

**THE INFLUENCE OF VIGILANTISM ON NATIONAL SECURITY IN KENYA: A
CASE STUDY OF SUNGUSUNGU IN KISII COUNTY**

(2002-2019)

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**A Research Project Submitted in Partial Fulfillment of the Requirements for the Award of
the Master of Arts Degree in Strategic and Security Studies,
Department of Political Science and Public Administration,
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December, 2019**

DECLARATION

Student Declaration

This Project is my original work and has never been presented before in any other University or institution of higher learning.

Signature.....Date

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Supervisor's Declaration

This Project has been submitted for examination with my approval as the university Supervisor.

Signature.....Date

DR. C.A MUMMA- MARTINON

DEDICATION

Firstly, to the Almighty God, the Author and Finisher of my faith. To Him be all the glory,
forever and ever! Amen.

To Irene, my soul mate, who has lovingly and faithfully walked with me in this journey of life.
You inspire me to be a better person every day. Thanks honey, I love you . You are just the best!

To my lovely children, Nick and Steve - through you God is teaching me to be Daddy. May the
love of God be your passion. May you live to become what God created you to be!

To my dearest mum, who never ceases to pray for me. You are blessed among women.

To all my family – my siblings-, who have taught me just how great it is to be family. Thank you
very much.

ACKNOWLEDGEMENT

Completing this research would not have been possible without the generous support of different persons in resources, advice, and guidance over the duration of the study. It is therefore my pleasure to thank the many individuals who made this project possible. First and foremost, i am overwhelmingly grateful to God for granting me His grace, endurance and resolve to complete this study. To Him be all the Glory.

Special tributes go to my wife Irene and children Nick and Steve. Your love, prayers encouragement and unwavering support fired me on, even when things seemed most difficult. I cannot forget my Mum and my late Dad for your invaluable input in my life.

I am deeply thankful to my supervisor, Dr. C.A. Mumma – Martinon, who was constantly available in person, by phone and email to offer her expertise, advice and guidance. I am truly appreciative of the way you pushed me to new heights and was never satisfied until I had produced the best I could offer.

I also want to thank my employer for the sponsorship of my study. I am also profoundly indebted to my workmates for their incredible support during my study. Special recognition also goes to my student colleagues for providing a stimulating and fun environment in which we were able to learn and grow together. And to all of you that neither time nor space will let me mention by name, I am truly thankful for your immense support during the study. God bless you all.

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LIST OF ABBREVIATIONS AND ACRONYMS

CSIC	County Security and Intelligence Committee
EACC	Ethics and Anti-Corruption Commission
FGD	Focused Group Discussion
ICG	International Crisis Group
IDI	In-depth Interview
JSC	Judicial Service Commission
KDF	Kenya Defense Forces
KNCHR	Kenya National Commission on Human Rights
MNCs	Multinational Corporations
NCRC	National Crime Research Centre
NGAO	National Government Administration Officer
NPS	National Police Service
POCA	Prevention of Organized Crime Act
PSV	Public Service Vehicle
SALW	Small Arms and Light Weapons
SSR	Security Sector Reforms
USA	United States of America

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ABSTRACT

Vigilantism, a security phenomena based on a retributive justice model and commonly understood as an alternative mechanism of providing security and justice where the State does not, significantly affects national security. In theory, vigilante groups can be an alternate to security and justice organs, but in practice the influence of their activities on national security is usually ambivalent. Surprisingly, in Kenya, little scholarly consideration has been accorded to the influence of vigilantism on national security, yet the phenomenon is a serious indictment on the country's criminal and justice system. It is against this background that the study set out to investigate and document the influence of vigilantism on national security with a special reference to *Sungusungu* vigilante group in Kisii County. The research utilized both primary and secondary data. Primary data was collected using in-depth interviews (IDI), Focus Group Discussions (FGD) as well as pre-planned semi-structured interview guides. A comprehensive desk review of various subject-related books, publications, journals, periodicals and reports was also used to provide secondary data. Information was further gathered by conducting research over the internet. The researcher also collected data both from the social media and the local newspapers for news developments and information on *Sungusungu* vigilantism. Related legislations were also reviewed to provide the legal framework on vigilantism in Kenya. The data collected was qualitative in nature and as such content analysis was used to analyze the data. The results revealed that *Sungusungu* emerged following a wave of criminal activities in Kisii County and the failure of the National Police Service (NPS) to tame the crime. It was further established that the influence of *Sungusungu* vigilantism on security of Kisii county residents has largely been inconsistent and seemingly paradoxical: whereas *Sungusungu* members have been swift, prompt and effective in protecting members of the public against criminals, they have also been contributing to intensifying wave of insecurity through their involvement in many criminal activities that ranges from extra-judicial killings, torture, extortion, illegal connections of water and electricity, illegal arrest and running of several *kangaroo* courts. It was further established that the integration of *Sungusungu* members into the official community policing has worsened the management of security in Gusii land. It was established that what is happening in Kisii County under the guise of community policing is nothing less than perpetration of criminal activities. Based on the conclusion drawn from the study findings, it is clear that vigilantism has negative influence on Kenya's national security. *Sungusungu* vigilantism can never be a solution to the security challenges affecting the people of Kisii County, as most of the respondents indicated. However, in the absence of an effective criminal judicial system, *Sungusungu* vigilantism remains a justified recourse available to the residents of Kisii County, albeit, with a serious threat of throwing the county into abyss of lawlessness and culture of violence. A multifaceted approach aimed at addressing social-economic challenges affecting the youth and reforming security and judicial sectors must be harnessed to save the country from this emerging phenomenon.

CHAPTER ONE: INTRODUCTION

1.0 Background to the Study

According to Kenya National Commission on Human Rights (KNCHR) (2014), Kenya has been experiencing incidences of insecurity in both urban and rural settings since independence. This has been manifested in many ways, ranging from terrorist attacks in Nairobi, the Coast and North Eastern regions, inter-clans' hostilities in North Eastern and Rift Valley regions, to incidents of violent robberies, house and shop break-ins, extortion, murder, and kidnapping for ransom in almost all counties (National Police Service (NPS), 2016). This upsurge of criminal incidents has often been attributed to many factors that include bureaucratic and corrupt criminal and justice system, inaction by security officers, disproportional police to civilian ratio, poor public-police working relationship and inadequate resources to tackle crime (Kenya National Commission on Human Rights, 2014).

Consequently, public trust and confidence in the security and justice systems has been waning in the recent past. Where the State has failed to provide security to citizens, many individuals and communities have been left without any option other than to organize their own self-help security measures such as forming vigilantes or seeking help from outside the State for protection against attacks by criminals. A perfect indicator to this is the private security industry which is experiencing rapid growth in the country (Mkutu, 2007). Whereas the rich and well to do families can afford private security guards to patrol their neighborhoods and safeguard their property, the poor have turned to multiple self-help measures as a viable alternative to the largely elusive and passive security machinery. The most contentious of these is formation of community based vigilantes, some of which have made torturing and lynching suspects their modus operadi.

However, many of these groups start as vigilantes to provide security for their communities but later turn into criminal gangs terrorizing the very communities they were formed to protect (Abuga, 2018). Furthermore, the same groups are often hired and used by politicians to mete out violence against their rivals. When put to task about their nefarious activities, many have been known to attack and eliminate their critics to assert their dominance over their areas of jurisdiction (Chukwuma, 2017). The effects of this have been deterioration of security of the locals, thus impacting negatively on national security.

According to Bosibori (2017), vigilante groups in Kenya emerged between 1990s and 2000s as a natural defensive reaction to lawlessness and growing insecurity in their respective areas.

Eduardo (2018) adds that vigilantism has since become a common feature in Kenya because of the rising levels of criminality that appear to be affecting majority of citizens, both in urban and rural settlements. From the poorest rural settlements in upcountry to the affluent neighborhoods in Nairobi and other towns and cities, Kenyans continue to experience escalation of criminal attacks against ineffective formal security machinery (KNCHR 2014).

However, the public opinion of vigilantism in the country remains largely divided, with a section of the population arguing that vigilantism related activities should be supported but with close regulation and monitoring by the State (Abuga, 2018). Another section of members of the public have been calling for total banning of the groups and prosecution of their members, who have been illegally arresting and convicting suspects without due process of law and administering cruel punishments against them, thus undermining the rule of law (Nyantika, 2016). Perfect examples of such groups include *Taliban* vigilante group which emerged in Dandora and Kariobangi areas to protect members of the Luo community against incessant attacks and forced circumcision practices by members of *Mungiki* sect (Bosibori, 2017); *Kendakenda* vigilante group which emerged in 2000s to counter *Mungiki Sect* menace in Kirinyaga County (Mwangi, 2014) and *Sungusungu* within the Abagusii (Oyagi, 2016) among others.

However, this study will focus on *Sungusungu* vigilante group in Kisii County. This follows mainstream media reporting that has indicated that the *Sungusungu* vigilantism in the county has intensified despite its prohibition (Abuga, 2018; Nyantika, 2016). According to Masese & Mwenzwa (2012), *Sungusungu* emerged among the Abagusii people in Kisii Central Sub County in 2002 following escalation of criminal activities, notably murder, armed robberies, extortions and rape. The situation was being exacerbated by the police inaction to contain the runaway crime in the area (Abuga, 2018). This prompted the locals, mainly young male volunteers, to take the law into their own hands by embarking on a mission aimed at seizing and executing suspected criminals in the area.

As expected, they enjoyed massive support from the locals. They would later adopt the name, *Sungusungu*. The group would operate a parallel criminal and justice systems where suspected criminals would be illegally detained, tried and punished. The punishment took various forms such as corporal punishments, torture and public execution as well as burning of houses belonging to the suspects. Later, the group ventured into debt collection and resolution of land and domestic disputes (National Crime Research Centre (NCRC), 2012). This went on until

virtually all suspected criminals were executed or fled the area as *Sungusungu* became highly successful in restoring security and order, which had seemed elusive.

The overwhelming feeling of majority was a sigh of relief at being able to sleep. Needless to say, the group gained tremendous popularity among the locals such that when they were asked to constitute community policing committees, they elected *Sungusungu* members in the committees (Abuga, 2018). Following the success of the group, its activities slowly and eventually spread to other parts of Kisii County.

However, it is the involvement of the group members in arresting, investigating and detaining suspects in illegal holdings and imposing predatory tax and protection fee on locals that created suspicions and mistrust in the locals (Nyantika, 2016). Moreover, the group threatened those who talked ill of its members. This stocked a lot of fear and anxiety among the residents such that the locals started refraining themselves from talking about the group's activities. This attracted government attention which, in a bid to address security concerns raised by the locals, outlawed *Sungusungu* in 2010 and embarked on a serious security crackdown on the group (NCRC, 2012).

As expected, *Sungusungu* initially went underground and their activities significantly declined. However, in the run up to 2013 general elections, the group started regrouping in various parts of Kisii County (Abuga, 2018). By 2016, the group had fully re-emerged and revived its activities in the County.

1.1 Statement of the Problem

As already indicated, *Sungusungu* emerged in 2002, got outlawed in 2010 and re-emerged in 2013 and as a matter of fact, its activities have intensified in Gusii region (Abuga, 2018). Moreover, its activities continue to elicit mixed reactions among the locals. On one hand, the group has been credited for restoring security and order, which had seemed elusive in early 2000s, thus providing an alternative to law enforcement agencies. This made the members of the public to accept the group and trust it so much to an extent of electing a section of its members in the community policing committees. To-date, a cross section of members of the public prefer security and other concerns being addressed by the group, as they 'act swiftly', as opposed to the police and judiciary who take too long to investigate and bring culprits to book.

On the other hand, the group continues to carry out extra-judicial killings, collecting money from businesspeople in return for security, collecting a percentage from sale of land transactions,

arresting bodaboda operators and detaining their motorcycles for non-payment of protection fees, running a kangaroo court to discipline errant husbands in front of their wives and children, and assaulting administration officers for reporting on their activities (Abuga, 2018). Moreover, they have become goons and hit men for hire by other interested parties, particularly businesspeople and politicians, wishing to eliminate their rivals for the purpose of settling their business or political scores (Nyantika, 2016).

This controversy raises a scholarly concern and the need to relook at *Sungusungu* and its evolution over time as well as the influence of its activities on national security. It is also worth noting that studies done on *Sungusungu* have been limited to its genesis and activities. For instance, Masese & Mwenzwa (2012) focused on the emergence of *Sungusungu* among the Abagusii; Oyagi (2016) investigated the role of *Sungusungu* in the management of security in Suneka Township of Kisii County; Akinyi (2014) concentrated on *Sungusungu* as an illegal gang of children and youth for hire while NCRC (2012) scarcely studied *Sungusungu* alongside other criminal gangs operating in Kenya.

Evidently, there exists no comprehensive literature on the re-emergence of *Sungusungu* vigilantism and its implication on national security. What exists is jumbled, incoherent and fragmented descriptive pieces of data on its genesis and activities. The current scholarly work on *Sungusungu* vigilantism also fails to capture the current trend of the group. Moreover, none of the researchers has been able to provide the influence of *Sungusungu* vigilantism on national security. Undeniably, *Sungusungu* as a vigilante group has loosely been researched on. It is against this background that this study sought to carry out a comprehensive study on the influence of *Sungusungu* activities on national security. The study sought to trace the factors that necessitated the re-emergence of group's activities and the effects of these activities on the security of the locals.

1.2 Research Questions

This study seeks to answer the following specific questions:

- i. What are the motivating factors towards the re-emergence and growth of *Sungusungu* in Kisii County?
- ii. How has the provision of parallel security and justice services by the *Sungusungu* in Kisii County affected security of the locals?
- iii. What are the effects of integrating members of *Sungusungu* in Community Policing in Kisii County on dealing with issues of national security?

1.3 Objectives of the Study

The research seeks to examine the influence of vigilantism on national security with a special reference to *Sungusungu* in Kisii County. The specific objectives are:

- i. To establish the motivating factors towards the re-emergence and growth of *Sungusungu* in Kisii County.
- ii. To find out how the provision of parallel security and justice services by the *Sungusungu* in Kisii County has affected security of the locals.
- iii. To establish the effects of integrating members of *Sungusungu* in Community Policing in Kisii County on dealing with issues of national security.

1.4 Justification of the Study

1.4.1 Academic Justification

Vigilantism negatively affects the moral social fabric and has the potential, due to its viciousness and culture of violence, to dethrone a legitimately elected regime (Pratten, 2008). Surprisingly, little academic attention has been accorded to the re-emergence of *Sungusungu* vigilantism in Kisii County and its influence on Kenya's national security. This is because, as earlier indicated, different scholars have focused on different aspects of the group. For instance, whereas Oyagi (2016) researched on the role of *Sungusungu* in the management of security in Suneka Township of Kisii County, Akinyi (2014) studied *Sungusungu* as an illegal gang of children for hire. NCRC (2012) on its part fragmentarily studied the group alongside other criminal gangs operating in Kenya.

This has led to scarcity of an all-inclusive scholarly literature on the influence of *Sungusungu* vigilantism on national security. The study findings will add to the current pool of knowledge on vigilantism and its influence on Kenya's national security. The findings will also provide a reference point and a source of literature to scholars and researchers who might need to conduct further research on similar studies.

1.4.2 Policy Justification

Kenya has experienced a proliferation of vigilantes across the country since 1990s ostensibly to provide security where government security machinery has failed (Oyagi, 2016). However, the increase of these groups has not been matched with systematic and deliberate efforts to appreciate their relevance and influence on the national security. Acknowledging their upsurge

and subsequent impact of their activities on national security is imperative in linking our understanding and knowledge of security governance with empirical realities in the country.

The findings of this research will be beneficial to policy makers and law enforcement agencies as it will provide them with an empirical data on factors that are responsible for the increase of vigilantes despite government's sustained crackdown against the groups. Additionally, this study will proffer appropriate policy that decisions makers can adopt to combat or mitigate proliferation of such groups in the country. This is principally important since policies that are currently being employed to address the issue of vigilantism in Kisii County and in the entire country in general appear inadequate.

1.5 Scope and Limitations of the Study

While the study takes cognizance that *Sungusungu* operates and or its activities have been felt in the entire Kisii County, the study is limited to examining the reemergence and effects of its activities on security of residents of *Nyaribari Chache, Kitutu Chache South and Bonchari* constituencies in the period between 2002 and 2019. The choice of the period and locations is informed by the fact that it is in these constituencies that the activities of the group have been most felt during the period under review (Abuga, 2018). During this period, the group has been accused of perpetrating serious crimes and violations of human rights under the pretext of providing parallel security and justice to the locals (Abuga, 2018).

1.6 Definition and Operationalization of Key Concepts

In the context of this research, the under-listed concepts have been defined as follows:

National Security

National security has been described, "as the freedom from foreign dictation" (Lasswell, 1950). Lippmann (1943) on his part conceptualizes it, "as the ability of a nation not to sacrifice its core values to avoid war, and is able to, if challenged to maintain them by war." These definitions are deemed too narrow since they present State as the referent object requiring protection from other States. Today, national security has been expanded to include other several potential threats that are non-military in nature that include economic, political, environmental and societal threats.

As such, this study will adopt Kenya's conceptualization, which views national security as the "protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity and other national

interests (Constitution of Kenya, 2010).”In light of this Operationalization, threats to security of Kisii county residents will be conceptualized as threats to national security.

Vigilantism

Vigilantism is often understood as part of an informal security practice which involves community policing (Abraham, 2003), non-state policing (Baker, 2002), popular justice (Monaghan, 1999) or non-state security and justice system (Scharf, 2005). Whereas each classification is typified by distinctive characteristics, they have a lot of similarities and are thus used interchangeably. However, this study conceptualizes vigilantism as a practice that involves a group of ordinary citizens voluntarily coming together with a view to seeking ways of providing security and justice on behalf of their communities through use of threats, force or violence without following the due process of the law. This approach is deemed appropriate because it captures almost all basic features of the phenomenon.

Sungusungu

Sungusungu refers to different things to different people in different areas. According to Abrahams (1987), *Sungusungu* are Tanzanian community based justice organizations established originally by Nyamwezi and Sukuma communities in 1981 to protect them from cattle theft. Human Rights Watch (2016), posits that the term was originally being used to describe a vigilante group formed to deal with cattle rustling menace in western Tanzania in the 1980s but is recently being used to refer to any neighborhood militia. *Sungusungu* has also been defined as a community policing group (Suzette, 2007), a community vigilante group operating in Kisii County (Masese & Mwendwa, 2012), a clan based militia (Kegoro, 2009) and an organized criminal group (NCRC, 2012).

In this study, *Sungusungu* has been operationalized as a community based vigilante group formed among the Abagusii people in 2000s as an alternative to the largely elusive and ineffective formal criminal and justice systems in the county. Its activities include offering quasi security to residents, collecting money from residents in return for security, illegal arrest, investigations, torture, extra judicial killings, illegal connections of water and electricity, and running of several *kangaroo* courts where it tries and disciplines suspects. This definition is deemed appropriate as it aptly describe the group under the study.

CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

This section aims at critically appraising the already existing work on the nexus between vigilantism and national security as espoused by various scholars and researchers with a view to identifying strengths and weaknesses of the previous literature. It is guided by the specific objectives of the study and as such, it would be distributed into the following thematic areas: The concept of national security, the concept of vigilantism, motivating factors that lead to the emergence and growth of vigilantism and its influence on national security. It will also highlight various ways of dealing with vigilantism as well as the challenges that States encounter in dealing with the phenomenon.

