

**INFLUENCE OF SOCIAL MEDIA IN UPHOLDING HUMAN RIGHTS:A
CASE STUDY OF FACEBOOK USE IN EASTLANDS NAIROBI**

BY

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DECLARATION

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DEDICATION

I dedicate this thesis to my parents, family members, and friends for their support of my studies. I also dedicate it to my catholic group known as HOKIDISA for their spiritual support which has contributed a lot towards my education.

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ACRONYMS

CCTV- Closed Circuit Television

COK- Constitution of Kenya

ICCPR- International Covenant on Civil and Political Rights

ICESCR- International Covenant on Economic, Social and Cultural Rights

IMLU- Independent Medico-Legal Unit

IPOA - Independent Police Oversight Authority

KHRC - Kenya Human Rights Commission

KNCHR- Kenya National Commission on Human Rights

NGO'S- Non-Governmental Organization

UDHR- Universal Declaration of Human Rights

UN- United Nation

SHENG TRANSLATIONS

SHENG	ENGLISH
Copper	bullets
Kucheza chini	hide
Kukula/kulambisha copper	being shot
Madoo	pesa
Magondi	gangs
Masalse	police officers
Moggi	crew/gang squad
Mtaa	Area
Ndeng'a/ Chuma	Gun
Team building	Mob

DEFINITION OF TERMS

Crime- A violation of a law in which there is an injury to the public or a member of the public and a term in jail or prison, and /or a fine as possible penalties.

Due judicial process- The series of steps in the course of the administration of justice through the established system of courts.

Electronic Surveillance- gathering of information by surreptitious use of electronic devices, as in crime detection or espionage.

Facebook- is a website that allows users, who sign-up for free profiles, connect with friends, work colleagues, or people they don't know, online. It allows users to share pictures, music, videos, articles, and their thoughts and opinions with however many people they like.

Gang- a group of persons who go about together or act in concert, especially for criminal or illegal purposes. They are a group of people sharing a common identity. Many gangs have common identifying signs and symbols.

Human rights-Human rights are generally moral rights claimed by everyone and held against everyone, especially against those who run social institutions

Privacy- A person's right to control access to his or her personal information.

Social media- forms of electronic communication through which users create online communities to share information, ideas, personal messages, and other content.

ABSTRACT

The ease of access, use, and the vast range of technical affordances of social media has seen a rise in their application in surveillance, intelligence gathering, communication, mobilizing and other policing activities. Their participatory and network characteristics have made it easy for community policing by enhancing the connection within and between the police and citizens. This notwithstanding, not much is known about the unique challenges and successes associated with the implementation of individual social networking platforms within police departments on community policing. Accordingly, this study analyzed how the use of Facebook as a social media crime-fighting tool promotes and violates human rights principles in Eastland's, Nairobi–Kenya. The objectives of the study were to; determine the role that the selected Facebook pages and groups play to gang members in Eastland, Nairobi Kenya, investigate the extent to which these Facebook pages and groups facilitate or undermine the rights to due judicial processes of suspected gang members, investigate to what extent the use of Facebook selected pages and groups facilitates or complicates Eastland's residents' right to life, examine the deployment of the selected Facebook pages and groups as a tool of surveillance in Eastland, Nairobi Kenya and establish how the use of Facebook selected pages and groups is facilitating or complicating Eastland's residents' right to security. Uses and gratification theory was used to explain how people of Eastland's of Nairobi and the 'police' use the selected Facebook pages and groups and how the use influences them. Contemporary surveillance theory was used to explain how Facebook is used as a surveillance tool by people believed to be police officers in the Eastlands of Nairobi to surveil gangs and residents in the Facebook platform and the community. The study adopted a qualitative research approach and a multi-method design that included; descriptive, qualitative survey, and qualitative content analysis. Purposive sampling and snowballing were used to obtain a sample size of 34 respondents comprising of residents of three of Eastland's neighbourhoods (Kayole, Mathare, and Dandora) in Nairobi who uses Facebook and is part of Facebook groups organized around 'community policing', former/reformed criminal gang members in Eastland's of Nairobi, human rights organizations that report and document extrajudicial killings in the selected slums and, crime reporters. The study established that Facebook is used as a tool to inflict punishment on suspected criminals where policing has failed to obtain sufficient evidence to convict a suspect by arousing anger to obtain citizen support for condemnation through posting of graphical displays, photos of suspects, victims' stories, mass publication, and verbal threats. Through these postings, the right to life was influenced due to judicial process or privacy. It was further established that people believed to be police officers use information from Facebook members who belong to Hessa Facebook groups and pages for surveillance. They obtain the information through befriending suspects and accessing members' friends/networks. The study concludes that the use of Facebook in Eastland of Nairobi in community policing has an impact on the human right of people living in Eastland. It is thus recommended that Facebook community policing should be encouraged to help members post in the group whenever they are in danger so that police can intervene but with a lot of caution not to undermine human rights.

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CHAPTER ONE

BACKGROUND OF THE STUDY

1.0 Overview of the Study

This study attempted to provide an understanding of how law enforcers and citizens use Facebook as a social media tool for surveillance, image profiling, and a platform for mobilizing and communicating human rights violations and violators. By analyzing the manner and outcome of the use of selected Facebook pages and groups of gang members in Eastland's, Nairobi Kenya, the study can provide empirical evidence of how Facebook, a widely used social media platform, can be used to both promote and undermine human rights by police, citizens and gang members and criminals.

This chapter sets the context of the study by providing background of the study, statement of the problem, research objectives and research questions, aim of the study, significance of the study, the scope of the study, limitation of the study and finally the organization of the study.

1.1 Context of the Study

Technology and policing have been interconnected for decades, dating back to the advent of the telephone, the automobile, and the two-way radio. Today, technology seems to be advancing at an ever-accelerating pace, as seen through the propagation of mobile and wireless technology, high-powered computing, visual and audio technology, advanced analytics, and other technological advancements (Storm, 2017). Many departments are implementing these and other technologies to increase efficiency and to improve outcomes, especially in times of diminished resources and enhanced public attention to and scrutiny of law enforcement tactics and outcomes. However, much remains unknown about the

prevalence and utility of technology among the nation's law enforcement agencies and the factors that influence its selection and implementation. To address these issues, we need to build the knowledge base of why and how police select, implement and integrate new technology; how that technology is being used; and whether new technology improves policing in a meaningful way for both the agency and the community (Storm, 2017).

Today, social media are increasingly used within community policing as a tool of fostering communication and improving trust between the police and the communities. Deneff et al (2012) noted that the use of social media in community policing is a new concept, therefore the use of social media by the police might face challenges related to insufficient public confidence in the law enforcement, and stereotypical negative image of the police officers, who are perceived as more control than community-oriented.

Deneff et al (2012) point out that social media seems to be a tool that might support the process of improving the police image which, consequently, can lead to an increase in citizens' trust. Because social media enables users to play an active role in the public discourse, they might be an effective measure to bridge gaps in relations between the police and citizens. Social media foster the development of participatory culture as well as by enabling effective two-way communication.

Social media is seen by many scholars as a tool that nowadays is used by security agencies to maintain law and order. Burger (2013) opines that most states need social media in community policing since it allows for mass communication which promoted the interaction between the citizens and the police.

Giocalone, (2014) points out that opportunities for surveillance and communication are expanded through Social media as they provide ways in which information is electronically gathered stored and disseminated. The use of social networking sites has helped many departments to grow in some circumstances and produce foundational transformations in others. In most countries, social media is now used by security agencies to assist in online surveillance to identify suspects and also to provide evidence on crimes committed.

Social media platforms came with merits and demerits to human rights. Lenhart (2011) notes that social media, blogging and video sharing have become an essential part of protecting human rights over the world. With the simple use of the internet and computer, people can access information and engage with other users to raise concerns about human rights. The emergence of social networking sites such as Twitter, Facebook, Instagram, YouTube, LinkedIn, and WhatsApp among others has made it easy for creating awareness on human rights and its violation. This is achieved by the ability of social networking sites to allow for interactions among people in which, they create, share, and exchange information and ideas in virtual communities and networks. Social media users are now able to post content that promotes human rights and also those that violets human rights in the social networking sites that they belong to. These enable users of the social networking sites to debate about the content posted that may undermine or promote human rights, (Lenhart and Madden, 2007).

Burger (2013) points out that social media is important in community policing as it brings the community and police together since it allows for the exchange of information between the two groups. Stevens (2010) notes that social media has helped the police department and the community by providing them with a platform to post security concerns and how

to prevent crime within the community to minimize crime in their community. Stevens (2010) notes that social media have created an avenue through which citizens from the community can communicate with the police to deliver important information and be responded to and also create the community knowledge and perception of the police. Stevens (2010) opine that social media has transformed police media as it has enabled citizens also to view them as human beings since they can interact freely through social networks platforms.

Despite the general studies and assumptions on the way social networking platforms are used by security agencies in maintaining law and order, only a few of the researchers have tried to do systematic research on social media and community policing. A lot of several studies on social networking sites on how the police are using the platforms to fight crime has been done in news form by journalists and not in form of academic research (Walsh, 2018). Some of the studies that were done which were non-systematic include a survey that was done by LexisNexis (2014) to examined the use of social networking sites by police and established that police use social media; to inform the public on crime, emergencies, suspects and also to obtain information from the public about crime and suspects. The study also established that through social networks relationship has been created between the police and the public as the majority of them now depend on social networks for news on crime. LexisNexis (2014) found out that mostly used social networking platforms by police was Facebook, followed by YouTube and then Twitter ranked third. Ericksen (2014) in his study identified that police are using social media to publish photos of wanted criminals and also of properties that have been stolen by gangs. They also use the platforms to alert them whenever there is criminal activity in their areas.

Most of the research that has been conducted focused on how law enforcement officers and citizens use Facebook in community policing. While others focus on how social media promotes human rights. However, most of the studies have not too focused on how the use of social networking sites influences human rights. Additionally, Studies done on social media and surveillance, in particular, were found to be more quantitative with a close-ended questionnaire (Walsh, 2018). The close-ended questionnaire does not provide the respondents with limited options to respond, so the outcome might not be accurate. Therefore, need for qualitative research concerning social media surveillance and how it influences human rights.

In Kenya, security issues have been of concern with the rise of criminal activities such as car thefts, carjacking, burglary, pickpocketing, robbery with violence, kidnapping, conning and murdering. Crime Report (2019) released on April 2019 by police on latest crime statistics in Kenya, crime incidents increased by 1,448 cases in the first quarter of 2019 hitting 21,263 as compared to 19,815 that were registered in 2018. The report released by a police spokesperson indicated that there was an increase in several categories of crime including offence against morality which was 119 cases, 152 robberies, 214 cases of stealing, 332 cases of dangerous drugs and 162 cases of other penal code offences. A report released by the Kenya National Bureau of Statistics (2019), shows a 6 per cent increase in crime reported in Kenya. The survey puts offences committed against persons as the leading types of crime reported, five years in a row and now Nairobi County as the leading in crime.

A report released by National Cohesion Commission (NCIC) (2018) revealed that there is an increased proliferation of organized gangs, the report identified 116 organized groups that have participated in violence from only 15 counties. The report revealed that some of the groups proscribed long ago and still active include; Mungiki, Chinkororo, Sungusungu, Taliban Kosovo boys and Kamjesh and some of the groups that were banned in 2016 included; Gaza, Confirm, Kabuchai Defence Force, Boston Boys, Wakali Wao, Super Power and China Squad. The criminal groups have been blamed for violence ranging from robbery, violent attacks, killing and shooting. In Eastland of Nairobi, three dangerous gangs terrorize the residents, including; The Gaza gang, which operates in Kayole, Superpower in Eastleigh and 40 Brothers, based in Eastland, the organized criminal gangs were responsible for violence ranging from robbery, beating, killing, shooting and beating of the residents in Eastland's.

Due to the rising insecurity in the Eastlands of Nairobi, people believed to be police officers have come up with Facebook groups and pages to help them "fight crime". The Facebook groups and pages include; Nairobi Crime Free, Kayole crime-free, Kayole, and Dandora crime-free, Huruma crime-free, Hessa wa Kayole, Hessa wa Dandora, Hessa wa Huruma and the black widow among others. In the pages and groups, the police post warnings to specific suspected criminal gang members in Eastland, the post always include; a photo, name, and areas of operation of the suspected gang, this is accompanied by a warning to the gang to stop their criminal activities and surrender to the police or go back to the village, failure to which they will be killed. After some days, the killer that is believed to be a member of the police force would post bloody pictures of the suspects gunned to death, sometimes with another warning to fellow suspected gang members of them within the

platform to interact with the residents about criminal activities, to provide a warning to the suspected gangs and post pictures of gangs who have been shot dead

The tracking and eliminating of gangs by police officers through Facebook within Eastland's of Nairobi is eliciting mixed reactions. Some feel it undermines human rights through killing the suspect and police not following the right due judicial process of arresting the suspect. While on the other hand those who feel it is a good idea to fight insecurity using Facebook in Eastlands as they argue that the suspected criminals posted in the Facebook groups and pages have eliminated the lives of innocent Kenyans. Therefore, they deserve to be killed and posted on the Hessy Facebook pages and groups. Therefore, this thesis will discuss social media and human rights, analyzing the use of Facebook in Eastlands of Nairobi by police and the public to fight crime. It focused on whether this tactic used by police in Facebook undermines or promotes the right to life, right to privacy and right to due judicial process for the victims involved.

1.1.1 Social media and human rights

Social networking sites have brought changes in the media industry. It has changed how we interact with media by allowing the consumers of media to also participate by providing feedback. It has also enhanced interaction between its users as social media allow for sharing of photos and videos through Facebook and WhatsApp.

Albrechtslund (2008) opines that social media has brought a lot of changes in the field of media. The consumers of media are also able to create content and share it with other users since social media has created a platform that many can see your content whenever you post on one of the social media sites. Jewkes (2015) noted that youth like technologies that

are associated with social media therefore they use in more than other forms of media. While Welch, Fenwick and Roberts (1998) noted that social media now controls what we think and this affects our social life as it changes how perceive and to construct our social life. Boyd (2010) suggested that Social networks help to improve our interactions within our society. Social media also enable us to make new friends across the globe since it's open without geographical boundaries; it has brought new ways of interacting (Castellls, 2013).

Among the social media networks, between 2016-2018, YouTube, Facebook and Twitter are the most used by social media followers. Alexa (2019) points out that most people use YouTube more than other social media as compared to other social media in the whole world. The report ranked Facebook second and Twitter third. Alexa (2019) opine that 1 billion users of social media every month use Facebook and YouTube.

In Kenya, according to a report by GSMA and Jumia Business Intelligence (2019), the majority of Kenyans of about 67 per cent of the population can access the internet. This indicates that of the 48 million Kenyans, about 31 million use the internet. The tremendous growth is as a result of low prices of smartphones thus promoting smartphone accessibility and as a result access to social media is enhanced. Based on the trends, in future, all those who will be able to own a smartphone will be able to use social media regardless of time and area. The State of the Internet in Kenya (2019) noted that social media subscribers are many with the majority being Facebook subscribers.

With Facebook having the most subscribers among social networking sites, different kinds of people have been brought together thus creating a community of people who believe in sharing common ideas. The communities exist in the political, social and economic environment. Through Facebook, you can make your profile in your timeline and communicate and interact with unlimited online friends, in real life, the user is well conversant with the friends, and however, the connection is not more important. Social media for example Facebook and WhatsApp allows users to form groups and pages that allow them to access virtual members who require no approval to be members in most cases. For groups, brands, or companies, it is more common to set up pages that attract an unlimited number of fans who do not have to be approved. Here, it is incumbent upon social media users to control their privacy settings so that other people do not access their data.

Human rights are rights that are mostly designed by those who run social institutions so that the rights are claimed and held by everyone in the institution (Orend, 2002). Among the human rights, there are human rights that are universal and basic (Pate, in Oso and Pate, 2011). According to Pate, in Oso and Pate (2011) this includes the following rights; human beings' dignity, life, personal liberty, fear of hearing compensation from property compulsory acquired, privacy, conscience and religion, freedom of torture among others. Human rights can also be categorized under cultural, political, social, civil and economic rights (Pate, in Oso and Pate, 2011).

The Constitution of Kenya (2010) stipulates the right and freedoms that is allowed to its citizens. It stipulates; equality among everyone through inclusivity and non-discrimination which is achieved through social justice and it also provides for the preservation of human

dignity. The COK (2010) states that this is achievable through respect to the law that applies to all citizens regardless of power, colour, age, religion, race or tribe. All are equal before the rule of law. Even though there are a lot of human rights under the bill of rights, this study will focus on the right to life, the right to privacy and the right to due judicial process and how they are influenced by social media.

Cmiel (2004) opines that media is a powerful enabler of human rights; it's a tool that may promote or undermine human rights. They are two concepts that normally overlap each other, media use affects human rights and vice versa, more reports from media contain matters that directly or indirectly have human rights contents. The fact that freedom of the media is itself a human right, therefore when human rights organizations fight for freedom of expression and other rights, media is involved in the fight. Media is, therefore, a vital tool for human rights, as it influences public opinions, generate international support and disseminate information rapidly nationally and internationally. The emergence of the new media has also helped to promote and protect human rights as NGOs and other organizations that fight against violations of human rights can now document human rights violations (Ovsiovitich, 1993). Human rights activists and NGOs also find it easy to publicize Human rights violations to pressure perpetrators and even force them to change their behaviour (Cmiel, 2004; Ramos et al, 2007). Media also makes it possible for bodies championing human rights to transmit information about human rights abuses and generate open debates on how to solve human rights abuses.

Lewis (2012) pointed out that social media has enhanced access to evidence to human rights violations; it has helped to complement the insufficient evidence that was provided by mainstream media. Through technology, we can now access and see many parts of the

world that previously we were unable to see. Anyone can now use their phone cameras and document brutality and post it on social media and anyone who can access the social media site easily see it regardless of the geographical area. This means that this information often can be disseminated instantaneously.

The emergence of social media has promoted the freedom of expression while on the other hand, it has violated other rights. A study done by Solvo (2008) suggested that most people are ignorant of what they post on Facebook, what they should post or not post, or on the settings of privacy on their Facebook timelines. Solvo (2008) also noted that the key issue in new technology is education so that people be aware by paying attention to educating Facebook users on the human rights issues on what they should post and not post and how the information they post can be used against them. Solvo (2008) argument about lack of Knowledge as to why people violate human rights in social media was supported by Roos (2003). In his study, Roos (2003) argued that most of the SNS do not have enough knowledge in using the SNS, therefore, ending up violating the human rights of other people.

Facebook and Twitter complicate human rights, as they are very versatile, enabling the sharing of text, pictures, videos, audio files, and applications and during the process, human rights can be easily influenced. Social media also tend to be free among its users and therefore are widely accessible across the socio-economic class. One who has a Smartphone can easily create a Facebook or Twitter account, upload a YouTube video, or write a Word Press blog without cost, so long as you're connected to the internet. This has enabled many people to access and freely express their opinion concerning human rights. The high use of social media is also enhanced by the availability of smartphones that can

access the internet and the high usage of mobile phones as compared to personal computers in society.

Melekian and Wexler (2013) point out that security agencies in many countries are now embracing technology such as social networks to help them fight crime and also improve their services to the community. Through social media, police are now able to associate with the community and be seen as human as they interact freely through social media. Since they are in the same social networks such as Facebook, they can get tips from the public concerning crime in the community as they are also able to post wanted criminals and CCTV footage so that the followers of the social media pages can help them find the suspects.

1.1.2 Security in Kenya

A comparative report of a crime in Kenya for the Period 2017/2018/2019 by the Kenya National police service is summarized in table 1.1. The report shows a yearly increase in reported cases of crime.

Table 1.1: Comparative Crime figures in Kenya for the Period 2017/2018/2019

CATEGORY OF OFFENCES	2017/2018				2018/2019			
	2018	2019	DIFFERENCE	% DIFF	2018	2019	DIFFERENCE	% DIFF
Homicide	2751	2774	103	4	2774	2856	82	3.0
Offences against morality	6228	5492	64	1	5492	7233	1741	31.7
Other offences against persons	2229	2251	1121	5	2251	2504	2534	11.3
Robbery	2697	2713	-168	-6	2713	2935	222	8.2
Breakings	5621	6131	30	1	6131	5970	-161	-2.6
Theft of stock	1918	2136	-43	-2	2136	2077	-59	-2.8
Stealing	1036	1165	833	9	1165	1284	1189	10.2
Theft by servant	2440	2632	256	12	2632	2477	-155	-5.9
Vehicle and other thefts	1355	1404	244	22	1404	1370	-34	-2.4
Dangerous drugs	6160	5565	635	11	5565	8021	2456	44.1
Serious Traffic offences	139	69	19	16	69	213	144	208.7
Criminal damage	4307	4262	324	8	4262	4783	521	12.2
Economic crimes	3503	3695	259	8	3695	4100	405	11.0
Corruption	92	75	13	16	75	119	44	58.7
Offences involving police officers	57	86	-14	-20	86	174	88	102.3
Offences involving tourist	15	15	-4	-21	15	93	78	520.0
Other penal code offences	7047	6772	824	13	6772	7953	1181	17.4
TOTAL	7698	7799	4496	77	8826	1027	1127	13.2

Report by Kenya National police service (2019)

Between 2017 and 2018 there was an increase of 77% whereas between 2018 and 2019 an increase of 13.2% was realized. It is projected that the crimes will rise in the year 2020. Incidences that have been on an upward trend include Defilement, Assault, General Stealing, Creating Disturbance, Possession of drugs for personal use (Cannabis Sativa) and Malicious Damage. These crimes are mostly associated with alcohol, drug and substance abuse.

Nairobi County recorded the highest number of cases reported to police at **7,128**. The largest number of cases reported in Nairobi involved Offences against Persons at 1,513 cases (Assault 1,243, Creating Disturbance 216 and Affray 54). The highest number of Assault cases reported is an indication that most offences are between persons known to each other. The majority of the cases in Nairobi County were reported in Central Police Division. This is presented in Table 1.2 below.

A report released by Crime Hot Spots (2019) published on the national Police Service website in 2019 shows Kayole, Huruma, Dandora, Mathare, Langata and Dagoreti among others, with the Eastlands area as the leading zones in reported crime. The report further indicates that most crimes in Eastlands occur between 6 pm – 5 am and also in broad daylight. Crime Hot Spot also listed abduction, theft, armed robbery, and assaults as major crimes that are mostly reported to the law enforcers in Eastlands areas.

Since the report indicates that most of the criminals in Eastlands areas are youth, new ways to eliminate crime in Eastlands have been developed that include the use of Facebook groups and pages. Facebook pages and groups have allowed interaction between suspected security agencies, gangs and members of the community. In these groups and pages on Facebook, the security agencies can identify, track and eliminate the gangs in Eastlands. The groups and pages that have been created in Eastlands include; Kayole crime-free, Dandora crime-free, Huruma crime-free, Hessy wa Kayole, Hessy wa Dandora, Hessy wa Huruma and the black widow among others. In these groups and pages, it's believed to be owned by security agencies that are known as Hessy who are suspected to be police officers within the Eastlands of Nairobi. The suspected security agencies post pictures of the suspected criminals, giving them warnings to reform, identify areas where the gangs are

harassing the residents and when the suspected criminals do not reform, they kill them and post their dead photos in the pages and the groups. The residents always reply by pleading with the gangs to reform, while the gangs at times deny the allegations. After killing, the gang members at times accept and praise their member who is killed, or at times they blame the police for killing the innocent. The mixed reactions are also observed among the residents of Eastlands who are members of these Facebook pages and groups too, through their comments, others celebrate the death while others condemn the police for their act of violating the human rights of the suspected criminals.

1.1.3 Extrajudicial killings in Eastland's of Nairobi

As mentioned earlier, in fighting crime through Facebook, peoples' human rights have been violated and promoted, through posts and comments of the people using Facebook. Some of the human rights that have been violated include the right to life, the right to privacy and the right to due judicial process. According to a report released by an International Independent Medico-Legal Unit (IMLU, 2017), between the years 2013-2017, police in Kenya had killed 686 people. Among these, those killed due to unknown causes were 73 while summary executions were 537 people. IMLU report also reported that 74 people were killed within four months in 2017. The 74 cases involved; 39 summary executions, 21 killed by police, and 14 were killed under unknown circumstances (IMLU website, 2019). Some of those cases that have been documented by human rights groups have appeared in the Hessa Facebook groups indicating that people believed to be police officers killed them and post them in the Hessa Facebook pages and groups contributing to the number posted by IMLU on extrajudicial killings (IMLU website, 2019).

A report released by Missing Voices (2020) shows that at least 107 Kenyans were killed by the police in 2019. Missing voice is a consortium of organizations working towards the end of enforced disappearances and extrajudicial killings in the country. Missing voices reported that most of the victims were youth with around 80% being 35 years or younger and living in the informally controlled zones of the country (Missing Voices website, 2020).

The COK (2010) stipulates the right and freedoms that is allowed to its citizens. It stipulates; equality among everyone through inclusivity and non-discrimination which provides for the preservation of human dignity and is achieved through social justice. The COK (2019) mandates KNCHR to ensure the rights of Kenyan citizens are protected. Apart from KNCHR that it's a government institution, other civil society groups have also come up to protect against the violation of human rights. Among them are the IPOA, KCHR, and IMLU. In the Eastlands of Nairobi, due to extrajudicial killings in this area, people living in these areas have created social justice centres that would promote more participatory forms of justice. The justices centre was established in 2015 (Mathare Social Justice website) in Mathare before spreading to other parts of Eastlands which include, Kayole, Dandora, and Korokocho, the centre document extrajudicial killings cases and help protect the violation of human rights in the Eastlands of Nairobi (Mathare social justice website, 2020).

According to human rights groups, these killings are against the Kenyan constitution that made provisions for the consideration of human rights. In the COK (2010) under the bill of rights part 2, it's stated that "every person has the right to life; it also states in the same article that a person shall not be deprived of life intentionally, except to the extent

authorized by the constitution or other written law”. Furthermore, posting criminal photos either dead or alive with full information about them including names by the police officers, infringe their right to privacy. Section 31 of the COK (2010), explicitly states “the privacy rights or person(s) in cases where there is non-existent of a court injunction. Those rights include rights not to have: their person, home or property searched; their possessions seized; information relating to their family or private affairs unnecessarily required or revealed, or the privacy of their communications infringed.”

Independent Medico-Legal Unit and other civil societies have raised through their website’s complaints about the strategy; by saying it's communicating a message of criminality to the public. They want the due judicial process to be followed which states that arguing from the premise that someone is innocent until proven guilty. They call on the police to investigate the administrators of the pages through the Cyber Crime Investigation Unit of the Directorate of Criminal Investigations (IMLU WEBSITE, 2019). They argue that police should arrest the criminals and arraign them to court to be charged for the crimes committed instead of killing them. However, most members through their comments in the Facebook groups and pages of Hessy, seem to applaud extrajudicial killings. The police also on their side through their posts on the pages always defend themselves, by saying; it's a survival tactic because when they arrest these criminals, the court releases them on bond. Once they are out, they will want to raise money to repay whoever paid their bond and to also survive. They will achieve this by even eliminating police officers, robbing and killing members of the public.

1.2 Statement of the Problem

Many have highlighted the importance of social media for building trusting relationships between police and the local community because social media can establish a forum for open communication (Burger, 2013). With a vested interest in community outreach, departments can use social media to post crime prevention tips, community-related news, issues related to pedestrian and motorist safety, and information about whether or traffic-related emergencies (Stevens, 2010). Likewise, citizens from the community also have the opportunity to communicate with the police via social media, which can deliver valuable feedback and raise the department's awareness of community perceptions of local law enforcement.

As noted by Social Media the Internet and Law Enforcement (SMILE), social media use in law enforcement is in the very early stages (Cohen, 2010). Thus, although there is a lot of national discourse about its use in law enforcement, there have been few rigorous or systematic studies that have examined the prevalence and determinants of use, challenges of implementation, or impact of social media on policing or community outcomes. Much of the available literature, although mostly informal or journalistic, has suggested that social media has tremendous potential in modern-day law enforcement (Walsh, 2018). Additionally, studies done on social media and surveillance, in particular, were found to be more quantitative with a close-ended questionnaire (Walsh, 2018). Therefore, need for qualitative research concerning social media surveillance and how it influences human rights.

Most of the studies that have been done also focus on citizen and police participatory, for example, studies by Kudla & Parnaby, (2018); Schneider, (2016), Walsh and O'Connor (2018) further point to the dearth in research on the use of specific social media for crime monitoring and management. In their findings they established that most of the researchers have focused on social media as a whole or combining social media tools such as Facebook and Twitter, not much literature exist on how police use Facebook in community policing.

In Kenya, Mtume (2012) in her study proposes that social media should be utilized nationwide to eliminate traditional methods of implementing community policing strategies. Contrary to her proposal, only two studies have been done in Kenya on social media and community policing. The study by Omanga (2015) and Mtume (2012) on how Chief in Lanet is using Twitter for community policing are the only studies that exist concerning social media and community policing. These studies were however focused on the chief and community policing and not on police use of social media on community policing.

Currently, no research study has been done on how police officers are using Facebook in community policing in Kenya and how the use promotes and violates human rights. This may be because social media community policing is relatively new, particularly in the country. By examining how the use of Facebook as a social media crime-fighting tool promotes and violates human rights principles in Eastland's, Nairobi-Kenya, this study hopes to address the existing gap in empirical research in the country as well as analysis of a single social media platform.

1.3 Aim of the Study

The study aimed to analyze how the use of Facebook as a social media crime-fighting tool promotes and violates human rights principles in Eastland's, Nairobi–Kenya.

1.4 Objectives of the Study

The objectives of the study were to:

- i. Determine the role that the selected Facebook pages and groups play to gang members in Eastland, Nairobi Kenya.
- ii. Investigate the extent to which the use of selected Facebook pages and groups facilitate or undermine the upholding of judicial process of suspected gang members in Eastland, Nairobi Kenya.
- iii. Examine the deployment of the selected Facebook pages and groups as a tool of surveillance in Eastland, Nairobi Kenya
- iv. Examine how Facebook as a communication tool facilitates participation on security issues in Eastlands, Nairobi Kenya.

1.5 Research Questions

- i. What are the reasons for the use or non-use of Facebook by gang members in Eastland, Nairobi Kenya?
- ii. To what extent do the use of selected Facebook pages and groups facilitate or undermine the upholding of judicial process of suspected gang members in Eastland, Nairobi Kenya?
- iii. How are the selected Facebook pages and groups employed as tools of surveillance in Eastland, Nairobi Kenya?

- iv. Do Facebook as a communication tool facilitates participation on security issues in Eastlands, Nairobi Kenya?

1.6 Significance of the Study

The study will be important for the company that owns Facebook to be aware of how Facebook as a social media tool is being used by its users to violate the human rights of suspects. Therefore, they will be able to come up with ways how to regulate the abuse of suspects through Facebook pages and groups.

The study will be helpful to the Facebook users that is; the police, suspects and the residents to know how to use social media. Especially the police in using social media as community policing so that they don't prosecute suspects through Facebook.

It will also help policymakers to understand social media and community policing, therefore, be able to implement community policing through social media and ensure that the rights of suspects are not violated through the use of social media.

The study will add knowledge to the existing literature on how the use of social media in community policing influences human rights.

1.7 Scope

This study provided an analysis of social media and human rights, with emphasis on how the use of Facebook has promoted and violated the rights of people living in Eastland Nairobi in Dandora, Kayole and Mathare estates. The study was conducted in the Eastlands of Nairobi because the first Hessa Facebook groups and pages that were first established to help "fight crime" was in Kayole in Eastlands Nairobi. The first unofficial police

Facebook account appeared under the name Hessy wa Kayole [Hessy from Kayole], with his legend spreading on social media, more Facebook accounts with names of gang hunters from other crime-ridden residential estates started to appear in Eastlands of Nairobi; Hessywa Dandora, Kayole Crime Free, Dandora crime-free, Kayole Dandora crime-free, HessywaHuruma, Black widow. The study considered Facebook as compared to other platforms because it's the social media platform used by these people believed to be police officers.

1.8 Limitations of the Study

Access to respondents: Although police officers were amongst the target group, I was not able to get any such interview due to set bureaucracy. Information concerning suspected gangs and the selected Facebook pages accounts can only be provided by the police spokesperson whom I could not get an appointment for an interview. Therefore, I had to rely on documented information and records of interviews previously done by a journalist concerning Hessy's Facebook accounts and the extrajudicial cases. This denied me a first-hand account of the police perspective.

Similarly, I was also unable to interview the active existing gangs in the Eastlands of Nairobi due to the perceived security risk this would have subjected me to. In their place, I used reformed gang members who once did their criminal activities in Eastlands, and the gang members' Facebook to understand their criminal activities, I also obtained additional information from human rights organizations who deal with cases of extrajudicial cases and document extrajudicial cases.

In several situations, respondents to whom I was referred to through the snowballing were unwilling to participate in the study. Fortunately, with some persuasion, those who declined to participate were willing to identify and connect me to others who were willing to participate in the research. This however delayed the data collection exercise.

Depth of interrogation: The busy schedule of some of the people interviewed meant that the desired time for interview and depth of interrogation was occasionally not attained. Persistence and re-scheduling of appointments were required to get certain segments of the study group such as the journalists and the human rights groups.

Capturing of the interview sessions: Due to the sensitivity of the desired security information, NGO officials, journalists, members who belong to the Facebook pages and reformed criminal gangs feared to be recorded during the interviews. They were sceptical that the main purpose of the study was academic. Subsequently, tape recording was substituted with field notes taking where respondents did not want to be recorded.

1.9 Organization of the Study Chapters

The study was organized into five chapters.

Chapter one comprises of introduction and background to the study, statement of the problem, research questions, objectives of the study, justification, scope and limitation of the study, definition of significant terms and organization of the study.

Chapter two gives a review of the literature related to the study thematically as per the study objectives. The chapter first reviews the theories underpinning the study. This is followed by empirical and conceptual literature and both from a global and the Kenyan context perspectives.

Chapter three consists of a research methodology that was used. It consists of the following areas: The research design, target population, sampling techniques, sample size, research instruments, data collection procedures and data analysis techniques used in the study.

Chapter four focused on data analysis, presentation, and interpretation.

The chapter contains a summary of findings, conclusions, recommendations, and suggestions for further study.

Finally, references and the appendix and interview schedules are placed at the end.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

Literature was reviewed on social media and community policing, human rights focusing on the right to life, due judicial process and privacy as discussed in the constitution. The study also reviewed the literature on studies that have been done on privacy and social media, extrajudicial killings and legitimacy, security and social media, surveillance and social media and finally how gangs are using social media. The main reason for reviewing of literature is to establish literature that already exists to guide the study. The literature review was done on the effects of social networking sites on human rights, with an analysis on the use of selected Facebook pages to 'fight crime'.

2.1 Theoretical Framework

The study used the Uses and Gratification theory in explaining how different users of Hussy's Facebook pages which include the residents, people believed to be police officers, and also the gangs use Facebook to facilitate their activities. Recently, most SNS studies have incorporated uses and gratification theory (UGT) to measure intention to continue using the SNS (Al-Jabri et al., 2015; Hsiao et al., 2015). Earlier studies have revealed that different gratifications, such as social gratifications, content gratifications, and hedonic gratifications are the driving forces in predicting the behavioural intentions of users. Moreover, previous studies have examined that habit (Limayem et al., 2007; Woisetschlager et al., 2011; Hsiao et al., 2015) and subjective norm (Cheung and Lee, 2010; Choi and Chung, 2013) play a vital role in the formation of usage intention.

The study also used the Theory of Contemporary Surveillance to explain how social media, for example, Facebook is applied as a surveillance tool by people believed to be police officers in the Eastland of Nairobi.

2.1.1 Uses and Gratifications theory

Uses and Gratification theory is one of the theories that was coined to explain how users of media consume and use media content. Blumler and Katz (1987) coined the theory where they noted that users of media actively participate in the communication process and not just act as mere receivers of information of the media. Users of media can choose wisely the media they want to associate with that they feel is best for them. Ling and Pedersen (2003) explain that researchers that use the Uses and Gratification theory in their study apply an existing list of gratification to be evaluated by the users or aim to identify media users' gratifications without initial assumptions.

