



Graduate School of Development Studies

**COMMUNITY POLICING IN A PASTORAL
COMMUNITY: A CASE STUDY OF WEST POKOT
COUNTY, KENYA**

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List of Acronyms

AP	Administration Police
ASAL	Arid and Semi-Arid Land
ASTU	Anti-Stock Theft Police Unit
CBD	Central Business District
CID	Criminal Investigating Department Officer
CJPC	Catholic Justice and Peace Commission
CP	Community policing
CPA	Community policing Approach
CPC	Community policing Committee
CPP	Community policing Principles
DNK	Daily Nation Newspaper, Kenya
DO	District Officer
FGM	Female Genital Mutilation
GoK	Government of Kenya
IDPs	Internally Displaced Persons
KIA	Kenya Institute of Administration
KNFP	Kenya National Focal Point on Small Arms and Light Weapons
KPR	Kenya Police Reservist
KSHS	Kenyan Shillings
LoK	Laws of Kenya
MDGs	Millennium Development Goals
MoEST	Ministry of Education, Science and Technology
MoS-PAIS	Ministry of State for Provincial Administration and Internal Security
NCBDA	Nairobi Central Business District Association
NCCK	National Council of Churches of Kenya
NGOs	Non-Governmental Organisations
NSC	National Steering Committee on PeaceBuilding and Conflict Management
NSIS	National Security and Intelligence Service
OCS	Officer Commanding Police Station
OOP	Office of the President
PA	Provincial Administration
PC	Peace Committees
PCM	Peace Committee Members
POS	Political Opportunity Structure
RDU	Rapid Deployment Police Unit

RVP-PDP	Rift Valley Province, Provincial Director of Planning
SALWs	Small Arms and Light Weapons
SSR	Security Sector Reforms
TLPF	Tecla Loroupe Peace Foundation
UN	United Nations
UNDP	United Nations Development Programme
UNSCR	United Nations Security Council Resolution
UN-UDHR	United Nations Universal Declaration on Human Rights
USAID	United States Agency for International Development

Abstract

Of all the public service institutions, the police are among the most controversial. In Kenya, as elsewhere, police remain encumbered by complaints of malpractice, excessive use of force and corruption. The result is 'conflictual' police-civilian relations, especially in the case of minorities, who see the mode of application and administration of justice as selective; police are also viewed as having unaccommodating gender views. This research paper is an attempt to interrogate how the implementation of Community Policing Principles took place in a pastoralist community. A long-standing history of cattle rustling and more recent introduction of small arms and light weapons are important characteristics of West Pokot County. These are said to be behind police illegalities, illegitimacies and excesses. By cross-examining the policy environment which guides policing of citizens, it is intended that this research will expose how the interactions of security discourses with societal organisations and gender relations in this county has served to make the locals security achievement an illusion. The research findings address problems in implementation, including a lack of a common purpose among central coordinating organs in relation to Community Policing by various security agents. The result in West Pokot has been to worsen community divisions; Community Policing was found to have failed in efforts to strengthen security within and among West Pokot County communities. Therefore, the study suggests that for Community Policing to be fully operationalised, *wakasa* (elders), *ngoroko* (Moran), and women especially must be part of any successful strategy of Community Policing in the region. There is a need to develop an alternative approach to community policing aimed at a broader understanding of security, where police engagement is not limited to helping local communities fight criminal insecurity.

Relevance to Development Studies

Universally, the police force is the most visible public institution concerned with the security of the residents of a country. Without law and order; in a country, it becomes a pipe dream to accomplish social, economic and political development of an area. It therefore becomes necessary for this public sector to operate in a more accountable and transparent manner factoring in the security needs and concerns of a people. Today, a policing strategy which incorporates the communities as co-producers of their own security and safety has taken priority as a conflict management tool thus the birth of Community Policing or Community-Oriented Policing.

This research therefore, seeks to unearth the gaps in Community Policing as a theory of practice in its implementation phase in West Pokot County and illuminate how ignorance of minor details on societal organisation and coordination of the numerous spheres of life could render a good and well intentioned strategy useless. At the end, the paper will have raised serious concerns not only for the County but also provoke serious review of the implementation strategies of CP in the entire country.

Keywords

Community Policing, West Pokot County, Policing, Elders, Community, Small Arms and Light Weapons (SALWs).

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Dedication

Dedicated to my dear sister and best friend Hellen Mukami. This journey we have so far travelled is by Gods grace. The sky shall not be our limit. Amen.

Chapter 1

Introduction

“Community policing is based on the idea that public safety is best achieved when the police and community work together to solve problems” (Glaser and Denhardt 2010: 310).

“...[a] community-oriented policing approach working to strengthen ‘disorganized’ communities has ironically paid little attention as to whether or how different types of community-oriented strategies actually affect levels of community organisation and cohesion” (Kerley and Benson 2000: 64).

1.1 The Exploratory Problem

The core mandate for any legitimate government is security provision to its citizens. In his work, “Politics as a Vocation”, Weber (1946) theorized the state as the only entity with monopoly for violence with police and military establishments as its coercive instruments. Many post-colonial African countries are in limbo on the best strategy to reconcile different and in most case conflicting traditional and imported security systems. Dishonesty and laxity by these governments to resolve conflict for the stability of their countries has also exacerbated conflict situations (Okafo 2007: 3). Kenya is in this quagmire where inherited colonial police structures have been exploited by elites as tools for coercion and achieving compliance where there is resistance. As the ‘political opportunity structure’¹ (POS) –*see reference 5, chapter 2* – model suggests, elites are seen to implement policies for their own benefit, and this creates distrust and resistance to police officers by citizens in local areas like West Pokot County.

The Kenyan government adopted Community policing Principles (CPP) as a central feature for reforming its security sector (MoS-PAIS 2009: 1). In West Pokot County, however, two main problems have continued despite government and other stakeholder’s efforts to collect and destroy illicit firearms – among other areas – by applying this principle. The public Security Sector Reforms (SSR) being pursued by the government tends to focus only on the public security sector and to turn a blind eye to the traditional security arrangements (Abrahamsen et al. 2006: 1). This problem, linked with CP model introduced in Kenya in the past decade, suggests that the current pattern of insecurity in West Pokot County, as an example, requires further investigation.

In light of this puzzle, this research will be concerned with the relationship between community policing strategy and security sustainability in West Pokot County. More specifically, the focus shall be on the links between conventional policing and the need to incorporate “the private sector under the umbrella of Community policing” (Specker 2009: 1). Therefore, the problem is in understanding how the purported rationale of this security advancement paradigm will change the perceptions of all actors in the county in addition to

¹ See; Kitschelt (1986); Kriesi (1995) & Tilly (1978, 1985) on studies on the ‘Political Opportunity Structure.

its influences as it intersects with other processes which shape specific security conjectures.

1.2 West Pokot County Profile

West Pokot County lays in the north-western part of Kenya and borders north-eastern Uganda, south-eastern Sudan and south-western Ethiopia all occupied by pastoralists groups. Within the boundaries of Kenya, it is surrounded by other pastoralists communities like Samburu, Marakwet and Turkana. It comprises four administrative units: West Pokot, North Pokot, Pokot South and Pokot Central all merging into three political constituencies; Kapenguria, Sigor and Kacheliba. The Pokots gained reputation for being resistant to both colonialists and Kenya government influence (Leff 2009: 193). Two groups can be identified; Hill Pokots practicing both agriculture and pastoralism located in the rainy highlands of the West and Central South areas - Kapenguria and Alale and Plain Pokots found in the dry and infertile plains, being the majority. Historically though, the “people’s livelihoods are pastoralists oriented and cows are at the heart of their culture” (Kopel et al. 2008: 388).

West Pokot has an area of 9,100 square kilometres out of which only 1,000 square kilometres a viable for agricultural activities hence the region is classified as an Arid and Semi-Arid Land (ASAL). At the moment in Kenya, there is a debate about whether land sizes or population should be the basis for constituencies. Compared with Western Province, which has an area of 8,361 square kilometres and 25 political constituencies, West Pokot seems poorly represented in national politics. This may further skew the country’s national wealth as allocations of budgetary support are per constituency. Therefore, a question this study will address, in the conclusion is the need to address this national disparity not only for Pokots but also in other counties as a measure to make SALWs irrelevant.

Even after fifty years of independence, West Pokot is still characterised by high level of illiteracy, poverty, poor infrastructures and frequent conflicts (Pricewaterhouse 2005: 8). Of the population estimates for the county for July 2011, of 690,465, it is estimated that 67.7% were living below the poverty line, with a dependency ratio of 58.91% (RVP -PDP 2011). This compares quite unfavourably with the national poverty index of 60% and dependency ratio of 42.65%. For this area, a rough estimate of the number of police is difficult to calculate, but there are an estimated 500 paid police in place. This is a rough police-citizen ratio of around 1,380. As I will discuss later in this study, this shortfall in police (even by national standards, see p. 12, Kimani 2009) is made up by Reservists.

1.3 Background

The Kenyan government recognizes that a key component to socio-economic development of any area is having sustainable security. This has helped increase the levels of national interest in formulation and implementation of new police reforms as a pathway to attain a secure nation. This comes on the back-drop of a realisation that physical security ailment of one corner of the country has a direct/indirect negative impact on other parts. However, West

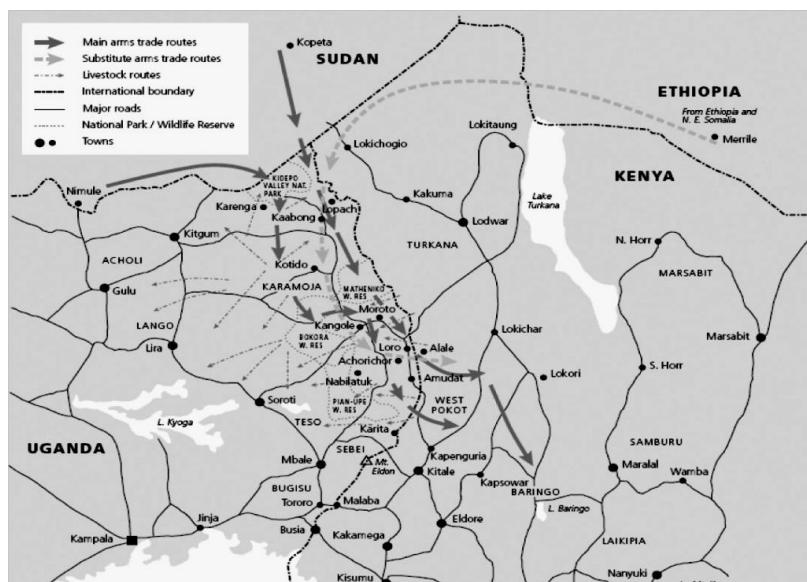
Pokot is characterised by numerous hills and valleys making security arrangements and administration very challenging. Poor infrastructures due to years of neglect by the government (Bevan 2007: 7; NCCK 2009: 6 – 7; Mkutu 2006: 62) have also contributed to the elusive security attainment. Cultural and ecological factors too have reinforced poverty and underdevelopment in the county. Since colonial days, pastoralists have been victims of “... prejudicial treatment reinforced by discriminatory laws and state policies” (see; Goldsmith 2002). As Hendrickson et al. (1998: 188) put it, “development interventions in pastoral area have been characterised by general ignorance about pastoralists and pastoral systems”. Consequently, the people have been denied the opportunity to chart their own life path, left only the role of passive subjects, who are expected to be grateful to those who think to know what ails West Pokot (mainly outsiders).

Security operations in West Pokot County are not a new phenomenon with the post-independent regimes but rather a continuation of colonialist policies, including the Penal Code (LoK Chapter 63) whose roots are in India. In total, over 30 security operations have been conducted in West Pokot alone, since the 1980’s to tackle the twin problems of SALWs and cattle rustlings, with little success. The governments of Kenya and Uganda re-engaged in a joint campaign targeting those who own SALWs to create a ‘no haven’ zone across their borders in the year 2005 (Hull 2006; Haacke 2009: 1). This followed the logic of ‘Operation Nyundo’ (Hammer) in 1984 which exposed the serious challenges and difficulties of disarming civilians who in some cases seemed ready to die rather than surrender their fire-arms. This study will include a sample of local people’s perceptions about the government, and in particular explores a feeling that promises to maintain security, provide basic goods and services to the population, and develop the area through voluntary disarmament have not been met. It was a common occurrence for locals to have seen neighbours’ animals stolen and to witness maiming and even killings during government disarmament efforts. This needs to be understood as the background to future efforts, since people will not wish to “gamble [their]... family’s survival on government promises” (Kopel et al 2008: 404) that may not seem credible.

There have been several other government initiatives. The first was to deploy more police officers, but this has not been a hindrance to local people acquiring new weapons. Government engagement of Kenya Police Reservists, (KPRs), and the establishment of Peace Committees (*See Annex III*) and Community policing Committees (CPCs) have also failed to arrest the twin problems in West Pokot. Whilst police officers lack human and logistical capacity, at a time when the role of traditional governance and court system - the *kokwo* – has been found to be diminishing in the area (Ruto et al. 2003: 10). Since reservists and police cannot cover the entire area, police posts are positioned on average 50-90 kilometres apart, with no more than 4 – 6 officers in each post. It is little surprise that one of the findings that will be discussed later is how isolated the police felt in this area. KPRs too are individually scattered at a distance of roughly 5 kilometres apart. Due to all these challenges, West Pokot County is classified by the Public Service Commission as among the ‘hardship areas’ of Kenya for all public servants. This is reflected in monthly hardship allowances paid out to officers serving in the area.