2.2 The Concept of National Security

Generally speaking, there is no universally agreed meaning and definition of the term national security. This is because the concept is diverse and elastic and can be understood in different forms. Buchan (1966) has noted that national security is a word with many meanings. While agreeing with Buchan (1966), Wolferr (1965) has observed that national security is an ambiguous term that may not have meaning at all. As a result, many definitions of national security exist, but there is no concurrence on a single, universal definition of the term. These definitions are always subjective, ideological and based on States and authors' perceptions of threats, protected values and the means and ways in which to protect these values. A sample of these definitions is hereby discussed.

According to Lasswell (1950), national security is, "the freedom from foreign dictation." Lippmann (1943) on his part defines it, "as the ability of a nation not to sacrifice its core values to avoid war, and is able to, if challenged to maintain them by war." Kennan (1948) conceptualizes national security, "as the continued ability of the country to pursue the development of its internal life without serious interference, or threat of interference from foreigner powers." From the above sampled definitions, it is evident that most of the definitions are based on traditional approach to security, which presents State as the referent object requiring protection from other States.

This approach is thus defined from military perspectives, with the key focus being the protection or the survival of the State against external military aggression by another State. This perspective has its roots in antiquity, but has been shaped largely by the Westphalian notions of State's sovereignty, emerging out of the assumption that the State holds the primary responsibility to

protect its citizens (Buzan, 1991). In this system, national security is understood to revolve around territorial integrity, state sovereignty, and national survival. As such, State is seen as the focal point and the sole custodian of security, achieved mainly through military means (Krause and Williams, 1996).

However, such traditional understanding of national security, built around military power, territorial integrity and State survival, has increasingly been challenged. Since the end of cold war, the scope of national security has been expanded from the narrow state-centrism approach towards a more broad-based human centric approach (Buzan, 1991). Firstly, there has been an emergence of international security, as separate from State/national security, with the evolution of collective security system. Secondly, the notion of human security has been added to the expanded concept of security. Thirdly, the context of territorial integrity for security has also changed. Lastly, there has been a shift towards recognizing and appreciating non-military dimensions of security threats to include political security, economic security, food security, health security, energy and resource security, societal security and environmental security (Buzan, 1991).

2.2.1 International Security

The advocates of traditional perspective to security conceptualize national security through international system. In this perspective, national security rotates around State-Centrism and Realism views as propagated by Thomas Hobbes (Magnold, 1990). In this system, the international system provides a global arena for States to compete for their own national interests, under a situation of anarchy. At this level, power politics and the distribution of power creates dilemma in States relationships. It therefore becomes critical that States interactions be managed collectively through cooperation where sovereign States appreciates interdependence and complementarities. This is because power distribution in the international system is never stable and that States compete to ensure power stability in their own interests.

After the World War II (WWII), the International Community reorganized its understanding and meaning of security and founded the United Nations (UN) in 1945 as an international organization to maintain international Peace and Security. This was after the League of Nations failed to prevent the occurrence of WWII. Consequently, global powers were persuaded that never again will the world experience catastrophic wars but that attempts will be made through a global institution to build peace and maintain international security.

The UN is therefore a multifaceted system of national commitment and international mechanism designed to prevent and suppress aggression by any state, by presenting to the potential aggressors the credible threat and to potential victims of aggression the reliable promise of effective collective measures ranging from diplomatic to military as a way of enforcing peace. In order to achieve its objectives, the UN was to perceive international security as evolving from the necessity that nature of State behaviors, globalization and access to resources plays a tremendous demand on State's survival. Consequently, these are responsibilities that no State or national security apparatus has the capacity to handle on its own and as such calls for the collaboration of countries.

Moreover, international security has to deal with the concept of security complex. This is a situation in which the security concerns of State are deeply interrelated such that the security concerns of one State cannot be realistically considered without factoring security needs of other countries. The implication of this is that as a State tries to secure itself, it will create insecurity to other countries and vice versa.

2.2.2. Contemporary approaches to National security

As earlier indicated, the idea that the State is the only provider of national security has increasingly been challenged. Buzan (1991) has noted that the non-state security actors such as vigilantes, private guards, and private security firms among others are increasingly becoming key factors in contemporary national security. Consequently, non-state security actors, particularly vigilantes, have attracted a lot of interest from policy makers and scholars in the recent past as their persistence and prominence in many countries continue to be progressively acknowledged (Sebastian, 2010). Ogbozor (2016) has, for instance, noted that vigilantes have in the recent past become a viable alternative to provision of local security following the failure by the State security agencies to guarantee citizens their security and realization by many States that police alone cannot fight crime.

As a result, provision and governance of national security is now being distributed and shared among network of State and Non-State actors such as vigilantes and private security firms. However, private security firms are a bit expensive and thus unaffordable to many citizens, particularly in developing countries. This leaves vigilantism as the most viably preferred alternative to the formal security machinery amongst the citizenry. This change of security governance helps us to appreciate the significance and relevance of non-state security actors in

the contemporary security context since it recognizes their motivations and their impacts on national security.

In addition, the UN began to identify and appreciate new types of threats that did not necessarily threaten the State but rather the individual. As such, the UN, through the United Nations Development Report (UNDP) of 1994 re-conceptualized security as being people focused rather than State centered, emphasizing more on “how people live and breathe in society, how much access they have to market and social opportunities, how freely they exercise their many choices and whether they live in peace or conflict” (UNDP,1994).

Therefore, national security is a much broader concept than just a state security. It includes various forms of threats that include climate change, famine, poverty and natural disasters. As a matter of fact, today, there are many more people being killed by vigilantes, inter-ethnic hostilities, diseases, famine, hunger, environmental degradation, and gender-based violence, violation of human rights, natural disasters, and violent non-state actors than by inter-state wars. As such, national security is now understood to be a multidimensional concept, which refers to the security of a State’s territory, its institutions, its citizens, their civil liberties and their properties (Buzan, 1991).

2.2.3 Africa Security Situation

Since the end of the Cold War, the nature of security threats in Africa has tremendously changed from inter-state wars to intra-state conflicts. According to Cilliers (2015), security challenges in the continent have largely been internal rather than between States, mainly emanating from attempts to change governments unconstitutionally as well as challenges related to governance. Soest and Juan (2018) have noted that the key threats to peace and security in Africa have generally been weak state institutions, poverty and weak governance. Additionally, the continent has been confronted by depletion and subsequent competition for natural resources that explain the current trend of insecurity. The duo has noted that the security environment in Africa has been manifested in the following four ways:

Firstly, there has been an increased conflict recurrence. The duo has posited that the current security threats in Africa have been fuelled by recurrence of intra-state conflicts rather than by emergence of new forms of conflicts. As such, many States experiencing insecurity today have experienced conflicts before only interrupted by short stints of relative peace. The current security challenges being experienced in Somalia, Mali, Central Africa and South Sudan are perfect examples. Secondly, decentralized forms of violence, organized crime, vigilantism and terrorism

have been on the increase. While agreeing with Soest and Juan (2018), Straus (2012) has argued that whereas armed inter-state wars have decreased in intensity and frequency, contemporary insecurity in Africa is being fuelled by insurgencies, terrorism, kidnappings, violent protests and riots and drug trafficking have significantly increased.

Thirdly, there has been transnationalisation of conflicts, where the continent has experienced increased number of conflicts and violence that affects multiple States simultaneously. This is manifested through civil wars characterized by cross border violence, increased number of armed non state actors such as terror and rebel groups that include Al-Shabaab and Boko Haram in East and West Africa regions respectively. Fourthly, the continent has been experiencing regional differentiation of conflicts where security challenges vary across regions and countries. For instance, whereas terror attacks have been witnessed in almost the entire continent, East and West African regions have been the worst hit.

International and regional initiatives have been the key mechanisms to address security challenges on the African continent. Concomitantly, African Union (AU) has been on the forefront in strengthening and maintaining peace and security in Africa. To achieve its objective, the AU created African Peace and Security Architecture (APSA), whose mandate is to develop and implement African solutions to African security concerns. It outlines the procedures, roles and instruments by which African Union, Regional Economic Communities and Regional Mechanisms can be able to realize their conflict prevention, management and resolution mandates. However, it is worth mentioning that despite the APSA notable achievements, AU has not managed to comprehensively deal with security threats in the continent.

2.2.4 Kenya's National Security

The Kenya's national security is well defined in the chapter fourteen (14) of the Constitution of Kenya (2010) as the, "protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity and other national interests" (Constitution of Kenya, 2010). This definition agrees with the contemporary views of national security that appreciates the multidimensionality of security that includes other non-military aspects such as political, economic, societal and environmental (Buzan, 1991). The Constitution of Kenya (2010) further highlights Kenya's threats to national security as Internal and External threats and outlines Kenya Defense Forces (KDF), National Intelligence Service (NIS) and National Police Service (NPS) as the national security organs.

According to NPS (2016) the key internal threats to Kenyan National's security includes terrorism, diseases, violent robberies, ethnic hostilities triggered by unresolved boundary disputes, livestock theft/ cattle rustling and competition for natural resources, upsurge of criminal gangs/ vigilantes, proliferation of illegal firearms and illegal weapons and influx of illegal aliens and undocumented immigrants. KNHCR (2014) notes that the above mentioned insecurity situation is caused by operational, political and socio-economic factors that hinder access to security services and at times presents a challenge to the response of both existing and emerging threats. The KNCHR (2014) has further established that factors that fuel insecurity rotate around feelings and realities of exclusion and marginalization by sections of the population in the country. Moreover, massive poverty, youth unemployment, corruption within security organs, poor working conditions of the police, slow or delayed pace of security sector reforms, poor coordination among the various security organs and a rise in non-core policing demands have been identified as among the key factors that continue to contribute to the overall state of internal insecurity in Kenya.

External threats include threats to Kenya's National security that are emanates from outside the territory of Kenya. They are shaped by the traditional conceptualization of security that views national security from an anarchic international system, where State is seen as the sole custodian of security, achieved mainly through military means. However, the impact of globalization coupled with the expanded conception of security has added new external security challenges to States to include environmental insecurity, instabilities from neighboring countries, international terrorism, and transnational organized crimes such as poaching, narco trafficking, human trafficking/smuggling, money laundering, arms trafficking and piracy.

Ogola (2014) has noted that Kenya's military threats continue to rank high and receive preferential treatment at policy formulation level among security priorities, an indicative of State centric perspective to security. He adds that threats from Al Shabaab terror group continue to rank highly as the topmost threat to Kenya's national security, followed by spillover effects of conflicts from neighboring Somalia, Ethiopia and South Sudan. Transnational crime activities such as drug trafficking and money laundering continue to pose serious security challenges to the State. Environment insecurity is a recent security phenomenon but it is manifested in Kenya through prolonged droughts which results in ethnic conflicts among the pastoral communities in Upper Eastern, North rift and north Eastern regions of the country.

2.3 The Concept of Vigilantism

In spite of vigilantism capturing the attention of the world, there exists a considerable disagreement among scholars on a universally agreed definition of the concept. Scholars and policy makers differ on several basic features of the concept such as when, who, against whom, why and what. Moreover, there is a significant dispute among scholars on such issues as whether vigilantism is peaceful or violent, prearranged or impulsive, legal or illegal and whether it is undertaken by private citizens or by a State's agents such as the police.

Whereas some scholars like Dumsday (2009) argue that vigilantism is sponsored by State, others like Johnston (1996) view it as an act by private citizens. While some like Hine (1998) holds that vigilantes are non-violent groups, others like Rosenbaum & Sederberg (1974), hold the view that vigilantism entails threats to or use of violence. Likewise, scholars like Adinkrah (2005) argue that vigilantism is a spontaneous act while others see it as a premeditated act (Johnston, 1996).

Besides, scholars disagree widely on the perceived aim of vigilante groups. Whereas scholars such as Ayyildiz (1995) argue that vigilantes aim at bringing to an end an unpleasant situation such as a case of domestic abuse, others have noted that the vigilantes aim at arresting and punishing suspected criminals (Zimring, 2003), enforcing law and order in anarchic settings (Alvarez & Bachman, 2007) and protecting a legitimate socio-political establishment (Rosenbaum & Sederberg, 1974). Scholars also differ widely on targets and victims of vigilantism to include suspected criminals (Brown, 1975), security personnel (Rosenbaum & Sederberg, 1974), witches (Adinkrah, 2005) and even minority groups (Sederberg, 1974).

Etymologically, the term vigilante is derived from the Spanish word, *Vigilante*, which literally means watchman or guard (Abraham, 1987). The term was used to describe a wide collection of self-styled law enforcement groups, which would range from *Vigilance Committees* in 19th Century in the United States of America (USA), self-defense groups on the street of San Francisco and New York, to the 20th Century Death squads in the Philippines.

These groups existed in societies where justice and criminal systems were either absent, ineffective, corrupt or where State appeared unable to cope with societal disorder and lawlessness (Haefele, 2002). It is worth noting that vigilantism is a global phenomenon. Existing literature has indicated that there has been a proliferation of vigilantes in USA (Encyclopedia of Crime and Justice, 2002); Mexico (Ochoa and Tomas, 2016); Philippines (May, 1992); Nigeria (Nyiayaana, 2015); South Sudan, Sierra Leone and (International Crisis Group, 2017) among other countries.

However, the aforementioned etymology does not seem to solve the problem of definition. Various scholars, governments, policy makers have each developed and adopted their own definitions. For Abraham (2003), vigilantism entails premeditated efforts by a group of ordinary members of the public to provide security on behalf of their societies, usually through violence, in the absence of effective formal security machinery. Little and Sheffield (1983) share a similar opinion by affirming that the spirit of vigilantism is about ordinary citizens taking law into their own hands to defend themselves when State fails to do so.

Haefele (2002) on his part conceptualizes vigilantism as the assumption of duty for the security of the community by self-styled caretakers through the use of force. Johnston (1996) also holds equivalent views by arguing that vigilantism is a voluntary activity in which private citizens offer to protect themselves without the support or the authority of the State. Rosenbaum and Sederberg (1976), however, appear to argue differently. For them, vigilantism is an established violence which is committed to advance conventional interests, with an overall goal of creating, recreating or sustaining an established socio-political order. Vigilantes can thus be quasi-official death squad members, members of paramilitary groups, police officers on duty but engaging in extra-judicial violence or members of the public, who are unofficially supported by the State to engage in communal lynching (Huggins, 1991).

Moreover, Alemika & Chukwuma (2004) have argued that vigilantism can be categorized into various types based on various characteristics such as neighborhood or communal associations (neighborhood vigilantes), ethnic roots (ethnic vigilantes), religion (religious vigilantes) and state sponsored/sanctioned (official vigilantes). However, it is worth noting that these categories are not exclusive or rigid. A vigilante group might have a combination of one or more characteristics of these types.

Thus, Vigilantism is an enigmatic concept with no precise scholarly definition that can capture all its elements. This is because its definition depends on who is defining it, how whoever defines it relates to the acts of the vigilante group in question, circumstances under which the definition is being made and the socio-cultural contexts regarding the justice and criminal system at that particular place and time. As a consequence, disagreements have inevitably been intensifying over the aptness of classifying some activities or groups as examples of vigilantism.

However, the most logical way to define a concept with so many descriptions is to delineate common features in its definitions. A content analysis of some of these definitions reveals that vigilantism embodies the following common ingredients: It is a social reaction to a crime; it is a

rational behavior which involves premeditation, planning, coordination and the implementation by those who engage in it; it involves ordinary citizens who voluntarily seek to provide security on behalf of their communities; those who engage in it use or threaten to use force without regard to the due process of the law; it is illegal since government has a monopoly over the legitimate use of force; and is a phenomena anchored on a model of retributive instant justice (Abraham, 1987; Johnston, 1996; Rosenbaum and Sederberg 1976).

2.3.1 Vigilantism from Global Perspectives

It is worth noting that vigilantism is a global phenomenon and not restricted to Kenya. According to Brown (1975) vigilantes have been playing a key role in American criminal and justice systems. He adds that there has been a proliferation of vigilantes in USA such as *Ku Klux Klan*, *vigilance committees*, Anti-Abortion extremists who mete out deadly violence against family health workers and private neighborhood (watch) groups who patrol their neighborhoods. According to Rosenbaum and Sederberg (1976), inaccessible and unresponsive justice systems create a breeding ground for vigilantism and mob justice in the USA. In Latin America, *linchamientos* vigilante group is a manifestation of citizens' dissatisfaction with the Country's judicial and criminal systems and the desire to manage their own affairs.

In Guatemala, for instance, the group is credited for its effectiveness against local criminals, owing to apparent inefficiencies, illegitimacy and corruption of local police personnel. In a similar approach, Ochoa and Tomas (2016) have observed how vigilantes in Mexico, notably in Michoacán state, emerged naturally as a defensive reaction by local communities to safeguard themselves against rising crime in the absence of an effective State security machinery to guarantee the citizens the basic conditions of existence, particularly in the area of public safety. When the local police failed to provide sufficient security, vigilantes took law into their own hands to fight powerful drug syndicates. Eventually, the Mexican government assimilated the groups to keep them under check and bolster the fight against crime as well. The *Esquadão da Morte*, a death squad vigilante group in Brazil, has been executing suspected habitual criminals. In many instances in Latin America, the failure by the States to guarantee security, justice and social order has prompted citizens to take law into their own hands and protect themselves.

In Asia, May (1992) has noted that vigilantism in Philippines evolved between 1920s and 1940 as rich political class and landowners resorted to sponsoring vigilantes to mobilize voters, intimidate tenants, and break strikes and protest. Other vigilante movements in Europe and Asia

include the Jewish Defense League in Israel (Weisburd, 1984) and Protestant B Specials in North Ireland (Lebow, 1976)

2.3.2. Vigilantism in Africa

According to Pratter (2008), vigilantism has become widespread phenomenon of the African criminal and justice systems. He adds that the evolution of vigilantes and night guards as natural defensive reaction to rising cases of crimes has become rampant in the continent. Vigilante membership comprises of local community members, who share same or similar political or ethnic entities, threat perceptions and common interests. This raises the possibility of groups morphing into a complex gang, pursuing their own criminal or narrow ethnic interests. Indeed, existing literature has shown that many of the groups often transform into criminal gangs or rebel groups and resorts to such criminal activities as kidnapping, extortion and other forms of violence (Suzette, 2007).

According to International Crisis Group (2017), vigilante movements in Africa have evolved and continue flourish in countries where governments are incapable or reluctant to guarantee their people adequate security against both internal and external threats. These threats range from large scale terrorism or insurgency attack, violent robberies, ethnic or political violence to petty crimes in the villages and urban settings. The International Crisis Group (2017) adds that the country and nature of security threats informs the type of group to be formed and subsequent activities that group undertake- whether policing type or counter insurgency type activities. For instance, Nigeria Civilian Joint Task Force (CJTF) vigilante group has been very instrumental in flushing out Boko Haram terrorist group from Borno State by carrying out patrols to check on strangers, arresting and surrendering suspects to authorities, interrogating and interviewing suspects, surveillance and physically protecting their communities against attacks.

Africa has also been playing host to several vigilantes, particularly in areas where ordinary people have suffered a wave of violent crime, abuse by the police and government inaction to address the crime incidents. In such circumstances, citizens tend to give up on State guaranteeing them security and ends up taking law into their own hands by forming and supporting vigilantes (Suzette, 2007). Examples of such groups operating in Africa include *Bakassi Boys* in Nigeria (Nyiayaana, 2015); *Sierra Leone Civil Defence Force* (SLCDF), *Arrow Boys* of Teso in Eastern Uganda and *Zande Arrow Boys* in South Sudan among others (International Crisis Group, 2017).

