

SMS Africa – Kenya – February 2016_2

I will begin to include messages from the Community Policing Whatsapp group, however, since the majority of users have not agreed to having a ‘lurker’ take note of their conversations, I will use the first initial of the their name to differentiate between senders .

Security and Corruption

The Community Policing KMKNJ Whatsapp group that is coordinated by the leaders of the Popcorn movement, shared a video in which a traffic policeman wrote up a charge sheet for an individual who felt that he had done no wrong, and was being blackmailed so that he would offer a bribe to make the charges go away. The initial message read:

N: A member has been arrested and taken to a police station for “changing lanes”. This cop tried to forcefully enter the car and later shows impunity and arrogance. Member still at police station. He recorded another clip previously when stopped showing that he was in lane and asked to turn by a cop.

The message was followed by a series of video clips, which also made it onto Crime Watch Nairobi’s Twitter feed the following day

(https://twitter.com/suemc_phee/status/699950025015738368). Along with the video clips were pictures of legal documents that had been filed by the aggrieved motorist, the very next day:

This is today...motorist hits back through lawyers (suemc_phee, 2016)

Nate continued to provide updates on the matter and also attached a response from the NPS.

N: He is out on a 5k bail and 3 charges

N: [screenshot of message from NPS] The office of the Inspector General, NPS has taken up the traffic incident within Waiyaki Way and investigated by Central Police Station as shared widely in the social media. The office is in touch with the complainant and expeditious independent investigation ordered. We appreciate the information.

The video clip does not make it obvious that the police wanted a bribe, however, this is the general interpretation of such events.

W: 90% of the time you are bursted (sic) for something minor, by the time you at the cop station it is other charges

The intertwining of security and corruption and its outcomes, is often discussed off and on social media. IG Boinnet has made ‘transformation’ a theme of his tenure at the police. The discussion around this often addresses how to root out corruption and make the police service more ‘people friendly’. On February 16, the National Police Service Transformation

Directorate invited the media to an event where they were to unveil their transformation strategy: (https://twitter.com/NPSOfficial_KE/status/699266879953747969).

Other security agencies also displayed an awareness of the event and the trajectory of the discourse around policing in Kenya. More recently and post-Westgate there seems to be more coordination among the various security organs. On the day of the workshop, the intelligence service posted to their Facebook page:

Kenya's National Police gears up for major reforms. The National Police Service is set to adopt radical reform measures anchored in key four pillars. Reforms mainly to focus on respect of human rights and effective delivery of service to the public. (NSIS, 2016)

At the event, presenters outlined the strategy in slides some of which are visible in photos taken and shared by @NPS_Official.

Our mission is to provide people centered policing hence the need for police reforms: Eng Ochieng (NPS_Official, 2016)

A comment on the NSIS Facebook page captures the scepticism with which much of the public views these efforts:

[...]Our forces logo is "utumishi kwa wote" [service for all] & tanzanians forces logo is "usalama wa raia" [safety for the public], do u see the difference here? Just imagine police hulling tear gas canisters at Langat primary skul [school] kids, who most of them fainted. Kenyans have become as blind as bats. So we are guided by the echoes of corruption. Every office & ministry is stinking of corruption. The waves of corruption are very strong & can be fought by few critics. Just imagine Kenya is ranked as 139 out of 179 as the corrupt country, we were included with nigeria, nepal, azerbaijan & afghanistan. From moi's regime (kanu), kibaki's regime (narc), kibaki's & railas regime (pnu & ODM) to jubilee. Our resource r sucked by some parasites & we r the host (tax payers). If u want to [be] shocked enough go & read for uaself in wikipedia just type in google "corruption scandals in Kenya"[...] (Mohammed, 2016)

Given the sense that corruption is systemic in Kenya, the question of who is going to root it out becomes important. How are such mandates allocated? Which institutions are considered robust and immune, such that they are able to tackle the problem?

Boniface Mwangi wondered:

Kenya National Intelligence Service know who is looting, buying expensive property why cant that intel be used to nail the corrupt?@UKenyatta (BonifaceMwangi, 2016).