Availability of Small Arms and Light Weapons (SALWs)² has made cattle rustling in West Pokot swifter and more lethal (NCCK 2009: 3). What this study explores is one of the pastoralist corridors in Kenya (areas which border countries like Sudan, Uganda, Ethiopia and Somalia which experienced civil wars for many years). The study considers some of the reasons why ‘mopping-up operations’ for light weapons have not always been successful in West Pokot. Since the Pokots neighbours are also heavily armed, this produces a ‘war-like’ context (see; map 1.1 Cross Borders Arms Flow below). This may be one reason that disarming Pokots alone has not worked, since it would make them more vulnerable and exposed to their adversaries. Weiss (2004) argument that pastoralists communities orientation is what makes them suffer from poverty and engage in violence has been counted by Gebre-Wold³ who reasons that “though many pastoralist households have small arms, the rate of crime and violent incidents is not high in their community, neither does density of weapons in an area mean automatically the rise of gun-related violence” (Gebre-Wold 2001: 2). If anything, he suggests that guns owned by Pokots are not used in crime, and research showed that guns were not carried openly, contrary to many assertions by researchers, government reports and newspaper articles (Leff 2009: 194; Andae 2011: 9). A key finding of this study was that guns are owned mainly by herders who live far away from towns, mainly in *manyatta* –temporary shelters- found in the valleys and forested areas. These are not easily accessible but provide good ground for pasture and water for animals. One possibility explored in this study is that many of these guns may be used defensively, rather than offensively, for example to defend livestock and kin.

Map1.1 Cross Borders Arms Flow



Source: Mkutu 2003

In contrast to the fear that there is a ripple effect of insecurity, from pastoralist societies like West Pokot County to other parts of the country, it is

² SALWs in this paper refers to illegally acquired “military and police hardware in terms of guns and machine guns [plus] ammunition (UNDP 2008: 6)

³ Ex-director of a German-sponsored disarmament program in East Africa.

interesting to note that during the 2007 post-election violence, West Pokot area was not troubled by the violence's which rocked others parts of the province. Yet foreign policies of countries in the West have generally shifted development agendas in the past decade or so towards including a much stronger security component(s) within the development agenda. Security Sector Reforms (SSRs) have been implemented or required all over East Africa, and beyond, including in Kenya, starting in 2003. Community policing was first introduced as an integral part of SSR, and has since become a trade name for one aspect of Kenya's SSR demanded by donor countries as a ladder to 'good governance, accountability, transparency and professionalism' (Clegg et al. 2000: 12; Stone et al. 2011: 2).

1.4 Significance and Validation

A number of researches have been conducted on the theory of Community Policing and how it can be utilized effectively to not only combat crime, but also build stronger communities through a closer collaboration between the police and the policed. However, little has been investigated on how this theory of practice could be used to tackle problems of cattle rustling and proliferation of SALWs in a pastoralist community, like West Pokot, suffering from years of negligence by the government (Bertha et al. n.d.: 2). Much of the available information rates pastoralists as troublemakers expressing 'war-like' behaviours, while pastoralism as a way of life has been criminalized over and again. As such, security and development policies for pastoralists are structured in line with an ideology which seeks for new ways of putting pastoralists in the 'map of civilization'.

Therefore, the underlying purpose for this research is not to criticize Community Policing theory, but to understand this dogma, what it seeks to change and the calculations applied therein in a community engulfed by cattle rustling and proliferation of SALWs. This research therefore, draws attention to the inevitable gap between what CP claims to undertake and what it actually achieves in West Pokot County in addition to highlighting its persistence - its parasitic association to its weaknesses and inadequacies.

Finally, this research gears at contributing knowledge on how a strong advocacy for change in lifestyles of pastoralist might be a short-cut in addressing their development challenges thus failing to capture the root causes for the peoples predicaments. In addition, add voice on the adjustment necessary for the CP policy which has remained as a draft since 2006.

1.5 Research Objective and Questions

The fundamental objective of this research is interrogating the implementation strategy of CP as a theory of practice in West Pokot County. Further, seek for the missing links among security stakeholders as they understood and operationalised CPP which could be of added value, in highlighting why the noble concept could be in essence problematic to this community and how this problem could be overcome.

To accomplish my research objective, main questions and other sub-questions were posed as follows:

1. What lessons can be learned from the recent experience of West Pokot County residents about how to adjust Community policing Principles to local contexts?
2. What kinds of problems in community policing can be identified based on the West Pokot case study?

Sub-questions:

1. What are the perspectives of the different stakeholders in the county regarding community policing practice?
2. What relationship can be found between conventional policing and the practice of CP in this county?
3. What modifications or adjustments are necessary to the current version of CP to fit into the context of the county?

1.6 Study Methodology

The West Pokot County was selected as the most strategically placed study site among other pastoralist's communities in the region. The county had so far experienced over 30 security disarmament operations since the 1980's, yet cattle rustling and proliferation of SALWs seemed far from over. From written literature, it is clear that Pokots have had elaborate conflict resolution mechanisms to handle both inter and intra conflicts and violence (Ruto et al. 2003: 23 – 24) in addition to modern day formal security arrangements: CP and Peace Committees.

The research is a case study hence leans more on qualitative data. As a study engraved on the security discourses emanating from the research site, the study methodology demanded for sampling of respondents from the four districts forming the county. Interviews were conducted with one area Member of Parliament, KPRs, Councillors, Peace Committees, Police Officers and locals from the rural and urban areas. A focus group discussion was organised with Chiefs and Assistant Chiefs from Kapenguria Division. In addition, semi-structured interviews⁴ became the most appropriate method to use supported by in-depth interviews. For reference purposes, these interviews will be referred to throughout the study, by reference numbers, contained in Appendix 1 (e.g. EM-1 or KPR-1 to refer to interview elders and Kenya Police Reservists respectively).

The core methodology of the study involved interviews and discussions with *ngoroko* –morans (both continuing and reformed), *wakasa* -elders, locals both within and outside the county and Police Officers in the county. *Ngoroko* were selected because of their strategic positioning at borders of Pokot and Turkana in Kenya, and Sabei and Karamoja in Uganda and the remoteness to which they had constructed their *manyatta* while *wakasa* were picked representing different villages. On the other hand, non-state actors operating in

⁴ <http://www.sehd.scot.nhs.uk/involvingpeople/methodologies/individualmethodologies/interviews.htm>

the County were picked from their town offices (Kapenguria and Makutano) as none had cascaded to the grassroots.

In addition, the method of participant observation was put to use while attending a peace meeting organized and coordinated by Tecla Loroupe Peace Foundation (TLPF) bringing together Pokots and Turkana at the border centre of Kainuk, Turkana side. Also while attending a public *baraza* (meeting) in Sarmach Location where gender representation was observed.

To overcome the common trend of researchers in the area who administer questionnaires to the respondents with the help of research assistants because of misconceptions on security situation of the area, I chose to fit into the respondent's natural environment. This meant that I had to meet them at their point of choice. A one-on-one interrogation on how they understood CP and experienced it without use of a questionnaire was the best option though an open ended questionnaire was available to keep me and my respondents on focus on the concrete issues at hand. In addition, I lived with a host family in a remote area, not easily accessible to experience their everyday life challenges.

Explicably, in-depth analysis of relevant literature on the concept of CP and how countries like Uganda and Mozambique have applied it with mixed success stories. The report of International Peace Academy and Saferworld on "Community –Based Policing: Developing Security-securing development" which gives the philosophy and guidelines for implementation of police reforms through community-based policing was heavily consulted.

Key official contacts and documents

Crucial data was obtained from

- i. Provincial Director of Planning for data on the estimated population, the poverty level and dependency ratio of the county.
- ii. NSC office at the Ministry headquarters on the guidelines for the formulation and operation of peace committees.
- iii. Police reforms secretariat desk for the police training manual being implemented.
- iv. Department of Reforms and Training in the Office of the President on guidelines for Community policing.

Morals and Ethics while Interrogating Security Discourse

Asymmetries of power between the researcher and the respondents are not only unavoidable but also highly influenced by the socio-cultural context of the matter at hand. As a researcher, one needs not ignore them but rather have strong ethical practices embedded in them (Holland et al. 2010: 362). Just in agreement with Holland and Ramazanoglu (1994: 13) I discovered that much as I had control and power over the discussions flow, my respondents too had immense power on what to disclose to me depending on how they evaluated me during introduction. It was common for some respondents to interject during interviews by saying; "let me tell you the truth ... because at first I wanted to understand exactly what it is you want to know from us and whether it has any importance in our lives" was a common statement. It was meant to clarify an issue they or someone had earlier said. During public meetings, it was also common to see a few individuals with their heads lifted high, looking into some distance spot. This was explained as a precautionary measure lest an

enemy attack them, something which was said to have happened in the past during public meetings organized by senior government officials.

In addition, it was easy talking to respondents in the remote regions than in urban centres as I was to learn being an outsider and willing to meet them at their places of residences, the people felt I was better placed to bring their concerns to the attention of the government without favour. To them, given an alternative source of livelihood is not good enough reason to surrender their weapons unless more KPRs have been engaged and security 'beefed-up' with all their neighbours.

1.7 Organisation of the Research Paper

This paper is structured into five main chapters. Chapter one is an entry point to the topic under investigation being followed by a very short chapter, which highlights the theoretical frames which security discourses operate from, Chapter 2. Chapters, three and four explore practices and principles of Community policing in relation to the case study of West Pokot County. Chapter three dwells on the various manifestations of Community policing practice in the West Pokot County and Kenyan context in general. Chapter four then brings out some of the key tensions between conventional policing and community policing, as they surfaced in the area under study. This also incorporated the social angle of how CP has been experienced in the area, what it was intended to do and what it may have overlooked. Finally, Chapter five gives a synopsis of the research findings and what this implies in the search for a community policing strategy adapted to West Pokot County.

Chapter 2

Theorising Community Policing

This chapter is quite brief, since at the level of theorising, Community Policing is a relatively underdeveloped area of social research. New theoretical areas like postmodernist theory, cultural theory, rational choice and the greed-grievance debates, all seem to have by-passed community policing, which has received relatively little critical or other attention (Fielding 2005: 467). Research on feminism and masculinities also has relatively little to say about Security Sector Reforms, including CP. Theory *per se*, has ventured little into specific policing programmes. For instance, whereas post-modern theory put forward that citizens are progressively more disconnected from formal organizations, giving the state less legality (Loader 1996; Norris 1999); the realities on the ground is that they want more commitment on security from their governments'. This contradiction might be used to explain why factual data on policing is a bit out of touch with post-modernist claims. In addition, whereas many allegations are levelled about the public being more critical on public institutions like the police and courts, evidence points to the contrary: people expect more from the two organisations; hence the two institutions are vital to peoples reasoning. As such, policing appears to be a core factor through which the community tries to "moderate anxiety about that distinctly post-modern condition: a prevalent feeling of being insecure" (Erickson and Haggerty 1997).

CP has been found to have an unrelenting appeal regardless of the many constructions of its meaning, each informed by different methodical undertakings by the actor and authors concerned. It is seen to be rather a "chameleon concept" (Fielding 2005: 460). This might imply that this strategy keeps changing with each emerging security programme as it gets encompassed in an "endless cycle of structural conditioning, followed by social interaction then structural elaboration" (ibid). Once policy makers select some security factors as important, these are represented as the preliminary structural conditioning of the CP programme resulting in a blue-print. As such, a workable meaning of CP "can only be obtained by contrasting [it] with whatever it is intended to replace" (Dixon and Rauch 2004: 10).

Also, CP could also be theorised through debates informing the social theories voicing both the macro and micro levels in a society. This entails differentiation between construction of institutions and what is actually achieved by these institutions as captured in the "structuration theory" (Gidden 1976: 1991). Both the micro and macro levels have a middle ground function: the action level which draws on micro interactions and the structural level, which use the macro to capture the organisational and community context of interactions. It is thought that the culture of an organisation supplies understanding of CP by reference to the patterns established in police-public interactions (Clarke and Eck 2003: 6). These interactions provide necessary resources informing the powers in CP since the distribution of organisational resources has always been a structural matter.

Rated as the best alternative to conventional policing, as it seeks to bring police and the policed closer towards a communal goal, this construction of CP rests on a romantic past of a community characterised by a shared and unifying value systems. There has been a relatively high degree of presumption by originators of this concept that there is consensus by people of a locality at a time when community compositions, like West Pokot County, have been more diverse than before. What the proponents of this concept do is to invoke images of police-community relationships in a harmonious set-up where criminal activities are rare and when they do occur, they are of a petty nature.

