

## **An Anatomy of Violent Crime and Insecurity in Kenya: The Case of Nairobi, 1985 - 1999**

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### **Introduction: Crime and Insecurity in the Late 20th Century**

Crime is as old as human society. This is borne out by the fact that, at all times in history, societies have had taboos, customs and laws designed to contain crime.

Crime is an index of lawlessness and disintegration of social order (*Hall, et al, 1978:vii*). Such lawlessness has a debilitating effect on society. It disturbs its security and necessarily provokes a situation of insecurity. A United Nations report states, among other things, that crime:

impairs the overall development of nations, undermines spiritual and material well being, compromises human dignity and creates a climate of fear and violence, which endangers personal security and erodes the quality of life (*United Nations 1992:6*).

It is difficult to give a precise definition of crime. But crime can be roughly divided into two broad categories. The first is covert, less visible crime, which often comes under the rubric of corruption. This includes criminal activities such as embezzling public funds, filing false information, etc. Such crimes are mainly committed by the elite in society — the economically well-to-do and the politically powerful. By the very covert nature of these crimes, their perpetrators mostly go free.

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The second category is overt crime, which is easily identifiable. It involves the physical or psychological injury to other people. Physical criminal violence or physical assault includes homicide, armed robbery, car-jacking, attempted murder, manslaughter, rape, etc. Psychological violence includes lies, threats, brainwashing, etc. These serve to diminish mental potentialities (Galtung 1990:10-12). In addition, there is also violent crime against property — car-jacking, house breaking, etc.

This kind of crime, which is rightly called violent crime, causes direct harm (Chesnais 1992:217). It is a big contributory factor that disturbs security in society. Violent crimes are committed mainly by members of the lower social strata, whose lives are characterised by poverty. It is this kind of crime that forms the subject matter of this paper.

There can be no pursuit of meaningful sustainable development in a situation marked by uncontrolled and uncontrollable crime, because it breeds and accompanies insecurity. (Albert 1998). Criminal violence is one of the most worrying problems of modern times (Cauchy 1992:209). Our own era, the late Twentieth Century, is arguably characterised by a violent crime rate unprecedented in human history.

It has been argued that because of material affluence and the practice of liberal democracy, violent crime has declined in Northern countries (Pesticau 1992:202). Available literature from the print and electronic media contests this assertion. Chesnais, for instance, states that the United States of America records a wholly exceptional level of criminal violence. To him, this violence is twice the level of that which accompanied the disintegration of the Soviet Union at the end of the 1980s, and 'more murderous today than in the depths of the economic depression in the 1930s' (Chesnais 1992:221).

The last quarter of the Twentieth Century witnessed an escalation of violent crime in Africa. This crime is mainly related to the increased intensity and complexity of urbanisation. Obviously, specific features of urbanisation have particularly contributed to the growth of criminal violence.

Cairo, Lagos and Johannesburg are the cities that feature most prominently in literature on violent crime in Africa (Albert 1998). There are other cities, however, whose violent crime rate is equally or relatively high or is fast becoming so. Nairobi, the capital of Kenya, is one of those cities.

The objective of this paper is to focus on the trends of criminal violence (and on the attendant insecurity) in Kenya in general, and in Nairobi in particular since the mid-1980s. The paper examines the topic under specific sub-themes, which attempt to bring out aspects such as the evidence of increased crime, the types of crime committed, the targeted groups, justice and crime, politics and crime, police in crime, measures taken to contain crime, economic and other factors in crime.

### **Violent Crime and Insecurity as a Signifier of Changing Times**

From independence in 1963 up to the mid 1980s, Kenya was one of the most politically stable and peaceful countries on the continent. In the East African Region, she remained a haven of peace and security, as her neighbours were engrossed in endless civil wars. Her stability attracted foreign investment and assured steady economic growth. Kenya emerged as a leading tourist destination with Nairobi as the international headquarters of the region, becoming host to foreign journalists and businessmen and to United Nations Agencies (the only one in a Third World city).

However, from the mid-1980s began a wave of criminal violence, which has intensified with time. This gradually became endemic throughout the country, especially in Nairobi, and this led to an international hue and cry over insecurity. In a real sense, violent crime and insecurity were among the hallmarks of Kenya in the 1990s. Sudden brutal attacks, brazen threats, encounters with young hoodlums desperate for quick cash, became normal on the streets of Nairobi. So did house breaking in the estates, armed bank robberies, car-jacking and the casualties associated with them.

The result was an air of resignation on the part of the *Wananchi* (citizens), given the apparent impotence of law enforcement authorities, an atmosphere of fear and defensiveness and an abnormal degree of security consciousness. But how should we regard this debilitating phenomenon? What does it signify? We can validly assert that in the period under study, crime and insecurity should be regarded, first of all, as an index of the changing times. The criminal violence reported in the daily mass media symbolises the problems and tensions of changes in the social, political and economic life of Kenya.

Violent crime and insecurity have come to connote a whole complex of social themes reflecting the 'crisis besetting Kenya's society' - namely political pluralism, economic hardships, insecurity in the countryside and in the city, suburban and street crime, etc. Crime and insecurity are a signifier of changed and hard times, which are characterised by unsafe streets, the breakdown of law and order, the criminalisation of politics, economic inequality, poverty, etc. All these elements characterise the dilemma of the Kenyan society, three and a half decades after independence. The following sub-sections examine these aspects of crime and insecurity in detail.

## **Evidence of Escalated Crime Violence and Insecurity**

### ***Attacks on Tourists and International Alarm***

One of the clearest indices of increased criminality during the period under study was the international alarm about Kenya as an unsafe tourist destination. The international press came to give the world a picture of Kenya totally different from that of the 1960s, 1970s and early 1980s. The picture was grounded on sufficient facts and it gave a true indication of the situation as it really existed. There were incidents of highway banditry in the middle of the 1980s and through most of the 1990s. Thugs mounted roadblocks, especially on the Mombasa/Nairobi highway to rob motorists. Tourists were their favourite targets.

During this period, there were also frequent incidents of banditry in the North-eastern province of Kenya, the home of the Somali ethnic group. The main cause was the civil war that raged among rival clans in the neighbouring Republic of Somalia. This conflict between rival militias further deteriorated Kenyan security.

The clearest indicator of how times were changing was the frequency of attacks on tourists in the internationally renowned Kenyan game parks. Tourists were violently robbed, injured and killed in some cases. Worthy of special mention is the Maasai Mara Game Reserve, the most popular game park in the country and a high spot in the itineraries of most foreign tourists.

On September 6, 1988, a young British woman, Julie Ward, was murdered in this Park. Her body was found dismembered (*Weekly Review* April 10, 1992). The case has been in court for over a decade. John Ward is still struggling to see that the murderers of his daughter are brought to justice (*Daily Nation* April 07, 1999). Miss Ward's death arising from criminal violence marked the beginning of a

drastic decline in the fortunes of the tourist industry as the international press advised tourists to keep away from Kenya.

