens households' ability to meet other needs.

4.4.5. Nurturing a Generation of Militias

Another national security impact of *Mungiki* is its long term potential to keep the affected communities under siege of militias. As observed in this chapter, in Eastlands, there is widespread disillusionment on availability of legitimate sources of livelihoods. As a result joining groups such as *Mungiki* is an attractive option especially to teenagers craving for power and control. This has led to emergence of teenage militias especially *Gaza* which operates in Kayole. The group has been recruiting members from primary and secondary school and once impressionable teenagers are socialized into militia culture at such a tender age, there is likelihood that they shall evolve a more potent militia. Consequently, communities shall remain condemned to cycles of insecurity. Also, the allure of joining militia especially by teenagers keeps the residents trapped in an endless cycle of insecurity.

4.4.6. Displacing the State in provision of Public Services especially Security

The state has an important obligation in provision of public services such as security, water, electricity, sanitation, and garbage collection. Though this study has observed that militias

especially in urban areas emerged under the pretext of providing services which the government had failed to deliver especially in poor neighborhoods, the way *Mungiki* has undertaken this activity is aimed at displacing the government and replacing through illegal means.

Normally, there are many groups involved in provision of such services. However, they do it legitimately and legally through meeting the laid down criteria such as registering businesses and paying taxes. Unlike them, *Mungiki* is involved in illegal connections of water and electricity, and violently prevents measures aimed at regularizing provision of such services. Importantly, on security, the study in chapter three and four has shown that the militia forces people to take their security services through intimidation, and creation of insecurity. In some areas, also has a system of law enforcement and adjudication. Ultimately, the spectrum of *Mungiki* activities has made it operate more like an alternative state particularly in slum areas.

4.4.7. Creating an Architecture of Fear

Human security is strongly rooted on the notion of individual's safety and freedom from fear. According to UNDP and Commission on Human Security, human security means protecting people from critical and pervasive threats and situations, building on their strengths and aspirations. It means creating systems that gives people the building blocks of survival, dignity, and livelihood. Ultimately, human security connects different types of freedom – freedom from fear, and freedom to take action on one's own behalf.²⁴⁷

The centrality of freedom from fear to the overall wellbeing of an individual cannot be gainsaid. This is because in a climate of fear, individuals cannot realize their goals and aspirations. For instance, women movement will be restricted by risks of rape and sexual violence, and individuals offended in different ways are prevented by fear from pursuing remedial measures.

²⁴⁷See Commission on Human Security, *Human Security Now: Protecting and Empowering People*. New York: UN Publications, 2003; United Nations Development Program, *Human Development Report*. New York: UN Publication, 1994, p.22

This situation exists in areas under control of *mungiki*. Chapter three and four has shown the militia's use of gratuitous violence such as mutilations, beatings and threats. Eventually, they have managed to create architecture of fear in ungoverned space.

Additionally, fear has other long term negative effects on the individuals and communities affected. Firstly, the victims who survive militia attacks and their community are highly traumatized. Their coping mechanism is overwhelmed. This makes them respond by changing their habits such as limiting their mobility or their investments in business enterprises for fear of victimization, further weakening their sources of livelihood and societal cohesion. Secondly, the victimized individuals may become tomorrow's perpetrators creating cycles of violence. Thirdly, the victimized community loses faith in formal agencies tasked with protecting them and may respond by forming vigilante groups which often reenact the practices of the militias they are fighting against compounding the insecurity challenge.

4.4.8. Triggering Activities which undermines National Values

Kenya is democratic state founded on certain values and principles as contained in the constitution and other legislations.²⁴⁸ Among the values is respect of human rights especially right to life, human dignity and freedom to elect representatives of various political offices. Undermining these values threatens what Buzan has termed as political and societal security.²⁴⁹ *Mungiki* has directly and indirectly undermined national values in various ways. Directly, it has been involved in murdering of innocent citizens in various parts of the country as shown in chapter three. Besides, as a political militia it has engaged in activities which such as intimidation of voters, use of violence to influence electoral outcomes and ethnic based violence whose climax was the post-electoral violent conflict of 2007/2008.

²⁴⁸ See the Kenya Constitution, 2010

²⁴⁹ B. Buzan, *People, States and Fears: An Agenda for International Security Studies*, Op cit, pp.19-20

Indirectly, its activities have triggered various reactions which are inimical to national values. For instance, as highlighted in chapter two, its political and illegal economic activities in Nairobi were led to the emergence of an ethnic based counter militia called the *Taliban* which has further compounded insecurity challenges especially in some parts of Eastlands. Importantly, communities pushed to the edge have demanded for more repressive and forceful measures from the government. To assuage demands the government has deployed illegal response including widespread extrajudicial killings. For instance in 2008, faced by cacophony of demands to respond to *Mungiki* excesses, the then internal security minister, John Michuki, in address to journalist stated, `we will straighten and wipe them [*Mungiki*] out. I cannot tell you today, where those who have been arrested in connection with recent killings are. What you will be hearing is that there will be a burial tomorrow. If you use a gun to kill, you are also required to be executed`.²⁵⁰ Subsequent investigations independent organization showed that between 2005 and 2008 an estimated 8,000 young men associated with *Mungiki* had been executed by police.²⁵¹

Besides undermining the national values, such repressive measure notably extrajudicial executions pose long term challenge to individual security. It undermines nation's fundamental principles such as rule of law and due process, and respect of inalienable rights such as right to life. Further, it is difficult to draw the line between the targeted group and innocent citizens, and there is a high risk of security agencies using the same strategy to settle personal scores.

