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# Terrorism as conflict in transition: a critical analysis of Counter Violent Extremism strategies in Kenya.

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Gichira, Stephen Gachoki  
*School of Humanities and Social Sciences*  
*Strathmore University*

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**TERRORISM AS CONFLICT IN TRANSITION: A CRITICAL  
ANALYSIS OF COUNTER VIOLENT EXTREMISM  
STRATEGIES IN KENYA**



**MASTER OF ARTS IN DIPLOMACY, INTELLIGENCE AND  
SECURITY**

**2020**


## Declaration

### Declaration

I declare that this work has not been previously submitted and approved for the award of a degree by this or any other University. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made in the thesis itself.

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Stephen Gachoki Gichira

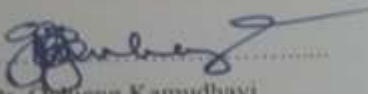
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### Approval

The thesis of Stephen Gachoki Gichira was reviewed and approved by:

Signature: .....



Dr. Ochieng Kamudhayi  
School of Humanities and Social Sciences,  
Strathmore University.

Date: .....

25.3.20

## Abstract

This thesis is informed by post 9/11 global security environment. It examines how Kenya has responded to terrorism threat from *Al-Shabaab* and the basis of its strategies. The study aimed at a critical analysis of Counter Violent Extremism (CVE) strategies in Kenya. The specific objectives were to discuss the philosophy of Global War on Terror, investigate terrorism as a conflict in transition, examine CVE in War on Terror, and explore responses to terrorism in Kenya. To achieve this objective, the study posed research question on basis of CVE strategies in Kenya, and whether they can succeed if mediated by use of force. The study reflects on a framework of analysis which framed Global War on Terror as the independent variable influencing national security strategies by states. Accordingly, the central assumption of the study is that contemporary national security strategies by states are informed by global WoT framework. Methodologically, the study collected primary and secondary data. Primary data was collected through personal interviews from respondents in the field of Counter Terrorism and CVE. Secondary data was collected through documentary analysis of literature on CVE in Kenya. Data collected was analyzed through narrative and content analysis. Analysis and interpretation of data collected established that CVE strategies in Kenya are facing challenges which are related to how they are captured from the premise of the global War on Terror framework. The study recommends that the philosophy of War on Terror in framing CVE strategies, is not applicable locally. It is shrouded with narratives that perceive the problem as an external rather than internal problem. CVE strategies in Kenya need to be homegrown, flexible and customized to local contexts to capture the transitional character of terrorism conflict with greater impact.



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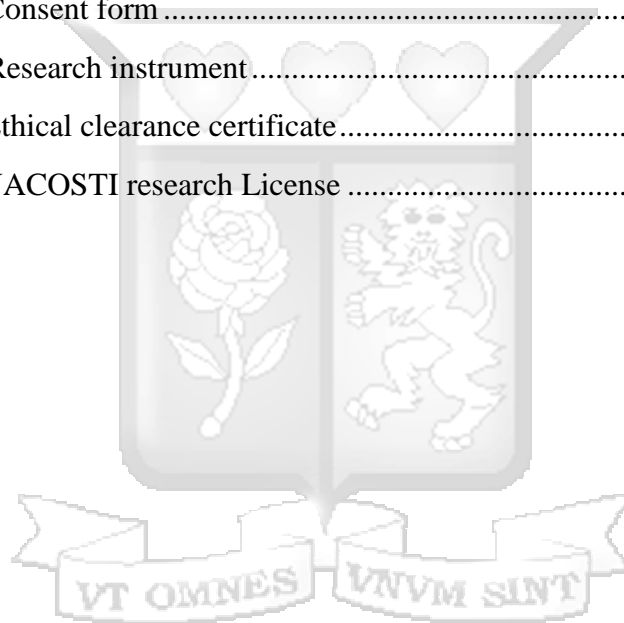
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## List of Abbreviations and acronyms

AFRICOM	-	United States Africa Command
AMISOM	-	African Union Mission in Somalia
CONTEST	-	Counter Terrorism Strategy
CT	-	Counter Terrorism
CVE	-	Counter Violent Extremism
EU	-	European Union
IGAD	-	Inter-Governmental Authority on Development
ISIL	-	Islamic State of Iraq and the Levant
ISIS	-	<i>Islamic State of Iraq and Syria</i>
KDF	-	Kenya Defence Forces
NCTC	-	National Counter Terrorism Centre
NPS	-	National Police Service
NSC	-	National Security Council
NSCVE	-	National Strategy to Counter Violent Extremism
OSCE	-	Organization for Security and Co-operation in Europe
PVE	-	Prevention of Violent Extremism
UNDP	-	United Nations Development Program
UNOSOM	-	United Nations Operation in Somalia
UNSC	-	United Nations Security Council
US	-	United States
WMD	-	Weapon of Mass Destruction
WoT	-	War on Terror

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Befitting also is that I thank the Government of Kenya for sponsoring my studies. Special thanks to all institutions and all those who cooperated or allowed themselves to be interviewed. Their contribution particularly in making me aware of current issues on CVE in Kenya proved to be very helpful when writing this thesis. To preserve anonymity, they cannot be named. Their support is invaluable.

