The genesis and evolution of Sungusungu vigilante group among the Abagusii ethnic group of Kenya

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ABSTRACT

This paper discusses the emergence of Sungusungu vigilante group among Abagusii of western Kenya. In doing so the paper appreciates the ineffectiveness of state security agencies in crime prevention and control to its emergence. However, the paper goes further to demonstrate that the social, economic and political changes which the community has experienced since colonial period is equally important in understanding the emergence of this vigilante group.

Introduction

Since late 1990s, Kenya has been experiencing high incidences of insecurity in form of high crime rates both in urban and rural areas. The ever increasing crime rate has most often been attributed to low police/population ratio which is presently reported to be 1:1000 while the standard required ratio is supposed to be 1:200-400. Other problems relate to inadequate resources for crime detection and prevention and poor public-police relationship partly due to the former's training and working conditions.

To address these inadequacies in crime prevention, the Government of Kenya has embraced community policing to supplement the work of official security agents. According to Kenya Police (2009)[1], community policing is an approach to enhance security that recognizes the interdependence and shared responsibility of the police and the community in ensuring a safe and secure environment. The aim is to establish active partnerships between the police and the public to combat crime and enhance community safety. It responds to the decline in public confidence in the police and the need for partnership between different stakeholders to fight crime (Coquilhat, 2008). Through the approach, the community gets to know and understand that it has a role to play in ensuring its own safety and that of property. Community policing is therefore a tacit acknowledgement that official security apparatus including the police cannot solve all security problems single-handedly (BJA, 1994; Republic of Kenya, 2009).

Community policing approach ensures that the community does not only feel secure, but actively participate in the achievement of this feeling. The reasoning is that, use of the community members who understand the local crime maps can be a very rewarding strategy given that identification of criminals and crime black spots is made easy. In addition it ensures community ownership of the process and hence it's local legitimacy. Moreover, it can ensure optimal resource allocation based on improved awareness and understanding of the criminal operating environment (Fuentes, 2006).

Among Abagusii, community policing is in form of Sungusungu vigilante group, a non-state, but quasi-official system of justice which originated in Tanzania, especially among the Sukuma and Nyamwezi ethnic groups. These communities, unable to rely on the state for personal and property protection and resolution of other disputes especially in the vast rural areas of the country, resorted to organizing vigilante groups instead (Paciotti, 2004). As such, informal organizations emerged as alternatives to the largely passive and elusive formal systems of crime control. Later, this system infiltrated and was adopted by communities on the other side of the Kenya-Tanzania border especially by the Kuria ethnic group of Kenya. It is from the Kuria that the Sungusungu vigilante found its way among the neighboring Gusii.

During the early years of the post-single political party era in Kenya, the *provincial administration*[2] introduced the Sungusungu vigilante in Gusii to help stamp out runaway crime wave. The Sungusungu mainly comprised of volunteers who were either not remunerated or if any was in kind by the community in recognition of their work in crime control. Largely, the youth who constitute the Sungusungu are unemployed and less educated lot. They undergo no training or induction on how to work amicably with the public. Consequently, manhandling of suspects, assault, violence and extortion is not uncommon with the group, which in essence defeats the essence of community policing. The vigilante group also works as a separate entity from the official security apparatus, hence exhibiting behavior tantamount to being above the law or in most cases being the law themselves.

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[3] www.kenyapolice.go.ke:Retrieved November 24, 2009

[4] System of official hierarchical governance structures from the president cascading downwards to the village level

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At its introduction in Gusiiland, Sungusungu entirely concentrated in eliminating crime and to some extent it succeeded in this endeavor. Many criminals were either killed by the group members or forced to flee from Gusiiland for fear of their lives. However, with time as the crime rate went down, the group found itself with no meaningful role to play. Instead it transformed itself by taking up the role of providing protection to community members especially those involved in illegal activities like brewing of traditional liquor like *changaa*. They were also involved in other activities such as solving disputes among community members, collection of debts, and dealing with witchcraft allegations. Most important, they became a ready weapon for hire by other interested parties especially politicians or businesspeople for the purpose of containing real or potential competitors. The foregoing new roles and survival strategies among the Sungusungu vigilante as demonstrated in this paper is a major source of insecurity among the people.

