



# Usikojoe Hapa and Other Short Stories

By Mdogo

RELIEVE HIMSELF.



UNFORTUNATELY FOR HIM, THERE AREN'T ANY PUBLIC TOILETS IN KILIMANI

LUCK STRUCK... HE SPOTTED A BUSH

OR MAYBE IT WASN'T LUCK. COUNTY ASKARIS WERE AROUND



I'LL JUST HAVE TO DO IT OVER THERE...



WE'VE CAUGHT MR. URINATOR

ACCORDING TO NAIROBI CITY COUNCIL'S RULES & REGULATIONS, ANYONE FOUND:

- CARELESSLY DEPOSITING WASTE
- SPITTING
- BLOWING THE NOSE WITHOUT A HANDKERCHIEF
- DEFECATING & URINATING IN PUBLIC...

HAS ENGAGED IN BEHAVIORAL ACTIONS WHICH LOWER NORMAL DECENCY, WHICH IS PROHIBITED, AND HAVE HENCE COMMITTED A CRIME

HE'S ARRESTED...

AND HAULED INTO A CROWDED, DILAPIDATED COUNCIL CAR WHICH THEN DRIVES AWAY...

AS OF OCTOBER 2019, THERE AREN'T ANY

???

KIJANA, HURRY UP WE

BUT WHAT? YOU'LL EXPLAIN

ELEPHANT

# USIKOJOE HAPA; a TAXI DRIVER'S STORY, PART 1

A TAXI DRIVER GOT PRESSED WHILE HELD-UP IN TRAFFIC JAM FERRYING A FARE. AFTER DROPPING HIS FARE AT WOOD AVENUE IN KILIMANI, HE HAD TO LOOK FOR A PLACE TO RELIEVE HIMSELF.



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AS OF OCTOBER 2019, THERE AREN'T ANY PUBLIC TOILETS TO BE FOUND IN KILIMANI [HURLINGHAM], YAYA CENTER VICINITY & ADAMS ARCADE, NEITHER ARE THERE GARBAGE BINS IN ANY OF THE MENTIONED PLACES.

By Mdogo. Nov 2019

WHAT HAPPENS NEXT? FIND OUT IN PART 2

Published by the good folks at *The Elephant*.