In light of Parsons Viewpoint, CP might as well be a tool of professionalising the police as a functionally differentiated structure of modern societies (Ritzer 1988); free from bureaucracies associated with conventional policing. Conventional policing has been accused over the years as being reactive rather than proactive on individual crimes. This rudimentary approach to insecurities calls for a “smarter approach” (Clarke and Eck 2003) and CP has been thought to be that new strategy. Most policy makers view criminal acts as incidences which requires a lot of technical security investments; neglecting the most underlying causes –political-economic factors - which are of impetus to solving the puzzle. Vested interests are a common feature among security actors: the media looks for drama which makes their story lines juicy; lawyers appear contended with a system which places them at the epicentre of events; with politicians, shifting from one policy portfolio to another, figuring crime could be tackled automatically; conservatives by being rough and tough, and liberals by opting for boardroom diplomacy. On the other hand, most criminologists are so engulfed in their world of theorising that their work is almost inaccessible to outsiders (ibid).

We also need to appreciate that police get their mandate as an institution of government (Potts 1982). To give even a slightest suggestion that people are capable of self-regulation could be seen as a contradiction, in that the priority of any government is acting as a guardian of collective public interests, and security is a public good. Whereas the government has always tried to balance its functions as a public ‘servant’ and ‘coercer’, if need be, of its citizens, the police find this balancing act problematic as the two functions pull in opposing directions (Fielding 2005: 466) and in most cases, receive hostilities from the members of the public. Police have to relentlessly balance between the need to serve the whole society through enforcing general laws and rules and the need to attend to individuals security needs as per police standing orders. Whereas community policing aims at overcoming the coercion aspect of conventional policing, this aspect is in fact inherent in political institutions. It thus remains to be seen how police are to steer community renewal and cohesiveness as purposed in CP in an already divided community. However, mainstreaming the police construction of ‘shared’ values is taking a position based on a particular value set. “This inescapably challenges police apoliticality” (ibid) position.

Several dilemmas arise while implementing community policing. The most important is how police officers get to professionally respond to locals security demands. Further, there is need to articulate the type of information police will require when they do respond to security concerns of an area, and the action to be meted out to a ‘community’ which is itself deviant to core

security values when the police do respond. Therefore, to implement community policing requires re-thinking both the police and the community role in prevention measures of crime as well as re-structuring police command structures and control procedures. This is because; extending police-public co-operation in law and order enforcement and maintenance faces not only organisational challenges, but also occupational, political and environmental ones. Therefore, we need effective theoretical tools to make sense of the traditional and factual knowledge which CP seems to have been ignored in West Pokot County.

Chapter 3

Varieties of Community Policing

This chapter intends to advance the exploration of the implementation strategy of community policing in West Pokot County. In particular, although the same guidelines apply throughout the country, what needs to be explained are the often substantial variations in CP in West Pokot County. CP has been operationalised as a top-down strategy – in line with elite interests (see the POS model discussed in Chapter 1). For our research, the more important issue is the state’s ability to deliver security to the people according to the dominant ideology of what security and criminalities are (Ruteere 2003: 588). In addition, it is important to see how the state handles “challengers, as well as the elite division or ‘configuration of power’ with respect to CP” (Wisler 2008: 433). The research found a mismatch in West Pokot County in that the ‘diagnostic and prognostic frames’ – as proposed by Snow and Benford (1988: 198) - did not resonate in their end objectives and resolutions. The way people’s security problems were identified and solutions proposed in West Pokot County, did not match the CP guidelines. Further, the chapter will bring forth the vested interest of the various security actors which inform the manner in which CP is defined and structured.

3.1 Conventional Community Policing

Exportation of policing strategies from the West to non-West countries is not a new phenomenon as observed from the long legacy of colonial policing (*see*: Anderson and Killingray 1991, 1992; Brogden 1987: 157). This continued with: “post-world war II attempts to transplant US policing to the defeated Axis powers” (Brogden and Nijhar 2005: 67). As Brogden asserts, CP strategies have become a priority development aid export, benefitting from the shift to a more ‘rational response’ to increasing criminal incidences and social disorder. CP is widely assumed to be the foundation on which good governance could be built, ensuring that investment opportunities can be safeguarded and social stability maintained. Current police reforms in Kenya seem to be driven by donor interests and public demands, with donors’ views converging around different versions of the ‘thin-blue line thesis’⁵, apparent in growing importance of law within the development movement (Brogden 2005:65).

Community policing was largely popularized in the United States and the United Kingdom from the 1980s, and is based on the platform of co-ordination and consultation between the police and the policed. The CP definition of security involves assessing needs and implementation of strategies aimed at preventing crimes sometimes by adopting a ‘zero tolerance’ approach (Boal 2008: 232; Kyed 2010: 3). This is said to contrast with traditionally repressive and authoritarian forms of policing to create more legitimate forms.

⁵ This thesis refers to the common understanding that exists among donor agencies regarding the pervasive policing and security component of all donor packages. *See*; <http://thinblueline.org>

Conceptual confusion is regular with CP thus being dressed as either a liberal or a conservative policing policy, receiving varying meanings and explanations depending on the context of its application.

Given that police have been more often than not been viewed as the visible face of the security sector, hence the government at large, its reforms become a key element to lasting physical security. Consequently, CP has attracted support as a strategy for democratizing state policing. It has been viewed as a fundamental element of conflict management in addition to arresting insecurities where the police and the community work harmoniously (Rosenbaum 1994a/b; Hesta and Peake 2004: i Wilson & Kelling 1989: 1). Central to CP is the view that, for achievement and sustainability of security of a place, the government has to provide intended beneficiaries with opportunities to construct trusting relationships with the police (Nalbandian 2005: 313).

CP itself can be divided into three recognized procedures: “watch schemes, police-community forums, and problem-solving policing” (Brodgen and Nijhar 2005: 66). Fashioned on the Western models, these are intended to be easy to ‘implant’ in developing countries, even though such societies may not enjoy the ‘liberal peace’ attributed to mature democracies, as well as not having the same economic and industrially advantages (Salih 2009: 136). CP becomes irresistible to any government when it is packaged as a ‘value-free commodity’: not ensnared by the economic and political interests of a few individuals, and is distinct from the kinds of direct ‘cultural colonialism’ commonly associated with inherited policing models such as that in Kenya (Call and Barnett 2001).

In the case of West Pokot County, as this study will show, this transplant was not as value-free as expected. On the contrary, it has been found lacking in the traditional know-how and contextual background of the Pokots, and hence this study urges caution for policy makers who should tread carefully with such imports (Lau 2004: 61-80). The Kenya government tends to view CP as a viable alternative to state policing in West Pokot, and yet local respondents in West Pokot mostly insisted that CP merely served – like traditional policing – to reinforce a narrowly conceived public order that seems mainly to benefit ruling elites (Hills 2011: 70). Further, because of the donor conditions attached to SSR, some senior police officers lack the much needed enthusiasm to propel their institution towards a democratic, accountable unit which is service oriented (Clegg et al. 2000: 12).

Some suggest that CP should involve a “style of policing [where] the police are close to the public, know their concerns from regular everyday contacts, and act on them in accordance with the community’s wishes” (Glaser and Denhardt 2010: 310) or as a stepping stone to establishing a more positive community-police relationship (Levine 1984: 181; Skolnick and Bayley 1986). Others consider CP as a longer-term process that engages the community as “co-producers” of public security (Clary 1985: 265). More widely, the concept is likened to building the community through collaborative relations by establishing convergence of purpose with the bureaucratic central government (Glaser and Denhardt 2010: 310). However, the Pokots as consumers of the “peace dividends” (Kerstin 2003: 6) envisioned have not been encouraged to voluntarily report crimes or engage in community-based problem solving

strategies. They have become instruments of receiving orders and structures defined from above (Thurman 1995: 176). A broader approach to CP has been adopted in this study, since it departs from the commonly-held belief that CP is a panacea for the community's security ills; rather it is a different way of thinking about policing as something community-based (Goldstein 1987: 11).

3.2 Community Policing in Kenya

The researcher discovered from the field that most civil servants have only the vaguest idea of what CP was, as a “working relationship between the community and the police”, and no more than that (Interviewee, Office of the District Commissioner). A senior official (SGO-1) in the ministry claimed that CP was widely practiced in the field, at grass-roots level, with established and active CPCs in place all over Kenya. Yet most junior administrative officers were not able to define CP, nor had most of them seen the guide book which was alleged to have been “massively distributed” (SGO-I words) in the country.

One problem is that Kenya, like most African countries, suffers a lack of balance in police-citizen ratios. Whereas the United Nations recommends a ratio of 1:450, Kenya has a ratio of 1:1150 (Kimani 2009) in sharp contrast to Europe average of 1:350 (although there are relatively speaking more police in Kenya than elsewhere in East Africa). Nevertheless, the high dependency ratio on police officers is a likely loophole for security being channelled to “the highest bidder” (*ibid.*) with low-policed areas devising their own home-grown security solutions. As Buur and Jense (2004: 144) argue “there is a direct causal relationship between the weakness of the state and [traditional] policing or vigilantism”. Also, this research in West Pokot County seeks to dispel the view that “those involved in CP (the Regular Police) are unaware of what [their counterparts in Provincial Administration and AP] are doing” (Hesta and Gordon 2004: 4).

The inception of CP in Kenya started with the business community in Nairobi. Together with the New York Institute of Security (Vera), Nairobi Central Business District Association (NCBDA), Saferworld – an NGO, professionals, the Ford Foundation and Kenya Institute of Administration (KIA), launched the first form of CP in 2003 to cater for their security interests within the Central Business District (CBD). Though this collaboration with the police appears to have succeeded, marginal groups in the informal sectors were not incorporated in the launch and remain side-lined, even though they also interact with police on security matters in the same area (Ruteere & Pommerolle 2003: 599). Despite this glaring disparity, the government went ahead to launch the National Community policing Strategy in the year 2005 in a suburban town of Ruai. Arguably, the introduction of CP started on a commercial basis; a situation which has not yet been rectified and could help explain why it is taking so long to enact a Community policing legal framework for Kenya as a whole.

CP in Kenya has evolved in different forms. For example, within Nairobi distinctive variations emerged from the CBD to the residential estates of different income levels. While at the CBD, CP is well elaborated with police working closely with businessmen, the slums have adopted the Tanzania

version of CP, *nyumba kumi* (or ‘ten houses’ in Kiswahili), whereby for each ten houses a member of the Community policing Committee (CPC) is identified. Here, CP is mainly used to fight illicit brews and identifying suspicious characters among the residents. Within up-market residential estates like Runda and Lavington, we encounter ‘neighbourhood watch’ or ‘Resident’s Welfare Associations’, schemes based on more ‘Western’ forms of CP. In these areas, security services tend to be hired from private companies with modern, hi-tech security technologies like Lavington Security Company and Bob Morgan Securities. In middle income residential estates like Umoja and Roysambu, CPCs follow guidelines in the handbook⁶ and work closely with the OCS, DO and CID officers. The scenario is replicated in the rural areas of the city like Ruai and Dagoretti. Income-levels of households appear to be a critical factor in how CP works in Nairobi. It is interesting to consider whether this will also be the case in West Pokot County.

The problem is that this diversity contradicts the blanket application of the CP theory by the government, which generally gives little thought to its situational suitability. The CP national launch was followed by a government directive to all Provincial Administrators to formulate CPC in their own areas of jurisdiction. Clear guidelines on coordination have been hard to come by, resulting in confusion among the various security units, with each tending to formulate its own version of CP. As discovered in the research area, division among different security units have equally been replicated at the community level and the noble idea of CP has been converted into a tool that creates rather than reduces local’s animosities. In this study, only three specific security organs (Provisional Administration (PA), the Regular Police (RP) and Administration Police (AP)) were found to be involved in CP. Yet conventional security operations have continued in West Pokot Country, and involve several security units⁷ who appear unaware of CP practices, resulting in a loophole that means CP guidelines tend to end up in failure.

3.3 Community Policing in West Pokot County

It was very difficult to obtain accurate data on the police-citizen ration in West Pokot County (for an estimate see Chapter 1). However, even with the UN police-citizens ratio, policing in West Pokot County would remain a problem because of the sheer land size and rough and difficult terrain. These require special training to deal with, and are very different from the conventional urban setting of most policing in Kenya. Realising this handicap, the government formulated a fall-back plan by incorporating Kenya Police Reservists (KPRs) as its auxiliary force or militia in its security arrangements. KPRs are cheap to run and are well versed with their territories. Not being on the government payroll, makes Reservists vulnerable to corruption traps and violation of individual human rights, potentially worsening the insecurity situation. The position of Reservists is difficult, since they provide round-the-clock policing, but are not paid a salary. This means that control mechanisms for this group cannot be vouched for in terms of transparency and accountability.

⁶ See; Excerpts of Community policing Handbook on appendix II

⁷ GSU, ASTU, KWS & Military

Just like in the city, different versions of CP have emerged in response to the residents demands based on a “way of thinking and [...] organizational strategy which allows the police and the community to work together in new ways to solve problems of crime, disorder and safety” (Hesta and Peake 2004: 2). The variations which emerged and to be explored here, could first be summarised in table 4.1 below.