Waller (2013) pointed out that social networking users, for example, Facebook use it for various reasons. Facebook helps its users get followers and also share their photos and stories in their timelines. They also use social media to update their status for example when sleeping, travelling, eating and telling people what you are doing or what you like or hate. They also use it to comment on other people's posts and videos and also liking. Social media like Facebook also allow its users to create Facebook groups and pages that allow the creator to add other members in the groups or pages and also post links of the group to invite other people to join.

Wyche et al, (2013) suggested that the theory of Uses and Gratification tries to give more on how media users such as individuals, society and groups, and effects consume and what they do after consumption. The theory explains how receivers of a certain media gratify their needs after consuming information from the media, that is, 'what do people do with media.

Researchers have also been criticized for the use of UGT, research done by Jantti (2015) on how youth in Nairobi, Kenya uses social media, cited Sundar and Limperos (2013) criticizes UGT. According to the researcher most research that applies, UGT focuses more on psychological and social motivations, and don't forget about the technology-driven needs that are associated with media. Sunder and Limperos (2013) also claim that new media has created new gratifications and that's why they can satisfy them. New classes of affordances offered by new media such as; navigability, interactivity, agency, and modality should be introduced to provide more information to elaborate ratification offered by new media according to Sunder and Limperos (2013).

2.1.1.1 Relevance of the theory to the study

The theory was relevant in explaining how different users of Hussy's Facebook pages which include the residents, people believed to be police officers, and also the gangs use Facebook to facilitate their activities. Therefore, the theory, helped the researcher explains the security agencies, users of selected Facebook pages and groups and also the gangs as not just mere receivers in the selected Facebook pages and groups but also active users in the communication process in those selected Facebook pages and groups found in Eastland's of Nairobi to either promote or violate human rights.

2.1.2 Theory of Contemporary Surveillance

Haggerty and Ericson (2000) developed the theory of contemporary surveillance theory. Their theory improved other theories of surveillance such as the Panopticon theory which was coined by Bentham. They used surveillant assemblage to improve their theory which was first used by Guattari and Deleuze in their model to surveil people.

They improve the 'surveillant assemblage' so that it was viewed as a 'recording machine' because their major function was to record and convert them in a way they can be retrieved. According to them, they borrowed their idea since contemporary surveillance was an upcoming technology that was not stable and did not have identifiable boundaries or governmental departments that were accountable for it. This helped it not to be criticized for only focusing on one institution like the other surveillance theories. They differ from Bentham's Panopticon theory since they could offer bottom-up surveillance that could not be offered in Bentham's theory of Panopticon which only provided the majority watching minorities.

According to Haggerty and Ericson (2000), the main aim of contemporary surveillance is to bring together systems to increase convergence which was known as discrete surveillance systems, therefore, improving the capacity of surveillance. Contemporary surveillance is highly growing and most people are now using it for profit and entertainment, security, governance, and control. Contemporary surveillance growth is attributed to the growth of technology particularly mostly computerized databases. Through the computerized database, most states now find it easy to use technology in surveillance. Machines are now able to record information from human beings therefore

the target is the population that is easily monitored by the technology. Through technology, states can obtain information from their citizens.

In explaining, the theory of contemporary Surveillance, they also employed the idea of the rhizome to explain the theory. They establish that surveillance is also rhizomatic where they explain that the new concept of surveillance differs from other surveillance theories. The public is now constituted as consumers and is not subjected to punishment. 'Surveillant assemblages' explains some of the changes that technology has brought in the field of surveillance in terms of people also playing a role in surveillance instead of just being watched they are also able to watch those who are watching them. Surveillance is no longer physical where you need to be visible face to face but now it can be done by technology as opposed to Bentham's Panopticon theory. Haggerty and Ericson (2000) explain that technology has made our data to be available through 'pure virtuality' which has made information about our flow in cyberspace. This has been made possible by coming together of elements such as the Internet, conventional telecommunications, and virtual reality together with a database allowing the flow of these various sources of data.

Haggerty and Ericson (2000) argued that surveillance today is not just contained physically, but also technological through 'surveillant assemblages' or networks. They summarize that surveillance in contemporary surveillance theory has no boundaries operating in different networks and now allows everyone to participate in surveillance. Haggerty and Ericson (2000) explained that today social control is all about gathering and changing the format of information gathered through surveillance as compared to the past where surveillance was all about only collecting information physically.

2.1.2.1 Relevance of Contemporary surveillances theory to the study

The theory was used to explain how social media, for example, Facebook is applied as a surveillance tool by people believed to be police officers in the Eastland of Nairobi. It was used to explain how the residents and gangs in Eastland's of Nairobi and uses Hessa Facebook groups interact and the role they play in the surveillance through the use of the Facebook pages.

2.1.3 Conceptual framework: UGT and TCS

The two theories were beneficial to the study, as the theory of uses and gratification was used to explain how Facebook users of the selected pages and groups in Eastland's of Nairobi are influenced as users of those Facebook pages and groups to promote or undermine human rights. While the contemporary surveillance theory helped to explain how surveillance and the right to privacy have been used to promote and violate the rights of the residents of Eastland of Nairobi.

2.2 Counter usage of Social Media in Policing

Social media transform how the police communicate with citizens and manage the visibility of their personnel and activities. Traditionally dependent on the mass media to engage the public, law enforcement agencies have embraced sites like Facebook, Twitter, and YouTube, creating social media teams to produce their news and directly broadcast content. Existing research suggests that social media are used for risk communication, impression management, and soliciting assistance (Walsh, 2018).

About policing, various organizations the most famous being Copwatch have mobilized to record police-citizen interactions, whether during routine patrols or protests and

demonstrations (Bradshaw, 2013; Huey, Walby, & Doyle, 2006; Monahan, 2006; Toch, 2012). The accessibility and penetration of smartphones have also encouraged incidental and spontaneous witnessing where unsuspecting bystanders react to and film events in progress (Bock, 2016; Brucato, 2015; Schaefer & Steinmetz, 2014). Videos and images of violent encounters, including the deaths of Eric Garner (USA), Ian Tomlinson (UK), Neda Agha-Sultan (Iran), and Sammy Yatim (Canada) at the hand of law enforcement, underscore the significance of watching from below. In these and other similar cases, citizen captured footage was widely circulated across social networks, stoking the fires of public outrage and often producing official investigations, mass demonstrations, and institutional reforms (Goldsmith, 2010; Sandhu & Haggerty, 2017; Schneider, 2016). Marx (2013) suggests that social media communications attempt to enlist citizens in the detection and reporting of criminal events. Reflecting efforts to mobilize civilians as additional “eyes and ears” digital platforms are often approached as extensions of Crime Stoppers and related watch programs, with authorities releasing Amber alerts, distributing virtual wanted posters, advertising tip-lines, and posting (sometimes live-streaming) CCTV footage to encourage public vigilance and enhance their gaze, reach, and knowledge (Jewkes, 2015; Lee & McGovern, 2013; Reeves, 2017).

While thick commitments to participation can increase law enforcement's legitimacy, transparency, and trustworthiness, such outcomes face considerable obstacles and are far from guaranteed (Aeillo, 2018; Bullock, 2018; Meijer & Thaens, 2013; Ruddell & Jones, 2013). Departmental policies often rigidly dictate communication, begetting content that appears sterile and inauthentic. Moreover, by emphasizing interactions between individuals and authorities, rather than the wider community, citizens remain detached and

do not engage in collective action, outcomes lacking the consensual and deliberative qualities of more robust community-oriented approaches (Terpstra, 2009). Finally, participation is often fictively democratic, with the police strictly controlling interactions and citizens being unable to substantively influence and steer decision-making (Kudla & Parnaby, 2018; Schneider, 2016).

Content distributed by police services is often pedagogical and oriented towards promoting self-discipline and private initiative. Whether through public service announcements that offer warnings about enforcement, punishment, and the hazards of unlawful activities or campaigns that instruct citizens on protecting themselves, family members, and property against potential victimization as such efforts aim to prevent crime and “raise consciousness, create a sense of duty, and change practices” (Garland, 1996, p. 452).

Social media offer alternative circuits of publicity, facilitating citizen journalism or instances where technologically literate and equipped individuals document abuse, expose corruption, and provide a check on power. Alongside permitting interested parties to circumvent the mass media and its tendency to reinforce the police's status as “primary definers” of events. Social media's viral and networked qualities can exponentially amplify the reach and impact of content, making it difficult for the police to confiscate or control footage and transforming local events into globally legible issues (Murthy, 2013).

Christine, Williamsa, Jane, Andrea, Kevin, Bennett, Xua (2018) in their studies investigated the communication behaviour and engagement strategies in the bilateral use of social media between law enforcement agencies and the communities they serve. It advances existing work by studying municipal level government actors in a new

communications environment where social media now play an important part. Grounded in agenda-setting theory, they identify police departments' social media issue priorities, analyzes the responses of their audiences to those communications, and directly compares followers' conversation priorities with the police agenda. Their data set includes all the content from the Facebook and Twitter accounts of five similarly sized and demographically situated police departments in the U.S., plus all the tweets and posts from the followers or friends responding to those accounts over 90 days. They performed both manual coding and machine cluster analysis to elicit major threads of conversation. In addition to the data analytics, they conducted interviews with the five police departments to understand the similarities and differences in agenda priorities resulting from their social media goals and use. In their findings, they reveal that police are using social media interactively, which could, over time, advance community policing goals.

What is notable is that when using social media, public sector agencies generally and police departments in particular primarily disseminate information about their organizations and their activities, but rarely offer opportunities for engagement or what is also known as dialogic communication (Brainard & Edlins, 2014; Crump, 2011; Hofmann, Beverungen, Räckers, & Becker, 2013; Lovejoy & Saxton, 2012; Mossberger, Wu, & Crawford, 2013; Waters, Burnett, Lamm, & Lucas, 2009). That is, communication is typically one-way and asymmetrical (Waters & Williams, 2011). In their study of social media use by the 10 largest U.S. municipal police departments, Edlins and Brainard (2016) found out that, over time, increased levels and kinds of social media use and adoption of standards for best practice has been slow and slight, and more constrained, especially its use for dialogic communication with citizens. Their findings build on their earlier work showing that police

departments primarily use social media for information dissemination rather than interactions with citizens or local organizations.

When dialogic, social media use generates additional forms of engagement for a limited group of people relative to face-to-face contact, especially in routine police patrol work, but less so in time-critical situations (Meijer, 2014). In a comparative study of social media use by different kinds of organizations, Bird, Ling, and Haynes (2012) found out that users perceive government agency communications to be more accurate than those of community organizations, but the reverse was true for their perceived timeliness and utility.

In a Korean study, Porumbescu (2016) found out that social media use increased both trust in and satisfaction with government agencies. Grimmelikhuijsen and Meijer (2015) concluded from their findings that social media, and specifically Twitter, helps police strengthen their legitimacy somewhat, for a small group of interested citizens.

Interestingly, Facebook posts that generally involve 'networking' posts about police department personnel that seek to increase familiarity and engender trust with citizens receive more 'likes' than posts that broadcast information or that seek help from the community. Huang and colleagues also find that 'help requests' (to solve a crime or find missing persons, for example) generate more shares and comments than networking posts or broadcast information types of posts. Characteristics of posts such as their purpose or criticality result in differential rates of dialogic communication (Waters & Williams, 2011). Also, important to note, one-way communication is not always bad, as some researchers have argued that one-way asymmetrical communication is the most useful and appropriate in certain law-enforcement situations such as emergencies. For example, Muralidharan,

Rasmussen, Patterson, and Shin (2011) found that non-profits and news organizations effectively used social media for one-way dissemination and disclosure of information, but not for two-way communication during the Haitian earthquake. These findings suggest there is a need for research on local police and social media that understands when, or what forms of information, are best disseminated using one-way or dialogic communication strategies.

Moreover, whether one way or dialogic, research into stakeholder perceptions of police social media use shows that it sometimes helps realize community policing goals. Accenture (2012) found that three-quarters of these respondents to a survey of 1300 citizens in six countries (U.S., Canada, U.K., the Netherlands, Germany and Spain) would like to see police use more digital channels to bridge the communications gap and increase citizen involvement in policing. These respondents preferred using Facebook (81%) and Twitter (35%), which aligns with the social media platforms departments have adopted. Further, research indicates that when local police departments use social media, they can increase public confidence (trust) and satisfaction (effectiveness and perceived legitimacy), which are key goals of the move toward community policing (Meijer, 2014; Ruddell & Jones, 2013).

In Kenya, Omanga (2015) discusses how a local chief in Kenya began using the micro-blogging site Twitter to radically transform the historical deliberative space known as Barraza into a space for peacebuilding and community policing. In his findings, he reveals that the nature of the network built through Twitter by Chief Kariuki is indeterminate, boundless and organic in growth. Inactivating a segment of the public for purposes of instant group action, the public is assumed to be potentially active and bounded.

Inactivating the public as recipients of spiritual nourishment, the boundaries are blurred and the same public is largely constituted as passive, almost analogous to the performance of a church pastor and his congregants. A similar study was done by Mtume (2012) that investigated how Twitter has been used as a tool to promote community-based policing for the past three years (June 2011-June 2014) by Chief Francis Kariuki in Nakuru North District, Kenya. Popularly known as 'Chief Kariuki' on Twitter, he is a civil servant for the Government of Kenya (GoK) and has been the Chief for the area Lanet Umoja since 2010 to the present. In his findings, she reveals that the use of Twitter as a tool to promote community policing has been very effective over the last three years. She further proposes that social media should be utilized nationwide to eliminate traditional methods of implementing community policing strategies.

In summary, a lot of studies have been done across the world concerning police use of social media in community policing. Though a lot of the studies that have been done focus on citizen and police participatory, for example, a study by Kudla & Parnaby, (2018); Schneider, (2016) in their findings, established that participation the police and the citizens when using the social media is often fictively democratic, with the police strictly controlling interactions and citizens being unable to substantively influence and steer decision-making. Accenture (2012) found that three-quarters of these respondents to a survey of 1300 citizens in six countries (U.S., Canada, U.K., the Netherlands, Germany and Spain) would like to see police use more digital channels to bridge the communications gap and increase citizen involvement in policing. These respondents preferred using Facebook (81%) and Twitter (35%), which aligns with the social media platforms departments have adopted. In this study, the study scope was wide and the use of

quantitative research might not have allowed the respondents to express themselves and therefore the data might not reflect the respondent's feelings.

In Kenya, even though Mtume (2012) in her study proposes that social media should be utilized nationwide to eliminate traditional methods of implementing community policing strategies. Only two studies have been done in Kenya on social media and community policing. The study by Omanga (2015) and Mtume (2012) on how Chief in Lanet is using Twitter for community policing are the only studies that exist, there is no study on Facebook that has been done. In other countries, as per the literature reviewed most of the researchers has focused on social media as a whole or combining social media tool such as Facebook and Twitter, very few pieces of literature exist on how police use Facebook in community policing. This proves there is a gap in studies concerning police use of Facebook in community policing. Most of the literature that exists also focus more on police participation and the modes of communication between the police and citizens. Not much has been done by scholars on how the use of social media by police in community policing violates or promotes human rights. Therefore, there is a need to do a study on how the use of Facebook as a social media crime-fighting tool promotes and violates human rights principles in Eastlands, Nairobi-Kenya.

Social media transform how the police communicate with citizens and manage the visibility of their personnel and activities. Traditionally dependent on the mass media to engage the public, law enforcement agencies have embraced sites like Facebook, Twitter, and YouTube, creating social media teams to produce their news and directly broadcast content. Existing research suggests that social media are used for risk communication, impression management, and soliciting assistance (Walsh, 2018). About policing, various

organizations the most famous being Copwatch have mobilized to record police-citizen interactions, whether during routine patrols or protests and demonstrations (Bradshaw, 2013; Huey, Walby, & Doyle, 2006; Monahan, 2006; Toch, 2012). The accessibility and penetration of smartphones have also encouraged incidental and spontaneous witnessing where unsuspecting bystanders react to and film events in progress (Bock, 2016; Brucato, 2015; Schaefer & Steinmetz, 2014). Videos and images of violent encounters, including the deaths of Eric Garner (USA), Ian Tomlinson (UK), Neda Agha-Sultan (Iran), and Sammy Yatim (Canada) at the hand of law enforcement, underscore the significance of watching from below. In these and other similar cases, citizen captured footage was widely circulated across social networks, stoking the fires of public outrage and often producing official investigations, mass demonstrations, and institutional reforms (Goldsmith, 2010; Sandhu & Haggerty, 2017; Schneider, 2016). Marx (2013) suggested that social media communications attempt to enlist citizens in the detection and reporting of criminal events. Reflecting efforts to mobilize civilians as additional “eyes and ears” digital platforms are often approached as extensions of Crime Stoppers and related watch programs, with authorities releasing Amber alerts, distributing virtual wanted posters, advertising tip-lines, and posting (sometimes live-streaming) CCTV footage to encourage public vigilance and enhance their gaze, reach, and knowledge (Jewkes, 2015; Lee & McGovern, 2013; Reeves, 2017). While thick commitments to participation can increase law enforcement's legitimacy, transparency, and trustworthiness, such outcomes face considerable obstacles and are far from guaranteed (Aeillo, 2018; Bullock, 2018; Meijer & Thaens, 2013; Ruddell & Jones, 2013). Departmental policies often rigidly dictate communication, begetting content that appears sterile and inauthentic. Moreover, by emphasizing interactions

between individuals and authorities, rather than the wider community, citizens remain detached and do not engage in collective action, outcomes lacking the consensual and deliberative qualities of more robust community-oriented approaches (Terpstra, 2009). Finally, participation is often fictively democratic, with the police strictly controlling interactions and citizens being unable to substantively influence and steer decision-making (Kudla & Parnaby, 2018; Schneider, 2016).

Content distributed by police services is often pedagogical and oriented towards promoting self-discipline and private initiative. Whether through public service announcements that offer warnings about enforcement, punishment, and the hazards of unlawful activities or campaigns that instruct citizens on protecting themselves, family members, and property against potential victimization (O'Connor, 2017; Surette, 2014), such efforts aim to prevent crime and “raise consciousness, create a sense of duty and change practices” (Garland, 1996).

Social media offer alternative circuits of publicity, facilitating citizen journalism or instances where technologically literate and equipped individuals document abuse, expose corruption, and provide a check on power. Alongside permitting interested parties to circumvent the mass media and its tendency to reinforce the police's status as “primary definers” of events, social media's viral and networked qualities can exponentially amplify the reach and impact of content, making it difficult for the police to confiscate or control footage and transforming local events into globally legible issues (Murthy, 2013).

Christine, Williamsa, Jane, Andrea, Kevin, Bennett, Xua (2018) in their studies investigated the communication behaviour and engagement strategies in the bilateral use of social media between law enforcement agencies and the communities they serve. It advances existing work by studying municipal level government actors in a new communications environment where social media now play an important part. Grounded in agenda-setting theory, they identify police departments' social media issue priorities, analyzes the responses of their audiences to those communications, and directly compares followers' conversation priorities with the police agenda. Their data set includes all the content from the Facebook and Twitter accounts of five similarly sized and demographically situated police departments in the U.S., plus all the tweets and posts from the followers or friends responding to those accounts over 90 days. They performed both manual coding and machine cluster analysis to elicit major threads of conversation. In addition to the data analytics, they conducted interviews with the five police departments to understand the similarities and differences in agenda priorities resulting from their social media goals and use. In their findings, they reveal that police are using social media interactively, which could, over time, advance community policing goals.

What is notable is that when using social media, public sector agencies generally and police departments in particular primarily disseminate information about their organizations and their activities, but rarely offer opportunities for engagement or what is also known as dialogic communication (Brainard & Edlins, 2014; Crump, 2011; Hofmann, Beverungen, Räckers, & Becker, 2013; Lovejoy & Saxton, 2012; Mossberger, Wu, & Crawford, 2013; Waters, Burnett, Lamm, & Lucas, 2009). That is, communication is typically one-way and asymmetrical (Waters & Williams, 2011). In their study of social media use by the 10

largest U.S. municipal police departments, Edlins and Brainard (2016) found that, over time, increased levels and kinds of social media use and adoption of standards for best practice has been slow and slight, and more constrained, especially its use for dialogic communication with citizens. Their findings build on their earlier work showing that police departments primarily use social media for information dissemination rather than interactions with citizens or local organizations.

When dialogic, social media use generates additional forms of engagement for a limited group of people relative to face-to-face contact, especially in routine police patrol work, but less so in time-critical situations (Meijer, 2014). In a comparative study of social media use by different kinds of organizations, Bird, Ling, and Haynes (2012) found out that users perceive government agency communications to be more accurate than those of community organizations, but the reverse was true for their perceived timeliness and utility.

In a Korean study, Porumbescu (2016) found that social media use increased both trust in and satisfaction with government agencies. Grimmelikhuijsen and Meijer (2015) conclude from their findings that social media, and specifically Twitter, helps police strengthen their legitimacy somewhat, for a small group of interested citizens.

Interestingly, Facebook posts that generally involve ‘networking’ posts about police department personnel that seek to increase familiarity and engender trust with citizens receive more ‘likes’ than posts that broadcast information or that seek help from the community. Huang and colleagues also find that ‘help requests’ (to solve a crime or find missing persons, for example) generate more shares and comments than networking posts or broadcast information types of posts. Characteristics of posts such as their purpose or

criticality result in differential rates of dialogic communication. Also, important to note, one-way communication is not always bad, as some researchers have argued that one-way asymmetrical communication is the most useful and appropriate in certain law-enforcement situations such as emergencies. For example, Muralidharan, Rasmussen, Patterson, and Shin (2011) found that non-profits and news organizations effectively used social media for one-way dissemination and disclosure of information, but not for two-way communication during the Haitian earthquake. These findings suggest there is a need for research on local police and social media that understands when, or what forms of information, are best disseminated using one-way or dialogic communication strategies.

Moreover, whether one way or dialogic, research into stakeholder perceptions of police social media use shows that it sometimes helps realize community policing goals. Accenture (2012) found that three-quarters of these respondents to a survey of 1300 citizens in six countries (U.S., Canada, U.K., the Netherlands, Germany and Spain) would like to see police use more digital channels to bridge the communications gap and increase citizen involvement in policing. These respondents preferred using Facebook (81%) and Twitter (35%), which aligns with the social media platforms departments have adopted. Further, research indicates that when local police departments use social media, they can increase public confidence (trust) and satisfaction (effectiveness and perceived legitimacy), which are key goals of the move toward community policing (Meijer, 2014; Ruddell & Jones, 2013).

In Kenya, Omanga (2015) discusses how a local chief in Kenya began using the micro-blogging site Twitter to radically transform the historical deliberative space known as Barraza into a space for peacebuilding and community policing. In his findings, he reveals

that the nature of the network built through Twitter by Chief Kariuki is indeterminate, boundless and organic in growth. Inactivating a segment of the public for purposes of instant group action, the public is assumed to be potentially active and bounded. Inactivating the public as recipients of spiritual nourishment, the boundaries are blurred and the same public is largely constituted as passive, almost analogous to the performance of a church pastor and his congregants. A similar study was done by Mtume (2012), he investigates how Twitter has been used as a tool to promote community-based policing for the past three years (June 2011-June 2014) by Chief Francis Kariuki in Nakuru North District, Kenya. Popularly known as ‘Chief Kariuki’ on Twitter, he is a civil servant for the Government of Kenya (GoK) and has been the Chief for the area Lanet Umoja since 2010 to the present. In his findings, she reveals that the use of Twitter as a tool to promote community policing has been very effective over the last three years. She further proposes that social media should be utilized nationwide to eliminate traditional methods of implementing community policing strategies.

In summary, a lot of studies have been done across the world concerning police use of social media in community policing. Though a lot of the studies that have been done focus on citizen and police participatory, for example, a study by Kudla & Parnaby, (2018); Schneider, (2016) in their findings established that participation the police and the citizens when using the social media is often fictively democratic, with the police strictly controlling interactions and citizens being unable to substantively influence and steer decision-making. Accenture (2012) found that three-quarters of these respondents to a survey of 1300 citizens in six countries (U.S., Canada, U.K., the Netherlands, Germany and Spain) would like to see police use more digital channels to bridge the communications

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2.2.1 Privacy and Social media

Due to inadequate knowledge on how to use social media, most users have found themselves violating the right of privacy of others; some users do it knowingly while others do it unknowingly. Privacy is defined as the right to figure out someone or to be left alone (Tavani, 2008). He argues that there are rights of a person that person might feel should not be shared with other people. The sharing might be done in social media; therefore, privacy allows one to determine part of his or her life to be shared either in social media or other publics. While according to Westin (1967), privacy is about a person deciding on the kind of information he/she wants to communicate with others. Westin's definition has some elements of surveillance as before you share information you must be aware of who is going to receive the information you share and whether the information should be private. In social networking sites, for example, Facebook provides people with freedom for sharing what they want either in their timeline or Facebook groups or pages therefore it's upon the person to decide.

In discussing privacy violations on Facebook, Raynes-Goldie (2010) in his study argues that violation of privacy in Facebook occurs in two ways which include; institutional violations and social violations of privacy. The institutional violation of privacy is when the institutions access the personal information of their workers online especially on Facebook while social violation of privacy is when one fails to protect his data or what he posts on Facebook may be due to ignorance or just negligence. This allows the institutions or any other persons to obtain their privacy and use them resulting in violations of their privacy rights. To control social privacy, Raynes-Goldie (2010) argues that it's caused by Facebook users themselves and they can control it by monitoring what they post in their

Facebook timelines and other pages and groups that they are on Facebook. Raynes-Goldie (2010) also attributed that institutional violation is done by organizations or for example Facebook accessing your data because they have all your information, therefore, they obtain it without your knowledge and therefore resulting in violation of privacy.

Lack of knowledge on social media use is also attributed to privacy violations through the use of social media particularly Facebook. A study done by Solvo (2008), suggested that most people are ignorant of what they post on Facebook due to the challenge that most people are ignorant of the use of Facebook on what they should post or not post or on the settings of privacy on their Facebook timelines. According to him, the key issue in new technology is education so that people are aware by paying attention to educating Facebook users on the privacy issues on what they should post and not post and how the information they post can be used against them.

Supporting Solvo argument about lack of Knowledge as to why people violate privacy in social media was Roos. In his study, Roos (2003) argued that most of the SNS does not have enough knowledge in using the SNS, therefore, ends up violating the right to privacy of other people. He supported that the internet allows people to connect without any boundaries therefore it's like a public place. Most of the subscribers of SNS are not aware of this that whenever they submit their profile information, they are already making it known to everyone by posting it on the internet which is a public space. Roos (2003) suggested that the users of SNS should know what information they should allow to be part of their profile information this will help them know which information is wanted in the public and not wanted. In the Facebook settings, the users have the options to choose whether they want only friends to view what they post if the user goes for the option, then

only his/her friends can access that information. Therefore, the known of his/her friends is supposed to share the information without his/ her consent. This makes the friend liable for violating the privacy right if he/she shares the information with other people who are not among the friends. Roos (2003) also suggested that one should take care not to wrongfully justify the infringement of privacy without proper grounds of justifications.

Due to ignorance or laziness, most of the people in their Facebook settings have failed to set their privacy settings and allowed, anybody, to access the information that they post in their Facebook timeline and their profile information. Roos (2003) in his study expressed this as dangerous since it allows anybody to access and use your information both in the timeline and also that you post. Roos (2003) mention the following to help understand when privacy is violated; if your personal information is obtained by a third party, he advised that we should take care of this by ensuring we set our settings to only those who we want to access information and also to our needs. Roos (2003) also established that the privacy setting might not be effective since Facebook is also indexed by Google. Therefore this means that someone can still get your personal information by sampling typing your name on the search button even if you are not among their friends, therefore, you can still obtain your personal information such as usernames and photos.

Posting once location on Facebook has made it easier for security agencies and enemies to track those who post their locations on Facebook. This can also be done through Facebook through "Facebook places" which was initiated in 2011. This feature of Facebook allows users to link their posts with places where they are. Therefore, it makes it easier for someone to identify your location. Roos (2003) sees the threat as a risk to the privacy of an individual. He describes the use of "Facebook places" the geo-location services which

allows users to link their post with the area of their locations using gadgets which include; laptops, smartphones, and computers. This allows the user to inform those who access the post on his/her location by reading the post. Although settings in privacy can be done to grant users followers to read the post, other people can also access it through Google. The advantage of the application is that you can see those who have checked the place you are. The application is not used effectively then it can result in a violation of privacy.

Constitution of Kenya (2010) entitled all citizens privacy right, under the bill of rights, stated that all citizens are entitled to privacy rights, therefore, they have the right not to allow themselves or their dwelling places or what they owned to be probed, seizing of their possession, protect information from them and their families that should not be in public or infringement of their communication (COK, 2010).

In several cases people on social media people a times post what may harm them later either knowingly or unknowingly. In Eastland's of Nairobi, People believed to be police officers have been using Facebook groups and pages in Eastland's of Nairobi as a surveillance tool. They use Facebook to keep watch on what's happening in Eastland's of Nairobi and post them in the Hessa Facebook groups and pages.

Fighting crime and protecting the right to privacy has been of debate to the residents, human rights groups championing for right rights for individuals and the security agencies as the result of Hessa Facebook groups and pages use to 'fight crime'. For the people believed to be police and part of the residents, posting the suspects` photos and their dead bodies on the Facebook groups and pages helps to pass information to other suspects to refrain from their criminal activities, thus they undermine the right to privacy of the

suspected criminals who are posted. However, they believe it's the best way to fight crime in the Eastland of Nairobi. On the other hand, part of the residents and human rights groups feels that this is not the best way to curb insecurity in Eastland's of Nairobi as this violates the right to privacy of the suspects posted in the Hessa Facebook pages and groups.

2.2.2 Extrajudicial killings and Legitimacy

The legal definition of extrajudicial killing is killing done by security agencies that are not recognized by the court of law (The Black's Law dictionary, 2018). The following are elements that justify extra-judicial killings according to the Black Law dictionary of (2018); extrajudicial killing is done outside the functioning systems if the killing is not justifiable in any of the available constitutions of the country and when the killing was done by the government agencies such as the police. The three elements must be present for the case to be declared as extrajudicial. Since extrajudicial killings are not sanctioned by the court and happen outside the courts then they can be compared to murder or homicide. The difference is that in extrajudicial is the security agencies that are involved in killing without following the law outlined in the constitution. This summarizes extrajudicial killings as the killings done by police officers that are illegal since the killings are not in line with the court of law.

Extra-judicial killings can also be associated with; assassinations conducted by the government, when one dies as a result of ill-treatment in prison detention or from torture, death as a result of disappearance when enforcement personnel uses excessive force that results in death without following the law and mass killing, (UN manual, 1991).

Melzer (2008) suggested that police should do transparent investigations to ensure that they don't involve themselves in extrajudicial killings. The same was supported by Florentina Ollmedov, Paraguay, Comm'n Hum. Its. Comm (2012), in their study they recommended that everyone should respect other people's right to life and those who are involved in extrajudicial killings should be punished. The investigation should be done whenever it's found that the death was unlawfully committed, and then the government must ensure that those who commit the crime are identified, arrested, and prosecuted. Lastly, the government should protect the victim's family which includes reparations and full and effective solutions.

In Kenya, the major contributor to extrajudicial killing was lack of failure to gather evidence by the relevant authorities. This was established by a report that was released by UNDP (2010-2014) on the state of security in Kenya. The study blames the police for not collecting enough evidence as it indicated that almost 60% of the cases presented by police in courts do not meet the threshold due to lack of evidence. This has made more police resort to killing the suspects. The report also indicates that most of the family victims of extrajudicial killings have reported their cases to the government, little effort has been made to help them get justice, therefore according to the report police are not ready to assist them to get justice to their family members who were killed by police officers.

A report released by Human rights in Kenya also indicates the rise in extrajudicial cases in Kenya. According to a report that was released by KNCHR (2011-2014) on the police killings and disappearance of youth in the country, they documented that police through a special group called Reece Squad which was organized to manage crime has contributed to extrajudicial killings of youth within the informal settlements in Nairobi. A report

released by KHRC (2017) concerning extrajudicial killings documented killings that were done between 2014 and 2017. It reported that between the periods about 487 cases were presented of police killings in Kenya. The report claimed that police defend themselves on the killings they commit the killings because they were maintaining law and order, they also claim that they were defending themselves from the armed suspects and also when manning the crowd.

Killings done by police are justified in Kenya by a report released by an international human rights group known as Independent Medico-Legal Unit (IMLU). According to the report that was released by IMLU (2017), it shows that in between 2013-2017, in Kenya, police have killed 686 people. Among them, the report indicated that those who were killed due to unknown causes were 73 while summary executions were 537 people. IMLU report also reported that 74 people were killed within four months in 2017. The 74 cases involved; summary executions which were 39, murder cases were 21 and those who were killed by police under unknown circumstances were 14.

Haki Africa another Human rights group also released a report on extrajudicial killings. Haki Africa (2017) in case documentation on extrajudicial killings documented about 78 people who were killed by police in 2016. The report indicates that police have defended the killings as legitimate by defending themselves that they were done to improve security in the country and not extrajudicial killings. Amnesty International another human rights group also documented cases that have resulted from enforced disappearance, extrajudicial executions, torture with impunity. A report released by Amnesty International (2017) on extrajudicial killings, indicated that about 122 people were killed in 2016. In the report, the

killings were blamed on the rise of the use of a Facebook group created by Hessa in Eastland's of Nairobi.

Statman (2004) noted that different scholars have differed on the killings committed by police officers as others term it as extrajudicial killings while others call it legitimate killing. Extrajudicial killing is referred to as Target killing. 'Target killing' of suspected gangs by people believed to be police officers has raised mixed reactions among the public, government, and human rights organizations. Human rights organizations and part of the public has termed it as extrajudicial killings while the security agencies and government refer to it as legitimate killings.

In his studies, Statman (2004) argued that the differences that arise from the attitudes of people about target killings not only reveal the disagreement in their morality or legality but also on the issues of the due judicial process. On the other end, David (2003) in his study, justifies extrajudicial killings as legitimate killings by saying that it's a way that police officers use to 'fight crime', he argued that the legality of the killing should be judged based on the armed conflict law. David (2003) noted that those who see the killings done by police as 'Extrajudicial executions' depends on the legality of law enforcement which is primarily and not exclusive to the law international standard law on human rights. The loophole on the standard international law has created room for the police officers to defend themselves after killings that it was legitimate killing and not extrajudicial killings. For human rights, this has been extrajudicial killing and not legitimate killings.

In following due judicial process, Njue (2015) in his study stated the aim of due judicial is following the constitution which is the rule of law to judge those who commit an offence. Njue (2015) pointed out that every court should follow all the procedures to ensure that suspects are accorded all the procedures that are stipulated in the court of law. Evidence might be lost due to delayed prosecutions since a lot might be lost on what occurred. Some of those who are supposed to testify may die before providing evidence, therefore, making the case difficult to go on. In a case between Carmichele v the ministers of security and safety (2001), it was established that the judiciary is important in curbing crime as it states to deter future crime owing to the consequences of the judicial decisions. It helps to set guidelines that are acceptable to the people who do not want to be at war with the law. Therefore, the judiciary should ensure the due judicial process is followed in handling suspects.

Njue (2015) pointed out that the COK (2010) allows for access to justice and therefore it's upon the government to enable justice access to its citizens. The right to access to justice is fundamental among human rights. The police and the judiciaries are the mandatory bodies that are given the duty by the constitution to ensure access to justice is achieved without denial or being isolated. Every individual is entitled to access to justice as stipulated in article 48 of the COK (2010), which mandate the government to allow its members to access justice. Affordable and efficient process, transparent, meeting justice needs through an independent judiciary, removing all barriers to justice, appropriate structures, when put in places like infrastructure and justice access, are all stipulated in the (UNDP, 2012)

People believed to be security agencies within Eastland's of Nairobi have come up with a special unit known as Hessy. The group operates on social media, especially Facebook. Hessy has created Facebook groups and pages where they interact with the criminals within the Eastlands of Nairobi. In the group they can identify, track and interact with the gangs and the community, they serve the gangs with warnings to stop their criminal activities of which if they fail to stop they go ahead and kill them. After killing the gangs, they post their pictures on Facebook pages and groups. This has led to mixed reactions from different people whether these killings are extrajudicial killings of the youth who are involved in criminal activities within Eastland's of Nairobi or they are legitimate as from the Facebook group of Hessy, in the comments, after Hessy has posted, some people support Hessy while others condemn the act.