International Crisis Group (2017) has noted that the impact of vigilantism in Africa has been divergent. On one hand, the groups have been playing a critical role in fighting against criminals and supplying security personnel with invaluable local knowledge, thus enhancing national security. On the other hand, the groups have been undermining States' authority, threatening peace and security by morphing into criminal gangs after the original threat has been neutralized and amplifying conflicts when they start to target political and ethnic rivals. However, in spite of the circumstances, States too weak to guarantee their people adequate security not only exposes them to vigilantism but are also unable to control vigilantes from going overboard.

2.3.3. Vigilantism in Kenya

As already indicated vigilantism in Kenya emerged between 1990s and 2000s as a natural defensive reaction to lawlessness and growing insecurity in their respective areas (Bosibori, 2017). The ordinary citizens gave up on the government protecting them and resorted defending themselves against attacks by criminals. While agreeing with Bosibori (2017), KNCHR (2014) has observed that the ineptitude of police in crime prevention and control, identification and arrest of suspects, incivility, widespread corruption among security and judicial organs has eroded public trust and confidence in the State criminal and justice system, against the background of increased violent crimes in the country.

KNCHR (2014) has added that failure by the State to guarantee security and safety to the members of the public has resulted to self help mechanism by the public including formation of vigilantes, and in addition vigilantism. The public formation and support for vigilantism could be interpreted as a natural reaction to prevalent negative perception that the criminal and judicial institutions in the country are too inefficient to address crime. Oyagi (2016) has observed that Kenya based-vigilantes are usually ethnic based and enjoy massive support and legitimacy from their respective local communities due to the community identity and their swiftness in responding to security threats facing their localities.

According to Oyagi (2016), vigilantes in Kenya are instrumental in the security governance of their respective localities. Besides helping fight crime in their neighborhoods, they have been applauded for the general maintenance of law and order. Oyagi (2016) admits that the proliferation of vigilantism in Kenya and popular support they continue to enjoy from members of the public are an indication that their services are valued and appreciated. However, their activities have also been a major threat to security in the country (KNCHR, 2014). For instance, when they become politicized, they tend to pursue the interests of their patrons rather advance

the interests of their communities. In other instances, they end up terrorizing the very communities they were formed to defend.

This raises serious scholarly and security policy concerns regarding their mandates and operational logistics, ranging from the admission criteria of the members, the upkeep and remuneration of their members, nature of training they receive, character of their memberships, their relationship with members of the public, level of cooperation with formal security organs, their loyalty to the State authority and the influence of their activities on national security. However, this study will focus on influence *Sungusungu* vigilantism on national security.

Ngunyi and Katumanga (2014) have further explained how these groups, which had initially been formed to provide security for their respective communities mutated into vicious criminal gangs; thus presenting serious challenges to national security. Consequently, government enacted the Prevention of Organized Crime Act (POCA) in 2010 and proscribed thirty three (33) such groups via Kenya Gazette Notice (2010).¹ Surprisingly, majority of them still exist and incidents of vigilantism have actually increased in both rural and urban settlements in Kenya (Abuga, 2018). Evidently, the role and influence of vigilantism on Kenya's national security is thus complex.

Abuga (2018) and Nyantika (2016) have noted that members of the public have expressed varied reactions concerning the activities by the vigilante groups. Whereas some people have welcomed and appreciated their services despite their multiple excesses and abuses, others have reacted negatively against their continued operations despite their ban by the government. Relating the Nigerian experience, Chukwuma (2017) noted that in the absence of working criminal and judicial systems, vigilantes succeeded in claiming high moral grounds on the basis of providing justice services and safeguarding their communities. It is not thus surprising that vigilantes are accorded such immense support by many Kenyans. Chukwuma (2017) admits, however, that not all people are supportive of vigilantism. Nyantika (2016) agrees with Chukwuma (2017) by noting that vigilantes in Kenya often harass and threaten the locals and are above the law

These groups include Sungusungu, Mombasa Republican Council, Kosovo Boys, Jeshi la Mzee, Forty Two Brothers, Congo By Force, Siafu, Mungiki Movement, Sabaot Land Defence Force, Amachuma, Kamkunji Youth Group, Mungiki Sect, Chinkororo, Baghdad Boys, Japo Group, Kaya Bombo Youth, Angola Msumbiji, Dallas Muslim Youth, Jeshi La Embakasi, Kamjesh, Makande Army, Banyamulenge, Mungiki Organisation, Taliban, Charo Shutu, Sakina Youth, Republican Revolutionary Council, Coast Housing Land Network, Forty Brothers, Jeshi La King'ole, Kuzacha, Keya Youth Alliance and Al Shabaab.

themselves. Additionally, many victims of vigilantism excesses are reluctant to report such for fear of reprisals.

According to Eduardo (2018) and NCRC (2012), armed vigilantes in Kenya often carry out unlawful arrest and detentions, executions, torture and other human rights violations. In other instances, they are involved in extortion, destruction of public property, instilling fear among members of the public and violent robberies. In such situation, it appears that most Kenyans remain powerless over the activities by the vigilantes and appear caught up in a dilemma of either vigilantism and face the blunt of criminals' brutality or support vigilantes and put up with their abuses and excess.

2.4 Motivating factors towards the emergence and growth of vigilantism

Various scholars such as Pratten (2008), Suzette (2005), Nina (2001) and Seekings (2001) have explained the reasons behind evolution of vigilantes, with majority of them drawing conclusions that State failure, inaction or ineffectiveness of formal state security machinery contributes to the evolution of such movements. Seekings (2001) has specifically blamed corrupt and ineffective judicial justice systems, mistrust on the prosecution systems, easy or lenient bail conditions for the suspects, frustrations about rising criminal activities, high rate of unemployment among the youth, weak legislation, lame law enforcement strategies, and high illiteracy levels as the key motivating factors as to why citizens would join or support vigilantes.

Nina (2000) and Suzette (2005) appear to agree with Seekings (2001) by arguing that vigilantism is likely to flourish in States where criminal and justice systems are perceived to be too bureaucratic, corrupt and untrustworthy. In this context, State is misconstrued as insensitive to the demands of the citizens and thus doing nothing to guarantee their safety. Nina (2000) further notes that deep suspicion and mistrust of the government and failure by State security agencies to provide security and safeguard people's human rights further provides a conducive breeding grounds for vigilantism to thrive. In such situation, State is perceived to be incapable or unwilling actor in the provision of security as well as in crime prevention and control.

Pratten (2008) appear to share this view, albeit in another perspective, by noting that vigilante groups flourish in States that are in the incipient stages of democratization. He adds that states that have only just adopted democracy usually suffer from economic and political institutional deficits that create conducive breeding grounds for vigilantism. This approach is also supported by Ochoa and Tomas (2008), who observes that vigilante movements in Mexico flourished in the

context of an immature democracy where State institutions were not effective enough to provide people with even the most basic needs of life, particularly security and justice.

Rotberg (2004) has observed that in such situations, States are sometimes forced to outsource provisions of security from vigilantes. This makes vigilantism gain some levels of acceptance by both government and the local communities since it appears to respond to people's demands such as provision of security and maintenance of law and order. This makes the boundary between vigilantes and state security machinery to appear blur. Vigilantism is thus a complex phenomenon which ought to be viewed beyond the common perception that it is a bunch of idle, unruly and undisciplined youth. This approach is critical in understanding why many communities continue to form and support such groups.

However, the emergence of vigilante groups cannot simply be viewed as a popular riposte to bridge the gap created by the inability of the State security machinery to guarantee citizens their safety. Vigilantism appears to be more complex than that. According to International Crisis Group (2017), State failure hypothesis is sufficient explanation to the emergence of vigilante movements such as *Bakassi Boys* in Nigeria and *Zande Arrow Boys* in South Sudan. However, this approach may be inadequate to explain the contemporary vigilantism in developed States such as United States of America (USA) and the Northern Ireland (Schubert, 2013).

In view of this, Schubert (2013) has argued that although most developed nations have strong economy and efficient State institutions, they equally suffer from high level racial and social inequality. Consequently, vigilantism evolves within marginalized and neglected areas as residents in these areas turn to alternative security and justice systems. This view is also held by Abraham (1998) who argues that vigilantes, within developed countries, are likely to emerge in socially remote areas where State's authority is not felt. A perfect example is manifestations of vigilantes in "out of control areas" of streets of Los Angeles, New York and Rio de Janeiro (Melvyn, 2008). Put differently, marginalization and weak statehood equally contribute to the emergence of vigilantism.

2.5 Influence of vigilantism on national security

The question of influence of vigilantism on national security has, in the recent past, dominated scholarly and policy debates not only in Africa but also in the entire globe. While some scholars and policy makers such as Kantor & Persson (2010) and International Crisis Group (2017) have commended vigilantes as an essential player in promoting national security, others such as Nyiayaana (2015) have denigrated vigilantes as a threat to the same. Still, others like Fourchard

(2011) have indicated that vigilantism is a pointer to security sector reforms (SSR) in the contemporary world exemplified by unpredictable security dynamics.

Kantor & Persson (2010) have noted that vigilantes promote national security by ridding their neighborhoods of criminal elements. They add that, though not often openly embraced by the State, these groups operate with full knowledge and silent consent of State security authorities. They recommend that in light of poor functioning of criminal and justice systems in many states, the role of these groups in security provisions must be appreciated. They further recommend that in situations where these groups are effectively working with the State's security apparatus, more support could actually be given to them with a view to strengthening their partnerships with the State rather than working against them or impeding their work.

In a similar approach, International Crisis Group (2017) holds the view that vigilantes play a crucial role in promoting national security, particularly in failed States. The group adds that, if managed well, vigilantes can be better security providers than State security agencies because of their knowledge of criminal elements, community culture and geographical terrain of their localities. They can thus be more effective in tracking down, monitoring and fighting suspected criminals in their respective localities. In this regard, the group concludes that if vigilantes are handled properly by the State, they can enhance national security, hence bolstering the State's legitimacy among the local populace.

However, International Crisis Group (2017) is also swift to caution that vigilantes can also threaten national security by challenging the State's monopoly on the use of force, intensifying conflicts by targeting ethnicities, businesses and political rivals. They can also undermine national stability by mutating into complex criminal gangs after the original security threats for which they were formed to address have been neutralized. The situation can be worsened when these groups resort to pursuing their own ethnically or politically motivated agenda, thus turning from community protectors into ethnic or political militias.

Likewise, scholars such as Chukwuma (2017) have questioned the efficacy of vigilantism as an alternative security arrangement by arguing that the phenomenon is operationally full of negative security outcomes such as excessive use of force, sexual violence, gross human rights violation, extra-judicial killings, unprovoked brutality, extortion and wanton destruction of development infrastructure and physical assets. Others have Kangaroo courts, where they hastily "judge" suspects without any due regard to the rule of law and without considering mitigating factors

(NCRC, 2012). Almost all of these groups do not have a clear way of determining a suspect's guilt, thus worsening national security.

Barron and Madden (2004) have further argued that vigilantism can have serious negative socio-economic impacts on national security. For instance, in a situation where a suspect cannot be traced, vigilantes may threaten to attack the entire clan or community for purportedly hiding the suspect. They add that vigilantism may also be directed against government institutions, particularly when the State officials are suspected to have committed injustice on the citizens.

Nyiayaana (2015) notes that the contradiction of diverse interests of local politicians, external powers such as Multinational Corporations (MNCs) and governments have significantly changed the nature, character and roles of vigilantes in the recent past. This is particularly so because the aforementioned are among the key actors who are involved in arming and financing these groups for various interests. A perfect example is a case of vigilantism in Niger Delta region in Nigeria where local politicians, chiefs and Shell Company, arm vigilantes for political expediency, State security and business interests respectively. As a result, vigilantes operating within the region have acquired political and corporate character in which they no longer safeguard the community as initially intended but rather serve the security of the local chiefs, politicians and the oil companies.

Oomen (1999) has asserted that vigilantes trigger reprisals and provokes a cyclic violence within the society. This is because their actions are usually not motivated by rational or logical thinking but rather by passion. Consequently, their activities leave many people in a continuous state of fear and anxiety and at times, condition children and youth to a culture of violence, brutalism and revenge besides causing post-traumatic and psychosomatic disorder symptoms such as flashbacks and nightmares. The gravest dangers are posed when the arming of the vigilantes by various interested parties results in the proliferation of Small Arms and Light Weapons (SALW) within the affected neighborhoods, leaving the locality with highly sophisticated weaponry in the hands of civilians (Nyiayaana, 2015). The effect has contributed to the lending of arms by vigilantes to criminals and societies in civil conflict. This, consequently, has had a negative implication not only on national security but also regional and international security (Bourne, 2004).

In light of the aforementioned observations, it is evident that the outcome of vigilantism is largely inconsistent and apparently paradoxical. Whereas vigilantes have been successful in providing safety where formal security machinery has failed, they also contributed in

undermining national security through their operational excesses. Therefore, vigilantism presents both opportunities and challenges to national security. To use them is to employ a double edged sword.

2.6 Dealing with vigilantism: Measures and Challenges

As already indicated, vigilantism is loved and despised almost in equal measure in areas where they dominate (Nyantika, 2016; International Crisis Group, 2017). On one hand, they pose serious threats to national security by undermining the rule of law as they attempt to punish suspected criminals. On the other hand, they can be viable alternative security providers where the formal security agencies have failed. This poses a question. What, then, should the State do? Tolerate the vigilantes in the hope that they will be more beneficial than a threat, or go ahead, apprehend and prosecute them and risk a hostile response from the local communities?

Dealing with vigilantism requires focusing on two main issues. Firstly, there is need for State to appreciate the fact that vigilantism is a natural defensive reaction by the local communities to protect themselves in the light of increased criminal activities and absence of effective criminal and justice system. More often than not, vigilantes are rational people who emerge to bridge policing vacuum. Put differently, vigilantism emerge when there is a perception that formal security machinery is either reluctant or incapable to deal with crime. As a result, governments will have to do more in addressing the actual failings of formal criminal and justice systems.

Secondly, governments must equally deal with the tricky issue of popular support for vigilantism by the local communities (Silke, 2001). As already indicated, vigilante groups enjoy tremendous support and at times, they are seen to enjoy more legitimacy than even the State security machinery (Kantor & Pearson 2010). In fact, in some societies, vigilantes are viewed as reputable and honorable members of the community, and in actual sense regard themselves as custodians of the security of their communities.

For that reason, the support for vigilantism largely depends on who the community identify with; either the victim or the vigilante. As long as locals do not stand in solidarity with the vigilantism targets, vigilantism will continue to enjoy massive support from the community. The other point to note is that individuals will continue to support vigilantism as long as they can identify with vigilantes themselves. Governments must therefore develop deliberate strategies aimed at identifying and dealing with those factors that motivate people to identify with and support vigilantes more than the victims of vigilantism.

It is worth noting that vigilantes possess the potential to establish themselves within the societies they dominate, thus posing a serious security threat. Once vigilantism reaches a certain height, it becomes particularly complex and difficult to deal with. As a matter of fact, the more successful a vigilante group is in fighting crime, the more complex it is to disband it, and the more they become entrenched in their areas of dominance. Eventually, these groups morph into more sophisticated and lethal criminal gangs (Silke, 2001). This presents another challenge. How best can the State neutralize vigilante groups and restore its legitimacy? What is the best strategy to respond to vigilantism with a view to frustrating or harnessing its clout?

In response to the above, the State needs to prove its aptitude to eradicate the sense of insecurity and fear by adequately dealing with crime while at the same time criminalizing vigilantism. In doing this, the State can adopt two major strategies. Firstly, it can opt for exclusionary or confrontational approach, where it chooses to punish anyone taking law into their own hands. This approach should go hand in hand with coming up with pragmatic and forward-looking strategies to deal with crime. They should address the root causes responsible for the rise in crime while upholding constitutionalism and respect for human rights. Secondly, the State can go for a more inclusionary (indirect) option, where it favors co-opting members of vigilantes in fighting crime. This approach is supported by Chikwendu, Nwankwo & Oli (2016) who argues that vigilantes could in reality be enthusiastic to desert violence as a means to solve a problem and partner with the State in tackling insecurity in a more restorative, inclusive and responsive manner.

In conclusion, it is worth appreciating that no criminal and justice system is perfect. Many are the times criminals will go unnoticed and without punishment. This will definitely breed ground for vigilantism. State need to understand that vigilantism is an unpredictable struggle with the vigilantes for the support of locals. Winning this struggle is what is of the essence. Ignoring it can transform vigilantes into vicious criminal gangs. States which lose this struggle end up paying a serious price as vigilante groups progressively become more sophisticated and violent criminal gangs (Silke, 2001). Effective State security policies coupled with good community relations are crucial in dealing with vigilantism.

2.7 Literature Gap

It is worth noting that many scholars and researchers have inquired about *Sungusungu* vigilantism in Kisii County (Masese & Mwenzwa, 2012; Oyagi, 2016; Akinyi, 2014; NCRC, 2012). However, most of the studies done on *Sungusungu* have been limited to its genesis and

activities. For instance, Masese & Mwenzwa (2012) focused on the emergence of *Sungusungu* among the Abagusii; Oyagi (2016) investigated the role of *Sungusungu* in the management of security in Suneka Township of Kisii County; Akinyi (2014) concentrated on *Sungusungu* as an illegal gang of children and youth for hire while NCRC (2012) scarcely studied *Sungusungu* alongside other criminal gangs operating in Kenya.

Clearly, there exists no comprehensive literature on the re-emergence of *Sungusungu* vigilantism and its influence on national security. What exists is jumbled, incoherent and fragmented descriptive pieces of data on its genesis and activities. The current scholarly work on *Sungusungu* vigilantism also fails to capture the current trend of the group. Given the current controversy and debate about the *Sungusungu* vigilantism in Kisii County, the study addressed the aforementioned gaps by finding out the factors that led to the re-emergence of the group despite its ban in 2010 and the influence of its activities on security of the locals. The study also highlighted the current trend of the group.

To address this gap, the research utilized both primary and secondary data. Primary data was collected using in-depth (IDI) interviews, focus group discussions (FGD) as well as pre-planned semi-structured interview guides. A comprehensive desk review of various subject-related books, publications, journals, periodicals and annual reports was also used to provide secondary data. Information was further gathered by conducting research over the internet. The researcher also collected data from both the social media and the local newspapers for news developments and information on *Sungusungu* vigilantism. Related legislations were also reviewed to provide the legal framework on vigilantism in Kenya.

2.8 Theoretical Framework

This study is premised on two theories namely Protection Theory and Vigilantism and Political Theory. Protection Theory explains the situations or factors that are conducive for the growth of vigilantes as non-state security actors while Vigilantism and Political theory explains how these groups, which emerge to provide security that is not being rendered by the State, influence national security within the societies where they operate.

2.8.1 Protection Theory of Organized Crime

Protection Theory of Organized Crime profoundly explains why and how certain vigilantes and criminal gangs evolve and eventually gain control over certain specific territories and sectors of societies such as security and justice among others. Its main proponents include Diego Gambetta

and Paoli Letizia (Gambetta, 1993). The theory traces its origin on the historical manifestation of Italian-American *Mafia* families, over certain economic sectors and territories in New York and Sicily in United States and Italy respectively (Paoli, 2003). These mafia groups had gained control and dominance in Sicily and New York where they were they had taken over two State monopolies namely taxation and the use of violence, thus becoming, ‘alternative governments’ (Kleemans, 2014). Gambetta (1993) describes *Mafia* as a group of criminals which specializes in production, promotion and selling of security, justice and protection of economic transactions and property rights, which can either be legal or illicit.

