

Political Disenfranchisement of Street Persons in Kenya-A 'Hidden' Vote Rich Constituency: The Case Study of Isiolo Township

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Abstract

Street persons in Kenya constitute an entire constituency of over three hundred and fifty thousand persons. This constituency even has the potential of providing one of the swing votes in future elections. However, street persons constitute one of the most neglected and vulnerable socio-political and economic groups outside the traditional understanding of minorities. For instance, they are politically disfranchised; their participation in the electoral process is negligible. In this way, they are denied their basic human rights. This paper is based on the findings of the ethnographic linguistics research carried out among street persons in Isiolo Township, Kenya between September and December 2012. The paper makes linguistic research applicable and relevant to the real-world issue of political disenfranchisement. Non-probability purposive homogenous sampling was used to identify twelve respondents among the five hundred to seven hundred street persons in the township. The researchers reached the twelve through the snowball method. Data collecting was done by audio-recording naturally occurring speech among street persons. The paper provides a background to the disfranchisement of street persons in Kenya; determines how and why they are disfranchised; interrogates the effects of disfranchisement and suggests how street persons in Kenya could be politically empowered. The question of power, ideology and identity of the street person constitute the scholarly thrust. The study is cast within the theoretical framework of Ruth Wodak's Discourse-Historical Approach as well as the Pollyanna Principle by Geoffrey Leech.

Keywords: Disenfranchisement, identity, ideology, power, street persons.

Introduction

The paper is part of a larger study that was carried out in Isiolo Township between September and December 2012. It is an ethnographic study that looks at street persons in Isiolo Township in Kenya with regard to political disenfranchisement. Angouri (2010: 40) observes that there is need to make linguistic research applicable and relevant to real-world issues; issues of political disenfranchisement are some of the social issues in the real world that become researchable through linguistic engagements.

Twelve street persons representing street person in Kenya and specifically street persons, particularly in Isiolo Township were selected for the study. The study used Wodak's Discourse-Historical Approach (Reisigl & Wodak, 2001) and the Pollyanna Principle by Leech (1983). The Pollyanna Principle has further been expounded on by Thomas (1995). Wodak and Meyer (2001) elucidates that according to Discourse-Historical Approach, each speech event, as is the case with the utterances of the respondents in the study, has a historical, ideological, as well as a power dimension. Yieke (2003: 10) concurs with this, with regards to power by observing that 'Power variables are inherently present in any form of discourse...'. History, ideology and power are core components of world politics. Thomas (1995: 181) points out that the Pollyanna Principle is one of the politeness principles and is premised on felicitous optimism.

The Pollyanna Principle has two levels. There is the 'genuine' and the merely surface-level observation of it. Overtly, the street persons are polite when soliciting offers. Sometimes they are too polite, even docile as will be discussed later. Most probably, this is why other members of the society might feel they could be polite, or even docile and

inadequately enlightened in other fields such as politics where their political inclinations and interests could be taken for granted without them grumbling. In some cases, their political naivety may not be 'genuine'. This will be illustrated shortly.

There is little political expediency when the political constituency of street persons is taken for granted, bearing in mind that potentially, it is over three-hundred thousand strong. Further, one cardinal pillar of democracy is that each 'political voice' is important. This is at the core of the fundamental democratic principle of 'The majority has its way but the minority, and I hereby add, and even the marginalized, should have their say'. Politicians and policy makers of democratic processes would not take street persons for granted if they appreciated how vote-rich this constituency was.

Methodology

The main method of data collection was the audio-recording of naturally occurring speech (Angouri, 2010: 36) among street persons. Baxter (2010: 119) rates 'the accounts drawn from recordings of informal, spoken interviews between researchers and respondents' as the most common sources of data in discourse studies. The researchers, at the beginning of the four-month ethnographic study, used social network to identify the most suitable gate-keeper. This was a person meant to link the researchers with the street persons. He also doubled as the researchers' guide and guard. The gate-keeper was a middle-aged man who had once lived as a street person. However, he was now married and had children; his family lived with his parents. Street persons respected him. In fact, unlike many of them, he had even rented a house near an estate called *Kambi ya Mbuji* for which he paid a monthly rent of three-hundred shillings. His pseudonym is MMA₁.