There was a spate of criminal incidents against tourists between November 1991 and February 1992. Of particular note was the robbery of tourists at the 'Intrepid Camp' in Maasai Mara. This led the British, United States, German and Italian governments to warn their nationals to avoid Kenya, because they '...found the Kenya authorities unable to ensure security' (*Weekly Review* April 10, 1992).

The ramifications of violent crime against tourists have been devastating. Tourism was the 'goose that laid the golden egg', the leading money-making industry from independence until the 1990s. Yet it is an extremely fragile industry, depending not simply on beautiful scenery but just as much on the guarantee of security.

Because of increasing insecurity, there has been a steady decline in the number of tourists and in foreign exchange earnings. By 1996, tourism was offering Kenya a paltry 13% of total revenue. This was a far cry from the preceding decades when it was such an important plank in the Kenyan economy. Because of the violence and insecurity that characterised the 1990s, Kenya has lost tourist traffic to new destinations, especially to post-apartheid South Africa.

### ***Nairobi: The Place of Nairobi in Criminal Violence and Insecurity in Kenya***

In Africa, Nairobi appears to come close behind Cairo, Lagos and Johannesburg as a capital of violent crime and insecurity. The endemic insecurity in Nairobi has made the whole country feature so negatively in the international mass media.

In 1991, Caroline Blair, a visitor who had been in Nairobi for three years (1989 - 1991), said she would not discourage tourists willing to visit Kenya, but she would 'nevertheless encourage them to exercise extreme caution when circulating in Nairobi' (*East African*

*Standard* April 26 1991). She pointed out that she had been in Nairobi two and a half years and had been robbed twice. She added: 'If my personal experience and knowledge of such cases include such samples of crime, one can imagine how high the overall rates must be in the city of Nairobi' (*Ibid*). For Blair, Nairobi had a serious crime problem as the acts of aggression 'had become increasingly violent'.

By 1973, visitors coming to Kenya were advised 'to travel light in Nairobi'. They were 'not to wear shiny watches, necklaces or earrings' and to avoid dark and deserted alleys (*Daily Nation* September 15, 1993). It was at this time that United States papers were quoted as describing Nairobi as '...a troubled, dangerous metropolis in which foreign investors are likely to encounter child beggars and even deadly violence' (*Ibid*). *Newsweek* was quoted as stating: 'Nairobi has always had a reputation for crime. Many expatriates call it Nairobierry - but nobody can remember a time when the city's non-indigenous community felt so insecure' (*Ibid*). There was no doubt that Nairobi had become the hub of crime in the country. The Nairobi Provincial Police Officer (PPO), Geoffrey Kinoti, acknowledged this in 1992. He attributed the situation to a high population growth rate and lack of employment (*Daily Nation* October 29, 1992).

The main crimes in the city were house-breaking and violent car robbery, which left victims badly injured or even dead. One paper stated that crime and insecurity had almost become a routine and '...Kenyans lived in fear of merciless gangsters who struck in the house and on the roads' (*Weekly Review* September 2, 1994).

This trend continued throughout the 1990s. As recently as April 1999, the Government admitted that the security situation in the city was very bad. An Assistant Minister in the Office of the President attributed this to a 'proliferation of firearms' (*Kenya Times* April 21, 1999).

### ***Criminal Violence on Embassy Staff and Expatriates***

In the early 1990s, criminal violence in Nairobi seemed to be targeted on foreigners - especially on staff members of foreign embassies and United Nations Agencies. By 1993, the tide of violence had greatly risen and it has generally remained high.

On September 21, 1993, armed gangsters gunned down a top United Nations Official, Rietzel Nielson, in cold blood (*Daily Nation* September 15, 1993). International outrage followed. The United Nations threatened to relocate the headquarters of its Agencies, HABITAT and UNEP, from Nairobi.

There was alarm as to the future of foreigners in a country characterised by criminal violence and insecurity. The Belgian Ambassador to Kenya, Christian Fellens, commented that '... the alarming increase in crime and the worrying erosion of public security in Kenya is a matter of great concern' (*Ibid*).

Following the outcry, the government beefed up security at embassies and in the areas where diplomats lived. 1994 saw some respite in these attacks. Only a few isolated cases were reported. Then from August 1995, the tide of attacks resumed and went on till the end of the year. Armed gangs raided the residences of diplomats and foreigners with near impunity and with contempt for the security forces.

In August 1995, the Principal of the Japanese School in Nairobi was shot dead by armed robbers, who drove away from his Karen suburb in his car (*Weekly Review* December 22, 1995). In the same month, the wife of a British diplomat was shot and injured in Nairobi and her vehicle stolen.

In September, a group of thugs broke into the Argentine Embassy and stole cash and other valuables (*Ibid*). In November, they raided the residence of the Indian High Commissioner, Thetalil

Screenivasan. They stole property and cash, leaving the High Commissioner and his wife badly hurt. (*Weekly Review* November 17, 1995).

Shortly afterwards, they raided the Pakistan High Commissioner's residence, before doing the same to that of the Malawi High Commissioner. Also in November, armed thugs shot and seriously injured a British diplomat, Graeme Gibson. He had to be flown to Britain for specialised treatment after becoming paralysed (*Weekly Review* December 1995). In December, an American woman was robbed of her car, beaten and raped (*Ibid*).

The result of this series of criminal violence was another international hue and cry. The image of Moi's Government was in tatters because of its inability to provide basic security for its citizens and foreigners. Potential investors were told to avoid Kenya and look elsewhere.

Moi responded to this stinging indictment of his tenure at Harambee House in an extraordinary manner. He claimed that the escalation of violent crime and insecurity in Kenya was politically motivated: it was sponsored by foreign governments that sought to discredit him and bring down his government in favour of the Opposition. Nonetheless, his government took some measures to protect diplomats by beefing up security at their residences.

There was some respite, but only for a time. Attacks continued in 1996 and 1997. The Police Commissioner's Report of 1997 alluded to the outcry from the diplomatic corps in Nairobi on the 'increased robbery, car-jacking and murders' (*The Kenya Police 1997:16*). The number of attacks on foreigners in the first quarter of 1998 justified this outcry.

On February 20, 1998, a retired British policeman, Roy Chivers, was stabbed to death on the grounds of Aberdare's Country Club in Nyeri, some 100 kilometres from Nairobi (*People* February 26, 1998).

On March 8, 1998, a Russian teacher, Svetlana Kovalsky, was shot dead outside the Hilton Hotel in the city centre (*Daily Nation April 3, 1998*) On March 13, 1998, a German aid worker, Stohr, was shot dead outside his house in Nairobi. The German ambassador, Gerdts, was incensed and decried the state of insecurity in the country as a whole but especially for foreigners.

In April 1998, the Ethiopian First Secretary was gunned down in his car as he drove to his residence in Hurlingham Estate in the south-east of Nairobi. His companion was bundled into the boot of the car and dropped in Eastleigh Estate (a haven of criminals to the north-east end of the city). Today, (1999), security for foreigners in Nairobi is no better or worse than for Kenyan citizens.