According to its proponents, the theory is based on the following assumptions: Firstly, vigilante and *mafia* groups emerge and evolve to provide essential public goods and services such as security and justice that are not being provided by the State. Secondly, the manifestations of vigilantes and mafia groups are often paralleled by weak States where States are forced, by their failure to guarantee public good, to subcontract provisions of security to non state security actors. This assumption is widely supported by Ochoa and Tomas (2016) who argue that vigilantism also in Mexico emerged on the context of incipient process of democratization where State formal institutions were not yet able to guarantee citizens with security against criminal activities. Thirdly, in the absence of government protection of economic and property rights, vigilantes and mafia groups seize the opportunity to ensure economic transaction and sell private protection. According to its proponents, these groups essentially respond to a demand for a private security by providing protection services. Put differently, vigilantes offer the services that the government is unable to guarantee.

This theory is relevant to this study as it highlights situations that are favorable to the growth and evolution of vigilantes, which are key themes in this study. It helps explain both the fortitude and the dominance of vigilantes in certain areas. One cannot imagine the overwhelming and popular support of certain vigilantes in some States by the locals. The reason is simple; vigilantes step in to provide security where formal criminal and justice systems are ineffective, too bureaucratic, corrupt and untrustworthy. This theory is therefore adequate to explain the re-emergence of *Sungusungu* in Kisii County in Kenya.

This theory, however, fails to explain the influence of vigilantism on national security. Additionally, the theory does not explain the emergence of vigilante groups in powerful, stable and democratically mature States such as United States of America, Brazil and Northern Ireland (Miller, 2013). Weak State hypothesis is thus not a unanimously agreed explanation for the

emergence and evolution of vigilantism. Nonetheless, the theory remains relevant to this study as it explains situations that encourage the emergence of vigilantes, which is a key theme in the study of vigilantism.

2.8.2 Vigilantism and Political Theory

The Vigilantism and Political Theory, which was founded by Edward Stettner in 1970s, explain the influence of vigilantism on national security (Stettner, 1976). Stettner borrows heavily from Social Contract theorists, who asserts that in the state of nature, all individuals are free and possesses equal executive power to pursue justice, defend their lives, property and civil liberties and punish offenders who violate laws of nature. They further posit that people have conceded, either implicitly or explicitly, to surrender some of their rights and freedoms and yield to the authority some of their rights, in exchange for protection of their lives, property and liberty (Gaba, 2007).

However, in his work, *Second Treatise* (1689), John Locke's conceptualization of social contract theory is worth noting: that the only right individuals give up for them to live and benefit in a civilized society is the right to be a vigilante, the right to discipline other people for infringing on others' rights. He, however, notes that this right returns to the people if the State sever the social contract by abdicating its responsibilities to apprehend and bring to justice those who infringe on other people's rights.

The key tenet of this theory is that vigilantes are critical in prompting national security, particularly in the absence of formal, effective criminal justice systems. Locke has argued in explicit terms that in circumstances where State won't or is unable to do their work of protecting people's freedom, individuals can enhance the security of their lives, property and liberty by taking law into their own hands (Gaba, 2007).

The other assumption of this theory is that States may use vigilante groups to promote national security and as a form of domination with a view to perpetuating their regimes (Stettner, 2009). He posits that in a bid to enhance national security and preserve their rule, some civil governments have resorted to use of vigilantes. This theory has been applied with approval in the support and financing of vigilantes by weak States, particularly in West Africa, in light of rising insurgences, where governments contract out some security functions to vigilantes to provide protection of the people (International Crisis Group, 2017).

The third assumption of this theory is that it is irrational for individuals to be judges in their own cases, adding that peoples' self-centeredness will make them biased to themselves, friends and relatives. He adds that men's sinful nature, passion and vengeance will likely make them overzealous in punishing others. In this case, vigilantes threaten national security, notably in fragile and politically fluids States (International Crisis Group, 2017). Oomen (1999) agrees with this assertion by stating that such situations provoke disorders, confusions, cyclic retaliations and violence, since activities of these groups are not based on logic but rather on feelings and emotions. While agreeing with this assumption, Prattern (2008) notes that this theory has been endorsed to oust some legitimate governments in West Africa, where people use vigilantes to ascend get to power. Lastly, the theory states that the activities of vigilantes, though noble on one hand, leave communities they dominate in a continuous state of fear and anxiety through deaths caused by excessive violence, on the other hand.

This theory is thus relevant to this study because it help explain the influence of vigilantism on national security by highlighting the inherent benefits and risks vigilante groups carry regarding national security. In this respect, the theory thus fills the gaps that Protection Theory of Organized Crime as highlighted above. It would therefore be interesting to see how *Sungusungu* vigilantism influences Kenya's national security.

2.9 Research Hypotheses

The study was anchored on three hypotheses: -

H1. Increase in criminal activities coupled with government inaction on crime led to re-emergence of *Sungusungu* vigilantism in Kisii.

HII. Provision of parallel security and justice services by the *Sungusungu* impacts negatively on security of the locals.

HIII. Integrating members of *Sungusungu* in Community Policing has worsened the management of security within Kisii County.

2.10 Conceptual Framework

Miles, Huberman & Saldana (2014) describe conceptual framework as a written or a visual tool that, either narratively or graphically illustrates the key (independent and dependent) variables to be studied and their presumed relationship. The relationship between the independent and dependent variables of the study is shown in figure 1 below.

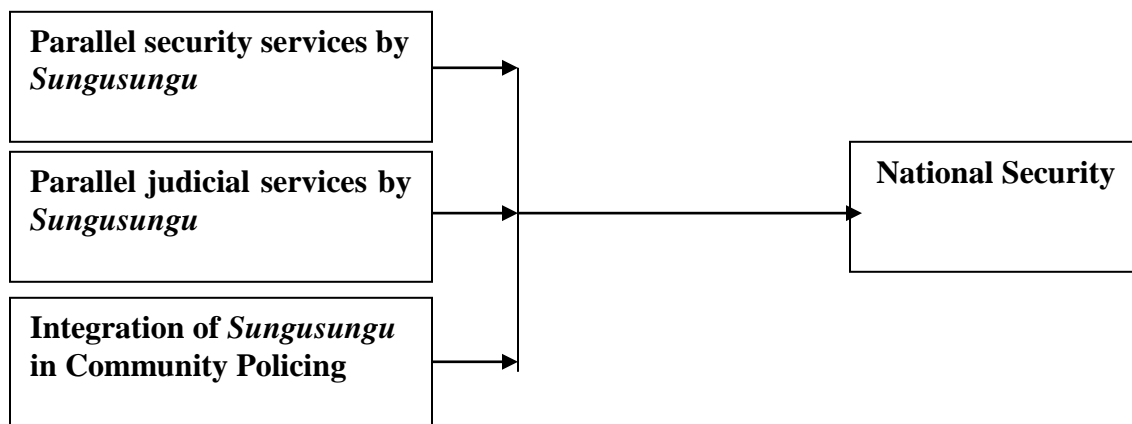
Figure 1: Conceptual Framework

Independent Variables

(Sungusungu Vigilantism)

Dependent Variable

(National Security)



Source: Author (2019)

As illustrated in figure 1 above, independent variables in this study consist of elements of *Sungusungu* vigilantism which have been operationalized into provisions of parallel security services, provision of parallel judicial services and integration of *Sungusungu* vigilante members into formal community policing. The dependent variable is national security as demonstrated in figure 1 above.

CHAPTER THREE: METHODOLOGY

3.1 Introduction

This chapter presents the area where the study was conducted, the study area selection, research design, target population, sampling techniques, the study sample, sampling techniques, selection of respondents/interviewees, data collection methods and procedures, data reliability and validity. The chapter further outlines data analysis, ethical considerations as well as the limitations of the study.

3.2. The Area of the Study

The researcher sought to examine the influence of vigilantism on national security in Kisii County as little academic attention has been accorded to the re-emergence of *Sungusungu* vigilantism in Kisii County of Kenya and its influence on national security. According to Kisii County Integrated Development Plan (2018), Kisii County shares common borders with Migori and Homabay counties to the West, Nyamira County to the North East and Narok County to the South. It is situated between longitude 34° 34' 46" 61" East, and latitude 0° 40' 38.4 south.

The county covers an area of 1,317.5 km² and is mainly inhabited by the Abagusii people. According to Kenya National Bureau of Statistics (2010), it has an estimated population of one million, three hundred and seventy-nine thousand, five hundred and thirty-two (1,379,532) persons. The males are approximately six hundred and fifty-nine thousand and twenty five (659,025) while females are estimated to be seven hundred and twenty thousands, five hundred and seven (720, 507).

Administratively, the county is subdivided into eleven (11) Sub-Counties, thirty-three (33) Divisions, one hundred and three (103) locations and two hundred and thirty-seven (137) Sub Locations (Kisii County Integrated Development Plan,2018). These units are administered by Deputy County Commissioners (DCCs), Assistant Deputy County Commissioners (ACCs), Chiefs and Assistant Chiefs. Table 1 below shows the summary of the administrative units in the county.

Table 1: Administrative Units in Kisii County

Sub County	Division	Location	Sub Location
Etago	2	6	13
Gucha	2	6	12
Gucha South	2	7	15
Kenyenya	4	15	26
Kisii Central	4	15	33
Kisii South	3	6	14
Kitutu Central	1	5	10
Marani	3	10	26
Masaba South	5	17	45
Nyamache	4	8	28
Sameta	3	8	25
Total	33	103	237

Source: Kisii County Integrated Development Plan (2018)

Politically, the county is subdivided into nine (9) constituencies and forty-five (45) electoral wards, represented by elected members of National and County assemblies, whose key role is representation and legislation. Table 2 below shows the summary of the political units in the county.

Table 2: Political Units in Kisii County

Constituency	Area in Km ²	Headquarters	Electoral Wards
Bobasi	240.5	Nyamache	8
Bomachoge Borabu	115.1	Kenyenya	4
Bomachoge Chache	106.3	Ogembo	3
Bonchari	127.3	Kerina	4
Kitutu Chache North	123.8	Marani	4
Kitutu Chache South	104.4	Mosocho	5
Nyaribari Chache	134.3	Kisii Town	6
Nyaribari Masaba	161.9	Masimba	5
South Mugirango	204.2	Nyamarambe	6
Total			45

Source: Kisii County Integrated Development Plan (2018)

According to National Crime Research Centre (2018), Kisii County is among the top ten counties in Kenya that continue to experience high incidents of insecurity. Other counties include Bungoma, Mombasa, Nairobi, Nakuru, Meru, Kiambu, Machakos, Murang'a and Uasin Gishu.

Jointly, the ten (10) counties recorded thirty-six thousand, nine hundred and forty-two (36,942) of the seventy-seven thousand, nine hundred and ninety-two (77,992) crime incidents reported to National Police Service (NPS) in 2017, which represents about forty seven percent (47%). Table 3 below shows a summary of crime statistics in Kisii County.

Table 3: Kisii County Crime Statistics

Crimes	Kisii	National %
Assault Causing Actual Bodily Harm	23.60	15.70
Attempted Suicide	1.20	0.70
Being Drunk and Disorderly	27.30	7.20
Bigamy	0.40	0.10
Burglary and Breakings	36.30	42.00
Carjacking/hijacking	0.40	1.20
Child Abuse (including child neglect) other than sexual abuse	2.90	4.30
Corruption	3.70	3.80
Creating Disturbance	4.10	3.30
Defilement	11.80	7.10
Destruction of Forest Produce (Logging)	0.80	0.60
Drug Trafficking/Smuggling	0.40	3.20
Female Genital Mutilation	0.40	1.30
Forgery	2.40	1.90
Gambling without a License	2.90	0.70
Gender Based Violence (including Domestic Violence)	14.30	9.20
Kidnapping and/or Abduction	0.80	1.20
Land fraud (including grabbing)	9.40	3.90
Loitering for prostitution	21.20	2.30
Manslaughter	0.80	0.20
Mugging	2.90	19.10
Murder	14.70	15.30
Possession of narcotic drugs and/or illicit brew	65.30	17.20
Practice of Witchcraft	1.20	0.50
Rape	18.00	12.90
Robbery	12.20	13.10
Robbery with Violence	2.90	10.60
Stealing	54.70	40.40
Theft of Farm Produce	10.20	6.00
Theft of motorcycle	3.30	4.30
Theft of Stock (including cattle rustling)	19.60	31.40
Unnatural sexual offence (Homosexuality, Incest and Bestiality)	2.40	0.60

Source: National Crime research Centre (2018)

3.3 Study area selection

Whereas the study took cognizance of the fact that incidents of *Sungusungu* had been reported in the entire county, the study is limited to **Nyaribari Chache, Kitutu Chache South and Bonchari** constituencies. The choice was based on several reasons. Firstly, there's widespread mainstream and social media reporting of high incidences of vigilantism in these constituencies, compared to other constituencies during the period under the study, with *Sungusungu* being the most notorious vigilante group (Abuga, 2018; Nyantika, 2016). Secondly, *Sungusungu* vigilantism in the aforementioned areas has intensified its activities despite its prohibition in 2010, with its activities continuing to elicit mixed reactions among the locals and formal authorities. (Abuga, 2018; Nyantika, 2016). Thirdly, little academic attention has been accorded to the re-emergence of *Sungusungu* vigilantism and its influence on Kenya's national security. As such, these areas were deemed feasible to conduct the study on the influence of the group's vigilantism on national security.

3.4 Research Design

The study adopted a descriptive longitudinal research design. According to William, Thomas & Donald (2002), a descriptive longitudinal study is a research design that involves repeated observations of the same variables over an extended period, ranging from weeks, months, years or even several decades. They add that this type of study can be prospective whereby one is required to collect new data or retrospective, in which the researcher looks back in time, hence using existing data. The researcher adopted this research design since the study involved collection of data on the same variable (vigilantism and national security) over a period of seventeen (17) years.

The research employed a qualitative research methodology. According to Earl (2014), qualitative research methodology is a methodology which involves gathering of non-numerical data. It denotes definitions, concepts, metaphors, meanings, symbols, characteristics and description of things rather than their measures or counts. As such, Earl (2014) further observes that this type of methodology addresses how and why a given phenomenon may occur instead of how often. Thus, the methodology is appropriate for examining the influence of vigilantism on national security. This methodology has successfully been utilized in similar studies in the past by the researchers such as (Bosibori, 2017; Oyagi, 2016; National Crime Research Centre, 2012 & Mwangi, 2014).

Additionally, the study adopted a case study method. Yin (2013) describes a case study as a research method that involves detailed, comprehensive and in-depth investigation of a single individual, group or event and their related contextual conditions to determine the causes of underlying principles. It assists researchers and scholars to study a phenomenon as a single, thus providing in depth understanding of a given phenomenon. As such, this method was deemed appropriate in this study as it helps examine in detail the influence of *Sungusungu* vigilantism on national security in Kisii County.

3.5 Target Population

Population is described as the entire group of people, things, events or objects of interests that the researcher is interested to investigate (Bless, Higson-Smith & Kagee, 2006). Target Population has been defined as a specific population from which information is being sought (Touliatos & Compton, 1988). The target population in this research was the ordinary members of the public from Nyaribari Chache, Kitutu Chache South and Bonchari constituencies, both male and female aged eighteen (18) years and above and had a minimum stay of ten (10) years in their respective constituencies. For every male respondent picked, a female respondent was chosen to guarantee gender balance in sampling.

According to Kenya National Bureau of Statistics (2010), the population size in Nyaribari Chache, Kitutu Chache South and Bonchari constituencies is 170,470; 158,189 and 137,219 respectively. Additionally, the study also traced and interviewed both former and current *Sungusungu* members, County and Sub County Security and Intelligence Committee (CSIC& SCSIC), local police and National Government Administration Officers (NGAOs) serving within the County, opinion leaders and community policing members who were perceived to be holding key information about *Sungusungu* vigilantism.

3.6 Interview Respondents Schedule

The researcher collected primary data from three hundred (300) respondents. The researcher interviewed two hundred and seventeen (217) ordinary members of the public from Nyaribari Chache, Kitutu Chache South and Bonchari constituencies, both male and female aged eighteen (18) years and above. These are people who were fully conversant with activities by *Sungusungu* for they had a minimum stay of ten (10) years in their respective constituencies. For every male respondent picked, a female respondent was chosen to guarantee gender balance in sampling.

Additionally, the researcher also traced and interviewed twelve (12) former and current Sungusungu members, sixteen (16) County and Sub County Security and Intelligence Committee (CSIC& SCSIC), twelve (12) local police and twenty one (21) National Government Administration Officers (NGAOs) serving within the County, nine (9) opinion leaders and thirteen (13) community policing members who were perceived to be holding key information about *Sungusungu* vigilantism.

All the respondents interviewed knew about *Sungusungu* and exhibited a clear understanding of their activities. The data gathered could therefore be said to representative views of majority of Kisii County residents. As such, the sample was deemed satisfactory to answer research questions with a view to achieving study objectives. The table 4 below gives a summary of the respondents interviewed during the study.

Table 4: Interview Respondents Schedule

Respondents	Number of Respondents		
	Nyaribari Chache	Kitutu Chache South	Bonchari
Members of the Public	70	72	75
Former /Serving members of <i>Sungusungu</i>	3	5	4
CSIC/SCSIC Members	7	5	4
NPS	5	4	3
NGAO	8	6	7
Opinion Leaders	2	3	4
Community Policing Members	4	5	4
Total	99	100	101

Source: Author (2019)

3.7 Sampling techniques and Sample size

The study utilized simple random, judgmental and snowballing sampling techniques. Simple random was used to identify the ordinary members of the public to be interviewed. This was deemed appropriate because the population of interest is homogenous. Judgmental sampling technique was used to deliberately select respondents believed to be holding crucial information being sought by the researcher, which included members of the County Security and Intelligence Committee (CSIC), local police and National Government Administration Officers (NGAOs) serving within the County. Snowballing technique was used to trace members and ex-members

of the *Sungusungu* for the purposes of interview since, though active, the group remains outlawed.

To determine the sample size, the study utilized Yamane's formula of sample size determination using a confidence interval of ninety percent (90 %), with a margin of error of ten percent (10 %).

$$n = N / (1 + N (e)^2)$$

Where n is the size of the sample, N is the size of the population and e is the margin of error (Yamane, 1967). Using the formula, the sample size will be distributed as follows:-

Nyaribari Chache Constituency

$$n = 170,470 / 1 + 170,470 (0.1)^2 = 99.94 \sim 100 \text{ persons (50 Males and 50 Females)}$$

Kitutu Chache South Constituency

$$n = 158,189 / 1 + 158,189 (0.1)^2 = 99.93 \sim 100 \text{ persons (50 Males and 50 Females)}$$

Bonchari Constituency

$$n = 137,219 / 1 + 137,219 (0.1)^2 = 99.92 \sim 100 \text{ persons (50 Males and 50 Females)}$$

This number was considered enough considering the statistical requirements, available resources and time frame. The respondents were chosen on basis of their willingness to give the required information, availability and their understanding of *Sungusungu* vigilantism.

3.8 Data Collection

Before proceeding to the field, the researcher obtained an introductory letter and a Research license from the Department of Political Science and Public Administration at the University of Nairobi and the National Commission for Science, Technology and Innovation (NACOSTI) respectively. The researcher collected the data between 15th July 2019 and 14th September 2019.

The research utilized both primary and secondary data. Primary data was collected using key informant interviews, focus group discussions as well as pre-planned semi-structured interview guides. A comprehensive desk review of various subject-related books, publications, journals, periodicals and annual reports was also used to provide secondary data. Information was further be gathered by conducting research over the internet. The researcher also collected data both from the social media and the local newspapers for news developments and information on *Sungusungu* vigilantism. Related legislations were also reviewed to provide the legal framework on state of vigilantism in the country.