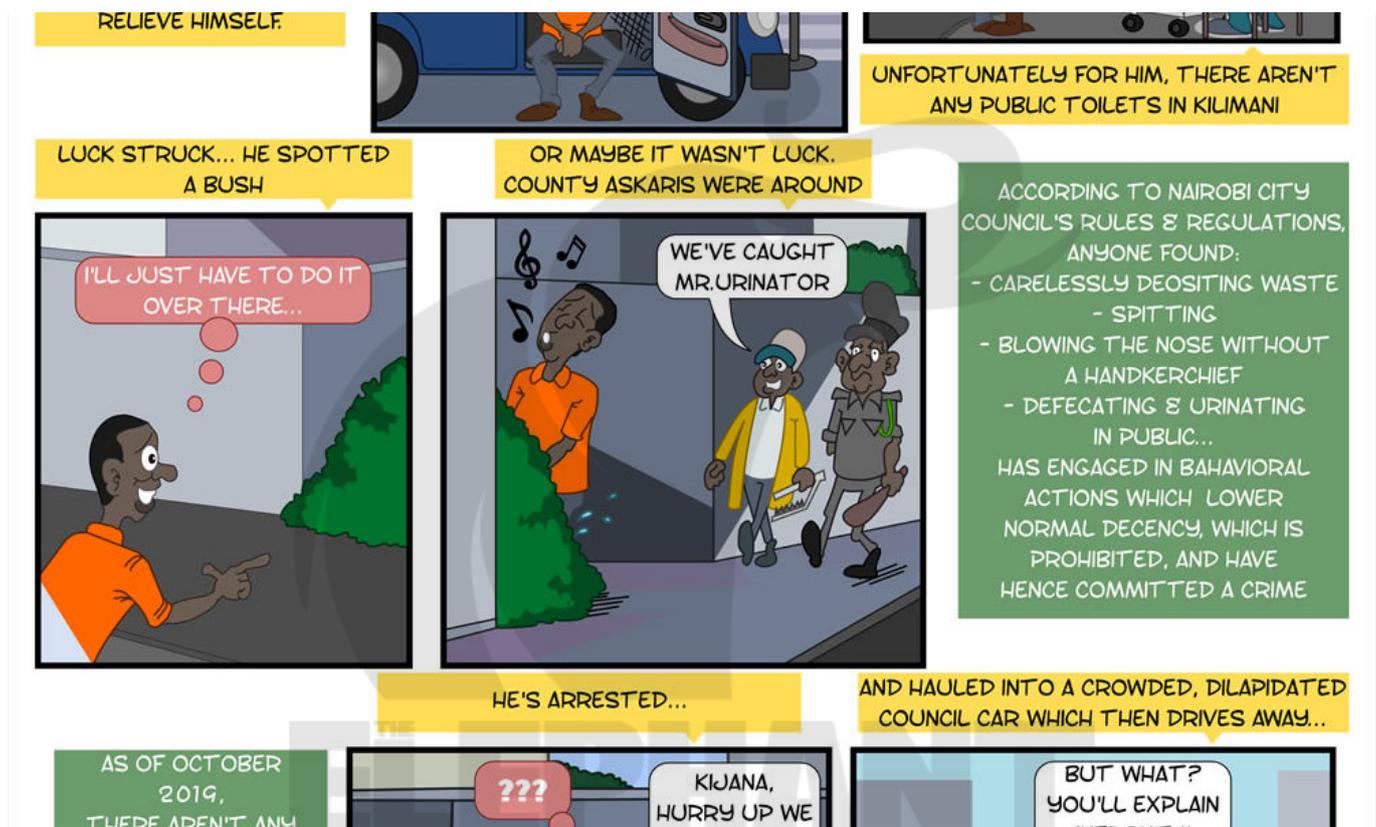
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In 2013, a university don was “arrested on suspicion of *obstructing* and *assaulting* (both emphasis mine) the police” by the Metropolitan Police in north-east London. Her real crime was “offering a 15-year-old boy a legal advice card”. Konstancja Duff, the “culprit”, then lectured at the University of Nottingham. The boy she had helped [had been caught](#) “in a stop and search sweep on the Wilton estate in Hackney”. When confronted by the Met police, Duff declined to reveal her identity, which caused the officers to order her into a police van and whisk her to the police station.

Miffed by her refusal to cooperate by refusing to speak to the police, the duty officer at the police station, Sergeant Kurtis Howard, commanded three female custody officers to strip search Duff, whose clothes were cut off with scissors. Reflecting on why she had been arrested, Duff would later record that “I felt like what I had been arrested for was for sticking up for somebody’s legal rights...I had been arrested for offering a-know-your-right card.”

If, for a moment, we were to remove the names of the towns, locations and police stations, the incident described above could as well have taken place in one of the sprawling suburbs of Kenya’s

capital city Nairobi. And there would be no argument whatsoever that the behaviour of the Met officers captured here exactly mirror those of the predatory and primordial city askaris.

The similarities in the behaviour and modus operandi of the Met Police of greater London and the Nairobi City Inspectorate city askaris are not coincidental. The Met Police was formed in 1829 by Conservative Party politician Robert Peel primarily, [according](#) to the International Centre for the History of Crime, Policing and Justice, to “maintain order, without having to call the aid of the army. A police institution that would be trained to restore order without guns and sabres.”

Peel, who had served as a Home Secretary, may have felt there was a “desire for order and tidiness on the streets of the late 18th and early 19th century cities”. His vision was to have a police force that did not have jurisdiction over the square mile of the wealthy and powerful of the city London, but one that ensured safety and cleanliness around the greater metropolis. This arrangement has existed to date: “Even at the beginning of the 21st century, the city of London still has its own, independent police.”

The Nairobi City Inspectorate, whose askaris are charged with maintaining law and order in the greater metropolis, was modelled on the Met Police, a retired senior city askari reminisced to me recently. “Known by their other name, ‘enforcement officers’, the city askaris are supposed to enforce city by-laws,” he said. “The ‘manual’ on how the city askaris were to go about their duties was imported from London. But while London did away with many obnoxious by-laws, post-independence Nairobi retained many, if not all, colonial by-laws.”

The Met police, which in those early days recruited unruly young men to serve as officers – men who oftentimes reported to work [drunk](#) – would beat up Londoners for the flimsiest reasons, though it was professionalised and reformed later. But old habits die hard, as the incident above demonstrates.