2.2.3 Security and social media

Security is a major concern to any person; we all want to live in areas that are secured. Security is defined in a report by KNCHR (2014) as being free without any scare from anyone causing conflict or violence to you and also being free from deprivation and hunger. For this study, the security discussed is the freedom from fear that is violence and conflict. The study focused on the violence caused to people living in the Eastland of Nairobi.

In a case, it was noted that it's the mandate of the government to make sure that all rights of its citizens are not violated including the right to security (The Vienna Intervention Centre against Domestic Violence v Austria, 2005). The state is entitled to make sure its organs and agencies protect all the rights enriched in the constitution. Every state has the mandate to ensure its citizens are secured, the government of Kenya among other countries has the mandate to protect its citizens by ensuring they are secured. In maintaining security,

the government must ensure it also protects the rights of its citizens as stated in chapter four under the bill of rights. Adonayi (2014) in his study suggested that security agencies must try and ensure that their citizens are free from criminal activities such as; robbery with violence, murder, burglary, picks pocketing, and car thefts among others. It must also ensure that during the process the right of the suspected criminals for example; the right to life, life to privacy, and the right to due judicial process is protected as stated in the Kenya 2010 Constitution.

According to the Constitution of Kenya (2010), among the rights and freedom of individuals that are in the bill of rights in article 29 of the COK (2010) is the security of an individual. The constitution provides for the right to security of all its citizens including; not to be arrested without any cause, being detained in prison or police cells without being taken to court for trials, except during a state of emergency. The bill of rights article 29 Freedom and security of the person, COK (2010) under the bill of rights also states that one should not be subjected to any form of violence from any person or government, freedom from torture, freedom from corporal punishment or to be punished inhumanly.

Njue (2015) in his studies identified similarities between the constitutions of Kenya act on security with other countries, both constitution of Kenya, the constitution of Republic South Africa and the American Convention on Human rights all are mandated to protect and respect the bill of rights by allowing the enjoyment of rights by citizens as stipulated in the law. The similarity of the constitution was also observed between the Kenya constitution and the South African constitution they don't accept human rights abuse. The word 'must' in their constitution shows the government's role in protecting citizens' freedoms and rights and they cannot run away from it. This was indicated by the use of the

following word in their constitution; to fulfil the bill of rights, the government should protect and promote all rights and freedoms as stated in the constitution.

With the emergency of social media, most of the security personnel use social media in their countries to help improve security in their countries. In a study done by Harcourt (2015) on police use of social media to protect its citizens, he noted that police in New York used social media to help them combat crimes committed by gangs in the street, the police come up with Operation Crew Cut. Police used the application of social media to convict numerous individuals by posting them on social media. The police post the youth photos, likes, and messages. Social media has also been used during the crisis in different crises to ensure security is restored. In a study, social media has been used to provide updates on occurrences, instructions and anxiety in times of crisis and has been used to pass communication in times of risk to public safety for example in natural disasters and during clashes, riots and mass shootings (Dencik et al., 2018; Procter, Crump, Karstedt, Voss, & Cantijoch, 2013). Another study established that social media is used by police officers to present their organizational selves through expression. Social media helps police fight insecurity during these times when social media is used in community policing to determine representation mediation, therefore, they are mediated through social media (Beckett, 1994; O'Malley, 2010; Reiner, 2013).

Terpstra (2009), found out that even though police are using social media platforms that bring them together with the community to help them combat crime in their areas, the study found out it's the police in the platform that always control the group and have more say as compared to the public in the group. This doesn't allow the followers of the social media platforms to contribute much to the platforms as they fear the police. The citizens do not

feel like part of the group as they are not consulted by the police as the police only post outcomes. Kudla & Parnaby, (2018) and Schneider (2016) all support that social media formed by police are always characterized by police dominating the group and having no democracy. The public has no otherwise but to follow the chats on the platforms as they are not involved to steer decision-making as police control all posts in the group.

Walker (2006) in his study examined the difficulties that police have in balancing between the right to security and other human rights such as the right to life. In his argument, human rights should be ranked above other values, he stated that security is not a value and therefore it should be viewed as a right of an individual. The right to security should be included in human rights and should not be used to balance other rights. This will make it easier to obtain the balance if security is included in the rights that are supposed to be balanced. If the nation wants to reduce the risk or likelihood of the nation to derogate the fundamental rights of people in favour of security as isolation then it should identify security as part of human rights regimes Walker (2006) also suggest that if security is considered as a right then it will help to come up with the necessities that will help in the counter-terrorism law, this will assist in protecting the people's right and also provide for the needed actual liberal democratic state.

Other studies also reveal that social media has allowed crime not only to be a police issue by its something in the public. Garland (1996) in his study argued that social networking communications are now helping in explaining wider strategies of nodal governance and responsabilization, his idea was supported by Shearing and Wood (2003) who noted that through the coming of social media, crime control, and social ordering are not only owned by security agencies but it's shared among the public and also organizations, communities,

and companies that are affected or are interested to know about security issues. The idea was similar to Zedner (2010) who claims that social media has extended the arm of security agencies since the public is also able to participate in combating crime.

When security agencies deal with security matters in Nairobi by posting the victims on social media they tend to violate human rights which need to be protected. Therefore, human rights protection and the fundamental rights of the people are also security. This gives the security team the dilemma of what should come first between the security of its citizens and the protection of the rights of the citizens. According to a report by United Nations (2001) it advised that in this situation, the security agencies should balance and consider what best should be done by ensuring the decision made will ensure the security of both states, international obligations, and also its citizens with minimal violation of human rights. It provides the question of whether this tactic used by people believed to be police officers in Eastland's of Nairobi on Facebook has helped to improve security or it has worsened security or security is just normal and it didn't bring any change.

2.2.4 Surveillance and social media

Surveillance has been defined in different ways by scholars depending on the context. Surveillance is gathering personal data information and processing. The information might be known or unknown, to influence the data obtained (Lyon, 2001). Lyon's (2001), definition focused on the power of the computer in surveillance and he added that computer power is the major means of surveillance in the world of today. For Ogura (2006) he looked at surveillance as a structure and not in terms of computer as Lyon did. Ogura (2006) sees surveillance as ways one of the activities carried out by government or corporate in the capitalist formation to help them control the population of their countries. In his concept,

surveillance is entailed as asymmetry in which people are surveilled through structures, and also the powerful watching the less powered.

Marx (2002) view surveillance in terms of computers. Marx (2002) defines computerized surveillance as an emerging surveillance form that has brought a lot of changes in the field of surveillance as compared to the surveillance that was done without computers. The same opinion was shared by Andrejevis (2007), according him, with the emergence of new technology, information is gathered from many areas from various places as a result of the new modes of surveillance brought by technology. He claims in his study that new media has benefited the state since they can track information that is hidden from the public during riots or demonstrations and they can track them using surveillance technology. Fuchs (2014) noted that surveillance is a tool that is connected to obtaining information from a person or public in times of violence, coercion, and domination. According to him surveillance and communication cannot be separated, he supported this by saying that technologies of freedom can be also technologies of control.

In relating surveillance and social networking sites, there are key elements in social media and surveillance; they are looked at as users' contributions to the construction of the identity of others. In this case, social media users can follow another post in their timelines (Trottier and Lyon, 2012). The use of image and name tagging also enables them to obtain information from those who are tagged. Social media also allow one to monitor other social networks. Trottier and Lyon (2012) also argued that surveillance in social media also uses social ties that are seen and can be searched or measured. Contents and interfaces are some of the major things that on most occasions confront social media surveillance. Profiling of

information from different social contexts which is also referred to as 'social convergence' is what is referred to as social media surveillance.

Boghosian (2013) in his view, through using social media, security agencies obtain personal information from the public's email, phone calls, and also from GPS movements and also from several social media platforms. According to him most of the companies that can obtain this personal data times also sell the personal information to other companies that might require them. The same was shared by Trottier (2011) by also arguing that police access information from social media directly and indirectly. Most of the social media services have provided ways in which police and other security agencies can get information from their servers.

Lyon (2001) and Fuchs (2012) in their studies mention government as the major controversy of social media surveillance. At one-point government supports that the security of its public and safety of its public has been enhanced by social media surveillance. It suggests that social media surveillance has enhanced crime confrontation and government protection to its people. While the same government is not only interested in providing security to its citizens but also using social media surveillance to collect data on the public and use it to control them so that it can maintain and remain in power over its people.

Clarke (1997) and Phillips (2010) both documented the relationship between surveillance and social technologies and they establish that some of the companies that offer social media services such as Facebook do "dataveillance" which refers to Facebook being able to collect personal information that is provided by the Facebook users. This shows that

when compelled either by the government then Facebook can provide personal data of their users. Apart from service providers providing personal data of their users, another study by Grimmelmann (2009) and Turow (2006) established that some of the manufacturers of other firms also monitor their employee's data in the social media left by social media users when they don't log out, therefore, being able to monitor their activities. Strandburg (2011) also in his work stated that various scholars have done research proving that the government through their law enforcement officers uses social networking sites in tracking suspects and those who commit crime issues that might be posted on social media.

Gerrie (2007) in his study examined the difference between social surveillance and surveillance. According to him social surveillance, every social relationship requires power conceptualization and that's the same with surveillance. Secondly, he mentioned that social surveillance occurs between persons instead of agencies and individuals as in surveillance. Lastly, he mentions that everyone is involved, in this case, both sides can publicize the information they have against each other. It's not one-sided as surveillance where it's only the government that monitors and can broadcast its citizens' information.

Most people using Social media are either not aware or are less concerned whether corporates, government, or workmates at work or their families such as their families are watching their activities in social media (Marwick & Boyd, 2011). This has made them post without fear and post personal information without fear. Marwick and Boyd (2011) add that this has enabled most social media users to check what they post online and try to balance between seclusion and publicity, this is seen in the status updates and profiles of others. Individual monitoring is equated to social surveillance practices as noted by Trotties. He explains that the ability to be seen by some people provides for their

surveillance. It proves how we present ourselves in social media software by revealing our user actions and social norms in social media.

Kennedy (2009), in his study, brought another concept that is used in social media surveillance. Kennedy (2009) noted the common practice that people are using Facebook to provide personal data on other people by digging through their digital information. The practice is referred to as "Facebook stalking". According to him, most of the states use stalking to obtain information from their citizens so that they can know those who want to challenge them in their power retention, therefore he relates it's to power. Senft (2008) found out that some of us who post our information on social media also enjoy posting our status and seeking attention which makes our posts be viewed by other people, in the process, they forget that they are being surveilled, this makes it easy for the agency to easily track and disseminate their digital information. Therefore, social media users have the power to choose which information should be in the public and the one that should not be but most people always forget this when using social media. Social media is a double-edged sword that allows both consumers and producers to benefit and respond to each other.

Contemporary Surveillance activities are intrinsic to electronic communication technologies. According to Nissenbaum (2010), electronic technologies such as tapping communications, the use of hidden cameras, creating a database to process and aggregate information, biometric data, using infrared cameras to find individuals in hiding, and many more have changed the field of surveillance. Nissenbaum (2010) also mentions that companies, governments, and marketers also use social media technologies to information from their employees and the public. In supporting Nissenbaum's study, Hull, Lipford, and

Latulipe (2010) in their study established that Yahoo as a parent company to the photo-sharing site Flickr can provide it with the data of the user. This means that the personal data you shared with yahoo, is shared with Flickr. They also gave another example of iPhone applications or Third-party Facebook being able to get and disseminate your data to other servers that are not part of their networks. According to Nissenbaum (2015), there are three issues of privacy that surrounds social network sites; use of social media by people to reveal information about them, for example, writing blogs, photo sharing online and negative post on their social media platforms, second was posting about others, people are fond of posting others in social media may be through tagging them in the post or responding to them. Lastly is the distribution or sharing of information from the user's owners' social network sites.

Andrejevic (2005) studied traditional surveillance theory where no technology but people is spying on one another through people's search tools and by identifying your friends as a tool to provide them with information about you. The study was in line with what was done by Albrechtslund (2008) argued that lateral surveillance might be advantageous through its participatory since its empowering, framing, and playful. Lampe et al (2016) identified another primary use of Facebook as social searching as one of the tools of surveillance. According to Lampe et al (2016), the social searching tool is used by Facebook users to know more about their friends and also uses the site to meet new people. While according to Joinson (2008), his study mention that "keeping in touch" is among the main reason why many use Facebook. He agreed with other scholars like Lampe et al on the difference between browsing and searching. According to him this process also contributes to surveillance which is referred to as "virtual people watching".

Stephen (2012) identified that security agencies through surveillance can obtain a gang database on social media especially gang members who are well known in the community. Mark (1997) also suggested that police can investigate and curb gang-related activities using gang databases obtained in social media, also using cameras that can identify gangs. Rebecca in her study examines the monitoring role of social networks and stated that social networks have been used after a crime has occurred to identify those who committed the crimes through sharing footage of surveillance cameras on social media.

In Kenya, people are believed to be police officers who use Facebook as a surveillance tool, to monitor, track, and eliminate criminal gangs in Eastlands, Nairobi Kenya. With Facebook as the surveillance tool, security agencies monitor the posts, from the post they can identify the gangs and also use the post to track their friends and other gang members. After tracking the posts and photos from their profiles, the security agencies post them on Facebook pages that they share with the gangs and the residents of Eastland. In the post, they issue them with warnings of them to stop their criminal activities of which, if they refuse, they go ahead and kill them and post their photos in the same group and pages on Facebook. The government is also able to monitor the reactions of the residents through their comments and therefore able to make conclusions on how the public views their performance on security.

2.2.5 Gangs and social media

According to King, Walpole, & Lamon (2007), Social media play a greater role among youths, studies have been conducted linking youths using social media with criminal activities. Several studies have been done by scholars on the relationship between youth and how they conduct their gang activities in social networks. They all suggest youth

through social media are now harassing their peers by bullying and doing other crime-related activities. In their studies, social media are seen as the vehicle used by the youths to perpetuate the act of violence therefore social media is no harmful.

Wolf, McDevitt, and Stark (2011) established that social media is used by street gangs in a threatening, intim publicly in social media and also by sharing provocative. Their study considered street gangs which are common with my study as I also focused on street gangs and their behaviorsidatinbehaviours on social media. Wolf, McDevitt, and Stark (2011) in their research also found out that street gangs are using social media for selling drugs, publishing their activities, communicating, and also recruiting new gang members. The study also found out that it's because the more people available on social media are the reason they are using social media since they can reach the majority of people. This has enabled them to increase in size by more people joining their social media.

Dean, Bell, and Newman (2012) in their study also established social media mostly Facebook is mostly used by terrorists and militant extremists. They establish that terrorists use social media in recruiting and training gang members, who join the group, also use it as a form of communication. Facebook is also used to communicate with the majority of people in organizing and instigating riots and revolutions.

Another study on the role that social media play to gang members was done by Decary-Hetu and Morselli (2011) established that; communicating and learning new criminal activities, showing off weapons, entertainment and cyber-bullying were some of the online activities that gangs are engaged in online. Entertainment from youtube and posting gang-

related videos was also established as some of the activities that current and former gangs do in social media (Decker and Pyrooz, 2011).

Sela-Shayovitz (2012) interviewed 30 gangs of the age 16-20 to establish the relationship between gangs and social networks in Israel. The study establishes that technical proficiency impacts in which gangs use social networks. The study tested how the gangs' knowledge of the user computers. It tested Facebook use, the ability to play games, and also the ability to send emails. The study established that those with low computer skills were only able to download music and videos. Those with technical skills were able to use software and also hacking. Sela-Shayovitz (2012) also establishes that face to face interaction was highly preferred among gangs with low computer skills. Those with high skills in the computer were involved in the online war against each other and revenging. They were also involved in cyber-crime and social respect. Therefore, according to this study, most gang members use social media as a vehicle to commit a crime based on their knowledge of the social media they are using. This shows that gangs on social media use social media that they understand better to either commit a crime or to facilitate their criminal activities.

Pyrooz et al (2013) researched internet and gang involvement where the current and former gangs were included in the study. The study reveals that those who were interviewed in most cases they are all involved in the online offence. Selling stolen properties or drugs, uploading violent videos, and harassing and threatening people were among the offences that the study revealed that the current gangs and former gangs do online. Only a few of the majority of those who interviewed in the study indicated that social media is used in recruiting new gang members. The same was also reported on those who said they use

social networks to communicate about crime activities as only a few of the respondents indicated they use it to organize their criminal activities. The study is similar to other studies mentioned above as all indicate the gangs using the internet to access social media to either perform their criminal activities such as cyberbullying or using social media to facilitate their criminal activities such as uploading violent videos.

Surette (2015) in his study believes that most of the gangs in social media might be posting out of a lack of knowledge in the use of social media. Surette (2015) also attributes online posting by gangs on celebrity issues. He explained this by discussing the performance of crime done by a celebrity in social media as a way that has been copied by other gangs in social media. Surette (2015) noted that the 20th-century generation is consuming information from celebrity culture which has provided room for social media users who are gangs to post videos showing how they are planning to commit a crime, post videos showing how they are committing a crime and also posting after committing a crime in Facebook so that they can become celebrities by several followers, likes and comments from social media. The post is always generated to act as evidence against the suspects. Surette (2015) also noted that the treatment of crime victims has also changed due to the dynamics of social networks that drive offenders to post their crime performance in the media. Now used in 'shaming-the-victim' in which victims of crime are also posted and are being ashamed by social media users. Surette (2015) also explained that posting videos regularly on Facebook by terrorism groups, explains the use of social networks used to reach a wider audience through the videos produced by terrorists and other gangs.

Surette (2015) also gives how social media exposes most of the gangs and therefore becomes a dangerous place to them. He explained that most of the people living in digital

surveillance should be aware that media provides for other people to reach their personal information by a lot of people through social networks, therefore, should be careful when using social media. Surette (2015) also noted that most people are no longer concerned whether they are being watched or not since they believe that continuous surveillance is the norm. This makes them go ahead and post their criminal activities which facilitate easier security personnel to follow them through social media to get evidence of the crime they posted on their Facebook or other social networks. Through this, the police are also able to access their locations through their post on social media accounts.

2.2.6 Community policing and social media

Skogan (2004) stated that scholars defining community policing have a common idea in their definitions that it provides for working together between community and police to get a solution to the problems of a community. Forman (2004) noted that there is a need to understand community policing as an "organizational strategy" that is used in operating departments of police. According to him, the aim of community policing is to fight insecurity through neighbourhoods and then come up with measures to solve the security. The "community" should be an area appropriately designed where those tasks with maintaining law and order can manage. For efficient services, special characteristics of the surrounding of the neighbourhood should be considered.

Globally, community policing strategies are increasingly being implemented all over the world due to a variety of factors. First, there is a widespread lack of public confidence in the police in many countries. Second, there is a need to adopt strategies to deal with a substantial increase in criminal violence, even in those countries considered most secure.

The case studies presented indicate that community policing programs provide a partial answer to the challenges they have been designed to address. Public confidence in the police rises in places where such programs are in effect and the community dwellers have an interest in establishing closer relationships with the police (Johnston, & Shearing, 2011).

Since 2003, the government embraced community-based policing that combine synergy of police officers and the public who are consumers of police services. Against this backdrop, the former President, Hon. Mwai Kibaki presided over the official launch of CP at Ruai Police station, Nairobi in April 2005. Essentially the initiative has worked well throughout the country and the concept has been understood and assimilated by local communities who are in turn employing local resources, cultural and value systems to boost the initiative. One main reason for advancing the CP concept is concern over the spiralling of crimes and the theory that the criminals live among us, that they are our friends, siblings and relatives (Kenya Police report 2006).

Jihong, et al (2003), believes that community policing has is one of the creativity from the police department that has been successful in fighting crime in the community. This is according to the study done about community policing in the US where community policing was implemented before other countries. The same opinion was shared by Hughes, Lurigio, and Davis (2002), who also established that the main role of community policing is to detect and prevent crime. Abebe (2000) also established security personnel needs the citizens to solve the crime. The same was also echoed by Palmotto (2000) who noted that security agencies need the community to combat crime. Through redefining police-community relationships, police also support working together with the community to fight crime. All over the world, community policing has become one of the major concerns for

most countries to solve insecurity. According to Abebe (2000), the best way to fight crime in a country is through community policing by police and community working together.

Jiao (2000) in discussing the goals that are needed to achieve community-oriented policing, suggested that it's upon the police to facilitate community policing by lowering their ranks levels to match that of the community members and also must decentralize their organizational structures to the community. Jiao (2000) also suggested that the police should come up with community-based crime prevention programs as this will ensure that they are committed to the community they are serving, mobilization of the community resources, and internal and external communication. Jiao (2000) also noted that community policing has provided a new role to the security personnel in the community. It requires that police should engage more in activities that are proactive this is achieved when community policing allows the department of police to come up with more activities by widening their interaction with the community. The department of police should not only perform roles that are stated in the constitution only as suggested within the framework of community poling that brings the police and the community together (Jiao, 2000). The police officers do other activities within the community with the community members through friendship established as they also maintain law and order.

According to South Africa (1997), the main aim of community policing is to find out new proactive cases whose main goal is problem-solving before the problem happens. BJA (1994) establish that community policing is effective when both community and police collaborate to know crime also to come state measures to solve the crime within the community. Lab (2004) also suggested that the main aim of policing is the collaboration between the two groups in solving problems that affect them as this helps to minimize and

do away with crime and improve security within the community. Bertus and Ferreira (1996) stated that community policing allows the community to play a meaningful role in their security through the crime prevention strategy, the role must be seen as a responsibility by the community members.

Studies by Dencik et al., (2018) link social media and community policing. They establish that through social media police have transformed how they access their citizens and are also able to monitor their activities. They also established that social media has enhanced connection within the community as both the police and citizens now can easily interact as social networking sites allow one to post on the ongoing in the community, therefore, sharing with the police.

Marx (2013) in his study also suggested that social media allows the community members who are social media users to identify and report any form of criminal in social media. He sees social media as crime stoppers and related watch programs. Through social media one can post alerts of insecurity like CCTV footage to allow for an investigation to be done about criminal activity committed with criminals. Through this social media enhances online community policing as the police can see the post and act on them or them using it to post some of the wanted criminals.

According to Crump (21011) and Skogan (2006), using social networks, for example, Facebook is the community in giving information to security personnel on community issues concerning crime has improved problem solving and participation of the community in improving security. Eren, Alttunbas, and Koseli (2014) also suggested that social networking use in the community by police and the community in community policing has

not only increased the friendship with the security agencies but also by also improving partnership and also allow for sharing information which in turn enhance enforcement.

Aeillo and Bullock (2018) all suggested that law enforcement's legitimacy can be increased through commitments to participate, transparency, trustworthiness which include the outcomes in community policing. Scholars such as Terpstra (2009) are among the few scholars that believe that community policing is not an effective way to improve security. According to him, community policing is highly dominated by the police who are the decision-makers and they don't listen to the community. The police dictate communication the content of the community policing policies. It also explains that citizens remain detached and are not involved in most of the activities done by police therefore final result of community policing lacks the input of the citizens.

The technique used in Community policing is believed to be also used in the Eastland of Nairobi. The community and the police are carrying out community policing online through the use of Facebook pages and groups. In Eastland of Nairobi, people believed to be police officers have been using the social media community policing strategy to help 'fight crime' in the area, they use Facebook to get information from the public. From the pages and groups mostly known as Hessy or Nairobi crime-free, the members of the Hessy Facebook groups and pages and even the residents communicate to police information concerning suspected gangs that terrorize them. They do this through posting in the group or inbox the Hessy in their Facebook accounts and then Hessy will respond on whether the claim is worth investigation or not.

The groups bring the police officers, the residents, and the gangs together which is believed to be online community policing. Once the suspects are posted by either the members of the Hussy groups or the Hussy's, they are given a chance to defend themselves and even the members of the group also give their opinion concerning the suspect whether he /she is a criminal. The issue is always debatable when a suspect is posted, as even those who don't know him/her will comment that the suspect should be shot dead by Hussy while only a few will defend him/her. The question has always been how sure are you that the person you want Hussy to kill is a gang or not? Whether they are innocent or not? Whether wishing the suspects to be killed is the best that the community sees the suspects deserve most?

CHAPTER THREE

METHODOLOGY

3.0 Introduction

In this chapter, the researcher identifies the procedures and techniques that were used in the collection, processing, and analysis of data. This chapter focused on the research design that was used, the target population of the study, the sampling design and the sample, the data collection instruments, the data analysis techniques, and ethical issues that were observed during the research.

3.1 Research Approach

The study adopted a qualitative research approach. Qualitative research is a systematic, subjective approach to describe life experiences and give them meaning (Burns and Grove 2009). Qualitative studies will allow the researcher to explore behaviours, perspectives, feelings, and experiences in-depth, quality, and complexity of a situation through a holistic framework (Holloway and Wheeler 2002). Jwan and Ong'ondo (2011) explain that qualitative research is an approach to inquiry that emphasizes a naturalistic search for relativity in meaning, multiplicity of interpretations, particularity, detail, and flexibility in studying a phenomenon or the aspect(s) of it that a researcher chooses to focus on at a given time.

3.2 Research Design

The research design is a blueprint for conducting the research that specifies the procedures necessary to obtain the information needed to structure and solve the research problems (Cooper &Schindler, 2003). The research adopted a multi-method design combining descriptive and qualitative survey. Descriptive design assisted the researcher to understand

the meaning in events and in human interaction including discussing social media and human rights, analyzing the use of Facebook in Eastland's, Nairobi by police and the public to fight crime. The researcher also conducted a qualitative survey on users who are found using the selected Facebook pages and groups which included Nairobi crime-free, Hessa wa Dandora, and Hessa wa Kayole Facebook groups.

3.3 Research Site

3.3.1 An overview of Eastland's, Nairobi

The new constitution of Kenya divides the country into 47 counties, Nairobi is one of the 47 counties in Kenya which is located in the former Nairobi province and covers an area of 694.9km². It's the second smallest county in Kenya after Mombasa though it has the highest number of sub-counties in the country which is 17 in total. The sub-counties are; Dagoretti North, Dagoretti South, Embakasi Central, Embakasi East, Embakasi South, Embakasi North, Embakasi West, Kamkunji, Kasarani, Kibra, Langata, Makadara, Mathare, Roysambu, Ruaraka, Starehe, and Westlands. According to the latest census conducted in 2009, Nairobi has a population of about 3.5 million people.

The study was conducted in the Eastlands areas of Nairobi. The Eastlands area is located in the South-Eastern part of Nairobi. The area is densely populated with a population of about one million people. In the Eastlands, the study will major in three informal settlements which are Mathare, Dandora, and Kayole (Jamhuri Magazine, 7th September 2011). Jamhuri magazine (2011) describes the Eastlands of Nairobi as an area characterized by a dense population, low-cost housing estates, poverty, crime, and insecurity. Various economic activities take place in these areas, apart from small businesses and the matatu industries; there are several industries, the main international airport, and the inland oil

depot. There are also quarries, small-scale (Jua Kali) enterprises, and various service-oriented institutions, which provide job opportunities to several residents. The area serves as the home of the industrial area in Nairobi which employs more than 300,000 workers. Jamhuri magazine (2011) further explains that most of the people living in Eastlands, Nairobi are small business owners who establish a business to serve a high number of populations. The most practised businesses are selling clothes and foodstuffs which are necessities.

According to MTAANI VIBES (2018) a publication of Kenya Daily Newspaper, Nairobi's Eastlands area is infamous for many things; insecurity, rampant crime, deplorable public amenities to poor housing and infrastructure.

The Jamhuri magazine (2011) also stated that cheap houses and low cost of living in the informal settlement of Eastland and the presence of these economic activities have attracted a large number of mainly unskilled migrant job seekers to Embakasi. As a result, several informal settlements such as Kwa Njenga, Quarry, Soweto, Kijiji, and Carton city have cropped up in the area as they provide affordable accommodation. The informal settlement is densely populated and is characterized by temporary structures, lack of water and sanitation, and poor infrastructures such as roads, drainage, and lights. Social amenities such as public formal schools and health facilities are almost non-existent in these slums. Some of the residents engage in illegal activities such as selling illicit brews and drugs, theft, and prostitution to earn a living. Many of the children are unfortunately exposed to these vices early in life and this results in disruptive behaviour when they join the school. Others run away from their homes to go live in the streets (Jamhuri Magazine, 7th September 2011).

The study was conducted in the Eastlands of Nairobi due to the insecurity in the area. The Jamhuri magazine (2011) explains that Eastlands is characterized by insecurity; this is because a lot of youth are jobless and idle and needs a source of income to have food. Eastlands is notorious for the development of hardcore criminals in young adults who waste away their lives to crime. A report released by Crime Hot Spots published on the national Police Service website (2019) shows Kayole, Huruma, Dandora, Mathare, Langata, and Dagoreti among others, with the Eastlands area as the leading in crime.

The study was conducted in the Eastlands of Nairobi because the first HESSY Facebook groups and pages that were first established to help “fight crime” was in Kayole in Eastlands Nairobi. The first unofficial police Facebook account appeared under the name HESSY wa Kayole [HESSY from Kayole], with his legend spreading on social media, more Facebook accounts with names of gang hunters from other crime-ridden residential estates started to appear in Eastlands of Nairobi; HESSYwaDandora, Kayole Crime Free, Dandora crime-free, KayoleDandora crime-free, HESSYwaHuruma, Black widow (The STAR Kenya daily Newspaper, 17th April 2019).

3.4 Target Population

A population is also known as a “universe” refers to all the items in the field of inquiry (Kumar, 2008). Brenda, (2009) says that the target population is the entire set of units for which the data are to be used to make inferences. The target population defines those units for which the findings of the study are meant to generalize. The target population for this study involved; residents of three Eastlands neighbourhoods (Kayole, Mathare, and Dandora) in Nairobi who also use Facebook and are part of Facebook groups organized around ‘community policing’, the target population also involved former/reformed

criminal gang members in Eastlands of Nairobi, human rights organizations that report and document extrajudicial killings in the selected slums and also crime reporters.

3.5 Sample and Sampling Method

According to Intell, (2012), a sample is a part of an entire population that possesses attitudes, opinions, habits, or characteristics that you wish to study. While Mason (2002) defines sampling as the way through which the people who will be the sources of data are chosen and accessed. Ngechu (2004) underscores the importance of selecting a representative sample by making a sampling frame. From the population frame, the required number of subjects, respondents, elements, or firms will be selected to make a sample. The major aim of sampling in qualitative research is to identify participants who are likely to give rich and in-depth information on the issue being studied so that we learn the most about it (Dörnyei, 2007). Purposeful sampling was used for this research. The purposive sampling technique and snowballing sampling were instrumental in selecting the interviewees who knew the topic. Purposive sampling allows a researcher to choose a case that represents some feature or process in which the researcher is interested (Silverman, 2005) and are relevant in facilitating the study (Alder and Clark, 2008). The respondents were purposefully sampled according to the in-depth knowledge they have about the topic, those who were identified through purposive sampling helped the researcher through Snowballing sampling to identify other respondents who were interviewed for the study, and these were people who were having more in-depth information regarding the topic. Snowballing was important considering the population of the study and the topic, some of the respondents may not want to participate in the research due to the nature of the topic. Therefore, through snowballing the study participants were able to know other people in

the same situation as themselves and were able to inform others about the benefits of the study and reassure them confidentiality so that they can participate in the research.

The study also sampled, a survey of suspected Police Facebook accounts which are said to convene the ‘community policing (Facebook discussion groups and pages) used in this area to ‘fight’ crime. The study sampled Kayole’s crime-free Facebook group. The group was selected because it has more numbers who are active members of about 500,000 members during the time of the study. It also fitted the study since it was easy to access documents from 2017 to 2018 as compared to other Hessa groups that proved difficult to access data for more than a whole year. Qualitative Content analysis was used to organize the data collected from the Kayole Crime Free in a manner that facilitates the identification of emerging concepts and themes.

Table 3.1: Sample Size

Respondents	Sampled population
Crime Reporters from selected Newspapers	1
Organizations that fight for human rights; Social Justice Centre; Mathare, Kayole and Dandora, Kenya National Commission of Human Rights.	6
Reformed gang members	5
Residents of Eastlands Nairobi	5
Focus group discussion for reformed gang members	9
Focus group discussion for residents (From Mathare/Kayole or Dandora)	8
Total	34

Source: Field Data (2018)

From table 3.1, the sample size for respondents who were interviewed included one crime reporter from the Standard Newspaper. 6 people from organizations that fight for human rights included; Social Justice Centre; Mathare, Kayole and Dandora, and the Kenya National Commission of Human Rights. 5 reformed gangs who were in the selected

Facebook groups and pages were interviewed and 5 residents of Eastlands, Nairobi both from Dandora, Kayole, and Mathare. The researcher conducted two focus group discussions, the first focus group discussion included 8 reformed gang members, and finally 9 residents of Eastlands, Nairobi. Therefore 34 respondents participated in the research.

3.6 Data Collection

3.6.1 Type and sources of data

There exist two major types of data; primary data which is information gathered directly from the source for purposes of the study and secondary data which is information gathered from the published work of other authors (Wilson, 2010). Qualitative data from both primary and secondary data were obtained for this study. The primary data was obtained through the use of semi-structured methods such as in-depth interviews and focus groups. Secondary data was obtained from the content analysis of selected Facebook accounts and Facebook groups and pages that are under this study that is Kayole crime-free, Dandora crime-free, HessaywaDandora, and Hessay wa Kayole, newspapers, documentaries on crimes in Eastlands Nairobi and other databases of an organization that champion for human rights was also accessed and used for this study.

3.6.2 Data collection methods

Data collection instruments are the tools that assist the researcher in the process of gathering and measuring information on variables of interest, in an established systematic fashion that enables one to answer stated research questions, test hypotheses, and evaluate outcomes. The study used the following methods to collect data; in-depth interview schedule, focus group discussions, content, and document analysis. All interviews and

focus group discussions were tape-recorded. The interviews were informal and open-ended and were carried out in a conversational style which was administered to selected respondents.

3.6.2.1 In-depth interviews

Qualitative research uses in-depth interviews and/or observations of humans in the natural and social setting (Litchman, 2006). The primary objective of qualitative research is to generate rich detailed data about the issue under investigation. The flexibility of semi-structured interviews will allow the researcher to probe the respondents for details in search of a 'fuller picture' of events. Such an approach enabled the researcher to understand, explain, and interpret the phenomenon under investigation from the perspective of the people being studied.

The interviews included; one crime reporter from the Standard Newspaper. 6 members of the human rights group and social justice centres that fights for human rights. 5 reformed gangs who are in the selected Facebook groups and pages and 5 residents who reside in Eastland's and belong to the Facebook groups and pages under this study.

3.6.2.2 Focus group discussions

Kamberelis and Dimitriadis (2005) as cited in Jwan and Ongo'ndo (2011) define focus group discussions as collective conversations or group interviews. A focus group usually includes a limited number of respondents (6-12) from within the target market. The main aim of the focus group was to find answers to why and how questions. In this research, the researcher conducted 2 focus group discussions; the first focus group discussion included

8 reformed gang members and another one that involved 9 residents of Eastland's, Nairobi. The discussions were tape-recorded.

3.6.2.3 Qualitative content analysis

Content analysis according to Krippendorff (2004), is a research technique for making replicable and valid inferences from texts (or other meaningful) matter to the contexts of their use. Leedy and Ormrod (2001) define content analysis as a detailed and systematic examination of the contents of a particular body of materials to identify patterns, themes, or biases. The emphasis in conventional content analysis is on counting, where researchers would count occurrences of a word, phrase, or theme. Content analysis was conducted on one of the selected Facebook groups for this study that is Kayole Crime Free, during the period of study, from September 2017 to December 2018.