Laying the Ground for Emergence of the Sungusungu Vigilante

Sungusungu emerged among the Abagusii people of Western Kenya as a grass root law and order organization in late 1990s. It was first introduced into the community by the provincial administration from the Kuria ethnic group, who reside on both sides of the Kenya-Tanzanian border as a way of controlling high crime rate. Initially the organization worked as part of community policing strategy complementing the provincial administration and other official security agencies to contain crime. However, with time the organization started arbitrating on cases involving debtors, land disputes, adultery, family conflicts- all which are the domain of either Gusii informal judicial system *etureti* or formal judicial system. In recent times also, the organization has been used and involved in punishing witches, containing or fixing political and business competitors.

The organization first started among Abanchari clan who reside about five kilometers west of Kisii Municipality in response to high crime rate in the area and ineffectiveness of law enforcement agencies. With the help of provincial administration, young men were organized in rank and file hierarchy to combat crime by carrying out night patrols as a way of deterring crime and helping in the arresting of criminals in many villages. Their work and interaction with the provincial administration enabled them acquire a quasi-official recognition.

Using the structure of provincial administration, each village under the leadership of village elder, *Omotureti* was encouraged to form a group of volunteers who were mostly young men to help in combating crime. Consequently, each village group had officials who included the village elder and his council members, the *etureti*, the chairman and secretary. The village elder and his council members had a duty of adjudicating in all criminal cases within their area of jurisdiction and working with the chairman of Sungusungu in preventing crime. The chairman's role was to preside over meetings, act as a link between other village elders and council members and other members of the group. He was also to be in charge of all members of Sungusungu and the contact person for those who required help from Sungusungu.

Below this leadership structure were Sungusungu *soldiers,* who comprised of all young male volunteers under the control of a commander. The commander and the *soldiers* were expected to follow and execute orders from the village elder and his council. These include apprehending criminals immediately upon crime detection, spying on possible criminals and gathering vital evidence for resolution of criminal cases and other disputes.

Although each village Sungusungu sub-organization had autonomy to choose their own leaders and make decisions, they were nevertheless linked into one cooperating body. Thus, all chapters cooperated and helped each other in ensuring that any decision arrived by one chapter was executed. For example, if an individual was found guilty of abetting criminal activities, it was the responsibility of all chapters to ensure he or she faces justice.

Ideally, it is an obvious fact that issues of internal security or administration of justice is a function for the state and its specialized institutions of legislature, police and judiciary in any formal government. However, the big question is: How did Sungusungu find itself as a central institution in the core function of the government? Was it by commission or omission on the part of the government?

Anthropologist have for sometime acknowledged the fact that local communities, organizations and processes have to be analyzed in the context of the wider world of which they are part (Abraham, 1981; Moore, 1990). Consequently, it is necessary to examine the extent to which external events, processes and factors affect and influence the local events and processes and how the two interact. Thus in the case of Abagusii, the impact of social, economic and political changes which the community has experienced since the advent of colonialism in 1905 must be examined.

The fact that Sungusungu started in late 1990s in Gusii and not before has to be traced back to the events and processes preceding this period which relates to administration of security and justice. Prior to the establishment of British colonial rule in Gusii, judicial matters were mostly handled at the homestead level by the patriarchal founder of the homestead[3] *Omogaka bwo omochie.* Most of the disputes handled at this level were usually domestic in nature such as ownership and usage of family property or any other matter affecting family members. In solving disputes just like in the entire community, *omogaka bwo omochie* was guided by egalitarian principles of equity, consensus building and law of natural justice. Judicial decisions made at this level were supposed to be obeyed by all members of the household.

Disputes which involved members of different homesteads were handled by informal courts, *Etureti*. The *Etureti* was usually made up of highly respected elders in a sub clan. The elders who were appointed to be members of these informal courts were usually people who had managed to personify and/or portray themselves as ideal Gusii elders. The ideal Gusii leaders were expected to be role models whose behavior was exemplary and hence could be emulated by other members of the community, especially the young men aspiring to become future community elders. The other criteria used to select individuals into the *Etureti* were how successful they were in settling various disputes in their respective homestead. Also important was their considered level of wisdom as people who were supposed to make impartial and wise judgments on disputes involving the whole sub-clan. Moreover, the ability to reconcile disputants and make objective judgment in volatile situations was also an important consideration for leadership.

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[5] A homestead consists of the family head, his wives, married sons and their wives, and other unmarried children.

In dealing with disputes, the standard procedure involved the complainant reporting his/her case to the senior most member of the *Etureti* who was seen as the upper leader among equals. Usually before the elders started hearing evidence from the various concerned parties, the senior elder was supposed to have briefed the other elders on the nature of the case before them. After the *Etureti* had received the litigant and the defendant's points of view, they also received evidence involving the case from witnesses. After receiving all the information and evidence concerning the case, the elders usually conducted detailed consultations amongst themselves and sometimes invited other community members who had important information on the history and nature of the case to join them in the consultation process before making a ruling.