Special thanks to my family and friends. They cheered me on from the beginning. Their patience with the process and pride in this accomplishment made all the difference. It was a team effort.

## Dedication

This work is dedicated to God Almighty. His grace was sufficient for me throughout the programme.



# CHAPTER ONE

## INTRODUCTION TO THE STUDY

### 1.1 Background to the study

Events of September 11, 2001 (9/11) in US heralded a turning point in global security environment. They prompted new understanding of security with emphasis on non-state actors and power diffusion.<sup>1</sup> In 1970s, scholars in conflict studies had challenged classical Realist thought that considered domestic politics as distinct from international politics.<sup>2</sup> It was evident that distinction between domestic conflicts and international conflict had blurred. 9/11 underscored realities that violent extremism was borderless and groups like *Al-Qaeda* were rapidly transforming with globalized, regionalized and localized networks/franchises to pursue their causes.<sup>3</sup>

In response to these attacks, US declared and began global War on Terror (WoT), characterized by use of force. This approach used military power and strategies like coercive diplomacy and sanctions.<sup>4</sup> US rallied states to join in this war; it is either 'you are with us or against us'.<sup>5</sup> However, as WoT continued, terrorist groups held ground. This was further compounded by emergence of homegrown, lone wolves and foreign fighters travelling to theatres of war like Iraq, Syria and Somalia. It was realized that use of force was reactive, causing anger, frustration and radicalization. The military approach was considered counterproductive since it could not win hearts and minds, which was key in WoT. To address these shortcomings, focus shifted to proactive measures that sought to address underlying factors, prevent violent extremism and promote resilience in the societies. These later Counter Violent Extremism (CVE) measures focused on use of soft power approaches and entail co-opting people rather than coercing them.<sup>6</sup>

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<sup>1</sup> Richards, Julian. *The Art and Science of Intelligence Analysis*.: Oxford: Oxford University Press. 2010

<sup>2</sup> Keohane, Robert O., and Joseph S. Nye. *Transnational Relations and World Politics*. (Cambridge, Mass: Harvard University Press.1972)

<sup>3</sup> Hoffman Bruce. "The Changing Face of Al-Qaeda and the Global War on Terrorism", *Studies in Conflict & Terrorism*, 27:6 (2004): pp.549-560,

<sup>4</sup> Coronado, J. P. Between Soft Power and a Hard Place: Dilemmas of the Bush Doctrine for Inter-American Relations. *Journal of Developing Societies*, 21(3-4), (2005): pp.321-335.

<sup>5</sup> See transcript of President Bush's Address to a Joint Session of Congress on Thursday Night, September 20, 2001," *CNN*, 21 September 2001.

<sup>6</sup> Nye Jr., J. S. "Public Diplomacy and Soft Power". *The Annals of the American Academy of Political and Social Science*, 616(1), 2008: 94-109.

Like other states, Kenya first responded to terrorism through the military means. For instance, Kenya Defence Forces (KDF) made incursion into Somalia in 2011. Its aim was to uproot the enemy from the source once and for all.<sup>7</sup> The enemy as perceived to from external. *Al-Shabaab*, being a non-state actor could not respond to the military means to achieve their aims. The group strategically retreated to the drawing board and re-examined its survival options and strategy. This retreat gave birth to strategic shift in its strategy for Kenya, by introducing radicalization and recruitment of Kenyan youth. The enemy ‘without’ metamorphosed into an enemy ‘within’.

These dynamics made Kenya to re-calibrate its responses to CVE, particularly to deal with the homegrown threat. The CVE strategy was thus incorporated alongside military strategies. It is that way since then. Adoption military-CVE duality-strategy in Kenya raises critical policy and empirical questions. Military and CVE strategies have conflicting ends. The latter seeks to win hearts and minds, but the former undermines this very praxis. Mediating CVE with a military strategy raises critical policy and empirical questions, particularly the proper criteria of validity of CVE strategies. There is little information to illuminate along these lines. This study sought to reach deeper insights into philosophy, context and rationale of CVE strategies in Kenya.

## **1.2 Statement of research problem**

Post 9/11 exemplifies a changed security environment with new kind of threats. There is profound dissonance about the identity and implications of these threats. Debates have raged about the strategic responses required, attendant institutions needed for these responses, and timelines for effective response. Whereas Cold War’s enemy was easy to identify, analyze and respond to, contemporary terrorism defies this frame. Terrorism presents an asymmetric, amorphous and borderless threat that is ever evolving. Despite this such realities, many states respond to terrorism through the cold war framework: through use of force. WoT is the dominant contemporary framework that has anchored national security policies of many states, especially in regard to terrorism threat.

