

# EFFECTS OF POLICING APPROACHES ON HAWKERS IN NYALI SUB COUNTY, MOMBASA COUNTY, KENYA

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**Abstract:** Hawking sector is faced with various security implications such as conflicts and confrontations with the authorities. Therefore, the study aimed at establishing security implications on hawkers in Kisauni division in Nyali Sub County, Mombasa County, Kenya. Specific objectives of the study were to find out security implications of hawking preventions strategies on hawkers, to assess security implications on various types of hawkers and to establish security implications of policing approaches utilized by the law enforcers to address hawking in Kisauni division. The study was guided by Conflict theory and Control Theory. Mixed Methods research design was used. Random sampling technique was used to draw a sample of 398 hawkers whereas purposive sampling was used to come up with key informants. The data collection methods employed were questionnaire and key informant interviews. Descriptive statistics and thematic analysis were used to analyze quantitative and qualitative data respectively. Statistical Package for Social Sciences was used to generate data analysis tools. The study established that use of sanctions, arrests and prosecutions as hawkers' preventive strategies result into increase of insecurity and bring order in the study area. The study also revealed that major security threat on the hawkers was the law enforcement officers' brutality. Lastly, the study established that County government authority do not use both Public Barraza and community policing as poling approaches in the study area. The study concludes that hawkers' prevention strategies increase insecurity though result into order in the study area. The study also concludes that law enforcement brutality on hawkers has led to physical injuries, and at times to death in the study area. The study recommends that the County government authority provides proper training to the County inspectorate officers so as to respond to fast changing security situations in a more professional manner. Finally, both the National government and the County government should ensure that hawking zones are constructed to help in proper security management of hawkers within the study area.

**Keywords:** Hawker, Security, Implications, Law enforcement officers, Inspectorate officers, County government, County authority.

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## I. INTRODUCTION

Street hawking in developing countries has attracted a rising interest amongst researchers due to the various health, social, and economic implications on those who engage in the trade (Rotich, I. 2013). Developing countries are faced with exponential growth giving rise to rural-urban drift in search for a better means of livelihood. This encroaches on the limited resources available in these countries (Muendo, C. 2022). Families who cannot afford the high cost of house rent are forced to live in urban slums which further expose them to numerous health and environmental hazards, unemployment and poor education. The need to continually provide for the family in the midst of unfriendly conditions has led women, men, youth and children to engage in street hawking activities (Ekpenyong and Sibiri, 2011).

Street hawking irrespective of age and sex engages, is associated with major hazards. This includes sexual assault which increases the vulnerability of the hawkers to diseases such as HIV/AIDS and other sexually transmitted infections, increased risk of unwanted pregnancies and unsafe abortion. Other hazards include physical assaults, mobbing, involvement in road traffic accidents, kidnapping and ritual killings, especially now that the security of people in the country is not assured (Lu J. 2011). Street hawking leads to increased exposure to antisocial activities like smoking, drug and alcohol abuse, cultism and crime which negatively impinge on the security and development of the society. Hawkers are exposed to harsh weather conditions, insects, reptile bites and hunger (Ugochukwu et al., 2012).

Jeemol, Unni (2013) studied Self Pattern of Rural Labour in India and he argues that India has realised rapidly growing employment in the informal sector to a tune of 90 percent of the workers by the year 2013, because it is usually difficult for the unskilled rural migrants to readily find a well-paying job in the city, hence urban informal sector remains as the major source of employment for the migrants. This population influx along the Indian streets by members of informal economy though the Indian government has tried to positively respond to it by designating specific location for the vendors, it has always led to human traffic snarl up along the streets, pollution of environment among other things resulting into conflict with the law enforcement mandated to administer the cities.

Johannesburg has been a site of informal trade for decades, but both municipal policies and public attitudes have varied widely in their responses to them. As early as the beginning of the 20<sup>th</sup> Century, there was recorded police hostility towards street vendors who were primarily African migrants. Court action, prosecution, and harassment of the coffee-chart vendors was common place until the 1950's when the city began to relax its policies against street traders (Zack, 2015).

ILO (2012) estimate shows that 93 percent of all employment in Nigeria is informal, with 95 percent of women working in the informal sector as compared to 90% of men. Roughly 50% of informal workers are independent workers. The overwhelming number of workers or rather traders poses serious challenges such as pedestrian traffic, and environment pollution. Moreover, many of the informal sector do not comply with the city by-laws hence are often in conflict with the law enforcement.