3.6.2.4 Document analysis

Yin (2009) asserts that documentary information is likely to be very relevant to every qualitative research. One advantage of document analysis as a source of data in qualitative research is that it enhances the credibility of the study, an important aspect of trustworthiness (Jwan & Ong'ondo, 2011). Document analysis included analyzing some of the documents that were available on the databases of the Human Rights organizations and social justice centres (Mathare, Kayole, and Dandora). The researcher also analyzed some of the documentaries that were done by local and international media about crime and extrajudicial killings in the Eastlands of Nairobi. In this documentary, I was looking at how they have aired content about the Hessy Facebook pages and their connections to human rights. How different people from the documentaries supported the Hessy Facebook groups and those who were against them that undermine human rights.

3.7 Reliability and Validity

Patton (2001) states that validity and reliability are two factors that any qualitative researcher should be concerned about while designing a study, analyzing results, and judging the quality of the study. Validity and reliability increase transparency and decrease opportunities to insert researcher bias in qualitative research (Singh, 2014). The researcher must ensure the reliability and validity of the study based on the ability to maintain neutrality, and trustworthiness (Golafshani, 2003).

3.7.1 Reliability

I provided participants with a copy of the transcribed notes from audio recordings enabling them to review detailed interview responses (member checking) and verify the interpretive accuracy. I was able to provide the respondents with the notes I transcribed from the audios of the interviews to confirm the information they provided for most of the respondents that I was able to get after interviews, this increases reliability as suggested by Carlson (2010). I also provided a construct to test instrument reliability related to the interview questions by consulting my supervisors to help me go through my interview questions to eliminate any biases. I also ensured similarity in responses among the participants throughout the interview corroborating the research instrument and the accuracy of responses as suggested by Stevenson and Mahmut (2013).

3.7.2 Validity

Validity in qualitative research indicates consistency and trustworthiness regarding activities and events associated with the phenomenon as signified by the study results explored in the research (Golafshani, 2003).

The researcher used Data Triangulation to ensure validity is achieved. Data Triangulation is whereby different methods and perspectives help produce a more comprehensive set of findings. For example, in using triangulation of several data sources in quantitative research (Long, Johnson, Rigour, 200). I compared data that I received from different sources which included an in-depth interview, focus group discussion, content analysis, and document analysis that helped me ensure the validity of the research is achieved.

3.8 Data Analysis

According to Polit and Beck (2008), "The purpose of data analysis is to organize, provide structure to, and elicit meaning from research data". While Kothari (2004) points out that data analysis involves the processing of the collected data following the outline laid down for the purpose at the time of development. The goals of the analysis are to reflect the complexity of human interaction by portraying it in the words of the interviewees and through actual events and to make that complexity understandable to others (Rubin and Rubin 2005:210).

The data collected was analyzed manually using the thematic analysis technique after transcriptions of data. Thematic analysis is the search for themes of relevance to the research topic under which reasonably large amounts of data from different sources such

as observations, interviews, and documents can be organized (Hammersely and Woods, 2001).

In analyzing the data both inductive and deductive approaches were used. An inductive approach was used to formulate themes through the data which were collected from the field, content analysis, and reviewed documents and documentaries from both national and international media. While a deductive approach helped the researcher to generate themes that he expected to find based on the theories and the existing knowledge on social media and human rights. During the analysis, I was interested in people's stated opinions (semantic) and in what their statements reveal about their assumptions and social context (latent).

In the thematic analysis, I used the following steps to analyze and present my qualitative data as suggested by Braun and Clerke (2006). First, I familiarized myself with the data by doing a thorough overview of all the data that I collected before starting to analyze individual items. I did this through transcribing audio, reading through the text and taking initial notes, and generally looking through which helped to familiarize myself with the data. Next, I coded the data, according to Saldaña (2016) "A code in qualitative inquiry is a word or a short phrase that symbolically assigns a summative, salient, essence-capturing, and/or evocative attribute for a portion of language-based or visual data." Coding is a process of organizing data into chunks that are alike, i.e. that share property meaningful for our analysis (Saldaña, 2016). I came up with phrases and codes to describe the content. I went through the transcript of every interview and highlight everything that jumps out as relevant or potentially interesting as well as highlighting all the phrases and sentences that match these codes, I kept on adding new codes as I go through the text.

After going through the text, I collected together all the data into groups identified by code. These codes allowed me to gain a condensed overview of the main points and common meanings that recur throughout the data. Next, I looked over the codes I created, identify patterns among them, and start coming up with themes.

I combined several codes into themes, to ensure accuracy, I returned to the data set and compare my themes against them and find out if I missed anything if the themes were present in the data and finally if I could change to make my work better. With this, I was able to split some themes, discard some, or create new ones that helped me make the themes more useful and accurate.

After obtaining a final list of themes, the themes were named and defined by coming up with a succinct and easily understandable name for each theme and finally I wrote my data analysis from the interviews, focus group discussions and documentaries from the national and international media.

In analyzing qualitative content analysis, Hsieh & Shannon (2005) suggested three steps in doing the analysis which the researcher used in analyzing the qualitative content analysis and document analysis. First is coding categories which was derived directly from the text, followed by a direct approach to content analysis, a theory or prior research was used to guide the analysis in the initial coding, and finally, summative analysis, where counting categories precedes the interpretation. In this research, I also analyzed data from the content analysis and documents by coding categories that were derived from the text in Kayole Crime Free and documents which will be used in the study, for example, the term team building as it is used in the Facebook group Kayole Crime Frees. Then I connected it to the

theory that I used in the study and finally gave the meaning and summary of how the word is used in the Facebook group.

3.9 Ethical Considerations

Cooper and Schindler (2008) define ethics as the ‘norms or standards of behaviour that guide moral choices about our behaviour and our relationships with others. During the research, the researcher obtained permission from intended participants within the organization or group to gain access to the data that they were able to provide as suggested by Robson (2002). Therefore, the researcher gained acceptance and consent from the human rights groups, journalists, reformed gang members, and the residents who participated in the research. The researcher ensured a regular review of what the participants have given consent to was carried out; this is referred to as a procedure of consent, which enabled the researcher to renegotiate features of the consent form derived from the changing description of the inquiry (Munhall, 2001). Once access was granted, the researcher kept the aims of the research project by sharing and agreeing with the participant(s).

Babbie (2013) states that ethics is associated with morality which then can be aligned to right and wrong. He further elaborates that the following ethical considerations should be adhered to; Voluntary participation, no harm to participants (including informed consent), Anonymity (participant cannot be identified) and confidentiality (participant can be identified, but the researcher kept their information confidential and did not share it with other people or readers). During face-to-face interviews, the study avoided over-zealous questioning and pressing participants for a response. Doing so may make the situation

stressful for the participant (Sekaran, 2003). The researcher also was able to make it clear to the interview participants that they had the right to decline to respond to any question (Cooper and Schindler, 2008). The nature of the questions that were asked were also considerations. All participants have reassured the option to withdraw from the research at any time without penalty or repercussions were upheld. Kelly and Simpson (2001) recommend that researchers maintain close consultation and inclusion of all participants throughout the research process as some may feel impervious to change.

Finally, I obtained a letter from the university and NACOSTI that cleared me to research as per the requirements of the university and the research body in Kenya.

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION, AND INTERPRETATION

4.0 INTRODUCTION

As highlighted in Chapter one, there are five main questions that this study sets out to answer. First, it sought to answer the role that selected Facebook pages and groups play to ordinary gang members in Eastlands - Nairobi Kenya. Secondly, it sought to establish the extent to which the selected Facebook pages and groups facilitate or complicate Eastlands residents' right to life alongside finding out the extent to which the selected Facebook pages and groups are deployed as a tool of surveillance in Eastlands, Nairobi Kenya. Finally, the study also set out to establish the extent to which the selected Facebook pages and groups facilitate or complicate Eastlands residents' right to security. This chapter provides insights into these questions using the primary and secondary data that was collected to facilitate the study. The primary data contains interviews that were tape-recorded from the respondents which included; reformed gang members, journalists, residents of Dandora, Mathare, and Kayole, and Human rights organizations. Secondary data was collected from some of the documentaries that have been done by media houses. An online survey was also done to analyze the selected Facebook pages and groups that are Kayole Crime Free, Dandora Crime Free, and Nairobi Crime free.

4.1 Who is/are Hessa?

In Eastland's people believed to be security agencies have created Facebook pages and groups to help them deal with crime, the groups are believed to have been created by Hessa. In these groups and pages on Facebook, Hessa can identify, track, and eliminate the gangs

in Eastlands. The groups and pages that have been created in Eastlands include; Kayole crime-free, Dandora crime-free, Huruma crime-free, Hessy wa Kayole, Hessy wa Dandora, Hessy wa Huruma and the black widow among others. In these groups and pages, the suspected security agencies post pictures of the suspected criminals, giving them warnings to reform, identify areas where the gangs are harassing the residents and when the suspected criminals do not reform, they kill them and post their dead photos in the pages and the groups as they give warning to other gang members. Therefore, the researcher wanted to know who Hessy is as they comprise personas that are the administrators of the group and also responsible for giving warnings to the criminals, profiling, and also posting of the dead photos of the suspected gangs in these selected Facebook pages and groups. The respondents and also documentaries were analyzed to help identify who is Hessy if he is a police officer or just a civilian.

From the respondents who were interviewed, there were mixed reactions as to whether Hessy is a policeman or not. The majority of the respondents were not aware of whether Hessy was police or not but most of them believed he/she was a policeman. The same respondents also believed that the accounts were created and were being run by police officers or someone close to the police officers who get information from the police officers. Though others don't know the account owners, they are very sure he is a person.

The themes that were derived from these questions were; Hessy is a police officer and Hessy is not a police officer

4.1.1 HESSY ARE POLICE OFFICERS

One of the human rights organization activists that were interviewed believes that the accounts are owned and operated by police officers, with him, the kind of information that is provided in the groups can only be done by the police officers and not by civilians and they also know them since they are policemen within their area. In another interview with another human rights activist from the Kenya National Commission of Human rights, he also believes that the groups are owned and operated by police officers. Among the Human Rights Organizations that were interviewed in Kayole, Mathare, and Dandora, they all agree that these Facebook pages and groups are owned by the police, and some of them are known to the public.

The majority of the residents who believe HESSY is a police officer will first tell you that they don't know but just think they are owned by police officers, one of the residents explains that he believes they are police officers because its only police officers who can shoot someone and post immediately.

A focus group discussion with the reformed gang members on who HESSY is and about the accounts also gave their opinion as most of them confirmed that their accounts are owned and run by police officers, most of them believe the HESSY Facebook pages and accounts are owned and run by the police officers in the Eastlands of Nairobi while others do not know the owners of the accounts though they suspect he/she is a police officer. One of the reformed gang members in the focus group discussions said that the police in different estates have created Facebook pages and groups such as Kayole crime-free in Kayole and Dandora crime-free in Dandora.

From the analysis of the Nairobi crime-free Facebook group, the researcher found out that, what is posted in those Facebook groups are issues related to crime and the Hessy post as if they are police officers, through the way they post and give warnings and also posting of those they have killed all suggest that they are police officers.

Who owns the accounts, they are anonymous accounts. They don't have pictures, what we know is they are police officers because of the kind of information they give to show they are police officers. We know them, they are people from here, not another area just policemen within. (KNCHR Communication officer, KNCHR office, 26/9/2018 at 11:30 am)

Yes am aware of the Hessy wa Dandora also Kayole but they are the same people. They are owned by Hessy who is a policeman *ni mwenye anajulikana a Jina lake site. Huwezi mpata na his real names kwa facebook ukimtafuta, Hessy wa dandora tuko na watu wanamjua sio ghost ni mtu watu wana interact nayo* [he/she is someone known by all his/her names. You can't get Hessy with their real names on Facebook if you search, though we have people who know Hessy from Dandora, and he is not a ghost as many think but known by a few people who interact with him/her.] (Dandora social justice center officer, Dandora, 12/09/2018, 10.20 am)

Mimi simjui bado face to face but most of my friends wanamjua face to face, kuna several killer cops Hessy so mtu mmoja, kuna Rashid, Benteke, Kayole blacky a Ngare. (I don't know him by face, however, there are my friends, who know him, and he is not one person, there are other several who kill), (Kayole Social justice centre. Kayole, 13th/09/2018, 12.22 pm)

Most of the Hessy is known as to say one of the admins of the Dandora crime-free Facebook group, is called Eliud who is a much-known person. He is an administration policeman working within Dandora. Most of the groups are owned by police officers. (Dandora social justice center officer, Dandora, 12/09/2018, 10.20 am)

I think the accounts are run by police because most of the post they do post is crime-related, anticriminal activities can only be done by policemen but it's not easy to know who they are. (Resident, Dandora, 16th/09/2018, 2:36pm)

Ni makarao ya station ndio wana hizo groups kama hapa Kayole ni police wa Kayole ndio Dandora na Mathare [the accounts are owned by police officers of various police stations like in Kayole they are owned by police officers in Kayole police station, the same in Dandora.] (Focus group discussion, Reformed gang, Kayole, 18th/09/2018, 3:24 pm)

Another member of the human rights organization who believes Hessa is a police officer believed that Police in Eastlands of Nairobi is employing what Patrick Shaw used to but now with the help of the internet. The respondents talked of Patrick Shaw who was also employing the same tactic that is being used by Hessa in Eastlands.

Maybe the police officers have come up with new tactics of fighting crime just the same way that was done by Patrick Shaw but for now, they have included the uses of the internet. (KNCHR Communication officer, KNCHR office, 26/9/2018 at 11:30 am)

If you remember the time of Patrick Shaw, he was a dreaded police officer in Kenya and Nairobi, he was a mzungu guy (a white man). In the 1970 and 80s, he used to know the criminals the same way as what social media is doing. He used to say I am giving you two weeks to be out of Nairobi or I will kill you failure to which he kills you. It was a tactic and it worked so maybe the police might be using the same tactic. (KNCHR Communication officer, KNCHR office, 26/9/2018 at 11:30 am)

According to Daily Nation newspaper (2013), Patrick David Shaw was a Kenyan civil servant, the school administrator and senior police reservist. He is best remembered for his crime-fighting activities and as a first responder to all emergencies in Nairobi. During the 1970s and 1980s, Shaw was credited with the deaths of Nairobi's most notorious gangsters and possibly hundreds of others. Shaw was best known for warning suspects to leave Nairobi or face extra-judicial execution. His ruthless approach to crime-fighting, coupled with his large size and stature, resulted in him being feared by both criminals and the Kenya public in general.

What Patrick Shaw was doing is similar to my findings during the research, as for the Facebook groups of Hessa that is in Dandora Crime Free and Kayole crime-free, Hessa identifies the gangs, gives the suspects warning, post their pictures and warns them to stop

their criminal activities and reform failure to which they are shot dead and their bloody photos posted again when they are dead and further warning to his fellow gang members that they are next.

4.1.2 Hessy is not a Police officer but a person/people interested in crime reporting on Facebook.

The police deny claims of owning the groups and pages. During my interview with a Standard newspaper journalist, he confirmed that every time they ask police about Facebook pages and groups, the police always deny that they don't know about these accounts or those who run the accounts, he denied to state whether the accounts are owned by police or not though he believes that they are owned by people who can know about criminal activities.

In an interview with Citizen TV on 12th 2018 on a show known as Jeff Koinange Live, former Inspector General of Police Joseph Boinett said that he heard of the person sharing things on social media and he was not a member of the National Police Service (NPS). In the interview, the Inspector General further stated that Hessy was only a person who according to him seems to have a lot of interest in security matters.

From the reformed gang members during focus group discussions, one of them believes Hessy is using someone very close to him to post though according to him Hessy is a police officer who cannot shoot someone and post instantly. Therefore once he shoots the suspects, he forwards it to those people who post it to Hessy's Facebook pages and accounts but not Hessy doing it. He admits that this person being used by Hessy to post can be a police officer or the government because the pages are not normal;

Police have denied the accounts so you can't ask them why they use them, It is not for me to know whether they are owned by police or not I don't know that, I have tried to find out and all the time being told we don't know who that is but interestingly this Facebook profile pages have this gang profiles with guns, what they have done so these pages are run by people who can know about criminal activities because after they have posted about the person on a couple of days you find the person they posted is arrested or found dead with guns and all that (Standard newspaper journalist, Nairobi town CBD, 9th/09/2018, 11:43 am)

I have heard some fellow who posts a lot of stuff on social media but I don't know what that viewer means when he talks about that chap having lots of security intelligence. No, he is not one of our police officers. He's just an excitable chap who seems to have a lot of interest in security issues. (Citizen TV, 12th, August 2018, 9:30)

Huwezijua Hessy ni nani lakini anaezekua mtu mwenye ako very close na polisi, anaeza kuwa mtu mwenye ana run tu page ya hao polisi so Hessy akifanya kitu anamtext na yeye anapost juu hata mtu akishutiwa ama kuna kitu ifanyike inakuanga posted so si yeye hupost ni someone yenye anaeza kuwa polisi ama government sio page kawaida [you can't know who Hessy is, but he can be someone close to police officers who are running the accounts on their behalf, that's why if someone is shot or something happens, it's always posted therefore it's not him who post but someone does it on his behalf, this can either be a police officer or government, the pages are not normal pages]. (Focus group discussion, Reformed gang, Mathare, 21st/09/2018, 3:26 pm)

This clearly shows that the police have denied the ownership of the Hessy Facebook pages and accounts as stated by the Inspector General just as it was explained by the journalist who was interviewed. The police might be denying the Hessy Facebook pages and groups because they know that the groups and pages are acting against the constitution of Kenya which prohibits extrajudicial killing.

4.1.3 Not sure who is Hessy

One of the reformed gang members who was interviewed believes that one cannot know who runs the Hessy Facebook pages and groups as he explains that the owners of the accounts tend to hide so that they can't be known to the community and also to the human

rights group. For him, it's a random person who opens the account and hides his identity though he said the words going around says he is a police officer as he can verify. Therefore, Hessa is anonymous to him but from around, he is a police officer. A resident who was also interviewed believes that Hessa might be police or just a civilian interested in issues to do with security gives two scenarios that can describe who Hessa is. Another resident who was not sure whether the groups are run by police or a civilian said that the accounts are run by a person known as Hessa, who are two or one from either Kayole or Dandora, but he can't tell whether he/she is a police officer or not;

Hizo pages za Hessa huwezijua mwenye anazi own, unajua kitu kama hiyo, unajua huyu mtu hujificha ndio asijulikane na community or human rights [For the pages of Hessa you can't know who owns them, for something like that, the person do hide so that he cannot be known by the community and human rights]. Some random person ndio anafungua [open] account with a hidden name and he does not reveal his true identity. Probably na [and] words around wanasema ni askari but huwezi sema hiyo ni verified Watu wako reluctant sana ku reveal identity zao halafu age ya social media, mtu ako na freedom ya kufungua account mob bila kureveal identity [some people around say they are police but you can't say that's verified for people are so reluctant to reveal their identity...] (Reformed gang, Kayole, 21st/09/2018, 11:36 am)

Hessa is always suspected to be police though - nobody knows the real identity of the guy. I cannot verify whether they are the police because from the information he normally posts, he could be someone with information from the police and at the same time he could be a policeman, in general, I am not very sure about that. (Resident, Dandora, 17th/09/2018, 11:42am)

Am not very sure who created the group but from the look of things there is this guy called Hessa, there are two Hessa; there is one of Kayole and Dandora I suspect they are admins of the group (Resident, Kayole, 16th/09/2018, 3:48 pm)

A report that was released by the Kenya National Commission of Human Rights (2017) stated that "it is alleged that the Facebook pages and accounts of Hessa were started in an attempt by the police to engage the members of the public on policing and addressing crime in the informal settlement areas. It is believed that an Administration Police (AP) officer

based at the Soweto AP camp (An Administration Police Camp (post) in Soweto informal settlement area in Kayole, Nairobi) and blogger operates the Hessy Facebook pages in Kayole and Huruma. The report further adds that the Star Newspaper interviewed with the police officer believed to be Hessy where the AP Officer revealed that he had been shot in the leg in April 2017 and while away from duty due to the injury, he decided to create the accounts, to brief his colleagues and share intelligence with them, at a time when there was “a lot of pressure from top cops in Nairobi over rising crimes in Kayole”. The study found out that Hessy might be someone who sits somewhere just waiting for information to update once they get them from police officers in the field. When a suspect is shot dead in the Eastlands of Nairobi, the information is always posted instantly by Hessy. This was observed by comments that were made by people who are sometimes at the scene and also members of Hessy Facebook groups. All these prove that the police might be shooting the suspects then taking photos and forwarding them to Hessy to post since at the scene they can't create a post and post.

In a documentary done by Kumekucha Chris on thugs shot Hessy of Dandora on June 3rd, 2017. From the documentary he continues to narrate Hessy gets assisted by other police officers in the field since he can't walk and also gets assistance on computer skills since he lacked knowledge in computer skills, he says;

The two gentlemen, Hessy of Kayole and Huruma are the same person. The person is a police officer attached to the administration police. He continues by saying that, “the police officer attached to the administration police was shot by thugs in April by some Kayole people so one may also say he has a grudge with them. He was shot when he was in patrol and injured seriously on the foot and that means that he cannot continue with his police work. He is now stuck in his house and according to what the journalist has, he must find another way of being able to fight against crimes, so the guy decided to create these accounts of Hessy wa Kayole and Hessy wa Dandora and that's why you have been seeing photographs

posted there of criminals gunned down. You know, all this has been happening as a result of what he created.”(Kumekucha Chris, June 3rd, 2017)

He is being assisted because he is stuck in the house, his foot is injured from a gunshot from one of those gangs. He gets those photographs and information from his colleagues who are regular police so it means he has to convince his colleagues from regular police to assist him. Hussy has bloggers who assisted him. I don't think Hussy has the right computer skills and online skills to do what has been done on that page so he has been getting assistance from a certain blogger in Nairobi (Kumekucha Chris, June 3rd, 2017).

All these support that Hussy is a police officer being assisted by bloggers to operate the Hussy Facebook pages and groups. He is a police officer who was shot by the gangs and thus unable to continue with the duty and resort to the idea to enable him to fight crime when he is in the house.

From the respondents, it is most likely that Hussy is a police officer who operates in Eastland's of Nairobi, while another section also believes that Hussy is just a civilian who is close to police officers who provide them with information to post on the Hussy Facebook pages and groups. From what is posted on the Facebook pages and groups, it can be confirmed that most posts deal with criminal activities and are mostly posted by Hussy, therefore, it can be said it's a new tactic used by police to fight crime in the Eastland's of Nairobi just as most of the respondents and analysis from the documentaries revealed.

This study is in line with other studies that have been done that their findings established that police in other countries are working only to fight crime through online community policing. According to a study done by Melekian and Wexler (2013), they found out that security agencies in many countries are now embracing technology such as social networks to help them fight crime and also improve their services to the community. Through social

media, police are now able to associate with the community and be seen as human as they interact freely through social media. Since they are on the same social networks such as Facebook, they can get tips from the public concerning crime in the community as they are also able to post wanted criminals and CCTV footages so that the followers of the social media pages can help them find the suspects. Hessa Facebook pages and groups, it provides the members of the group with a chance to post on the group to alert the police about crime and suspects in the groups through the post must be approved by Hessa.

Terpstra (2009), found out that even though police are using social media platforms that bring them together with the community to help them combat crime in their areas, the study found out it's the police in the platform that always control the group and have more say as compared to the public in the group. This doesn't allow the followers of the social media platforms to contribute much to the platforms as they fear the police. In the Hessa Facebook groups and pages, this was also true as all posts that are posted in the group must be approved by Hessa, and when one right something that they don't agree with then they don't allow it to be posted. The Hessa also controls the members that join the group, if you want to join the group, you will be asked if you are ready to support the police in fighting crime. This allows only the members with the opinion of helping the police to fight crime to join and participate in the group. Members who sympathize with suspects were warned and even some were blocked in the group.

The theory of uses and gratification was used in the study to help how the users of the Hessa Facebook group and pages such as Nairobi Crime Free which was analyzed in content analysis, participate in the group and how they gratify the information they obtained from the group to identify Hessa. This was also applied to those who were

interviewed and are members of the groups. Most of the members were able to identify Hessy as a police officer due to the posts Hessy posted in the groups that identify Hessy as a police officer according to the majority of the members.

4.2 Role that Facebook Plays to Gang Members in Eastland's of Nairobi

From the findings, most of the gang members are on Facebook and are members of the pages and groups that are owned by Hessy in Eastland. Facebook helps the gangs in several ways according to the findings discussed below. It was also found that not all gangs are on Facebook as some operate without phones or have phones that cannot access Facebook.

Two themes that emerged included; Gangs who has phones and those without phones.

Those with phones, were categorized into those with smartphones and those without smartphones. This was explained by one of the reformed gang members who said,

Mtaani sio kila mtu ako na tenje ya kuingia facebook, unapata watu wengi tenje zao sio za Facebook, wewe ukaja kuambiwa na beshtako ati ameona picha yako facebook na wewe nayo hujui juu huna tenje biggy ya kuingilia. [In a slum, not everyone has got a phone that can access Facebook, some people have got phones that can't access Facebook if you are notified by your friend that he has seen your photo in Facebook and you can't know because you don't have smartphones to access Facebook.] (Reformed gang, Kayole, 18th, 09/2018, 1:23 pm)

While others fear having mobile phones because they don't want to be on social media, police can easily use it to track them even if they are innocent; this can easily allow police to profile them or kill them and post on Facebook. So he feels he is relieved without a phone or without accessing Facebook.

The researcher also found that others fear having mobile phones because they don't want to be on social media as police can easily use it to track them even if they are innocent.

This can easily allow police to profile them or kill them and post on Facebook. So he feels he is relieved without a phone or without accessing Facebook as explained with one of the reformed gang members. During a focus group with the reformed gang members, one of the reformed gang members also explained that he could not have a phone during the time he was a gang member even though he was able to buy a mobile phone or use the one he stole from people, police were using the phones to track them, so he did not have any phone to avoid being tracked by police

Mtu kama mimi sina simu na sitaki na sio ati siwezi nunua ni vile nimekuja kugundua kuwa hizi vitu ka za Facebook zinaezakufanya upatane kwa shida ingine you don't know. Sitaki simu mtu anaezaona mimi nimekua mbaya na atoe picha yangu facebook na a post kwa group. [Someone like me, I do not have a phone and I don't want, not that I can't buy. It is just that I have come to realize that things like Facebook can make you get in trouble minus your knowledge. I don't want a phone because someone can mistake me for a bad person and go ahead to download my photo from my Facebook account and then post it in the group.] (Reformed gang, Kayole, 18th, 09/2018, 1:23 pm)

Simu sikua naeza kua nayo nkipata simu nauza. Kuna vile polisi walikua wanatutafuta na simu kama tracking ndio maana sikua na simu na wengi wetu walikua wanaatrakiwa na simu [I could not have a phone and whenever I got into the possession of one I sold it. There is a way police were tracking us using the phone that's why I did not have a phone.] (Focus group discussion, Reformed gang, Mathare, 18th, 14/2018, 10:17 am)

According to the findings of this study, gangs who are advanced are not supposed to use mobile phones since it will be easy for the police to track their location and phone calls. The police will also be able to get their Facebook accounts and access their photos and use them to post. One of the reformed gang members during a discussion explained that, if one is a thief they should be advanced in a manner that they don't use the mobile phone. For that reason, during his time, he was not using mobile phones to avoid being arrested by police. “*Ukiwa mwizi unafaa uwe mwizi mwenye ameadvance mwenye hatumii simu...*”

[If you are a gang, you should be advanced who do not use a phone.] (Reformed gang, Kayole, 22^h, 09/2018, 05:33 pm).

It was also found out that most of the criminals do not use Facebook and if they use Facebook then they create Facebook accounts not bearing their true identity since they fear being tracked in case they use their real names and identities. Others access Hessa Facebook pages and groups through their wives' Facebook account as confirmed by one of the reformed gang members doesn't have a Facebook account but follows what's happening in the Hessa Facebook pages and groups through wife's Facebook account who is a member in Nairobi Crime Free Facebook group. One of the reformed gangs said; "Most of the criminals don't use Facebook and if they use Facebook, they use different accounts..." (Reformed gang, Kayole, 18th, 09/2018, 1:23 pm)

The study findings on why most of the gangs do not use phones or being active in social media were also in line with a study done by Lewis (2012) gangs using social media are aware of the new technology that they can trace by police officers through social networks, therefore most of the gangs are no longer in social media to avoid being tracked by police. Gangs learn much about police and therefore they tend to avoid some of the tactics employed by police to arrest them in social media. From this, most gangs try to avoid Facebook once they have realized that they are under the watch of the police. One of the reformed gang members narrates,

Wakishajua wako red flag na wanatafutwa ndio wao huamua kucheza chini na kuachana na mambo ya simu na avoid kuwa connected juu anaeza trakiwa na polisi. [Once they know they are on the red flag and they are being searched, that's when they decide to trade carefully by avoiding owning phones and also avoiding being connected because they can be tracked by a police officer] (Reformed gang, Kayole, 22^h, 09/2018, 05:33 pm).

Although many of the gangs avoid using mobile phones and Facebook for fear of being tracked, some are brave enough and have mobile phones which they use to access Facebook or access their Facebook accounts from different platforms apart from their phones to perform different crime-related activities. From the discussions held with the informants and also from the content analysis it is possible to deduce the following themes as roles that Facebook plays to the ordinary gang members in Eastland's of Nairobi.

The themes were; Bragging about violence, communicating about their activities, making threats, display gang symbols and displaying weapons

4.2.1 Bragging about violence

The study found out that gangs in Eastland's of Nairobi use Facebook to brag about their criminal activities in most of the Hessa Facebook groups and pages. They also brag in their Facebook accounts about what they have done. From one of the selected Facebook groups for this study that is Nairobi Crime Free during the content analysis, most of the gangs brag in the Facebook group. As from the period that was specified for this study, there were a total of 9 posts of gangs posting themselves bragging on the Facebook pages. Most of them post with guns to show Hessa they have guns that they have snatched police officers. They brag about owning the guns they got from police officers. This shows that through Facebook through accounts, pages and groups, the gangs enjoy mocking the police, therefore they find it easy to post and brag on crimes that they have committed. A member from Dandora social justice centre, admits that criminals at times brag in the Hessa Facebook pages and groups though he blames the police for not taking action to arrest those who brag on Facebook with their weapons but instead kills them. "Have seen some of the

posts, you know they might be bragging in Facebook but it's the duty of the police to track them..." (Dandora social justice centre officer, Dandora, 12/09/2018, 10.20 am)

Some gangs also use Facebook to challenge and dare the police officers by posting to Hessy to come for them. They even give direction and time for Hessy to come for them and when the police come, they hide as they mock the police. This was narrated by one of the social justice centres;

These gangs brag too to the police like I had a friend of mine/classmate alikua anachat na Hessy Facebook, anaambia salse nko hii area uko wapi na masalse wakuje, so atapanda juu ya ghorofa huko juu a watch huku salse akitangatanga akimtafuta na amcheke afurahie.[the gangs brag too to the police like I had a friend who was chatting with Hessy on Facebook telling the police," I'm in this area," where are you? And the police will come, so he will climb on the top roof and watch the police officers who were looking for him as he laughs.] (Kayole Social justice centre officer, Kayole, 13th/09/2018, 12.22 pm)

They also brag that Hessy has never arrested them though they are criminals. They always post to tell Hessy to go and arrest them due to their criminal activities. In my interview with one of the members of Kayole Social Justice Center who narrated that most of the gangs also do post either in comments or chat with Hessy in his account telling him to go and arrest them by even giving him the direction where they are.

Nimeona wengi pia wakipost kwa this Facebook account wakisema sisi tuko kwa hii mtaa mbona Hessy asitutafute...[I have seen many also do post in these Facebook accounts saying we are in this estate and why is Hessy not looking for us.] (Kayole Social justice center officer, Kayole, 13th/09/2018, 12.22 pm).

A reformed gang member also added that it's true that criminals use Facebook to brag to the police about their criminal activities. Though he blames the gangs for their act as they

risk their lives to the police by provoking the police in the Hessy Facebook pages and groups.

Kwa community kuna criminals, kuna watu wako na guns, picha zingine ni real, criminals wakiwa kwa hiyo page wanataka kuonyesha Hessy ubabe yao kwa hiyo page so ni vitu ziko. Wao pia kuna venye wanaropokwa [in a community there are criminals some having guns. Some photos are real since when criminals are in that page, they want to show off to Hessy that they are gangs.] (Kayole Social justice center officer, Kayole, 13th/09/2018, 12.22 pm)

Gangs also brag on Facebook to the police by sending them their pictures when holding a gun for the police to post. Former gang members narrated that there used to be one notorious gang member known as Mwani who used to send Hessy his pictures to post in the Hessy Facebook pages and groups while also posting in his Facebook account.

Mwani alikua anawajua sasa hata yeye picha zake alikua anawapea waanike...[Mwani used to know them, so with him, he used to give them his photos so that they could post on Facebook] (Reformed gang, Kayole, 23rd/09/2018, 11:49 pm).

Ngige et al., (2016) in their study established that gangs use social media since it's affordable and they can reach more people at once to communicate their activities since many people are on social media. Most of the criminals prefer using this platform to brag to the police by posting pictures, videos, and even messages to provoke and brag to the police for their criminal activities. The same was noticed during the study as the gangs in Eastland also use their accounts and the Hessy Facebook pages and accounts to brag about their criminal activities by posting their photos, videos, and weapons they use in their criminal activities.

According to Carpenter (2012), most the youth is like using social media platforms to show off their lifestyle by posting their photos on platforms such as Facebook. The main reason for doing this is to seek praise from their followers for what they are doing. They approve their mighty in social media through the comments from friends and likes they receive after posting. Receiving more likes and comments always proves one loved and is followed by many people. The same also happened with youth in the Eastlands of Nairobi. After their criminal activities, some of the gangs in Eastlands of Nairobi also take photos when they are in clubs with their friends and post in their Facebook accounts and also in Dandora crime-free and Kayole crime-free for likes and comments for their Facebook friends to see how they party, something which can easily be accessed by Hessa, therefore, exposing some of their innocent friends who they are with. This makes it easy for Hessa when he wants to post someone by simply accessing his Facebook accounts and getting information from his friends. One of the reformed gang supports this by saying,

Social media inachangia kupostiwa kama sio wewe, wewe ni beshte yangu jana tumeenda tukaiba na sahizi tuko kwa bar kama sahizi tupige ka selfie hapa, tuko wote tumechafua meza na mzinga na nini, hiyo ka selfie utajuaje vile itafika kwa social media.... [Social media contributes to one being exposed and later posted even if you're not supposed to be posted. If you are my friend and we go stealing with you and later proceed to enjoy ourselves in a bar, drinking and taking photos, you may not know when the photo can be posted and by whom in Facebook.] (Reformed gang, Dandora, 17th/09/2018, 9:36 am)

This study also found that some of the gangs after stealing take photos with the money they have stolen and publish it on Facebook. They post it in their Facebook accounts and therefore when Hessa sees the way they are bragging with a lot of money in those Facebook accounts, he traces them, kill them and post on the Hessa Facebook pages and the accounts. For example, a video that went viral of a police officer killing two young men in public in Eastleigh in the social media that is in Facebook groups and pages including the Hessa

groups and pages, WhatsApp groups and other social media and mainstream media in April 2017 was alleged that the two young men were killed in Eastleigh after posting in their Facebook account a photo they took with a lot of money that was believed they had stolen from other people. One of the reformed gang members supported this by saying,

kuna zingine kama wa Eastleigh wale walikua wamechapa picha na madoo hivi kwa kitanda, hiyo yenye tunasema hawa vijana walitoa wapi pesa si waliiba hiyo nayo iko sawa... [There are some like in Eastleigh, who took a photo with a lot of money on the bed. That's what we are asking where do the boys get all that money if not stealing? That is just okay.] (Reformed gang, Kayole, 23rd/09/2018, 5:26 pm).