The researchers introduced the micro-recorder to the gate-keeper at the outset. Every time the gate-keeper introduced a 'new' street person, the researchers entrusted the gate-keeper with it. None of the street persons attempted to steal or tamper with this device. This would be a surprise to most members of the society who perceive street persons to be dishonest. This was indicative of the general honesty of street persons. Street persons are regarded as dishonest people by a majority of people in the society. Soon the street persons were familiar with the device and the presence of the researcher. Rapport was therefore created between the respondent and the researcher. The use of audio-recording of naturally occurring speech, which Baxter (2010: 161) refers to as the 'dead social scientist test', therefore proved quite effective. Street persons are vulnerable. Consequently, the researcher was determined to use the least time possible audio-recording their naturally occurring speech. This ensured that few passers-by were distracted by the audio-recording which would have drawn their attention to the street person.

The main source of data related to political disenfranchisement was occasioned by the interruption of an ethnographic interview between MSS and the researcher. The nature and circumstances surrounding this interruption will be explained further below. MSS is the pseudonym for a street person who lived in the street with his wife FSS. FSS was a street person, too. Pseudonyms were used in accordance with the principle of anonymity and confidentiality. The one who interrupted the interview was drunk. His pseudonym is DG. The case of this interruption illustrates how in discourse research any data, even from incidental sources, is of immense value.

The Concept of Political Disenfranchisement

Changing a political culture is not an easy thing to do (Baston & Ritchie, 2004: 14). In Kenya, traditionally, the participation of street persons in the electoral process has been negligible. Mortimore and Gill (2004: 7) observes that much research over recent years has tried to explore people's underlying attitudes to participation in the electoral process and to

see how this fits into their wider views of politics. Contrary to the general opinion, street persons in Kenya are not apolitical, their involvement in politics, to some extent, would shape the politics of the day. Haynes (2001: xiv) explains that, in the world, next to the question of how to obtain democracy, the most heated controversies are addressed to the problems and prospects of defending, maturing and expanding democracies. In light of this statement, there should be deliberate effort to politically empower street persons in Kenya. Haynes (2001: xiv) adds that the world, especially the Third World, now faces the 'third wave' of democratisation. Efforts to defend, mature and expand democracies provide the pillars of this wave. The Third Wave of Democracy started in Southern Europe in the mid-1970s, before spreading in the 1980s to Latin America, Eastern Europe, Asia and Africa. Both internal and external factors are responsible for the fledgling Third World democracies.

Democratisation in the Third World has produced a large number of electoral 'democracies' (Haynes 2001: 4). Haynes (2001: 6) explains that there is a tripartite democratic typology in the Third World, namely, the minimalist 'façade', a pseudo democracy; the electoral; the maximalist full democracy which is liberal. Kenya exemplifies the electoral democracy. The wave has the accompanying paradox that democratisation does not necessarily imply democracy. The case of the street persons in Isiolo Township proves this. They live in a democratic society but their involvement in democracy is negligible. Example 2 below illustrates this.

A major feature of these regimes is the deprivation of citizenry basic rights. Baston and Ritchie (2004: 26) points out that voter turnout is particularly low among members of certain minority groups. Street persons constitute a minority group. Hamilton-Smith and Vogel (2015: 407) assert that 'No class of men can, without insulting their own nature, be content with any deprivation of their rights'. Baston and Ritchie (2004: 37) observes that once a social group has become identified as prone to abstention in a voluntary system, a vicious circle can set in which is extremely difficult to break.