### **Main Categories of Crime and Criminals in Nairobi**

The main criminal activities in Nairobi are bank robbing, car-jacking, house-breaking in residential estates, street muggings and snatchings. A distinct feature of the perpetrators is their youthfulness. They are in their teens and twenties. They operate in organised groups. The kind of crime determines the sophistication needed. For instance, bank robbery demands a high level of organisation, besides arms, while larceny on the streets or on buses merely calls for basic individual skills.

#### ***Bank and Other City Centre Robberies***

Bank robberies have been an intermittently common feature in Kenya since independence. But they were mundane snatches that could be expected in any urban centre. The only exception was a wave of bank robberies in the mid-1970s .....when violent daytime money snatches from banks were common occurrences particularly in Nairobi (*Weekly Review* September 2, 1994). Concerted police attacks on robbers at that time contained the crime wave. A new era in bank robberies dawned in the 1990s. This era was characterised by

many of the robberies involving the use of sophisticated arms, elaborate organisation, and by the amounts of cash taken.

A number of bank robberies in the 1990s merit special mention. In August 1994, a group of smartly-dressed men walked into the Standard Chartered Bank on Kimathi Street. They shot in the air, ordered everyone to lie down while they proceeded to stuff money into bags (*Weekly Review* September 2, 1994). The police gunned down only one of them, while the rest escaped in a stolen car. The same month witnessed gangsters shooting their way into the strong room of the Housing Finance Company of Kenya on Kenyatta Avenue. They made away with four million Kenya shillings - a huge amount of money at that time (*Ibid*).

These bank snatches were characterised by the amount of money involved in every successive robbery. On January 5, 1997, Kenya recorded the highest cash theft so far. One Charles Omondi Odhiambo coolly walked into the strong room of the Kenya Airfreight Handling Limited at the Jomo Kenyatta International Airport. He walked away with fifty-four million Kenya shillings (approximately one million US dollars) in an 11 kg package belonging to Citibank (*People* February 27, 1997). It took one year for the police to arrest Odhiambo. The case is still before the courts today.

Odhiambo's record was shattered in less than a month. Six armed robbers strolled into the headquarters of the Standard Chartered Bank on Moi Avenue. They terrorised the clients and workers and marched away with ninety-six (96) million Kenya shillings (slightly less than 2 million US dollars).

The spate of bank robberies continued into 1998. In September that year, two bank robberies took place in Nairobi in quick succession. In the first one, eight gangsters armed with AK-47 rifles and pistols stormed the Greenland Foreign Exchange Bureau in the city centre on September 12 (*Daily Nation* September 13, 1998). What

was significant here was not so much the money involved as the robbers' contemptuous behaviour. The thugs shot in the air for 10 minutes. They killed two people, one of them a policeman, and then disappeared without trace.

On the evening of September 14, gunmen were driven in a police van to Jomo Kenyatta International Airport, where they effected the biggest theft in the country's history. They reached the Cargo Service Centre strong room and took away foreign currencies and gemstones valued at one hundred and sixty (160) million Kenya Shillings (about 3 million US dollars). The package belonged to Barclays Bank and was destined for Singapore. (*Weekly Review* September 18, 1998). Six police officers were arrested for complicity in abetting the crime. This spate of robberies continues in Nairobi almost on a weekly basis. All this calls into question the government's ability to guarantee security to its citizens and to the institutions housing their valuables.

One robbery stands out clearly as signifying the changed times in Nairobi. It left unanswered many questions about the capacity of the Kenyan security system. The incident took place on October 16, 1996. It was not a bank robbery, but involved the robbing of businesses on a whole street — Kirinyaga Road.

A group of ten gunmen in a pickup van took over the whole street for twenty minutes. While one redirected traffic, others shot in the air to scare the proprietors and customers, and the rest moved from one shop to another emptying cash boxes. Afterwards they went away slowly and 'did not appear to be in a hurry' (*Daily Nation* October 17, 1996). This was very disturbing.

### ***Car-jacking***

Car-jacking and robbery have become one of the main occupations of armed robbers in Nairobi. Armed criminals easily impersonate police officers, mount road blocks and proceed to rob motorists of their vehicles. Resistance leads to severe injury or death.

Usually, gangs go for new vehicles, which they subsequently sell. They have godowns (some of them underground) in peri-urban areas where stolen vehicles are kept in safety or undergo adjustments. Such adjustments include changing the colour of the vehicles, changing their number plates (for forged ones), etc. Police have had some limited success in locating such godowns, smashing the syndicates involved or greatly hampering their operations.

Some of the stolen vehicles are used in robberies elsewhere and then abandoned. Commuter service vehicles have not been spared. Sometimes minibuses full of passengers are hijacked to lonely areas where the occupants are robbed, beaten and the women raped. Such hijackings are carried out in the evening, leaving the victims to stay overnight in the cold.

Car-jacking appears to have been at its peak in 1992 and 1993. In 1992, a total of 2,013 vehicles were stolen countrywide, the majority in Nairobi. Out of these, 804 were recovered. In the first nine months of 1993, about 2,748 cars were stolen and 499 were recovered. It was estimated that 10 cars were stolen daily, 4 at gunpoint (*Daily Nation* December 15, 1993).

### ***Residential Area Crime and Insecurity***

Another category of criminals has specialised in breaking into houses in residential estates of the city. This is the group that has caused a lot of insecurity among Kenyans themselves. Whereas burglary is a feature of any urban society, the kind that has characterised Nairobi since the close of the 1980s stands out as unique and very frightening.

By 1991, a leading daily was able to discern the changed pattern of crime and the attendant insecurity in the city. It stated that lives were lost in these break-ins, while the crime put fear in the public '.....to the extent that people feel insecure wherever they are' (*East African Standard* April 1991)

The *modus operandi* of the thugs has been to move in groups of between 30 - 40 and to target residential plots or blocks. The 'artillery' they carry includes huge stones with which to break doors, metal crowbars, machetes and guns. They strike in the dead of night and rob bewildered block members of cash, television sets, video machines, radio cassettes, etc. Any resistance leads to serious injury or even death.

Some of the criminals are in league with renegade police officers who lend them uniforms and guns. Once armed, they are able to harass residents and extort money from them. This common practice began in 1991 in Nairobi. They would pose '.....as police officers looking for illegal aliens and searching houses' (*East African Standard* June 29, 1991).

One of the most disturbing aspects of this crime is that the perpetrators may be known to the residents, but the latter may not openly report them to the police, for fear of devastating reprisals from the gangs. In the past, many reports and subsequent arrests ended with criminals compromising the police and the judiciary and getting away free.

One of the groups mostly targeted by this category of criminals is the Asian business community in Nairobi. Two cases stand out in recent months. The first was the kidnapping of Abdulkharim Popat in May 1998. As he approached his residence in a chauffeur-driven car in Westlands suburb, Popat, a wealthy Ismaili Muslim, was kidnapped by three young men at gun point and driven to a house in Karen, another luxurious estate (*Weekly Review* May 8, 1998). The

three were Alloyse Kimani, a notorious criminal, Joseph Wamae, a Bachelor of Commerce graduate from University of Nairobi, and Kenneth Kinyanjui, an employee in Popat's Imperial Bank. All were in their twenties. After demanding ransom money and waiting for a few days, the abductors became careless and were caught by the police. What was remarkable in this case was the new trend of crime and the sophistication involved. Could it have marked the beginning of a new strain of operations?