Though one of the reformed gang members defended the two young boys by saying maybe it was police creation after they were killed by police to justify to the public that they were right to kill the two young men through creating a Photoshop of the young boys with the money. He says, “*Labda hiyo photo yao ilikua photoshop vitu zinafaa kuchunguzwa...*” [Maybe that photo was a Photoshop, things should be investigated.] (Reformed gang, Kayole, 21st/09/2018, 1:26 pm)

A study by Rogers and Pinkney (2017) suggested that gangs who use social media use it to remain relevant in the online space to his/her followers, pass information relating to crimes, and to be identified by other people that they are gangs through show off. Therefore, gangs in Eastland have also used social media to brag about their criminal activities. They have achieved this by posting their videos, photos, and even commenting on some of the criminal activities on the Hessy Facebook pages. They forget that criminal justice agencies are using gang material on Facebook to help incarcerate gang members. This has helped the Hessy in Eastland's to get photos of the gangs and the friend to post in the groups as well as tracking of them.

4.2.2 Role of Facebook to gang members in communicating their activities

The study also found out that the gang uses Facebook pages to communicate with police and other gang members. This was according to the findings from most of the reformed gang members. They said that most of the police who always gun the suspects, always know the suspects and they are friends on Facebook and communicate on Facebook. They also explained that police get their photos from friends to post when giving them warning about their criminal activities when their relationship breaks. One of them says;

Polisi na gang's wanajuana Facebook hadi wako na ma contacts na mapicha za hawa ma gangs sasa deal iki go the wrong ndio wanakuanika Facebook, wanakuanika ndio wakati anakugun down ndio watu waamini hakujui na ulikua mwizi. [Police and gangs know each other on Facebook such that they have contacts and photos of the gangs and when the deal goes wrong they post them in Facebook, they do this so that by the time they shoot you, they make people believe that they don't know you and you were a criminal.] (Reformed gang, Kayole, 21st/09/2018, 1:26 pm)

The study also found out that some of the gangs use Facebook to communicate their criminal activities by posting where they are going to steal and alerting the police about where they are going to steal. They do this by posting in their Facebook accounts and sending the Hessa Facebook text on their next move. One of the reformed gangs who was interviewed said. Another reformed gang member also explained that most of the gangs use Facebook to communicate their criminal activities by making their criminality known to many. He claims that the youth have the right to prevent themselves from being known but some of them have decided to make their act of criminality be known by posting their criminal acts.

yeye alikua anapiga picha kwanza anawaambia wenzake nipigeni picha then anawatumia na pia kuweka kwa account yake, ndio hii picha postini hiyo na mjue kesho nakuja kuiba Kayole na anakuja [him, he used to take photos, first he asks his friends to take him photos, then he sends to them and also post them on his

accounts, he then instructs them to take that photo and post it and even tells them of his next stealing plan which does not fail at the end] (Reformed gang, Kayole, 20st/09/2018, 11:26 pm)

Facebook ni wezi wanajianika juu simu ni yako privacy kwa hivyo kila mtu kwa account yako ni ya kujitakia ni wewe umeipelekaa kwa hivyo hatuwezi sema polisi amewekelea mtu. [In Facebook it's the gangs who sell themselves out because the phones used are theirs and they have full control of the privacy of everything posted and therefore can't claim of being accused by the police officers.] (Reformed gang, Kayole, 25st/09/2018, 06:14 pm)

Gangs also use Facebook to communicate with human rights groups, as one of the human group defenders explains that once they see someone is posted by Hessa in these Facebook pages and groups, the human rights defenders always try to reach them through their Facebook accounts to try and see how to help them. He admits it's not an easy task since most of these gangs fear or ignore them because they don't know them through others talks to them and they do assist them;

Sometimes we try to get to these people who have already been warned, sometimes they are apprehensive because the way you can talk to them is through Facebook so they might be rebellious because they don't know you and think you want to investigate them so we get it difficult to get them as they think you are aspiring on them. (Dandora Social Justice Center Officer, Dandora, 12/09/2018, 10.20 am)

From the selected Facebook group for this study that is Kayole Crime Free, 3 posts were posted by the gang members communicating about their gang activities.

4.2.3 Making threats and display of gang symbols

The study found out that gangs in Eastland also used Facebook to make threats to the police and to display symbols that portray them as gangs. From the selected Facebook group for this study that is Kayole Crime Free, during the period of study, it was found out that among the posts that were posted during the study that is from September 2017 to December 2018, 4 posts were posted by the gang members making threats and also displaying gang symbols.

Among the symbols that were common among one of the gang members that were posted in this group were silver chains, rings, and tattoos on the body. The gang that identified itself as Gaza in the group, the member's posts photos of them with gang symbols that police used to identify them with. The gangs used symbols of rings, tattoos, hairstyles, and chains to identify themselves, when they post photos with these symbols they show off about the criminal activities. Through posting the photos in the group and their timelines, police were able to identify them as gangs.

One of the reformed gang members explained that one of the gangs that were killed by police used to post threats to police officers through his Facebook accounts or send the threats directly to the Hessy in the Hessy accounts;

Mwane alikua anataka kuwauwa hadi akawataja, yeye alikua anawajua wote hadi alikua akiwataja kwa majina akawapost vile hao pia hupost watu Facebook ma Hessy na najua lazima nitapatana na nyinyi, na wao wakamwambia okay tukutane kwa kiwanja. [Mwane wanted to kill them until he mentioned them, he knew all of them until he was mentioning them through their names and he posted them the same way they also do post people on Facebook. All Hessy I know we will meet, and they replied okay we will meet in the field] (Reformed gang, Kayole, 21st/09/2018, 01:26 pm).

The study also found out that, Hessy was able to identify how the gangs used to dress and therefore could easily follow them through their dress code on social Facebook. The gangs always display their dress code full of several silver chains on the neck and several rings on their fingers, as one of the reformed gang members narrates that whenever Hessy sees one with these symbols, then you are identified as a gang member, "...Vijana kupost na ma silver..." [Youth posting with silver] (Reformed gang, Kayole, 21st/09/2018, 1:26 pm).

When gangs get warning in the Hesty Facebook groups and pages, some respond by being rebellious to Hesty and therefore they comment or post threatening messages to Hesty. One of the reformed gang members narrates that, the gangs once they are posted must be rebellious to Hesty since they know that once you are posted by Hesty at one point he must kill you, so you should be rebellious as you wait for your death.

They post and get a warning, some post because they want to be rebellious because whether you post or don't post these guys will kill you once you are a suspect. They will pick you up from the street and kill you... (Reformed gang, Kayole, 21st/09/2018, 1:26 pm)

In another study done by Hayward and Presdee (2010), the findings were similar to the study. According to them, gangs use social media to show off some of the symbols that symbolize that they are gangs, they gave an example of gangs showing their weapons and also talks how dangerous they are by threatening the public. In the study also the gangs who threaten Hesty in their Facebook accounts and also in the Hesty Facebook accounts and pages ended up committing crimes they talk about in the form of threats.

4.2.4 Displaying weapons

The study also found out that gang members in Eastland are using their Facebook accounts and Hesty Facebook pages and groups to display the weapons that they possess and those that they have robbed from policemen. It was found out that among the post, 3 posts were posted by the gang members displaying weapons.

This was confirmed by those who were interviewed and who visit the page regularly. One of the human rights defenders said that, yes it's true the gangs always post on their accounts by displaying guns, giving an example of a lady who posted with a gun.

One of the reformed gang members also supported that gang members do post their weapons in their Facebook accounts or send their photos holding guns that they rob police officers to Hessa so that Hessa can post. He gave an example of one of the gangs who used to take photos and send them to Hessa to post. He continues by giving another scenario where another gang also killed police officers and took their guns and then took photos with the guns and posted in their accounts and sent them to Hessa to post in their Facebook pages though they were later killed by police officers

Mwenye alipostiwa ati human rights come to defend this lady mwenye ako na gun... [The one who posted requesting that human rights to come in defence of this lady who has a gun]. In Hessa wa Dandora the lady posted holding a gun, a post which was obtained from her account and then posted in the Dandora and Kayole crime-free by Hessa. (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm)

... Anapiga picha hadi akiwa ameshika gun hiyo AK47 yao yenye alichukua anapiga picha kwanza anawaambia wenzake nipigeni picha then anawatumia na pia kuweka kwa account yake, ndio hii picha postini hiyo... [he takes a photo when holding a gun which is AK47 which he took from police, and then tells his colleagues to take a photo of him then he sends and also puts it in his account, "that's the photo take it and post"]

Wenye waliuliwa Kiambu na machine gun, askari walishindwa kuwatoa kwa nyumba walikua na bunduki na walipigana na askari karibu 9 hours, hiyo AK47 walipiga nayo picha na wakatumia Hessa kumwambia ndio hizo tuko nazo tulinyang'anya askari, si ati unaekelea watu wengine ati wako na bunduki na hawana ndio hii sisi tuko nazo na wanatumia wakishika wote bunduki. [those who were killed in Kiambu using a machine gun, police officers were unable to remove them from the house, they had a gun and they fought with the police for almost 9 hours, they took a photo with the Ak47 gun and sent it to Hessa to tell him that they have the gun which they forcefully took from police, not that you make the wrong claim to innocent people that they have guns and they don't have, here it is we have it and they sent it when they all held it] (Reformed gang, Kayole, 21st/09/2018, 1:26 pm)

One of the reformed gang members also blames those gangs who use Facebook to post their photos when armed, he said that those who post their photos on the Hessa Facebook pages and their accounts are those who are not advanced he insist that advanced gangs do

not post or uses Facebook in their criminal activities, this proves that gangs use Facebook to their criminal activities. He said;

Ukiwa mwizi unafaa uwe mwizi mwenye ame advance mwenye hatumii simu juu utajipost aje kwa Facebook ati umebeba bunduki ya serikali halafu waone hiyo picha wakuache, atakutafuta sio akipost wewe ni mnoma, kupost inamaanisha wewe ni most wanted sahizi hawaandiki kwa ukuta ati most wanted sahizi wanakuanika Facebook [when you are a gang, you should be advanced such that you do not use the phone because there is no way you will post yourself on Facebook carrying a gun that belongs to the government and they see it and they leave you, they will follow you and posting doesn't show you are deadly it only shows that you are the most wanted and nowadays they don't write in walls that most wanted today they post you in Facebook] (Reformed gang, Kayole, 25st/09/2018, 6:14 pm)

He describes posting as one putting himself in the most wanted criminal and therefore most advanced gangs, therefore most gangs do not show off their weapons in the Hessa Facebook pages and groups.

Another reformed gang member also admitted that long time gangs used to post their guns on Facebook to provoke the police officers but nowadays they have learned that police are tracking them using Facebook and therefore they have changed tactics and most of them no longer use Facebook to show off their weapons though some still do “*Kitambo vijana pia hukosea kwa kuonyesha ma gun kwa Facebook*” [sometime back youths also made mistakes by posting guns in Facebook] (Reformed gang, Kayole, 25st/09/2018, 6:14 pm)

One of the residents who is also a member of Dandora crime-free blamed the gangs for their activities of posting in their Facebook accounts and also posting in Hessa's Facebook pages and groups or by commenting on those pages. He said,

In most cases these boys have Facebook pages I don't know to say they are so naïve because most of them post their pictures on Facebook, some of them even post together with their arms, so the guys who purport to be police in the pages

normally get those photos and information from the criminal's Facebook accounts (Resident, Mathare, 17th/09/2018, 2; 32pm).

One of the journalists interviewed indicated that the gangs maybe achieve something with whatever they post in their Facebook accounts or the Hessa Facebook accounts pages which is why they keep on posting. He says

If they post pictures with them carrying guns or smoking bhang or sniffing cocaine there is the purpose they are achieving either to show off or for recruiting new members. (Standard newspaper journalist, Nairobi town CBD, 9th/09/2018, 11:43 am).

For him, the aim for the gangs posting their weapons may be to show off or for recruiting new members into the criminal gang.

The study found out that most of the gangs in Eastlands of Nairobi rarely post in the Hessa Facebook pages and groups such as the Dandora crime-free and Kayole crime-free since Hessa is the administrator of the group, he is responsible for approving the posts before they are posted in the group. This has given Hessa room to choose what should be posted and not be posted; therefore, most of the information from the gangs are being ignored by Hessa in the Hessa Facebook pages and the groups. This has made gangs resort to posting their criminal activities on their accounts since they too want to let the public know their act of violence, they also achieve this through commenting since they can comment on the posts.

In other studies reviewed, David (2013) established that gangs use social networks to brag about their violence to the public and to other gangs in their Facebook timelines and groups to prove which gang is powerful. This was also echoed by James (2013) that gang members use social media to promote their criminal activities, to warn other gangs and the public,

and also to show their powers as gangs. In Eastland's of Nairobi, this was found not to be true as most of the gangs do not carry their rivalry to their Facebook accounts or in the Hessa Facebook accounts though the rivalry exists among the gangs as they fight among themselves, where one gang feel superior to the other or the other feel betrayed by the other gang group.

In summary, the study is in line with the study that was done by Pyrooz et al (2013) who researched internet and gang involvement where the current and former gangs were included in the study. The study reveals that those who were interviewed in most cases they are all involved in the online offence. Selling stolen properties or drugs, uploading violent videos, and harassing and threatening people were among the offences that the study revealed that the current gangs and former gangs do online, this the same to findings of their study as gangs in Eastland are also involved in the online offence. Only a few of the majority of those who interviewed in the study indicated that social media is used in recruiting new gang members, to my study, it was found that most of the gangs in Eastland's of Nairobi are not using the media to recruit gang members as most of them joined offline. Pyrooz et al (2013) also established that gangs in their study use social networks to communicate about crime activities as only a few of the respondents indicated they use it to organize their criminal activities. In my findings, from the reformed gang members interviewed, I established mixed reactions as some said they use social media to organize crime but others say they never use social media in their crime.

The study was also similar to a study on the role that social media play to gang members which were done by Decary-Hetu and Morselli (2011) which established that; communicating and learning new criminal activities, showing off weapons, entertainment

and cyber-bullying were some of the online activities that gangs are engaged on online. Entertainment from youtube and posting gang-related videos was also established as some of the activities that current and former gangs do in social media, according to a study which was done by Decker and Pyrooz (2011). This was the same as the findings of my study on the role of social media in gang members.

The study findings were also in line with Surette (2015) in which in his study, he believes that most of the gangs in social media might be posting out of a lack of knowledge in the use of social media. Surette (2015) also attributes online posting by gangs on celebrity issues. He explained this by discussing the performance of crime done by the celebrity in social media as a way that has been copied by other gangs in social media. This was also similar to my findings as most of those who were interviewed blamed the gangs on the ignorance of gang members in using social media. The same was also established on those who post to be celebrities as was found in Surette's study.

Uses and Gratification Theory attempts to explain the uses and functions of the media for individuals, groups, and society in general. In this study, the theory was used to explain how the gangs in Eastland uses Hessa Facebook groups and pages to gratify their needs which included bragging, displaying weapons, and symbols that identify them as gangs by posting them in the Hessa Facebook groups and pages. It also helped to explain how the suspected gangs were able to get information from the Hessa and those residents who had ill motives against them from the Hessa Facebook pages of friends who have been killed.

4.3 Investigate the extent to which the use of selected Facebook pages and groups facilitate or undermine the upholding of judicial process of suspected gang members in Eastland, Nairobi Kenya

The study sought to find out the consequences on how the use of Facebook by people believed to be police officers in Eastlands of Nairobi, has managed to convince the residents and the group members of the Hessy Facebook pages and groups that the act of people believed to be police officers of identifying suspects, giving warning to them and finally killing and posting them in Facebook pages has either undermined or promoted the right to due judicial. From the respondents, there were mixed reactions from the residents, human rights activists, journalists and the reformed gang members who were interviewed during this study.

Those who were interviewed gave different opinions concerning the consequences and the reason why Hessy has decided to use Facebook as a tool to judge and prosecute by killing the suspected gangs and how it has managed to convince the public that those posted and killed are gangs through the use of Facebook. This was established when the majority of the residents supports the act of Hessy not to follow the due judicial process while the majority of the human rights organizations condemn Hessy for not arresting the suspects and arraign them in court instead of following short cut of killing the suspects. The following are some of the themes that come out during the discussion with the respondents on the consequences of use of Facebook App in upholding judicial process and human rights of selected gangs and Facebook groups in Eastland, Nairobi Kenya; Weak judicial system in our country, corruption among our police officers and in our courts, lack of

evidence by the police officers to prosecute the suspected gangs, revenge, armed gangs and lack of witnesses.

4.3.1 Weak judicial system

The study found out that, as a result of Facebook use, some of the respondents blame the judicial system in Kenya as to why the due judicial process is not followed in Eastland of Nairobi by the police and that's why the police are now resorting to using Facebook to judge and prosecute suspects. They blame the weak judicial system that is not able to prosecute the suspects and always allow them to come back after arrest to harass the residents. Therefore the majority of the residents who were interviewed supports that suspects should be killed and not be allowed to go through the judicial system as they believe most of the gangs arraigned in court are not convicted, for them they believe there is no need to arrest the suspects but just to be killed due to this.

Although the human rights groups, also blame the judicial system for being weak, part of them believes that the blame of the weak judicial system is only an excuse to kill the poor while the rich go through the same weak judicial system that the poor are blamed for and nobody complains. For them, the weak judicial system is just a reason to kill the poor in Eastland's of Nairobi while the same rule does not apply to the rich in Westland's of Nairobi, as people of Westland's are allowed to go through the judicial system. He gave an example of National Youth Service suspects being taken to court while suspects in Eastland's are not taken to the same court because the judicial systems are weak. Another human rights activist supported the blame on the weak judicial system, he agrees that our judicial system is weak and need improvement, according to him, it's the same police who says they cannot arrest the suspects and take them to court because the suspects will be

released either in the police cells or courts and the same police will assist in the release of these suspected criminals once they are arrested. He blames the police for reason of the weak judicial system.

Police should not apply double standards; if they are sure they are criminals then they should arrest and not kill, just for example if they don't have faith in our courts, why should they just shoot the National Youth Service suspects? Why take them to court they should be shot dead, why kill others and take others to court... (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm)

The judicial system needs improvement, police are complaining *huyu mtu ametolewa na nani anamtoa ni same police*. [Judicial system need improvement, police are complaining that this man has been released, and who have released him? It's the police.] (Dandora social justice center officer, Dandora, 12/09/2018, 10.20am).

In a documentary done by Citizen TV about extrajudicial killings on April 2nd 2017 on Sunday live, one of the residents who were living in the interview blames the weak judicial system on the suspects. According to him, most of the youth who are always arrested by police come back within a short period and go on terrorizing the residents, therefore he thinks there is a problem with the judicial system that's why those who are arrested are not always being jailed because the system is weak, he says,

There is a problem with the judicial system in this country, I have seen some of the youth who have been arrested are again on the streets, I don't know what happens when they are arrested and when they are supposed to be charged..." he gave an example of two youth who were killed in Eastleigh in broad daylight by a police officer who shot the two youth while the public was cheering. The public cheered because the two have been arrested but they are always released and therefore the public was cheering because the two youth have been terrorizing them, he says; "These two youth are known to be gangs and have been tracked for some time, they have gone to the police station many times and they are known and that's why people were cheering. (Citizen TV, on April 2nd 2017 on Sunday live, 9:00 PM)

A weak judicial system was also evident during the content analysis of the Nairobi crime free where

Several posts were made by the Hessy blaming judiciary for not convicting the suspected gangs. For instance, labelling some gangs as untouchable since when they are arrested they will still be released. In this case, Hessy has used Facebook as a platform to convince the platform members that they kill the suspects because of the weak judicial system and therefore no need to arrest them. While the human rights groups are blaming the police for using this method.

4.3.2 Corruption

The study also established that corruption within the police department and also within the judicial system has contributed to police not following due judicial process when dealing with suspects in Eastland's of Nairobi. The study has found out that Hessy has managed to use Facebook to convince the resident and the Facebook users they use the Facebook pages to judge and prosecute the suspects because they can't take them to court since the courts are corrupt. From the selected Facebook group for this study that is Nairobi Crime Free, during the period of study, among the post that was posted, there was one post that was posted by Hessy warning the police officers from collaborating with the gangs. The majority of the respondents who were interviewed blamed the police and the judicial system for being corrupt whenever they arrest these suspects. According to them, the suspects are always released so long as they can bribe the police or the judiciary.

One of the reformed gang members interviewed claimed that whenever he was arrested by police, he used to bribe them so that he was allowed to go without being taken to police

station sometimes bribing even within in the police station premise. During my interview with one of the reformed gang who was arrested, tried and jailed explained how he was mistakenly arrested though he managed to bribe the judicial system for him to be released. For him he said he was a gang member, though he was mistakenly arrested for a crime he did not commit and thereafter he was jailed but before completing his jail term he was able to bribe the judicial system and he was released. He said,

Nili serve miaka tatu industrial area juu ya kushikwa na robbery with violence though nilikua mtu mbaya, yenye judge anakuambia ujue hii kesi ikipata hukumu ni kinyongo na nilikua innocent na nili serve, ni ile tu mama aliibiwa alikuwa na gari na sasa wale watu wameiba na mimi napita kakua ati mimi pia nilikua nao na wale hawakushikwa walihepa. Mimi nilipelekwa innocently... Vile nilitoka prison ilibidi nitoe hongo juu huyo investigating officer alikula 100k na complainant na hao wengine walikua wanajua surely mimi ni innocent... [I served three years in industrial after being arrested for committing a crime of robbery with violence, though I was a bad person, where judge is telling you to know this case you can be sentenced to death and I was innocent and I served. It was just that there was a mother who had a car and there are people who stole from her while I was just passing, then it was said that I was with them and they were not arrested because they escaped. I was arrested innocently... for me to be released, it forced me to bribe the police officer, investigating officers took a bribe of 100,000 and complainant and also the rest knew that surely I was innocent.] (Reformed gang, Kayole, 21st/09/2018, 01:26 pm).

Mimi nilikua nashikwa lakini pesa ilikua inatembea, once nimeshikwa hakuna place wangenipeleka juu nilikua na pesa kwa mfuko so nilikua nafika kwa station nakulipa na kutoka hata mara mingi hufiki station unamaliza hapo. [I was being arrested but I used to give out money, once been arrested, there is no place I could go once I was arrested, I had money in my pocket so when I arrived at the station I paid and was released, most of the times I didn't make it to the police station we used to seek it immediately.] (Reformed gang, Kayole, 20st/09/2018, 11:26 pm).

The same was confirmed by another resident of Eastland's who said that the gangs always have money to bribe the police and the judiciary so they don't prefer the gangs being arrested because they will still come back and terrorize the residents, instead he prefers the suspects being gunned down. He said, these people are being arrested and they come back

within a short time so the best way is to eliminate them so I support police shooting to kill because that's their salary. (Resident, Kayole, 23th/09/2018, 5:28 pm)

Another resident stated that corruption cannot allow the suspects to be jailed, for him, whenever the suspects are arrested; they can bribe the police or the judiciary for them to be released without being jailed. He says,

Corruption, these people have money, corruption will not allow them to be jailed. This person will pay 1000 *sijui* [I don't know] what and will be released (Resident, Dandora, 16th/09/2018, 2:36 pm). The same was also supported by another resident who also claims that whenever the gangs are arraigned in court, they will not be jailed. He said, *Wakipelekwa kortini kuna venye vile iko anapelekwa na unaona tu amerudi na anaendelea tu na kazi yake.* [When they are taken to court, there is a way they do, they are being taken and you see them back to their normal business.] (Focus group discussion, Resident, Mathare, 17th/09/2018, 2; 32pm)

In an interview done by citizen TV about extrajudicial killings during citizen extra on April 5th, 2017, one of the analysts in the interview said that people are frustrated with the judicial system in Kenya as those who are arrested are left scot-free without charges due to corruption and collapse of criminal justice systems. He also explains that some are also afraid to report their cases to the police station for fear that the same case might be used against them as the gangs brag of being able to manipulate the police and the judiciary system to jail the complainant. He goes ahead and supports that police should follow due judicial process, he says that police are not supposed to do this but instead follow the due judicial process.

People are responding to the frustration of failure of the system because you have a situation where criminals at times are arrested, taken to a police cells and because of corruption, inefficiency and the collapse of criminal justice systems they are released back into society and some instances when you report the same report is used against you, that when you report, you will be told where are you going to take us we will deal with you..... (Citizen TV, April 5th, 2017, 9.00 PM).

... a professional point of view should defend the truth at all cost, that's important for us to stand for the truth if somebody has committed an offence they should be taken through the process and then be tried in the court of law...(Citizen TV, April 5th, 2017,9.00PM).

The corruption within the police station that denies the suspects the right to due judicial process was also confirmed by the social justice centres within the Eastlands of Nairobi. One of the members of the social justice centres says that the police will arrest you and take you to the police station only to ask for money from you and if you don't want to bribe them they will say you were found stealing yet they arrest you while just walking and you have not committed any criminal offence. When one doesn't want to go through the court process to prove their innocence, they will just pay the amount to the police for them to be released. The activist said,

Mimi naongea na proof, kuna mama mtoi wake alishikwa one year ago akaendea mtoto wake atolewe polisi wakamwambia utatoa pesa ama. Akasema hana pesa, aliitishwa 5,000, unajua ilibidi aende mpaka aitishwe hizo 5000, because huyo polisi alimwambia tutampeleka tu kortini juu ile room imejaa masimu tutachukua tumweke na vitu zingine ati tulimpata nayo, utatoa pesa ama hutowi, ilibidi atoe pesa na mtoto wake akaachiliwa. [I am talking with proof, there is a mother whose child was arrested one year ago, she went to the station to seek the release of his son and she was asked to give out money so that the son is released. She said she doesn't have money, she was asked to give out 5,000, you know it forced her to go look for that 5,000 because that police officer told her that will just take him to court because that room is full of phones, we will take and claim that he has stolen and other things that we got him with, will you give out money or you won't? It forced her to give out money and his son was released] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

4.3.3 Lack of evidence

The study established that this person believed to be police officers is using the Hessy Facebook pages because they lack enough evidence to present to court so that the suspects can be prosecuted. Therefore they present their suspects on Facebook to qualify them as gangs were members of supports them to go ahead and kill the suspect with only a few of

the suspects defending these suspects. The researcher found out that Hessa has managed to convince those in the groups that whenever he posts a suspect in the group that the suspect is always a gang that deserve to be killed.

The study also found out that the right of the due judicial process is undermined or promoted due either through the availability of evidence or lack of evidence. The police are mandated to arrest an individual with enough evidence and be able to present them to court within 24 hours. During the study, it was found out through the respondents who were interviewed were opined that most of the police officers lacked enough evidence to prosecute the suspected criminals. Among the post that was posted on the Nairobi Crime Free Facebook group, during the study, 4 posts were posted by Hessa warning those who have been arrested that; "*najua bado mtatoka*" [I know you will still be released] (Nairobi crime-free Facebook group)

These words were repeated in all the four posts of those who were arrested and posted in the Facebook group. It means that though the police have arrested the gangs and will be taken to court, they are sure they will be released due to lack of evidence.

According to most human rights activists, the police are using Facebook to kill the suspected gangs because they lack enough evidence to present them in court as most of the suspects killed are innocent. Once killed, the truth of whether they were gangs or not so is difficult to establish. Eventually, it is only the police word that brands them as gangs. Another human right activist also attributes the inability of the police officers to collect enough evidence to prosecute the suspects in the court, the officer's laziness therefore the police officers resorts to shortcuts that include killing the suspects to escape the process of

gathering evidence concerning that would determine whether the suspect is a criminal or not.

When you kill someone and brand them as criminals, they are already dead and cannot defend themselves because they are already dead, so the truth will never come out whether criminal or not. (Mathare Social justice center official. Mathare, 18th/09/2018, 09.22 pm).

When you arrest somebody you have evidence the fact is that most of our police officers are lazy and they don't want to go through that process so they use shortcuts and that is to kill. (Dandora social justice center officer, Dandora, 12/09/2018, 10.20am)

The notion is that in Eastland most of the police lack the evidence to prove whether one is a suspect or not. Also received support from the reformed gang members. In the opinion of one of the reformed gang members, the police always made their judgment based on the type of clothes, hairstyle and silver chain that one wears to qualify him/ her as a gang member, the police believe that some certain clothes and hairstyles belong to a certain gang. He gave the example, Gaza group in Kayole, police who believe that those who wear a lot of chains, put several rings and has hairstyle called *mowhawk* to belong to Gaza gang group of Kayole.

Hessy's lack of evidence against the suspects was also supported by another member of the social justice centres, according to this member, when Hessy kills he should be ready with evidence to defend why he has killed the suspected gang. But most of the time she reckoned, Hessy do not have evidence for his killings.

In a different turn, one of the reformed gang members said that the police will kill you because you witness them killing the suspects. This also happens whenever they have a

deal with the gang members and they realize that the gang might betray them, in this case, they will kill the gang so that he doesn't testify against them in court.

Sio ati most cases watu hupatwa kama wanaiba in most case vile tumekaaa na wewe hapa unapata polis iambus us and kill us, they don't have enough evidence halafu they judge you with mavazi, nywele... [Not that most cases they get people in the scene, just the way we are seated with you here, you get that police ambushes us and kill us, they don't have enough evidence then they judge you with your dress code and hairstyle.]

Hessy anafaa kuwa ready na evidence sio kuuwa na machungu yeye anumwa hana evidence. [Hessy should be ready with evidence not just killing, what hurts him is that he lacks evidence]. (Reformed gang, Kayole, 25st/09/2018, 06:14 pm)

In some cases, police also kill those who they believe can testify against them in case they realize that you have seen them killing an innocent person or they suspect you know the deal between them and the gangs. *"Sio walikua wamwuuwa ndio asiongee, wanauwa evidence juu pengine angepatana na askari wengine tofauti sio wale anafanya nayo deal angesema mimi hudeal na akina nani na nani ndio hunipa vitu na hawangekubali* [they were killing him so that he cannot talk, they are killing evidence because maybe if he could have met other policemen who are not working with together in crime, he could mention that the policemen he always partners within crime and the officers might not have accepted that.] (Reformed gang, Mathare, 21st/09/2018, 3:26 pm)

The study revealed that the police can only follow the due judicial process by collecting enough evidence about the gang members, since the police know these suspects they should be able to collect evidence from the community so that they can arrest them and take them to court instead of killing them, according to one of the residents in Eastland's, he believes police are capable of collecting enough evidence that should be used to prosecute the suspects, with the evidence then they can easily ensure the criminals are jailed instead of blaming Judiciary for not jailing this suspect. He said,

Police have reasons, once they know this person is a suspect, they also can collect evidence, once they collect evidence I don't see the reason why they should go ahead and arrest them and try them in the court of law and when sentenced is given

to them, then they are locked behind bars (Resident, Dandora, 16th/09/2018, 2:36 pm)

This was also supported by one of the human rights activists who said that police will kill the suspected gang members whenever they realize the gangs might betray them because they do trade together by giving the gangs protection. He said,

Mtu mwenye amekunyang'anya anafaa ashikwe sio kuwawa, sio tu story na kuiba ni deal ilienda sawa juu polisi wanajua wezi kama wote sio ati hawajui..." [Someone who has stolen from you should be arrested and not to be killed, it's not a story of killing its just deal that has gone sour because the police knows like all gangs not that they don't know them]. (Mathare Social justice center official. Mathare, 18th/09/2018, 11.22 am).

Article 2(1) of ICCPR and Article 2 (1) ICESCR (1976), the security agencies are tasked by ensuring properly that whenever they arrest a culprit, they have enough evidence to present him/her to the Kenyan courts. The pol must conduct prompt, effective, proper and professional investigations when a victim complains or whenever they arrest suspects. When they fail to conduct proper investigations of the complaint in a wide range of criminal act suspects, it results in denial of justice since there would be no evidence to table before a court of law or any other forum adjudicating over the matter to support the victim's claim, (Gonzalez & others ("Cotton Field") v Mexico, Inter-Am. Ct. H.R [2009]). This is because victims mainly rely on evidence gathered by the security agencies due to the expertise of its officers and the infrastructure to analyze the evidence. This has led to massive human rights violation as the police are ready to shoot to kill because they don't gather enough evidence for the prosecutions of the suspects. Therefore, when they arrest

the suspects, due to lack of enough evidence they end up releasing the suspect, (Njue, 2015).

The study is in line with the report that was released by the Kenya National Commission of Human Rights (FIDH / KHRC - Kenya's scorecard on security and justice: broken promises and unfinished business July 2017) where they conducted a key informant interview and one of the respondents faulted this argument in the pretext that the police are poor in evidence gathering and lacklustre when they do it and thus present cases whose evidence does not meet the prosecutorial threshold to sustain a conviction. The same report indicates that IPOA reported in 2013 that over 60% of the cases brought to court do not meet the evidentiary threshold.

4.3.5 Armed gangs

In almost all the images that were analyzed during the period of this research in the Nairobi Crime Free Facebook group, the study found out that most of the gangs that were posted dead by the police officers were armed with either guns or knives or other weapons. In the group, they post the image of the person and the weapon he/she was found with. This proves that most of the gangs they kill are always armed.

Hessy have always defended themselves in the Hessy Facebook pages and groups for not arresting the suspected criminals by saying that the gangs are always armed and therefore they are unable to arrest them. Human rights organizations blame the police for this excuse. For them; most of the suspects who have been killed are always not armed as the police have been claiming. They believe that the weapons that are always placed next to them are always owned by the police and not the suspects killed. According to one of the human

rights activists, police always use narration to defend themselves after killing innocent people who they should arrest and present to court so that they are charged. He says,

They know our stand and they defend themselves by saying that they can't arrest those who have firearms and are ready to kill you. Those are the kinds of narratives they normally give. (Dandora social justice center officer, Dandora, 12/09/2018, 10.20am).

Even though the human rights activists blame the police for lying to the public that most of the suspects are always armed and they can't arrest them, the residents on the other side agree that most of the gangs are armed and police are right to kill them because they can kill the police before they are arrested. One of the residents during an interview said that, yes it's right for the police to arrest the suspects, but the life of the police officer also matters and therefore he should kill before being killed by the gang. He supports that the suspects are always armed. He said,

Askari mwenyewe pia ni binadamu, ako na familia na kazi yake ku identify mwizi. Kumkamata na kumpeleka kortini na kuchukuliwa hatua, lakini inafika wakati ambapo maisha yako iko hatarini mpaka yeye pia lazima ajikinge, Yule mwizi ameenda kukamata ako na silaha na polisi wengi wameuliwa na wezi wakiwa kazini tusiwe watu wabaya wakuangalia pande moja ya washukiwa ya human rights kama wezi na kusahau kuangalia maisha ya askari pamoja na ya jamii kijumla [police is also a human being, he has a family and his work is to identify criminals, arrest and to take them to court so that that they can be judged but it reaches a time where your life is in danger until you look for protection, that the gang that he has gone to arrest has got a weapon and several police officers have been killed by gangs. Let's the human rights not be biased by looking on one side of the criminals and forget about the life of the police officers and the residents]. (Resident, Kayole, 23th/09/2018, 5:28 pm)

One of the reformed gang members also blamed the police officers for killing the gangs who are not armed. According to him, he acknowledges that some gangs are armed while others are not armed. He says it's right for the police to kill those who are armed but they

should be able to arrest those suspects who are not armed. With him, he believes that the police know all the suspects they are dealing with, they know those who are armed and not armed, therefore before killing the suspects, they should not shoot and kill those who are not armed rather follow due judicial process. He said,

Pia askari wanafanyanga makosa tangu uuwe mtu wanakua washajua wanajua Yule mtu ako na hii na hii si sasa mtu mwenye hana bunduki anafaa aende ashikwee tu hata... [Also police officers do make mistakes, if it reaches a point you are killing someone, you have already known that the person has got this and this and therefore one without a gun should just be arrested] (Reformed gang, Kayole, 21st/09/2018, 01:26pm)

4.3.6 Lack of witnesses

In studying Nairobi crime-free during the research period, from most of the posts, it was found out that Hessa blamed the public for fearing to testify against the suspects. the study found out that Hessa is killing the suspects because when they are arrested and arraigned in court, nobody is willing to testify against them that's why they have decided to use Facebook to prosecute the suspects due to lack of witnesses.

It was also found out that the lack of witnesses to testify against the suspects in court also undermines the right due judicial process by the police officers in Eastland's of Nairobi. It's either the police who are reluctant to testify against the crime they witness or they lack enough witnesses to use to prosecute the suspect. The public might also be intimidated or fear being intimidated so they may not testify against the suspects.