The City Inspectorate is a creature of colonial Nairobi, which was made a city in 1904, more than 100 years ago. After World War II, the city askaris were deployed by the British colonial government largely to control the movement of the African male who was employed in the city as migrant labour. The “native” was considered too unsophisticated for the emerging township.

“It is therefore not out of context for the city askari during the colonial times and indeed even in the post-colony to have arrested a native for loitering or walking in a manner and intent to suggest that he was likely to commit a crime or commotion or even cause and create disaffection and disharmony,” the former askari told me. “A white man could stroll in the streets of Nairobi to window shop or walk his pet around, but a native with his dog wandering around the streets was considered a ‘nuisance’.”

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He went on : “The natives who walked around with their ‘mangy’ dogs risked being arrested and their animals confiscated. Many times such dogs would be killed and then dumped in the landfill in Dandora.”

Up to late 1980s, city askaris would be deployed from time to time into the estates in the eastern

part of Nairobi armed with collared straps to ensnare and round up “stray” dogs that would be quarantined in the dogs’ section of the Nairobi City Council pound at City Park in the Parklands area. Many of them were put down.

Mercy Muendo, who lectures at the Mount Kenya University, [points out](#) that “variations of these rules remain on the books to date. The [Nairobi] County rules demand that dog owners must be licensed...This rule can be read as discriminatory because the vast majority of lower- income earners now find themselves unable to keep a dog in the city.”

After independence in 1963, the work of the Nairobi City Council askari (popularly known as “*kanjo*”, which is derived from the word Council) was clearly spelt out: stem the movements of the African man on the streets of major towns. Muendo notes that some of the archaic laws that these askaris enforce can be traced back to legal ordinances that were passed by the colonial government between 1923 and 1934. She says that these laws were used to curtail the freedom of movement of and the enjoyment of public spaces by the “native” Africans and to even hinder the growth of the economy.

“To curtail freedom of movement and enjoyment of public spaces by non-whites, the settlers created categories of persons known as ‘vagrants’, ‘vagabonds’, ‘barbarians’, ‘savages’ and ‘Asians’” she writes. An example she offers is the 1925 Vagrancy Ordinance, which after independence became the Vagrancy Act that wasn’t repealed until 1997. The Ordinance “restricted movement of the African after 6pm, especially if they did not have a registered address”.

The law lecturer [observes](#) that “anyone found loitering, anyone who was homeless or who was found in the wrong abode, making noise on the wrong streets, sleeping in public or hawking” risked arrest without warrant and imprisonment. The colonial city askari’s main mission, therefore, was to implement the British colonial government’s racial and segregationist policies in urban centres and towns.

However, his post-independence counterpart is a different creature altogether - he is crude and anachronistic and his role is poorly defined. He can be beastly and brutish. Like the Metropolitan Police of early 19th century London, he is unkempt and unruly, uneducated and uncouth, sadistic and savage.

With the vagrancy law gone, the city askari can no longer accost you for loitering on the streets of Nairobi, but he can prefer *obstruction* and *assault* charges against you - of course, with the connivance of the duty officer manning the occurrence book (OB) at any of the city’s frightening police stations. It is a story I know too well.

\*\*\*\*\*

The year was 2016 and it was around 5.00pm. I had an appointment with Steve Owiti, a street vendor who has supplied me with books and magazine for close to two decades. His bookstand is located next to the Ambassadeur Hotel facing Tom Mboya Street. When I arrived at the bookstand, I found a commotion: street vendors and hawkers were running helter-skelter after they had been ambushed by the vicious city askaris.

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As fate would have it, one of the fruit vendors, a girl barely out of her teens who was carrying a baby strapped on her back, was cornered. She was violently shoved by one of the askaris. She fell backwards, pressing the baby on the ground. I could not believe what I was witnessing. So I lost my cool and turned on the askari. For heaven's sake, I asked him, what on earth did he think he was doing? The young lady had a baby - why did he have to use so much violence arresting her?