3.9 Data Analysis

Data analysis is the process of bringing order, structure and meaning to the mass of collected data. According to Marshall and Rossman (1990), it is search for general statements about relationships among categories of data. The data obtained from various respondents was qualitative in nature and as such content analysis was used to analyze the data. Marshall and Rossman (1990), defines content analysis as an analysis technique that focuses on the internal features and actual content of media. They posit that content analysis is used to determine the existence of certain concepts, characters, words, sentences, themes or phrases within texts and or sets of texts to quantify this presence in an objective manner.

In this research, the analysis focused on the qualitative and conceptual content of the collected data. The key variables considered included the motivating factors towards the re-emergence of *Sungusungu* in Kisii County, effects of provisions of security services by the *Sungusungu* in Kisii County on national security, effects of running of parallel criminal and justice system by the *Sungusungu* in Kisii County on national security and the effects of integrating members of *Sungusungu* in Community Policing in Kisii County on dealing with issues of national security.

The interview guides were vetted and edited to check for the consistency, validity and reliability. The data gathered was also edited for consistency and completeness. It was then coded to allow the responses to be divided into logical groups based on various themes. The themes that emerged from analysis were then interpreted based on the objectives of the study. This analysis technique has successfully been utilized in similar studies in the past by the researchers such as (Bosibori, 2017; Oyagi, 2016; National Crime Research Centre, 2012 & Mwangi, 2014).

3.10 Data Validity and Reliability

According to Le Comple & Goetz (1982), validity in qualitative research entails the truthfulness and accurateness of the research findings. It is concerned with the appropriateness of the data, processes and tools. A valid research, therefore, should establish what exists and valid research instrument should test what they are supposed to test. Reliability in qualitative research, on the other hand, describes repeatability, replicability and consistency of the respondents' accounts as well as the researchers' ability to gather and record data accurately (Seltiz, Wrightsman & Cook, 1976). It is the aptitude of the research method to produce persistently the same findings over repeated investigation periods. Put differently, it means that a researcher is required to get same or comparable findings after using the same or comparable methods on the same or comparable objects.

To guarantee validity and reliability in this study, the researcher ensured that appropriate research method, sampling techniques and instruments/tools were used and were applied consistently. Further, the collected data was then grouped into logical thematic areas and then compared against each other to ensure consistency and against the theoretical framework and the documentations quoted in the literature review to facilitate interpretations in line with the study objectives.

3.11 Ethical Considerations

Ethical considerations in research entail the principles that guide responsible conduct of research. Bryman and Bell (2007) posit that key among the most significant ethical consideration principles in research include; prioritizing and respecting dignity of research participants, not subjecting the participants to harm in any way, obtaining full consent from the participants before the study, ensuring adequate protection of the privacy of the participants, upholding anonymity of research participants, maintaining sufficient level of confidentiality of the research data, practicing honesty and transparency communication in regards to the research, declaration of any form of affiliation and sources of funding, being honest about the aims and objectives of the research and remaining impartial in collection and representation of primary data results.

In upholding ethical considerations in this study, the researcher was guided by the principles espoused by Bryman and Bell (2007). Firstly, the research ensured that the participation by respondents was purely voluntarily. As such, respondents were informed of their rights to withdraw from the research at any stage if they wished to. Secondly, the researcher ensured that the respondents' participation was based on informed consent. Participants were given sufficient assurances and information regarding the study to allow them to make informed decision on whether to participate or not. Thirdly, the research avoided the use of discriminatory, offensive or other improper language in the drafting of interviews, questionnaires and Focus Group Discussion (FGD) questions.

Fourthly, the researcher consistently acknowledged works of other scholars and authors in the research using the American Psychological Association (APA) referencing system. Fifthly, the researcher maintained highest level of objectivity in collection, discussions and analysis of data through the period of study. Lastly but not the least, the researcher complied with University of Nairobi research guidelines and observed anonymity and privacy of participants with strictest terms.

3.12 Limitations of the study

The researcher faced a myriad of challenges in the course of study. However, it is worth noting that these challenges did not fundamentally affect the overall results of the study. Among the key challenges include: - Firstly, the study involved matters of national security, which are generally secretive in nature. As such some key informants were reluctant to give information openly. Secondly, *Sungusungu*, though very active, remain a banned outfit. As such it was not easy to trace the former members and members of the group for the interviews. However, this was mitigated by assuring key informants of their anonymity and that the study was for academic purpose only. Additionally, the researcher used snowballing sampling techniques to trace and interview the former and current *Sungusungu* members.

Thirdly, the study was carried out within limited time and resources. Some respondents being the senior NGAO and security personnel are very busy and as such they could only allocate limited time to the interviews. This, without doubt, constrained the scope as well as the depth of the study. Considerable time was also spent arranging for appointments with respondents. Some of the respondents were not readily available in persons, prompting the interviews to be carried out on the phone and via emails. This had a significant impact on the cost of the study. Nevertheless, the response rate was high enough that these challenges had insignificant impacts on the overall results of the research.

Lastly, vigilantism has become a common phenomenon in many countries and indeed in many parts of Kenya today. This was a case study by design focusing only on one vigilante group, *Sungusungu*, in one county in Kenya, Kisii. Accordingly, the findings arising from this research are a case specific and may not be generalized to other countries and counties and to other vigilante groups. Case studies are also said to be subjective in nature.

CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS

4.1: Introduction

This chapter highlights respondents' profiles, primary data findings, their analysis and interpretation. Primary data was gathered using a pre-planned and a semi structured interview guide. The data obtained from various respondents was analyzed using content analysis in accordance with the research objectives. This was done by grouping the data into logical thematic areas and then comparing it against each other to ensure consistency, reliability and validity. It was further compared against the theoretical framework and the documentations quoted in the literature review to facilitate interpretations. The results of the analysis were then tabulated to produce descriptive data for discussion. The themes that emerged from the analysis were then interpreted based on the specific objectives of the study.

4.2: Response Rate

The researcher administered questionnaires to three hundred (300) residents, out of which two hundred and seventeen (217) returned dully filled questionnaires. The researcher further interviewed twelve (12) former and current Sungusungu members, sixteen (16) County and Sub County Security and Intelligence Committee (CSIC& SCSIC), twelve (12) local police and twenty one (21) National Government Administration Officers (NGAOs) serving within the County, nine (9) opinion leaders and thirteen (13) community policing members who were perceived to be holding key information about *Sungusungu* vigilantism. The overall response rate was 100%. This is illustrated in the table 5 below:

Table 5: Response Rate

Respondents	Sample Size	Actual Respondents	Response Rate
Members of the Public	204	217	106.37%
Former /Serving members of <i>Sungusungu</i>	15	12	80%
CSIC/SCSIC Members	18	16	88.89%
NPS	15	12	80%
NGAO	24	21	87.5%
Opinion Leaders	12	9	75%
Community Policing Members	12	13	108.33%
Total	300	300	100%

Source: Author (2019)

4.3: The Respondents Profiles

The researcher gathered primary data from three hundred (300) respondents, who included natives and residents of the areas of study. All of them were fully conversant with the origins, activities/ operations and effects of *Sungusungu* on their security since they had stayed in their respective constituencies for at least ten years. All respondents chosen were eighteen years and above. Table 6 shows the socio-demographic data of respondents.

Table 6: Socio-Demographic Data of Respondents

Sex	Frequency	Percentage
Female	150	50
Male	150	50
Total	300	100
Age		
18-27	40	13.3
28-37	166	55.3
38-47	71	23.7
58 and above	23	7.7
Total	300	100.0
Areas of Residence	Frequency	Percentage
Rural	145	48.3
Urban	155	51.7
Total	300	100.0
Marital Status	Frequency	Percentage
Single	131	43.7
Married	158	52.7
Widowed	4	1.3
Separated	4	1.3
Divorced	3	1.0
Total	300	100
Religion	Frequency	Percentage
Christianity	294	98
Islam	3	1.0
Traditional Religion	3	1.0
Total	300	100.0
Occupation	Frequency	Percentage
Student	54	18.0
Farmers	61	20.3
Traders	39	13.0
Employed	48	16.0
Self Employed	62	20.7
Unemployed	36	12.0
Total	300	100.0
Education	Frequency	Percentage
No formal Education	8	2.6
Primary School	32	10.7

Secondary School	106	35.3
Certificate/ Diploma	83	27.7
Undergraduate	48	16.0
Postgraduate	23	7.7
Total	300	100.0

Source: Author (2019)

Table 6 indicates that there is equal number of male and female respondents, an indication that there is gender parity in the study. The table further shows that respondents aged between 18 and 27 years are 40 (13.3%) whereas those falling within 28 and 37 years are 166 (55.3%). Those aged between 38-47 years are 71 (23.7%) while those who are 58 years and above are 23 (7.7%). This connotes that majority of the respondents are aged between 28 and 37 years. Table 6 further reveals that 145 (48.3%) of the respondents live in rural areas whereas 155 (51.7%) are urban dwellers. This implies that the study has more urban respondents than rural respondents.

On marital status, the table indicates that 131 of the respondents (43.7%) are single, 158 (52.7%) are married while 4 are widowed (1.3%). Table 6 further shows that 4 (1.3%) and 3 (1%) of the respondents are separated and divorced respectively. This is an indication that majority of the respondents are married. When asked about their religious affiliation, Table 6 shows that 294 (98%) of the respondents indicated that they are Christians while 3 (1%) of them indicated that they are Muslims. Three (1%) other respondents indicated that they practice traditional religion.

In terms of occupation, table 6 reveals that 54 (18%) of the respondents are students, 61 (20.3%) are farmers, 39 (13%) are traders, 48 (16%) are employed, 62 (20.7%) are self-employed and 36 (12%) are unemployed. This means that majority of the respondents are self-employed. On education level, Table 6 shows that 8 (2.6%) of the respondents have no formal education, 32 (10.7%) have finished primary schooling, 106 (35.3%) have secondary school qualifications, 83 (27.7%) are certificates and diploma holders, 48 (16%) are graduates and 23 have post graduate qualifications. This implies that majority of the respondents are secondary school leavers.

4.4 Data Presentation and Analysis

4.4.1 Existence of Sungusungu Vigilantism in Kisii County

To ascertain existence of *Sungusungu* in Kisii County, respondents were asked to indicate whether the group exists in their respective localities. Their responses are as follows:

Table 7: Respondents views on the existence of Sungusungu in their neighborhoods

Existence of Sungusungu	Frequency	Percentage
Yes	300	100%
No	0	0%
Total	300	100%

Source: Author (2019)

Table 7 above indicates that all the 300(100%) respondents that were interviewed affirmed that *Sungusungu* exist in their neighborhoods. All the respondents had heard or encountered *Sungusungu* vigilantism in their localities and exhibited high knowledge of the group. All of them further identified the activities and the leadership of the group in their respective areas.

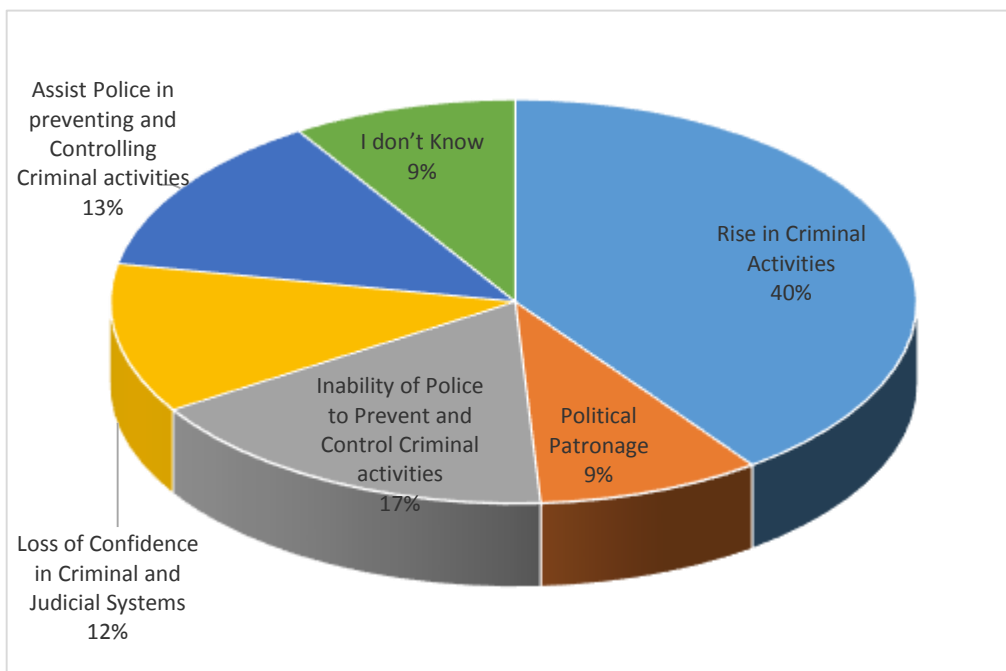
According to the respondents, *Sungusungu* activities have evolved from providing security to the locals to include extra-judicial killings, collecting money from business-people in return for security, collecting a percentage from sale of land transactions, arresting bodaboda operators and detaining their motorcycles for non-payment of protection fees, establishing a kangaroo court to ‘try’ and discipline errant husbands in front of their wives and children, and even assaulting administration officers for reporting on their activities. Their responses were in agreement with the contemporary trend in literature as highlighted by Oyagi (2016) in his research project as well as reported by Abuga (2018), Nyantika (2016) in their mainstream media coverage that *Sungusungu* vigilantism in Kisii County is widespread.

These activities have a negative influence on the security of the locals through loss of lives, property and confidence from fear of violence by the group. According to chapter 14 of the Kenyan Constitution, 2010, a threat to security of citizens amounts to threats to national security (GOK, 2010). The right and legitimacy of any sovereign State over her citizens can best be appreciated only to the extent to which it can provide the protection of life and property of its citizens.

4.4.2 Factors leading to the re-emergence of Sungusungu vigilantism in Kisii County

When asked to explain the factors responsible for the re-emergence of *Sungusungu* vigilantism in Kisii County, their views are presented in figure 2 below.

Figure 2: Respondents views on factors responsible for the re-emergence of Sungusungu in Kisii County



Source: Author, 2019

Figure 2 above indicates that 120 (40%) of the respondents believe upsurge in criminal activities is the key factor that led to the re-emergence of *Sungusungu* vigilantism in Kisii County. The table further reveals that 51 (17%) of the respondents consider inability of police to prevent and control criminal activities as a key factor that provides a conducive breeding ground for the growth of *Sungusungu*. 39 (13%) identified assisting police in preventing and controlling criminal activities, 36 (12%) indicated loss of confidence in criminal and judicial systems while 27 (9%) of the respondents considered political patronage as other motivating factors fuelling the growth of *Sungusungu* vigilantism. 9 (27%) of the respondents indicated that they do not know the factors behind the emergence of *Sungusungu* vigilantism within their localities.

There was consensus among the respondents that *Sungusungu* vigilantism in Kisii County started following a wave of criminal activities in the county and the failure of the NPS to tame the crime. The one common response among the interviewees was that, “*Kenyan government has failed us and as such we have taken it upon ourselves to defend our community against criminals.*” The

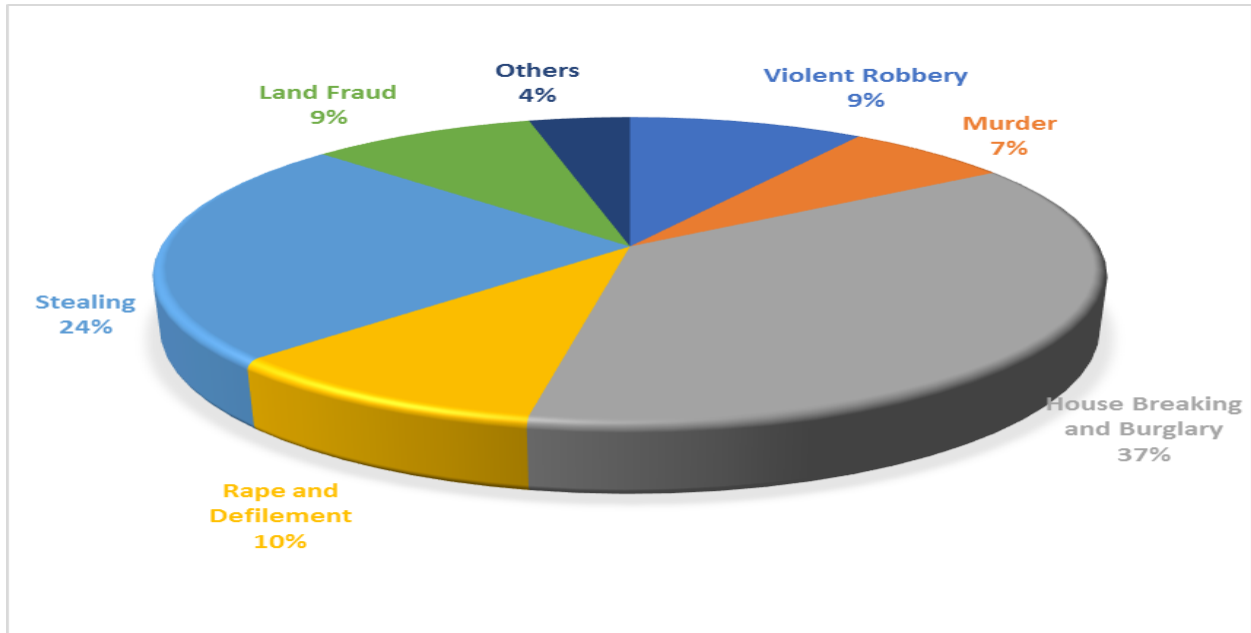
vacuum created by abdication of duties by the law enforcement agencies and the loss of confidence in the mainstream law enforcement agencies thus triggered the re-emergence of *Sungusungu*. Subsequently, members of the public turned to the group for 'justice and security'. With acceptance by the general public, the group has opened offices at Gesonso and Suneka in Kisii South Sub-County, Gusii stadium Kisii main bus stage, Bobaracho and Keumbu in Kisii Central sub-County, among other areas.

Additionally, about 9% of the respondents named politicians as among the key financiers, mobilizers and beneficiaries of *Sungusungu* vigilantism in the County. According to the respondents, many local politicians use the group to consolidate their support at the grassroots as well as undermining their rivals by meting out violence on them and disrupting their rallies/meetings. In appreciation, politicians support the group through various ways that include facilitating their meetings, financing their activities, facilitating their transportation, buying and fuelling their Bodabodas (motorbikes), paying them salaries and wages, buying them alcohol and other prohibited drugs and food, as well as providing them with office spaces and other economic benefits such as control of Public Service Vehicle (PSV) termini and allocation of market.

These observations are brutal indictment on the country's national security regime. This is because the task of providing an effective internal security in Kenya is vested on the National Police Service (NPS). It was established that the NPS has often been unable to meet the security and safety needs of the Kisii County residents. The loss of public confidence in the effectiveness of NPS has thus resulted in the re-emergence of *Sungusungu* vigilantes in the county. These findings are in agreement with the key assumption of Protection Theory of organized crime that posit that vigilante groups emerge and evolve to provide essential public goods and services such as security and justice that are not being provided by the State (Gambetta, 1993).

When asked the type and the nature of crimes rampant in their localities, respondents answered as indicated in figure 3 below.