One of the human rights activists pointed out that the police officers might have enough evidence to prosecute the suspects in a court of law but the problem might be the lack of witnesses to testify against the suspects. According to her, people are always afraid and

fear being victimized either by the gang members or members of the family of the suspect. She adds this has made the police work difficult as the rate of crime is increasing. Therefore most of them have resorted to shooting and killing the suspects because whenever they take them to court, they lack witnesses to help them prosecute the suspects and the suspects are released and continue terrorizing the residents.

I can also say police face challenges in that they may have evidence but no witness, people are afraid that if they might be they might come out as witnesses for such cases they might be victimized either member of the gangs or where the people come from from the family of the gangs. So I think this one of that makes police very slippery in this cases and dealing with the issues (Resident, Dandora, 16th/09/2018, 2:36 pm)

I can say in terms of police, people are very reluctant, especially those who witness crimes, they are reluctant to go and testify one of the reasons I have come to find out that they are threatened and if you are threatened you choose your life so the best thing if you were to go with the judicial system then the best our country is to do is to protect this witness in that as much they are willing to testify then you also protect their lives so that they should not give information at the expense of losing their lives... (Resident, Mathare, 17th/09/2018, 2; 32pm)

In Kenya, the due judicial process that police should take with the suspected gangs is to arrest the suspected gang, allow them to go through the court process, if found guilty be charged and serve the court sentence. Just as explained by one of the human rights activists who said that,

I think we have to follow the constitution which no one is above, and in the constitution, it states clearly that if someone is found in the wrong whether with the community or the policeman whoever it is, let the person be presented to the police station then within 24 hours let the person be presented to the court then from the court that's where the fate of that person will be determined. (Mathare Social justice center official. Mathare, 18th/09/2018, 09.22 pm)

Uses and gratification theory was used to describe how the residents, Hessa, reformed gang members and the human rights groups who are members of the Hessa Facebook groups, use the group to either support or disagree on the Hessa use of the Facebook group as a judiciary to prosecute the suspected criminals. From the findings, Hessa has been using the group to prosecute the suspects and being able to gain sympathy from the followers in the group that the suspects were gangs. Therefore through uses and gratification theory, Hessa has been able to convince the follower in the group that our judiciary is corrupt and cannot be trusted with handling criminals in Eastland of Nairobi. The followers have gratified the information that they are receiving from Hessa's Facebook pages and are convinced that Hessa is right without following due judicial process as opposed to human rights and some followers.

In Eastland's of Nairobi, people believed to be police officers has managed to use Facebook to convince the people of Eastland's and the Hessa Facebook members that they cannot follow the due judicial process against the suspects by posting in images depicting our judiciary as unable to deal with gangs in Eastlands of Nairobi.

In a study done by Njue (2015), the objective of following a judicial process is adherence to the rule of law to get a remedy for an offence committed by the suspect. Judicial proceedings must be expedited by all means to ensure that the suspect's rights are vindicated when evidence is available and to enable the suspect to face the law. According to Njue (2015), the government should ensure enhanced coordination among law enforcement agencies and judicial officers to ensure all the suspects are accorded justice. The judicial system is a process that involves several government agencies including the police, the court and the prison all playing different but complementary roles.

4.4 Examine the deployment of the selected Facebook pages and groups as a tool of surveillance in Eastland, Nairobi Kenya

4.4.1 Surveillance

The study established that in the Eastlands of Nairobi, the security agencies use various techniques to track and eliminate gangs which include the use of Facebook. During the study, it was found out that when police employ Facebook as a surveillance tool they also interfere with the right of privacy of other people, therefore, the study will also discuss how the right of privacy, has been done in a different objective. From the discussions held with these informants, it is possible to deduce the following themes that examine the attributes of the information uploaded by Facebook users and the relationship to potential surveillance within social networking sites in Eastland, Nairobi Kenya.

The themes include; befriending suspects, accessing members' friends/networks, using information from Facebook members who belong to Hussy Facebook groups and pages, pretence, use of CCTV cameras, using residents of Eastlands of Nairobi to get information on security issues and using fake accounts in Facebook.

4.4.1.1 Be-friending suspects

According to the study, it was established that police befriend the gangs by operating together. The friendship begins offline, where they engage and talk together and come to know each other, then with time they become friends online in the social media sites which includes Facebook. This allows the police and the gangs to be able to access each other's accounts and be able to chat on Facebook.

One of the human rights defenders explained that the police collaborate with the gangs in their activities and even point out one of the incidences when Hessa posted in the Dandora Crime Free about police working together with the gangs

Police are friends with the gangs and can track them through Facebook. Kuna post Hessa alipost ya polisi working with thieves ni kitu polisi wanafanya. He was calling for police to stop... [There is a post-Hessa posted of police working with gang members, it's something that police are doing] from this relationship they can know their friends and access their photos so when friendship breaks, they can access their photos and friends and post them in the Facebook. (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

One of the former gang members also narrates that the police and the gangs are friends and they exchange contacts so they know each other very well.

Polisi an ma gang's wanajuana hadi wako na ma contacts na mapicha za hawa ma gangs sasa deal iko go wrong ndio wanawaanika Facebook, wanakuanika ndio wakati anakugun down ndio watu waamini hakujui na ulikua mwizi [Police and the gangs know each other until they have each other's contact and photos so when the deal goes wrong is when they are posted] (Reformed gang, Kayole, 25st/09/2018, 6:14 pm)

The study found out that from the friendship, the security agencies use the friendship to help them get other gangs from the friend list of the gang in their Facebook accounts. They are also able to track the suspects who are their friends through their Facebook accounts in case they feel it's time to kill them or arrest them. This mostly happens when the security agencies feel that the deal between them and the criminals is already known or might be known to the public.

4.4.1.2 Access member's friends and networks

The study also found out that police are using the phones of the criminals that they have gunned down to get other suspects. Through their phones, they can access their Facebook accounts and access their friends and posts in their accounts. They also check on contacts and make such on True caller to help them get your true name once they suspect you were related to the suspect in his criminal activities. From this, they can search for you on Facebook or use other people in the society to get your photo and post it on Hussy's Facebook pages. This was according to one of the members of the Kayole social justice, who said,

Then kwa simu wakiuwawa mtu moja like waliuwa Mang'ombe Martin wakachukua simu yake wakaangalia ma number na everything hivo ndio wakajua mabeshte wake na friend list kwa facebook na picha zenye ziko kwa simu. [Then through, when they kill someone like they killed Mang'ombe Martin, they took his phone and check his contacts and everything is when they knew his friends and the friend list in Facebook and their photos in his phone.] (Kayole Social justice center officer. Kayole, 13th/09/2018, 3.22 pm).

One of the residents of Kayole also narrated that,

...Number yake ama simu yake kama number yake ingepatikana hata mimi ningekua mwalifu ama hata ya mzee wangu sababu huyu kijana anauliwa simu yake ikichukuliwa ilikua inaangaliwa zile majina ziko hapo na watu wanapigia, hata kama alikubeba... [in his phone incase my number could have been found, I could have been treated as a criminal or even my husband because this man when he was killed his phone was being checked, the names that are in that phone.] (Resident, Kayole, 23th/09/2018, 4:28 pm)

She was explaining how a suspected gang who was a motorcyclist was gunned down by the police officer, and she asserted that in case her contacts were found on the suspects' phone then she could also be branded as a gang, even though she believes the suspect, who was also her friend was innocent.

4.4.1.3 Using information from Facebook members who belong to Hessa Facebook pages

Hessa Facebook group has got a lot of members, Nairobi crime-free which is the leading has got about 300,000 members. In this, members are allowed to post issues concerning security and also comment and like post that Hessa has posted. For example, in Nairobi Crime Free, the members always post areas where they think Hessa should go and kill the suspects that are terrorizing the residents in the area or they post the suspects in the group, others who have been attacked also post about how they were attacked by the gangs and values stolen from them.

When one wants to join the group, for example, Nairobi Crime free, the first question you are asked before you are approved to join is whether you are ready to join police in fighting crime. If you say 'yes' then you are approved to join the group. This shows that the members who join the group, majority of them are always willing to join police in fighting crime, therefore, most of them always post to praise police or provide information that helps the police to fight crime, though all the posts in the group must be approved by the group administrator before being posted. Only comments on the posts are not approved by the administrator of the group.

The study established that Hessa can get information concerning gangs through posts and comments posted by the members of these Hessa Facebook pages and accounts. Like one of the reformed gang members explained that when you are posted and the members of the Hessa Facebook pages see you around, they will text Hessa in his Facebook account or comment on Facebook that they have seen you in a certain area to alert Hessa to come for you. Hessa also uses Facebook to identify suspected criminals through comments by

members on posts involving suspected criminals gunned down by Hessa. Hessa tends to believe that those who comment by supporting the suspected gang members who are posted in the group may be operated with the gang member or is related with the gang member, therefore Hessa will follow them in their Facebook accounts and send them inbox messages and inspect their accounts if they are related with the gang.

As one of the human rights defenders explains how his friend was threatened by one of the Hessa after defending suspects who were killed and posted in Nairobi Crime free and they can even end up removing you if you insist on defending the suspects or trace you, she explained,

Watu wa public ndio wanachochea ghasia sasa kama group ya Hessa ndio yao, ni yao na hao watu karibu ngiri kumi na wa masalse. Ni kama makarao karibu wote wako kwa hiyo group sasa picha yake ikiwa hapo wote wanakuona hadi wanaandika penye wewe huenda kama Kayole, Umoja na kwingineko, wewe huwezijificha hata ufanye nini utamezwa copper [Members of the public are the ones contributing to a lot of killings, like Hessa group they are all over, they own it almost a thousand people plus the police officers. It's like all the police officers are in that group, so when your picture is posted all of them sees you up to where you normally go like if it's Kayole, Umoja and other areas, you can't hide, you will just be shot dead.] (Reformed gang, Kayole, 21st/09/2018, 01:26 pm).

One of the human rights defenders also supports this by saying that the Facebook members of the Hessa Facebook group and pages also provides the police with information about these suspects,

Unaonanga post zingine wakisema ebu kuja area Fulani hao mavijana wanatesa huku na vituko kama hizo... [You normally see some posts when they say come to certain areas those gangs are terrorizing and things like that...](Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

Benteke alikua anamtext akimthreaten and everything the same way Hessa ame unfriend a friend of ours kwa Nairobi crime free akiwambambia huyu Habib Omar ni nani akimwambambia huyu atauliwa. Hamjui lakini vile aliona akidefend wale

machali waliuliwa Dandora. Ukienda kupost na kudefend suspects ataanza kukutafuta because the night ya saba saba I defended them na chenye aliniambia niambia wezi wako karibu na wewe nitawauwa... [Benteke was threatening him through text everything the same way Hessy has unfriend a friend of ours in Nairobi crime-free and asked him who is Habib Omar and told him he will be killed. He doesn't know him, but the way he saw him defending those people who were killed in Dandora. If you post or defend suspects he will start following you because the night before saba saba I defended them and he told me that he will kill those gangs around me] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

Though one of the residents of Eastlands and also a member of Kayole Crime free defended this by saying that when you defend the gangs they don't remove you in the group but simply ignore your Comment in the group, "If you defend they will not remove you in the group but they just ignore you" (Resident, Kayole, 14th/09/2018, 02.25 pm)

The study found out that it's true the police uses information in the Hessy Facebook pages and groups to get information, as one of the residents who was interviewed said that he cannot comment or post in the group because he is using his real names and therefore they can easily get him in case his comments or post are critical about the suspects. He said,

I don't post or comment but just follow but I do like. After all, I do operate using my real names because if you want to comment in those posts it's good you hide your identity because I fear for my life and family (Resident, Mathare, 18th/09/2018, 03:48 pm).

This shows that the residents are aware that Hessy can use the post they have posted to know who they are and track them using their post and therefore many don't post or comment rather just be followers or like.

According to a study that was done by Zegas (2013) security agencies also use social networks of willing witnesses to obtain evidence concerning a case. This is in line with the

study as Hessa also works with cooperating members of Hessa's Facebook account pages and groups to get information concerning the gangs in Eastland's of Nairobi.

4.4.1.4 Pretense

The study also found out that Hessa also uses pretence to be able to track the gangs in the Eastlands of Nairobi. Those who were interviewed during the study explain that Hessa uses different ways to reach the youth and be a friend to them even being able to access their Facebook accounts be friends through Facebook accounts. Through this, they are also able to trace and identify those youths who are gangs and be able to arrest or kill or take their photos and post them in their Facebook groups and pages.

One of the human rights activists explains that one of the Hessa who was a man uses to dress like a woman and then be able to trace the youth without them realizing that he was a man, not a woman. She continued by explaining that another police officer was also pretending to be one of the youth and used to dress like them and share with them in areas that youth used to sit, from here they were able to know each other and even exchange contacts are friends on Facebook as friends without these youth knowing that the man is a police officer.

She continues by saying that after the police have identified you through their pretence, they go ahead and check your friends and your photos in your Facebook account and from there they can know whether you are a suspect and your friends too, they also check your dress code in the photos and of your friend's like in Kayole a group of gangs that used to terrorize members of Kayole which was known as Gaza, the members used to dress in a certain way like wearing a lot of silver rings on their fingers and also chains, so if they see

you and your friends are dressing like Gaza members, then they conclude that you and your Facebook friends are Gaza members.

... sisi Kayole Meja alikua anajifanya mwanamke, anavaa wig, dress na make up akifuatilia vijana aone nani ni mwizi, usiku na mchana.[Us in Kayole, Meja was dressing like a woman, putting on a wig, a dress and makeup as he follows the youth to judge who is a gang during the day and at night] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

Mwinginge anajifanya mbabe anajivaa kiyoyo anaenda base ndio wakuwe friends then wanaanza kuwafuata Facebook... [Another was acting as the youth, putting on like them and also goes where the youth are then they become friends and start following each other Facebook] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

... Then again they also look for friends like mimi wanaangalia mabeshste wangu ni nani fb na vile wanavaa then they conclude that birds of the same feathers flock together... [Then again they also look for friends like me they check on my friends on Facebook and the way they put on then conclude that birds of the same feathers flock together.] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm)

One of the reformed gang members also supports the police use of pretence to reach the gangs they have identified and wants to kill. They even pretend to be hawkers so that they can reach the suspects and kill them since the suspects can identify them if they don't hide their faces. He explains,

Hata hawa karao huvaa nywele fake ndio hadi wanajifanya wanauza mayai, anaweka dread fake na amebeba kitu ya mayai ameweka bunduki, wewe unafikiri ni mayai kumbe ni bunduki... [even these police officers put on fake dread and hide the gun in something used by egg sellers to sell their eggs in the street, so you may think he is carrying eggs yet he is carrying a gun] (Reformed gang, Kayole, 20st/09/2018, 11:26 pm).

According to Zegas (2013), the police also uses fake accounts to enable them obtain evidence from a suspect whenever they can't access the suspect through their original accounts even though the fake accounts are not accepted by most of the social media as they see it as violates their working terms and conditions. During the study, it was also found out that a part of the Hessa pretending when he wants to kill the suspects, he also practices pretence on Facebook. Hessa also applies pretence in Facebook indoor to access some of the accounts of the suspects as this helps him to access more information about the gangs.

4.4.1.5 Use of CCTV CAMERAS

The study also found out that Hessa uses CCTV cameras to track and identify suspected gangs, once they get footage of CCTV cameras, they post them in the Hessa Facebook groups and pages so that if someone can identify those in the CCTV can help them get information about them, the study also found out that members also do post CCTV footages of incidences when they have been robbed by suspected gangs, they request Hessa and members of the forum to help them identify the suspects in the footage. One of the journalists who was interviewed narrates that it's true police use CCTV to help them identify the suspects when they post them on Hessa's Facebook pages and groups.

... sometimes CCTV is connected and these people are identified and they have friends and all this so it's easy for a policeman to identify them that this person is this person on Facebook is called this and this his phone number... (Standard newspaper journalist, Nairobi town CBD, 9th/09/2018, 11:43 am).

From one of the selected Facebook groups for this study that is Nairobi Crime Free, during the period of study that is from September 2017 to December 2018 13 posts were made by either Hessa or the members of the group of CCTV cameras showing gangs in the act of

stealing. Hessay at times asks members to identify the gangs but most of the time they post them with their names that so and so is stealing and whenever we will shoot him, the members of the human rights group will protect him that we have killed an innocent person. Mostly they use CCTV to prove and convince members that the suspect they shot dead was a criminal and they prove it by posting CCTV footage showing the suspect stealing.

Other studies that have been done also prove that police have used CCTV cameras to help them solve criminal activities in other parts of the world. The study was in line with other studies on the use of CCTV. Jones (2012) noted in his study that when you monitor somebody's activities using technology such as surveillance cameras in social networks means that you have trespassed by watching the person online without his/her knowledge. Reno (2002) suggested that security agencies have relied on the information from CCTV to provide evidence concerning a crime committed. He added that due to this, most organizations and businesses now rely on CCTV to provide evidence in case of crime. While Stephen (2012) suggested that police worldwide now rely on the mobile phones of suspects and witnesses and information collected from CCTV as evidence. Kartz (2000) noted that CCTV usage is allowed to be used in public and they are only to be restricted in areas that are always seen as private in the public.

4.4.1.6 Using residents of Eastlands to get information on security issues

From the interviews that were conducted during the study, it was also found out that, Hessay uses the members of the Eastlands of Nairobi to get information about the suspected criminals. According to the respondents that were interviewed, the majority say that police use the members of the community to get information concerning suspected gangs in Eastland, some of the information they get include; what the suspects do to earn a living

and the type of friends they walk with. The majority of the residents of Eastland know each other and therefore they can easily give information concerning one another, this was confirmed by several interviews that were conducted in the area.

The study found out that, in Eastland's of Nairobi, police have informers within who gives them information. According to one of the reformed gang members, he narrates that Hessa has got more than one person that includes women and the old men in the estate that knows each person and therefore able to give information, he said that mostly they give information on what you normally do from the time you wake up till midnight and if they suspect you, they will tell Hessa about it.

Another one also confirmed that Hessa has got people within the estate that provides him with information that includes your photos, Facebook account and your area of stay though with him he said these people are not known by people, he mentioned the people Hessa uses maybe neighbours or even friends because those are the people who are close to you and can reveal such information to Hessa.

Members of the community also use True caller to identify suspected gangs after obtaining their numbers then give them to Hessa so that he can post them to Facebook, according to one of the gang members who was interviewed who said.

The study also found that Hessa also depends on the community members to provide them with Facebook information of the suspected gang members; in the community, we have the village elders, administrators and those in the society who are against the gangs who will definably provide information concerning the gangs whenever they get information and they know the gangs. Since in Eastlands of Nairobi people know each other, this is

also present online, the community is also connected to Facebook, and therefore once you know someone, you can easily access him/her on Facebook too. Therefore, the police through the informers in the community can get Facebook information and be able to tell through posts whether the suspect is a criminal or his friend. One of the reformed gang members narrated. Therefore most of the reformed gang members believe that Hessa gets the profiles of the suspected gang members through the community members.

Of course, kwa simu kuna true callers na community inatoa jina lako real through this, through phone wanatrasia kwa facebook wakiwa online wanapatwa. [Of course in our phones there are Truecallers and the community get your real name through his, through phone they trace you on Facebook and when they are online they are found.] (Reformed gang, Kayole, 25st/09/2018, 6:14 pm)

Kwa hii mtaa kuna wazee wa Kijiji, administration kuna informers then pia kuna criminals na kuna wenye hawafurahii venye anafanya so wanaezataka ama wako na feeling kama wewe ni mwizi uuliwe, ni rahisi kumpata kupitia watu kama hawa ndio wanapasha polisi na kuwapigia simu aje auliwe ama kuna post kwa facebook kuwa anahangaisha watu. [In this estate there are village elders, the administration there are informers and then there are criminals and those who don't like their activity of stealing, so they might want them to be arrested so they may alert the police or make phone calls to police to come and kill them or post in Facebook that they are terrorizing people.] (Reformed gang, Kayole, 20st/09/2018, 11:26 pm).

You find like Hessa has people who work for him in Mathare and these people almost know everyone in Mathare so it is easy for them to get the profile of these people. (Reformed gang, Kayole, 20st/09/2018, 11:26 pm).

Hii mtaa Hakuna kijana mwenye hajulikani ka umekua huku sana... [In this estate no one is not known to the people once you have stayed here for long.] (Reformed gang, Mathare, 21st/09/2018, 3:26pm).

Hawa watu hutumia watu ka hii area wako na watu zaidi ya moja au watatu wenye wanatumia kama wamama au wazee wakuhoji juu yako, kama wazee watasema wanakuonanga tu usiku na hawajui chenye unafanya, kama wewe huiba watakupea warning. [these people do use people within, like in this area they have not more than one informer who they use like mothers or old people to give them information about you like the old men will say they normally just see you at night only and they don't know what you are doing if you are stealing they will give you meaning.] (Reformed gang, Mathare, 21st/09/2018, 3:26 pm)

Hessy ako na connection hapa mtaani, hata huwezijua, unashindwa picha yako iko facebook na hujui vile imefika huko hujui hata ametoa wapi..ako na ma spy huku kama mabeshte yake, kama jirani... [Hessy has got a connection in this estate, even you can't know, you won't know how your photo will get to the Facebook nor where it came from ...he has spies in this estate-like your friends or your neighbors.] (Reformed gang, Kayole, 20st/09/2018, 11:26 pm).

This was supported also by one of the members of the social justice centres who said that in Eastlands there are no barriers of communication as compared to the Westlands of Nairobi. It was also found that both gangs and the police depend on networking to facilitate their activities both offline and online. One of the members of the social justice centres who were interviewed confirmed that both police and the gangs have networks that help them in their activities. He says the police have networks within the gangs that help them get information from the gangs while the gangs also have a network within the police department. Gangs are working for the thieves and police working for the gangs and therefore this makes it easy for both of them to obtain information on either side.

...let me tell you in this Mathare, people know one another not like in other areas where it's you and your house even you don't know neighbours, here people know each other from the family and what are their names how many they are as in they know each other as in there is no barrier that limits them from the interaction. (Mathare Social justice center official. Kayole, 18th/09/2018, 09.22 am).

One thing is that police have networks, they have people who work for them on the ground so through networking they can get information and also the same happens to the gangs they also have networks. It's like for the police post some work for the government and those anti-government so they are there and releases that information so that is how things happen. For the gangs they have a network with the police, some gangs work with the police, for example, the gangs have people to work for them and these people are friends with the policemen but in a real sense, they never tell them because if you reveal it your life is in danger because you will be accused of releasing information from the police to the gangs. Within the gang, some work in the government so they aim to get information so they work so if anything happens there are spies who spy for the gangs and also for the policemen. (Mathare Social justice center Member, Kayole, 18th/09/2018, 10.31 am).

4.4.1.7 Using fake accounts

The study also found out that police and the members of the community have created fake accounts on Facebook to help them track the gangs and also to clean up their names after killing and posting on the Hessa Facebook pages.

The community members might be your friend, neighbour, or informers of Hessa, once they know you are involved in criminal activities, they take your photos from your Facebook account then send it to Hessa or open a fake Facebook account and post you there. If they post you on one of the Hessa Facebook pages or groups, they will include your photo, name, and areas where you are terrorizing the residents and ask for Hessa to assist in eliminating you. When Hessa gets this information, he will inbox the person through Facebook and he will inform Hessa everything about you therefore Hessa will be able to eliminate it in case he found out that you are a suspect. One of the reformed gang members narrates

Through the fake Facebook accounts created by the community members, ukiwa maize wanakujua a wanajua your Facebook account because mnaishi pamoja anaenda your account na anapata picha yako so akichukua wanatumia Hessa aku post ama yeye ndio anakuweka through fake account yake. So wana kuinbox mpaka wanakuambia uachane na hizo vitu. [When you are a criminal they know you and they know your Facebook account because you stay together, he goes to your account and gets your photo then takes it and send it to Hessa to post it or he posts you through his fake Facebook account so they inbox you and tells you to stop your criminal activities.] (Reformed gang, Mathare, 21st/09/2018, 3:26 pm)

The police also use fake accounts to defend some of the posts that they post on the Hessa Facebook pages and accounts. One of the members of the social justice centres explained that Hessa has got several accounts, so after posting he will support the post with comments from his different accounts to justify that the person killed and posted is a criminal who

always robs people and deserves the death. She continues by saying that most of the accounts are always online whenever Hessy is online to conclude that they are run by the same person who is Hessy,

Kuna fake accounts za Hessy fake accounts especially mwenye wanasupport extrajudicial killings though lazima akuwe informed. Hessy ako na accounts fake zake za ku clean jina lake juu lazima a clean jina zake kwa comments utapata different comments with different accounts though it's the same person having different accounts. [There are fake accounts of Hessy, especially those who support extrajudicial killings though they must be informed. Hessy has got fake accounts that he uses to clean his name because he must clean his name, in the comments, you will get different comments with different accounts though it's the same person having different accounts] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

Then usisahau Hessy has several accounts because again ukiangalia most of the time akiwa most of the accounts are online. [Then don't forget Hessy has got several accounts because again if you check most of the time if he is online most of the accounts are online.] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

Other studies were done by other scholars also established similar findings to my studies. Boghosian (2013) in his view, through using social media, security agencies obtain personal information from the public's email, phone calls, and also from GPS movements and also from several social media platforms. The same was shared by Trottier (2011) by also arguing that police access information from social media directly and indirectly. Most of the social media services have provided ways in which police and other security agencies can get information from their servers. In Eastlands of Nairobi, the study established that Hessy also uses the Facebook pages, groups, and profiles of the suspects and friends to obtain information. They also use obtain information from the residents this was in line with other studies that have been done on police surveillance.

Kennedy (2009) noted the common practice that people are using Facebook to provide personal data on other people by digging through their digital information. The practice is referred to as “Facebook stalking”. According to him, most of the states use stalking to obtain information from their citizens so that they can know those who want to challenge them in their power retention, therefore he relates it’s to power. Senft (2008) some of us who post our information on social media also enjoy posting their status and seeking attention which makes their post be viewed by other people, in the process, they forget that they are being surveilled. Facebook stalking was also used by Hessa as established in the study to surveil the suspects in the Hessa Facebook pages and groups.

According to Nissenbaum (2010), electronic technologies such as tapping communications, the use of hidden cameras, creating a database to process and aggregate information, biometric data, using infrared cameras to find individuals in hiding, and many more have changed the field of surveillance. The study findings also matched what Nissenbaum found in her study as Hessa also used electronic technologies in surveillance in Eastland of Nairobi.

Contemporary surveillance theory helped to explain and understand how Hessa has been using Facebook as a surveillance tool in Eastland’s of Nairobi to track and kill suspected criminals. Contemporary surveillance theory explains how technology is used to watch the public. Therefore in the study, it explained how people believed to be police officers are using Facebook to watch on the people of Eastlands Nairobi. They do this by befriending people they suspect so that they can obtain information using their Facebook timeline, they also use their friends and fake accounts to succeed in their surveilling the people in the Eastlands of Nairobi.

4.4.2 Privacy

In Nairobi Crime Free, during the period under this study, it was found out that more warnings were posted by Hessa to the gang members, most of the posts have been posted of gangs shot dead by Hessa in the group, from the posts only a few were warned while some were killed without warning as some were caught during the action, killed and posted. When Hessa posts almost all of the posts of those killed, he will post the bloody images to depict the person is dead. The pictures will show the parts of the body with most of them showing the head or the chest shot dead but the photos must always prove that the suspect is dead. Most of the gangs are short more than one bullet some you could count even five or more bullets. In the group, not only Hessa kills and posts, the members of the group who also participate or take photos and videos of mob killing of suspected gangs also post in the group the photos of the suspect killed or rescued by a police officer. In the Facebook group, they refer to this mob killing as “team-building”. Team building is allowed to post photos of those killed in the group. The posting of warning with the suspect’s photo and also those who have been shot dead illicit mixed reaction as many group members support the act while others condemned it.

The study found out that the use of Hessa’s Facebook pages either undermines or promote the right to privacy. There is a group of people who support the use of Hessa Facebook groups and pages in the Eastlands of Nairobi while others see it as a tool that undermines the right of privacy of individuals. According to the interviews that were carried out, it was found out that most of the residents support Hessa Facebook groups and agree that it does not undermine the right to privacy, the same was also supported by some of the gangs and one of the members of human right organization. On the other side, the majority of the

human rights organizations and reformed gang members who were interviewed for this study said that the use of Facebook by Hessa has undermined the right of the individuals posted in the Facebook groups and pages.

The study found out that Hessa violates or promotes the right of privacy of the suspects through the following themes; Profiling of suspected gang members, posting photos of the dead suspects and obtaining information concerning the criminals without their knowledge on Facebook

4.4.2.1 Profiling of suspected gang members

During my discussion with one of the members of the social justice centres, he differentiated the differences that exist between profiling and the warning of suspects. According to him, profiling is when the suspect's photo is posted accompanied with a message of his name, areas where he /she is terrorizing residents and being told to reform or be killed,

Profiling ni ati wewe unaiba hadi unawekwa picha hadi wewe hutaona kesho [profiling that you are stealing until they put your photo and post that you won't see tomorrow] (Mathare Social justice center official. Kayole, 15th/09/2018, 10.32 am).

While warning he says it's when the police come to a person where they are seated and talk to him/her to change or give him money to go home or start a business and reform from stealing. The warning is police coming to base and talking to a kijana kumpa pesa aende ushago ama afanye biashara awachane na uwizi.[Give his money to use it as the transport to go home or to use it to do business and stop criminal activities.] (Mathare Social justice center official. Kayole, 15th/09/2018, 10.32 am)

The respondents differ in their opinions on whether the suspected gang members should be given a warning in Hessa's Facebook pages and groups. Some supported it and think it's the best way to warn the criminals while a section of the respondents believes that it's the

wrong way of giving the criminals warning since it undermines their right to privacy by exposing their names and photos on the Hessy Facebook pages.

According to one of the residents, he does not support police giving suspects warnings or profiling using Facebook as he explains that using Facebook exposes the suspects to the public who can kill him through mob justice or he can also be killed by police and justify that he was a criminal because he was posted in the Hessy Facebook pages and groups, therefore, the person cannot move freely in the community, he says,

... It exposes the person in that, now people have known that this person is one of the suspects he can be killed by police or by the public who says he is one of the suspects terrorizing them in the region... (Resident, Kayole, 23th/09/2018, 5:28 pm)

One of the reformed gang members also confirms during a focus group discussion that once you are exposed to the Hessy Facebook pages or groups it exposes you, therefore, you can't move with freedom in the community, he explained that once you are posted then you are already counted dead because the moment you pass where people are they point fingers toward you or even post in Hessy Facebook pages and accounts that they have seen you. Another reformed gang member also confirmed that once you are posted in Nairobi crime-free, it denies you the right of movement in the community since you are exposed and everybody knows you. Another reformed gang member, also said he was also warned and was almost being profiled but he ran to human rights organizations before being profiled.

Ukiona picha yako facebook ushajipanga kuenda, hakuna penye unaezatembea, huna amani, ukipita tu watu washaanza kukuangalia ni simu tu hata anatext hiyo account nmemwona hapa sahizi... [Once you have seen your photo on Facebook, you just know you are already dead, you can't walk freely, you have no peace, if you pass where there are people they look at you then they even text in the Facebook

accounts that they have just seen you.] (Focus group, Reformed gang, Kayole, 20th/09/2018, 11:26 am)

Ukiwa umepostiwa kwa facebook Kayole crime-free hakuna penye unaeza enda, wewe ushakufa, wao hutumia informers, wako nazo wengi, huwezienda mahali hata ukienda huko huwezi kaa huko more than one-hour ni sahizo naenda kutafuta auntie yangu nikule. [once you are posted in Kayole crime-free, there is nowhere you can go, you are already dead, they use informers, they have a lot of them, you can't go anywhere, even if you go, you can't be there more than one hour and that time am going to look for my auntie so that I can eat.] (Focus group discussion, Reformed gang, Kayole, 20th/09/2018, 11:26 am)

Hata mimi walikua wanataka kunianika hapo kwa facebook ni vile tu nilikimbia kwa Kayole social justice na nkapelekwa hadi kwa ofisi za human rights sasa hawa ripoti ikawafikia ikakuwa ni ngumu kwao kunianika. [They also wanted to post me in Facebook it's just that I ran to Kayole social justice and I was taken up to offices of human rights and then they got report so it was hard for them to post me.] (Focus group, Reformed gang, Kayole, 20th/09/2018, 11:26am).

A document was done by citizen television on shootings rampant in Mathare (outcry over police killings) July 26, 2018, also proves that those who have been profiled are denied the right of movement since one of the youths who was posted has gone into hiding after being posted to escape from Hessa, in the documentary they said that 19 years old has been in the hiding for around two months after receiving a warning from Hessa. In the same documentary, some parents have to send their sons to hidings after threats were issued against them.

Akaniambia hiyo area yenyu ya Bee center nitoke hapo ama sisi tutoke huko sawa, mimi nkamwambia nisawa basi, halafu kitu moja enda umsalimie Samson na umwambie the battle is still going on, so mimi after hapo nkatoka na aliniambia Saturday haitafika, akaniambia haitafika kama moja hajauliwa. [he then told me, to move away from our area of Bee centre or them to move away okay, and I told him, okay, then go and greet Samson and tell him that the battle is still going on, from there I moved away, and he told me that it won't reach Saturday before one of us is killed]. (Citizen TV, July 26, 2018, 9:00 PM).

Mimi nko ready hata kumpeleka anywhere juu mimi najua mtoto wangu sio mwalifu, nko ready mpaka kwa polisi, anahofia maisha yake juu hata sahizi hawezitembea. [I am ready even to take him anywhere because I know my son is

not a criminal, I am ready even to go to the police station. He feels his life is in danger because now he can't even walk.] (Citizen TV, July 26, 2018, 9:00 PM).

With him he received a warning from the Hessa that he will not go past 5 days before being killed, he said he was told. Since receiving the message he has been living in fear and he has been denied the right of movement since there are areas that he can't go to and also his image is dented as people point fingers at him as he walks into society.

The reformed gang also says he has seen friends who have been posted in Kayole crime-free though still walk around as they have not been killed yet though they don't have that freedom of movement as their images are all over and people know them as criminals;

Yangu ilikua ni warning vile niliambiwa sitawahifika Saturday kama leo ni Tuesday, huyo msee alitumwa alisema hii Saturday inakuja haitafika kama sijakufa so ikabidi ni report juu nimebaki karibu siku nne na nkufe. [Mine was a warning, that I was told I won't live till Saturday just like today is Tuesday. This person who was sent said that it won't reach Saturday before I am killed, so I reported because it was only the remaining four days to my death.] (Reformed gang, Kayole, 21st/09/2018, 01:26 pm).

Siezi enda huko juu tupatane na hakwanga peke yake lakini tangu nitoke kwa human rights sijapata warning tena si hata hao makarao sio wajinga ni wajanja na wanajua chenye wanafanya, wanaezanipa hata mwaka moja, hao si wako tu hakuna penye wanaenda, wananiona tu, wanasema wewe kakaa tu si hiyo maneno itakuja ijifunike, mpaka watu wasahau, wanaezanipa hata mwaka moja si mimi nawajua hao. [I can't go there because I can meet them and they always walk in a group, though since I reported to the human rights, I have not received any warning, and don't think that police are fools they know what they are doing, they can even give me one year because with them they are just here they are going nowhere, they are just seeing me, they are saying you just be there until people forget.] (Reformed gang, Kayole, 21st/09/2018, 1:26 pm).