In Kenya, one class of people deprived of their basic rights comprises the street persons. These are very vulnerable people, as pointed out earlier. One category of the rights they are denied is that related to voting as example 2 below indicates. This disfranchisement contributes to low voter turnout. Baston and Ritchie (2004:12) explain that there are three possible reasons for this trend. These are: the society has been changing, politics has been changing; politicians communicate and relate to the electorate differently. Baston and Ritchie (2004: 37) points out that voting is an act of self-expression but it also has a collective dimension in that it is a public act of civic responsibility and participation. In Isiolo Township, much rigorous civic education among street persons would increase their participation in the electoral process. This would enable them to express themselves politically. However, at the moment, they are not much politically engaged.

The little political engagement amounts to disfranchisement. Manza and Uggen (2004: 495) observe that the full extent of the disfranchised population has significantly been understated. The understatement is partly because the de facto disfranchised population is larger than estimated. The case is different with the de jure disfranchised population since there are records to attest to the exact number of the disfranchised citizens. In most states of the United States of America, for instance, those convicted of felony constitute what Manza and Uggen (2004: 491) refers to the de jure disfranchised population. Apart from the concepts of the de facto and de jure populations, there is also the question of 'invisible punishments' occasioned by disfranchisement. Officially, the human rights of the de facto disfranchised populations are not violated bearing in mind that officialdom is unaware of such violations. However, in the actual sense, it involves violation of the constitutional right to participate in the election process. This is a form of punishment. Besides the issue of

‘invisible punishment’, we also have direct and indirect disfranchisement. Street persons in Isiolo Township are subjected to indirect disfranchisement.

Apart from the terms in the field of political disenfranchisement referred to above, one comes across the term ‘disengagement’. Uberoi (2016: 5) explains that there is a difference between disfranchisement and disengagement. People who are disfranchised are not allowed to vote but can participate in other forms of political engagements. Political disfranchisement is the revocation of the right of suffrage of a person or group of people, or through practices, prevention of a person exercising the right to vote. People who are disengaged do not participate in the forms of political engagements that are available to them whether these include voting or not. In this paper, both terms are used interchangeably. Hamilton-Smith and Vogel (2015: 416) assert that disfranchisement reduces the basis of representation. Baston and Ritchie (2004: 1) concur with this by asserting that political disengagement is a consequence of the political culture of a people. There is also the nature of their political institutions. The right to vote is an especially powerful symbol of inclusion. Few street persons eligible to vote have national identification cards. Possession of national identification cards and registration as voters are prerequisites for engagement in the process of elections in Kenya. For this reason, according to example 2 below, they are excluded from the process of voting. Political theorists have widely asserted the importance of the right to vote as a certificate of social standing and as a basis for dignity and self-confidence. Political participation is at the core of the fundamental rights of citizenship (Manza & Uggen, 2004: 491-2).

Hamilton-Smith and Vogel (2015:408-9) discuss the origins of disfranchisement. These origins are historic, dating to ancient Greece where a similar practice existed which was called ‘atimia’ which meant ‘dishonour’. Those subjected to ‘atimia’ were unable to participate meaningfully in public life. It served as the basis for medieval European practices of outlawry and civil death. Civil death was like ‘atimia’ in that individuals affected by it were stripped of their civil rights. Medieval Germany practised a similar phenomenon, known as outlawry where the offender would either be forced into exile or would be forced to live as an animal in the forests. They would lose all the benefits and protections that society could offer.

Uberoi (2016: 8-12) describes indicators of political disfranchisement in the contemporary political world. The most notable among these indicators is their attitude towards politics. People who do not believe their votes make a difference may be less likely to vote. In Kenya, street persons rarely vote. This will be seen in example two further down.