Table 3.1
West Pokot County Version of Community policing

URBAN VERSION	RURAL VERSION	MISSING LINKS
<ul style="list-style-type: none"> - KPR as members - Invisible CPC members. - Information gathering. -Use of Street children. -Tackle burglaries; muggings; house breakings; fight against illicit brews; -Reserved for Regular Police. -<i>Wakasa</i> invisible. -Top-down approach. 	<ul style="list-style-type: none"> - KPRs as members but double as Peace Committee members. - Maintenance of physical security. -Curb cattle raiders from neighbouring communities. -<i>Wakasa</i> (village elders) very important. -Vague mix of 'Top-down' and 'Bottom-up' Approach. 	<ul style="list-style-type: none"> -Not all encompassing in membership as envisioned in the guide book. -Apart from Regular Police, other security units deploying absent. -Women and youths non-members. -FGM, some murder cases and not taking children to school made invisible. -No central coordinating organ for stakeholders.

Source: Researcher's own creation.

West Pokot County: Urban Community Policing

Kapenguria and Makutano are urban centres forming the county's headquarters, and are cosmopolitan in nature. Most of the elites, big businessmen, NGOs and civil societies operating in the region –TLPF and Catholic Justice and Peace Commission (CJPC) - are found here. There are good infrastructural facilities like electricity, tapped water, educational facilities -both private and public- and health facilities. As observed by the researcher, street children and some idle youths who looked highly intoxicated had become part of the landscape of the shopping centres. Not forgetting the dependency ratio in these towns stand at 54.47% (RVP- PDP 2011) posing serious economic, social and security challenges.

An interview with a senior government official (SGO-2) at the headquarters alluded to the fact that much as CP is being practiced, peace was a priority for the residents. Detailed data on the success story of CP in the two centres was not forthcoming from the different security units in the area apart from assurances by administrators and police officers that it had helped reduce incidences of burglary and other petty offences. One police officer (PO-1) could not go beyond the book definition (*See; Annex II*) of what CP stood for and when probed further on how CP is to be rolled-out, he became defensive

saying “it is a criminal offence for a police officer to live like a villager, allowing the locals to come too close”. This tantamount to an attitudinal problem associated with police officers who believe by their tough poise, it gains them more respect from the locals. This runs counter to the friendliness principle of CP, not forgetting that Pokots have harboured a grudge with the government since the disarmament operation *Nyundo* (Hammer) of 1984. As a middle aged man (M-1) confided to this researcher;

“The pains and wounds of operation *Nyundo* of 1984 (*Watiririi* –helicopter -, massacre) by the government have not subsided nor healed. To a Pokot, an enemy number one is any man who puts on a green trouser with many pockets (read police officer uniform). This man is not to be trusted at whatever cost”.

An elder (EM-1) narrated how they were tortured. They had their legs tied with ropes as the other end of the rope was tied to a helicopter stand before flying with their heads dangling downwards. This aimed at extracting confessions on the where-about of guns they were accused of hiding. Further interrogation was necessary incorporating other social spheres of the county. An interview with a petrol station attendant, a hair dresser and a business-lady at the market and a businessman operating an eating place and a farmer all conceded that CP had helped reduce cases of pick-pocketing, muggings, trading and consumption in illicit brews and burglary incidences. Also, there was consensus that police had a long way to reform as their responses to criminal scenes and investigation work did not only take long, but was also shoddy as many suspects go scot-free. Moreover, one respondent (M-2) talked of a lack of confidentiality by the police officers who reveal the identity of those who volunteer sensitive information on suspects;

“I once called the police to inform them of a suspicious person who had just moved into our neighbourhood. ... but to my surprise, that very evening, the suspect came to my house and abused me in front of my wife and children and attracting my neighbours attention. It was so embarrassing and I have never felt humiliated like that before. ... I vowed never again will I give information to police officers. They are part of the thugs terrorizing people and you cannot use a thief to catch another thief; they will gang up against you”.

To ward off such negative perceptions on the police force, the local police have devised a new strategy whereby only KPRs and police get to know who CPC members were. Most residents talked to, including public servants, believed there were many guns in the wrong hands hence making CPC public was a risky affair. Ironically, it appeared the police had ‘sub-contracted’ their legal duties of gathering information, investigation, making arrests and getting confessions from the suspects to KPRs. As one KPR-1 put it;

“The police nowadays relax in their offices as we do all the donkey work only coming in when things are thick. KPRs are trusted by the police to do crime ‘busting’, make arrests as well as ‘squeeze out confessions from suspects before ‘booking’ them in police stations. In court, it is us (KPRs) as the arresting officers who adduce evidence seeking to convict the suspect”.

The research also observed that recruitment to KPR was done by the police officers based on the assumption that they were better placed to know what work needed to be done. Some police officers (PO-2/3/4/5) and KPRs interviewed talked of a belief that if KPRs are nominated by their communities, they will owe allegiance to 'them' hence not serve the interests of the police (Leudar et al. 2004). None of the officers could expound on this police interest which is far much greater than the community's security needs. This creates doubts on the logic of engaging KPRs as the outfit appeared to be more of an informal extension of the police. Such assertions could cement the notion that police repression had been decentralised (Ruteere and Pommerolle 2003: 600) instead of the intended objective of democratizing the security sector through CP. Further, with KPRs recruitment being done by the Police Officers themselves, it would be proper to see whether the latter had managed to escape blame from complaints on violations of individual's human rights and other excesses since it is not 'them' making arrests or extracting confessions. Moreover, should complaints persist; whether the police had managed to create a platform of projecting blame to the community for not being able to produce trustworthy citizens.

For instance, the research discovered that KPRs in towns have been 'given' powers by police to effect arrest and extract confession from suspects yet they are not trained in criminal investigation thus apply crude methods to extract information. Also, to facilitate their daily operations, they rely on businessmen for some financial kick-backs;

"KPRs are the really CPC members and work with police in discharging their duties. We have been allowed to make arrest, extract confessions ... When a suspect is 'big-headed', we know where to *kufinya kienyeji* (crude method to squeeze out confession). For our daily running, businessmen here are our friends just as they are friends of the police. They keep our phones running; some financial tokens here and there and maybe school fees for our children" (KPR-2).

Another implementation strategy was through the use of street-children. Through KPRs, police gave out cash or bought bread for the boys in exchange of information where a shop or a market stall had been broken into. Much as this worked, it is a reactive strategy hence not sustainable. Moreover, it is indirectly saying street life pays without noticing the ticking-time bomb waiting to explode when these boys grow up and become unmanageable, hence a security threat.

West Pokot County: Rural Community Policing

Unlike in the urban centres where most people had heard the concept though vaguely understood, here, apart from the few police officers deploying, even most area Chiefs (1 & 2) and Assistant Chiefs (1 & 2) could not tell what the concept meant. After translation in the local dialect, you could see people nod their heads as they affirmed to a practice which resonated with the functions of KPRs and *wakasa*.

In rural West Pokot County, people stuck to the notion of policing as being physical and as such, saw the government as having given out its core function of protecting the people with the gun to the locals themselves via KPRs. One senior elder (EM-2) said;

“We do not have the government here and we are used to taking care of our own security though termed illegally. Currently, we have KPRs who are trusted by the community and committed to fighting for our security. Police officers are foreigners hence do not understand our anguish nor can they risk their lives for our animals. Moreover, the government has accepted the KPRs we nominated meaning they trust them, hence they are our CP”.

The rural understanding of CP relates to the physical security of their animals by raiders from neighbouring communities like Turkana and Karamojong. The commitment of KPRs to secure their areas was what made the locals view them as true members of the community and the bridge between them and government on security matters. What came out in some villages is that, government officials were lacking by default thus lacking legitimacy. This made KPRs to be appearing as a ‘small government’ unto themselves guided by the elders from each village who formed key decision making panels.

In addition, CP is talked of as an organ for prevention and responding to enemies’ activities rather than a tool for information gathering. KPRs use own resources to communicate to police officers. Making arrests calls for more resources to deliver the suspects to police stations which could be more than one hundreds kilometres away. To cut on costs, together with elders, they have devised ways of handling certain cases without involving the police.

“Police officers have left all their work on us. We use own air-time to call them, organize transport for suspects to police stations and this is no less than 1,000 Kenyan shillings per person. Where do we get such kind of money to do government work? We cannot keep on feeding the government; we shall handle our issues the best way possible we know” (KPR-3).

One area councillor had this to say;

“KPRs are the true CP members for the locals as police response is slow due to protocols. Pokots don’t understand bureaucracies, while recording statements is a waste of time as it allows the distance between the people and their animals to widen as you narrate stories to Police”.

Forced by their predicaments, the research found out that residents of rural Pokot have communal financial contributions; cash used to appease senior police officers in the county into releasing more legal guns to boost their KPR numbers. In addition, they are calling the government to strengthen the structures of KPRs and elders as crucial security organs relied by the people instead of criminalizing their activities. Mistrust of government was also high as exemplified by an elder (EM-3) during a meeting with *wakasa*;

“It is very hard to trust a government which does not keep its promises. They tell us to surrender our guns in exchange for KPR. Explain the logic of being issued with 15 old government sticks packed with 5 bullets each in exchange of 115 community guns? They have exposed us to our enemies yet they lack capacity to protect us. Look at the police posts they have opened, only 4 officers in it and the next one can be found over 100 km away with three policemen; is this security for Pokots? Let us be allowed to own our guns and secure our territory the best we know how”.

Such sentiments might serve to show that in as much as CP had not been promoted in the rural areas: the little known about it might resurrect the local's traditional policing structures under the rubric of CP.

3.4 West Pokot Community Policing Blend

From the field work, we could say that what is uniformly described as CP across the country, and more specifically in West Pokot County, hides numerous empirical formulas of implementation structured on contextual backgrounds of the local people. Just like other parts of the country, in both the urban and rural areas of the county this "form of policing is yet another modern instrument of social control" (Wisler 2010: 1) whereby repression⁸ is almost 'legalised'. The research shows that Pokots' loyalty to police has generally been enforced, a finding contrary to the usual Western version of CP which develops the idea of the police as a service for local communities. What surfaces already in this study, is a kind of role reversal, in which police use CP to oblige locals to use their own resources for policing instead of police becoming an asset to further the security of the community.

Further, CP implementation in urban Pokot is almost similar to NCBD CP strategy which serves elites and businessmen interests. On the other hand, slum areas of Nairobi and rural parts of West Pokot County, CP are structured on pure voluntarism and commitment to societal good rather than individual interest. As in Uganda, where police officers have been resistant to CP, it may be that in Kenya too it will be difficult to reform a force that is grossly underpaid and ill-equipped to deal with CP (Raleigh et al. 2000: 87; Novak et al 2003: 61). An unwillingness to change, on the part of the officers, is commonly reported when CP reforms are introduced (Engel et al 2003: 131). Police continue to view members of the public with suspicion and mistrust, whereas CP rests on the core principle of trust and friendship between communities, including its minorities, and the police. This standpoint could be supported by a remark made by a police officer (PO-6);

"Why die in the villages trying to recover their stolen animals? Pokots are warriors and know how to take care of themselves even without us. I only need to remain in the centres where businessmen, who are friends of the police, would take good care of you. Yours is to task the KPRs to do the work".

This attitude is not only defeatist but can also serve to complicate security matters. By giving the security of businessmen priority, we may have aggravated the grievance inclination of rural Pokots even further. For them, who are the majority, the enjoyment of security is hardly foreseeable. The disgruntlement of rural Pokots therefore might have been manifested in the form of cattle rustling which further translates into an overflow of insecurity incidences, including for elites and business people. The outcome of cattle rustling and small arms proliferation has resulted in emergency security

⁸ See; Wiktorowicz (2002) "embedded authoritarianism [...] states with liberalized or democratized [...] institutions but still [holding] control over those parts of society viewed as unruly and sources of insecurity".

operations identifiable with excessive use of force and brutality, and leaving bitter memories for local residents.

The very essence of strengthening CP in West Pokot County is to deal with the generational problem of cattle rustling and proliferation of illicit SALWs (Rai 2005:12); reasons for the collapse of socio-economic support systems in Pokot resulting in unwarranted loss of life and property (Osamba 2002: 32). It does appear, as Abrahamsen et al. (2006: 2) argue, that CP has become an inseparable part of development policies in Kenya, within the logic of the 'liberal peace' approach, geared towards creating a strong justice and policing sector that can support economic development, democratic institutions, and, perhaps poverty reduction. In cases like West Pokot County, where it was observed that citizens took arms to defend themselves, this directly challenged the model of the liberal governments 'monopoly of force', and their duty to protect the citizens. This speaks volumes about security discourse in place. It could also be an indicator that this SSR strategy, neglecting local institutional and economic arrangements, could likely block the noble mission of creating and sustaining a secure environment.

Much as CP aspires at advancing police capacity and professionalising the security sector so that it is more accountable, this has not effectively worked to deter cattle rustlers' operations, which inculcate fear on locals. It is believed that the mistrust of the government by the people here has made the local Pokot people feel that "resistance appears to be generally a wise course of action [since] the more forceful the resistance, including resistance with a gun, the less injury suffered by the victim" (Tark and Klerk 2004: 897). The governments' inability and incapacity to secure these people, the 'security-vacuum' manifest in fighting the twin problem and rampant corruption⁹⁹ accusations among police officers has pivoted KPRs and elders as the only hope of the community hence genuine members of CP. With this, it is unlikely that we shall witness the full operationalisation of the "Euro-American centred CP style" (See; Fruhling 2007 on Latin American). Even an adapted 'East African' *nyumba kumi* (ten houses) style of CP from Tanzania, which the government wants to adopt, is problematic given the terrain and the nature of insecurity in the county.