Security factors such as poor urban planning, corruption, ill-trained and improper policing approaches among the county inspectorate officers tasked with the management of traders within the market places are clear conflict recipe in any urban center. Informal traders are the non-registered, non-accounting and non-tax paying grassroots-based individuals or group of household members whose business practices are based on street hawking but not limited to selling of different kinds of goods such as secondhand clothes, vegetables, fruits, plastic goods, and various household necessities, which are manufactured in small-scale or home based industries or providing small quantities of goods and services to an undefined market to earn a living (Moniruzzam, et. al., 2018).

According to NBS (2014) the total number of employees in the formal sector in Tanzania mainland was 1,858,969 in 2013; this is an increase of 308,951 employees from 1,550,018 recorded in 2012. It is therefore clear that the informal sector has a large share of workforce and contributes significantly to the economic growth of Tanzania. TRA, (2011) and ESRF (2010) point out that the informal sector could be an important contributor to the Gross Domestic product of Tanzania when taxed substantially.

An estimated 65% of jobs in Kenya are in the informal sector of the economy, and hawking among the most vibrant activities, but hawking has also become a recipe for the frequent confrontations between the traders, county inspectorates and police (ILO 2012). Nairobi city county inspectorates has been fighting a losing battle with hordes of hawkers blocking the city streets, impeding vehicles and pedestrians. According to a study carried out by Racaud et al (2018) on the contradiction between the socio-economic contributions of street trading in the urban setting and a very hostile legal framework in Thika town and Dar as salaam, reveals that during election period, governance in Thika town, changes because it is a time when the regulation and eviction tools are deployed by the local government tend to disappear. This results into street hawkers being accepted up to the time politicians are elected and sworn into the office before strict regulations resumes.

Studies on hawkers have been undertaken in Kenya. Opari M. (2014) looked at street hawking and its impacts on Nairobi central Business District. Rotich, I. (2013) studied an assessment of street hawkers' response to new market sites in Eldoret. On his part, Muendo, C. (2022) assessed food safety practice of cooked food hawkers in Tharaka Nithi County, Kenya. This study explores these security implications on hawkers in Kisauni division in Nyali Sub County, Mombasa County, Kenya with

a specific focus on the security implications of hawking preventions strategies on hawkers, security implications on various types of hawkers and security implications of policing approaches utilized by the law enforcers to address hawking in Kisauni division.

## II. METHODOLOGY

This study adopted mixed method research design. Mugenda, O.M. And Mugenda, A.G. (2003), state that mixed methods' is a research approach whereby researchers collect and analyse both quantitative and qualitative data within the same study. This design offered a better understanding of a problem as it offered room for a broad and in-depth investigation. The choice of the design was informed by the need to get an in-depth account of the security implications on hawkers in the study area.

This study was carried out in Kisauni Division in Nyali Sub County within Mombasa County, Kenya, with a population of 194,065. This study sites was chosen because of the rising cases of insecurity in the area (Kenya Police Service Report FY 2021-2022). In addition, the largest coastal market namely Kongowea is located within Kisauni Division.

The study population entailed the 398 hawkers from two wards of Kisauni Division, distributed as follows in each ward:Kongowea 219, and Ziwa la Ngombe 179. The study deemed hawkers as the most knowledgeable part of the entire population on matters security implications on hawkers in the study area.

This study used both probability and non-probability sampling techniques. Purposive sampling and random sampling were used to identify hawkers who were targeted to fill in questionnaires each. Further, purposive sampling was used in selecting the key informants (Officer Commanding Station, Assistant County Commissioner, Sub County National Intelligence Coordinator, Sub County Police Commander and the Sub County Criminal Investigation officer) who were also targeted to further inform the study through participation in the interviews. Descriptive statistics and thematic analysis were used to analyse quantitative and qualitative data respectively.

On ethical consideration, the study sought consent from the respondents before its execution. Respondents were assured of their anonymity and confidentiality and that the information they will give will be solely used for the research purposes

## III. RESULTS AND DISCUSSIONS

### A. Demographic information of respondents

On the demographic information of the respondents, the majority of the respondents in the study were female (61%) indicating that gender plays a bigger role in security issues in the Division as far as street hawking is concerned. On the marital status of respondents, 30% of respondents were married, 23% of respondents were single, 25% were divorced, 13 % widowed and 9 % of respondents separated. This shows that the minority of respondents (30%) were married signaling how less important marriage institutions in African communities have become. However, the respondents had diverse marital status indicating that participation in street hawking does not only depend on marriage but other factors hence inclusion of single, separated and divorced in the hawking sector in Kisauni Division.