Not used to being confronted or even questioned, the askari turned on me, angrily accusing me of meddling in his work. A crowd quickly built up where I was standing and the askari, losing confidence, took off promising to be back. Seconds later, four mean-faced city askaris surrounded me. The crowd had not yet dissipated but now the askaris had a quorum and would not be easily cowed. In the foulest language they could muster, and all four speaking at once, they harangued me: "*Hata Uhuru Kenyatta mwenyewe hawezi kuingilia kazi yetu...wewe ndio nani?*" (Even [President] Uhuru Kenyatta cannot interfere with our work...so, who do you think you are?) "*Leo ndio utajua sisi ni akina nani.*" (Today you'll know who we are), they promised me.

Howling at the indignant crowd to scatter, one of the askaris unleashed a pair of handcuffs and with a show of force, handcuffed my hands and frog-marched me - the other three askaris in tow and swearing - to the waiting City Inspectorate van some 20 metres away. I was bundled into the rear of the van. Apparently, I was the first culprit arrested that evening by this particular squad. They locked me inside and off they went to catch other *wajuaji* (know-it-alls).

The city askaris that accosted me were part of the infamous gang of four - Brown (Alfred Marenya), Ochi (Julius Ochieng), Sarara (Protus Marigo) and Wasi Wasi (Ambani Akasi). These fearsome four askaris, then as now, were known to carry daggers. In January 2016, the quartet was [charged in court](#) with the murder of a street vendor. Street vendors I interviewed told me harrowing stories about the four [beating up and knifing traders](#). Hawkers in Ngara, off Forest Lane, showed me dagger marks on their ribs, thighs and stomachs. They said Irungu Kamau, the hawker the gang of four were accused of murdering, was only one of several they had killed. One street vendor was stabbed right through his anus by one of the four, and for many months, he could not sit up or work. Feared and loathed, the gang of four have generated revulsion among street vendors and hawkers. This I found out when I spent the night at a Central Police Station cell.

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By 6.30pm, the askaris had rounded up a number of street vendors who could not part with the bribe of between Sh500 and Sh1,000 (either because they could not raise the money or the askaris refused their money - sometimes they do that to punish the stubborn). These vendors were bundled and squeezed alongside me in the van. "*Huyo jamaa ata kama yuko na pesa usichukue, lazima alale ndani,*" (Even if that man has money, don't take it, he must spend the night in the cells), said the city askaris. They were referring to me.

"*Ofisa, tumekuletea mjuaji... Anaingilia kazi yetu na kujifanya anajua human rights sana. Vile amezuia tukamate mhalifu, wacha yeye sasa alale ndani*" (Officer, we've brought you a know-it-all...He's one of those human rights types who won't let us go about our duties. So, now that he prevented us from arresting a criminal, let him spend the night instead). My name was entered in the OB and the duty officer asked me to remove all my valuables: money, mobile phone, wrist watch and leather belt.

At 7.15pm, we heard the clanking of the heavy padlock on our cell NO. 4. *"Tuonane kesho asubuhi"* (See you tomorrow morning), howled the policeman on the other side of the metal door as he sauntered away, his voice echoing in the corridor. My cell was packed with street vendors who talked the whole night. We became friends. They asked why I was in there with them. I told them what had happened. My story evoked much laughter - not directed at me but at the whole rigmarole of my arrest. *"Hao makanjo unajua ni makreki - si watu wa poa. Ukiwaona unawatia zii"* (City askaris are crazy, they are wicked people, avoid them when you see them), my new comrades counselled me.

It is from these street vendors that I learned of the callousness and viciousness of the archetypal city "kanjo" askari and the apparent impunity he exhibits as he forcefully demands bribes. Failure to pay up leads to a violent beating. One time, they narrated, Brown and Co. boasted to them that they could kill or maim without fear of the law. *"Tungepewa bunduki ndio mungetutambua"* (If only we were armed, we'd teach you [street vendors] a lesson), they had been warned.

I asked them why the askaris were such a reviled powerful force on the streets of Nairobi. *"Wewe unafikiri mabigi wa Inspectorate wanamanga aje? Hawa makanjo si ndio wanawapelekea mkwanja"* (How do you think the City Inspectorate bosses line their pockets? The askari is the conduit for the fat bribes). Apparently, the predatory networks run by askaris on the streets of Nairobi go all the way up to City Hall Annex, the main offices of the City Inspectorate.

The "kanjo" askaris have been accused of sexual assault and rape of female hawkers. To peddle their wares without harassment, some hawkers are even forced to have sex with the askaris; some of these women end up pregnant or infected with HIV. "The askaris don't care that some of their victims could be married," said the vendors, "and the women dare not report to anybody because the askaris are so dangerous".