Etureti had the authority to impose specific fines proportionate to the nature of the offence. The elders also had the authority to publically reprimand an offender, which was supposed to serve as a warning to the offender and the general public on the seriousness of the offence. However, *Etureti* had no coercive powers in enforcing their rulings. They mainly depended on magical-religious powers largely believed to be bestowed on them by the ancestors due to the nature and importance of their work to the community.

With the establishment of colonial rule, this informal judicial system was replaced with British legal judicial system which had new procedures, power and new kinds of elders installed (Shadle, 2006). However, faced with limited resources from London, the British colonial government had to rely on their African employees (indirect rule) to carry out their day-to-day administration. One of the most important aspects of indirect rule was the use of one Mr. Gasuku as the chief translator in South Kavirondo[4]. Gasuku was a member of the Abasuba ethnic group from Mfangano Island in Lake Victoria who endeared the Europeans due to his linguistic skills. Given that most Africans did not know Swahili and Europeans administrators rarely learnt local language, virtually all communication between the `state and the masses had to be conveyed through Gasuku, making him indispensable to the colonial government.

Taking advantage of his linguistic skills and centrality to the colonial government, Gasuku used his position to a mass wealth corruptly. For example, during the hearing of cases by District commissioner when sitting as a magistrate, Gasuku would deliberately present the case in Swahili which differed greatly from the case presented by the litigant in Ekegusii or Dhuluo. These differences in translation were influenced by the amount of bribe Gasuku received (Shadle, 2006). As a result, the seed of mistrust of the new judicial system was planted among the populace.

The new judicial system was also dogged with the problem of accessibility and limited jurisdiction. Due to limited resources, tribunals in South Kavirondo underwent an overhaul in 1937, with some thirty nine courts consolidated into nine, two of which served Gusiiland. The Gusii tribunals were located in Ogembo and Manga, which are more than 100km a part. The tribunals' jurisdiction did not cover all serious criminal cases like murder, civil cases involving business and other cases which were labeled by colonial government as *primitive* like

witchcraft. These two factors also made this legal system more unattractive to many people.

Apart from colonialism, the Gusii traditional judicial system was also affected by the coming of Christian missionaries in 1911 (Orvis, 1997). One of the major functions of earlier western religious missionaries was to change and discard what was considered primitive practices because they were perceived as *ungodly*. Among the practices targeted was the use of magic religious rituals in solving crime and civil disputes.

However, magic religious rituals formed the central part of the Gusii judicial system. This was especially in disputes which were hard to adduce evidence to pin down the suspect or where a crime had been committed but the suspect could not be traced. These two scenarios were common in witchcraft accusations[5]. Witchcraft among the Abagusii like in other communities is a very secretive evil cult whereby members take an oath of secrecy never to reveal anything to non initiates under any circumstances particularly the names of chapter members and their activities. Those who practice witchcraft are believed to have mysterious or supernatural power which they use to cause harm to other people (Masese, 2006).

One of the methods of solving witchcraft accusations was the use of *Chitandae*. This method involved subjecting the suspects to public ordeal. In this case the suspect hands are rubbed with herbal medicine and thereafter he/she is required to dip into and pick a metallic object from the bottom of a pot which has boiling water. Those who were scalded by the boiling water were taken to be guilty, while if the reverse happened, the accused was looked as innocent (Masese, 2007).

Before the advent of British rule and Christianity, capital punishment was common for those found guilty of practicing witchcraft. Unlike today where Sungusungu members are involved, the execution of capital punishment was strictly done by kinship members. This method of identifying witches was very effective. Those found to have accused other people falsely of practicing witchcraft were censored and ashamed. Further a heavy fine was imposed on them. This made incidences of witchcraft practices and accusations very minimal.

However, with the introduction of new legal system by the British colonial government and Christianity doctrines this mechanism of dealing with witchcraft practices and accusations was sidelined. This situation has continued up to date in Kenya's legal system as witchcraft accusations are not recognized. As a result, there is steady increase of witchcraft accusation which has led to high incidences of lynching of suspected witches by the Sungusungu vigilante.