The second case was that of Pritam Singh Sandhu, a prominent Asian businessman. He was gunned down in cold blood on March 19, 1999 at his Lavington home by six gangsters. They pumped bullets into the 69-year old man '.... in his bedroom as he pleaded for mercy' (*East African Standard* March 20, 1999).

### ***Street Muggers***

A fourth category of perpetrators of crime in Nairobi consists of the street urchins and muggers. They may not be as organised and armed as the bank robbers and burglars, but they still remain a big security menace. They are the young criminals of Nairobi, almost all teenagers. These youths specialise in mugging, purse snatching and pick-pocketing. They made the streets of Nairobi increasingly insecure during the daytime and they operated with impunity from dusk to dawn. They moved in groups of 20 - 30 and were armed with knives (*Daily Nation* 1994 October 3).

They stalked victims for long before pouncing on them, maiming them and running away with their purses, necklaces and earrings (*Daily Nation* December 15, 1993). After the catch, they ran away shouting 'Thief, thief !', leaving the victim and bystanders baffled. These young criminals particularly targeted foreigners, who did not seem to know their way around the city, and women, who could not resist them. In some cases, they extorted money from people in a

most bizarre manner. They threatened to ‘smear their victims with faeces if the latter refused to give them money’ (*Ibid*).

### *Some Statistics on Crime*

Statistics available from police records and from the mass media demonstrate a steep rise in crime in Kenya in the 1990s. Table 1 - see below - illustrates this. The rise seemed to have been most pronounced between 1990 and 1995, a period of historic transformation in the economics and politics of the land. But the figures have not subsequently gone down to the level of the 1980s.

**Table I: Comparative Crime Statistic Figures  
From 01.01.1987 to 31.12.1997**

Year	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Murder	1,001	981	902	999	1,071	1,536	1,517	1,603	1,565	1,167	1,642
Rape	420	465	500	515	543	590	589	650	758	1,224	1,050
Offence Against Person	1,502	1,407	1,493	1,468	400	274	1,363	326	357	2,213	2,601
Robberies	5,751	5,833	5,697	6,842	7,406	10,197	9,242	8,804	8,571	5,904	7,465
Breaking	14,415	15,539	14,920	15,231	15,421	18,445	16,867	16,067	12,952	11,204	12,619
Other Penal Codes	10,051	9,230	14,632	16,909	20,055	20,400	16,651	17,540	15,893	10,510	9.58

*Source:* Police Commissioner’s Report, 1997: 100

The rising general trend is further confirmed by the following table.

**Table 2: Further Statistics on Crime: 1991 – 1993**

Crime	1991	1992	1993
Criminal Deaths	911	1,134	1,248 (Projected)
Violent Robberies	4,595	4,841	6,382 (Projected)
Car-Jackings		2,013	2,782 (1st 9 months)

Source: Compiled by Experts from *The Daily Nation*, December 31, 1993

According to police records, a total of 17,155 serious cases were recorded in Nairobi in 1997. In the previous year, 15,234 serious cases were recorded. The increase in one year was estimated at 1,921 cases (Kenya Police 1997:16).

Note:

The figures provided by the police are extremely conservative and may not reflect the full situation. Being government records, these statistics play an ideological function in not exposing the weaknesses of the system. In addition to the doctoring of reported cases, there are many unreported cases, which are noteworthy.

### **Self-help Measures in Containing Crime**

Kenyans have had to come to grips with the fact that the government is unable to guarantee their security. Consequently, they have been taking their own steps to guarantee for themselves a measure of security from criminals.

In the residential estates of the economically well-to-do, there are characteristic high walls and electric fences to keep thugs at bay. There are also private security guards whose vans are fitted with electronic surveillance contrivances. In addition, there are alarm systems, powerful lights and dogs (*Daily Nation* December 15, 1993). Under the circumstances, private security is one of the fastest growing industries in Kenya.

Various security arrangements are contrived in the estates where residents are not in the higher income bracket but are still targeted by gangs. One example consists in pooling financial resources in a block or an estate to hire security guards. One major weakness inherent in this practice is that such guards may not be credible, compared to those of the specialised security companies. Such guards are known to take advantage of their position to study the terrain and surprise the community by arranging their own break-ins.

A second approach entails the formation of vigilante groups by the residents themselves. The idea is to take turns in a duty roster to keep watch at night and to alert the others by blowing a whistle. This has had some measure of success. However, such a group of residents can do very little when faced with a gang of about forty armed criminals.

In another development, residents raise funds to put up police posts in their areas. When they have done this, they request the government to send police officers. Individual residents have tried to make their houses burglar-proof by fixing metal grilles on doors and by installing bright lights. A landlord who takes such measures may charge a higher rent, but he never lacks tenants.

Similar security measures have been taken for business premises in the city centre and in the suburbs. Burglar-proof shutters are the order of the day. The private security companies do a brisk business. The banks have realised that the police are not a reliable partner in security. Consequently, they are among the leading customers for private security. Turner, a South African security firm, has been marketing its wares in Nairobi since April 1999. Many banks are attracted by a gadget that is supposed to be able to detect armed individuals entering the bank (*Kenya Broadcasting Corporation Radio and Television* April 9, 1999).

All these measures speak volumes about insecurity in the land and about the state of law and order. They are an indictment of the system.

### **A Criminalised Judiciary System as a Factor in Crime**

#### ***Mob Justice***

Given the State's apparent inability to contain crime within reasonable limits, a kind of lawlessness, popularly known as 'mob justice' has evolved in Kenya since the 1990s. It finds expression in the lynching of criminals by the public.

This is a reaction to the system, as much as to criminals. The attitude behind it is that since the police and the courts have been unable to guarantee justice for citizens, the latter have decided to take the law into their own hands and to exact justice in their own style. It is a protest, a no-confidence vote, against the government.

A common complaint among citizens is that when criminals are apprehended and handed over to the police, the latter release them on the grounds of 'insufficient evidence'. When they appear before the courts, the evidence in some cases is messed up by the prosecution, so that a criminal cannot be convicted on its basis. Moreover, a powerful criminal can bribe weak magistrates, and go free. In this way, certain members of the Police Service and the Magistracy make nonsense of justice at the expense of the public.

In this wild justice, a gangster or robber or even a mere petty thief, against whom an alarm has been sounded, is pursued by the mob. When caught, he has his hands tied and is stoned to death.

A variant of this involves dousing the criminal with kerosene and setting him on fire. Alternatively, a vehicle tyre is secured around his neck and is set on fire, so as to burn him slowly to death. This is called 'necklacing'.