The vendors also had their own "triumphant" stories to share and laugh about. Kang'ethe had been a malevolent and nasty "kanjo" who used to beat up street vendors on the slightest provocation, rob them of their stuff, and strut around like a sheriff around town. So the street vendors bid their time, waiting for an opportune moment to strike back. When he was spotted walking alone on Mfangano Lane, the back street behind Njogu-ini Bar and Restaurant, the hawkers and vendors quickly set upon him, beating him to a pulp and leaving him for dead. "It is truly shocking that Kange'the didn't die," said the vendors.

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Kang'ethe's story, told inside the police cell, confirmed to me the dangerous relationship that exists between the city askari and the street trader. "Since Kang'ethe's narrow escape from death, the askaris never walk alone and avoid the alleyways and backstreets where they can easily be waylaid," the vendors surmised. Later, I learned that Kange'the had been rescued by fellow askaris and had a long stay in hospital where he nursed life-long injuries. When he was back on his feet, his bosses at City Hall Annex transferred him to Mombasa Road, far from the "murderous" vendors. He was lucky to have survived, but his face bears the scars of his ordeal.

At 9.00am the next morning, a police truck parked directly at the entrance of the station and all the "criminals" were asked to file past the OB office to collect their items before they entered the truck. At the City Hall magistrate's court, we were sequestered in the basement, waiting to be read our

charges. It is there that a court clerk, dressed in a City Inspectorate askari uniform, came to me. "My friend, why are you here?" It was obvious I was an oddity: I could not have been a hawker.

"I was arrested by the askaris."

"What happened?"

"I was caught up in a street vendors' melee."

"Listen my brother, I've been an askari for more than 35 years and I'll be retiring soon. But I want to give you a piece of advice. Please take it for your own good. I know what happened. - you must have challenged the askaris when they were arresting the vendors? Never ever get in their way. Those people are murderous; they are ill-educated and they have the instincts of a predator - they can easily kill you, especially a person like you, who takes them on their turf. Their poor education makes them dangerously bad. Please, I implore you, when next you see them, take a different vector. Avoid them completely."

The magistrate came late, so we had time to chat in the basement. "You must understand this creature called the city askari," opined the court clerk. "He is not a professionally trained security officer, neither is he exactly your normal City Council civil service employee. He has scant education, if any education at all. He got employed because he proved himself to be one of the baddest boys in a councillor's campaign team. Oftentimes, he is himself is a criminal and has spent some time in police custody or even in jail."

The court clerk said the city askaris became even more violent when the Inspectorate acquiesced to their demand to not wear uniforms, because, ostensibly, uniforms were hampering their work. The argument was simple: for them to successfully execute their mission - of arresting street vendors - they needed to be incognito. The uniform was giving them away. It was an irrationality that the City Inspectorate bosses quickly bought into.

"It was the gravest mistake that the City Inspectorate did: it now gave the askaris carte blanche to be even more ruthless, to murder and maim. And as if that was not bad enough, it becomes impossible for the Inspectorate to differentiate the criminal elements from the good askaris. At one time, the askaris even had the audacity to propose that they be afforded firearms, presumably because the street vendors were becoming increasingly rebellious and difficult to control and tame." (The askaris, of course, were not be allowed to carry guns, but when they started carrying knives, the City Inspectorate looked the other way.)

The lady magistrate finally showed up. And when she called my name, she looked at me above the frame of her glasses to suggest: "Look, I am just doing my job". I was charged with three offences: *Obstructing*, *assaulting* and *fighting* the askaris. I paid a total fine of Sh4,500 - Sh1,500 for each offence - and was released.

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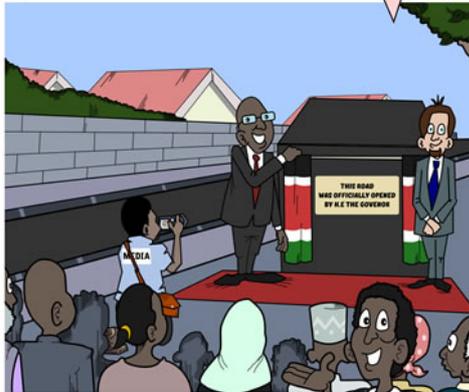
AFTER DELAYS IN CONSTRUCTION, THE CONTRACTORS WERE ALMOST DONE WORKING ON THE NEW ROAD IN ZIWANI. KENDI WAS ANXIOUS TO SEE THE COMPLETION OF PEDESTRIANS FOOTPATHS...



