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**Influence of Crime Reduction Initiatives on Maintenance of Law  
and Order. A Critical Literature Review**



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## **Influence of Crime Reduction Initiatives on Maintenance of Law and Order. A Critical Literature Review**

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### **Abstract**

**Purpose:** Since the formation of nation state until 1980's and 1990's, strong national governments have dominated the world resulting to either absentee or weak regional governments. Apart from Austria, Germany, Switzerland and Yugoslavia, all other European Countries as well as in Africa and Asia, have had central governments throughout the post-world war II. The overall objective of this study was to examine influence of crime reduction initiatives on maintenance of law and order in Kenya. A critical literature review

**Methodology:** The paper used a desk study review methodology where relevant empirical literature was reviewed to identify main themes and to extract knowledge gaps.

**Findings:** The study concluded that on crime reduction initiatives, the government does not provide opportunities for the members of the public to report crime, and does not encourage public participation on matters affecting the public. The county government also does not support formation of social groups for purposes of promoting social values and is not involved in reconciliation of conflicting communities.

**Unique Contribution to Theory, Policy and Practice:** This study recommended that the government should focus on management of public transport and give the youth support in the sporting activities. It should also focus on campaigning against drug abuse, alcoholism and publicizing the sports calendar. The government should put measures in place to reduce the number of reported crimes and resolve social issues quickly to avoid conflicts in the county. The existing laws need amendment to be supportive enough for the county government on maintaining law and order. The national government should also provide more supportive role in ensuring the county governments succeed in their mandate of maintaining law and order.

**Keywords:** *Crime, Reduction Initiatives, Maintenance, Law, Order.*

## INTRODUCTION

Crime Reduction Initiatives involves innovative approaches and coordinated effort that tackle crime and enhance community empowerment in which social service providers in collaboration with the County Governments do local law enforcement (Ahaibwe, 2015). This is with an aim of reducing crime while providing long-term solutions that strengthen positive relationships and interactions among residents, police and the affected community. Devolving powers and functions that facilitate access to local services and development may have the ability to address conflict and the subsequent breakdown of the public law and order. This is because identity-conflict is tied to underdevelopment and lack of services (Reka, 2016).

It is in such a context that empowering decentralized institutions to provide access to health, education and local infrastructure that are considered basic services may enhance political inclusion. To illustrate, in some cases, grievances may revolve around identity issues such as language. In these cases, a breakdown of public order may be averted if powers over language use are devolved to the local level. For example, in Macedonia, conflict eased when the 2001 Peace Agreement recognized the use of Albanian and other minority languages in municipalities where Albanians and other minorities are present. Accordingly, the powers devolved should be relevant to addressing the narratives that support conflict, narratives which commonly relate to resources but which, in addition, may include identity issues (Reka, 2018).

A basic assumption is that devolution of power would lead to equitable development and thus address the perceptions that drive conflict and crimes. However, the UNDP notes that development itself change and de-stabilizes. Development raises expectations but also highlights disparities, and this may trigger further conflict (Lan, 2019). Where conflict is seen as deep and interwoven with identity issues and resources, such factors become triggers of violence especially when they are used by politicians (Mutisya, 2017). In the absence of public institutions sufficiently resilient to manage the pressure and challenge political opportunism, a resurgence of conflict is likely, even after development has taken off. Acceptance of self-rule and shared-rule arrangements may be an indication of the willingness of the dominant group to compromise and accommodate. However, smaller parties may treat devolution of powers not as a solution to a conflict but a ground for more radicalized demands such as secession and fragmentation of a state (Cox, 2014). In such cases, devolution may indeed create the impetus for further conflict. Nonetheless, a 2010 study on 10 African countries by the USAID revealed that after power devolution there was consolidated stability in some cases while in others devolution seemed to compromise stability (Dicke, 2019).

This is an important finding that supports devolution of power as a tool for political stability, especially in Africa where the post-independence period has witnessed a number of civil conflicts. Devolution of power enhances public participation in decision-making. The feeling among some communities that they are governing themselves propels them to strive for excellence in what they do especially after becoming aware that devolved power grants them a greater say on determination of their issues of governance (Wilson, 2015). Furthermore, since they are active members of the

developmental agenda, they are masters of their own destiny and area accountable and responsible for their actions regardless of whether the actions are good or bad. Devolution helps to create conditions that enhance accountability and much better effective governance system whereby at the end people are satisfied with the Governance and they get best services reducing the act of crimes involvement as way on earning better living (Trachim, 2016).