Apart from the replacement of the traditional justice system, the Gusii security arrangement was also greatly affected by the coming of British colonial government. In the past, each Gusii clan had an independent military units composed of young men, circumcised but not yet married, whose role was to protect clan members from both internal and external aggression. These young men lived in cattle encampments *ebisarate*. Apart from acting as a protective unit for the community, these encampments also acted as informal learning institutions for young men on adult life and future responsibilities. However,

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[6] Gusiiland during colonial period was taken as part of South Kavirondo.

[7] Witchcraft accusations are one of the most common issues which Sungusungu is greatly involved in eliminating. Most people who are suspected to be practicing witchcraft are lynched by Sungusungu members.

immediately after Second World War, these encampments were abolished by the British colonial government for they were perceived as a threat to their rule (Akama, 2006). Consequently, the security of each Gusii clan was put under the colonial government and its security agencies.

The changes in judicial and security systems which came into being during the colonial period have persisted to date with little regard to the philosophy which informed their existence prior to colonialism. The continued overreliance on the Western modeled judicial and security system has itself created a fertile ground for the blossoming of alternative methods of securing security and justice in most African communities including Abagusii.

To underscore the above argument it is important to consider it with regard to the judicial system in Kenya. The judicial system in Kenya draws it power from the Constitution of Kenya, various Acts of Parliament and the Penal Code. For example, the penal code which guides rulings and judgment of criminal cases is applicable universally. This universal application has however, its misgivings. First, the definition of what constitutes a crime and its legal remedy is problematic in itself. This is because to a large extent the penal code does not take into account the relativity of crime or what behavior is assumed to be criminal among various communities. Secondly, the penal code gives primacy to legal procedures and tangible evidence in making any ruling and judgment. However, as indicated earlier there are some practices which a community may consider criminal (like witchcraft) but are not adequately dealt in the penal code or it is extremely difficult to adduce evidence against a suspect.

As much as the inherent problems in the judicial and security systems can be argued as responsible for the emergence of alternative methods of seeking justice and security, the 1970s and 1980s oil and debt crisis which most Sub Saharan Africa faced acted as a catalyst. In response to these crises most Sub Saharan African countries were forced to implement the World Bank/IMF propelled Structural Adjustment Programmes (SAPS) ostensibly to spur development. These programmes demanded fiscal discipline (limiting budget deficits and cutting down on expenditure), financial liberalization, privatization of state enterprises, public staff downsizing, trade liberalization, limited barriers to Foreign Direct Investment (FDI) and elimination of subsidies on consumer items such as food, fuel and medicines. Additional policy measures included the deregulation of labor market and tax reforms to broaden the tax rates (Rau, 1991).

The implementation of SAPs curtailed the government from expanding or developing various institutions such the judiciary and security agencies. With freezing of employment and reduction of expenditure for example, the government reduced drastically the recruitment of security agencies and provision of adequate facilities to aid in crime prevention and control. The latter led to demoralization of security agencies in crime prevention and dispensation of justice. Compounding these problems was the high unemployment level especially among the youths who resorted to criminal activities and other anti-social behavior as a means of survival.

With increasing crime rate due to high unemployment and poverty levels, ineffective government security and judicial system, most people in rural areas started mobilizing themselves in efforts to counter the emerging crime threats. Among the Abagusii, the Sungusungu vigilante group was embraced as an antidote to the emerging security problems. However, as we argue later the Sungusungu vigilante become a security threat to the same community it was supposed to protect, hence *insecurity within security*.

The Making of Sungusungu Vigilante

Sungusungu among Abagusii is both admired and distasted in equal measures. It is admired for its role in eliminating various vices in the community which the government and its agencies are unable and on the other hand distasted for its cruelty, disrespect of human rights, extortion, killings and political violence. In admiration Sungusungu is referred openly as part of community policing while in distaste it's referred in secrecy as *Sungusungu*- a vigilante group composed of thugs. Indeed all these make Sungusungu an enigma among Abagusii.

The birth of Sungusungu can also be traced to political development which started immediately after independence in 1963. Though these developments were national, they laid a fertile foundation for the formation of youth groups which later transformed into militias. At and after independence, the new government excluded youths from political leadership and decision making. The youth were relegated to footnote status in politics. Although the government recognized the youth as an important human resource to be exploited for productive development, it nevertheless saw them as an important vehicle for propagating its ideas, policies and philosophy- a situation which has persisted to date (Maloba, 1989).