In addition, the research discovered that CP is being defined and implemented in ways determined by the security institutions and mechanisms instead of a joint effort by the two sides of the same coin. We considered how CP was viewed and framed, in terms of problems and their solutions (see; Hall 1997). The framing was analysed by comparing the prevailing context of CP in West Pokot with 'traditional repertoires' of policing styles (Wisler & Ihekwoaba 2008: 434). The key finding was that KPRs and elders had become 'tool kits' for the government, helping them to fill the gap of policing by mobilizing, given their easy availability and flexibility as well as their legitimacy and ability to create CPCs. As mediators, elders and the KPRs are also rich resources which make traditional governance structures work to complement

⁹⁹ Views of a key informer (KI); "When your gun is broken and you take it back for replacement, *hiyo inazaa njaa* (that creates hunger on the officer) hence you have to give cash or equivalent number of goats to facilitate replacement, otherwise you will be charged for mishandling a government property and if not lucky, could be sentenced to prison".

interventional security strategies. Formal courts in the county are often very slow, being characterized by complex systems which are also very costly and time consuming (Garcia 2004: 28).

Finally, while CP guidelines (MoS-PAIS 2009; *See Annex II and IV at the Appendix*) are clear on membership composition, there was total silence from respondents and documents about the policing activities of women and other special interest groups. Of interest was how other security units deploying were not members of CPC yet when security operations are called upon, they fall under one command. Also, whereas the various levels of security committees are chaired by PA officers, the same lot was absent in CP. Provincial Administration is the only security arm of the government with officers to the grassroots levels since colonial days hence better placed to mobilize and sensitise locals on new government policies and programmes. This division of work has brought about community divisibility. For instance, KPR-4 in town was strongly convinced that an AP is not a 'full' police officer since he does not have the powers to prosecute unlike KPRs who have been 'trained'¹⁰ by the Regular Police on investigation and prosecution. And as one banker put it, "if they don't trust one another and they serve in the same government, why should they trust us?"

3.5 Conclusion

From the above discussion of CP in West Pokot County, we are left wondering on how longer the convergence of purpose in CP actors and its implementation strategy it will take to address the different needs of the urban and rural areas of the county. The lack of an established policy to channel CP activities has led to a situation where the police and community differences have been exaggerated. This has further entrenched bitterness between the urban and rural residents with the latter accusing the former of being favoured by the police officers, by receiving more police services. As such, CP cannot be used to redress the deep sited and historically embedded bitterness of the locals against the government. The challenge now is how SSR being pursued by the government and other stakeholders will go beyond general principles application to specific programmes keeping in mind the main factors of the targeted area which confines its people to a life of poverty and insecurity; hence underdevelopment.

¹⁰ Training means; couched informally by senior police officers on how to extract confessions from people and defend their cases before court.

Chapter 4

Community Policing versus Conventional Policing: Some Social Underpinnings

This chapter sets out to highlight and explain the apparent tensions being experienced in West Pokot County between conventional policing and community policing strategy. From the previous chapter, we see how CP has been fitted into the social organisation of the residents of West Pokot County: both urban and rural. With the different understanding of societal organisational structures and what CP claims to achieve and which marks it out from conventional policing, we are likely to encounter tensions between the two policing styles.

4.1 Birth of Community Policing.

The birth of this new philosophy was on the basis that conventional deterrence methods and approaches to criminality had not been able to match the rapid evolution of nature of crimes and speed of occurrence. Cattle rustling increase was at a time when the police had almost lost legitimacy in the public eyes. There were massive inefficiencies in police operations, while the justice system was moving at a ‘snail’s pace’ (Brogden and Nijhar 2005).

With much bashing of conventional policing from the local, national and international circles, CP could not have come at a better time than it did, in the early 2000s. Packaged as being democratic, accountable, transparent and community friendly (MoS-PAIS 2009: 4; 2011: 417), it seemed to provide what government needed to transform the police into an entity accountable to the law and not a law unto itself. It was believed this accountability improvement would generate more respect for police officers and police organizations, reducing their isolation and the perception of ‘cover-ups’. The envisaged SSR, CP in particular, in the Kenyan context have been based on the foundation of accountability and community friendliness with varying degrees of success. Like Nigeria, Kenya has developed a beautiful CP Handbook giving guidelines but continues to lack a policy and an institutional capacity to effect the reforms necessary for an efficient police unit (Woods 2007: 6).

The Kenyan security programmes set to improve the conditions of its citizens can be said to have been deliberately formulated by policy makers. They have shaped our landscape, livelihoods and identities ever since we gained independence. It therefore becomes necessary to see whether “these programmes, intertwined with other processes and relations have actually set the conditions for some of the [security] problems that exist [in West Pokot County] today” (Li 2007:1). The governments adoption of the ‘West’ version of CP served to show its willingness to improve (*ibid* 4) the security of its people through “coordination and consultation between the police and the policed; on the definition of security needs and implementation ways of preventing and curbing crimes and enhancing safety” (Wilson and Kelling 1982). However, at the research site, the definition and insecurity solutions are

determined by official security agents hence the residents have no power over their security arrangements and this might be one reason CP might not succeed in curbing the twin problems.

4.2 Origins of Conventional Policing in Kenya

Kenya, like most colonised countries, exhibit characteristics of its colonial master in its police organisation. During the colonial period, police work was for the interest of the British masters characterized by imposition of people on communities they knew little of. This outfit had its seniors ranks imported from Europe and India (Woods 2007: 1) and was excessively brutal and partisan. At independence, Kenya had designed a constitution which factored a neutral structure of a professional police organisation; this honeymoon was however short-lived. The envisioned transition from colonial rule to a democratic model was unable to shade-off hierarchical, centralised and policing structures on the communities they served as they advanced the interests of the political elites. Further, amendments made “saw power concentrated in the hands of the president; police becoming part of civil service and by extension, ‘a-political’ tool to be used during the emergence period of 1982 and multi-party democracy in the 1990s” (ibid 2). Even in 21st Century Kenya, police have been assigned controversial duties (Adan 2010); the most serious being the allegations of misuse by the executive surfacing during disputed presidential election results of 2007. The Kenyan context can be viewed, with regard to the theoretical framework of policing already presented in Chapter 2, as a form of ‘regime policing’ – and this applies to any government in power.

4.3 Tension between Community Policing and Conventional Policing

Security globally has been a field of continuous improvement programmes with the central feature being the requirement to analyse communities’ problems in relation to “amenable technical solutions” (Rose 1999: 1395). It is assumed that security consumers always share in the “will to improve” (Li 2007: 4) embedded in a power discourse called ‘government’¹¹ as Foucault (1991b) put it in his essay on “Governmentality”: an effort at structuring human behaviour since government’s priority has ‘always’ been its citizen’s welfare. The governments’ willingness to improve its security delivery, adopted CP on a platform of problematising citizen’s security concerns through identifying deficiencies inherent in the current policing style. However, this identification process might have fallen in the same top-down trap of other development programmes by ‘rendering technical’ (Rose 1999: 1395)¹² security concerns of West Pokot residents.

Borrowing from Ferguson (1990) work on “The Anti-Politics Machine”, we appreciate that problematising and rendering technical of any matter are closely related as analysing a problem is linked to solutions availability and

¹¹See also; Gordon (1991) on “Governmentality and Rationality” and Dillon (1995) on “Sovereignty and Governmentality”.

¹² An arrangement of activities which represent an entity to be administered within specifiable and predetermined limits. This therefore entails drawing up concrete boundaries as well as techniques for mobilization of the necessary technical tools to handle such issues.

corresponding actor. This entire business of ‘rendering technical’, hence a need for formal training confirm expertise relations; thus creating boundaries between those positioned as trustees and with the know-how *vis-à-vis* the locals, Pokots, who are subjects to the experts. This perspective serves to convert the residents political and economic questions of security into technical issues requiring technical solutions which exclude structures of political-economic relations which create ‘structural violence’ (Pugh et al. 2008: 15; Suryanarayana N. V. et al. 2010; Galtung 1993). In essence, instead of searching for practices through which current and past government policies and the natural environment have conspired to impoverish Pokots, by implementing CP we might be busy looking at locals capacities to commit crimes.

The much hyped CP public assertion that it gives powers to communities to regulate and identify their own security needs might not be attested to in this County. In urban areas, it is the “unilateral action from the police” (Buerger 1994: 270) which decide on who is a CPC member. This is immaterial to the rural areas where massive police presence is during disarmament periods. In remote areas, quasi-formal police structures were the “net contributor to local safety” (Wisler et al. 2008: 427) with the government distantly positioned from the locals and at times viewed as hostile by residents.. As such, locals view the government as being problematic and, or at some points irrelevant while they hold dearly their workable local structures which have worked over the years.

Further, the ‘top-down’ CP model (Scharf 2000) being pursued by government in urban Pokot could be equated to letting out official police functions to an informal entity which might be difficult to hold accountable. However, confusion still runs on the rural strategy. It is difficult to tell exactly where the dividing line falls between what is government or societal as the two parties are locked in “constant negotiation over the exact location of the frontier between them like ‘twilight institutions’ (Buur and Jensen 2004: 145; Lund 2006). KPRs like CP operate in an imagined legislative framework hence at times seek guidance from the *wakasa* (Heald 2002: 6). Explicably, in as long as conventional policing is not functioning properly in West Pokot County - inadequate facilitation and application of extra-judicial methods (corruption, excess force)- it becomes an uphill task to make CP successful in light of the rule of law and human rights perspectives (Gasper 2007: 20-23; Tim and Wheeler 2011).

Police working ethics are crucial for consideration in light of frequent media reports of cases of police use of excessive force and corruption practices during disarmament exercises (Ngige 2009). Kenyan police ethics are based on policing styles and structures inherited from the British: a police culture resulting in complex officer’s relationships. Their “organisational values and personal attributes” (Glaser and Denhardt 2010: 312) are relevant in shaping how the officers attempt to balance organisational and community interests. This balancing act in West Pokot County might be elusive as police have withdrawn from the community’s daily life letting KPRs and *Wakasa* to drive the security agenda hence questions to CP being pursued (Thacher 2001: 769). Otherwise, this strategy fixed on crime and police-community relations alone could be problematic in securing the area for overall development unless broader community processes like ‘traditional governance structures’ and

traditional dispute resolution mechanisms are incorporated (Kerley and Benson 2000: 47).

The CP call for a working relationship (Glaser and Denhardt 2010: 309) between the police and the policed actually requires changes in the organizational and policy structures of conventional policing. This has been a “battle for the hearts and minds of officers” (Lurigio and Skogan, 1994: 315). Much as it may appear to be difficult in West Pokot to achieve trust between the two, police remain the only outfit better placed to unravel the puzzle (Lewis and Ramakrishnan 2007:876; MacDonald and Stokes 2006: 370). Locals feel police could clean their acts by being accountable and dedicated to their works.

Another thing leading to community-police tensions is the nature to which conventional policing is embedded in bureaucracies. To be asked to record a statement when one volunteers information goes contrary to the confidentiality principle of CP making most people shy-off. While protocols are good, matters of life and death cannot suffice these bureaucracies. Much as KPRs, disguised as CPC have their own leadership structure, they are swift to move when a call of security nature ‘knocks’. Further, the fighting strategies of government officers are not suited for this terrain contributing to their defeat by the morans. Thorn bushes like *ngaja-ngaja* (wait a while) are known to slow police officers down, tightly attaching themselves to uniforms, whilst morans fight without clothes, and come out with only scratches.

Importantly to note is how the government has continued to mete out ‘communal punishment’ to the Pokots. Though not founded in law, it has become common knowledge by the residents that whenever animals are reported stolen by the Pokots, a massive security operation gets mounted. Since youths who commit such crimes take refuge in the valleys and forests, security agents pour their anger onto innocent villagers when they fail to find the morans. This is contrary to the law and to upholding of human rights. This easy targeting of ‘innocent’ residents contradicts the tenets of CP exacerbating ‘bad-blood’, with locals resisting police access to youths and at times even aiding youth with information on how to evade police dragnet operations.

The community-police relationship has further been soured by sand harvesting from the riverbeds in the county. The locals want police officers who are on government payroll to keep off escort of vehicles ferrying sand and let the KPRs who offer voluntary services benefit from the little payment for such services. Also, tensions occur when KPRs surrender recovered animals to police stations where owners are expected to identify them. This identification process has been said to lack accountability;

“We know KPRs as our security and saviours of this location. Of what use is a police officer who only knows how to patrol at the back of a lorry but cannot confront raiders on the ground and pursue them into the forests? Let the officers steer off from escorting Lorries to fetch sand from the river banks. They have a salary hence should let the KPRs who are not paid by the government benefit from this natural resource of our land. The problem with police officers, they do not value KPRs as security personnel yet they cannot deliver a fraction of what they give to this community” (EM-4 during a public *baraza* - meeting).