Figure 3: Respondents' views on crimes rampant in their areas



Source: Author (2019)

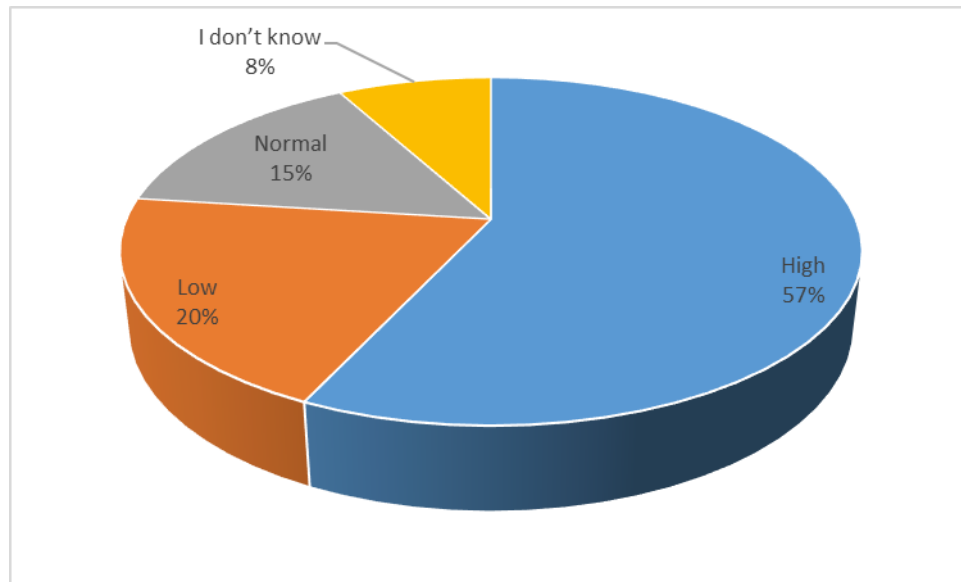
According to the Figure 3 above, the most common security threats reported and discussed by respondents were house breakings, burglaries and stealing. There was consensus among many respondents that, “our houses are raided almost every night”. This is followed by rape and defilement (10%), violent robbery (9.3), land fraud (9%) and murder (6.7%) in that order. While rape, domestic violence and murders (killings) are equally serious threats, these were by and large less talked about by the respondents. The responses of the interviewees confirmed the views of Abuga (2018) and Nyantika (2016) who have noted that Kisii County continues to experience myriad of serious security challenges. These rising wave of crime in Kisii County is to a certain extent an outcome of widespread joblessness and rising cost of living. To many a frustrated and jobless youth in the county, involvement in crime seems to be the only option left open to them to make a living.

4.4.3 Influence of Sungusungu Vigilante on the security of Kisii County residents

To ascertain the effects of *Sungusungu* vigilantism on the security of residents of Kisii County, respondents were asked to assess the rate of crime in their localities before and after *Sungusungu*

started providing security and running parallel criminal and justice systems. Their responses are presented below.

Figure 4: Respondents' views on the assessment of criminal activities in their locality before Sungusungu started providing security and running parallel justice system to the residents.



Source: Author (2019)

The responses of the interviewees on the assessment of the crime in their localities before *Sungusungu* started providing security to the residents are as indicated in Figure 4 above. About fifty-seven percent (57%) of the respondents observed that pre-*Sungusungu* crime trend was high; twenty percent (20%) indicated the trend was low while fifteen percent (15%) believed the rate was normal. About eight percent (8%) indicated that they didn't know. Put differently, majority of the respondents indicated that the rate of crime was on the upward trend before the advent of *Sungusungu*. These findings were further collaborated by the qualitative data gathered from the respondents. A respondent explained the situation thus:²

“The situation here was hopeless and frustrating before the advent of Sungusungu. Security was worsening, with violent crimes threatening to destroy the moral social fabric. Violent robberies, murder and killings were order of the day. Residents, particularly, men presumed to be doing economically well were attacked, beaten, shot and killed for declining to give up their valuables. Women and their daughters were not

² A Male In-depth Interview (IDI) respondent at Bobaracho ward in Nyaribari Chache constituency on 26.07.2019.

spared either. They were sexually abused right before their own spouses and parents. It was total pandemonium”.

Another respondent depicted the scenario as follows:³

“Insecurity in our neighborhoods was high because formal justice system is largely inaccessible, bureaucratic and ineffective. Suspected criminals are arrested for serious crimes and released on bail too soon, only to perpetuate their criminal activities after the release. Once suspects are arrested and arraigned in court, many victims do not come out to testify against them for fear of reprisals. Thus, many criminal cases are withdrawn for lack of evidences, only for the criminals to come back to our localities to terrorize us. Further, those who are convicted are given very lenient penalties. To worsen the situation, most people here do not understand how the formal justice system works.

To further underscore this reality, a Focused Group Discussion (FGD) plenary in Suneka Township noted that:⁴

The rate of crime was on the rise before Sungusungu started providing security and justice services in our localities. Violent robberies and murders were so rampant that one marvels what the police essentially do. They are only known for demanding bribes from motorists, arbitrary arrests and extra judicial killing. To make the matter worse, we have so many young people who are educated and are unemployed. This scenario has led to high involvement of youth in crime.

Further, there has been a general feeling among people here that formal justice system has not been able to weed out criminals from their neighborhoods appropriately and efficiently. This stock a lot of anger and frustrations among the members of the community. The fact that suspected criminals are arrested and immediately released on bail resulted in members of the public preferring their security concerns being addressed by Sungusungu, who act swiftly as opposed to judiciary who take too long to dispense justice.

From the data gathered, therefore, the rate of crime was high before the advent of *Sungusungu* vigilantism in Kisii County. This high level of crime may be attributed to ineffective criminal

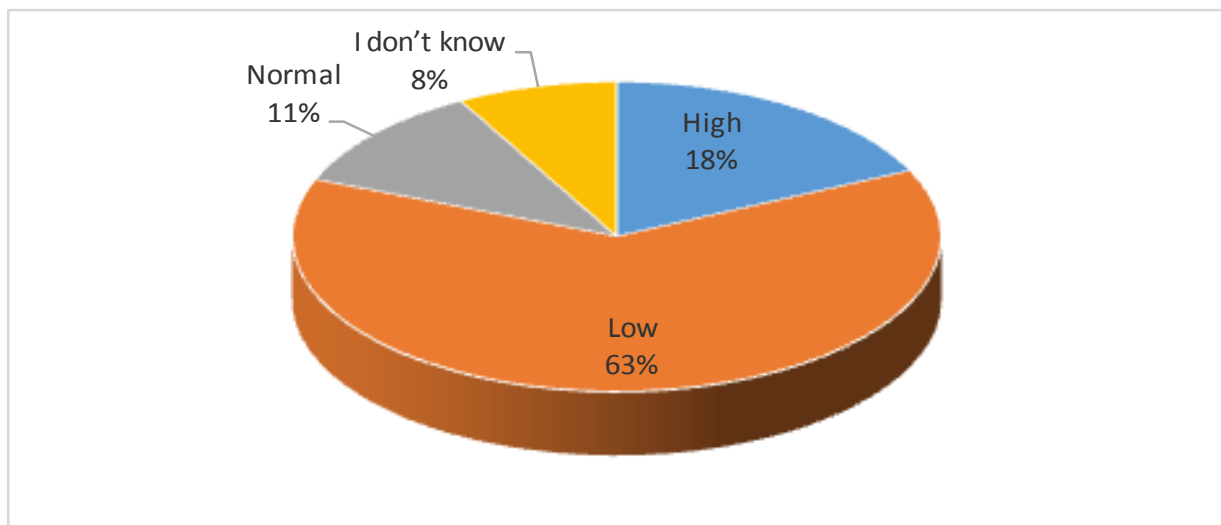
³ A civil servant male IDI respondent at Nyakoe ward in Kitutu Chache South constituency on 08.08.2019.

⁴ A female FGD respondent aged 40 years and above in Suneka township on 29.07.2019.

and justice system that appear unable to weed out criminal elements from the county. The upward trend in crime could also be as a result of deteriorating level of socio-economic conditions of the members of the public, which results in poverty, hopelessness and frustration that on the long run push the youth to engage in criminal activities.

Having known the security situation of Kisii County before the intervention of *Sungusungu*, it was critical to look at the scenario after *Sungusungu* started providing security and justice services to the residents. This will provide a clearer perspective of the influence of *Sungusungu* vigilantism on security of Kisii County residents and on national security in general. Thus, respondents were asked to indicate in clear terms whether crime incidents had decreased, or it had been on upward trend with advent of *Sungusungu*. The responses are as indicated on figure 5 below.

Figure 5: Respondents' views on the assessment of criminal activities in their locality after *Sungusungu* started providing security and running parallel justice system to the residents.



Source: Author (2019)

As noted from figure 5 above, about (63%) of the respondents noted that criminal activities started to decrease after *Sungusungu* commenced addressing their security and justice concerns, eighteen percent (18%) believed the trend was high while eleven percent noted that the situation was normal. Eight percent (8%) of the respondents indicated that they don't know. Findings from figure 5 above indicates that majority of the interviewees overwhelmingly supported the view that *Sungusungu* has played a pivotal role in checking the rate of crime in Kisii County. The

qualitative data gathered from the field also confirmed this assertion. A respondent had this to say about the effects of *Sungusungu* intervention in crime prevention and control:⁵

“The first assignment of the Sungusungu to weed out criminals from the region sent a warning message to criminals across the county and beyond. An elderly woman had been killed in a cold blood and several suspects linked to the murder arrested and arraigned in court. Among them was Edwin Ongeru (not his real name). Ongeru was released on cash bail. However, immediately after being released by the Court, he was accosted by about eight Sungusungu members, who beheaded him and slit his stomach. On that day, word went around the villages and towns of Kisii County that Sungusungu had started its operations in the area, and they meant business. A few days later, Ongeru’s young brother was also cruelly killed by the Sungusungu members after he allegedly defied their orders not to bury his brother.”

“In another incident, a teacher and two chiefs had been brutally murdered in Suneka Township within Kisii Central Sub County. The trio had been killed for allegedly opposing and reporting on the activities of a criminal gang that had been terrorizing the locals. Immediately, the Sungusungu took up the case, they identified the suspects and initiated investigations. Upon “completing the investigations” Sungusungu set ablaze about fifteen houses belonging to family members of the suspects. On the same night, a local ex-civic leader accused of aiding the gang was also killed at his residence within Jogoo Estate in Kisii town.”

“The group continued targeting criminals operating within Kisii County and its environs until almost all criminals were virtually eliminated. Some were hunted down many kilometers away in places as far as Migori, Nakuru and Eldoret towns. The overwhelming feeling of majority was a sigh of relief at being able to sleep.”

An opinion leader from Bonchari Constituency provided more insight into the influence of *Sungusungu* vigilantism on security of the locals. He said: -⁶

“Sungusungu intervention in crime control and prevention has drastically reduced the level of crime in Kisii County and its environs. The county was nearly becoming

⁵ A Male IDI respondent at Riana ward in Bonchari constituency on 25.07.2019.

⁶ A male opinion leader at Bogiakumu ward on 23.07.2019 in Bonchari constituency on 23.07.2019 during an IDI

anarchic. It took the brutality of Sungusungu to restore security and some level of order. Our people were being attacked, robbed, sexually abused and brutally murdered every day. We came to a point where we said, 'enough is enough', with crime. We had to take law into our own hands to protect ourselves and safeguard our property. This was necessitated by the inadequacy of police who were also known for working in cahoots with criminals. At first, we experienced some challenges with the State and some locals when we started employing the services of Sungusungu. However, locals as well as Police have now embraced Sungusungu after realization that police alone cannot fight criminals."

Qualitative data from FGD and In-depth Interview (IDI) further reveals that level of crime reduced after the locals turned to *Sungusungu* for security and justice services. For instance, there was a consensus among members of FGD in Kitutu Chache South Constituency that:⁷

"The level of criminal activities has drastically gone down due to the intervention of Sungusungu. This is because Sungusungu knows the suspected criminals within the community, goes for them and deal with them swiftly and mercilessly. They usually kill majority of them while the rest flee to other areas to hide. Tell me which criminal would not be afraid of Sungusungu style of justice dispensation?"

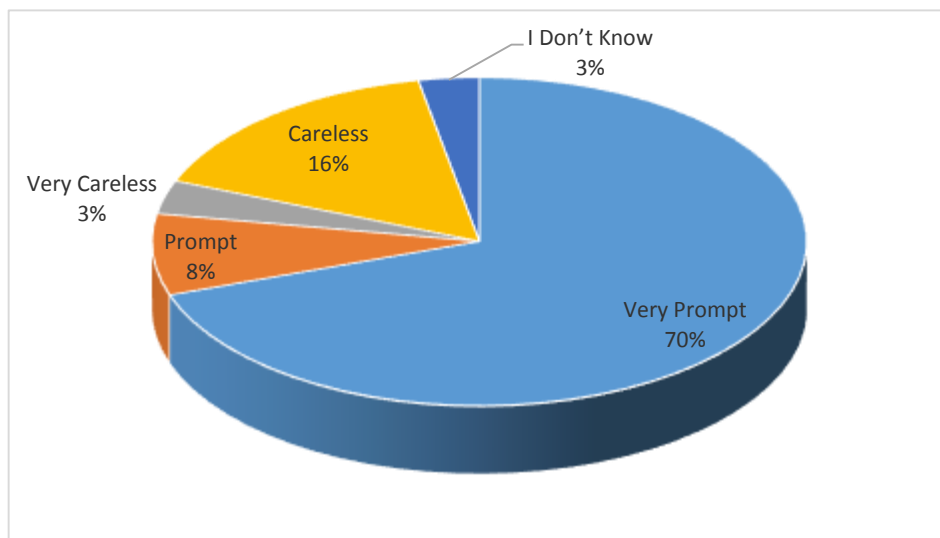
From the above observations, it could be inferred that prevalence and upsurge of criminal activities in Kisii County coupled with State inadequacy to guarantee security to lives and property informed members of the Abagusii community to embrace and support formation of *Sungusungu*. The loss of confidence in the mainstream law enforcement agencies due to abdication of their responsibilities has seen members of the public turn to the group for security and 'justice', thus becoming acceptable. Responses from members of the public indicated that violent criminality in the county started to decline as a result of *Sungusungu* intervention in crime control and prevention in the county. The group is particularly credited for restoring security and order, which seemed elusive in early 2000s, thus providing an alternative to law enforcement agencies. These findings are in agreement with the Protection Theory of organized crime assumptions that highlights situations that are favorable to the growth and evolution of vigilantes: vigilantes step in to provide security where formal criminal and justice systems are ineffective, too bureaucratic, corrupt and untrustworthy.

⁷ A female FGD aged 45 years and above at Kitutu Central ward in Kitutu Chache constituency on 08.08.2019

4.4.4 Effectiveness of Sungusungu in the Management of Security and Justice in Kisii County

After assessing the security situation before and after the advent of *Sungusungu*, it was important to ascertain the effectiveness of the group on the management of security and justice services to the people. This, in other words, will give a clearer and a better view of the pros and cons of relying on the group as an alternative security outfit. To ascertain this, respondents were asked to state how *Sungusungu* respond to a distress call from the respondents. Their responses were as follows: -

Figure 6: Respondents' views on Sungusungu's Response to Distress Calls



Source: Author (2019)

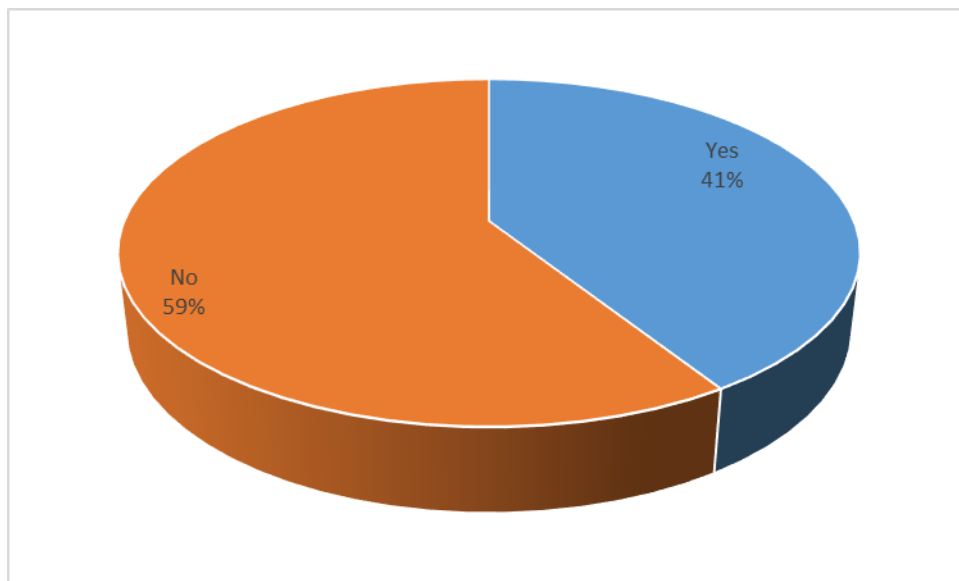
Figure 6 above indicates that overwhelming majority (77.7%) of the respondents asserted that *Sungusungu* was very prompt/prompt in responding to distress calls from the members of the public as opposed to 3.3% and 16 % who noted that the group is very careless / careless. About 3 % of the respondents indicated that they did not know. This implies that *Sungusungu* is very responsive to the needs and concerns of the people and appear committed to keeping the community secure at all costs. These assertions were authenticated by the qualitative data from the interviewees. One of them said: - ⁸

⁸ A Female IDI respondent at Kisii township within Nyaribari Chache constituency on 29.07.2019

“The loss of confidence in the mainstream law enforcement agencies due to abdication of their responsibilities and the Sungusungu’s swiftness in responding to people’s distress calls has seen members of the public turn to the group for security and justice, thus becoming acceptable. With acceptance by the general public, the group has opened offices at Gesonso and Suneka (within Kisii South sub-County), Gusii stadium, Kisii main Bus Stage, Bobaracho and Keumbu (within Kisii Central Sub-County), among other areas.”

To further assess the effectiveness of *Sungusungu* in crime control and prevention, respondents were asked whether they had ever been victims of *Sungusungu* vigilantism. They responded as indicated in Figure 7 below:

Figure 7: Respondents’ views whether they have ever fallen victims to *Sungusungu*



Source: Author (2019)

According to Figure 7 above, 41% of the interviewees were in the affirmative whereas 59% answered in negative. This implies that whereas majority of interviewees and discussants agree that security and justice were more assured with the advent of *Sungusungu* among the Abagusii community, the group has also brought in new security challenges: The group has now mutated into a criminal gang, targeting the very people it was formed to protect. This was aptly captured by one of the respondents that: -⁹

⁹ A male IDI respondent aged 50 years and above at Ibeno ward within Nyaribari Chache constituency on 02.08.2019.

“Whereas Sungusungu is credited for weeding out criminal elements from our neighborhoods, the group has become a security challenge. Its members are now roaming in villages and in the streets targeting the civilians. The challenge is that there are no more criminals to deal with, yet the group must appear to be working so as to remain relevant. Moreover, the group members must also survive and has thus turned to criminal activities to cater for their daily needs.”

Therefore, from the data gathered, *Sungusungu* appear to be morphing into a criminal outfit, marauding on the very community they allege to defend. This mutating nature of vigilantes was attested by International Crisis Group (2017) observation that these groups have the tendency to morph into complex criminal gangs after the original threat for which they were formed to address has been neutralized. One of the group’s victims from Kisii town explained that:

“We are very much worried of Sungusungu nowadays. Our spouses are reporting us to the group upon very trivial misunderstanding. I was once arraigned before the group for purportedly having an affair with another man’s wife. I struggled to explain my innocence to them but my plea fell on deaf ears. None of them wanted to hear my side of the story. They then beat me thoroughly and fined me fifty thousand shillings (50,000/=).”