The exclusion of the youth from mainstream political leadership and decision making became more glaring with the ninth constitutional Amendment of 1968 which imposed a minimum age of 35 to vie for presidency. This amendment reinforced the stereotype associated with the young people of immaturity and thus justified their exclusivity from mainstream leadership and decision making. This has disfranchised young people, rendering them vulnerable to being used not only by the political class in advancing their political goals and ambitions. As demonstrated hereafter, this unholy ascribed role of young people in political leadership and decision making is the force behind the formation of vigilante groups including the Sungusungu.

Consolidating Power

In 1979 when immediate for President Daniel Arap Moi of Kenya took power from his predecessor the late Mzee Jomo Kenyatta, he had a major problem of consolidating his power. This is because prior to his ascendency to leadership, powerful politico-business elite around Kenyatta had hatched a plot to block him from taking over through a constitutional amendment. This elite clique composed of mostly Kikuyus-the most populous ethnic group in Kenya.

Another threat to Moi early leadership came in form of agitation of multi-party democracy. Although Kenya constitutionally was not a one party state, Moi used the provincial administration, the Registrar of Societies, Attorney-General and courts to block the registration of other political parties to compete with KANU. In 1982, an attempt by pro-reform politicians George Anyona and Oginga Odinga to register a political party was thwarted by constitutional amendment of Section 2a that outlawed legal opposition. To further consolidate his power, Moi government banned several civil society organizations and labor unions perceived to be anti-government, while co-opting others into his fold including the *Maendeleo ya Wanawake* (women development) Organization (Gakuru, Mwenzwa & Bikuri, 2007).

Despite all these efforts on 1st August 1982 there was an attempted coup by some members of the Air Force wing of the Armed Forces. This coup though crushed by loyal government forces, it ushered in a new era for Moi leadership and administration whereby he was more concerned on how to retain and consolidate his power. To do so, he resorted to two approaches. The first one was by putting his loyal ethnic followers in strategic positions especially in the military and police and purging those who were perceived as threat to his leadership.

The second one and which is more important to this paper was by making KANU a very powerful political party with mass following. To do so, three programs were put in place namely; prevention of formation of party branches independent of the party's national committee, strengthening the control by State House[6] over party elections and introduction of structures that could enable the party to become strong instrument of social and political mobilization and control.

In the first two programs, their aim was to ensure loyalty to the party and in extension to Moi government. For example, in July 2nd 1985, the party (KANU) came up with a disciplinarily committee to censure those who were perceived disloyal or deviants to party's policies. Those who were found culpable were suspended from the party and subsequently lost any public or government appointment. Without any other political party, they were either discarded in the political dustbin where some would be later recycled if and when political expediency demanded.

To make the party a mass movement, the structure of KANU youth wingers was introduced into the party. The role of KANU youth wingers was to ensure all people in their area of jurisdiction adhered to "government policies", every person aged 18 years and above became a registered member of KANU, to deal with any dissents to the party and most important propagate the party decisions arrived by party leaders. Their organizational structure mirrored that of provincial administration with offices from national to village level. Each level of party structure was housed by the provincial administration with the following office bears; chairman, vice chairman, secretary, Assistant secretary, treasure, organizing secretary, assistant organizing secretary and the "youths" whose role was to implement the decisions reached by their party officials in their area of jurisdiction.

Since there was no clear distinction between the government and the party, party officials in their area of jurisdiction started playing the role of the government such as providing security and dispensing justice. According to Amoka (1999), KANU youth wingers operated as a de facto police in many parts of the country. They had power to mete out instant (in) justice to anyone who crossed their path. With no training on security and dispensation of justice, no guiding principles on their day to day operations and the perception that party officials were superior to any government machinery, KANU youth wingers reverted to vigilante-like groups in most rural areas. When the group was not dealing with crime in their area of jurisdiction, they were involved in extortion in the name of fundraising for the party, abuse of human rights or perpetuating certain sectarian political interests.

In many rural areas, KANU youth wingers in their red shirts, black trousers and cockerel-embossed ties (KANU party symbol) represented many things to many people. To some it was a group out to fight and control crime and all vices in their area of jurisdiction, while to others it was just an extortionist or criminal group under the guise of the government and party representative. This double faced nature of KANU youths continued until 1990 when multi-party democracy was re-introduced. Multiparty politics emphasized political accountability, opening and leveling of political space and upholding of human rights. All these factors made KANU youth wingers unfashionable, their power and visibility waned although they did not disappear into the oblivion.