In addition, locals have resolved to secure their own lives and properties alleging that police officers laugh at them whenever they make reports that they had been attacked. By being taunted as the most ferocious warriors and cattle rustlers hence it is illogical to have their animals stolen is what makes them devise home grown solutions which at times border on criminality. Once the police became distrusted or people felt they were unable to protect them, they sought alternative means of defending themselves. Moreover, this research found out that Pokot tend not to tell their problems to 'outsiders', and prefer to retain their pride by finding solutions for themselves, wherever possible.

Further, liberal security discourses have raised concerns of scholars who feel that by addressing security in the global South; the way these security exports from the West are being propagated, we might be concealing agendas focussed at securing societies in the global North (Chandler and Hynek 2011: 69). This might also help in explaining the tensions being witnessed between CP and conventional policing. It is possible that the 'security-development nexus' could be the first fall-out of such co-option, whereby 'development' as a concept is devalued for the social prosperity of people in the South and valued more for the security of the people in the North. CP ability to achieve security for the locals in the county measured as progress towards Millennium Development Goals (MDGs) (UNDP 2010) is thus dependent on intervention to promote good governance- understood as institution building to foster neo-liberalisation (Paris 2004: 99 - 101). This legitimises ambitious and intrusive policies that ultimately deny locals sovereignty under the guise of capacity building.

Another problem of policing in West Pokot is the many different security units¹³ deploying. Complaints about police inefficiency abound, including low recovery of animal thefts, with few arrests or prosecutions of culprits. A concern is how this may dampen the spirit of residents yearning for peace and security in the area, as well as for economic and social development. Killing of people and theft of their property is a violation of individuals' rights and a criminal activity that should be prosecuted by law¹⁴. In addition, violence from "traditional [practice of raiding] dwarfed by human rights violations resulting from the [Kenyan] security disarmament programme" (Kopel et al. 2008: 388) contributes to mistrust of government in its security function. This was the background that confronted the researcher with a paradox. What is more dangerous; the illness of SALWs use in criminal activity, or the proposed cure of disarmament prescribed by the government and donors?

4.4 Interrogating the Social in Community Policing

This section will highlight the West Pokot County everyday life as it is organised around the community's social-cultural and legal contexts. This organisation was found to influence the gender relations of the residents as well as defining what was a public or a domestic sphere. This categorisation also informed a lot on how the security organisation of the community was

¹³Regular Police, AP, ASTU, GSU, RDU, KWS and NSIS.

¹⁴The Constitution of Kenya, Chapter V- 'Protection of Fundamental Rights and Freedoms of the Individual'

done, mainly following patriarchal arrangements; in an environment where women had fewer choices besides being wives and mothers.

Community Policing and Gender Relations

Pokot community is a highly patriarchal society embedded in specific culturally and socially constructed norms giving specific role plays for each sex. Labour division has been a socialisation tool making gendered norms appears as a natural part of the community's social order (Agarwal 1997: 15). The socialisation process portrayed the power relations (Kynch 1998: 108) with domestic and public spheres reserved for women and men respectively. Since security matters are key decision pressure points and a public arena, this might explain why CP was found to have been structured as a male dominated club in the field. "To a Pokot, policing is a tough job requiring total sacrifice and commitment, ability to keep secrets and obedience to leaders; a combination of qualities believed to be rare in women" (EM-7 said). Ironically, being obedient and committed falls in an ocean of 'traditional' feminine qualities.

Consequently, the connection point between a certain construction of masculinity which is socially accepted on one hand and the security aspect of the Pokot community become elements of the ideology of patriarchy exploited to justify the unwarranted support of male supremacy in the community social order (Stearns 2006: 50).

Ideological representation of men and women as the saviour and victims respectively continued to be expounded in the study field. Men continued to be viewed as those with capabilities to secure the resident's from the communities' sides; from government, they are the 'recoverers' of stolen animals, while women and children are victims of the atrocities of the marauding raiders. Media coverage's have only served to reinforce the commonly held belief of Pokot men as aggressors (Obwocha 2011; Bii 2011 a/b; Meijer 1993: 367). Policing therefore becomes an ideology which places priority on security (Levy 2010: 245) and is shaped by the social relationships which organize around insecurity and conflict (Stearns 2006: 55). Therefore, the 'gender-power' structures as found in the area could be viewed as serving the male ego whilst suppressing women: pushing them outside the purview of key decision making points like security. However, this gender is pivotal in the twin problems in pastoralist societies. For instance, the more girls a man had, the more wealth he possess since dowry receipts stood at 30 cows and 100 goats upwards during the research period. On the other hand, a man who buys cows and the family which receives them as dowry are ridiculed and segregated in the community.

In West Pokot County, the invisible woman is more pronounced in the rural settings comparable to the cosmopolitan urban centres. Urban centres are said to have experienced a dilution of the indigenous practices transforming the resident's culture. However, during the research period, in both cases, nowhere were women mentioned as raiders; as a result giving them a blanket approval of innocence. But to contrast the belief held of men and masculinity (Lindsay et al. 2003:4) equalling conflict and women and femininity equals peace, is the total absence of these women in CP strategy yet these "silences are integral to knowing (Ensenstein 2004: 37). Moreover, not all men here support the practice of cattle rustling but still fall causalities during confrontations with other communities or government forces. We could say

that the deliberate omission by the community on the role played by women in sustaining cattle raids and owning illegal SALWs should never be taken as an absence of a discourse (Foucault 1978: 4).

In addition, it is common among the Pokots like in most pastoralists' communities for men to marry several wives;

“Our traditions see a man with one wife like an individual with one functioning eye. Supposing that healthy eye dies, you become blind instantly. Such a man is not even allowed to speak in public congregations where polygamous men are seated as his view point is single sourced” (EM-5).

An elderly man (EM-6) and husband to five wives added that;

“When men go out to drink their traditional liquor, men married to one wife are supposed to sit in strategic places just in case a caller comes in to inform him of the demise of his wife, he gets out immediately without tumbling on the alcohol pot. But a man of many wives doesn’t get shocked by such messages since there are more wives left to offer him solace and consolation”.

The continuous conflicts among the Pokots and their neighbours have seen the emergency of peace efforts championed by government and other stakeholders. Unlike the male dominated CP, the overall coordinator of Peace Committees in the county was found to be a Pokot woman. Being a woman, it came with challenges instead of being a plus for the women. The peace committees (*see; Annex III*), KPRs in other terms, prefer dealing with the national peace co-ordinator, a man, rather than a woman nearby and the link between the county and the head office in Nairobi. Hence, significant changes being witnessed in the peoples culture to accommodate women in the public sphere might remain an illusion as “the ideological bases underpinning gender relations appear to have remained unchanged or even being reinforced” (El-Bushra 2004: 161). These changes at the micro-level are not reciprocated by changes in the security and policy spheres of influence; women have taken on responsibility [in the peace arena] but have not been granted power [on security matters] (*ibid.*: 163).

Consequently, the central tenets of feminist’s discourses regarding the right to cooperate and dialogue *vis-a-vis* domination and conflict were found lacking in this community in that females appear as mere recipients of what males agree upon. Relying on the guidelines of CP as envisioned, it would have been the best structure to make positive gender changes on the public discourse for the benefit of all in this county. In essence, if Pokot women cannot speak peace (Pugh et al. 2008: 30; Spike 2005: 226) and security now, chances are they will be left out on all matters of importance which affect them. It is important to note that the liberal approaches to peace and security by the government as well as gender equality ‘gospel’ stand not to achieve much for this community as long as they do not tackle the heavily embedded gender inequalities and ingrained gendered government policies, strategies and ideologies. That is, even if Pokot women were allowed to be part of CPC, we are yet to see how this will solve their problems of being perceived as the weaker party in need of protection (Stiehm 1983).

Political leaders and elites from the community too have found themselves entangled in the cultural beliefs which perpetuate male dominance over women. One local Member of Parliament reinforced the social position of a

woman as being with her husband and children and neither her education level escapes cultural check-ups. An was given of a female Member of Parliament from a neighbouring pastoralist community who had to face her past decision not to undergo FGM when she choose to run for a public office (IRIN 2005: 3). Much as CP is seen as a good strategy to eradicate cattle rustling and SALWs, the male MP insisted that policing is a mans field as he can work after dark and only women of loose morals walk in darkness. Such arguements by leaders could be an eye opener into the misunderstandings locals have about CP.

It appears that government gender policies are almost insignificant on the people's attitude in this county. Government's actions of commission or omission could add a voice in understanding the reason why the County's Peace Committee is only felt in the urban areas and not in the rural areas. The mismatch is happening at the backdrop of a National Gender Policy and National Action Plan¹⁵ plus other international and legal instruments¹⁶ to which the government is signatory (Mushemeza 2008: 14 -15). This calls for security reforms to be informed by the fact that men and women are affected by violence and discrimination in different ways.

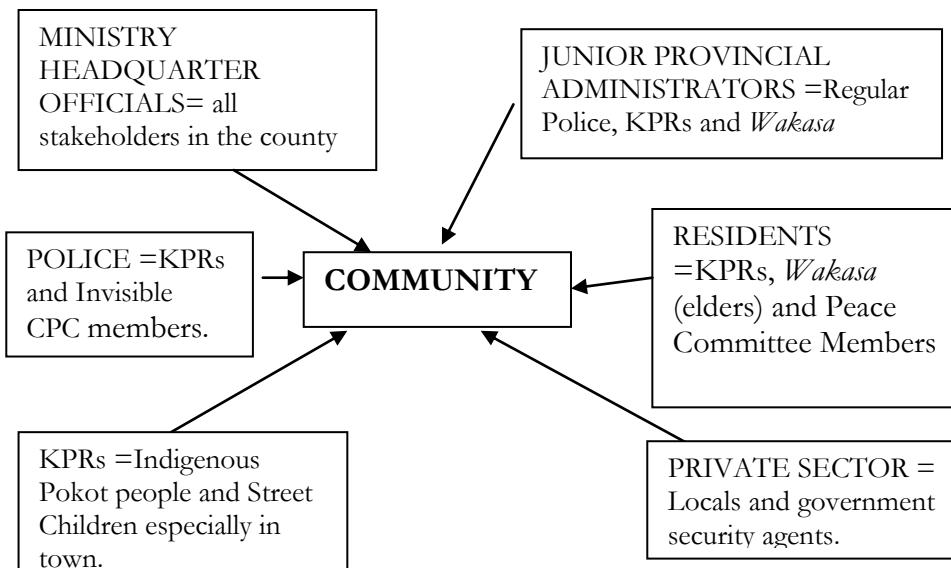
The 'Community' in Community Policing

The community serves as the foundation stone for any organisation. The West Pokot residents are organised along 'relational community' structures. This was characterized by "social relationships [outside territorial boundaries] based on shared norms, common goals and a sense of identity" (Voydanoff 2006: 7) influenced by the patriarchal traditional set-up. This relational view of what a community is in West Pokot County was found to challenge the officers to "introspectively evaluate themselves, their fellow officers, and the [locals] they served regarding their capacity to rise above self-interest" (Glaser and Denhardt 2010: 322). However, the security actors in this county still remained confined to their "bounded rationalities" (Jones 1999: 297) on what defined a community as seen in their understanding of who would become CPC member. These rationalities are illustrated in Figure 3.1 below.

¹⁵ See; Kenya National Gender Policy and the National Gender Action Plan established by an Act of Parliament in 2003.

¹⁶ See; Convention on the Elimination of All Forms of Discrimination Against Women (1979); Beijing Declaration and Platform for Action (1995) and UNSCR 1325 on Women, Peace and Security (2000)

**Figure 3.1
Bounded Rationality in Operationalising a ‘Community’ in Community Policing**



Source: Researchers own creation.

What this figure shows is that the idea of a community has no one definition, and is by and large quite multifaceted. The outstanding characteristic of the West Pokot communities are that they are entities through which the residents are linked through some form or other of “communal identity” (Wolfe 1989; Gardner 1991; Etzioni 1995; Kantor (1972: 73). On the other hand, what this Figure also suggests is what is described as “a quest for direction and purpose in the collective anchoring of the individual life” (Chaskin, 2003: 2001). As can be seen, this can produce a wide and varied potential network of connections among actors. The result is a mix of conflicting and complementary interests and values among community members.

Community Policing and Invisible Crimes

The social structures which define the life of Pokots also determine their traditions and cultures. During the research period, the outlawed practice of Female Genital Mutilation (FGM)¹⁷ was found to be rampant. FGM is a violation of a woman's sexual rights,¹⁸ as captured in Kenya's legal framework (Sexual Offences Act, 2006; Kithaka 2008). Paradoxically, in this community, a woman who has not gone through this rite of passage literally has no space nor can any eligible man marry her. CP could have been a crucial tool in exposing this vice but it appears strangulated by a culture where women are the property of men; hence have no power to self determination. To the local populace, FGM is a non-issue more so in the rural areas where schooling is a pipe dream for many children contrary to the governments' commitment of providing

¹⁷ See; The Children's Act (2001), Article 14, LoK.

¹⁸ See; United Nations General Assembly 1993 resolution; ‘Declaration on the Elimination of Violence against Women’.

basic education¹⁹ to all children of school going age. It is important to appreciate that the manner in which CP is being implemented in this county, both urban and rural settings, targets burglars, muggers, cattle rustlers and bandits on the main road to Turkana.