Further information from the respondents indicates that *Sungusungu* is also involved in extortion, arbitrary killings, violation of human rights and other acts of lawlessness. This confirms Chukwuma (2017) observation that vigilantism is operationally full of negative security outcomes such as excessive use of force, sexual violence, gross human rights violation, extra judicial killings, unprovoked brutality, extortion and wanton destruction of development infrastructure and physical assets. To further corroborate this fact, an FGD discussion in Kitutu Chache South constituency submitted that: ⁻¹⁰

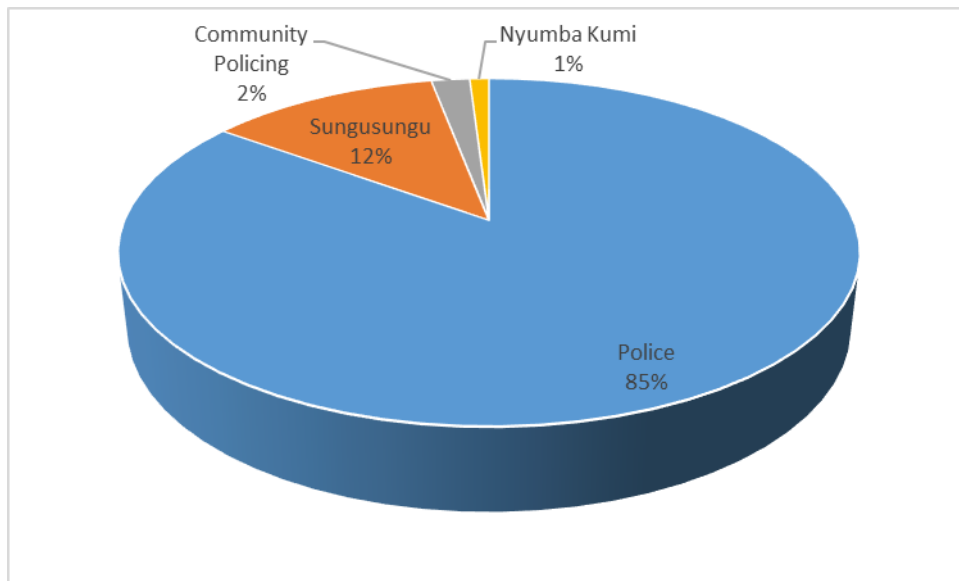
“ The group activities have now evolved from providing security and justice to the members of their community to collecting money from business-people in return for security, collecting a percentage from sale of land transactions, arresting bodaboda operators and detaining their motorcycles for non-payment of protection fees, establishing a kangaroo court to ‘try’ and discipline errant husbands in front of their wives and children, and even assaulting administration officers for reporting on their activities. Indeed, many unclaimed bodies at the Kisii County Teaching and Referral Hospital mortuary are suspected to be works of Sungusungu.”

¹⁰ A male FGD aged 45 years and above at Bogeka Ward within Kitutu Chache constituency on 06.08.2019

These observations agree with key assumptions of Vigilantism and Political Theory that explains the influence of vigilantism on national security. According to the proponents of this theory, vigilantism impacts negatively on national security since it is irrational for individuals to be judges in their own cases, adding that peoples' self-centeredness will make them biased to themselves, friends and relatives. They add that men's sinful nature, passion and vengeance will likely make them overzealous in punishing others (Stettner, 2009). In this light, *Sungusungu* vigilantes continue to threaten national security through their brutal and violent methods of dealing with offenders and their non adherence to the rule of law.

To further assess the influence of *Sungusungu* vigilantism on the security of the residents, respondents were asked to state in clear terms that they think should be assigned the responsibility of providing security in their localities. This will provide clearer view on the level of public confidence residents have on the police, *Sungusungu*, Community Policing and the Nyumba Kumi. They responded as indicated in Figure 8 below:

Figure 8: Respondents' views on who should be given responsibility of providing security in their localities?



Source: Author (2019)

According to figure 8 above, overwhelming majority of the respondents (85%) still prefer police being left with the responsibility of securing their neighborhoods, in spite of the public acclamation of the ineptitude of the police. Only 15% of the respondents prefer *Sungusungu*, Community Policing and Nyumba Kumi handling their security concerns. This is due to police legality and legitimacy coupled with brutality in *Sungusungu*'s methods of handling suspects. A respondent narrated of an incident during which a man suspected of stealing household items

from his neighbor was thoroughly assaulted and consequently endured grievous bodily harm. The interviewee said thus:¹¹

“The Sungusungu tortured him by tying his hands together. They then put a blunt piece of wood between his thighs and knees. Afterwards, they assaulted him until his knee bones and testicles were fractured and ruptured respectively. After about three weeks, the suspect succumbed to the injuries. The unfortunate thing was that the household items allegedly stolen were later discovered by the said neighbor at his kin’s (neighbors’) house days after the victim had died”

This submission was further collaborated by an opinion leader, who explained that: -

“Sungusungu started well. However, the group has for sure overstepped its mandate. For instance, they are now being involved in illegal arresting, prosecution and detaining of suspects in illegal holding cells where they torture and abuse their human rights. Moreover, they operate Kangaroo courts where they hastily and subjectively pass judgments without due regard to the rule of law.

In a similar approach, members of FGD session in Bomariba ward within Bonchari constituency affirmed that:-¹²

“Sungusungu has turned out to be a criminal outfit and a serious threat to national security. Its members are law unto themselves. Though it started as a noble group, it has since been infiltrated by criminals and now operates with absolute impunity. They rule our estates and villages in a mafia –like style. The level of brutality they unleash to the members of the public on the guise of providing security and resolving domestic disputes is atrocious. It is now becoming evident on most people that Sungusungu is a dangerous criminal outfit that has turned out to be a security threat to the very people they purport to protect. Without doubt, the State has a responsibility in eradicating such groups and reforming police and judiciary with a view to having an effective policing and justice system”

Those who favored *Sungusungu* (12%) cited various reasons that range from its availability, its swiftness and promptness in responding to distress calls, its effectiveness, its closeness to the

¹¹ A female IDI respondent aged 35 and above at Nyatieko ward in Kitutu Chache Constituency on 09.08.2019

¹² A male FGD adult aged 18-39 years at Bomariba ward in Bonchari constituency on 22.07.2019

community and the general delay in arresting, investigation, prosecuting and bringing suspects to book. One of the respondents explained that,¹³

“Police are generally unavailable, untrustworthy and corrupt. Even when they are available, people prefer Sungusungu to arbitrate on the local settlement of disputes without involving the police mainly because the group is swift and understands us better than the police. Moreover, Sungusungu has a better knowledge of our local environment/terrain and thus knows where to track down the suspects.”

From the observations, one can deduce that although *Sungusungu* vigilantism was initially and generally accepted by members of the public, the group is evolving into a parallel law enforcement outfit, whose activities are jeopardising security within the county. As a result, majority of the discussants and respondents are of the opinion that in spite of State inadequacy in safeguarding lives and property, police should be left with the responsibility of providing security, on the basis of their legitimacy and *Sungusungu*'s crudity in handling suspects, but not necessarily on their effectiveness. This is an indication that *Sungusungu* has a negative influence on the national security, thus prompting people to still prefer police to deal with their security concerns. This corroborates Vigilantism and Political Theory that vigilantes leave communities they dominate in a continuous state of fear and anxiety through deaths caused by excessive violence (Stettner, 2009). The views of the respondents resonate well with Chukwuma's (2017) observation that vigilantism undermines the rule of law, which in turn impacts negatively on the Kenya's national security.

It is worth noting that majority of the respondents were quick to point out that in spite of unorthodox methods of handling offenders, *Sungusungu* will continue to gain public support and acclamation, particularly among the Abagusii community, as long as State does not rise up to the occasion and guarantees members of the public with the security. The more the State police remains corrupt, unavailable and slow in responding to people's distress calls, the more *Sungusungu* is appreciated and supported by the locals, despite their unconventional methods of dealing with insecurity matters.

4.4.5 Effects of integrating members of the Sungusungu in formal Community Policing

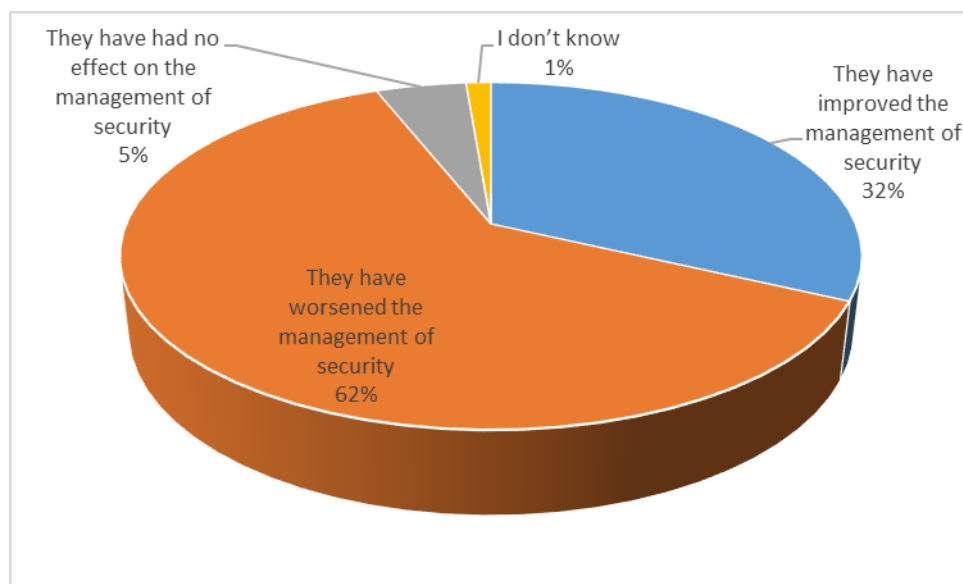
As earlier indicated, *Sungusungu* is credited for restoring security and order, which seemed elusive in early 2000s. This made the members of the public to accept the group and trust it so

¹³ A male IDI respondent aged 28 years and above at Keumbu ward in Nyaribari Chache constituency on 30.07.2019

much that when they were requested to constitute community policing committees, they elected a cross section of members of the group. It was established that *Sungusungu* Sub-County chairmen and some other group members also double up as members of the Community Policing Committees.

As a result, it is thus crucial to look at the effects of integrating the group in formal Community Policing within the county. This will further help in assessing its utility in the formal management of security in the county. To determine this, respondents were asked to state clearly and explain the effects of integrating *Sungusungu* in the formal Community Policing in the management of security within the county. Their responses were as indicated in figure 9 below:

Figure 9: Respondents' views on the effects of integrating members of the *Sungusungu* in formal Community Policing in Kisii County



Source: Author (2019)

A superficial look at figure 9 above gives an impression that overwhelming majority of the respondents (62%) didn't approve the integration of *Sungusungu* members in formal community policing against 32% who affirmed the integration. About 4.7 % of the respondents indicated that the integration of the group had no effects on security management while 1.3 % said they did not know.

Those who disapproved the integration of the group in formal community policing (62%) cited various reasons ranging from group's cruel and inhuman methods of dealing with suspects, targeting of innocent members of the public, non-adherence to the rule of law to overstepping of

the community policing mandate. For instance, members of a FGD session in Kisii Central ward generally submitted that: -¹⁴

“It is an open secret that Sungusungu members have become law unto themselves in the name of community policing. Besides being involved in extrajudicial killings, they arrest, torture, investigate, detain offenders and innocent people in illegal holding cells and hastily pass judgments in Kangaroo courts situated in various parts of the county.”

The qualitative data obtained from IDI also gave credit to this observation. A member of Nyumba Kumi from Kitutu Central provided an insight into the effect of integrating *Sungusungu* in formal community policing thus:

“The integration of Sungusungu in formal community policing has done more harm than good. Honestly, we cannot afford to allow a vigilante group in a country governed by rule of law, to illegally arrest, investigates, try, convict and kill people with impunity, under the guise of community policing. All they need to kill people is a slight suspicion. Rule of law must be allowed to prevail because lawlessness can only beget lawlessness.”

In 2016, Kisii CSIC team banned the group structures at sub-County levels and warned that community policing should end their activities within respective locations and should not engage outside areas where they were elected. Similarly, it ordered for fresh elections of the community policing membership with a view of wiping out those with criminal records and respective sub-CSICs have been charged with ensuring compliance. However, the actions seem not to be yielding any positive results.

However, a cross section of respondents (32%) lauded the integration of *Sungusungu* members into formal Community policing. They perceive *Sungusungu* members as fearless, daring, bold and more efficient than the police. This made some members of the public to accept the group and trust it so much in the security that when they were requested to constitute community policing committees, they elected members of the vigilante group.

From the above observations, it could be inferred that in spite of a cross section of respondents (32%) hailing the integration of *Sungusungu* into the formal community policing, majority the respondents (62%) disapproved the integration of the group in formal community policing. They argue that the group has been perpetuating criminal activities under the guise of community

¹⁴ A female FGD at Kisii Central ward within Nyaribari Chache Ward on 29.07.2019

policing. According to the majority respondents, the group's activities have evolved from protecting their respective communities to extra-judicial killings, collecting money from business-people in return for security, collecting a percentage from sale of land transactions, arresting Bodaboda operators and detaining their motorcycles for non-payment of protection fees, establishing a kangaroo court to 'try' and discipline errant husbands in front of their wives and children, and even assaulting administration officers for reporting on their activities.

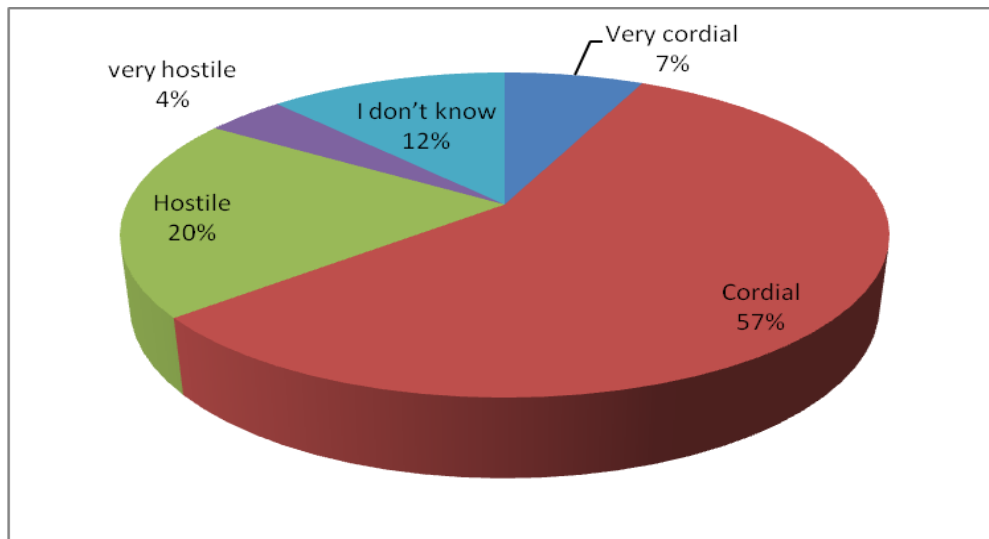
What is more alarming is that there seems to be no difference between community policing and criminal activities by *Sungusungu*. Its members serving in various community policing committees have undeniably overstepped their mandate. Whereas community policing is an approach that is aimed at detecting and preventing criminal activities, reducing fear and fostering relationship between police and the community with a view to ensuring security for the citizenry, what is happening in Kisii County is perpetuation of criminal activities by *Sungusungu* on the pretext of community policing.

Indeed, the concept of Community Policing within the County has been equated to vigilante activities. This has a negative impact on the country's national security. These findings resonate well with key assumption of Vigilantism and Political Theory that vigilantism can have serious negative socio-economic influences on national security (Barron and Madden, 2004; Chukwuma, 2017). Chukwuma (2017) has actually has questioned the efficacy of vigilantism as an alternative security arrangement by arguing that the phenomenon is operationally full of negative security outcomes such as excessive use of force, sexual violence, gross human rights violation, extra judicial killings, unprovoked brutality, extortion and wanton destruction of development infrastructure and physical assets.

This attribute of vigilantism was attested by NCRC (2012) observations that vigilantes have a tendency of turning against the very communities they purport to protect, particularly when they become established in their areas of dominance. At this point, the difference between a vigilante group and a criminal gang becomes extremely fuzzy. *Sungusungu* is not an exception. Besides demanding protection fee and instilling fear among the members of the public, they have not refrained from torturing and killing offenders with crude weapons.

To further assess the effects of incorporating members of the *Sungusungu* in formal community policing, respondents were asked to state in clear terms the nature of relationship that exists between the *Sungusungu* and the formal security machinery. Their responses were as shown in figure 10 below:

Figure 10: Respondents' views on the nature of relationship that exists between the *Sungusungu* and the formal security machinery



Source: Author (2019)

A cursory look at figure 10 above gives an impression that the relationship between the *Sungusungu* and the local security machinery is ambiguous. It was established that overwhelming majority of the respondents (57%) consider the relationship between the *Sungusungu* and local security machinery to be cordial, 20% consider the relationship hostile, 7% consider the relationship very cordial, 4% consider the relationship very hostile while 12% percent couldn't describe the kind of relationship that exist between the *Sungusungu* and the local security machinery in Kisii County.

It was observed that 20% and 4% of the respondents indicated that the relationship between the group and local security apparatus was hostile and very hostile respectively. It was noted that the anxiety in their relationship originated mainly from the *Sungusungu* side and not from the local security apparatus. It was the *Sungusungu* who often feel antagonistic towards the state security machinery. However, this was not the case of State security machinery. According to the respondents, State security and NGAO personnel have occasionally been cooperating, supporting and actually using *Sungusungu* vigilantes in suppressing crime in the county.

For instance, the police command has on several occasions used the group to arrest demonstrating Bodaboda operators, quell riots and even hunt down prison escapees. According to the respondents, the police command has on different occasions used the group to arrest demonstrating Bodaboda operators on 6th August 2015, quell serious riots such as the Gusii

Institute of Technology riots on 14th May 2015, and even hunt down prison escapees on 27th January, 2015. In fact, some of the NGAOs and senior security officers interviewed emphatically denied the aforesaid allegations leveled against members of *Sungusungu* in community policing. A senior NGAO leader within the county said thus:¹⁵

“Sungusungu members were elected by their respective localities to be members of community policing. They have been our good ambassadors in grassroots. They help us in eradicating crime by gathering information. However, we don’t directly involve them in making decisions. Those involved in extortion, arresting, torturing, detaining people in illegal holding cells and trying them in Kangaroo courts are doing so as individuals and not as members of community policing.”

The above observation indicates that there is a level of tolerance within State security machinery towards the *Sungusungu* vigilantism. This perhaps explains the reason why the group continues to operate despite its ban. It can thus be deduced that this kind of tolerance can be interpreted as support for the *Sungusungu* vigilantism by the locals. However, this is not uncommon. Kenney (1987) in his study of *Guardian Angels* vigilantism in New York posits that police officers when they were confidentially interviewed, overwhelming majority (73%) approved of the group’s activities and modus operadi.

However, it is worth noting that this tacit support the State security apparatus given to *Sungusungu* vigilantism is not officially sanctioned policy. Nevertheless, the facilitative and tolerant attitudes and behaviors were very common in several areas. This implicit support regardless of how unenthusiastically is accorded, only serves to eventually empower and ultimately entrench the culture of vigilantism among the society. This, in return, makes it easier for the societies involved to accept the vigilantism as justifiable and legitimate

¹⁵ A senior NGAO leader respondent in Kisii town 29.07.2019

CHAPTER FIVE: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter concludes the study by highlighting the summary and major conclusions from the discussions of the findings. It also further highlights recommendations on how the problem of vigilantism can be addressed and makes suggestions on areas needing further research.