In the first quarter of 1993 alone, the police reported that 110 criminals had been put to death by 'mob justice'. (*Daily Nation* April 26, 1993). Victims of mob justice are usually unfortunate muggers, car-jackers, pickpockets, purse snatchers, youths attacking tourists on the streets of Nairobi, burglars in residential estates and youths accosting people in the city parks. When the police ultimately show up in the event of 'mob justice', the crowd disperses. In this way, the lack of initial justice has a multiplier effect in adding to the crimes committed.

### ***Justice for Rich Criminals and Justice for Poor Criminals***

One aspect of crime and insecurity in Kenya is the class basis of the very administration of justice and its ramifications. The rule of law is meant to establish 'equality for all citizens'. But in a class society like Kenya, laws are based on the dictates of capital and on the protection of private property. It is an instrument of class domination, driven by property considerations and not human at all (Hall *et al* 1997:191).

Consequently, the rich engage in less overt but very serious crime, such as corruption and economic criminalisation. They are able either to rationalise the absurd in the name of human rights and go free, or else to 'buy' justice. Pickpockets and muggers, who are in a hurry to guarantee their day's meal, are 'mobjusticed' or gunned down by the police. Some are real criminals who need to be brought to justice. However, most of them are 'a criminalised lot' by virtue of their poverty, their appearance and their desire to earn a living. They are driven towards 'active' crime by the social forces that do not provide them with a chance to earn a decent, gainful living.

A good example of this group can be found among the hawkers in the city of Nairobi. They were driven from the city's Central Business District (CBA) and ordered to operate from the margins, thereby giving room and opportunity to the Asian merchants. This category of persons slowly descends into crime.

The poor and the propertyless in a class society are always on the wrong side of the law, 'whether they actually transgress it or not' (*Ibid: 190*). In 1994, Justice Gicheru of the Court of Appeal decried the double standards in the administration of criminal justice in Kenya and the gross political interference in this (*Daily Nation* November 11, 1994). In challenging the Bar and the Bench to be role models in maintaining standards, Justice Gicheru decried the obvious fact that there were two sets of law in Kenya - one for the poor and one for the rich. Such criminalisation of justice does not help to stem violent crime. If anything, the poor, aware of this false neutrality of the judiciary, tend to become recalcitrant criminals, living one day at a time.

In this way, justice is a myth, couched in the lexicon of rights, equality and civility. This was well put by John Griffin when he argued:

... the political neutrality of the judiciary is a myth, one of the fictions our rulers delight in, because it confuses and obscures. Our political system thrives on obfuscation .....the judiciary does not of course call its prejudices political or moral or social. It calls it 'public interest' (Quoted in Hall 1978:194).

That is the situation prevailing in Kenya. Albert rightly states that it is the economically poor and politically marginalised who bear the brunt of harsh social realities and get caught, tried and sentenced. (Albert 1998:7).

### **The Police Force: Law Enforcers and Criminals**

The role of the Kenyan Police Force in combating crime and in fostering security can be described as a contradiction and this became more apparent in the 1990s with the rise of criminal violence in the country.

On the one hand, the Police Force has tried to plug the gap in an effort to ensure social peace and to enforce law and order. Their

efforts to combat lawlessness and to stem the slide to anarchy must be commended. The Force's motto — '*Utumishi Kwa Wote*' — Kiswahili for 'Service for All', enshrines a noble calling, which the majority have no doubt attempted to live up to.

On the other hand, a reasonable percentage of the Kenyan police force has worked to bring the profession into serious disrepute. In a number of glaring cases, the line separating the custodian of peace and security from the villain in uniform is completely blurred. The following section attempts to demonstrate this contradiction.

### ***The Police Against Violent Criminals: Professional Hazards***

The work of a policeman in Kenya in the 1990s had been dangerous. The police were almost more in danger from the criminal gangs than the public, because they represented the only counterforce to the lawlessness which they exposed. They were its nemesis. The criminals became increasingly violent, bold and contemptuous of the men in uniform. The police baton and gun no longer elicited an awed obedience.

Consequently, a major characteristic of the relationship between the two in the 1990s was an exchange of fire. The Kenyan Press is replete with cases of shootouts between the two, leading to injuries and even deaths and the recovery of dangerous weapons from thugs. In most cases, the immediate reaction of criminals was to reach for their guns and shoot whenever they were ordered to stop.

There have been cases where police posts were raided and emptied of arms and ammunition by criminals. The latest case of such a raid took place in Nairobi on April 24, 1999. A gang of robbers attacked the armed sentry of the soon retiring Criminal Investigation Department (CID) chief, Noah Arap Too, at his residence. They injured the sentry, using *pangas* (machettes), and made off with guns and ammunition (*Sunday Standard* April 25, 1999).

The peak of the encounters between the police and this kind of criminals dawned between 1992 and 1995. During this time, the police seemed to be fighting a lost battle. It was as if the city had been taken over by armed gangs who particularly sought out the police.

The most notorious gang was that of Ngugi Kanagi, Bernard Matheri and Wambugu Munyeria - all of them in their twenties. They were hunted for armed robbery and for 67 murders and injuries to 194 people. Of those murdered, five were police officers (*Weekly Review* December 22, 1995). They were ultimately checkmated.

In June 1995, criminals trailed two Criminal Investigation Department (C.I.D) officers into the Eastleigh suburb and gunned them down in broad daylight. On October 16, 1996, when criminals took over a whole street in Nairobi for twenty minutes (see details above on bank and city centre robberies), police officers were targeted and driven into hiding (*Daily Nation* October 17, 1996).

Two cases of policemen facing danger stand out for special note. On July 7, 1998, robbers in the Eastleigh suburb gunned down James Wandeto, a Superintendent of Police. Wandeto, was Deputy Head of the specially constituted crack unit called the 'Flying Squad'.

He had been responsible for bringing many of the criminals to justice. On the fateful evening, however, there was a blackout and he went downstairs to the supermarket to buy a candle. Wandeto found 4 gunmen who had ordered customers to lie down. He was dragged in but he resisted and was shot in the back and chest.

A second case was that of the Deputy Commissioner of Police, Jeremiah Matagaro. On April 2, 1999, Good Friday, Matagaro was accosted by armed criminals as he moved out of his grocery store with his wife and sister-in-law (*Daily Nation* April 3, 1999). They opened fire, killed his sister-in-law and injured him and his wife. He was hospitalised and two bullets were removed from his chest. He later said in a joke that the paper work in his breast pocket saved him

by deflecting the bullets away from his heart (*East African Standard* April 9, 1999).

The police have given as much as they have received. With the appointment of a new Police Commissioner (February 1999), Philemon Abongo, there has been a concerted effort in cracking criminal cells in Nairobi. There are weekly police swoops where many are netted and arms recovered. In a case in point on April 21, 1999, a number of gunmen and a woman wanted for murder were pursued. Ultimately, with nowhere to turn to, they dived into Dandora Sewage Dam — the main one in Nairobi — and were drowned (*Daily Nation* April 21, 1999).

### ***Terms of Service and Logistical Problems***

Apart from the dangers they face every day in Nairobi, officers operate under many constraints. These emanate from their terms of service and the logistics of their operations.