Devolution, a strong form of decentralization is the statutory and legal relinquishing of powers from a central government to sub national units of governance. The devolved units gain power and authority to legislate relevant authorities on behalf of their areas but existence of devolved units can be repealed or amended by the Central government through legislation (Mckee, 2018). Under devolution authority over natural resources, power in decision-making and some benefits is transferred with an overall goal of protecting wider public good, regulating private activities, conflicts resolution and supporting local organizations in adherence to local regulations and sanctions (Constitution of Kenya 2010). The units provide basis for legal recourse too and technical assistance while addressing inequality concerns among the residents and improving participation and representation of marginalized communities. In addition, devolution helps communities to defend their rights, and be protected against powerful outsiders, marginalization and supporting building capacity for the locals (Shackleton, Campbell, Wollenberg, & Edmunds, 2016).

Since the formation of nation state until 1980's and 1990's, strong national governments have dominated the world resulting to either absentee or weak regional governments. Apart from Austria, Germany, Switzerland and Yugoslavia, all other European Countries as well as in Africa and Asia, have had central governments throughout the post-world war II. Equally most countries in Latin American have had centralized states, but Venezuela, Brazil, Mexico officially maintains federalist constitutions though on paper because regions and states represent little more than mere administrative units (Rodriguez-Pose & Gill, 2016). The USA saw increased clamour or devolution in the 20th century when diverse federal and unitary systems' groups sought power reduction of central governments through power devolution from Washington DC to the regions (Haus, 2016). In Brazil, passing of Constitution in 1988 considerably reinforced the powers of the states (Serra & Afonso, 2016). However, the regional and influential interests' lobby that had been involved in the drafting process capitalised on the anti-central government sentiments that had emerged during military rule. This subsequently brought unprecedented levels and determination in the regions over administration, financing and responsibilities (Rodriguez-Pose & Gill, 2014)

### **Statement of the Problem**

A new constitution in Kenya changed the approach of maintaining law and order in the country, which is a co-shared (as opposed to public security management) responsibility between the Restructured Provincial Administration (RPA) and the Devolved County Governance (DCG) structures (Government of Kenya, 2010). On the other hand, the County Governments Act (CGA)

brought forth decentralised units for counties whose role include the development of policies and plans and service delivery at different devolved levels at the county. Contextually, maintenance of law and order, which is not synonymous to security management but its subset, is therefore, not a preserve of the national government but a shared responsibility between the two levels of Governance. Despite the constitutionally mandated issues to the county government being critical to law and order in the country, it is not completely clear how the county governments are handling these functions and how this is subsequently affecting maintenance of law and order at the county level. There is no data that shows the influence of devolved administration on social harmony and in dealing with anti-social behaviour at the devolved units within Kenya in general. This study filled this gap to provide insight and information that could inform future interventions on maintenance of law and order at the county levels in the country.

### **Objective of the Study**

The overall objective of this study was to examine influence of crime reduction initiatives on maintenance of law and order in Kenya. A critical literature review.

### **Significance of the Study**

Under devolution, authority over natural resources, power of decision-making and accruing benefits is decentralized to local actors. It is aimed at protecting wider public goods, as well as facilitation and regulation of local private activities, mediation on local conflicts and support of local organizations in enforcing locally developed regulations and sanctions. Studying the topic could help communities gain insight into defense of their rights, and help them solve internal social conflicts and supporting local capacity building initiatives. This study has provided insight to the policy implementers in the country on matters of devolution and its role on maintaining law and order. It would thus be relevant to officials in the ministry of devolution, those in the county government that oversee the administration of the devolved units and those involved in the direct administration of these units. It could also provide information to those in other counties in Kenya who are engaged in the devolution. The information gathered has provided knowledge valuable to students, academicians, economists and other researchers who might be interested in the subject matter of the study.

## **THEORETICAL REVIEW**

This study will benefit from classical theory of management proposed by Gullick and Urwick (1937) and broken windows theory, proposed by Wilson and Kelling (1982).

### **Classical Theory of Management**

The main proponents of this theory, that is also known as administrative management theory, are Gullick and Urwick (1937) which projects public administration as a science. In addition to the two being greatly influenced by Henri Fayol and Frederick Taylor, major classical economists, who combined knowledge and their military background to propose the Classical Theory of

Management, and motivated by the need to increase productivity and efficiency. The focus was on finding the best way for getting most work done through examination of both actual work processes and the workforce skills (Cliffs Notes, 2016). The authors' arguments were based on the assumption that just the same way a stream of engineering became science due to empirical methods of observation and systematic findings and recordings over time, public administrators could as well develop science of administration (Management Study Guide, 2017).