A sentiment that was echoed by Patrick Safari a few days later:

So what's the work of our National Intelligence Service if so far they can't help Govt recover the stolen NYS money? #ProbeNYSFraudAfresh (PatrickSafariR, 2016)

I thought our NIS spys on every event in this country. Where were they when the NYS money was being stolen? #ProbeNYSFraudAfresh (PatrickSafariR, 2016)

---They are focused on bloggers and tweeps (Kenyanpundit, 2016).

In this country, NIS can identify who forwarded an offensive image on whatsapp in 30 minutes but can not locate looters of billions (GicheruGicheru, 2016)

That last tweet by @GicheruGicheru was shared about 400 times which is quite a high number by Kenyan Twitter standards. It is not obvious where this notion that the NSIS can and does conduct such investigations comes from. Considering that it seems very much like a matter for the police. Furthermore, if they did to whom would they report to and how would the public know one way or the other if they did? It seems as though, the NSIS felt that they should respond. On Facebook an NSIS expert, David Goldman put up what seemed to be an assessment of the state of corruption in the country (NSIS, 2016):

Corruption Crisis in Kenya: In The Context of National Security

The concern in both the financial & political world in Kenya is that corruption has eroded Nairobi's socioeconomics. What about the pro & objective outlooks of those managing the core of these worlds; specifically the Policy & administration besides a resilient economy handlers? "The picture depicted by recent events is that of an "out of hand situation"; subjective views of many who aren't in-touch with the reality and of course rightfully opposing politically." What's the reality from policy makers, administrators, and the economy handlers? "Kenya's economy is very resilient. The GDP is getting better. There's massive economic growth than any other time in Kenya's history. The Kenyan economic future outlook is brilliant." A brilliant economic future is the precursor to better management of resources, particularly finances. The massive economic stimulus projects in Kenya provide opportunities for both consulting & supplies contracting, the hotbed of high-stake deals (often related to corruption). The exposes made by both government & opposition watchdogs signal a shift in "silence on corruption" to exposing & condemning. Nairobi is making gains against the vice. Those previously involved in dubious deals have developed cold feet. This is the onset of the decline of corruption. The exposure of corruption and the public awareness about many government efforts to stymie the vice from eroding the country is the truly profound.

Objective

Expose corruption

Expose the corrupt

Discourage corruption

Strengthen institutions

Make better legislation

David Goldman

National Security & Counter Terrorism Expert at the CTNIS

The only comment was from a Robert Ng'eti Omolo who still felt that the NSIS had been derelict in their duties:

But you guys have the means to expose and fight it yet you are complicit in sanitising and covering it on behalf if (sic) the high and mighty (Omolo, 2016).

David Goldman had more to say about corruption that day, in what seems like an edited version of the previous composition.

Corruption in Kenya: The Intelligence Outlook

According to the International Monetary Fund (IMF), corruption has been around for thousands of years and widespread (globally). *According to our analysts, corruption is highly concentrated in countries where there's rapid economic growth and very high tax regimes. These 2 factors (high taxation & rapid economic growth) aren't well regulated besides challenges in authorization and bureaucratic traditions in such countries (Kenya as an example). However, in recent years, the vice (corruption) has attracted increasing attention (politically & media) in Kenya. This begs the question " does the attention reflect an increasing awareness on corruption (as a vice) or an increasing scope of the problem?" It is not possible to measure levels of corruption but it's possible to measure public & fiscal perceptions about the problem. There are no reliable indices that provides definitive answers to why corruption is receiving more attention in Kenya. It could be that the levels of awareness and efforts to root the vice out have increased.