Explicably, much as climatic conditions and political fields change, a Pokot has managed to hold ground in some of his beliefs which border on criminality directly or indirectly. For instance, the traditional governance structures (*Kokwo*) was found to be strong in the rural parts handling incidences of murder attributed to a family member trying to defend their girl(s) from males of ill intentions. Murder is a criminal offence (The Criminal Procedure Code, Chapter 75, LoK) irrespective of reasons behind it. However, where one is killed for ill intentions, elders were called upon to arbitrate on the case and a fine imposed is used in appeasing the ‘gods’ of the community. This happens in the presence of government officials who are slow to act while CP as currently framed might be misplaced unless we disarm the people’s mind-sets first.

4.5 Conclusion

Finally, following the above narratives and analysis, Community policing as a security directive, like many development policies, had a tendency of being inconsistent and almost irrelevant in the daily operations of a police officer (Manning 2001: 317) in the county. The tension between command structures and realities on ground in West Pokot County were manifested in the contradictions between the police bureaucracies (McNamara, 1967), the officers immense powers to make unquestionable resolutions (Reiss 1974) and “evidence of the rather creative, subtle management by officers of police–police and police– public interactions” (Mastrofski et al., 1995). And as such, Community policing could just be ‘old wine in new bottles’. In line with this, the ‘top-down’ framing of both conventional policing and Community policing in this county; making other criminal offences invisible, throws a contradiction to the strongest pillar of any policing strategy: maintenance of the rule of law and order. Government deployment of security agents and other public officials did support the ‘classification category’ of the area as an insecurity zone, hence only the ‘masculine man’ could discharge duties effectively. This could be a plus in gender discrimination.

¹⁹ See: The Children’s Act 2001, LoK, Sec 7(1 & 2); Free and Compulsory Primary Education Policy, Kenya (2003); The African Charter on the Rights and Welfare of the Child, Article 17(1) and The Convention on the Rights of the Child (CRC) Article 28

Chapter 5

Towards a Community Policing adapted to West Pokot.

“There is something insufferably attractive about the margin of [policing] where the state re-creates the very terror it is meant to combat”. (Taussig 2005: 14)

This study aimed at exploring how Community policing theory of practice was being implemented in West Pokot County. To see the usefulness of this security ideology, Community policing guidelines and conventional policing structures were reviewed. The study further looked at how the community's social processes like gender relations, internalisation of what a community was in addition to what comprised a criminal act influenced the framing of the strategy to be followed. The various framings and diagnosis of the security problems of the county were also investigated adding voice to the tensions which exists between conventional policing and community policing. This chapter therefore, seeks to draw a conclusion on emerging issues during the study reflecting on the main research question. It also ventures into the implications of the study findings in relation to the security discourses for this pastoralist community.

5.1 Community Policing can be Dis-empowering

Whereas CP seeks to emancipate and empower communities to take charge of their security needs, a shift from conventional policing – the Kenyan version does not empower the citizens as they live in regions marked by greater economical and power inequalities. The West Pokot County scenario questions the governments' leadership position in a community it has over the years labelled as maladjusted. This position has mandated the government to intervene on local affairs of the people even if by use of force, denying them an opportunity to be in-charge of the agency of their emancipation. As observed in chapter three, CP cannot be relied to offer a challenge to contemporary power inequalities. Rather, it has served to entrench regional power inequalities. Here, the government seems to have failed to act as a moral trustee for Pokots and instead created a situation whereby the people have more to be afraid of from the violence and neglect of their own government than they do their hostile neighbours. The fact that people are not empowered on their rights hence susceptible for abuse by a few persons should not be taken to mean that by being knowledgeable, the people of West Pokot County automatically get political solutions to all their public problems (Jacoby 2008: 9).

Recruitment of CPC, especially in urban Pokot, could not be said to be an invite for voluntary participation; hence cannot be counted to secure interests of the locals. To quote Foucault in *Questions of Methods*, this idea of CP is not an “abortive schema for the creation of reality. [It is a] fragment of reality which ... induce particular effects in the real” (Foucault 1991a). Unless the technocrats – PA, Police and donors – end the ‘missionary style of

demonising' what they don't understand, rating their systems as superior over the local's structures, and desist from being the sole determinants of new security rules, CP is bound to fail. The highly technicalised 'Peace Caravans' of 2010 (USAID project) seems not to have served as a lesson for these technocrats. For a lack of community ownership, the caravans became some form of free entertainment which vanished almost at the same speed as they appeared. The best these technocrats could do is provide the minimum standards for the 'meta-rules' which the people can use to invent their solutions and resolutions, enforceable within the confines of general democratic principles.

Moreover, since KPRs know their areas more than official security personnel, they could be incorporated into the legal policing structures rather than recruiting and deploying more officers from outside the community who are unfamiliar with the terrains. Otherwise, training packages for those mandated to work in such areas could be reviewed so that they incorporate these specific challenges. This will counter KPRs and *wakasa* temptations to collude with rustlers.

5.2 Community Policing requires a Shift in Mindset

The formalised, 'elitist', Community Policing Approach (CPA) revered by the government as a panacea for insecurities of West Pokot County is out of touch with the local context as seen in the previous chapters. The long held impression by policy makers that local Pokot people suffer from disorganisation or a lack of direction often associated with societies at conflict must be discarded. This is possible through understanding the dynamics which form the social fabric of these people. In as much as elites from the community and formal institutions play a vital role in shaping the development agenda, this group forms a minority and not necessarily the most important compared to *wakasa* and KPRs. A community-oriented analytical security approach could suffice in understanding and informing how a people's collective life continues to be coordinated amidst many challenges. Focus on *wakasa* and KPRs as the major wheels of change in this community might be necessary.

Explicably, time has come for policy makers and other stakeholders to shift their mind-sets on whom a pastoralist is. A blanket condemnation (Okech 2006) of pastoralists and pastoralism will not suffice redemption of the area. Pastoralism is as old as the history of the Pokots while the entry of the gun was recent, in the 1980s, hence compatibility between pastoralism and the gun cannot be fathomed. The continuous onslaught of Pokots as being 'war-like' is ill informed in that their neighbours both within and outside Kenya are equally armed and ferocious. Also, the East African pastoralist's corridor cuts across countries which experienced civil wars and SALWs used have not been fully collected after the peace agreements. To tackle the twin problems therefore, wider policies which transcend local, national and regional borders must not only be formulated but also implemented to the latter without compromise.

Much has been written about the violent character of Pokots since colonial days that it has become synonymous to associate cattle rustling with them even when they are the victims. For instance, the recent killings of police

officers and some locals towards the end of the month of June (Andae 2011; Bii 2011 a/b) was related to a boundary dispute between the Pokot's and Turkana's. Residents of both sides of the divide agree that the matter had been downplayed in government offices till it exploded only for government officers to organise for an emergency security operation, throwing Pokots in bad light, ignoring their plight and genuine concerns (Mazurana 2005: 30) which needed to be addressed.

Consequently, there is a need for drastic shift in politico-economic policies to capture the multi-million shilling livestock business in Kenya. This sector is little valued by financial institutions on one hand while on the other hand; government fiscal policies give it little preference for consideration for financial aid and other subsidies like those given to farmers in the maize and tea sectors. To uplift these people's lives, therefore, is to invest in their infrastructures and other service points and not showering them with bullets during disarmament exercise which hold temporarily.

Youths have been known to be a source of much insecurity in the world. To reintegrate the West Pokot County youths into the community and stop their relapse into or joining *ngoroko*, we could emulate the Sierra Leone progress with its ex-combatants (Collier 2007: 171). The government and development stakeholders must take responsibility for the socio-political and economic dynamics (which community policing does not address) which allow conflict to thrive in Pokot area if peace benefits are to be realised. Teamwork with local organisations like TLPF and CJPC is encouraged. Otherwise, in as much as the will to improve is both benevolent and persistent, tracing it through colonial periods of Pokot people to neoliberal conversion of independent Kenya reveals that this will has failed to make the County a better and stronger place.

5.3 Community Policing and Social Control.

The biggest problem of CP has been its general vagueness and difficulties in operationalisation. Existing definitions reflect the fine variations of political institutions and ideologies within their countries of origin. By being ambiguous the concept could easily be incorporated into the hegemonic national security paradigm; another tool of 'bio-political' control by the 'West' and international institutions (Foucault 2007: 1). Within Kenya, we could be reinforcing conventional policing in that it is defined in terms of a strategy of police and not the communities hence a branch of the police force and not being a police service.

This noble ideology from the West to Kenya has been brought without much 'health warnings' as it is grounded on the legal notions of policing rooted in the state crafted from the Weberian bureaucratic model. For it to gain ground and positive reception from the police structures which are colonial relics there is need for an overhaul of the entire security sector including the judiciary, NGOs, and Civil Society. Furthermore, criminalizing informal security arrangements only serves normative long-term goals of political elites but have no value to realities of traditional structures of the locals in a place like this where government presence is hardly felt. Currently, CP here is only

viable in identifying policing deficiencies in a short-term but cannot offer a lasting security solution.

Further, caution must be taken when adopting ‘security implants’ from the ‘West’ lest we deepen citizen’s dissent. No one ‘straight jacket’ fits various security challenges even within one region. The neighbourhoods watch schemes of America are unfavourable with Europe where people prefer problem-solving and partnership collaboration with the police. Moreover, Europe police still control the civilians much as they protect their sovereignty over conventional policing structures in an area where the private sector has curved a security niche just like in Nairobi. Maybe, we could borrow a leaf from China’s model (See; Wong 2008) which prohibits the existence of vigilant group’s but creates a structure performing the function of social prevention rather than enforcement. Uganda too could offer eyesight since a similar outfit to KPR and *wakasa* of Pokot exist among its pastoralists and decisions of the ‘elders courts’ are adopted by the government as legally binding. Also, to curb cases of colluding with raiders, we could emulate the example of Sudan where such an outfit is paid *shurta shabia* (financial token) through an informal system called *zhat* (Baillard and Haenni 1998). As discussed in this paper, the question is how and to what extent it is possible in the future to ensure improved convergence between the intentions behind CP policies and their implementation in local arenas (Kyed 2009: 369).

5.4 Community Policing and Realising the Right to Basic Security

Community policing, as a moralist principle, argues for provision of security as a component of basic human rights (Eijkman 2009: 158; Heward 1999: 4, Unterhalter 2007: 39). However, this principle cannot be applied in a vacuum and most narrow security discourses have misunderstood the security problem without appreciating the importance of how traditional values, cultures and customs of people form a key concern like security as the case was found in the study area. In this chapter, it is suggested that a different implementation strategy might help to domesticate CP in Kenya, since there is now wide, shared concern for attaining human as well as national security for all. It is hoped that this alternative approach to community policing can help steer the country towards better realization of the ‘Kenya Vision 2030’.

The CP implementation strategy by the government in West Pokot County has been driven by a desire for narrowly defined security at all costs. Security experts are busy devising disarmament programmes for the area, but tend to ignore the economic insecurity and illegitimacies meted upon the Pokots that can undermine security efforts by the government over the years. Therefore, CP failure should not be associated with ineffective implementation or interpretation. As Waddington (1999: 213) has noted, CP has serious flaws both in practicality and conceptual framework. Other authors like Klockars (1988: 240), who saw CP as another way through which police try to legitimise use of “non-negotiable force” and Brogden (1999: 170), who suggests the CP model was not transplantable in communities with different contextual background in the first place, reinforce this view. CP as it has been applied in West Pokot County has mainly served to widen the economic gap between the businessmen and elites on one hand and rural people on the other,

exacerbating social schisms between the two groups living side by side. This leads to the suggestion that perhaps a human security approach could be of benefit for future efforts to implement CP in the region.

5.5 Conclusion

This study has explored on the experiences of West Pokot County residents on CP implementation. The interviews and observation techniques used intonates that the implementation strategy used has transformed the community by inducing more ‘closure’ rather than more ‘opening up’ to future development possibilities. CP has unintentionally managed to push aside questions on political-economic significance associated with the control over means of production and the structures of law and force that support systemic marginalisation of particular regions in the country. Analysis of data showed not only did gender mainstreaming remain problematic in this community, but also separation of CPC and Peace Committees was impossible as the same KPRs performed both functions. The findings indicate that for West Pokot County, and maybe other pastoralists communities, the fight on cattle rustling and proliferation of SALWs is possible through a ‘problem-oriented’ policing approach rather than CP. This new approach, unlike CP which currently functions on the ‘bird’s eye view’ principles, might operate in what can be called a ‘frog’s eye view’ (*see; Annex V*): sees in nearly all different angles of insecurities, law and order. It is also gender sensitive and all encompassing, with room to accommodate divergent views.

Finally and to be undertaken by another research, is trying to understand the unmatched resilience of indigenous Pokot people. Despite the many frequent, devastating and catastrophic conflicts, the research unearthed a peculiar phenomenon in that the community had no known history of creating internally displaced persons (IDPs) nor ever hosted an IDP camp. This is in sharp contrast to its neighbours like Turkana’s and Marakwet’s who have experienced the IDP phenomenon.