The Police Force is very poorly remunerated. Their salaries and allowances are extremely low. Yet, probably even more humiliating are their housing conditions. In most cases, the 'police lines' consist of simple cone-shaped iron sheet structures with a radius of about seven feet. They are often expected to share premises. Those with families have to work out a formula for accommodating every member in the limited space. This does not encourage them to perform their duties efficiently.

There are also critical logistical problems. One of them is the issue of vehicles. Most vehicles available for use by the police are in various stages of disrepair. There is often no diesel vehicle available for official duties. One example will suffice. In November 1989, there was a bank robbery in Thika town (40 kms north of Nairobi), only 200 metres from the police station. Although they were notified, the

police could not do much because their vehicle was too old to catch up (*Kenya Times* November 14, 1989).

Another major constraint on police work is the type of arms they have, compared with those used by the criminal gangs. The latter have some of the latest and most sophisticated arms on the market today. Whenever the police gun down criminals, a great assortment of arms is always recovered — Uzis, American Colts, AK-47 — with many rounds of ammunition. In contrast, the police mainly have G-3s.

### ***Police Innovations in Combating the Crime Wave***

In response to the increase in the rate of violent crime in Nairobi, the Police Department set up 'The Flying Squad' in 1993 to track down recalcitrant perpetrators, especially armed robbers and car-jackers (*Daily Nation* September 15, 1993). This special crack unit is based in the Pangani Suburb of Nairobi, where it is given specialised training and special facilities.

The Flying Squad is a special unit 'within the CID that prevents crime, by hunting down armed and seasoned criminals — especially bank robbers and car-jackers' (*Daily Nation* July 7, 1998).

Obviously, this squad has had a tremendous success in combating crime. The crime statistics show a peak between 1990 and 1995. After that, there was a certain minimum level, which remained below the figures for the first half of the 1990s, although it was still above those of the 1980s. The almost daily press reports of gangsters gunned down, arms and ammunition recovered, and stolen cars recovered, etc., resulted from the work of this squad.

The second innovation in the 1990s was the introduction of so-called 'Police Hotlines' for Nairobi and the provinces in the countryside. Kenyans were urged to assist the police to prevent crime or track down criminals by ringing the numbers advertised on radio and television and in the newspapers. This helped the police to get

quickly to the scene of crime. The tip-offs contributed to the prevention of many crimes and the arrest of many criminals.

These two innovations entailed some alarming downside in terms of implementation. The zeal with which some members of the squad went about their work left a lot to be desired. There were cases of mistaken identity, where motorists were mistaken for car-jackers and shot. In other cases, the victims of robbery were mistaken and shot by the squad.

A case in point was the shooting of Subir Alhuwalia on April 7, 1999. Armed robbers had that day broken into the house of Prakesh Alhuwalia, an Asian businessman in the Muthangari suburb, and seriously injured him. The police rushed there on a tip-off. But by then, the gangsters had already left and young Subir Alhuwalia was rushing his father to hospital. As the police got through the gate, they mistook the vehicle for that of the robbers and opened fire. Subir died instantly. Other members of the family were hurt (*Daily Nation* April 12, 1999).

There have also been cases where wanton and malicious people, even criminals, used police hotlines to cause confusion and costly mistakes. One example was the shooting of Master Odhiambo, a student of United States International University (U.S.I.U.), in July 1998. As he drove his father's Land Rover Discovery from college, he realised that the police were pursuing him and shooting. Odhiambo was shot dead as he tried to speed away through the streets of Nairobi. It emerged that the police had been contacted on a hotline to the effect that the vehicle had been stolen and was in the possession of a car-jacker.

### ***Police Complicity in Crime***

It appeared that because of the hardships under which they operated, a considerable proportion of members of the Police Department got involved in criminal activity of one kind or another against citizens they were supposed to protect. In Nairobi, there were many instances where police informed about an infringement of law invariably arrived after the perpetrators of the crime had disappeared.

Apparently, the police may have succumbed to sheer fatigue in their struggle against crime. Their inattention seemed to give the impression that it did not matter any more whether a crime was committed or not. According to a Member of Parliament from a Nairobi constituency, this lack of response could be interpreted as abetting crime (*People* April 6, 1999).

The fact is that some of the crimes perpetrated in Nairobi could not have been committed without the previous knowledge of the police. They seemed to have been partners in crime. Some of the bank robberies witnessed left no doubt about police complicity. Some of those attached to banks appeared to leak secrets of security arrangements to the robbers, or those supposed to be on duty near a bank happened to be conveniently absent when a robbery took place.

Some members of the police were believed to hire out their uniforms and guns to gangs for a percentage of their proceeds. Policemen had allegedly been involved in cases of extortion and blackmail against Asian tycoons by planting drugs or arms on them, before demanding to be paid off.

In April 1999, the Flying Squad arrested Duncan Ndegwa, a CID Officer, on suspicion of complicity in crime. He was investigated for killing colleagues and 'assisting thugs by providing them with guns to commit violent crimes' (*People* April 20, 1999).

Nine police officers were arrested over the theft of 1.5 million Kenya shillings. This was allegedly part of some 6.7 million Kenya Shillings recovered by the Flying Squad from a gang that had robbed the African Banking Corporation (ABC) in late April 1999 (*People* April 27, 1999).

There were also cases of conspiracy where the police planned bank robberies and then killed some members of the gang to silence witnesses. Invariably, at least one or two gang members seemed to have survived and he carried away money, which was later shared with the police.

Another speculation is that some robberies and car-jackings could not have been carried out without proper police training. This points to the fact that, with their knowledge of the security system, former members of the Police Force themselves became violent criminals.

In the early 1990s, when the crusade for political pluralism was gaining momentum, the police were responsible for a lot of mayhem and violence in Nairobi. They were often called upon to break up democracy rallies which detractors considered illegal and dangerous to public order. On many occasions, the police actually provoked riotous violence by their mishandling of peaceful demonstrators. This generally led to the looting of shops in the Central Business District of the city.

As a result of such brutalities, the police in Kenya have increasingly come to be feared and hated. They are not citizen-friendly. They seem to treat Kenyans as a potential threat to law and order, as potential troublemakers, disturbers of peace, and as criminals.

Properly speaking, the police should not primarily perceive themselves or be perceived as crime fighters. The proper perception of a policeman, both by himself and by the citizen, should be

someone helping to preserve peace and to prevent crime, while being community-friendly (Hall, *et al* 1978:46).

### **Criminalisation of Politics and Insecurity: A Crisis of Governance.**

To enjoy public confidence, a government should demonstrate efficiency in preventing and controlling crime. It is a basic obligation of the government to guarantee security and peace for its citizenry (Clifford 1974 XI). Where this cannot be guaranteed, because of instability, either from within or without, the legitimacy or the mandate of the regime comes into question. In such a situation, we have a crisis of governance, which is a crisis of the State.

The data adduced in this paper clearly indicate that because of the high level of criminal violence and insecurity, Kenya has suffered an internal crisis — that of governance — which put the Moi regime on the defensive.