Disfranchisement of Street Persons in Kenya

In Kenya, street persons have been marginalised, even politically, despite their constituency comprising more than three hundred thousand potential voters. Yet, they are not lesser human beings. This is against the first article of the 1948 Declaration of Human Rights (Rogers 1990: 60) which states that ‘all human beings are born free and equal in dignity and rights’. Hamilton-Smith and Vogel (2015: 414) observes that many individuals who are subjected to disfranchisement laws speak of disfranchisement as a symbol that they do not belong and that they are outsiders in their own community. Since street persons are socio-historical beings, there are specific historical reasons why they feel, reason, desire and imagine as they do with regard to voting. Voting in itself is a form of discourse. Venugopal (2016) asserts that ‘The act of voting is a form of freedom of expression’. However, it should be appreciated that even this discourse by street persons is structured by dominance (Menz & Al’Roubaie, 2008) bearing in mind that ‘power variables are inherently present in any form of discourse (Yieke, 2003: 10).

This discourse of the street persons and the dominance which structure it, produce the ideology of street persons (Blommaert, 2005: 158). Cameron (2001) observes that the choices, even political ones, made by street persons, are ideologically patterned. Street persons feel 'excluded from the mainstream political society. As far as they are concerned, 'their world' is a no-gone zone. Their exclusion from political engagements, especially those meant to benefit them, proves this. Sometimes they get wind of 'irrelevant' political statements. For instance, according to the press, in some budgets, millions of shillings were allocated to them; and some of the street persons were facilitated to visit Parliament. Street persons feel exploited politically. Blommaert (2005: 33, 39) explains 'Discourse analysis should result in heightened awareness of hidden power dimensions'.

In Kenya, street persons are disfranchised directly and indirectly. They, in this way, become non-voter voters. They are eligible voters who do not vote since they cannot vote. For one to vote, the national identity card, as pointed out above, is a prerequisite. Few have the national identity cards. This means that they are ineligible to register as voters. Baston and Ritchie (2004: 35) observes that for someone who does not like the idea of voting, evading registration in the first place is the most effective way of getting out of voting. This would imply that unless street persons are motivated to register as voters, evading voting would be a first option. The society has the obligation to ensure as many of its members as possible, actively participate in democratic processes. May be the participation of street persons in these processes would have been guaranteed were the citizenry coerced to take active part in democracy. The adoption of compulsory voting could also be experimented upon. Baston and Ritchie (2004: 34-5) argues that coaxing people into voting is controversial. On one hand, it offers the salvation of our democracy and also it is the debasement of democracy and an affront to civil liberties. Compulsory voting is a consistent feature of the political system of two relatively large stable democracies: Australia and Belgium. It is difficult to enforce compulsory voting since voters can return blank ballots courtesy of secret ballot. However, compulsory voting is the equivalent of an oath of allegiance to a democratic society. The risk of compulsory voting is that it could inject further poison into the relationship between people and politics. People forced to vote would consider this as an affront to their other basic rights such as the freedom of association.

Direct Disenfranchisement of Street Persons in Kenya

In direct disenfranchisement, democratic processes such as voting are made physically inaccessible to street persons. Direct disenfranchisement has to do with the 'hardware of democracy' such as access to polling stations and voter registration centres. We will see in example one how the society shuns street persons and regards them as vermin to keep safe distances from. Apparently, there is a consensus that the society should only come into contact with them if and when the society is to benefit it. In 1994, in preparation for a major African Development Bank meeting that was to be held in Nairobi, more than fifty thousand street children from Nairobi alone, were forcefully assembled at St. Andrews Church. This church premise is out of bounds to street persons, ordinarily. This makes most street persons feel alienated. On the other hand, members of the society find it inconveniencing to visit streets occupied by street persons. Apparently, the world of street persons is a 'no go' zone, a 'leprous territory'. This explains why street persons display a siege mentality as illustrated in example one below.

Example 1

VT: Donors regard them as criminals yet they are as human as any other person.

RS: You mean they recommended that street persons should be cleared from all streets. And that they should then be arrested.