Multiparty Democracy and Political Supremacy

Immediately after the re-introduction of multiparty politics in the early 1990s, ethnic conflict arose in many parts of the country pitting those ethnic communities perceived as sympathetic to political pluralism and those against the latter especially in Rift Valley province.[7] The anti-pluralism which comprised largely Moi ethnic group felt that those supporting multiparty were out to remove "their own" from the country leadership. Given that Rift Valley is not densely populated and has good arable land, many communities like Abagusii and Kikuyus had moved in and settled there due to population pressure in their native areas. As a strategy to curtail multiparty advocates support[8] in Moi backyard, ethnic groups who had settled in Rift Valley were targeted for eviction.

In Kenya, national politics normally revolve around few ethnic political power brokers who determine the voting pattern of their communities. Due to this Moi started courting political power brokers from various communities. Among the Abagusii, Moi managed to bring to his fold the former Chief Secretary, Mr. Simon Nyachae[9]. It was alleged though not openly confirmed President Moi promised Nyachae that he was to reciprocate his support by appointing him as a vice president after the General Election in December, 1992.

With Nyachae's open support for KANU and President Moi, it was assumed in Kenyan political opinion that all Abagusii were behind his decision. Logically, it meant that Abagusii who had moved and settled in the Rift valley were not to be targeted for their political inclination. However, this was not the case. With partisan and inaction from government security agencies, the former KANU youth wingers and other Gusii youths came up together to form a group to protect their kinsmen in Rift valley province and counter any attack in the community borders. This group was called itself the *Chinkororo*.

Chinkororo was a military-like group whose membership was voluntary. On top were the summit and one spiritual leader. The summit's roles were to look for resources from community

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[8] Official residence of the Head of State where key political decisions are made by those close to the president

[9] A place where Moi hails from and was seen as his political bedrock

[10] With the introduction of multiparty, any person who was to be the president was to get overall majority votes and on top score at least 25% of all votes cast in five out seven provinces.

[11] Nyachae is one of the richest people in Kenya and among Abagusii. Has a very wide political network which he built through his business links and long service in public service. It was alleged that immediately after his retirement from public service, Nyachae through the help of the government was barred from contesting for parliamentary seat in 1987. This created some frosty relationship between him and president Moi.

members or other sources in support of *soldiers*, deal with logistical issues in relation to defending community members and disciplining errant *soldiers*. The role of spiritual leader was to bless the soldiers before going for defense mission and binding them together through oaths. After this were various group commanders whose role was to lead the soldiers to areas where they were needed and lastly the youths *soldiers* were to defend community members.

Chinkororo drew support mostly from young men. This support was made possible by the socialization process which young men undergo during circumcision among the Abagusii community. In particular, they are urged to defend the community from external aggression, a fact emphasized through circumcision songs[10] and rituals accompanying the rite.

After the ethnic clashes subdued and the election mood set in, *Chinkororo* had no much role to play in defending the community. Instead of disbanding, the group metamorphosed into a campaign machine for various political competitors in Gusii. Prior to December 1992 election, this group had turned itself into a political terror group unleashing violence to those people perceived to be against their patrons. Due to divisions and inadequate resources on the part of opposition parties, most members of this group were enticed to support KANU candidates. Since this group was pro Moi re-election, it was condoned by government security agencies. At the end of the election, President Moi not only won the election but his party KANU had more parliamentary seats in Gusii.

In 1993, the then President Daniel Arap Moi formed his first multiparty government. Since his party had won majority parliamentary seats, he did not incorporate opposition in the government. Nyachae was named into the cabinet as the Minister for Agriculture instead of Vice president as assumed during the electioneering period. Although this did not go well with majority of Nyachae's supporters who felt shortchanged by Moi, Nyachae continued serving in the cabinet.

In 1994, KANU started preparing itself for countrywide election of officials and recruitment as a strategy of strengthening itself. According to KANU constitution, national party officials were to be elected in all levels of party structures, starting from the village to the national level. In this election, Nyachae was urged by his supporters to go for KANU national vice chairman position which was held by Vice President Prof. George Saitoti. To curtail Nyachae ambition, pro-Saitoti group devised two counterstrategies: One to ensure Nyanchae was not elected at local branch level, a requirement to vie for a national seat and two to ensure that he did not command a considerable number of party delegates[11]. The anti Nyachae group had the support of provincial administration. This prompted many community members to embrace earlier group of youths like *chinkororo* because they felt that the community was under attack from external forces.