²⁵⁰ Amnesty International, '*Kenya Police Operations Against Mungiki Must Comply with International Obligation under International Human Rights Laws*' Accessed at www.amnestyusa.org/new/document

²⁵¹ See Oscar Foundation Free Legal Aid Clinic Kenya, *Shielding Impunity – A Human Rights Accountability Report*, Police Accountability, Op cit and Kenya National Human Rights commission, *The Cry of Blood: A Report on the Extra Judicial Killings and Disappearance*. Nairobi: KNHRC, 2008

4.5. Chapter Summary

This chapter has provided a comprehensive analysis of the primary data on *Mungiki* and its activities in Eastlands, Nairobi. The analysis shows that *Mungiki* has been active in this area. The militia has managed to draw support and membership from thousands of desperate, unemployed and poverty stricken youths. Furthermore, it is engaged in a wide spectrum of illegal activities with deleterious consequences on state and human security. Among the activities it is engaged in include extortion, deliberate creating of insecurity, provision of services for a fee, and deployment of violence to achieve economic and political objectives. Consequently, this has led to communities under siege. The situation is compounded by presence of ungoverned spaces and government inability or unwilling to provide basic services, thereby, creating vacuums which are filled by *Mungiki* and fellow travelers. Besides security agencies notably the police service are complicit in *Mungiki's* activities, corrupt and preys on the citizens rather than providing security. The outcome has been undermining of state and human security. This is through undermining state's legitimacy and monopoly of violence, economic security, state's provision of public services including security, and national values. More so, the activities have led to architecture of fear denying individuals an important element of their security, that is, freedom from fear.

CHAPTER FIVE

5.0. SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1. Introduction

The study has comprehensively analyzed the implication of militias on national security with specific focus on *Mungiki*, a militia which has emerged as dominant in Kenya and is highly feared due to its gratuitous use of violence to achieve its objectives. Indeed there is no other militia which has managed to achieve its stature. At its peak, it was a formidable political militia, multi-million Kenya shillings criminal enterprise, and a religious movement demanding return to *Agikuyu* traditional religious and cultural values.²⁵² It has shown how it has undermined national security. This chapter is concerned with providing a summary of the study, making recommendations and conclusions. Accordingly, it is divided into three subsections. Subsection one summarizes the study and answers the question whether the objectives of the study have been met. Subsection two makes recommendations drawing from the insights made by the study. The third subsection makes conclusions of the study.

5.2. Summary of Findings

This study sought to address the question of militia groups and their implications on national security in Kenya. To do so, it used *Mungiki* as the unit of analysis and Eastlands, Nairobi as the geographical area of study. In the analysis, the study aimed at answering three questions touching on factors which have enabled the emergence and growth of militias in Eastlands, Nairobi. Additionally, it sought to show how these militias have impacted on national security and the possible solutions which need to be put in place to contain the militias.

To answer these questions, the study was divided into five chapters. Chapter one provided the background of the study. It developed the research problem and reviewed literature on security,

²⁵² See chapter two

militias and national security, and militias in Kenya. Further, it developed the theoretical framework guiding the study. The framework incorporated both multi-sectoral and multilevel approach to security as developed by Buzan and securitization theory. Additionally, it developed an appropriate methodological framework based on mixed methodology so as to allow a more fruitful and inclusive analysis.²⁵³ Through the use of these theories and methodology, the study has managed to generate important insights on militias and their impact on national security.

Chapter two focused on the rise and continued growth of militias in Kenya. The focus on emergence and evolution was important for it enabled the grounding of the study before it could proceed with analysis of *Mungiki*. The chapter showed various subtypes of militias depending on their relationship to either the society, state or both. Based on relationship, the chapter identified militias as symbiotic, parasitic or predatory. Another alternative categorization yielded state, societal and hybrid militias. This study adopted the definition of militias as hybrid forms with shifting loyalties and objectives. The chapter showed that there is close connection between the emergence of militias and democratization processes in Kenya where they have served as a veritable tools of political violence mobilized by regimes in power, opposition parties and ethnic groups. However, overtime they have evolved to develop interests of their own including engaging in organized criminal enterprises.

Chapter three traced the evolution of *Mungiki* militia. The chapter showed that the militia emerged as a religio-cultural movement after splitting from another traditionalist *Agikuyu* sect called Tent of the living God. Its identity radically changed in reaction to politically instigated ethnic violence in Rift Valley province which predominantly targeted members of *Gikuyu* community. In response, it transformed into a political militia whose objective was to protect the community. Since then, it has evolved into a religious-cultural movement, a political militia and

²⁵³ See chapter one

an organized criminal enterprise. Through a range of adaptive strategies, it has managed to emerge as the most dominant militia in Kenya.

Chapter four presented an analysis of findings from primary data. The findings showed that *Mungiki* militia is well rooted in Eastlands, Nairobi. The group has taken advantage of poverty and unemployment to recruit thousands of youths. Importantly, the findings showed that the militia is not made up of a bunch of uneducated youths. Rather, most of the members have attained secondary level education. The data further showed the extent of *Mungiki* activities and strategies in this region of Nairobi. The strategies include cooperating with security services, use of violence and intimidation, and provision of services to the neglected communities among others. In terms of activities, the militia is involved in provision of security, creating of insecurity as a business strategy, participation in economic and political violence, extortion and other forms of illegal taxation.