Political stability is a big contributor to security. Where the former is absent, insecurity reigns supreme. We can say this of Kenya in the period under study. The situation is a reflection of the political undercurrents that have dominated the Kenyan public. It is rightly argued that a crisis of hegemony marks a moment of:

profound rupture in the political and economic life of a society, an accumulation of contradictions. It is a moment when the whole basis of political leadership and cultural authority become exposed and contested (Hall *et al* 1978:217).

It is my contention that Kenyan political life experienced such a rupture during the period under study. It was a time when all that had been impressed on Kenyans was re-examined. Apart from Tanzania, Kenya is the only country in Eastern Africa that had enjoyed political stability and escaped civil wars since independence.

This stability was based on the principles of the one-party political system, which Moi inherited from Kenyatta. Its justification

was the call to build a united nation out of a mosaic of forty-two ethnic groups. Consequently, such a system was highly intolerant of any dissent. The party, and not parliament, became the supreme organ in the land.

Moi perfected the one-party system and virtually turned Kenya into an arch-autocracy in the 1980s. The laws of the land — the Constitution — existed only nominally. Moi's word was law. Political dissent was treated as treason, and dissidents were hounded out of the country or were detained without trial. The State radio was virtually the party propaganda organ that vilified anyone who questioned Moi's views. This state of affairs was fanned by party hawks, whose sycophancy sustained Moi's personal rule.

Then came the Michael Gorbachev years in the Soviet Union, and talks about *perestroika* and *glasnost* ushered in a wind that was to sweep through across Eastern Europe and Africa. With the collapse of the Communist Soviet Union in 1989, the stage was set for changes in Kenya, as in many other countries.

In Kenya, the forces of political tolerance and alternative views actually emerged in 1990. Moi's response to calls to open up public space first consisted in increasing coercion and an excessive use of the State apparatus. Such resistance only increased the Kenyan people's resolve to fight for their rights.

In reaction to the challenge to its sole exercise of political power, the government unleashed State-sponsored violence on the Kenyan people. This led to the so-called ethnic clashes and the main theatre was the Rift Valley Province, where Moi hails from.

The government-sponsored violence, which invariably involved Moi's Kalenjin community fighting to expel other Kenyan groups (Kikuyu, Luo, Kisii, Luyia) from the Rift Valley, was meant to confirm Moi's argument that Kenya was not ripe for political pluralism. He cited the clashes to justify his stand both before and after pluralism.

The political criminal violence imposed on citizens ended up with some seven hundred thousand people injured, social dislocation and economic stagnation. A hue and cry from the international community put Kenya in the spotlight.

Meanwhile, in Nairobi, where most battles for pluralism were fought, Kenyans lived in a state of fear. Most of the numerous rallies convened were violently dispersed. This in turn resulted in riots and looting in the city (*People* June 12, 1997). Whenever such a rally was called, Moi issued chilling warnings to discourage 'peace-loving Kenyans' from attending. The State propaganda machinery, which monopolised the airwaves, described pro-democracy activists as subverters and traitors giving drugs to misguide youth to break the law and cause mayhem. Their aim, Moi would argue, was to plunge the country into chaos and bloodshed at the behest of their masters in the Western world.

Moi warned that those intending to attend such rallies would be breaking the law and would meet its full force. He would say that the primary duty of his government was to ensure the security of the citizens and their property. It was paradoxical that while Moi talked of protecting citizens and their property, this was actually not the case. The country simply sank into the throes of violent crime through homicide, robberies, etc. Here was a government unable to protect its citizens. Yet the same police force was used to violently disrupt peaceful rallies and demonstrations.

When pressed on the inability of his regime to provide security, Moi would argue that violent crime was caused by political activists in collaboration with the Western countries who wished to see him displaced. The regime's legitimacy suffered from a credibility gap. The crisis of criminal violence and insecurity is a crisis of State and governance. It is the crisis of a government that cannot face up to a fair challenge. The various measures taken by the citizens to get a degree of security are testimony to this crisis of governance.

## **Neo-liberal Economics and Crime**

### ***Primacy of Economic Factors in Crime***

To give a meaningful explanation of crime, we have to consider the historical and structural forces at work before and during the period in question. These are the 'critical forces that shaped violent crime in the form it appeared'. In my view, they were socio-economic forces and their inherent contradictions.

It has been argued that crime should be dissociated from economic determinism. The argument is that the factors contributing to one form of crime may not necessarily contribute to others. Consequently, there is supposedly '... no automatic connection between poverty or unemployment and violent crime' (David Bruce cited in *Africa Security Review* Vol. 6, No. 4, 1992).

This is contestable. In Kenya, and indeed in Africa in general, it seems that underlying economic factors contribute a good deal to crime. Any worthwhile account of crime has to consider the dialectic of work–poverty–crime, which is the defining matrix of most economically disempowered people.

In my view, economic factors explain, more than any others, a great deal of the violent crime that characterised Kenya in the period under study. This is not necessarily indulging in economic reductionism. I am only stating that other factors are more contributory, in comparison.

### ***A False Ideology and Religion***

According to Pestieu, violence recedes with the advance of liberal democracy and industrialisation. He further argues that '... individualism and the market that encourages it plays a leading role in curbing offensiveness' (1992: 200). This simply implies that liberal democracy and its ideology of individual rights, together with the neo-liberal policies of free markets, are important ingredients of security and an

antidote to violent crime. This is also highly debatable, if the events following democratisation and implementation of neo-liberal economic policies are anything to go by. These programmes were punctuated by a lot of criminal violence and insecurity in Kenya.

Following the end of the Cold War with the collapse of Communism in U.S.S.R., liberal democracy became the programme of the West for the rest of the world. This democracy, a specifically Western brand of bourgeois ideology, was intertwined with the bourgeois market economic policies. This combination, which delegitimised the sovereign State, became the core of the *New World Order*.

This is the Order that Francis Fukuyama was celebrating: the triumph of liberal democracy and the supposed *end of history*, because there was no contesting ideology. But were these ideas good for all humanity? Was liberal democracy more pertinent to the African situation than popular democracy? Was Africa ready for individualism and free market forces, against communalism and humanism?

The answers to these questions are clearly negative. Africans campaigned for liberal democracy, but whether Africa was ready for it, in exactly the form it was presented, is a different matter. It was with the agonising realisation of these bleak realities that the late Claude Ake questioned their suitability for Africa. In his own words: 'After the Cold War, there is only one power bloc whose leaders act as though might is right. There is only one ideology, liberal democracy, only one religion, market forces' (Ake 1996:5). It is to these market forces that we turn.

### ***Structural Adjustment Programme and Implications for Crime and Insecurity***

The neo-liberal economic policies involved freeing of the market as a *panacea* for the apparent economic stagnation of Africa. The World Bank and the International Monetary Fund (IMF) wanted Kenya to restructure its economy, as from the second half of the 1980s. This was the Structural Adjustment Programme (SAP) that was seriously implemented in the early 1990s.

What the implementation of this programme amounted to was an unprecedented socio-economic dislocation in the country. Manifestations of this dislocation included poverty, unemployment and the attendant wave of criminal violence and insecurity in the country as a whole, and especially in Nairobi.