David Goldman

Lead Analysts at CTNIS

If the argument presented aims to absolve the current administration of responsibility for entrenched norms related to corruption, then it is not effective. If the government is aware of the conditions that create corruption and that part of the problem is managing perception, then they have failed at dealing with either. The response to allegations against a member of the judiciary who was accused of taking bribes, is a case in how not to manage perception. The case of Justice Tunoi is also an illustration of how social media is seen to be impacting decision-making at the highest levels. On February 22nd, Uhuru Kenyatta decided against setting up a tribunal to investigate Justice Tunoi for receiving bribes. A day later, the President had changed his mind. Whether or not social media played a direct role in this change of heart, is probably not as important as the fact that it is perceived to have done so (The Law Society of Kenya did suggest that there was a legal case for impeachment given that the President may have been in breach of the constitution).

BREAKING: Uhuru Moves to PROTECT Justice Tunoi over 200M BRIBERY, DECLINES to form Tribunal- Fear expoze <http://www.kenya-today.com/facing-justice/uhuru-protect-justice-tunoi-over-200m-bribery-declines-form-tribunal> (EdgarOlubayo, 2016)

Just coz of the resolve of the common mwanachi [citizen] to soldier on, keeps Kenya moving, otherws all institutions in Kenya are dead #Justice tunoi (kibushy1, 2016)

@mlemukol It begins to seem that Justice Tunoi might be a long term asset for @UKenyatta et al's power games; they make Kenya look petty (ndukomatigere, 2016)

@EAukot @KrystallBallKE @UKenyatta the president is constitutionally mandated to form a tribunal against justice tunoi, it spells doom (Eduale88Alex, 2016)

You have to set up tribunal for Justice Tunoi, lawyers tell President Uhuru Kenyatta
<http://goo.gl/w2AQkV> (KTNNews, 2016)

#BreakingNews: After further consultation, President @UKenyatta suspends Justice Philip K. #Tunoi as judge of the Supreme Court. (Asmali77, 2016)

President Kenyatta has finally yielded to pressure from wise legal counsel and suspended Justice Tunoi just hours... <http://fb.me/2wyFguoGm> (NLM_Magazine, 2016)

Uhuru bowed to the mighty KOT pressure to form a tribunal led by Sharad RAO to probe justice tunoi corruption case...thank yu KOT (kakamchizy, 2016)

After KOT constitutional coup. Uhuru Kenyatta bowed to pressure an appointed Sharod Rao to head Justice Tunoi tribunal (cornekip, 2016)

KOT Strikes Again

A white helicopter pilot who was ferrying Deputy President Ruto to and from Nyandarua, found himself facing the sharp end of social media. A video where he is seen to slap a policewoman led to an occasion where the public was baying for the blood of someone other than the officer. The end result of hashtags #DeportRutosPilot and #ArrestRutosPilot was that he was arrested and fired from his job.

This is Impunity at Its best! #DeportRutosPilot ,but before that, #ArrestRutosPilot (PhillipeK, 2016)

Pilot fired and tribunal decision reversed¹...not a bad day's work for #KOT. (Kenyanpundit, 2016).

The Community Policing group, who generally display strong ill will towards the police had this to say:

W: Is this the idiot who slaps Kenyan policewomen? [picture of pilot at police station]

N: Hopefully criminal charges will be brought up.

R: C, Where is this?

C: Kilimani Police Station

M: So a cop is the one circulating pics

N: Guys have caught [are upset]. Even in the CBD, guys were watching the video
And they were angry

Cylia: That's good for the cops

Who on the contrary always find themselves on the wrong side of the public

...

¹ Reference to Justic Tunoi's tribunal

N: Yup this is one of those rare occasions where the cops have public good will

The fact that the public came to the defence of an idling policeperson suggests that Kenyans still view police as holding authority. The policewoman, it is felt, should not have had to answer to DP Ruto's pilot. Then again, maybe the main issues at play were race and gender.

Ruto Pilot Alistair Llewelyn is a Kenyan from Timau! <http://ow.ly/YERHN> (MainaKageni, 2016)

@ItsMainaKageni so he #RutosPilot is free to assault uniformed officers? Nationality isn't the issue here. (Ji_Okello, 2016)

@ADELLEO hi rutospilot cannot live and die in Africa. Hatutakubali [we shall not allow] mistreating a woman atakama ni police [even if she is police].

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