Further, the chapter analyzed the implications of these strategies and activities on national security. It has identified eight main implications. Briefly, they include undermining of state's legitimacy, challenging its monopoly of violence, undermining economic and individual security. Other implications are creating architecture of fear, displacing the state in the provision of public services including security, criminalization of the state, undermining political and societal security through undermining core national values, and nurturing a new generation of militias.

Based on the contributions made in each chapter, the study has achieved its objectives. The first objective was to analyze factors underlying the rise and continued growth of militias in Kenya. The objective has been met in chapter one through literature review on militias in Kenya, and in chapter two which brought out main factors which have driven militias in Kenya, and chapter

three and four which have analyzed in depth the dominant militia in Eastlands. Similarly, the study has achieved the second objective which sought to analyze the implication of militias on national security. These implications have been analyzed and presented in chapter four. The third objective of the study was to make recommendations on how these militias can be contained. This objective is dealt with in chapter five where various measures are outlined.

5.3. Conclusions

The study has established that militias have been a part of Kenya's fabric especially beginning in 1990s when competitive multiparty politics was reintroduced. Developing either out of active support by regime in power or as a counterforce to regime supported militias they have been used to unleash political violence against opponents. Beyond their utility as tools for political violence, they have emerged to fill voids brought about by absence of state and its failure to provide public goods including security. Besides, the extreme poverty, youth unemployment challenges and underdevelopment has provided a fertile ground for militia recruitment and thriving. Irrespective of their origin, once embedded in society they engage in illegalities which tend to undermine national security. This is through challenging state's monopoly in the use of force, spread of fear and intimidation, acting as incubators for the next generation of militias and organized criminal groups, displacement of the state and its functions in some areas, criminalization of state institutions and undermining of both state and individual economic wellbeing.

Having established that the militias are a threat to national security, there is a need to effectively deal with the challenges they pose. Ultimately, to effectively deal with the security challenges posed by militias, there is a need for responses which are multipronged and multilevel. They should be multipronged to address social, economic, political and institutional dynamics which

incubates and nurtures militias. They should also be multilevel, so that all stakeholders are involved particularly the communities who often find themselves stuck between a rock and a hard place, victimized by both the security agencies and militias. Significantly, the approaches must be founded on a solid political commitment to a culture of peace. The study has shown a strong connection between militias and entrepreneurs of political violence. These entrepreneurs outsource violence to destitute and desperate youths, who are willing to do their bidding in exchange of few hundred shillings. This need to change through a sustained effort aimed at making the political leadership commit itself to democratic political competition in place of use violence to intimidate and punish opponents or aligning and supporting militias in exchange of political support.

5.4. Recommendations

Drawing from the insights made by the study, the following measures are recommended:

5.4.1. Invest in Police Reforms

Police are a key line of defense against militias and policing is about protecting the citizens but as the study has shown, there is a blurring of line between the behavior of police officers and those of militias. There is a need for sustained police reforms aimed at enhancing their operational efficiency, and organizational culture change. Also the reforms should have strong internal and external accountability mechanism to address the rotten apples problem.

5.4.2. Invest in Community Policing

Kenya is a democratic state and as such the cardinal goal is for police officers to work with the people instead of the people. This will enable problem oriented policing where a specific problem is identified, and solutions are developed in partnership with community. There is a need to allocate more resources and commitment towards community policing since these

militias operate within the communities and without their cooperation, eradicating them will remain a major challenge.

5.4.3. Allocate Resources for Slum Upgrading

How a space is built has a bearing on crime. As argued by broken window theory discussed in chapter four, chaotically built and dilapidated spaces are conducive to development of criminal activities. For instance, poor roads and infrastructure create situational opportunities for violence, making it easier for perpetrators to commit crimes without being seen or pursued by neighbors or police. Similarly, most of these militias emerge under pretext of providing simple services such as garbage collection and also vicious violence between them is motivated by the goal of controlling such businesses.

In response to the insights provided by the broken window theory there has emerged an approach in physical security called Crime Prevention through Environmental Design (CTPED). CPTED is guided by three principles: Natural surveillance to enable residents to ‘keep an eye’ on one another, control natural access points to public spaces through making them more visible for instance through lighting, and natural territorial reinforcement which creates a sense of belonging and by extension responsibility among residents.²⁵⁴ CPTED requires a plan to upgrade the neglected built spaces particularly slum areas. A starting point is for the mandated authorities to provide services such as water, sanitation, garbage collection and security lighting. This will eliminate business and crime opportunities which are encouraging these militias to emerge. Significantly, well serviced urban spaces will create a sense of belonging and responsibility among the residents in place of the current lethargic and apathetic attitudes. Additionally, lighting improves visibility and deters potential offenders.

²⁵⁴ See T. Crowe, *Crime Prevention through Environmental Design*. (2nd ed.). Boston: Butterworth-Heinemann, 2000

5.4.4. Adopt a Development Based Approach to Security

In the study issues of poverty, unemployment, and underdevelopment have been identified as the main incubators of militias. Thus, there is a need to address gaps in development broadly conceptualised. In this case development means enhancing people's capabilities or the opportunities open to people of being and doing a variety of things. Essentially, it should concern with enlarging people's choices in a way which enable them to lead a longer, healthier and fuller life.²⁵⁵ This will contribute to reduction of desperation and destitution which makes youth vulnerable to joining militias and be abused to perpetrate violence.