The society still maintains the 'Them-and-us' mentality. The society contributes much towards the stigmatisation of street persons which is at the core of the constitution of 'we' by street persons. The society expects the street persons to maintain their social distance. The stigmatisation, according to VT, makes the street persons feel they are a rejected constituency. MSS concurs with VT. Ideologically, street persons are 'faceless'; they have no face politically. Few have national identity cards which is a prerequisite for enfranchisement. The experience of MSS attests to this as indicated in the following example.

Example 2

DG: By the way, are you a registered voter?

MSS: I am not a registered voter.

RS: But why are you not a registered voter?

MSS: They're yet to register me as a voter...

DG: But these are street persons...

RS: When'll you register? Shouldn't you be registered? May I ask a question...Aren't street persons eligible to register as voters?

DG: You mean you can't register as a voter?

MSS: I can.

RS: Are you registered as a voter?

MSS: They're yet to issue me a national identity card...

DG: You mean you don't have an identity card?

MSS: I don't...

RS: (addressing DG) Please, allow him to tell me...How old are you?

MSS: I'll soon be thirty- one...I was born in 1978...

The analysis of electioneering in other political jurisdictions would enhance our appreciation of the plight of street persons in Kenya. The electoral system in India poses a challenge to that of Kenya. In India, in spite of the apparent political ignorance and illiteracy of the large mass of the Indian people, the assembly has adopted the principle of adult franchise with an abundant faith in the common man and the ultimate success of democratic rule (Venugopal, 2016). In Kenya, the street person is a prototype of the common man. They are at best mere spectators in the political arena. Secondly, the ultimate success of the democratic rule is a remote priority. Baston and Ritchie (2004) assert that politics is too closed and obscure for most people. As Mortimore and Gill (2004:12) points out, the major problem is not just one of voter turnouts but actually one of faith in politics. There is need to appreciate that 'the electorate is not stupid' (Baston & Ritchie, 2004:13). It is unexpected that street persons should have faith in politics when they are disfranchised for lack of national identity cards. MSS is such a street person. He is politically 'alive' in that he is, to a great extent, well versed with the political landscape of Isiolo County. This is illustrated by Example three below:

Example 3

DG: Who's your favourite gubernatorial candidate? Kuti or Barre?

(All laugh)

MSS: The ADM candidate's my choice...

DG: Who's that? ODM? Which's the ADM Party...URP?

MSS: Joseph's URP...

RS: May I ask you a question...

DG: Ruto's party...Doyo's the gubernatorial candidate, isn't he? What of the Senatorial candidate? Is it not Kuti?

MSS: Yeah!

DG: You see... Isiolo Township is cosmopolitan.

RS: Very true.

DG: According to the negotiated democracy...

RS: eeh!

DG: The private candidate will be ...I don't know...According to the negotiated democracy, Kuti'll be the Senator...Godaya Doyo the Governor; Dr Samba'll be MP Isiolo North...

RS: That's right...

DG: There're very many candidates...There's Samar...the Turkana candidate running on a URP ticket...Isn't it true?

MSS: Very true.

Indirect Disfranchisement of Street Persons in Kenya

Indirect disenfranchisement relates to the inability to exercise democratic rights as a result of such logistical factors as lacking the national identity card. This would amount to the 'software of democracy'. The concept of disfranchisement illustrates a paradox. While street persons are disfranchised for being 'beggars', the 'begging mentality' disfranchises many non-street persons. What with the culture of hand-outs embraced by the majority of electorates? The leaders 'beg' for votes; the majority of the electorates 'beg' for hand-outs; street persons solicit offers from this electorate. Apparently, it is a vicious cycle of 'begging'. It seems we are all beggars. Despite being birds of the same feathers with regard to 'begging', donors despise street persons. Donors show street persons that they do not belong to the society; the street persons react by staying away from the so-said 'society'. The 'Them and Us' ideology is mainly responsible for this. The 2012 Isiolo County Vision 2030 Mid-Term Assessment Plan Meeting held at the Agricultural Centre where the researcher was in attendance confirmed this. None of the street persons was invited. Example four below further illustrates this.