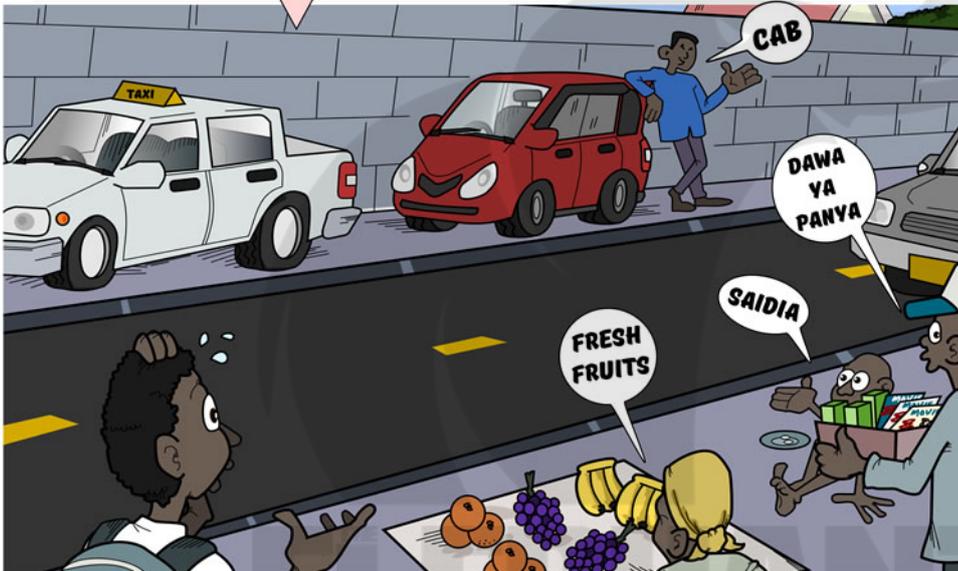
# "FOOTPATH"

ONE LADY'S EXPERIENCE

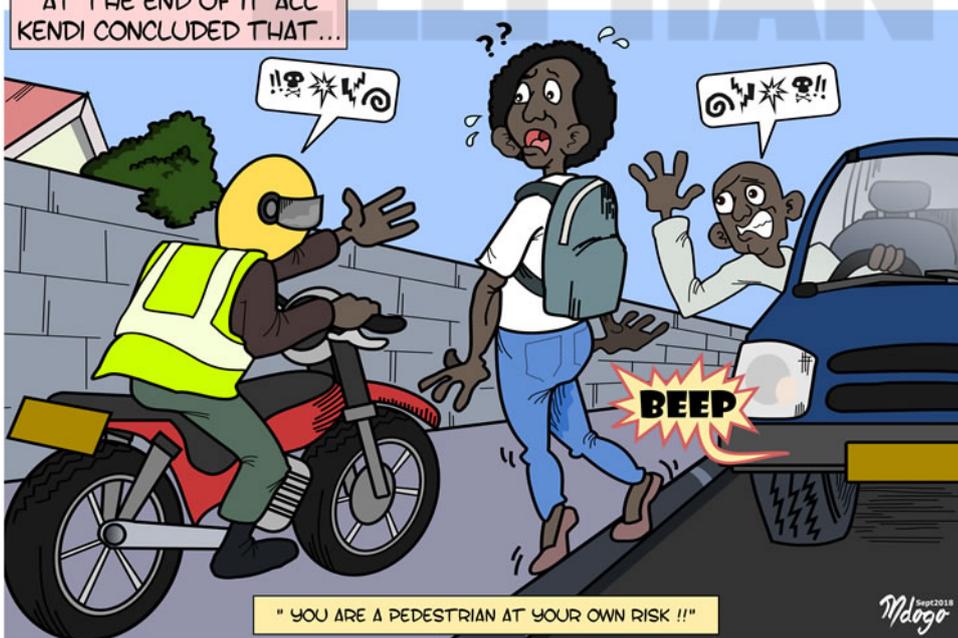
UPON COMPLETION, THE ROAD WAS "OFFICIALLY OPENED" BY THE GOVERNOR. KENDI WAS HAPPY THAT PEDESTRIANS NOW HAD A SAFE SPACE TO WALK ON