In the study of security, the relationship between development and security, notably human security has been established. This calls for strategic securitization of some developmental concerns and allocating the needed resources. However, for the development to have the desired security enhancing outcome it must be informed by the security needs which will then determine what needs to be securitised. This is because not all development has security impact, and in a situation where resources are scarce, there must be a dispassionate identification of developmental needs which need to be securitised and resources prioritised. For instance, the youth unemployment has been a key motivation to joining militias and as such should be securitised so as to give the issue the focus it deserves and allocate the needed resource. However, development should be equitable so that it can reduce marginalisation and extreme inequalities. Otherwise, it runs the risk of exacerbating the security situation it is trying to ameliorate.

²⁵⁵ F. Stewart, *Development and Security*. Oxford: Oxford University, CRISE Working Paper, No.3, 2004, p.3; N. Tschirgi, 'Making the Case for Regional Approach to Peace Building', *Journal of Peace Building and Development*, vol 1, ab-1, 2001, p.26.

5.4.5. Strengthen the Governance Systems at National and Local Levels

From the study, it is observable that dysfunctional governance system remains a key factor to militia development. Militias have emerged in reaction to bad governance practices.²⁵⁶ Also, the study has shown that the existence of ungoverned spaces spatially and temporally has created vacuum. The governance vacuum has led to emergence of different power groups vying for control. This requires sustained efforts aimed at improving governance in Kenya. Such efforts have a numbers of security enhancing externalities. One, governance enhances stateness since it addresses issues of exclusion, participation and distribution of resources. Assured of equitable access, participation and opportunities, citizens are bound to treat the state as legitimate. More so, good governance re-orient the nature of political competition from one based on life and death logic to a moderate one since state and its institutions guarantees fairness to even the losers.²⁵⁷ Also, it will inject transparency and accountability especially in the management of security services.

Related to improvement of governance system is the need to deal with violence entrepreneurs who use desperate youths in pursuit of economic and political objectives: This study has established that much of the violence perpetrated by militias is at the behest of economic and political entrepreneurs.²⁵⁸ The reasons they have persisted in using violence is because of the deeply rooted culture of impunity. These entrepreneurs need to be processed by the criminal justice and appropriate punishment meted out. As rational theories of crime have shown, raising the cost of crime and reducing the rewards leads to crime reduction.²⁵⁹

²⁵⁶ See chapter two and three

²⁵⁷ O. Sang, 'Good Governance as a Building Block Towards Improved Human Security', in Mwangi, M(ed), *Human Security: Setting the Agenda for the Horn of Africa*. Nairobi: Africa Peace Forum, 2008, p.38.

²⁵⁸ See chapters two, three and four

²⁵⁹ See Ian Marsh et al., *Criminal Justice: An introduction to Philosophies, Theories and Practices*. New York Routledge, 2004

5.4.6: Invest more in Alternative Dispute Resolution (ADR)

The Eastland is characterized by cycles of violence, most arising either from violence between militias or between communities. Significantly, there is a general fatigue in formal institutions which have promised too much and delivered too little. There is a need for ADR. ADR fits within a broader restorative justice approach which rather than focusing solely on punishing the offender. It also aims at addressing the harm done to individuals or a community by criminal action.²⁶⁰ The government should invest in various ADR processes such as community-based mediation and arbitration. ADR provides a superior mechanism to formal state processes of resolving disputes. The participants know each other well and hence they have more legitimacy as stakeholders in the community. Also, witnesses are more comfortable giving evidence within a community setting relative to a court of law. Further, such forums have a potential of creating a fulcrum for broader community action against insecurities in their neighborhood.

5.3.7. Provide Second Chances to Youth

The study has shown that, often the emergent militia groups have depends on a large pool of disillusioned and frustrated youths to acquire recruits. To reduce this pool there is a need to provide second chances to many youths who either dropped from school or lack employable skills. By empowering them, their sense of self worth and probability of finding legitimate sources of livelihood shall increase. This will reduce their likelihood of joining militia and other criminal groups. Further, taking into considerations that the formal sector is small and capital intensive with limited employment opportunities to sustain massive labor force absorption in the short run, there is need for paradigm shift to incorporate the large informal sector with labor intensive methods capable to absorb larger labor force. This entails: airtime vendors, small

²⁶⁰ See World Bank, *Violence in the City: Understanding and Supporting Community Responses to Urban Violence*. Washington: World Bank, 2010

kiosks for small wares like electronics, mobile money and agency banking services, eating joints, open air garages (*jua kali*), tailoring and dress making and small scale transport operators.

To facilitate self-employment and entrepreneurship, the youth should be provided with credit facility from government without demand for collateral but with very minimal interest rate for some accountability and ownership. The government must make accessing the credit easier, free from the cumbersome bureaucratic tape. This will attract large numbers of unemployed youth thereby reducing the numbers of unemployed youth in the labor market.