This theory has several components: the hierarchical structure, the division of labor, the monetary incentive and an autocratic leadership. Its main advantages is the clear hierarchical organizational structure with distinct management levels. It also incorporates division of labor where projects are broken down into smaller and easy to complete tasks. The theory posits that employees should be motivated by monetary reward in an organization with a single leader who makes decisions, organizes and directs staffs (Russ, 2017). In their paper on administrative management theory, Gullick and Urwick (1937) formulated the acronym POSDCORB that represents the functional responsibilities of the chief executive officer under classical management theory. This stands for planning, organizing, staffing, directing, coordinating, reporting, and budgeting. Planning involves establishing a broad sketch for the work on the table and the accompanying procedures to implement them. Organizing involves formal classification, definition and synchronization of the various work's subprocesses and/or subdivisions while staffing focuses on recruitment and selection of the right candidates for the right job and facilitation of their induction/orientation and training within a favorable work environment. It also involves directing, a decision-making activity where there is delegation through structured instructions and orders, executing them and coordination of activities in an orchestrated manner that interlinks all components of work at hand. The approach also includes reporting which involves regular updating to the superiors on the work progress or on related activities. The information is transmitted through maintained records or inspections. Finally, there is budgeting that encompasses fiscal planning, accounting, auditing and control. In this study, classical theory was used to contextualize the operations and functions of the devolved government in maintenance of law and order so as to assess its effect and influence.

### **Broken Windows Theory**

Broken windows theory, proposed by Wilson and Kelling (1982) is an academic theory and a metaphor for disorder within neighborhoods (Kelling & Coles, 1995) (McKee, 2018). The theory attempts to link disorders and incivility within a community to subsequent occurrences of serious crime. The theory is the concept that each problem left unattended in any given environment will affect people's attitude toward that environment in a way that will trigger more problems. Arguably and on another side, a well-tended environment in which problems are dealt with as they arise, will equally affect the attitudes and will lead to continued good management and maintenance (techtarget.com, 2018).

In the initial article called the 'Broken Windows' they explained the phenomena this way, 'Consider a building with a few broken windows. If the windows are not repaired, the tendency is

for vandals to break a few more windows. Eventually, they may even break into the building, and if it is unoccupied, perhaps become squatters or light fires inside. Alternatively, consider a pavement wheresome litter accumulates. Soon, more litter accumulates. Eventually, people even start leaving bags of refuse from take-out restaurants there or even break into cars' (Kelling & Wilson, 1982). The authors therefore suggest that problems should be addressed when they are small (Kelling & Coles, 1995). Perceived social disorder would make the residents to think there is an increase in crime and will thus be forced to modify their behavior (Meinen, 2014). Social disorders are signs indicating there no governments' control and evinced by fights, disruptions of harmonious coexistence among neighbors, menacing gangs on the streets, illegal/illicit alcohol consumption and drugs and substance abuse. Subsequently, residents will less likely find 16 comfort in venturing out especially in late hours, and would less likely intervene to mitigate disorderly events, activities and events in their neighborhood. On the extreme, they might relocate to other areas that are more orderly. Consequently, insecurity could spike whereby crimes escalate and criminals act with impunity. This study examined the extent to which the county government is playing a role in maintaining law and order in a way of pre-empting insecurity in the county within the precepts of the broken window theory. Where the principles are not adhered to, lack of law and order could degenerate to crime and insecurity.

### **Empirical Review**

Karamuta (2022), conducted a study that examined the use of modern technology by investigators, to establish the Knowledge, Attitude and Practice (KAP) in relation to ICT among investigators and to establish legal procedures influencing use of modern technology. The study used Performance Theory to explain the use of modern technology. The study adopted a descriptive survey research design and targeted a population of 120 serving police officers. The results were presented in narrative and verbatim quotation marks. 68.2% of respondents strongly agreed that use of DNA analysis in investigation improve accuracy of results. 68. 1% percent of the respondents fully agreed that many police officers are not knowledgeable on matters ICT due to minimal allocation of time to train on the same in all courses offered at the police training institutions. 41 percent of the respondents also felt that some of the prevailing legal procedures fully affect the performance of investigators. For instance, the fear of being sued when a case flops, may affect the judgment of an investigator. The study used descriptive research design presenting a methodological gap as our study will use desktop review design.

Njoronge (2021), conducted a study to examine the international legal framework applicable towards addressing child trafficking in Kenya, assess the extent of Kenya's compliance with its international obligation towards addressing child trafficking and analyze the challenges in efforts to address Child trafficking in Kenya. The research used exploratory research design. This enabled the collecting of data on several variables which were then examined for recurring patterns using thematic analysis later presented as themes. The overall conclusion of this study was that Kenya's implementation of anti-Child trafficking laws was lax. Kenya is a Child-friendly nation; however,

a lot needs to be done to implement Child protection laws and awareness creation. The study however presented a conceptual gap as it focused on influence of stakeholders and resource availability, determine the socio-economic elements and the extent to which management techniques influence the sustainability of donor funded projects at FAO Kenya while our study will focus on counter measures used by pastoralist in arid areas on dry environmental hazards