5.2 Summary of Findings

The findings revealed valuable data with respect to the objectives of the study. The first objective of the study was to establish the motivating factors towards the re-emergence of *Sungusungu* in Kisii County. This objective was achieved to the extent that the data collected highlighted the factors responsible for the re-emergence of *Sungusungu* vigilantism in Kisii County. It was established that socio-political factors such as rise in criminal activities, political patronage, inability of police to prevent and control criminal activities, loss of confidence in judicial systems and the desire by the locals to assist police in preventing and controlling criminal activities led to the re-emergence of *Sungusungu* in Kisii County. These findings agree with that of Prattern (2008), Suzette (2005), Nina (2001) and Seekings (2001) who established that upsurge of crime, ineffectiveness or inaction by formal security machinery, political patronage and unresponsive judicial system provide a conducive breeding ground for vigilantism.

The second objective of the study was to find out how the provision of parallel security and justice services by *Sungusungu* in Kisii County has affected the security of the locals. The data collected indicated that provision of parallel security and justice services by the group has conflicting consequences on the security of the locals. Whereas some locals view *Sungusungu* as a criminal outfit, others laud it for restoring order and security which seemed elusive in early 2000s, by weeding out criminals in their localities. Additionally, while some respondents hailed the alternative judicial systems by *Sungusungu* as accessible, swift and effective as opposed to the police and formal judiciary who take too long to arrest, investigate and bring culprits to book, others condemned the systems as full of negative security outcomes such as gross human rights violations, excessive use of force, malicious brutality and miscarriage of justice. To that extent, the alternative security and judicial arrangement being offered by the *Sungusungu* has paradoxical effects on national security.

The third objective of the study was to establish the effects of integrating members of *Sungusungu* in formal Community Policing in Kisii County in addressing security concerns of

the residents. The data gathered demonstrated that the integration of *Sungusungu* members into the official community policing has worsened the management of security in Gusii land. For instance, they involve themselves in illegal arresting, torturing, investigations, detaining offenders in illegal holding cells and operating Kangaroo courts where they hastily convict members of the public without due regard to the rule of law. Besides, they engage themselves in extortion, labour racketeering and extrajudicial killing. Put differently, what is happening in Kisii County under the guise of community policing is nothing less than perpetration of criminal activities.

5.3 Conclusions

Based on the analysis of the findings, the objectives and hypotheses of the study the following conclusions can be made: -

Firstly, *Sungusungu* vigilantism in Kisii County emerged as a result of breakdown of law and order in various parts of the county and was exacerbated by government inaction to crackdown on the criminal elements. Criminals who perpetrated criminal acts, and were well known to residents, were either not apprehended or when they were, they compromised police and would get back to the neighborhoods to harass the locals. Sometimes, they would be arraigned in courts of law, but they would return after being released or granted very lenient bail terms. Consequently, locals got fed up with formal criminal justice system and formed *Sungusungu* to fill up the security gap.

Thus, the re-emergence of *Sungusungu* is an indication of the failure of the Kenyan government and the NPS to guarantee the residents of Kisii County with security. To date, the Government of Kenya is yet to tackle the problem of insecurity in Kisii County. The longer the NPS remained ineffective, corrupt and unresponsive to the security concerns of the people, the more the criminal activities and the more the vigilante groups such as *Sungusungu* are embraced and supported by the locals despite their cruel and barbaric methods of dealing with suspects.

Secondly, it was established that *Sungusungu* vigilantism has a conflicting and paradoxical influence on the security of Kisii County residents. Whereas members of the group have been swift, prompt and effective in protecting members of the public against criminals, they have also contributed to intensifying incidents of insecurity through their involvement in many criminal activities that ranges from extra-judicial killings, torture, extortion, illegal connections of water and electricity, illegal arrest and running of a kangaroo court.

For instance, on one hand, *Sungusungu* vigilantism was discovered to have led to remarkable decline of criminal activities in the county. Crime incidents such as violent robberies, sexual offences, assault, witchcraft, land fraud among others decreased significantly due to the intervention of the group. Moreover, *Sungusungu* members were noted to be swift, prompt and effective in responding to distress calls and other security concerns from the members of the public. Resultantly, the group gained public accolades and support among the locals for restoring security and order, which seemed elusive in early 2000s. As a matter of fact, majority of the respondents and discussants concur that the withdrawal of *Sungusungu* will result to escalation of criminal activities in their neighbourhoods. This is what made members of the public to accept the group and trust it so much that when they were requested to constitute community policing committees, they elected members of the group.

On the other hand, the group has also been a source of security problems to the residents. Research findings have indicated that the group has slowly but eventually been morphing into a criminal gang, terrorizing and instilling fear on the same community it purports to protect. The warning that, “*Sungusungu will deal with you,*” has become a typical catchword among many disputing parties. Moreover, their intervention has at times triggered more widespread conflicts between the belligerents.

It is no longer secret that *Sungusungu* members have been involved in many criminal activities ranging from extra-judicial killings, collecting money from business-people and private developers in return for security, collecting a percentage from sale of land transactions, illegal connections of water and electricity, arresting bodaboda operators and detaining their motorcycles for non-payment of protection fees and establishing a kangaroo court to ‘try’ and discipline errant husbands in front of their wives and children. When faced up about their criminal activities, the group has been assaulting and eliminating administration officers and other community leaders for reporting on their activities. Certainly, *Sungusungu* has suffered the same fate as the ineffective criminal justice system they purport to replace.

Thirdly, it was noted that the entrenchment of *Sungusungu* members into the mainstream community policing system has worsened the management of security in Gusii land. Although CSIC members have since called for the disbandment of the various community policing committees at all levels in a bid to rid of *Sungusungu* members from them, this has not happened. Instead, the group’s operations and structures continue to threaten security situation within the County, as it evolves into the establishment of a parallel law enforcement outfit. What

is more alarming is that there seems to be no difference between community policing and criminal activities by *Sungusungu*. Indeed, a noble concept of Community Policing within the County has been equated to vigilante activities.

Based on the conclusion drawn from the study findings, it is clear that *Sungusungu* vigilantism has impacted negatively on Kenya's national security. *Sungusungu* vigilantism can never be a solution to the security challenges affecting the people of Kisii, as most of the respondents indicated. However, in the absence of an effective criminal judicial system, vigilantism remains a justified recourse available to the residents of Kisii County, albeit, with a serious threat of throwing the community into abyss of lawlessness and culture of violence. A multifaceted approach aimed at reforming security and judicial sector must be harnessed to save the country from this emerging phenomenon, which has the potential, due to its viciousness and culture of violence, to dethrone a legitimately elected regime (Pratten, 2008).

5.4 Policy Recommendations

Based on research findings, the study recommends that the Government of Kenya consider exploring the under-listed three issues with a view to dealing with security challenges and *Sungusungu* vigilantism in Kisii County: -

Social-Economic challenges affecting the youth

From the data gathered, poverty, depressed levels of income and high levels of unemployment were cited to be the key drivers of crime in the county, which are luring youth to crime for survival. Additionally, majority of people recruited into *Sungusungu vigilantism* were found to be unemployed youth from the Gusii Community. Economic empowerment of the youth would be a feasible approach for crime prevention in the county.

Recommendation and Rationale: This study thus recommends that the Government to put in place a deliberate and a pragmatic socio-economic policy that would alleviate the economic hardships of the youth in Kisii by providing gainful employment to thousands of youth, who currently feel that they have nothing to lose by engaging in criminal activities. Such measures include policies geared towards empowering the youth with relevant vocational skills to reduce idleness among them and making them more self-sufficient. The government should also aim at reviving the economy, particularly agriculture and manufacturing sectors, to alleviate food

insecurity, unemployment and poverty that are responsible for production of a good number of jobless, idle and frustrated youth, who are often recruited for criminal and vigilante activities.

Police Ineffectiveness

Sungusungu vigilantism has been justified as a natural defensive reaction to lawlessness and growing insecurity coupled with police inaction and or its ineffectiveness in Kisii County. The respondents disclosed that the Police in the County had abdicated their policing responsibilities and were perceived to be incompetence, corrupt, slow in responding to distress calls and at time colluded with suspected criminals.

Recommendation and Rationale: There is need for NPS to admit its ineffectiveness and inadequacies and deal decisively with them so as to rebuild a positive image and restore public confidence in policing and thus dissuade local communities from forming and supporting vigilantes which inevitably lead to lawlessness. If allegations of ineptitude and unprofessionalism are anything to go by, then the NPS need to review its training curriculum and other refresher courses with a view to keeping the Service abreast with the rapidly changing criminal trends.

Loss of confidence in judicially by members of the public

According to the research findings, loss of confidence in judicial system contributed immensely to the emergence and evolution of *Sungusungu* vigilantism in Kisii County. This follows perception by the members of the public that it is corrupt and ineffective and takes too long to bring criminals to book. Whereas it is debatable the interviewees and discussants might have misconceptions on how judicial system in Kenya works in regards to trial proceedings, roles of judges, magistrates and prosecutors, and how courts generally work, claims of corruption, collusion and complicity with suspects definitely dent the image of the judiciary in the fight against crime

Recommendation and Rationale: There is need for the Judicial Service Commission (JSC) and Ethics and Anti-Corruption Commission (EACC) to tackle corruption allegations by dealing with officers engaged in such vices so as to restore Judiciary's public trust and credibility. Further, there is need for the Judiciary to carry out judicial reforms to ensure that the guilty are not only punished and the innocent are acquitted but also that there are no delays in delivering justice. That notwithstanding, there is also need to educate and sensitize the public on how judicial

system works since some of the views gathered indicated that there is misunderstanding on how the judicial system works.

Community Policing

Research findings indicated that the noble concept of Community Policing within the County has been equated to vigilante activities. Consequently, there seems to be no difference between community policing and criminal activities by *Sungusungu*.

Recommendation and Rationale: The study recommends the Government restructures /reviews the current Community Policing in the County by relooking at vetting and recruitment of community policing members in accordance with the laid down Community Policing Regulations to ensure that criminals do not hide under the guise of community policing. Additionally, there is need for the Inspector General of Police (IGP) to take note of how an otherwise very noble government initiative of Community Policing has been changed into a vehicle for the perpetuation of criminal activities and other acts of lawlessness.

Similarly, the police command and other government institutions within the County should be warned against using members of *Sungusungu* in providing security and enforcing the law. The politicians and businesspeople known to be financing and employing *Sungusungu* members should also be summoned by the CSIC team and be warned against supporting either of the Vigilante factions;

5.5 Suggestions For Further Research

In order to shed more light on the influence of vigilantism on national security in Kenya and build on the results of this research, the study recommends further research on the effects of vigilantism on security governance in Kenya. To generalize the research findings, the study suggests a cross sectional survey on the influence of vigilante groups operating in the country on the national security.

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APPENDIX I: LETTER OF INTRODUCTION



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Nairobi, Kenya.

8 July, 2019

TO WHOM IT MAY CONCERN

Dear Sir/Madam

SUBJECT: CHARLES GICHOBI GICHIRA-C50/9543/2017

This is to confirm that the above is a bonafide student in the Department of Political Science & Public Administration.

Mr. Gichira has successfully completed the first part of his studies (coursework) and is authorized to proceed to the second part of his studies (Field Research)

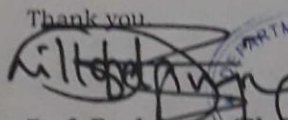
It is against this background that I request you to support the student collect relevant data for his academic work. Mr. Gichira is writing a Project titled; **"The Influence of Vigilantism on National Security in Kenya: A Case Study of Sungusugu in Kisii County (2002-2019)."**


The student is expected to abide by your regulations and rules while conducting this research. The information so obtained shall be purely for academic purposes.

In case of further clarification, feel free to contact the undersigned.

Thanking you most sincerely for support.

Thank you


Prof. Fred Jenyo (Ph.D)
Chairman, Department of Political Science and Public Administration



APPENDIX II: INTERVIEW GUIDE

A. FACTORS RESPONSIBLE FOR THE EMERGENCE OF SUNGUSUNGU VIGILANTISM IN KISII COUNTY

- i. Does *Sungusungu* exist in your locality?
- ii. Which crime is prevalent in your area?
- iii. What do you think led to the formation of *Sungusungu*? Kindly explain your answer.

B. EFFECTS OF ACTIVITIES BY THE *SUNGUSUNGU* ON THE SECURITY OF KISII COUNTY RESIDENTS

- i. On a scale of 1-4, where 1= High, 2=Low, 3=Normal and 4 = I don't know, assess the rate of crime in your locality before *Sungusungu* started providing security and justice services to the residents. Explain.

Rate of Crime before Sungusungu started providing security and running parallel justice system	(Tick where appropriate)
High	
Low	
Normal	
I don't know	

- ii. On a scale of 1-4, where 1= High, 2=Low, 3=Normal and 4 = I don't know, assess the rate of crime in your locality after *Sungusungu* started providing security and justice services to the residents. Explain.

<i>Rate of Crime before Sungusungu started providing security and running parallel justice system</i>	<i>(Tick where appropriate)</i>
High	
Low	
Normal	
I don't know	

- iii. On a scale of 1-4, where 1= Very prompt, 2= Prompt, 3=Very Careless and 4 = Careless, assess how Sungusungu respond to security distress calls in your locality. Kindly explain your answer.

<i>Sungusungu's Response to Distress Calls</i>	<i>(Tick where appropriate)</i>
Very Prompt	
Prompt	
Very Careless	
Careless	
I Don't Know	

- iv. Have you ever been a victim of *Sungusungu* vigilantism?

<i>Have you ever been a victim of Sungusungu Vigilantism</i>	<i>(Tick where appropriate)</i>
Yes	
No	

- v. Who do you think should be given responsibility of providing security in their localities?

<i>Who should be given responsibility of providing security in your area?</i>	<i>(Tick where appropriate)</i>
Police	
Sungusungu	
Community Policing	
Nyumba Kumi	

C. EFFECTS OF INTEGRATING MEMBERS OF SUNGUSUNGU IN COMMUNITY POLICING IN KISII COUNTY

- i. What is the effect of integrating members of the Sungusungu in formal Community Policing in Kisii County?

<i>Effects of integrating Sungusungu in formal Community Policing</i>	<i>(Tick where appropriate)</i>
They have improved the management of security	
They have worsened the management of security	
They have had no effect on the management of security	
I don't know	

- vi. What kind of relationship that exists between the Sungusungu and the local security machinery. Kindly explain your answer.

<i>The nature of relationship that exists between the Sungusungu and the local security machinery</i>	<i>(Tick where appropriate)</i>
Very Cordial	
Cordial	
Hostile	
Very Hostile	

APPENDIX III: RESEARCH BUDGET

No.	Item	Amount
1.	Food, Transport and Accommodation	50,000.00
2.	Communication	10,000.00
3.	Internet Services	15,000.00
4.	Computer Equipment & Supplies	10,000.00
5.	Library	20,000.00
6.	Total Paper Work and Photocopying	30,000.00
7.	Binding	2,000.00
8.	Filing	10,000.00
9.	Editorial Assistance	10,000.00
10.	Research/Fieldwork	50,000.00
11.	Transcriptions	20,000.00
12.	Statistical Help etc	10,000.00
13.	Miscellaneous Costs	13,000.00
	Total Costs	250,000.00

APPENDIX IV: TURNITIN ORIGINALITY REPORT

Turnitin

14/11/2019, 10:30

Document Viewer

Turnitin Originality Report

Processed on: 14-Nov-2019 10:26 EAT
ID: 1213564478
Word Count: 25029
Submitted: 1

THE INFLUENCE OF
VIGILANTISM ON NATIONAL
SECU... By Charles Gichobi

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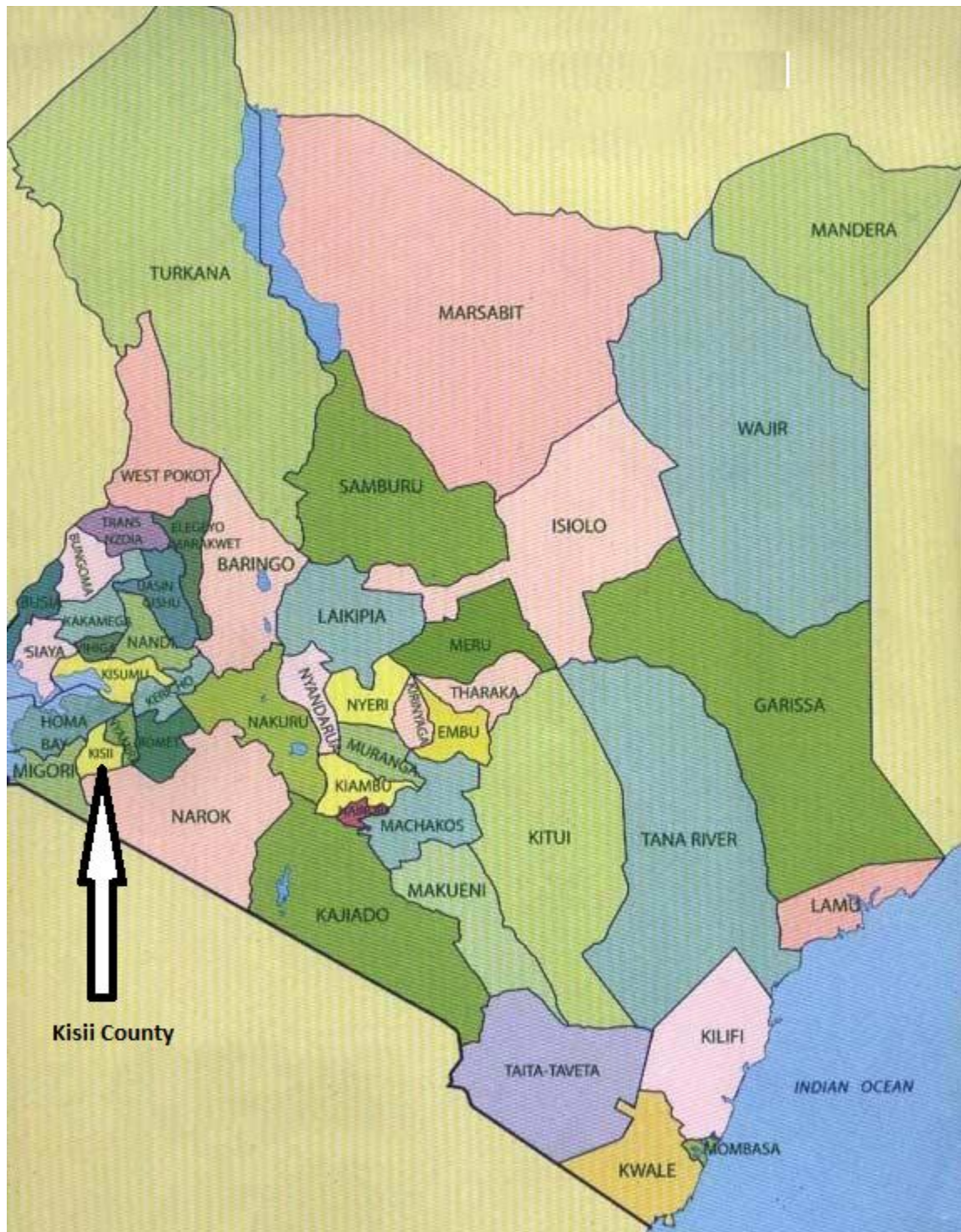
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DEAN FACULTY OF ARTS UNIVERSITY OF NAIROBI
18 NOV 2019
P.O. Box 30197, NAIROBI
Charles Gichobi
18/11/2019

efficiency
18/11/19

APPENDIX V: LOCATION OF KISII COUNTY IN KENYA



Source: *KNBS (2010)*