Some of the causes of emergence of militias and how to respond to them are summarized in the table below:

Table 5.1

Level	Risk factors	Protective factors
Individual	Gender Age Low social status related to class Psychological health Engagement in risky behavior such as drug and alcohol abuse Employment/source of livelihood status Low cost of engaging in criminality	School attendance and connectedness Sense of family connectedness Level and coverage of public services and support systems Presence of capable guardians Working and effective criminal justice system
Micro (Family and Community)	Family violence and authoritarian parenting or neglect Family/community attitudes condoning violence High levels of neighborhood violence and crime Chaotically built areas Low access to quality education, training opportunities Low access to legitimate sources of livelihoods Easy availability of drugs, alcohol and firearms Suitable opportunity targets	Connected, consistent family/households Opportunities for legitimate participation in social, political and economic life Availability of service organizations, neighborhood support groups in the community Crime Prevention Through Environmental design (CPTED) Alternative dispute resolution mechanism
Macro/structural	History of conflict Structural inequalities (economic and political) Rapid urbanization, migration(rural-urban) Demographic factors (youth bulge)	Working criminal justice system Functional governance/ institutional framework Culture of peace and dialogue Investment in provision of public

	<p>Social norms condoning inequality and violence</p> <p>Discriminatory legal frameworks</p> <p>Institutional fragility (poor or uneven provision of services, weak criminal justice system, weak governance, weak control of arms trade and drugs)</p> <p>Ungoverned spaces</p>	<p>services</p> <p>Investment in youth welfare (training, employment and entrepreneurship support)</p> <p>Just social, political and economic structures</p> <p>Equitable development</p>
--	--	---

Bibliography

- Abdalla, B., (ed), *Democratic Transition in Kenya: The Struggle from Liberal to Social Democracy*. Nairobi: ACEG, 2005.
- Ajulu, R., 'Politicised Ethnicity, Competitive Politics and Conflict in Kenya: A Historical Perspective', *African Studies*, Vol. 61, No. 2 2002
- Angelique Haugerud *The Culture of Politics in Modern Kenya*. Cambridge: Cambridge University Press, 1995.
- Anne Wanjiku Guchu *The Role of Small Scale Enterprise in Alleviating the Unemployment problem*. Nairobi: Institute of Economic Affairs 1997
- Azar, E and Chung-in Moon (eds), *National Security in Third World: The Management of Internal and External Threats*. New York: G House, 1998
- Barry Norman *Introduction to Modern Political Theory (4th edition)*. New York: Palgrave, 2000
- Berman, B. et al. (eds), *Ethnicity and Democracy in Africa*. Oxford: James Currey Ltd, 2004
- Berman, et al (eds), *Ethnicity and Democracy in Africa*. Oxford: James Currey Ltd, 2004.
- Booth, K., 'Security and Emancipation', *Review of International Studies*, vol 17:3, 1991
- Brown M. E. (ed), *Ethnic Conflict and International Security*. New Jersey: Princeton, 1993
- Brown, D., *Land, Freedom and Fiction, History and Ideology in Kenya*. New Jersey: Zed Books, 1995
- Bruneau, T. C. 'The Maras and National Security in Central America', *Strategic Insights*, Vol. 4, Issue 5, 2005
- Burke, R et al, 'Towards a Definition of Mixed research', *Journal of Mixed Methods Research*, vol 1, No.2, 2007
- Buzan, B., 'New Patterns of Global Security in the Twenty-First Century', *International Affairs*, 67, 3, 1991
- Buzan, B., *Human security in international perspective*. A paper presented to ISIS, Malaysia, 14th Asia – Pacific Round table on Confidence Building and Conflict Reduction, Kuala Lumpur, 3rd June, 2000
- Buzan, B., *People, States and Fears: An Agenda for International Security Studies in the Post-Cold War Era*. Boulder, CO: Lynne Reiner, 1991
- Buzan, B., Waeber, O and Wilde, J., *Security: A New Framework for Analysis*. London: Boulder, 1998
- Centre for Law and Research International, *We the People: A Citizen's Guide to Constitutional Reform*. Nairobi: CLARION, 1998
- Chutter, D., 'Understanding Security Sector Reforms', *Journal of Security Sector Management*, vol 4, No.2, 2006
- Collier, P., 'Rebellion as a Quasi-Criminal Activity', *Journal of Conflict Resolution* 44, 2000
- Commission on Human Security, *Human Security Now: Protecting and Empowering People*. New York: UN Publications, 2003
- Daly, M.W and Sakainga, A. A. *Civil War in the Sudan*. London: New York: British Academic Press, 1993
- Danziger .N. J., *Understanding the Political World a Comparative Introduction to Political Science (8th edition)*. New York, Pearson Longman, 2007
- Davies, J. L. and Gurr, T. R (eds.), *Preventive Measures: Building Risk Assessment and Crisis Early Warning Systems*. New York: Rowman and Littlefield, 1998.
- Diamond, L and Plattner, M.F. (eds), *Democratization in Africa*. Baltimore: John Hopkins University Press, 1999
- G and Peltzman, S (eds.), *Stealing the State. Control and Collapse in Soviet Institutions*. Cambridge MA: Harvard University Press, 1998