The respondents were of varied ages. 6% of respondents were aged below 18 years, 22% were aged between 18 and 20, 35% were aged between 21 and 30 years, 18% were between 31-40 years, 11% were aged between 41-50, 5% were aged between 51and 60,while 3% were aged above 60 years. The data indicated that the majority of respondents (35%) were in the age bracket of 21 and 30 years. The data implies that members of street hawkers in the Division constitute youthful citizens because of either lack of school fees further their education or due to lack of formal employments from the government or private sector hence opt to hawking so as to at least earn a living. However, due to their tender age with little-lived experience on matters of security in communities, it is evident that security issues are improperly handled hence serious security implications on them as a results of constant conflicts between them and the authorities.

Respondents in this study had different level of education; 1% of respondents in this study had no formal education, 7% had primary education, 42% had secondary education, 26% had college education and 18% had bachelor's degree and 6% had above bachelor's degree as their highest education level. The data shows that the majority of respondents (42%) had secondary education as their highest education level. The data implies that most hawkers in the study area have secondary education (42%), tertiary college education (26%), and bachelor's degree (18%). These categories of respondents have low employability in the formal sector by the government or private sector based on the low relevant technical experiences and education and this makes them have opt for informal economy (Hawking) as a way of earning a living though illegal and faced with various security implications.

Research findings showed the percentage distribution of hawkers' occupation a part from hawking activities. The figure indicates that most of the street hawkers were not economically stable due to lack of formal job or college fees to further their education hence opt to street hawking as a source of income to cater for their daily needs. Majority of these hawkers (8%) who were unemployed stressed on economic hardship. 22% of hawkers in the said study sample of 346 were self-employed which further justified inadequacy of formal jobs offered by the government or lack of relevant skills, 6% of the hawkers represented public servants, and finally 4% were NGOs/civil societies employees who emphasised on their involvement in hawking as a side hustle to supplement on meagre salaries that they too earn.

Lastly on the respondents' family size, 4% of the hawkers had no children, 33% of the respondents have 1-2 children, 45% have 3-4 children, 13% have 4-6 children, 4% have 7-8 children while 1% of the respondents have above 8 children. The data shows that the majority of respondents (45%) have 3-4 children to take care of. The data implies that most hawkers in the study area have socio-economic responsibilities for the well-being of the families and lack of formal employment directly pushes youths to the street as hawkers.

### ***B. Security implications of hawking prevention strategies on hawkers***

This was the first objective of the study. The study began by asking respondents whether sanctions, arrests and prosecutions of hawkers by the County government law enforcement officers result into security and order in the study area or not.

**Table 1: Security prevention strategies on hawkers**

<b>Security prevention strategies on hawkers</b>	<b>Strongly Disagree</b>	<b>Disagree</b>	<b>Not Sure</b>	<b>Agree</b>	<b>Strongly Agree</b>	<b>Total</b>
Do sanctions of hawkers by the County law enforcement officers as a hawking prevention strategy increase insecurity within the study area?	4%	6%	1%	34%	56%	100%
Do sanctions of hawkers by the County law enforcement officers as a hawking prevention strategy bring order in the study area?	20%	18%	3%	25%	34%	100%
Do prosecutions of hawkers by the County law enforcement officers as a hawking prevention strategy increase insecurity?	3%	7%	0%	34%	56%	100%
Do prosecutions of hawkers by the County law enforcement officers as a hawking prevention strategy bring order to the city?	18%	10%	2%	29%	41%	100%
Do arrests of hawkers by the County law enforcement officers as a hawking prevention strategy increase insecurity?	5%	9%	1%	33%	52%	100%
Do arrests of hawkers by the County law enforcement officers as a hawking prevention strategy bring order in the study area?	7%	6%	0%	28%	59%	100%

The findings of the study in the above table 1, established that the majority of respondents (80%) and (51%) argued that sanctions would bring insecurity and order in the study area respectively. The same also found out that majority of respondents (72%) and (64%) expressed that prosecution of hawkers would bring both insecurity and order at the same time respectively. Lastly, the study established that majority of the respondents (76%) agreed that the arrests of the hawkers would result to both insecurity and order within Kisauni Division.

The findings of the study in table 2 below, also revealed that the County government law enforcement brutality (33%) is the common type of insecurity experienced by the hawkers in the study area. The findings were confirmed during key informant interviews where brutality featured among the top security threats in the area. The study established that brutality is a result of nepotism, favoritism and lack of meritocracy during enlistment of the County government law enforcement in the study area.