Muthoni (2021), conducted a study aimed at establishing factors associated with use of modern contraceptives among men in union in Mukuru kwa Njenga informal settlement. Questioners were administered to 398 men in union to collected quantitative data while three focused group discussions were conducted to gather qualitative data to complement quantitative. The study found that among social demographic characteristics only age had a significant association with modern contraceptive use. Men aged 25-29 were more likely to use modern contraceptive ( $P=0.034$ ) compared to men in the other age bracket. Significant association ( $p=0.009$ ) was also found between men who thought modern contraceptives are good as well as those who believed people are incomplete without children ( $p=0.009$ ). Those who discussed ( $p=0.025$ ) with their partner on how many children to have and those who initiated the discussions themselves ( $p=0.000$ ) were more likely to use modern contraceptive. Media (56%) and friends (23.8%) remained the main source of information on modern contraceptives. However, there was no association found between knowledge of modern contraceptive and use. This study concluded that among the social demographic characteristics only age was significantly associated with use of modern contraceptives. The study however presented a conteceptual gap as it focused on factors associated with use of modern contraceptives among men in union in Mukuru kwa Njenga informal settlement while our study will focus on influence of crime reduction initiatives on maintenance of law and order.

Ndonye (2019), conducted a study to establish the implications of technological advancements on performance of police officers and suggest the best ways to enhance technology use in the Kenya Police Service. Objectives of the study were to establish the prevalence and use of new technology in the Kenya Police Service, to examine the types of technology used in the Kenya Police Service, to identify challenges that Kenya police officers face in the use of new technologies, to examine effects of technology on the performance of Kenya police officers and to find out the best strategies to help Kenyan Police Officers adopt new technologies to enhance their performance. The study adopted the postmodern theory of technology by John Watkins Chapman. The study adopted a descriptive research design survey where it targeted 1700 police officers, who formed the target population of this study. The study established that there was use of technology in Kenya police service though not very much advanced. It also established that Globalization and new technologies have facilitated certain cyber-criminal operations, thereby placing an additional burden on law enforcement agencies. Fifty two percent of the respondents noted that lack of funds to acquire updated equipment was a major challenge facing police officers in their effort to adopt new technology. The study presented a contextual gap as it focused on Kenya police officers while our study will focus on crime reduction initiatives on maintenance of law and order.



Davidi (2015), conducted a study aimed at finding out the state of copyright law implementation in libraries in Kenya with specific reference to reproduction of informational materials. The study aimed at specifically establishing the rules, regulations and procedures of reproduction of informational materials used in the libraries. The survey also aimed at finding out the level of copyright law awareness by the library staff and library users and the methods used in creating the awareness. The other objective of the survey was to establish the views of librarians and publishers on Copyright Law in Kenya and its application in libraries. The study revealed that the rules, regulations and procedures of copying in libraries are not, clear. It was also found out that the copyright law is inadequate and does not meet the needs of the libraries. The copyright law awareness among the library users and library staff was found to be low. The study presented a methodological gap as it was a survey while our study will utilize desktop review approach.

## **METHODOLOGY**

The study adopted a desktop literature review method (desk study). This involved an in-depth review of studies related to crime reduction initiatives on maintenance of law and order. Three sorting stages were implemented on the subject under study in order to determine the viability of the subject for research. This is the first stage that comprised the initial identification of all articles that were based on crime reduction initiatives on maintenance of law and order. The search was done generally by searching the articles in the article title, abstract, keywords. A second search involved fully available publications on the subject on crime reduction initiatives on maintenance of law and order. The third step involved the selection of fully accessible publications. Reduction of the literature to only fully accessible publications yielded specificity and allowed the researcher to focus on the articles that related to crime reduction initiatives on maintenance of law and order which was split into top key words. After an in- depth search into the top key words (crime, reduction initiatives, maintenance, law, order), the researcher arrived at 5 articles that were suitable for analysis. This were findings from:

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## **SUMMARY, CONCLUSION AND RECOMMENDATIONS**

### **Conclusion**

The study concluded that on crime reduction initiatives, the government does not provide opportunities for the members of the public to report crime, and does not encourage public participation on matters affecting the public. The county government also does not support formation of social groups for purposes of promoting social values and is not involved in reconciliation of conflicting communities.

### **Recommendations**

This study recommended that the government should focus on management of public transport and give the youth support in the sporting activities. It should also focus on campaigning against drug abuse, alcoholism and publicizing the sports calendar. The government should put measures in place to reduce the number of reported crimes and resolve social issues quickly to avoid conflicts in the county. The existing laws need amendment to be supportive enough for the county government on maintaining law and order. The national government should also provide more supportive role in ensuring the county governments succeed in their mandate of maintaining law and order.

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