- Gary, K and Christopher, J. L, 'Rethinking Human Security', *Political Science Quarterly*, Vol. 116, No. 4, 2001-2002
- Githu Muigai, "Jomo Kenyatta and the Rise of the Ethno-Nationalist State in Kenya", in Berman, B. et al (eds), *Ethnicity and Democracy in Africa*. Oxford: James Currey Ltd, 2004
- Glenn, J., 'The Interregnum: The South Insecurity Dilemma', *Nations and Nationalisms*, (1), 1992
- Green, D and Luchermann *Comparative Politics of the Third World*. London: Lynne Rienner Publishers, 2003
- Haralambos and Holbon *Sociology: Themes and Perspectives (5th edition)*. London: Harper Collins Publishers Limited, 2000
- Hill, Margaret, et al, *Healing the Wounds of Trauma How the Church can Help*. Nairobi: Paulines Publications, 2004
- Homer- Dixon, T., "The Ingenuity Gap: Can Poor Countries Adapt to Resource Scarcity?" *Population and Development Review*, Vol. 21, No. 3, September 1995
- Hope, K. R., 'Kenya's Corruption Problem: Causes and Consequences', *Commonwealth and Comparative Politics*, 52:4, 2014
- Human Rights Watch/Africa, *Divide and Rule: State-sponsored Ethnic Violence in Kenya*. New York: HRW, 1993.
- Hussein, K., Griski, D and Wanjiru, J., *Security and Human Security: An Overview of Concepts and Initiatives: What implications for West Africa?* Paris: Sahel West Africa Club, 2004
- Ikelegbe, A., 'The Economy of Conflict in the Oil Rich Niger Delta Region of Nigeria', *Nordic Journal of African Studies*, 14 (2), 2005
- Institute for Education in Democracy in Kenya, *Understanding Elections in Kenya*. Nairobi: Lino Typesetters Ltd, 1998
- Institute for Education in Democracy *Understanding Elections in Kenya: A Constituency Profile Approach*. Nairobi: Kenya, Institute for Education in Democracy, 1998.
- Institute of Economic Affairs Society for International Development *Kenya at the Crossroads, Research Compendium*. Nairobi: Institute of Economic Affairs, 2001
- Jonyo, F., "The Centrality of Ethnicity in Kenya's Political Transition," in Oyugi, W et al (eds), *The Politics of Transition in Kenya: From KANU to NARC*. (Nairobi: Heinrich Boll Foundation, 2003.
- Judy, P., *New Oxford dictionary of English*. New York: Oxford University press, 1998
- Kaarsholm, P and Hultin, J (eds), *Inventions and Boundaries: Historical and Anthropological Approaches to the Study of Ethnicity and Nationalism*. Roskilde University: Institute of Development Studies, 1994
- Kagwanja, "Politics of Marionettes: Extra Legal Violence and the 1997 elections in Kenya," in *Out for the Count*. Kampala: Fountain Publishers, 2001
- Kagwanja, P and Southall, R., 'Introduction: Kenya-A Democracy in retreat?', *Journal of Contemporary African Studies*, 27: 3, 2009
- Kamara, T. S., 'Liberia: The Emergence of a Criminal State', *The Perspective.org*, July 2000
- Karuti, K., "Limitations of Political Liberalization: Parties and Electoral Politics in Kenya, 1992-2002", in W.Oyugi et al. (eds), *The Politics of Transition in Kenya: From KANU to NARC*. Nairobi: Heinrich Boll Foundation, 2003.
- Kenya Human Rights Commission, *Killing The Vote, State Sponsored Violence and Flawed Elections in Kenya*. Nairobi, Kenya Human Rights Commission, 1998
- Kibwana K., Maina C.S. and Oloka-Onyango J. (eds). *In Search of Freedom and Prosperity: Constitutional Reform in East Africa*. Nairobi: Claripress, 1996

- Kidombo, P., *The Faces of Corruption*. Nairobi: Sino Printers and Publishers, 2004
- Kiraitu, M., *In the Mud of Politics*. Nairobi: Acacia Stantex Publishers, 2000
- Kivutha K., Maina, C.P., and Bazaara, N., (eds), *Constitutionalism in East Africa: Progress, Challenges and Prospects in 1999*. Kampala: Fountain Publishers, 2001
- Le Sage, A., 'Africa's Irregular Security Threats: Challenges for US engagement', *Strategic Forum*, No.255, 2010
- Leatherman, J et al, *Breaking Cycles of Violence, Conflict Prevention in Intrastate Crises*. Ottawa: Kumarian Press, 1995
- Lewis, J., *Qualitative Research Practice: A Guide for Students and Researchers*. London: Sage, 2003
- Manwaring, M.G., *A Contemporary Challenge to State Sovereignty: Gangs and other Illicit Transnational Criminal Organizations in Central Americas, El Salvador, Mexico, Jamaica and Brazil*. Carlisle PA: Institute of Strategic Studies, United States Army War College, 2007
- Margret Hill et al, *Healing the Wounds of Trauma: How the Church can Help*. Nairobi: Paulines Publications, 2004
- Marshall, M., *Third World War, System, Process and Conflict Dynamics*. Oxford: Rowman and Littlefield Publishers, 1999
- Maupeu, H et al. (eds). *The Moi Succession: Elections*. Nairobi: Transafrica, 2002
- Miklaucic, M and Brewer, J (eds), *Convergence: Illicit Networks and National Security in the Age of Globalization*. Washington: Centre for Complex Operations, Institute of National Strategic Studies, 2010
- Mkutu, K., 'Ungoverned Space' and the Oil Find in Turkana, Kenya', *The Commonwealth Journal of International Affairs*, 103:5, 2014
- Mueller, S. D., 'Dying to Win: Elections, Political Violence, and Institutional Decay in Kenya', *Journal of Contemporary African Studies*, 29 (1), 2011
- Mueller, S.D., 'The Resilience of the Past: Government and Opposition in Kenya', *Canadian Journal of African Studies*, 48:2, 2014
- Mugenda, O and Mugenda, A. G., *Research Methods: Qualitative and Quantitative Approaches*. Nairobi: Africa Centre for Technology Studies, 2003
- Muggah, R and Sang, F., 'The Enemy Within: Rethinking Arms Availability in Sub-Saharan Africa', *Conflict, Security and Development*, 13:4, 2013
- Munene, M. (ed), *A Constitutional Documentary History of Kenya 1895-2002*. Nairobi: USIU and SUNY, 2004
- Munene, M., *The Politics of Transition in Kenya 1995-1998*. Nairobi: Friends-of-The-Book Foundation, 2001
- Mutahi, N., *Reconciling Reforms within Chain of Events: Prelude to the 1992 and 1997 Elections in Kenya*. Helsinki: SAREAT, 1997
- Mutahi, P., 'Between Illegality and Legality: (In) Security, Crime and Gangs in Nairobi Informal Settlements', *SA Crime Quarterly*, No 37, 2011
- Mutahi, W., *Responsible Citizenship, Building Democracy*. Nairobi: National Council of Churches of Kenya, 1995
- Mute, L, Wanza, K, Kichamu A., *Building an Open Society: The Politics of Transition in Kenya*. Nairobi: Calipress Limited, 2002
- Mwagiru, M., *The Water's Edge: Mediation of Violent electoral conflict in Kenya*. Nairobi: IDIS, 2008
- Mwangi, K., *Killing the Vote: State sponsored Violence and Flawed Elections in Kenya*. Nairobi: KHRC, 1998