**Table 2: Insecurities faced by the hawkers**

Insecurities	Frequency	Percentage
Stealing	86	25
Prostitution	34	10
Drug and substance abuse	18	5
Rape	16	5
Abortion	12	3
County government law enforcement officers' brutality	113	33
Deaths	8	2
Burglary	26	8
Shop breaking	22	6
Road traffic accidents	11	3
<b>TOTAL</b>	<b>346</b>	<b>100</b>

Finally, the findings of the study in the above table 2 revealed that brutality is as a result of lack or in adequate training of the law enforcement personnel. However, stealing (25% response), (prostitution 10% response), Drug and substance abuse (5%), Rape (5% response), Abortion (3% response), Death (2% response), Burglary (8% response), Shop breaking (6% response) and Road traffic accidents emerged as other types of security threats in the study area.

### *C. Security implications of approaches utilized by the law enforcement officers to address hawking on hawkers*

This was the last objective of the study. The study established that county government officers' brutality on hawkers during crackdowns as one of the policing approaches impinging security management measures leading to serious negative security implications on hawkers in Kisauni Division. The findings was confirmed during the key informant interviews where it emerged that the enforcement officers use brutality as a policing approach to control hawkers that has contributed to physical injuries, human degradation and some resulted into deaths.

**Table 3: Policing approaches used by the County government authorities in the security management of hawkers**

Policing approaches used by the County government authorities in the security management of hawkers	Frequency	Percentages
County government authorities use community policing	10	3
County government authorities often conduct public Barraza	3	1
County government inspectorate officers do take bribes from hawkers	90	26
County government law enforcement officers apply brutality on hawkers	163	47
County government inspectorate officers do take responsibility when members of the public are injured or killed during crackdowns	0	0
County government authorities usually destroy or confiscate goods owned by the hawkers.	80	23
<b>Total</b>	<b>346</b>	<b>100</b>

The study also revealed through a narration from a fifty- four year old key informant that county law enforcement officers are to be for continuous hawking and its security implications in the study area. The law enforcers encourage the vice in exchange for money commonly known as "non-interference fee." The key informant also alluded that law enforcement officers collect money from the hawkers daily or weekly depending on the agreement and unto those who refuse to comply are brutally handled, this confirmed by 26% or respondents in the table above who said that law enforcement officers do receive bribes from hawkers.



From the findings of study in the above table 3, confiscation and destruction of goods and business structures had 25% response as another condemned policing approach used by the law enforcement officers (police and inspectorate officers). The study established that destruction of stalls or shops and confiscation of the goods owned by the hawkers has always led to massive loss of the goods and capital which to some extent may drive the affected into other criminal activities so as to meet his or her socio- economic obligations.

Lastly, the study in the same table 3 above, found out that there was no good public perception as far as law enforcement officers are concerned as all respondents in the authority do not take responsibility of when members of the public are physically injured or killed during crackdown. This thought was reinforced by the study's findings that showed that 97% and 99% of the respondents argued that county government authority do not use community policing and public Barraza as policing approaches respectively in the study area.

#### IV. CONCLUSIONS AND RECOMMENDATIONS

Security implications of hawking prevention strategies on hawkers in Kisauni division in Nyali Sub-County, Mombasa County, Kenya. The study concludes hawking prevention strategies such as sanctions, arrests and prosecutions are associated with increase in insecurities. Hawking prevention strategies are behind the stealing, prostitutions, road traffic accidents, physical injuries, shop breaking, and pickpocket incidences in the study area. The study also concludes that hawking in the study area is associated with law enforcement officers' brutality. Law enforcement officers' brutality lead to physical injuries and at times death among the hawkers. The common security implications on different types of hawkers in Kisauni Division according to this study have led to loss of trade items, and human sufferings. That people are involved in hawking due lack of on alternative source of income. Brutality of the law enforcement officers' on hawkers may be attributed to the improper training among the County government inspectorate officers' training and the opaque nature of enlisting them into the service.

The study recommends formal registration of all hawkers and their associations, construction of hawking zones, establishment of economic empowerment programs to eradicate poverty among the hawkers, proper training of the County law enforcers, and finally punishment on law enforcement officers involved in corruption by the County government.

#### ABBREVIATIONS AND ACRONYMS

<b>ESRF</b>	Economic and Social Research Foundation
<b>ILO</b>	International Labour Organization
<b>NBS</b>	National Bureau of Statistics
<b>TRA</b>	Tanzania Revenue Authority

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#### CONFLICT OF INTEREST

The authors declared that there was no conflict on interest in this paper.

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