The 1994 KANU national election was given a lot of seriousness by many members of the Gusii community. This was because many believed that winning the position of party

vice chairman would enable one of them to have some leverage to contest for presidency in future. Also, it was reasoned that since the structure of the party mirrored that of the government, by having one of the community leader elected as vice chairman, it would compel president Moi to consider such a person as a vice president to avoid conflict between the party and government structure in terms of hierarchy. Persuaded by this reasoning a number of youths some of whom were *chinkororo* were mobilized by the community to advance the community goal. Their rallying call was that those out to oppose Nyachae and his allies were being used by people from outside the community to prevent *one of their own* (community member) from ascending to the country's leadership[12]. This group called itself *Amachuma* which literary mean metal.

Although *Amachuma* initially supported one of the community member for national leadership by targeting those perceived to undermining this goal, they quickly became a political terror wing of politicians in fixing their opponents. Unlike other groups before, *Amachuma* had no clear organizational structure. Each group coalesced around few individuals who had direct link with particular politicians. The sole purpose of these groups was furtherance of individual politician goals when and if called upon. They did so by intimidating opponents and disrupting political rallies.[13] Anderson (2002: 549-551) has also highlighted similar groups allied to various politicians in other parts of the country. These groups include *Jeshi la Mzee* (Elders army, associated with Fred Gumo), *King'ole* (John Harun Mwau), *Jeshi la Embakasi* (David Mwenje), *Runyenjes Football club* (Njeru Kathangu) among many others.

Most young people were drawn to these political support groups for certain politicians due to poverty and unemployment. At this time it should be noted that Kenya was facing a severe economic crisis due to 1970s oil and 1980s debt crises, 1992 election induced inflation[14] and rampant corruption in all sectors of the economy. Joining these political support groups thus partly acted as means of livelihood.

Individual Survival tactics and Sungusungu

Since these political support groups were entirely for extorting financial resources from politicians, they started engaging in criminal activities whenever they were not engaged politically. This saw the upsurge of crime in many rural areas in Gusii. Government security response to the rising crime wave was ineffective courtesy of political interference. Since most of those responsible for the rising crime were members of political support groups, the fear of losing their support compelled politicians not to intervene.

In response to rising crime rate, and inaction from security agencies, the provincial administration in Gusii started incorporating local people in its prevention. This incorporation borrowed heavily from the Kuria ethnic group who had previously mobilized indigenous governance structures successfully by turning them into new forms of political unity and consciousness in fighting crime (Heald, 2007). Unlike the

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[12] For details of Male circumcision song refer to Onkware O A(2006) "Gusii folk songs" In JS Akama and R Maxon (eds): The vanishing cultural heritage and ethnography of an African Ethnography: The Gusii
of Western Kenya New York Edwin Mellen Press
[13] Only party delegates elected at branch level (district) elect national party officials.

[14] Having a senior leadership positions in the government is/was perceived as one way of the community accessing resources.
[15] The People Daily Tue 17th September 2002: Kisii Fracas blamed on political rivalry pp4
[16] The government printed a lot of money to finance the incumbent president reelection. After election there was lot money in circulation but in the hands of few individuals.

Kuria who took initiative to mobilize themselves in the fight against crime, among Abagusii the provincial administration took a leading role.

The provincial administration used its structures in the local level (village) to mobilize local leadership to come up with a group of volunteers (Sungusungu) who will assist them in identifying and arresting criminals. This group was tasked to assist in collecting evidence which could be used against criminals in addition to detecting crime and deterring it by carrying out night patrols in the village. From the village, similar groups were formed at sub location level and subsequent levels of the provincial administration hierarchy.

Initially, these groups worked with various structures of provincial administration in complementary basis in crime prevention and control. They did so by assisting in arresting of criminals whom they handed over to the police and other provincial administration official in their area of jurisdiction. Deterring criminals by naming and shaming those suspected of crime in public meetings, warning criminals and relaying crime-related information to security agencies. This arrangement worked well for some time until the criminals started retaliating by maiming or killing Sungusungu members whom they accused of working with security agencies in curtailing their activities.

This turn of events created fear and suspicion among Sungusungu members. Within Sungusungu rank and file, there was fear that some members who have either quit or still members were leaking information to criminals which was used against them. To curtail this, members resorted to taking oaths binding them to the group and preventing any person from quitting. Another area of suspicion was with the security agencies which were accused of protecting criminals because they were benefiting from their activities. This was given more credence by acquittal of criminals due to lack of evidence or lenient community sentencing and short custodian rulings. This made the group to sever links with security agencies and started fighting crime on their own. They did so by first coming up with their own justice system.