ONE DAY, A TAXI STARTED WAITING FOR FARES ON A FOOTPATH ON ONE SIDE OF THE ROAD. IN TIME, THIS FOOTPATH WAS COMPLETELY OCCUPIED BY TAXIS AND BODABODA RIDERS. STREET VENDORS AND BEGGERS APPEARED AND OCCUPIED THE FOOTPATH ON THE OTHER SIDE OF THE ROAD. EVENTUALLY, PEDESTRIANS HAD LITTLE SPACE TO WALK ON....



AT THE END OF IT ALL KENDI CONCLUDED THAT...



" YOU ARE A PEDESTRIAN AT YOUR OWN RISK !!!"

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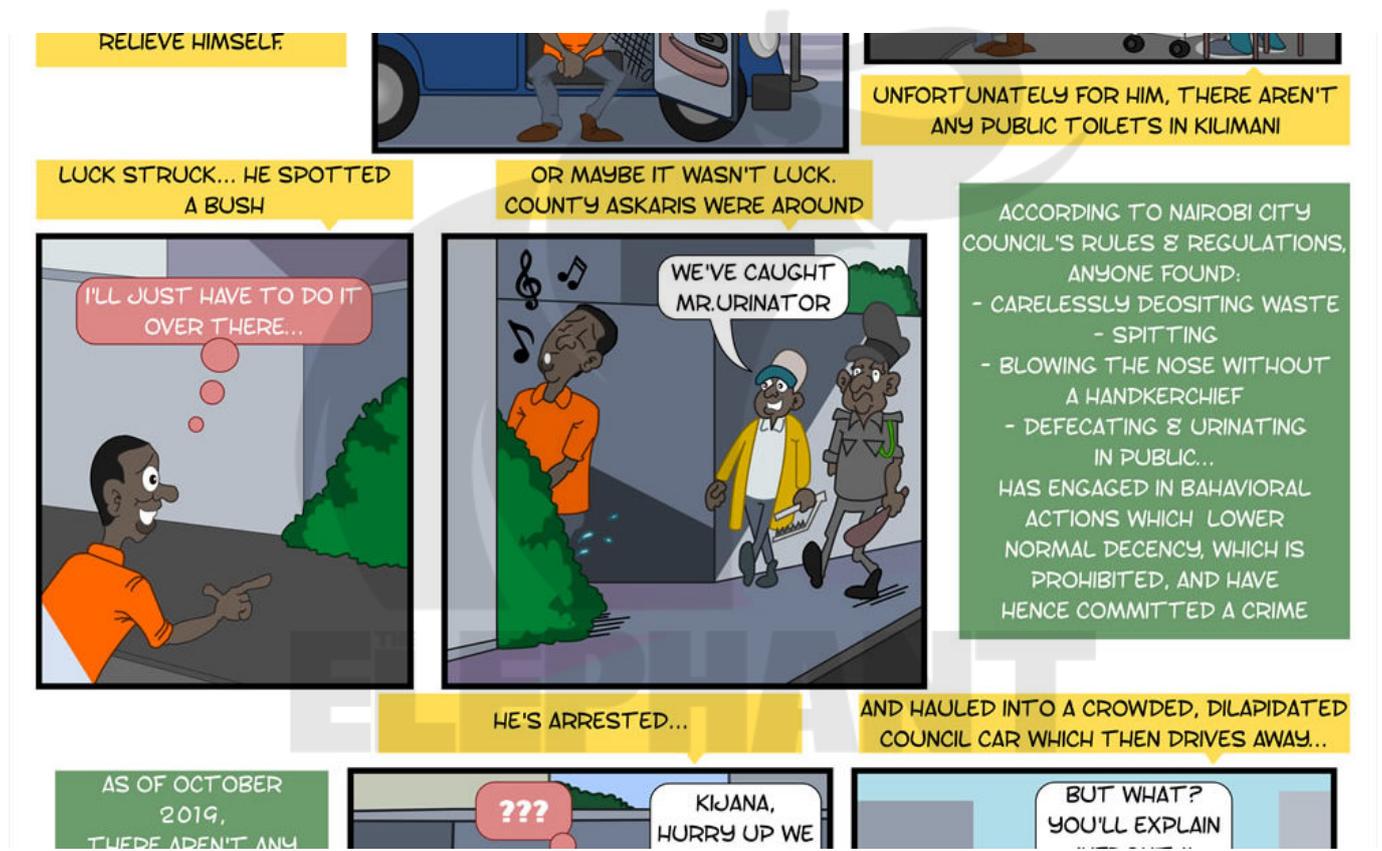
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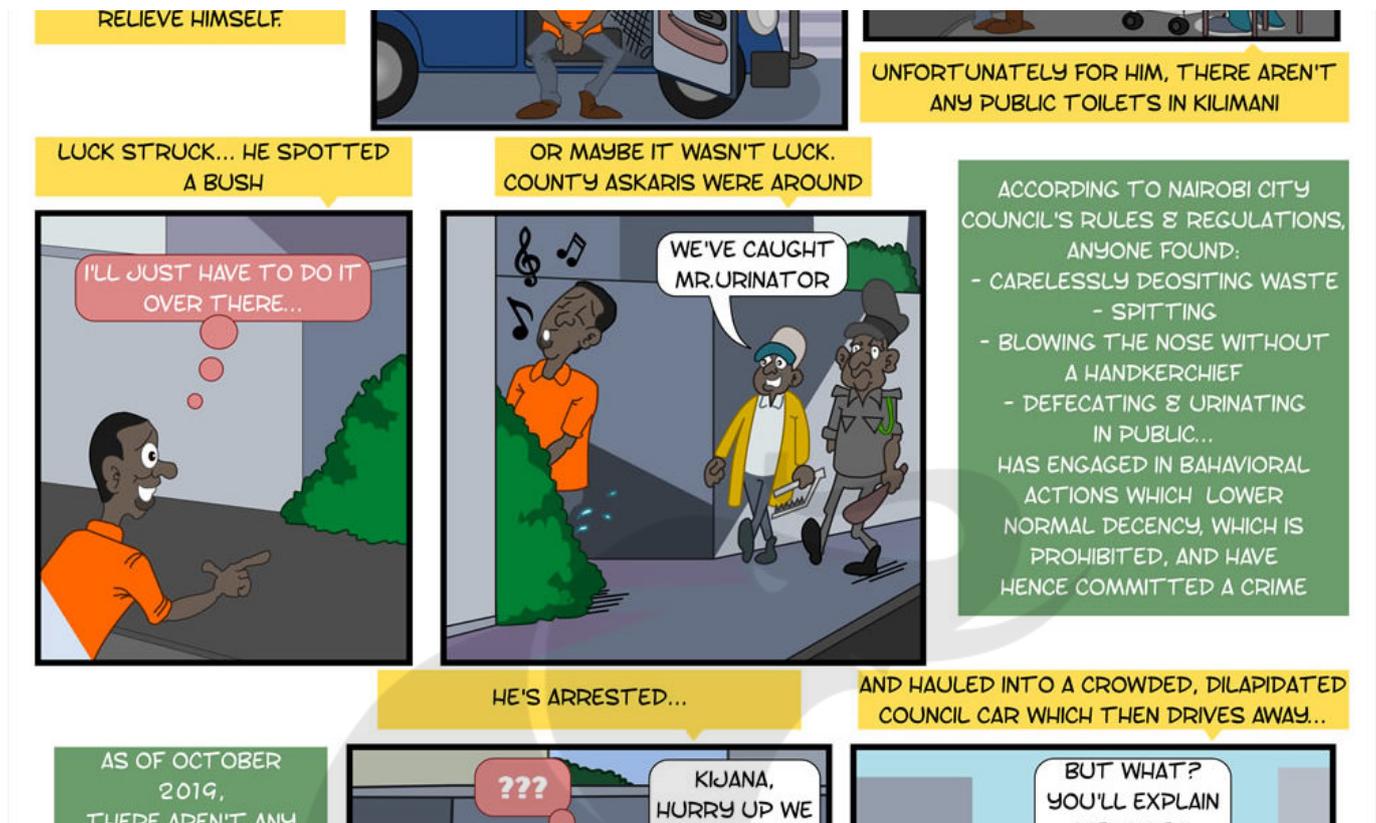
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