Nshaona hata vijana wenye wameanikwa lakini hao hukua tu hapa Kayole, Alikua hapo facebook na bado ako anaitwa Kirima alianikwa ni ya juzi ameshika msichana sa beshte yake alimadwa yeye akabaki, yeye ako tu na hutembea tu huku si yeye pia hungojea tu siku ataangukiwa. [I have seen those who have been posted but they are they just around in Kayole, he was posted there in Facebook and he is still around, he is called Kirima, he was posted when holding a lady, so his friend

was killed while with him he survived, he is just around maybe he is also waiting for his day.] (Reformed gang, Kayole, 21st/09/2018, 01:26pm)

Profiling of suspects also dents the suspect's image and esteem since they have not been proved guilty, this lowers their interaction with the community members since they are being seen as criminals after being posted, one of the members of the social justice centres advised that police should avoid this use of Facebook due to this reason, he said;

For Facebook, I don't think it's efficient to solve the crime because if you profile someone and you have not proven if they are guilty or not, you have already dented this person's esteem, an image so they keep on looking at him, police should avoid Facebook and resort to thorough investigation if you know these people are criminals and you know where to find these people go and arrest them. (Dandora social justice center officer, Dandora, 12/09/2018, 10.20am)

When a suspect realized he is profiled in the Hessy Facebook pages and groups, this might make him/her insane due to the torture he/she might undergo from the public, the suspect might feel humiliated and this can make him/her unsound minded. This was according to one of the reformed gangs who was interviewed during the study. He said;

It's not the right juu inaezaleta uwendawazimu na wazazi hawafeel poa kuhusu hiyo maneno, wenye wanaprofiliwa ni suspects... [it's not right because it can make one insane and the cause of pain to the parents because of that, those who are being profiled are suspects...](Reformed gang, Kayole, 21st/09/2018, 01:26 pm)

The study found out that the majority of the residents in Eastland of Nairobi Kenya feels that profiling of the suspected gang members does not undermine their right to privacy, the majority of them, believe that these suspected criminals are criminals and being given warning can help them change or their relatives and friends to advise them so that they can reform.

One of the residents said that warning also helps the family members as most of the family members are tired of the behaviour of their son or daughter but they fear to approach him or her, so through warning, they think they can help the suspect to change and therefore he supports the police profiling the suspects. From the interview, most of the residents also feel that suspected gangs that are being posted are real gangs and have no privacy rights, therefore, they deserve to be posted in the Hessy Facebook pages and groups. One claims that for the police to profile you, he already knows that you are a gang and therefore there is no problem with posting. This was also supported by another resident who said he is sure that these people are real gangs and not suspects and therefore does not deserve the right to privacy because after they have been posted, after some days they will be killed for stealing.

Most of the residents also support the use of Facebook to profile suspects as it gives the suspects a second chance to reform, for them, they see nothing wrong in terms of privacy as they see it as a way of helping the suspected criminal to reform or help other suspects who see their friends posted to reform. Therefore, for them, they support the police using Facebook to warn suspects. One of the residents says. Another resident also supports the use of Facebook by saying that, the other criminals are also given a chance to reform by seeing their friends posted in the Hessy Facebook pages and groups.

Another resident also reasoned that profiling suspects are not a new thing as the government profile suspect uses local daily newspapers to publish a list of most wanted criminals so that whoever has information can give it to the police and be rewarded. This information was also supported by another resident who also said that he supports the use of Facebook by the police to give warnings to the suspects as he compares it with the

companies giving information in their Facebook account of employees who have been fired by the company and indicate that they no longer transact business with them.

Warning, familia hawafurahii tabia zao na maybe wakiona polisi wamewaweka wanafufurahia... [Family (ies) are not happy with their behaviour and maybe if they see the police have posted them, they are happy about it...] (Resident, Dandora, 16th/09/2018, 2:36 pm).

I do support police giving warnings to gangs because when somebody posts your picture he knows you well and this will prove you right that the person knows you well and for you to be warned you are so and so and you're doing this thing wrong you better leave it or die... (Resident, Kayole, 15th/09/2018, 9:28 am).

To me they are gangs and therefore posting does not interfere with their privacy because after two or three months you will hear the same person arrested or killed therefore I support police posting. (Resident, Mathare, 17th/09/2018, 2; 32pm)

In supporting I can say it gives the suspects time or opportunity to see that they have been marked and to seek that if there is an opportunity because most of the time they are warned either to go back home or report to their nearest police station so that they see how to help the person (Resident, Kayole, 23th/09/2018, 5:28 pm),

Kutumia facebook nisawa kupeana warning juu ana try kuonyesha hawa wengine kuwa hawa wasee wako wanted, polisi anajaribu ku alert hawa na wengine juu hawa wasee wengine wakiona kama huyu amekua facebook watu wanamjua na unaeza sema hutaki story yake juu ni mwizi [using Facebook is okay to give a warning because you are trying to show these other people that those posted are wanted. Police are trying to alert them and others because if these others see that you are posted in Facebook, those who know you will avoid you because you are a criminal.] (Resident, Kayole, 15th/09/2018, 9:28 am)

I support Facebook use by police to give a warning because even the government itself publishes warning of hardcore criminals in the local dailies to warn people and give information if at all they come across those criminals. (Resident, Kayole, 15th/09/2018, 9:28 am)

I support the use of Facebook hata mimi na support juu hata saa hii ukifutwa kazi wanaweka picha yako kwa facebook ndio ifikie watu wengi wajue you're no longer working in that company. Hivo ndio pia askari wanatumia social media ili iwafikie watu wengi kuwapa warning that so and so ako very dangerous na wale wanamjua ama wako karibu na yeye wamwongeshe ili abadilike. [I support the use of Facebook because even up to now if you are sacked by a company, your photo will be posted so that it reaches many people so that they can know that you no longer work in that company. The police are using social media so that they can reach many people to give warning that so and so is very dangerous and those who know

him or are near him to talk to him so that he can reform.] (Resident, Kayole, 15th/09/2018, 10:30 am),

The two residents believe that if the government sees that profiling the suspects in the billboard is no violation of one's privacy then the same is just right when it's used in Hessa Facebook pages and groups. The other resident also sees it right to profile suspects on Facebook because the same has been used by the companies to profile those who have been fired in the companies but no one has ever complained of their right to privacy being violated. They believe that the use of the billboards and the local dailies are used to pass information to the public about the suspected criminals the same way Hessa uses Facebook to inform the community about suspected criminals in Eastland's of Nairobi.

The journalist who was also interviewed during the study also supports the police using Facebook to profile the suspects because he believes that those who are profiled are real gangs. After all, after being profiled they are killed after some days. Therefore, he does not believe that exposing a criminal is violating his right to privacy on Facebook. He says,

Most of the guys that have been posted by Hessa on Facebook there has never been a doubt that they are criminals even if you go on the ground and inquire about these people they are always linked with crime (Standard newspaper journalist, Nairobi town CBD, 9th/09/2018, 11:43 am).

4.4.2.2 Posting of photos of the dead suspects

In the Hessa pages and groups, after suspected gangs have been profiled and given a warning, the Hessa goes ahead to shoot and kill those suspects who have not reformed, after killing, the Hessa takes photos of the dead suspects and post them in Hessa Facebook pages and groups such as; Nairobi crime-free and Dandora crime-free where the members of the public react by commenting on the post about the shooting, killing and posting of

the dead photos of the dead suspects. Therefore, during the study, the members of the Hessa Facebook pages were asked about their opinion about posting dead photos on the Hessa Facebook pages and groups. Some members praise this act while others said it undermines the right of privacy of those posted.

One of the residents who support police posting of the dead photos of the suspected criminals said that he supports because he feels that police have achieved more by posting the dead suspects, according to him online members in most of these Hessa Facebook pages and groups have been praising Hessa on a good job of killing these suspected criminals. He argues that posting the dead photos scares other suspects, therefore, it's important to help others who are still alive to reform after seeing their fellow youths shot dead and to show the public are working to reduce insecurity in Eastland's of Nairobi. Another resident also supports that posting of dead suspects that have been shot by Hessa has helped to scare those gangs who are living to reform from criminal activities.

According to him, he believes that when gangs are shot, killed and posted, their friends or other gangs can see it's real that the police are shooting to kill the suspects, therefore, it can help them to reform or surrender to the police and therefore he supports the act of posting the dead in Facebook.

Another resident also supports the police using Facebook to post the dead and sees that it doesn't violate their right to privacy, according to him, he believes that it's the suspected gangs who violates the right of the innocent residents by attacking them, robbing and even at times killing or leave them with injuries, therefore according to him, they should be posted because they deserve it as it was a choice they made to be on the criminal side

instead of being good by not criminals. He said that police only kill and post those who are criminals who deserve and not everybody.

Police have achieved something by posting these photos because if you go down most of those in the group always praise them for a good job well done and some of the same people who are this group when they see this they runaway from this gang groups due to what they have seen so this help them achieve their goals. So it's to scare the suspects who have not been killed yet and also to show the public that they are doing a good job then in that line they have achieved something. (Focus group, Resident, Kayole, 15th/09/2018, 10:30 am)

...Pia na support kuweka picha za wenye wamekufa ndio wenye wamebaki wajue hii kitu ni real, wasikue tu wakiskia mtu ameuliwa na hawaoni so ni vizuri wakiona... [I also support posting of the photos of the dead so that those who are left behind can know that this thing is real, they should not just hear people are being killed and they don't see so it's good if they also see] (Resident, Mathare, 17th/09/2018, 2; 32pm).

On privacy, what about the people who are shot by the criminals, are they not violating the right of innocent or should we just look at their rights only. With me am okay that they should be posted on Facebook if you want to be in the book of a good person nobody will come to you if you want to be in the book of bad person your time is running, second, the Bible says the wages of sins is death. (Resident, Kayole, 23th/09/2018, 5:28 pm)

One of the members of the social justice who was interviewed believes that Hessa is violating the right of privacy by posting the dead photos of the suspected gang members who have been gunned down by Hessa. According to her, posting tortures people especially members of the family who see the dead body on Facebook pages, where blood is everywhere as she says that some people do not want to see bloody images in social media, therefore, Hessa interferes with their rights. She says,

People are more tortured when you see somebody is shot and blood is everywhere. Nobody understands that it's torture if that person is from your own family. The trauma you will be going through is even worse... (Mathare Social justice center Member, Kayole, 18th/09/2018, 10.31 am).

4.4.2.3 Obtaining information concerning the criminals without their knowledge on Facebook

The study found out that Hessa can obtain personal information of the suspected gang members from their Facebook accounts and also from the informers in the community as one of the former reformed gang members who was interviewed said,

Facebook italeta picha yako na profile picture yako ndio polisi hutumia kama hujaset privacy setting yako so kila mtu anaeza ona...[Facebook will bring your photo and your profile picture is what police use in case you have not set your privacy setting so everybody can see] (Reformed gang, Kayole, 21st/09/2018, 01:26 pm),

According to him, the police can access the profile of every individual so long as you have not set privacy settings which most people always don't set.

From the findings of the study, Hessa violates the right of privacy of the members of the Hessa Facebook groups and pages by following them into their inboxes and even threatening them in their inboxes. One of the members of the social justice centres said that he cannot be a member of the Hessa pages and groups because Hessa can easily follow you through being a member by knowing who you are, what you do, and who are your friends. It also puts your friends in danger since Hessa can follow them through your Facebook account.

Hessa follow you through being a member it's easy for Hessa to know who you are, what you do, who are your friends so again it can put my friends in danger sometimes my friends are very innocent but people in Hessa might say my friends are also partners in condemning this.

According to him, Hesy intimidates those who are against him through their comments, if Hesy sees that you are defending the suspects then he follows you to your inbox and intimidates you that's why they even comment in the Hesy posts that Hesy to stop inboxing them in their inbox.

The intimidation was also supported by another member of the social justice centres who said that Hesy intimidates those who question his act of posting and profiling suspects, she says that Hesy even goes ahead to block you from the group so that you don't have the right to support or question why suspect whom you think was innocent and posted.

Watu comments very critical na ukiangalia [people comment very critically and if you look at] conversation there is followed up and through this, you can tell this person is also receiving other inbox messages because someone will comment and also say stop inboxing me so of course there is some intimidation (Mathare Social justice center official. Kayole, 18th/09/2018, 09.22 am).

Benteke alikua anamtext akithreaten and everything the same way Hesy ame unfriend a friend of ours kwa Dandora crime-free akiwamwambia huyu Habib Omar ni nani akimwambia huyu atauliwa. Hamjui lakini vile aliona akidefend wale machali waliuliwa Dandora. Ukienda kupost na kudefend suspects ataanza kukutafuta because the night ya saba saba I defended them na chenye aliniambia niambia wezi wako karibu na wewe nitawauwa. [Benteke was texting and threatening and everything the same way Hesy has unfriend a friend of ours in Dandora crime-free while telling him who is this Habib Omar and told him he will be killed. He doesn't know him but the way he saw him defending those youth who were killed in Dandora. If you post defending the suspects, he will start looking for you because the night to saba saba I defended them and what he told me was to tell the gangs around me that he will kill them.] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

In discussing privacy violations on Facebook, Raynes-Goldie (2010) in his study argues that violation of privacy in Facebook occurs in two ways which include; institutional violations and social violations of privacy. The institutional violation of privacy is when the institutions access the personal information of their workers online especially on

Facebook while social violation of privacy is when one fails to protect his data or what he posts on Facebook may be due to ignorance or just negligence. The study found out that the most form of violation in Eastland's of Nairobi was a social violation of privacy where most of the Hussy Facebook users do not protect their security privacy in their Facebook profile.

Lack of knowledge on social media use is also attributed to privacy violations through the use of social media in particular Facebook. A study done by Solve (2008), suggested that most people are ignorant of what they post on Facebook due to the challenge that most people are ignorant of the use of Facebook on what they should post or not post or on the settings of privacy on their Facebook timelines. The study also established that most of the gangs that were using Hussy's Facebook pages and also Hussy might not be knowing the use of social media. This was also supported by Roos (2003) argued that most of the SNS do not have enough knowledge in using the SNS, therefore, ending up violating the right to privacy of other people.

4.5 Examine how Facebook as a communication tool facilitates participation on security issues in Eastland's, Nairobi Kenya.

There were mixed reactions from the residents, human rights groups, and reformed gang members regarding how Facebook as a communication tool facilitates participation on security issues in Eastland's, Nairobi Kenya. One group shared the opinion that security had been improved, another believed nothing had changed, and the third group believed the use of Hussy Facebook groups and pages had led to more insecurity.

These three opinions are further presented in the following themes; Hussy Facebook pages and groups have improved security in Eastland's of Nairobi, Insecurity in Eastland is high since the introduction of Hussy Facebook groups and pages and Hussy Facebook groups and pages have brought no changes concerning security in Eastland's.

4.5.1 Communication on Hussy Facebook pages and groups have improved security in Eastland's of Nairobi

The study found it relevant to get the respondents' view on the state of security since the introduction of Hussy's Facebook pages and groups in the Eastland of Nairobi. From the selected Facebook group for this study that is Nairobi Crime Free, more posts were posted by the members of the group who said through Hussy killing and posting in the groups, security in the area has improved and they feel Hussy is doing away with the gangs in Eastland's. One of them posted;

Ati siku hizi naeza tembea Kayole One Spine road to Junction free usiku bila kumeeet bandit...enyewe Hussy amefanya kazi [nowadays I can walk from Kayole One Spine road to Junction free without meeting any gang...its true Hussy is working.] (Nairobi Crime Free Facebook group),

This shows the group believes Hussy is working and have achieved improved security in Eastland's of Nairobi according to their post in the group. From the Nairobi Crime Free Facebook group, it was found that members also use-the group to post whenever they are robbed or killed by criminals. In the group, the members posted many times on being robbed or one is killed by the criminals. The members of the group also use the group to issue warnings to the criminals that they know to reform and even tell Hussy that they should kill them for their criminal activities. In the group, there were more warnings posted by members in Nairobi Crime Free to the suspects or alerting Hussy about their criminal

activities. Members of the group also use the group to call for Hessa's help whenever they feel they are not safe in their area even if Hessa is not working in their area. In Nairobi Crime Free more posts were posted by members of the group requesting Hessa to visit their area because gangs were terrorizing them. All these prove that members of the group believe the Facebook groups are helping them to improve their security issues and that's why the majority in the group supports Hessa.

Most of the residents of Eastland's of Nairobi concur that security has improved since the introduction of Hessa Facebook pages and groups in the areas to help fight insecurity by profiling, warning suspected criminals and posting their dead bodies in the pages after they have been killed by Hessa as said by one of them during focus group discussions.

For another resident, he believes that the warning has helped many to change and therefore crime the rate has reduced in the area.

Another resident also said that comparing the security with the past, for now, it's better for him and he can easily walk anytime not like the past and said Hessa Facebook pages have helped to improve security in the area; *"Imepunguza insecurity mtu anaizatembea..."* [It has reduced insecurity someone can now walk...] (Resident, Kayole, 23th/09/2018, 5:28 pm). Another resident who was also interviewed confirmed that; "Use of Facebook has reduced insecurity as a significant rate" (Resident, Kayole, 15th/09/2018, 9:28 am)

While another comparing the security with the past too, said when he first lived in Kayole, the insecurity was high but since the killings and posting on Facebook were introduced the security has been improved and he supports the police use of Facebook.

Most of the residents believe that the Hessy group has helped to improve security in Eastland due to the fear that Hessy instill to other gangs who sees their gang members posted dead on the Facebook pages, therefore, helping others to reform or those who wanted to engage in criminal activities to stop. This was indicated by one of the residents

I do believe police killing and posting or using Facebook has helped to curb security in our area with reason, they do post people by saying this and this person you are criminal you have done this and that maybe you should reform or be killed. (Focus group, Resident, Mathare, 17th/09/2018, 2; 32pm).

For now security kulingana na vile niliingia Kayole na sahizi, naeza sema security sahizi imekua beefed up kidogo so na support polisi na kazi yao kwa Facebook. [for now, if I compare security from the past when I first got into Kayole and now, I can say security for now is beefed up at least so I support police on their work on using Facebook] (Resident, Dandora, 16th/09/2018, 2:36 pm)

Using these Facebook pages have helped a lot to solve security issues, for example, Dandora and Kayole, there was a time at Kayole Miyang'o stage they killed karibu [almost] three men and posted in Dandora crime-free and Kayole crime-free, from that day up to now they fear (Resident, Kayole, 23th/09/2018, 5:28 pm)

When a criminal is shot dead, their colleagues get scared that their colleagues are dead, so my observation is that it has substantially helped to reduce the level of insecurity for now... (Resident, Dandora, 16th/09/2018, 2:36 pm)

Some of the reformed gang members who were interviewed are in agreement that Hessy's Facebook pages have done a lot to help security in Eastland's of Nairobi as compared to the past. According to one of them, the use of Facebook is a technology that police have successfully used to help improve security in Eastland's of Nairobi and urge the police to continue embracing the new technology to crack down on the suspected gangs. He continues to explain that those who don't want to appear on the pages will always not be involved in criminal activities, therefore, more youth always avoid criminal activities so that they are not mentioned in the Hessy Facebook pages and groups, and this has helped improved security in Eastland's.

Another reformed gang member also says security has improved and now the youth and the police can sit and share about issues that affect them, though he admits some youth are still involved in criminal activities. Even Though the majority of human rights defenders who were interviewed said Facebook has resulted in more insecurity, one of them didn't agree with this, and, according to him, the use of Facebook by Hessy has helped to improve the security in Eastland's though he condemns the use of extra-judicial killings to improve security.

Security ime improve kupost some extent ni opportunity technology wameleta imesaidia na polisi waendeleo na hiyo facebook juu kama hutaki kuonekana hiyo page inamaanisha you don't want to be involved in crime so utaacha crime na rate ya crime itapungua so I guess inasadia. [security has improved, posting to some extent is the opportunity technology has brought that has helped and police should continue using Facebook because if you don't want to be seen on that Facebook page, it means that you don't want to be involved in criminal activities so you will avoid crime and the rate of crime will reduce so I guess it's helping.] (Reformed gang, Kayole, 21st/09/2018, 1:26 pm).

Saa hii security iko sawa at least sahizi hata maboys wanaeza kaa chini waongee na serikal ama waone gari ya serikali wakose kukimbia, security pia sio vile sawa juu kuna baadhi yetu bado, kuna vile bado hujificha wenye wanaiiba bado. [For now, security is improved to an extent that the youth can now sit down and talk to the government or they see the police vehicle and don't run away, security is not that good because some of us still steal from people.] (Reformed gang, Mathare, 21st/09/2018, 3:26 pm).

Crime has reduced because of them though to us as human rights commission that's an extrajudicial crime and in case you think one is a criminal is to arrest and let them be charged for the crime they have committed. (KNCHR Communication officer, KNCHR office, 26/9/2018 at 11:30 am)

One of the reformed gang members supports that security has improved, he said that when one sees the pictures of their friend posted dead, they might reform and therefore reduce the crime rate. The rates at which they are being killed and posted have made most suspected gangs or those who may want to join gangs fear;

Mambo na Hessy imeleta security kiasi juu sahihi pia kulingana na vile vijana wanauliwa kuna vile wao pia wanaogopa pia... [The Hessy issue has brought security because now if you compare the rate at which youths are being killed it shows that they also fear]. (Reformed gang, Kayole, 21st/09/2018, 1:26 pm)

In an interview done by Citizen TV on Extrajudicial killings during Sunday Live on April 2nd, 2017, one of the guests who was a resident of Eastland's says police are doing a good job and should continue with their job as security in Eastland's has improved;

Police are doing a good job, they are not losing the war in crime and we feel that through these killings crime has gone down and we thank the police for doing their job well, we should give the police space to carry out their duty... (Citizen TV, April 2nd, 2017, 9:00 pm).

One of the journalists I interviewed during the study proves that through the use of the Hessy Facebook accounts and pages, they have achieved something in improving security in Eastland's that's why they continue to use Facebook in Eastland's of Nairobi through the police denies owning the accounts;

On security threats on the Facebook account, it will give a good judgment whether they are helped or not I would not say the police have achieved something because there is no admission that they are doing that through all indications are that they are doing that, but officially you don't get a response from them that it's their work and they are doing that role or not. (Standard newspaper journalist, Nairobi town CBD, 9th/09/2018, 11:43 am).

4.5.2 Communication on Hessy Facebook groups and pages have brought no changes concerning security in Eastland's

Some also feel nothing has changed since the introduction of the Hessy Facebook pages and groups. One of the residents who was interviewed explained that though he supports the use of Facebook to give warnings to suspects, killing of the suspects and posting their dead photos in the Hessy Facebook accounts and pages, security in the area has not changed

since this was introduced; “*Security iko tu vile ilikua hakuna change...*” [Security is just the same as it was, there is no change...]. (Resident, Dandora, 16th/09/2018, 2:36pm).

He explained that Facebook may just help criminals to reform when you see your friend shot dead and posted in the Hessy Facebook pages and groups but nothing has changed in the security, it’s just the way it was.

4.5.3 Insecurity in Eastland is high since the introduction of communication on Hessy Facebook groups and pages

The study also established that a few numbers of residents believe that security in Eastland's is still worse. One of the residents explained that though Hessy is killing and posting most of the suspected gangs on the Hessy Facebook pages, more gangs are still being born and therefore situation is still the same; "Security is not okay in Eastland's because some people are being born while others are recruited..." (Resident, Kayole, 23th/09/2018, 5:28 pm).

Another member in the group who stays within Eastland's but not in Kayole, Dandora, and Mathare also says insecurity is still high in this areas because in the groups they still keep on posting meaning insecurity is still high;

Where I stay is safe but in Dandora, Kayole is always not safe. I stay in Fedha, it's safe but I can't now say if the posting has helped or not in those areas. But I am very sure that crime rates are very high because they post everybody. (Resident, Donholm, 15th/09/2018, 10:58 am)

The study also found out that most of the human rights defenders and the reformed gangs believed that the use of Hessy’s Facebook pages and accounts have not helped to improve security in Eastland's of Nairobi. One of the human rights defenders explains that using profiling and posting of dead photos of suspected criminals that have been killed by Hessy

in the Hessa Facebook pages, has not helped to reduce insecurity in Eastland, he argues that in case this was successful then up to now with the number of gangs that have been killed and posted, Eastland's could have been safer and there could have been no more killings and posting. One of the members of social justice centres says that profiling and posting of those who have been on the pages have not helped fight crime in Eastland's of Nairobi but rather it has just created fear among parents who fear their children might be posted. For her, Facebook should not be used to fight crime and it has not helped to fight crime. She added that people have lost trust in the government in fighting crime; she explains this by how people comment about work being done by Hessa on those Facebook pages.

According to her, though people, through their comments, appreciate the killings, they still believe Hessa has not done much to improve security, as she argued that most of them still say that Hessa is slow in killing the suspected gangs. She maintained that security is still an issue because, in most of the comments and posts, members in that group still call for Hessa's help in their areas to show that there is still insecurity. She adds that posting on Facebook by Hessa is like bragging, she explained that this bragging has led to more insecurity since the gangs always want to revenge whenever they are posted alive or dead, so the revenge increases more insecurity as the gangs will attack more people. Another human rights activist views Hessa as a suspect, and therefore believed he cannot improve security in Eastland's but just make it worse by threatening people of Eastland's;

Tangu Hessa wakuje haijasaidia kureduce insecurity because that's not the solution because kama ni hivo watu wangeshaachana na uwizi juu mavijana washakufa wengi sana so wangeshaacha wizi so wanauliwa leo kesho vijana bado wanaiiba kwa sababu hakuna lesson wame learn juu hakuna mwenye ana live to tell because wote wanakufa.[the arrival of Hessa, has not helped to reduce insecurity because

that's not the solution because if it could be that then many people could have not been stealing because they are being killed today and the youth still steal because there is no lesson they have learned this is because nobody is living to tell the story because all of them are dying.] (Mathare Social justice center Member, Kayole, 18th/09/2018, 10.31 am).

By profiling and posting pictures (of wenye wameuliwa) of those being killed] is not fighting crime it's just creating fear na kuweka wazazi [to instill parents] fear, Facebook should not be used in fighting crime. (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

Unapata watu wameloose trust na government. Kwa comments za Facebook, watu wamekua brainwashed. Unaonanga post zingine wakisema ebu kuja area Fulani hao mavijana wanatesa huku na vituko kama hizo, as much as they feel protected they still feel hizo killings are not enough that's why they keep on posting huyu mtu akule copper and more and more because they feel hizi killings hazifanyi enough they kill more and more killing ndio italeta security, because ukiwauliza watesema as much as Hessy anawauwa nikama anawauwa pole pole hizi hazileti security inafaa. [people have lost trust with the government, following the comments in Facebook, people are brainwashed, you normally see some posts where they see come to this area, these youths are terrorizing people and stuff like that, as much as they feel protected they still feel those killings are not enough that's why they keep on posting this person be shot dead and more because if you ask them they say as much as Hessy is killing them, he is slow in killing them, they don't bring enough security.] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm).

Mimi kubrag yake and everything haijaleta anything, hii kubrag kwa facebook ndio inaleta more insecurity juu huwa vijana wakiona unabrag kuuwa bro wangu, kuzo, boyfriend, girlfriend watamake sure wao pia wamebrag juu yao ni kuuwa na kuangangaisha watu. [to me his bragging and everything has not brought anything, this bragging in Facebook is what is bringing more insecurity because these youths when they see you brag about killing their brothers, cousins, boyfriends, girlfriend, they will make sure they also brag by killing and terrorizing residents.] (Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm)

Personally the use of Facebook I can't say it has helped to curb insecurity here because Hessy himself is a suspect for more killings in Mathare so the more he posts on Facebook the more he is threatening the people of Mathare so to me, it has not helped but has continued to threaten the people of Mathare... (Mathare Social justice centre official. Mathare, 18th/09/2018, 09.22 am).

Most of the reformed gang members believe that Hessa Facebook pages have led to more insecurity in Eastland's of Nairobi, he explained that profiling of suspects has made more suspects get involved in crime so that a time they are being profiled or being killed they have already committed a crime and this has led to more crime.

Another reformed gang member also explained agrees that the use of Facebook in Eastland's of Nairobi has not improved security but instead, it has instilled fear in them since for now they fear using Facebook or walking with friends since you can be tracked by Hessa yet you are not a criminal, but you are being killed because you are a friend to a gang as you are being categorized as one of the gangs.

Another reformed gang member also says the use of Facebook in Eastland's of Nairobi can't help to stop crime in Eastland's because all youth cannot die so more are still being born and being recruited in the criminal activities, he said that when police are done with one group of gangs, another group emerge again so it's hard for police to deal with gangs in Eastland's. One of the reformed gang members also supports that the introduction of the Facebook pages by Hessa has just increased more insecurity in Eastland, he explained that hardcore criminals are not being given a warning or profiled in the Facebook pages or being killed and posted by Hessa but those who are being profiled, killed and posted in the Hessa Facebook pages and groups are minor gangs while main gangs who are terrorizing residents collaborate with the police and even given protection by the police so that the police too benefit from their criminal activities. According to him the use of the Hessa Facebook page is just to blackmail the people of Eastland that the police officers are working to eliminate gangs yet the police eat together with the gangs. Another reformed gang also agrees that

crime has increased and even says that now they are even robbing as early as 6 am a case that never existed before.

The research found out that the police through the use of Hessa's Facebook pages and groups have done a lot to improve the security of the people of Eastland. For example, in Eastland's in Kayole, they have managed to finish the key people who formed the Gaza group that used to terrorize the residents of Kayole. They are now just dealing with any group that tries to emerge of which they kill you and post in the group, this was according to the explanation that was given by one of the reformed gang members.

The creation of Facebook has increased more insecurity because now it has put some guys in a critical condition over making sure that they can do anything. After all, even if I don't do anything they will just profile me and put me on Facebook and next time my life will be taken so I should do a worse thing, even if they want to profile me let them go ahead but I have done something, It has just created insecurity. (Reformed gang, Mathare, 21st/09/2018, 3:26 pm)

Security ya Eastlands posting imerudi imetuweka uoga juu wewe sazingine umekua na sisi tumekua friends facebook na sisi huchat na wewe na wewe umejipost huko, mimi pia umenipost shida na mimi sio mwizi sasa unaona polisi wataanza kukimbizana na mimi juu wana track simu na line wewe utatupa line kumbe simu bado iko on so bado wamekufuata na simu. [security of Eastlands, posting have instilled fear into us because at times you have been with us, we have been friends in Facebook and we do chat with you and you have posted yourself and I too yet am not a gang, so you see police will start following me because they are tracking phone even if you will throw the line the phone will still be on so they will trace you with the phone.] (Reformed gang, Kayole, 25st/09/2018, 06:14 pm)

Hii mambo na facebook na killings haiwezi maliza crime hapa Eastlands, juu hata mavijana hawezi isha, sahizi imezima tu kidogo lakini italipuka tena wakiuwa watu huku bado kuna group ingine iko tu wazi haiwezi isha. [This issue of Facebook and killings can't stop crime here in Eastland's, because even youths can't be all killed, for now, it has just slowed down but it will again rise, when they kill people here there is another group that can come up again so it can't be stopped.] (Reformed gang, Mathare, 21st/09/2018, 3:26 pm)

Security ndio imekua worse sahizi. Unaona wale wezi sugu ndio wanakula na makarao na hawa wenye wanapigwa bunduki mtaani ni ma hustler tu wa kawaida tu, juu ni tabia iko Kayole askari hushika watu innocent. Polisi wanaacha real gangs na ku harass watu innocent, watu wa Kayole wakiona mtu amepostiwa

watasema wezi wanauliwa juu hawakujui vizuri, hawajui shughuli wewe hufanya kama sahizi kwa plot natoka asubuhi na kurudi jioni sio kila mtu anajua chenye unafanya, so ukiuliwa hakuna mwenye anajua kitu yenye unafanya lakini watu wa Kayole ama watu wengine kenye wajua ni mwenye ameuliwa ni mwizi tena wanashangilia... [Security has become worse, those dangerous gangs, eat with the police and those being killed by police in the slums are hustlers, because it's a trend in Kayole, police do arrest innocent people. Police do spare real gangs and harass innocent people. When people of Kayole see someone is posted, they will say gangs have been killed because they don't know you well. They don't know what you normally do like now in our plot I go out early and come in late so they don't know what I'm doing. So if they see you have been killed nobody knows what you used to do but what people of Kayole and other people know is that, the person who has been killed is a gang member] (Reformed gang, Kayole, 25st/09/2018, 6:14 pm).

Saa hii crime iko juu, mtu anayanganywa hata saa moja usiku ama 6 asubuhi, mugging kisu ndio ziko juu. [as of now crime is high, someone can be robbed as early as 7 pm or even 6 am, mugging and use of a knife is what is high] (Reformed gang, Mathare, 21st/09/2018, 3:26 pm)

...Wakaanza kuangushana na makarao lakini wengi wao wakadedi sasa vile walidedi na wao ndio walikua ma pillars walikufa wote. Sasa after kudedi hawa wengine hawawezi kusimama, wengine wanajaribu kujisimamamia, ukijaribu kusimama unazimwa, so polisi hawataki mavijana wasimame tena ukijaribu kusimama unauliwa. Vijana wakiona karao wanatoka mbio.” [They started killing the police but most of them were killed, so since they were dead and they were the pillars, these other people can't make it by themselves, others are trying but once the police realize they kill you, so the police do not want youth mobilization, they see you are a threat they kill you. When the youth see police officers, they run away.] (Reformed gang, Kayole, 21st/09/2018, 01:26 pm)

Other studies supporting police use of social media noted by Shearing and Wood (2003) that through the coming of social media, crime control, and social ordering are not only owned by security agencies but it's shared among the public and also organizations, communities, and companies that are affected or are interested to know about security issues. The idea was similar to Zedner (2010) who claims that social media has extended the arm of security agencies since the public is also able to participate in combating crime. This was also established in Hessa Facebook as they allowed Facebook users to participate

by posting in the Facebook group whenever they are in danger. As one of the reformed gangs who were interviewed during the study said;

Crime imeenda high techs so inabidi police wakuje na new means zenye hazikua before like introducing Facebook [crime has gone to high tech so it makes police to come up with new means that were not there before like introducing Facebook] (Reformed gang, Kayole, 25st/09/2018, 6:14 pm) .

Kudla & Parnaby, (2018) and Schneider (2016) all support that social media formed by police are always characterized by police dominating the group and having no democracy. The public has no otherwise but to follow the chats on the platforms as they are not involved to steer decision-making as police control all posts in the group. They don't support the use of Facebook as effective in fighting security though the study established that in Hessy's Facebook pages members have the freedom to post but the post must be approved by a group administrator who is Hessy. Therefore if the post is against Hessy's activities on social media then it will not be posted.

In a study done by Harcourt (2015) on police use of social media to protect its citizens, he noted that police in New York used social media to help them combat crimes committed by gangs in the street, the police come up with Operation Crew Cut. Police used the application of social media to convict numerous individuals by posting them on social media. The police post the youth photos, likes, and messages. This is also in line according to the findings as most of the respondents view Hessy's Facebook pages as a success to them in Eastland's of Nairobi to fight crime and they believe the crime rate has reduced. As one of the respondents mentioned that through Hessy the most notorious gangs known as 'GAZA' members have been killed and many have reformed when they see their members killed and posted in the Hessy Facebook groups and pages.

According to Crump (2011) and Skogan (2006), using social networks, for example, Facebook is the community in giving information to security personnel on community issues concerning crime has improved problem solving and participation of the community in improving security. Eren, Alttunbas, and Koseli (2014) also suggested that social networking use in the community by police and the community in community policing has not only increased the friendship with the security agencies but also by also improving partnership and also allow for sharing information which in turn enhance enforcement. The study also established that members of Hessy's Facebook groups provided Hessy with information or post suspects and areas where there is insecurity so that Hessy could help them by killing the suspects. The study was in line with other studies as it also found that the Hessy pages acted as online community policing bringing Hessy and the community together enabling them to interact. Hessy community policing was different from other community policing because in other community policing discussed by another scholar, the police are known to the community and they interact to fight security in the community. While for Hessy community policing, Hessy is not known by most of the community members physically as most people just trying to identify who is Hessy, though they are friends and only interact with Hessy through Hessy Facebook pages or groups.

Even though the human rights and reformed gang members are condemning the use of Facebook pages and groups by Hessy of the Residents in Eastland's and many online to appear to be supporting Hessy in the quest to wipe out suspected criminals and they believe that the Hessy through his Facebook pages and groups has done a lot in fighting crime in Eastland's of Nairobi. According to statistics, a survey in 2018 by the Kenya National Bureau of Statistics reveals that extrajudicial killings have done little to improve security

in Nairobi. In 2017 Nairobi reported 7,434 criminal cases and in 2016 it was 4,954 cases of crime. Therefore from the statistics, we can say that the Hussy Facebook pages and groups have done little to improve security instead has made it worse as the number of crimes reported has increased instead of decreasing.