Example 4

VT: Even street families need empathy...recognition...acceptance... yet donors are unwilling to give these to them. Donors sideline them in matters related to the society.

VT: They can tell donors do not regard them as normal people. Consequently, they prefer secluding themselves and moving away from 'the society'. Many street families live within the sewage plants.

Apparently, street persons have little motivation to vote. In Isiolo Township, the dumping site adjacent Wabera Primary School is the largest 'base' for street persons. A base refers to an area within the town that street persons prefer spending time and carrying out their activities. MSS and his wife FSS use this as their base. Independent Electoral and Boundaries Commission (2013) indicate that Wabera Primary school was one of the polling stations in

Isiolo County in the 2013 general elections. There were two constituencies in Isiolo County namely, Isiolo South and Isiolo North. They had fifty-four thousand, four hundred and sixty-two registered voters. Isiolo North had forty thousand and thirty-nine registered voters. Isiolo South had fourteen thousand four hundred and twenty-three registered voters. Wabera Primary School is in Wabera Ward in Isiolo North Constituency. There were two thousand five hundred and ninety registered voters. It was the largest polling station in the county. It would have been expected that street persons 'living' next to the polling station be both registered voters and actual voters. This was not the case for MSS nor his wife FSS. There should have been deliberate effort to motivate them. The effort to mobilise street persons legible to vote should be equal to that used to motivate residents in remote parts of Isiolo County as Chari Ward. The ward contains the smallest polling station. This is Tumtu (mobile polling station). It has eight registered voters only. Both sets of voters are human and citizens of Kenya. Furthermore, they are both 'nomads'. Neither the nomadic pastoralists nor the street persons have permanent homes.

Another factor that contributes to indirect disfranchisement among street persons is the hostility of the disciplined forces towards the street persons. The disciplined forces include the police. This fear among some street persons is almost phobic in some cases. This phobia could be referred to as 'polico-phobia'. Yet the same members of the disciplined forces are invaluable in the voting process. It is expecting too much of the street persons to freely interact with the police as they oversee democratic processes. This fear is a matter of ideology. Blommaert (2005:158) observes that ideology is 'Discourse and power: combine the two terms and we think of ideology'. Thonden (1997:2) explains that members of the disciplined forces have on many occasions harassed street persons during their 'round-up operations'. This means that this morbidity among street persons is justified to some extent. Example five illustrates the fear of members of the disciplined forces prevalent among street persons.

Example 5

RC: Why keep your distance from security agents?

MST: They can arrest you especially when you solicit offers from them. Most of these are police officers.

Thonden (1997: 2) observes that according to the child justice system in Kenya, vagrancy is a crime in Kenya. The law should not disfavour street persons. Such cases demean their political standing.

Conclusion and Recommendations

In Kenya, there are minority groups that are disfranchised. They include street persons. They are disfranchised directly and indirectly. Yet, they constitute a vote-rich constituency. Adult street persons should be motivated to register as voters. They should equally be motivated to actively participate in all other democratic processes. Much civic education among street persons would increase their participation in the electoral process. Another source of motivation would be appreciating that they are human beings with basic human needs and rights which should be upheld. Street persons need time to look for food. This is one of the 'pressing needs' of street persons. Further, they should be facilitated to actively take part in public participation fora. In the 2012 Vision 2030 Mid-Term Assessment Plan Meeting for Isiolo County held at the Agricultural Centre where the researcher was in attendance, none of the street persons was invited. Consequently, none attended the workshop.

Street persons, like other disfranchised minority groups, should be enfranchised. This could be done in two ways. To begin with, voting should be made easier. The process of

voting is expensive with regard to time. Street persons have more ‘pressing’ needs than registering and casting ballots. They need to be motivated to vote. This exercise is facilitated during ‘mass voter registration’. The same should be the case during the normal voter registration. Secondly, there could be incentive voting. An alternative to punishing non-voters, such as street persons, by being insensitive to their needs, is to reward these voters.

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