- Naomi Chazan et al, *Politics and Society in Contemporary Africa*. Boulder: Lynne Reinner Publishers, 1988)
- Ngunyi, M. and Katumanga, M., *From Monopoly to Oligopoly of Violence: Exploration of a Four Point Hypothesis Regarding Organized and Organic Militia in Kenya*. Nairobi: The Consulting House, 2012
- Nyukuri E et al (eds), *Land Tenure and Violent Conflict in Kenya in the Context of Local, National and Regional Legal and Policy Frameworks*. Nairobi: ACTs, 2008
- Ochieng, W. R. *A History of Kenya*. Nairobi: Macmillan Kenya, 1985
- Ogot, B. (ed), *Ethnicity, Nationalism and Democracy in Africa*. Maseno: Institute of Research and postgraduate studies, Maseno University College, 1995.
- Omeje, K and Githigaro, J. M. 'The Challenges of State Policing in Kenya', *Peace and Conflict Review*, Volume 7, Issue 1, 2012
- Oyugi, et al (ed), *The Politics of Transition in Kenya: From KANU to NARC*. Nairobi: Heinrich Boll Foundation, 2003.
- Patrick Chabal and Jean-Pascal Daloz (Eds), *Africa Works: Disorder as a Political Instrument*. London: James Currey Publishers, 1999
- Pius, K., *The Faces of Corruption*. Nairobi, Sino Printers, 2004
- Prabhakaran, P., *National Security: Imperatives and Challenges*. New Delhi: Tata McGraw-Hill Pub Co, 2008
- Rajpal, B., *India's National Security Dilemma: The Pakistan Factor and India's Policy Response*. New Delhi: Indus Pub. Co, 2001
- Robinson, W. I., 'Beyond Nation – State Paradigms: Globalization, Sociology and Challenge of Transnational Studies', *Sociological Forum*, vol 13, No.4, 1998
- Rutten et al (eds). *Out for the Count: The 1997 General Elections and Prospects for Democracy in Kenya*. Kampala: Fountain Publishers, 2001
- Sargent, Lyman, *Contemporary Political Ideologies*. Illinois: The Dorsey Press, 1998
- Simiyu, R., *Militianisation of Resource Conflicts: The Case of Land Based Conflict in the Mount Elgon Region of Western Kenya*. Pretoria: Institute of Security Studies, 2008
- Singleton, A and Straits C., *Approaches to Social Research* (4th edition).Oxford: Oxford University Press, 2004
- Smith, A. D., *National Identity*. London: Penguin. 1991
- Snow, D. M., *National security for a New Era: Globalization and Geo-politics*: New York: Pearson Education Inc, 2004
- Ullman, R., 'Redefining Security', *International Security*, 8, No 1, 1983
- United Nations Development Program, *Human Development Report*. New York: OUP, 1994
- Usman, A., 'The Perverse Manifestations of Civil Militias in Africa: Evidence from Western Sudan', *Peace, Conflict and Development: An Interdisciplinary Journal*, vol 7, 2005
- Uwazie, E., *Conflict Resolution and Peace Education in Africa*. Oxford: Lexington Books, 2003
- Valentina, B and kanneworff, A., 'Armed Violence Taking Place within Societies: SALW and Armed Violence in Urban areas', in Greene, O and Marsh, N (eds), *Small Arms, Crime and Conflict*. London: Routledge, 2012
- Wamwere, K., *Towards Genocide in Kenya: The Curse of Negative ethnicity*. Nairobi: Mvule Africa Publishers, 2008
- Wanyande, P. "Evolution of Governance Practice in Kenya: An Overview", in Bujra, A. (ed). *Democratic Transition in Kenya: The Struggle from Liberal to Social Democracy*. Nairobi: ACEG, 2005