Sungusungu justice system entailed that once a criminal had been identified, there were procedural rules which specified how evidence was to be weighed and justice administered. For example once somebody is suspected to be a thief, the Sungusungu leader gave arrest instructions to the youth *soldiers*, who would ideally take action and arrest the individual and determine his/ her punishment. In arresting the suspect, the solders were allowed to assault or torture the suspect provided it does not lead to death. Once the individual was arrested, he was taken to the committee who may assault the suspect in case he fails to own up to his suspected deeds. Suspects who confessed to crime were normally fined and warned.

Apart from arresting criminals and administering *justice*, Sungusungu members would resort to writing warning letters to suspected criminals. These warnings entailed asking the individual to either stop his/her criminal activities or move out of the community. Those who failed to adhere to these warnings were secretly killed and all their properties destroyed. To further emphasize their action (punishment), the group warned the suspect's kinsmen not to inter the suspected criminal within the community[15], no mourning and participation in his/her funeral

arrangement by any community member. Those who defied this warning were either killed or fined heavily.

In Bonchari where Sungusungu first started, the group was credited for stamping out high crime rate. This created the impetus of introducing similar groups to other areas in Gusii. However, unlike in the first case where the provincial administration was involved, these latter groups were formed by a group of individuals with the sole aim of fighting crime while demanding payment. To ensure their acceptability in the community, these new groups adopted the structure and rule of earlier Sungusungu groups and engaged in provision of security to community members voluntarily at first, but later introduced compulsory security fees. In areas where they were unwelcome, the groups would engage in criminal activities prompting community members to seek their assistance.

The transformation of Sungusungu from voluntary crime fighting to income earning group necessitated it to diversify its activities. Exploiting the inherent weakness in the formal justice system like delays and perceived corruption in dispensing justice and the paucity of the police in rural areas, the group ventured into solving land and family disputes and debt collection at a fee. Due to their prompt judgment and quick fixing of disputes they became very popular. Other sources of income include outright extortion from vehicle owners or business people in the pretext of providing security and working as political activists for hire. As an income earning organization, many unemployed young men were attracted to it.

The Sungusungu *mondus operandi* relied on violence or intimidation. This made the group to be accused of human right abuse and abetting of criminal activities. For example, immediately after December 2007 post election violence, the group was accused by Commission of Inquiry into Post Election Violence of being responsible for political intimidation and violence experienced in many parts of Gusii (CIPEV, 2008). Consequently, the government through its security agencies started organizing crackdown of Sungusungu members as a way of curtailing their activities. This prompted members of the group to adopt various survival strategies namely;

First, after December 2007 post election violence the government came up with various programmes of encouraging young people to engage in income generating activities. This was assumed that by doing so young people who were mostly members of vigilante groups would abandon their criminal activities. In line with government policy, Sungusungu members turned their groups into income generating groups by engaging Public Transport service by the use of motorbikes or bicycles, *bodaboda*.

Second, overwhelmed by high crime rate in rural areas, the government security agencies came up with a strategy of incorporating community members in crime prevention and control. With no clear criteria on recruitment of community members into community policing, many Sungusungu members joined these programmes[16]. By doing so, they stopped referring

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[17] Abagusii have very strong belief that any person must be buried in the family land to symbolize reunion with his ancestors.

[18] In Kisii central district headquarters I observed that the office of "community policing members" is next to police unit of fighting crime "flying squad"

themselves as Sungusungu and instead as *community policing members*. This has afforded them protection from arrest by security agencies since they were perceived as part and parcel of government security system.

Third, to gain acceptance and tolerance among community members, Sungusungu members have engaged in eliminating witchcraft practices by lynching suspected witches. Traditionally lynching of witches was done by kin members of the witch as a way of demonstrating to the community that they do not condone the practice among their lineage (Masese, 2006). However, with the introduction of constitutionalism, lynching is condemned as it is treated as a form of murder for those who take part and is punishable in the penal code. Since Sungusungu mode of operation sometimes involves taking oath of secrecy before killing their suspects discreetly, it affords them an opportunity of not being arrested. Lynching of witches is the common preferred method of dealing with witches because: one, the Kenya penal code has no provision in terms of penalties against witchcraft.

In conclusion, it is clear that understanding the emergence and evolution of Sungusungu vigilante group among the Gusii cannot be done in a vacuum. Instead the ineffectiveness of state agencies to control crime can be argued to be the genesis of Sungusungu, however, the social, economic and political changes the community had undergone since colonial times has continued to lay fertile ground for its blossoming.

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