Economic liberalisation, which involved unleashing market forces to determine economic trends, implied excision of the human element in development. The result was attempts to nurture capital at the expense of humanity. This was capitalism without a human face. The implementation had to take place under threats from the international donor agencies—especially the IMF and the World Bank. When the Moi government attempted to resist, there was a freeze on development loans.

The huge blind side of neo-liberal economics is not difficult to demarcate. The SAPs demanded devaluation of the Kenya Shilling and the setting up of foreign exchange bureaux. Such a provision weakened the Central Bank's control over monetary matters and the purchasing power of Kenyans — especially those in the low-income bracket and this was tantamount to criminalising the group.

The government was ordered to freeze any further employment in the civil service and the teaching field. The result was that many university graduates and those from the middle-level colleges were idle. In addition, the government was forced to undertake a big

retrenchment scheme, covering a large proportion of those in its employment. In most cases, they had no prior preparation for their redundancy. The result was a potentially large criminal army. The Karim Popat kidnap case (see above) involved an unemployed university graduate.

When commodity prices were deregulated, the prices of almost all essential commodities shot up. This hit hardest at those at the bottom of the social pyramid. People were unable to afford food in a predominantly agricultural country. The urbanites were especially badly hit. Turning to crime for survival was not an unreasonable alternative. For many, being caught or even killed was no worse an alternative than grinding poverty.

The introduction of high fees in the universities and colleges had extra effect on many youths. A poor farmer or a parent recently retrenched from employment could not afford the fees. Many youths who qualified for these colleges were unable to take up their places. For the first time in the history of independent Kenya, large numbers of students dropped out of the education system because they could not afford to remain in it. Such a trend has become normal. The whole issue of schooling has been brought into disrepute. Consequently, for many youths, it is not out of the ordinary to consider becoming a gangster. It is one way of hitting at the society that has rejected them.

Far from resuscitating Kenya's economy, the overall net effect of the Structural Adjustment Programmes was that these programmes rather pushed the economy into the abyss of real stagnation and decline. Between 1986 and 1989, the GDP growth rate was 5.8% per annum. In 1990, corresponding to serious implementation of the SAP, it fell to 4.3%. In 1991, it fell further to 2.2% and sank to the abysmal level of 0.4% in 1992 (*National Council for Population and Development* 1994:4). It did not improve throughout the rest of the 1990s.

### ***Economic Inequality, Poverty and Insecurity***

In a speech delivered on March 7, 1998, the World Bank's Country Director accredited to Kenya, Harold Wackman, attributed the escalated crime wave in Nairobi to economic factors (*People March 18 1998*). He argued that there was economic inequality in the country, where the top 20% of the population earned 20 times as much as the bottom 20%.

Yet, this state of affairs can also be attributed to the SAP. Liberalising the market meant that the few who had capital would benefit and accumulate more, at the expense of the poor. Poverty is not a new phenomenon in Nairobi. Yet the level of poverty witnessed in the 1990s was unprecedented. Added to this were the ever-mushrooming or expanding slums, the kindergarten for criminals.

In a real sense, poverty, crime and insecurity form a self-reinforcing matrix. Poverty leads to crime and insecurity. But the latter in turn perpetuate poverty. Commenting on poverty in Kenya, Gershon Ikiara, a Professor of Economics, said that most investors, donors and *wananchi* are discouraged by the insecurity and lawlessness in the country (*Daily Nation* March 29, 1999).

Ikiara argued that if the average Kenyan bar, restaurant and supermarket owner worked till midnight daily, without any fear of attack from gangsters, the rate of the country's economic development would treble. 'All that the Kenyan common man and business community need is security. If the government is serious in combating poverty, then it must address the issue of security' (*Ibid*).

## **Other Factors in Crime and Insecurity**

### ***Large City Population***

The Police Commissioner's Report for 1997 attributed the escalation of criminal violence in Nairobi to a high population (Kenya Police 1997: 16). The fact is that the population of the city has not matched the services provided. Because of a high rural-urban migration, the social amenities in the city — housing, health, transport, recreational facilities — have been inundated.

Kenyan society has been marked by the rich and powerful grabbing available public land in order to develop it. There is virtually no space for the youths to involve themselves in sports and games. They then tend to indulge in crime.

Most of those coming to the city do so hoping to get employment and a better life. In most cases, this is an illusion that leads to further disillusionment. They settle in the slums, which are an index of both poverty and crime.

Statistics indicate that the city population has kept on increasing. According to the 1989 intercensal population figures, Kenya's growth rate was 3.4%. The total population was 21.4 million, and 19% of the population lived in urban centres, a large proportion in Nairobi. The intercensal growth rate for the urban population was 4.8% per annum — which was above the national growth rate (*National Council for Population and Development* 1994:3)

In 1979, Nairobi had a population of 827,775. In 1989, it had 1,324,570. The projection for 1999 stood at 2.164 million. By the year 2000, it was projected to reach 2.243 million (Republic of Kenya, April 1996). These statistics implied continued pressure on the insufficient resources of the city, more slums, more poverty and more crime and insecurity.

### ***Refugees and Arms Proliferation***

The steep rise in violent crime and insecurity in Kenya, which began in the 1980s, is partly attributed to the large number of aliens in the country. Kenya has been acting as host to many refugees, bandits and militias from the civil wars breeding instability in the neighbouring countries.

Yet this situation has prevailed at a cost. Aliens from Somalia, Uganda, Ethiopia, Sudan, Rwanda and Burundi have engaged in armed criminal activities. Indeed, it is arguable that Kenyans learnt the unprecedented practice of violent crime from aliens.

The refugees and fleeing members of militias opened Kenya to a proliferation of many sophisticated arms at minimum cost. The long porous border with the neighbours has made it impossible for the police to control the inflow of guns. Consequently, criminals had a field-day in acquiring lethal merchandise (*Weekly Review* September 18, 1998). Gun-running reportedly reached its peak in 1992, the year of the multiparty election. Nevertheless, the number of weapons has kept increasing. There are today more guns in the country than at any other time in its history (*Ibid*) and this explains the escalating insecurity and violent crime.

### ***Change in Lifestyles***

Urbanisation has salient characteristics that tend to break down family ties and to atomise society. In Nairobi, the hard realities have not been cushioned in any way due to growing urbanisation. Youths have been enticed into criminal activities because there is no one to monitor and supervise them. Consequently, gangs have replaced the extended family for youths from economically marginalised homes (*Albert* 1998:18).

There are also violent film videos, which laud criminal exploits. These are ingrained in the psyche of the poor youths who set about practising what they watch on films.

### Conclusion

This essay has attempted to examine criminal violence and insecurity in Kenya in the 1980s and 1990s in all their complexity. Focusing its inquiry on Nairobi, it has given empirical data to illustrate the trends and the types of the dreaded plague. It has examined the various fundamental perpetrators of violence and crime and their exact roles. It has also attempted to explain crime as a social phenomenon to be treated as a product of multiple causes and not as a simple fact. The essay contends that economic factors are the actual determinants of crime while other factors accentuate the phenomenon.

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