Winnie, M et al, *The People's Voice: What Kenyans Say*. Nairobi, Claripress, 1997
World Bank, *Violence in the City: Understanding and Supporting Community Responses to Urban Violence*. Washington: World Bank, 2010
World Bank, *Voices of the Poor: Crying Out For Change*. New York, 2000

Other References

BBC NEWS | Africa | Kenyan sect 'beheads' policeman
BBC News, "Deadly shoot-out with Kenyan sect", 5 June 2007
Washington Post, "Brutal Kenyan Sect Aims to Provoke Strife", 2 July 2007, page A15
Washington Post, "Brutal Kenyan Sect Aims to Provoke Strife", 2 July 2007, page A15
The New York Times, "Might Drink Your Blood, but Otherwise Not Bad Guys", 20 June 2007
The New York Times, "Might Drink Your Blood, but Otherwise Not Bad Guys", 20 June 2007
Nation Media
Washington Post, 2 July 2007, page A15
News.com.au, "Two-year-old boy beheaded for African ritual", 12 July 2007
Wall Street Journal "Kenyan Gang Revives Amid Political Disarray", 2008 May 1, page A12
wikileaks.org, "Oscar Foundation letter to Minister for Internal Security over extra-judicial killings in Kenya", 14 Oct 2008'
wikileaks.org, "Kenyan assassinations: slain human rights lawyer Oscar Kamau Kingara letter to the International Criminal Court", 1 Jan 2009^[dead link]
BBC, "Kenyan police 'killed thousands'", 2007 Nov. 25
Frontline Defenders, "Kenya: Murder of human rights defenders, Mr Oscar Kamau Kingara and Mr John Paul Oulu "GPO""", 6 March 2009
The Times, "Rights activist Oscar Kamau Kingara shot dead in central Nairobi", 7 March 2009
BBC, " Rule of law reels in Kenya", 6 March 2009
The Guardian, "Murder of activists widens rift in Kenya", 7 March 2009
BBC News, October 27, 2009: Mungiki sect head freed in Kenya
The Standard, November 6, 2009: Mungiki spokesman shot dead
The First Post, "Meet the Mungiki, Kenya's Cosa Nostra"

Appendix 1: Interview Schedule

Militia Groups and National Security in Kenya: A Case Study of Eastlands, Nairobi

Interview Length: One hour

Date:

Time:

Introduction

How are you Sir/Madam/Miss?

My name is Samuel Wachenje. I am a student undertaking Master of Arts degree in International Studies at the Institute of Diplomacy and International Studies, University of Nairobi. As a part of the requirements for the award of the degree, I am doing a research project focusing on the impact of militia groups on national security. To so, I am using Eastlands, Nairobi as my population of study.

Thank you for being willing to take part in an interview in this project. Before we proceed to the interview, let me assure you that I am highly appreciative and in the process I will respect your concerns especially on confidentiality. No recording shall be done without your express permission and in case you want to remain anonymous, I shall respect that.

The interview will take roughly one hour.

General information of the Interviewee

Name:

Age:

Gender:

Education level:

Employment Status:

Profession/source of livelihood:

Estimated Monthly Income:

Ward:

Questions to guide the interviewer

1. How long have you lived in this neighborhood?
2. Generally, how would you describe the neighborhood?
3. Do you have incidents of insecurity
4. What kind of insecurities would you consider to be the most common?

5. Who do you think is responsible for these insecurities if any?
6. What would you consider as the main causes of insecurity in your neighborhood?
7. Are there any organized groups in this neighborhood?
8. If yes, kindly give me the names of such groups.
9. Are there groups you would consider as organized criminal groups or militias?
10. Do you bring to any group?
11. If yes, which one and why?
12. What kind of activities are these groups involved in both legal and illegal?
13. Do they engage in service provision? If yes, what kind of services and how much do they charge?
14. What strategies do they use to make you pay for the services?
15. Are the groups involved in politics?
16. If yes what activities are they engaged in?
17. How would you describe these groups? Focus on both positive and negative aspects.
18. How do these groups manage to maintain control in the neighborhood?
19. How would you describe the efforts of governmental institutions to address insecurity and contain such groups where present?
20. How successful are these efforts?
21. As a member of this neighborhood how do you cope with insecurities?
22. In your opinion, how can these security challenges be addressed?

Concluding remarks

We seem to have covered a great deal of ground and I appreciate your patience and cooperation. Kindly do you think there is anything that we have missed or do you have some comments about what we have discussed or about the research as whole?

I will be glad to avail to you a summary of the research report and in case you want the full copy kindly give me your contacts and I shall send it to you.

Thank you so much.

Appendix II: Glossary of Terms

Ethnic Violence: Forms of physical violence pitting two or more groups which have mobilized around their ethnic based identities.

Militia: An organized group of citizens, with or without the support from the state which undertake security related activities and at times evolve into engaging in criminal activities and predation of communities they operate in ultimately undermining national security.

National security: Protection of the state, communities and individuals within such states from internal and external threats to their survival, freedom and wellbeing.

Political violence: Strategic use of defensive and offensive physical violence by rival groups with an aim of achieving political rewards through consolidation of support, and disenfranchising of those in opposition.

Political culture: General configuration of citizens' political beliefs, values and attitudes towards politics and civic duty.

Security: A condition of being free from pervasive threats to survival or safety

Threat: Intent of damage or injury; or an indication of something impending which is bound to negatively affect security of the object which is being secured.