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Appendices

Annex I: Profile of the Study Participants

DATE	PARTICULARS	BACKGROUND
20/6/2011	-OOP – HQs -Reforms & Training dept' -NSC office -KNFP office	Collect clearance letter to go to the research area, information on CP and Peace Committees as well as talk to officers on the policy progress on the two issues.
20/6/2011	SGO 1	-Senior Ministerial officer at the policy level. -Been involved in the formulation and roll-out of the CP model being pursued by the government.
4/7/2011	SGO 2	Senior government administrator in the region.
4/7/2011	Interviewee at the DC's office	A civil servant who has worked in the region for the last 23 years.
4/7/2011	PO 1	Senior police officer in the county. 53 years old and with experience in policing of over 30 years.
5/7/2011	M1	57 years old and has over 200 heads of cattle and married to 3 wives.
5/7/2011	EM 1	-62 years village elder with 4 wives
2/7/2011	Petrol station attendant	Single male adult of 28 years who has lived in the area for 9 years
2/7/2011	Hairdresser	A 46 years old woman, married with 4 children. She was born in one of the villages within the county.
4/7/2011	BL 1-Market	43 years business-lady at Makutano open market. Has been doing business for the last 17 years. Married as a second wife with 8 children.
3/7/2011	BM -Eating joint	38 years businessman operating a hotel. Married to 1 wife with 4 children.
6/7/2011	Farmer	-59 years old with 2 wives and 11 children out of whom 3 have been to the university. -Does mixed farming, keeping livestock and cultivation in Chepareria Division
6/7/2011	M2	-Male adult 40 years and married to 1 wife with 3 children. He is a primary school teacher and has lived in the urban area for the last 16 years.
7/7/2011	KPR 1	-52 year old man and been a KPR for the last 13 years. Has a business in town. -Dropped out primary schooling.

8/7/2011	PO 2	Police officer in a remote police post. 27 years old and this was his second posting. Has been in the area for the last 5 years. He is Single
8/7/2011	PO 3	Police officer in one divisional headquarters. 46 years old and comes from a neighbouring pastoralist community. Has been in the region for over 14 years and would not mind continue working there.
6/7/2011	PO 4	Police officer in an out-post along a main road. 24 years old and this is his first posting.
5/7/2011	PO 5	Female police officer at the county headquarters. She is from a pastoral community. In her mid 30's and married in the area.
9/7/2011	KPR 2	KPR in town and a reformed <i>ngoroko</i> . In his early 40's and married with 4 children
2/7/2011	Chief 1	In his mid 50's and married to 3 women and has 13 children. Has many cattle's and goats Never been to school and farthest place he has been to is Kitale town.
5/7/2011	Chief 2	-In his late 30's. Married to 2 women and has 5 children. Did not complete secondary school.
3/7/2011	Assistant Chief 1	-A lady in her mid 30's. Married with 2 children. Did not complete secondary education.
20/7/2011	Assistant Chief 2	-Male in his early 40's; finished high school education and he is married to 2 women and father to 6 children
19/7/2011	EM 2	Senior village elder about 73 years. Inherited the position from his father and is married to 4 women and has 18 children. One of his sons is a police officer
18/7/2011	KPR 3	-Male of 36 years, husband to 2 women and father to 7 children. -Reformed <i>ngoroko</i> .
23/7/2011	Councillor	59 years old and been councillor for over 10 years. Married to 3 women and father of many children. A livestock trader
5/7/2011	EM 3	-Senior village elder about 82 years and husband to 7 women with over 30 children. -Has over 1000 herds of cattle, goats

		<p>and sheep.</p> <p>-His children have never completed primary schooling.</p>
6/7/2011	PO 6	<p>47 years Police officer at a border post; been working there for the last 2 years</p>
3/7/2011	KI	<p>-Key informant; 39 years and husband to 1 wife and with 5 children.</p> <p>-Finished high school education.</p> <p>-Working with a local NGO.</p> <p>-Widely travelled on peace mission among pastoralist communities both within and outside the country.</p>
6/7/2011	KPR 4	<p>-A male in his late 40's; been a police informer for more than 5 years and now a KPR.</p> <p>-Father of 6 children; 2 at university during the research.</p>
9/7/2011	Banker	<p>Employee of a bank in the area, in her late 20's and a local resident.</p>
19/7/2011	EM-4	<p>A villager said to be in his early 90's and once a cattle raider during his youthful days.</p>
20/7/2011	EM-7	<p>Retired civil servant in his mid 60's.</p>
6/7/2011	EM-5	<p>-Elderly woman in her early 50's and a 3rd wife with 13 children.</p> <p>-A traditional birth attendant.</p>
6/7/2011	EM 6	<p>-Elderly man in his 70's, Has over 20 children and none with has acquired basic education as no schools are in the area.</p>
20/8/2011	MP	<p>-Schooled outside the county to university level.</p> <p>- Been in government service for many years before joining politics.</p>

Annex II: Excerpts of Mwananchi Handbook for Community Policing Guidelines

- Community policing is a policing strategy that allows the police and community to work together to solve problems of crime and insecurity.
- Community policing principles include: -Voluntarism; Service oriented; Build partnerships; Community oriented; Guided by existing laws; Seek to build and promote trust between communities and the police; Democratic, transparent, accountable and promotes integrity; Responsive and proactive.

- Community policing is not: vigilantism; settling scores; commercial; political forum; coercion; parallel security; form of employment; power sharing.
- Public's role: Share information with police and other members; attend meetings; report crimes and suspicious characters; expose corrupt practices; attend courts when bonded.
- Role of Provincial Administration: Support CP strategies and programmes; explain, support and disseminate CP programmes and ideas in various public security and development functions within their duty stations.
- Role of the media: Dispensation of information and educating public; Report incidences and messages in an objective manner; liaise with police to verify facts for public consumption and what needs to be withheld for safety of the public and /or further investigation.
- Role of civil servants: Provide quality and professional services to the people; support CP strategies and programmes in their respective ministries; educate neighbours on the importance of CP; reporting any cases of corruption and other vices.
- Role of religious organisations: Help police to reduce and prevent crimes; provide religious counseling and guidance to their followers.
- Role of NGOs: Education and sensitization of the public of CP; provide technical and funding support; raising community awareness on CP; educating the public on their rights.
- Role of teachers: Instilling discipline on the children; monitoring children not to indulge in drugs and substance abuse; sensitizing children on the importance and crucial role police officers play in the community; organizing for police lectures in schools.
- CP Committee: group of various community interests representatives responsible of representing the interests and raising community security and safety concerns in CP forums.
- CP Forum: meeting of members of the community and law enforcement agencies to discuss issues of security and safety affecting the community.

(Source: MoS-PAIS; *Mwananchi* Handbook for Community Policing).

Annex III: Excerpts of Standard Guidelines and Terms of Reference for Peace Structures in Kenya.

- Objectives; is to contribute to the peacebuilding and conflict management process becoming an integral part of sustainable development in Kenya; and to provide direction to users to help them mainstream peacebuilding and conflict management in development policies, plans and projects.
- Membership: Composition of the Peace Committees shall vary depending on local circumstances but as far as possible take into consideration the principles of diversity and non-discrimination. Each and every administrative unit shall determine the number of representatives that will be included in the composition of the Peace Committee, depending on the stakeholders in all the administrative units of that district. The membership of the committee shall not exceed 15. As a general guideline, members of the peace Committee shall be drawn from the following:
 - Community representatives working on peace related issues.

- CSOs with peace programmes in the district.
- Women.
- Youth (both men and women).
- People with disabilities.
- Private sector.
- Any other institution, organization or body that may be useful in the peace process.

Note:

Members of the Security and intelligence Committees shall serve as Ex-officio members of the Peace Committee. The District Commissioners and the District Officers shall serve as the patrons of the DPCs at the District and Divisional levels respectively.

- To guard against vested interests and influences, Peace Committee members should neither be holders of political offices or aspiring candidates.

(Source: MoS-PAIS (2009) Standard Guidelines and Terms of Reference for Peace Structures in Kenya).

Annex IV: Excerpts of the Police Basic Training Course Syllabus and Regulations, 2011: pp 415 – 421.

At the end of the training, the trainee should be able to:

- Define Community policing.
- Participate in Community policing activities
- Explain the importance of Community policing
- Explain how Community policing programme are established
- Identify stakeholders of CP who include: Religious organizations; Chief; Media; Neighbouring families; Police Officers; Civil servants and teachers; NGOs; CBOs; Business people; Other stakeholders in the community.
- State the principles of CP which include Service oriented; Building partnerships; Voluntary; Responsiveness and Pro-activeness; Guided by existing laws; Community oriented; Democratic, Transparent, Accountable and Promotes Integrity; Seeks to build and promote trust between police and the communities.

(Source: MoS-PAIS; Police Basic Training Course Syllabus and Regulations, 2011).

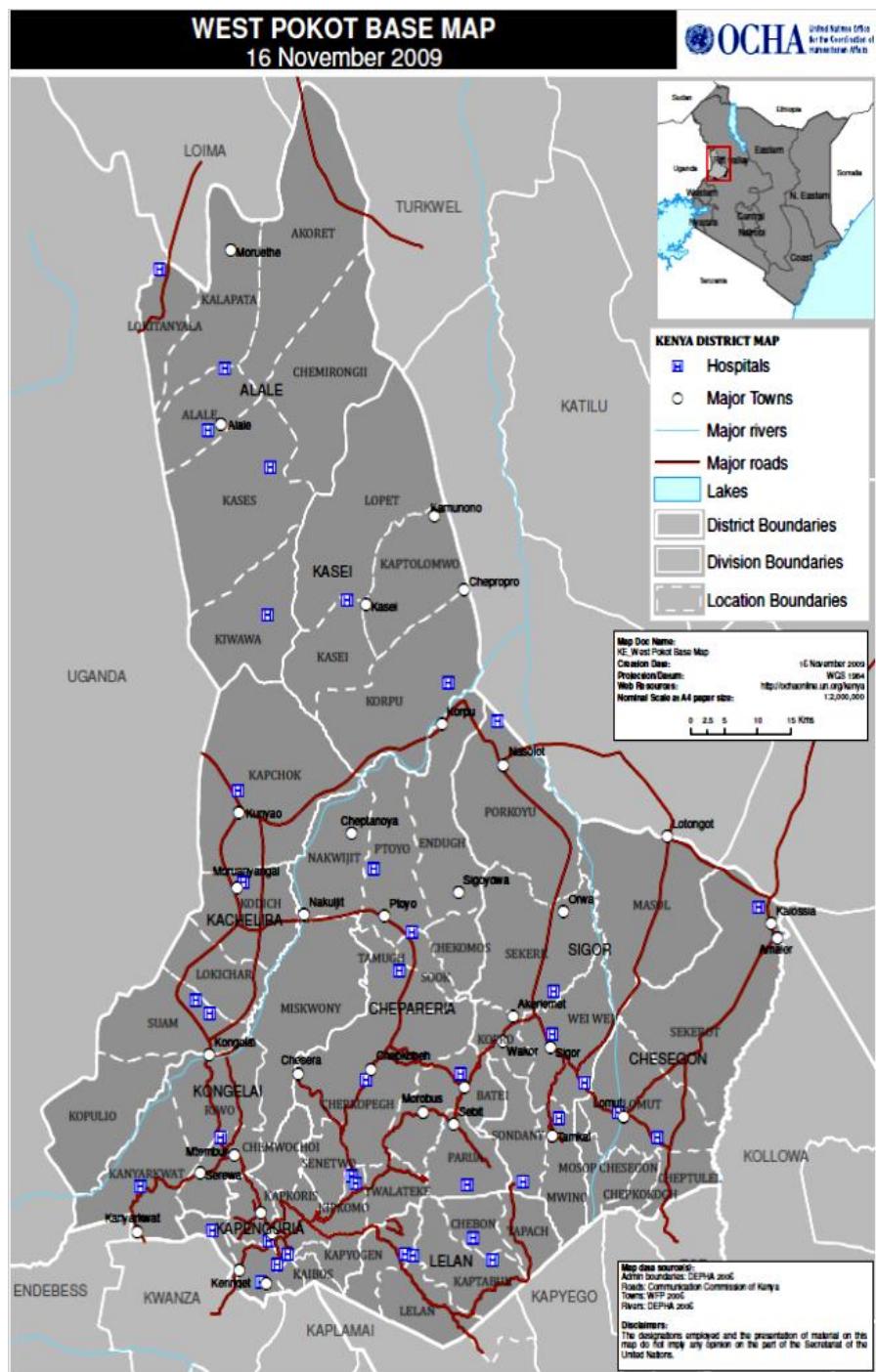
Annex V: Frogs Eyes



Source: Animal Planet at <http://animal.discovery.com/tv/vanishing-frogs/anatomy/frog-eyes.html>

“The frog's large, bulging eyes, which sit at the top of its head, are unmistakably prominent — and for good reason. They play vital roles.... The frog's eyes bulge out so far that it can see in nearly all different directions, which is helpful for an animal that can't turn its head. Very little escapes the frog's field of vision, even at night.... Amazingly, even though they can't gauge distance very well, their eyesight doesn't overlap ...” [This can be equated to the communities to which the security programmes are to be administered. You ignore them at your own peril: most security and development programmes fail because of making assumptions on the regions they are to be implemented].

Annex VI: West Pokot Map



(Source: UN-OCHA 2009)