CHAPTER FIVE

SUMMARY OF THE FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

5.1 Introduction

This chapter summarizes the findings and offers conclusions and recommendations for practice and future studies on the problem. This study aimed at analyzing how the use of selected Facebook pages and groups within Eastlands of Nairobi, used by people believed to be police officers, has promoted or violated the human rights of the suspected criminals, the police officers and the residents of Eastlands of Nairobi. The study also answered the following questions; first, what role does Facebook play to ordinary gang members in Eastlands, Nairobi Kenya? Secondly, to what extent do these Facebook pages provide a forum where the right to the due judicial process of suspected gang members is facilitated or undermined? Thirdly, to what extent does the use of Facebooks' selected pages facilitate or complicate Eastlands residents' right to life? Fourthly, to what extent is Facebook deployed as a tool of surveillance in Eastlands, Nairobi Kenya? Lastly, to what extent does the use of Facebook's selected pages facilitate or complicate Eastlands residents' right to security?

5.2 Summary of the Finding

5.2.1 Who is Hessa

The study found out that Hessa is the administrator of the Hessa Facebook pages and the groups. He might be a police officer who operates Hessa's Facebook pages and groups such as Hessa waKayole who is a police officer and operates Kayole Crime Free, while

Hessy wa Dandora is a police officer in Dandora and operates Dandora crime-free. The study is in line with a report that was released by KNCHR states that it is alleged that the Facebook pages and accounts were started in an attempt by the police to engage the members of the public on policing and addressing crime in the informal settlement areas. It is believed that an Administration Police (AP) officer based at the Soweto AP camp (An Administration Police Camp (post) in Soweto Slum in Kayole, Nairobi) working with a Nairobi blogger, is behind the Hessy wa Kayole and Hessy wa Huruma Facebook accounts. The report further adds that the Star Newspaper interviewed with the police officer believed to be Hessy where the AP Officer revealed that he had been shot in the leg in April 2017 and while away from duty due to the injury, he decided to create the accounts, to brief his colleagues and share intelligence with them, at a time when there was "a lot of pressure from top cops in Nairobi over rising crimes in Kayole".

The study also found out that Hessy might be someone who is interested in security issues in Eastlands of Nairobi and has got close links with the police officers in Eastlands, therefore, enabling him to get information from the police officers on the gangs that have been killed. In that regard, he might not be a police officer. The study is in line with the findings from a show that was done on Citizen TV on 12th 2018 known as Jeff Koinange Live where former Inspector General of Police Joseph Boinett said that he heard of the person sharing things on social media and he was not a member of the National Police Service (NPS). In the interview, the Inspector General further stated that Hessy was only a person who according to him seems to have a lot of interest in security matters.

5.2.2 The role that the selected Facebook pages and groups play to ordinary gang members

The study established that some gang members do not use mobile phones and are not connected to social media because they fear that police might be tracking them using their mobile phones and their Facebook accounts, therefore, most of them do not have mobile phones or Facebook accounts. This is in line with a study that was done by Lewis (2012) gangs using social media are aware of the new technology that they can trace by police officers through social networks, therefore most of the gangs are no longer in social media to avoid being tracked by police. From this most gangs tries to avoid Facebook once they have realized that they are under the watch of the police.

Although most of the gangs fear using mobile phones and Facebook because of being tracked, the study established that some are brave enough to use mobile phones to access Facebook. Others also access their Facebook account from different platforms apart from their phones to perform different crime-related activities. From the discussions held with the respondents, it was found out that a gang member in Eastlands of Nairobi uses Facebook to; recruit gang members, brag about the violence they commit, communicate about their activities, make threats and display gang symbols and also Display weapons. The study is in line with the study that was done by Pyrooz et al (2013) who researched internet and gang involvement where the current and former gangs were included in the study. The study reveals that those who were interviewed in most cases they are all involved in the online offence. Selling stolen properties or drugs, uploading violent videos, and harassing and threatening people were among the offences that the study revealed that the current gangs and former gangs do online this the same to findings of their study as

gangs in Eastland are also involved in the online offence. Only a few of the majority of those who interviewed in the study indicated that social media is used in recruiting new gang members, to my study, it was found that most of the gangs in Eastland's of Nairobi are not using the media to recruit gang members as most of them joined offline. Pyrooz et al (2013) also established that gangs in their study use social networks to communicate about crime activities as only a few of the respondents indicated they use it to organize their criminal activities. In my findings, from the reformed gang members interviewed, I established mixed reactions as some said they use social media to organize crime but others say they never use social media in their crime.

5.2.3 Consequences of use of Facebook App in upholding judicial process and human rights of selected gangs and Facebook groups in Eastland, Nairobi Kenya.

The study found mixed reactions from the respondents whether the selected Facebook pages in Eastlands facilitate or undermine the right to due judicial process for the suspected gang members.

The study established that some of the respondents blame the judicial system in Kenya as the reason why Hessa has resorted to using Facebook to prosecute and judge suspects. In the Hessa Facebook pages, most of them have defended Hessa for doing a good job commenting that most of the suspects whenever arrested are always released without being prosecuted yet they are known gangs to them. The same was explained by those who were interviewed. They blame the weak judicial system that is not able to prosecute the suspects and always allow them to come back after arrest to harass the residents. Therefore the majority of the residents who were interviewed supports that suspected gang members should be killed and not be allowed to go through the judicial system as they believe most

of the gangs arraigned in court are not convicted. For them they believe there is no need to arrest the suspects, rather they should be killed as they support what Hessa is doing on Facebook.

Facebook has been used by Hessa to brand the judiciary and the police officers involved in handling suspects in the Eastlands of Nairobi as corrupt. This has led to the residents and followers of the Hessa Facebook pages and groups believing that those they suspect are criminals should not be arrested and taken to court but be prosecuted as Hessa is doing due to corruption in the judicial system in Kenya and the police sector.

It was also established that Facebook is used as a tool to inflict punishment on suspected criminals where policing has failed to obtain sufficient evidence to convict a suspect. Facebook has achieved infliction of punishment by public ridicule, aroused anger, and obtained citizen support for condemnation. Facebook has achieved this through graphical displays through photos of the suspects, an evocation of empathy with victims' stories, mass publication, and verbal threats.

The study also found out that Police have always defended themselves for not arresting the suspected criminals by saying that the gangs are always armed and therefore being unable to arrest them. Human rights organizations blame the police for this excuse. As for them, most of the suspects who have been killed are always unarmed contrary to what the police have been claiming. Even though the human rights organizations blame the police for lying to the public that most of the suspects are always armed and they can't arrest them, the residents on the other side support that most of the gangs are armed and police are right to kill them because they can kill the police before they are arrested.

The study also established that Facebook has been used by Hessa to convince the resident and its followers on the reason why they are using Facebook to prosecute suspects by claiming that lack of witnesses to testify against the suspects in court also undermines the right to due judicial process by the police officers in Eastlands of Nairobi. It's either the police are reluctant to testify against the crimes they witness or they lack enough witnesses to use to prosecute the suspect. The public might also be intimidated or fear being intimidated so they may not testify against the suspects. This has made the police resort to killing the suspects instead of arresting them.

The study was in line with other studies that were done by other scholars that established that in Kenya, the major contributor to extrajudicial killing was lack of failure to gather evidence by the relevant authorities. This was established by a report that was released by UNDP (2010-2014) on the state of security in Kenya. The study blames the police for not collecting enough evidence as it indicated that almost 60% of the cases presented by police in courts do not meet the threshold due to lack of evidence. This has made more police resort to killing the suspects. The report also indicates that most of the family victims of extrajudicial killings have reported their cases to the government, little effort has been made to help them get justice, therefore according to the report police are not ready to assist them to get justice to their family members who were killed by police officers. This has allowed Hessa not to follow the due judicial process and instead decided to kill and post suspects in Hessa's Facebook groups and pages.

5.2.4 The attributes of the information uploaded by Facebook users and the relationship to potential surveillance within social networking sites in Eastland, Nairobi Kenya.

The study found out that in the Eastlands of Nairobi, the security agencies use various techniques to track and eliminate gangs which include the use of Facebook. During the study, it was found out that when police employ Facebook as a surveillance tool they also interfere with the right of privacy of other people.

According to the study, it was found that police befriend the gangs by operating together. The friendship begins offline, where they engage and talk together and come to know each other, then with time they become friends online in the social media sites which includes Facebook. This allows the police and the gangs to be able to access each other's accounts and be able to chat on Facebook. The study found out that from the friendship, the security agencies use the friendship to help them get other gangs from the friend list of the gang in their Facebook accounts. They are also able to track the suspects who are their friends through their Facebook accounts in case they feel it's time to kill them or arrest them. This mostly happens when the security agencies feel that the deal between them and the criminals is already known or might be known to the public.

The study also found out that police are using the phones of the criminals that they have gunned down to get other suspects. Through their phones, they can access their Facebook accounts and access their friends and posts in their accounts. They also check on contacts and make use of Truecaller to help them get your true name once they suspect you were related to the suspect in his criminal activities. From this, they can search for you on

Facebook or use other people in the society to get your photo and post it on Hussy's Facebook pages.

Hussy's Facebook pages have got a lot of members, Dandora crime-free which is the leading has got about 300,000 members. In this, members are allowed to post issues concerning security and also comment and like post that Hussy has posted. For example in Dandora Crime Free, the members always post areas where they think Hussy should go and kill the suspects that are terrorizing the residents in the area or they post the suspects in the group, others who have been attacked also post about how they were attacked by the gangs and values stolen from them. The study found out that it's true the police uses information from Facebook members who belong to Hussy's Facebook pages to get information.

The study also found out that Hussy also uses pretence to be able to track the gangs in the Eastlands of Nairobi. Those who were interviewed during the study explain that Hussy uses different ways to reach the youth and befriend them even being able to access their Facebook accounts and befriends through Facebook accounts. Through this, they are also able to trace and identify those youth who are gang members and be able to arrest or kill or take their photos and post them in their Facebook groups and pages. Although these undercover profiles violate many social networks' terms of service, Some officers even go undercover posing as young teenage girls or drug dealers in an attempt to craft a persona that gang members my friend. Once friended, the police can observe anything the gang member posts on his wall. During the study, it was also found out that a part of the Hussy pretending when he wants to kill the suspects, he also practices pretence on Facebook. Hussy also applies pretence on Facebook to access some of the accounts of the suspects as

this helps him to access more information about the gangs by creating pseudo-Facebook accounts.

The study also found out that Hessa uses CCTV cameras to track and identify suspected gangs, once they get footage of CCTV cameras, they post them in the Hessa Facebook groups and pages so that someone can identify those in the CCTV can help them get information about them. The study also found out that members also do post CCTV footage of incidences when they have been robbed by suspected gangs, they request Hessa and members of the forum to help them identify the suspects in the footage. One of the journalists who were interviewed narrates that it's true police use CCTV to help them identify the suspects when they post them on Hessa's Facebook pages and groups. The study is in line with other studies that have been done that also prove that police have used CCTV cameras to help them solve criminal activities in other parts of the world.

From the interviews that were conducted during the study, it was also found out that, Hessa uses the members of the Eastlands of Nairobi to get information about the suspected criminals. According to the respondents that were interviewed, the majority say that police use the members of the community to get information concerning suspected gangs in Eastlands, some of the information they get include; what the suspects do to earn a living and the type of friends they walk with. The majority of the residents of Eastlands know each other and therefore they can easily give information concerning one another, this was confirmed by several interviews that were conducted in the area. The study also found that Hessa also depends on the community members to provide them with Facebook information about the suspected gang members. In the community, we have the village elders, administrators, and those in the society who are against the gangs who will provide

information concerning the gangs whenever they get information and they know the gangs. Since in Eastlands of Nairobi people know each other, this is also present online, the community is also connected to Facebook, and therefore once you know someone, you can easily access him/her on Facebook too. Therefore the police through the informers in the community can get Facebook information and be able to tell through posts whether the suspect is a criminal or his friend.

Other studies were done by other scholars also established similar findings to my studies. Boghosian (2013) in his view, through using social media, security agencies obtain personal information from the public's email, phone calls, and also from GPS movements and also from several social media platforms. The same was shared by Trottier (2011) by also arguing that police access information from social media through direct and indirect ways. Most of the social media services have provided ways in which police and other security agencies can get information from their servers. In Eastlands of Nairobi, the study established that Hessa also uses the Facebook pages, groups, and profiles of the suspects and friends to obtain information. They also use obtain information from the residents this was in line with other studies that have been done on police surveillance.

Kennedy (2009) noted the common practice that people are using Facebook to provide personal data on other people by digging through their digital information. The practice is referred to as "Facebook stalking". According to him, most of the states use stalking to obtain information from their citizens so that they can know those who want to challenge them in their power retention, therefore he relates it's to power. Senft (2008) some of us who post our information on social media also enjoy posting their status and seeking attention which makes their post be viewed by other people, in the process, they forget that

they are being surveilled. Facebook stalking was also used by Hussy as established in the study to surveil the suspects in the Hussy Facebook pages and groups.

According to Nissenbaum (2010), electronic technologies such as tapping communications, the use of hidden cameras, creating a database to process and aggregate information, biometric data, using infrared cameras to find individuals in hiding, and many more have changed the field of surveillance. The study findings also matched what Nissenbaum found in her study as Hussy also used electronic technologies in surveillance in the Eastland of Nairobi

5.2.6 How Facebook as a communication tool facilitates participation on security issues in Eastlands, Nairobi Kenya.

The study found mixed reactions from the residents, human rights groups, and reformed gang members. Some sections believed security has improved, those who believe nothing has changed, and those who believe the use of Hussy Facebook groups and pages has led to more insecurity. Most of the residents of Eastlands of Nairobi concur that security has improved since the introduction of Hussy Facebook pages and groups in the areas to help fight insecurity by profiling, warning suspected criminals, and posting their dead bodies in the pages after they have been killed by Hussy.

Though the majority of human rights defenders who were interviewed said Facebook has resulted in more insecurity, one of them didn't agree with this, and, according to him, the use of Facebook by Hussy has helped to improve the security in Eastlands though he condemns the use of extra-judicial killings to improve security. The study also found that a few numbers of residents believe that insecurity in Eastlands is still worse. One of the residents explained that though Hussy is killing and posting most of the suspected gangs

on the Hessa Facebook pages, more gangs are still being born and therefore the situation is still the same.

The study also found out that most of the human rights defenders and the reformed gangs believed that the use of Hessa Facebook pages and accounts have not helped to improve security in Eastlands of Nairobi, this is in line with a survey done in 2018 by the Kenya National Bureau of Statistics which reveals that extrajudicial killings have done little to improve security in Nairobi. In 2018 Nairobi reported 7,434 criminal cases and in 2017 it was 4,954 cases of crime. Therefore from the statistics, we can say that the Hessa Facebook pages and groups have done little to improve security instead has made it worse as the number of crimes reported has increased instead of decreasing.

For Kudla&Parnaby, (2018) and Schneider (2016) all support that social media formed by police are always characterized by police dominating the group and having no democracy. The public has no otherwise but to follow the chats on the platforms as they are not involved to steer decision-making as police control all posts in the group. They don't support the use of Facebook as effective in fighting security though the study established that in Hessa's Facebook pages members have the freedom to post but the post must be approved by a group administrator who is Hessa. Therefore if the post is against Hessa's activities on social media then it will not be posted.

In a study done by Harcourt (2015) on police use of social media to protect its citizens, he noted that police in New York used social media to help them combat crimes committed by gangs in the street, the police come up with Operation Crew Cut. Police used the application of social media to convict numerous individuals by posting them on social

media. The police post the youth photos, likes, and messages. This is also in line according to the findings as most of the respondents view Hessa's Facebook pages as a success to them in Eastlands of Nairobi to fight crime and they believe the crime rate has reduced. As one of the respondents mentioned that through Hessa the most notorious gangs known as 'GAZA' members have been killed and many have reformed when they see their members killed and posted in the Hessa Facebook groups and pages.

According to Crump (2011) and Skogan (2006), using social networks, for example, Facebook is the community in giving information to security personnel on community issues concerning crime has improved problem solving and participation of the community in improving security. Eren, Altunbas, and Koseli (2014) also suggested that social networking use in the community by police and the community in community policing has not only increased the friendship with the security agencies but also by also improving partnership and also allow for sharing information which in turn enhance enforcement. The study also established that members of Hessa's Facebook groups provided Hessa with information or post suspects and areas where there is insecurity so that Hessa could help them by killing the suspects.

The study was in line with other studies as it also found that the Hessa pages acted as online community policing bringing Hessa and the community together enabling them to interact. Hessa community policing was different from other community policing because in other community policing discussed by another scholar, the police are known to the community and they interact to fight security in the community. While for Hessa community policing, Hessa is not known by most of the community members physically as most people just

trying to identify who is Hessa, though they are friends and only interact with Hessa through Hessa Facebook pages or groups.

5.3 Conclusion of the study

The study concludes that the use of selected Facebook pages and groups in Eastlands by security agencies have in one way undermined the rights of the suspected gang members that have been involved. On the other side, the residents and other groups feel that the use of the selected Facebook pages has helped to reduce security issues in Eastlands of Nairobi and to them, the right of the suspected gangs are not violated by the use of these selected Facebook pages and groups.

About who owns and operates the Hessa Facebook pages and accounts, the study concluded that it's Hessa who runs the accounts. Hessa is either a policeman or just a civilian who is interested in security issues. From the respondents, it's clear that the majority believes that Hessa is a police officer who operates in the Eastlands of Nairobi, while another section also believes that Hessa is just a civilian who is close to police officers who provides them with information to post in the Hessa Facebook pages and groups. From what is posted in the Facebook pages and groups, it can be confirmed that most posts deal with criminal activities and mostly are posted by Hessa, therefore, it can be said it's a new tactic used by police to fight crime in the Eastlands of Nairobi just as most of the respondents and analysis from the documentaries reveal.

About the role that Facebook plays to gang members of Eastlands, Nairobi, the study concludes that gang members have mobile phones which they use to access Facebook or access their Facebook accounts from different platforms apart from their phones to perform

different crime-related activities. The study concludes that gang members in Eastlands of Nairobi use Facebook too; recruit gang members, brag about the violence they commit, communicate about their activities, make threats and display gang symbols and also Display weapons.

About the extent to which Facebook pages provide a forum where the right to the due judicial process of suspected gang members is facilitated or undermined, the study concludes that the following results to facilitation and undermining of the right to due judicial process; the respondents blame the judicial system that we have in Kenya as to why due judicial process is not followed in Eastlands of Nairobi by the police, that corruption within the police department and also within the judicial system has also contributed to police not to follow due judicial process when dealing with suspects in Eastlands of Nairobi, that the right of the due judicial process is undermined or promoted due either through the availability of evidence or lack of evidence. From the respondents who were interviewed, it can be concluded that most of the police officers lack enough evidence to prosecute suspected criminals. Police have always defended themselves for not arresting the suspected criminals by saying that the gangs are always armed and therefore being unable to arrest them. Human rights organizations blame the police for this excuse as for them, most of the suspects who have been killed are always not armed as the police have been claiming. From the study, the human rights blame the police for lying to the public that most of the suspects are always armed and they can't arrest them, the residents on the other side support that most of the gangs are armed and police are right to kill them because they are armed and can kill the police before they are arrested by the police.

About how the use of Facebook's selected pages facilitates or complicates Eastlands residents' right to life, the study concludes that police in Eastlands of Nairobi has gone against the Constitution of Kenya and also against the ICCPR that promote the right to life by condemning taking the life of suspected gangs by killing and posting them in the Hessa Facebook pages. From the study most of the human rights groups from the findings condemn the police for the extrajudicial killings in Eastlands of Nairobi; on the other hand, the research found out that most of the residents who were interviewed supported the police for doing a good job of eliminating the gangs. To them, the police are not complicating the right to life of the suspects since the suspects also undermine the right to life of the residents who they attack therefore they are supporting the police to kill the suspects and not to arrest them.

About Facebook being deployed as a tool of surveillance in Eastlands, Nairobi Kenya, the study concludes that, in Eastlands of Nairobi, the security agencies use various techniques to track and eliminate gangs which include the use of Facebook. During the study, it was found out that when police employ Facebook as a surveillance tool they also interfere with the right of privacy of other people. They achieve this by; police befriend the gangs by operating together, that police are using phones of the criminals that they have gunned down to get other suspects, police use information from Facebook members who belong to Hessa Facebook pages to get information, the Hessa also uses pretence to be able to track the gangs in Eastlands of Nairobi, that Hessa uses CCTV cameras to track and identify suspected gangs, once they get footage of CCTV camera, they post them in the Hessa Facebook groups and pages so that if someone can identify those in the CCTV can help

them get information about them can reveal to them and finally, Hessa uses the members of the Eastlands of Nairobi to get information about the suspected criminals.

About how the Use of Facebook's selected pages facilitates or complicates Eastlands residents' right to security, the study concludes that there are sections who believed security has improved, those who believe nothing has changed and those who believe the use of Hessa Facebook groups and pages has led to more insecurity. Most of the residents of Eastlands of Nairobi concur that security has improved since the introduction of Hessa Facebook pages and groups in the areas to help fight insecurity by profiling, warning suspected criminals, and posting their dead bodies in the pages after they have been killed by Hessa. Though the majority of human rights defenders who were interviewed said Facebook has resulted in more insecurity, one of them didn't agree with this, and, according to him, the use of Facebook by Hessa has helped to improve the security in Eastlands though he condemns the use of extra-judicial killings to improve security. The study also found that a few numbers of residents believe that insecurity in Eastlands is still worse.

5.4 Recommendations to the Study

Although a new cybercrimes law was signed by the government that outlaws the abuse of people on social media, where those found guilty of abusing social media will be prosecuted, a lot has not been done to see the implementation of some of this law, this still allows suspected gangs and other people to abuse social media by posting photos that are against the law, for example, displaying weapons and recruiting gang members using. The study, therefore, recommends that the national government should enforce this law to help reduce false publications, displaying weapons by gangs on Facebook or any other criminal activity conducted by criminals in social media.

According to findings, the study established that most of the residents and Facebook followers are convinced through Hussy Facebook groups and pages that our judicial system is not capable of convicting suspected criminals in Eastlands of Nairobi due to being weak, corrupt, lack of enough evidence and lack of people to testify against those who are arrested. Residents and followers of the Hussy Facebook pages and groups believe that once one is arrested he/she will be released without any trial due to corruption, the same was observed on the Hussy Facebook pages as Hussy in his post indicated that, they kill the suspects because, even if they arrest the suspects, they are still being released due to lack of evidence and corruption in our judicial systems. Through the Facebook group and pages, Hussy is now arresting, judging, and prosecuting suspects without following due judicial process. Therefore, the study recommends that Facebook should not be used to judge and prosecute suspected gangs by blaming them because our judicial systems are weak. Security agencies should stop profiling suspected gangsters and posting on Facebook as a way to prosecute the suspects instead they should follow due judicial process as outlined in the constitution.

The study found out that Hussy has been using the Hussy Facebook pages and groups to defend extrajudicial killings in Eastland by gaining sympathy from the residents after killing the suspects and posting them. Hussy does this by gaining sympathy from the public by proving that the suspect was armed and also narrates how the suspects have been terrorizing people and their areas of operations. The study recommends that followers of Hussy's Facebook pages and the residents should be aware and be able to differentiate between legitimate killings and extrajudicial killings before being convinced by Hussy's Facebook pages on the killings of the suspects they post in the Hussy Facebook pages. The

study also recommends that our security agencies should be aware of the constitution about taking of human life and what should be done when arresting armed and dangerous criminals, instead of killing they should shoot the arm or leg of the suspect so that they can arrest them

The study found out that Hussy uses Facebook to warn suspects because he/she thinks that most of these suspects are young and are available on Facebook and their relatives and friends are also in Facebook, therefore once posted, the message will reach them so that they can reform, but the study found that this goes against the law of privacy for the person posted. Therefore the study recommends that Facebook should not be used to post suspects rather the police and other security agencies should follow the law instead of relying on Facebook. The study also recommends that security agencies should be accurate and obtain facts in the use of Facebook as a surveillance tool to ensure they don't get wrong information and kill wrong suspects as it was in some cases in Eastland's of Nairobi.

The study established that through the Hussy Facebook groups and pages, the majority of the residents believe that security in Eastland's has improved since Hussy Facebook pages and groups were introduced in Eastland's of Nairobi. Hussy Facebook pages and groups have managed to convince the residents and the followers of the group that through the use of the pages and groups, security has improved. Therefore I recommend that security officers in Eastland and other parts of the country should enforce the use of social media like Facebook in the fight against crime but ensure they get accurate information. The study also recommends Community policing through social media, especially Facebook that accommodates more members. This will allow residents to share whenever in danger or

attacked just as they have been doing in Hussy's Facebook pages and groups by informing Hussy on some of the suspects they know and also when in danger.

5.5 Suggested Areas for Further Studies

Based on the findings of this research, the researcher has identified significant areas that need to be researched to explore comprehensive research options that analyze social media and human rights.

This study analyzes social media and human rights and its use in Eastlands of Nairobi yet as per now the Hussy now focus on the whole Nairobi as the names of Hussy Facebook pages has changed to Nairobi crime-free, therefore further research should be carried out in the whole Nairobi, to show how the use of Facebook by the Hussy accounts solve security problems or has increased extrajudicial killings in Kenya.

They should not only focus on Facebook yet there are other social media such as Whatsapp and Twitter, but therefore other studies should also be done to analyze the relationship between these other social media platforms and human rights.

Further study should also be done on how other human rights are affected as a result of social media as this study only focuses on the right to life, privacy, and due judicial process.

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APPENDICES

Appendix I: Letter of introduction

**KASHARA JUMA ERICK,
DEPT OF PMS,
SCHOOL OF INFORMATION SCIENCES,
ELDORET.**

02ND SEPTEMBER 2018

T0,

WHOM IT MAY CONCERN,

Dear Sir/ Madam

**RE: AN ANALYSIS OF THE INFLUENCE OF FACEBOOK USE IN
MONITORING AND PROMOTING HUMAN RIGHTS IN EASTLANDS
NAIROBI**

My name is Kashara Juma Erick, a student at Moi University, undertaking a Master's project in Journalism and Media Studies. It is the University requirement that I undertake a project for me to finish my course work. The purpose of this research is strictly academic and intended solely as a source document for information to help analyze how human rights are either promoted or violated by social media, a case study of how Facebook is used in Eastland's of Nairobi. It is not in any way interested in or to be used for personal vilification, promotion, or undermining of anyone interviewed. The answers solicited by it shall be treated with the confidentiality that shall be assigned to the project environment alone and shall not be used maliciously against any respondent. All respondents shall be treated with maximum respect and dignity about the information provided during and after the interview

I have chosen you to be part of my respondents. Kindly feel free to provide information and I assure you that it will be treated as private and confidential and will only be used for academic reasons.

Thank you,

Erick Juma Kashara.

SOCIAL MEDIA AND HUMAN
RIGHTS: AN ANALYSIS OF
FACEBOOK USE IN
EASTLANDS NAIROBI

by Erick Kashara

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SOCIAL MEDIA AND HUMAN RIGHTS: AN ANALYSIS OF
FACEBOOK USE IN EASTLANDS NAIROBI

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SIMILARITY INDEX

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INTERNET SOURCES

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PUBLICATIONS

5%

STUDENT PAPERS

1

Appendix II: Interview Questions for Crime Reporters

1. How do the police use phones to get these suspected criminals?
2. How do police track these suspects using Facebook groups and pages?
3. How does the relationship between Facebook and mobile phones help police to identify and kill suspects?
4. How do you get information concerning crimes in Eastland?
5. Who owns these Facebook accounts in Eastland, are the police officers or ordinary Kenyans?
6. Do you support the use of these Facebook pages and groups to fight crimes in Eastland?
7. Does the use of these selected Facebook groups and pages promote or undermine the rights of individuals involved?
8. Do you think the use of these groups helps to reduce criminal cases in the fight against crime?
9. In your stories have you ever done stories of innocent people, either posted or killed by the police and posted in the group?
10. How do residents feel about the use of Facebook if it gives them a sense of security?
11. Why do the police use Facebook and their opinion about the post?
12. Where do the police or those who post get the information from?
13. Do the police inform you about the shooting or did you learn them from Facebook?
14. How do you think states use Facebook to track and get information about the gangs?
15. Why do the police prefer killing to arrest and follow the due judicial process?
16. Do the police have enough evidence on the post that they do post on Facebook?
17. In your opinion do you support police killing and posting these suspects on Facebook pages, what do you think should be done to reduce criminal cases?

Appendix III: Interview Questions for Residents of Eastland's, Nairobi

1. Are you aware of Facebook pages within Eastland that profile criminals?
2. Are you a member of such pages or pages?
3. What are your views on the pages?
4. Do you support the police in giving warnings and posting the bodies of suspected gangs on the pages?
5. Do you think the act of police killing and posting dead bodies on these pages and groups has helped to reduce criminal activities in Eastland?
6. How do you rate security since the introduction of these pages and groups in Eastland? Has it improved or worsened?
7. Do you think police at times kill innocent or those police posts and kills are all suspects?
8. Do you support the suspects should be taken to court or just be killed, why?
9. Are you allowed to post your mind in the group or you're restricted on what to post?

Appendix 1V: Interview Questions Human Rights

1. Are you aware of the existence of Facebook pages that exist in the EASTLAND of Nairobi that profiles suspects of crime?
2. In your opinion who owns these Facebook accounts?
3. Do you support the use of these Facebook accounts to post warnings of the suspects and later their dead bodies?
4. Why do you think police prefer the use of social media to arrest and follow a due judicial process to the criminals?
5. Do you think the police have reduced insecurity issues in Eastland by the use of Facebook Accounts?
6. When documenting those killed in extrajudicial killings, have you documented police officers?
7. Community members partly support this act of shooting suspects that have been profiled and posting them on Facebook, what's your take on this?
8. What is your take on the use of Facebook by police to provide security to the people of Eastland?

Appendix V: Interview Questions for Reformed gang members

1. Why do you think gang members use Facebook?
2. How often do you use Facebook?
3. What are some of the things you post on Facebook?
4. Have you ever posted on these Facebook pages and groups, if yes, what did you ever post?
5. What are some of the posts do you think the police normally uses to trace those they suspect?
6. How do you think the police in the Facebook pages get to know the suspects?
7. Where do police get photos of the suspected criminals?
8. Do you think some of these photos or comments made by these suspects have led to police tracking them?
9. Do you think police get information and photos from the public and friends of the suspects?
10. Do you believe all those posted and killed by police are suspects?
11. Have your friends or your neighbours been involved in profiling and what happened?
12. Have you ever handled a gun before and have you ever posted it in the group?
13. Have you seen your friends or people you know posting guns or pictures with them a gun in the groups?
14. Have you such people posted posts that might prove the police and make them think that the owner of that post is a suspect?
15. How many of your active friends were former gang members?

Appendix VI: Interviews that were conducted

Human rights groups

KNCHR Communication officer, KNCHR office, 26/9/2018 at 11:30 am

Dandora social justice center officer, Dandora, 12/09/2018, 10.20 am

Kayole Social justice center officer. Kayole, 13th/09/2018, 12.22 pm

Mathare Social justice center official. Kayole, 18th/09/2018, 09.22 am

Mathare Social justice center Member, Kayole, 18th/09/2018, 10.31 am.

Focus group discussion with members of Kayole social justice centre on 13th/09/ 2018, 5 pm.

Residents

Resident, Kayole, 15th/09/2018, 10:30 am

Resident, Kayole, 15th/09/2018, 9:28 am

Resident, Dandora, 16th/09/2018, 2:36pm

Focus group discussion with residents at Kayole on 20th/09/2019 10.00 am

Reformed gang members

Reformed gang, Mathare, 21st/09/2018, 3:26 pm

Reformed gang, Kayole, 21st/09/2018, 01:26 pm

Reformed gang, Kayole, 20st/09/2018, 11:26 pm

Reformed gang, Kayole, 25st/09/2018, 06:14pm

Resident, Mathare, 17th/09/2018, 2; 32pm

Resident, Kayole, 23th/09/2018, 5:28 pm

Citizen TV, April 5th, 2017, 9.00 PM.

Journalist

(Standard newspaper journalist, Nairobi town CBD, 9th/09/2018, 11:43 am)

Appendix VII: Documentaries that were used in the study

Citizen TV's on 12th 2018 'Jeff Koinange Live'

The documentary done by Kumekucha Chris on thugs shot hessy of Dandora June 3rd, 2017

A documentary on Ebru TV that was done by Victor Watende on a confession from Gaza members of kayole (Ebru TV, 15th/07/2015, 09:30 pm)

The documentary was done by Citizen TV about extrajudicial killings on April 2nd, 2017 on Sunday live,

An interview was done by citizen TV about extrajudicial killings during citizen extra on April 5th, 2017s

A documentary that was aired on citizen television on shootings rampant in Mathare (outcry over police killings) aired on 26th July 2018

The interview that was aired on Citizen TV on April 5th, 2017 on the topic of extrajudicial killings

A documentary that was done by K24 on Giza la Gaza on December 27th, 2017

Citizen TV, April 2nd, 2017, 9.00 AM

A documentary which was done by KTN on the underworld of hardcore teenage crime in Nairobi 10TH NOVEMBER 2015

A documentary which was done by NTV Kenya on 16th 2017 on the Diary of gangsters

Newscast in NTV Kenya on October 30th, 2018 on the killing of six in Dandora,

DW TV on February 5th, 2018 about Police brutality in Nairobi Slums



**NATIONAL COMMISSION FOR SCIENCE,
TECHNOLOGY AND INNOVATION**

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NAIROBI-KENYA

Ref. No. **NACOSTI/P/19/46328/31127**

Date: **27th June 2019**

Kashara Juma Erick
Moi University
P.O Box 3900-30100
ELDORET.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on "*Social media and human rights: An analysis of face book use in Eastlands, Nairobi.*" I am pleased to inform you that you have been authorized to undertake research in **Nairobi County** for the period ending **24th June, 2020.**

You are advised to report to **the County Commissioner, and the County Director of Education, Nairobi County** before embarking on the research project.

Kindly note that, as an applicant who has been licensed under the Science, Technology and Innovation Act, 2013 to conduct research in Kenya, you shall deposit **a copy** of the final research report to the Commission within **one year** of completion. The soft copy of the same should be submitted through the Online Research Information System.

DR. ROY B. MUGHRA, PhD.
FOR: DIRECTOR-GENERAL/CEO

Copy to:

The County Commissioner
Nairobi County.

The County Director of Education
Nairobi County.

THIS IS TO CERTIFY THAT:
MR. KASHARA JUMA ERICK
of MOI UNIVERSITY, 3900-30100
ELDORET, has been permitted to conduct
research in Nairobi County

Permit No : NACOSTI/P/19/46328/31127

Date Of Issue : 27th June,2019

Fee Recieved :Ksh 1000

on the topic: SOCIAL MEDIA AND
HUMAN RIGHTS: AN ANALYSIS OF FACE
BOOK USE IN EASTLANDS, NAIROBI.

for the period ending:
24th June,2020



.....
Applicant's
Signature

For Director General
National Commission for Science,
Technology & Innovation



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SCHOOL OF INFORMATION SCIENCES DEPARTMENT OF PUBLISHING AND MEDIA STUDIES

Ref. No.: IS/MSC/MAS/01/18

23rd August, 2018

To whom it may Concern

Dear Sir/Madam,

RE: ERICK KASHARA JUMA

This is to confirm that Mr. Erick Juma is an MSc student undertaking a research on 'Social Media and Community Policing in Eastlands, Nairobi'. This research forms part of the requirements for the award of an Msc degree in Journalism and Media Studies.

Any help accorded to him is highly appreciated.

Yours sincerely

HEAD
PUBLISHING AND MEDIA STUDIES

DR. DUNCAN CMANGA
HEAD: DEPT. OF PUBLISHING AND MEDIA STUDIES