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<sup>7</sup> Mwangi, Makumi. *The War on Terror, Somalia and AMISOM Revisited*, In Mwangi, Makumi. *The Three Anthems and Other Essays* (Nairobi: Three Legs Consortium) 2018. Chap 25.

As currently framed and conceptualized, WoT does not take cognizance of evolving, asymmetric, amorphous and borderless character of the threat confronting states. It is still fixated with rigid state-centric lens. Whereas the enemy is asymmetric, WoT is still caged in symmetric realms. If the war is fought like asymmetrical one, it will have serious implications on national security. First, it is defectively framed as a war. This 'war' seems not to be bound by peacetime-wartime frames; it runs in perpetuity.<sup>8</sup> Wartime has become the only kind of time states have. This raises questions of feasibility of this war, ethic and citizenry support. Nine years since Kenya made a military incursion into Somalia, the war has no end in sight. A war with no end for Kenya is by no means sustainable; economically, social-politically, morally or otherwise.

A closer scrutiny of underlying conditions of this threat, nature, causes, contestations, and plausible responses point to structural and cultural dimensions.<sup>9</sup> The issues border on concerns of peace and conflict management. This begs the question why terrorism is not analyzed within frameworks of peace and conflict management. Terrorism epitomizes a struggle for a cause: a form of conflict. Given volatility of operating environment, terrorism is ever metamorphosing. It is a conflict in transition characterized by complex peculiarities, that makes it challenging to respond to. As the conflict goes on, actors involved are strategically changing their offensive and defensive tools and strategies.<sup>10</sup> Responding to a mutating conflict is a daunting task because of its changing character, actors involved and lack of necessary conditions for successful negotiations, most critical being a mutually hurting stalemate.<sup>11</sup>

Terrorism threat continues despite responses by states. It seems that responses have not captured the conflict at its moments. This study attributes this failure to state-centric and security analytical lenses to terrorism problem. The underlying conditions of terrorism conflict are structural. They can be examined through conflict management frameworks. The frameworks offer plausible avenues to address direct

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<sup>8</sup> Dudziak Mary L. *Wartime: An Idea, Its History, Its Consequences*. NY: Oxford University Press. 2013

<sup>9</sup> Navin A. Bapat. "The Escalation of Terrorism: Microlevel Violence and Interstate Conflict, *International Interactions*, 40:4 (2014), 568-578,

<sup>10</sup> Reidy, Ken. "Benevolent Radicalization: An Antidote to Terrorism." *Perspectives on Terrorism* 13, No. 4: (2019) 1-13.

<sup>11</sup> Marina Ottaway. "Mediation in a Transitional Conflict: Eritrea". *The Annals of the American Academy of Political and Social Science*. 518: [1991] 69-81.

violence like a terrorist attack and underlying structural issues in which it is embedded. Such an analyzing has profound implications on terrorism study, especially potential responses. This study proposes peace and conflict management frameworks to re-examine terrorism threat and attendant response strategies.

CVE is suggested as remedy the problem. It is conceptualized as the domain of soft approaches to influence others to obtain desired outcomes.<sup>12</sup> Conceptually, CVE focuses on addressing underlying root causes that drive violent extremism. It seeks to win the hearts and minds of targeted individuals. In Kenya, CVE strategies are shrouded with narratives that perceive the problem to be external rather than internal. The problem of homegrown radicalization is not properly conceived and appreciated. There is also a problem with availability of information on realities of local CVE contexts in Kenya. Even where such knowledge exists, policies and practices are not grounded on it. Equally, participation and engagement of other players like the public, civil society, private sector and academic is still a mirage. Appreciating on of local contexts in Kenya is necessary for appropriate CVE policies and practice.

This study looks beyond the comfortable platitudes of generalized descriptions of CVE strategies for its own sake. It problematizes CVE theory and practice in Kenya. There is need to establish what works and does not, and why. The study responds to the research questions whether CVE strategies can succeed if they are mediated by a military strategy. In other words, ascertain the proper criteria of validity for CVE strategies in Kenya. There is little information on interplay of CVE strategies in Kenya and the attendant dynamics. It is on this basis that the researcher sets out to reach a better understanding of CVE strategies in Kenya. Such insight is critical in appreciating the philosophy, context and rationale of CVE strategies in the country.

### **1.3 Research objectives**

The main objective of study was critical analysis of counter violent extremism strategies in Kenya. Specific objectives of study were to;

- a. Discuss the philosophy of Global War on Terror,
- b. Investigate terrorism as a conflict in transition,
- c. Examine Counter Violent Extremism in War on Terror,

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<sup>12</sup> Nye Jr., Public Diplomacy and Soft Power, pp.94-109

- d. Explore responses to terrorism in Kenya.

#### **1.4 Research assumptions**

This study argues that contemporary national security policies by states are informed by global War on Terror. The ensuing strategies derive from the same praxis. This study therefore hypothesizes that:

- a. Counter Terrorism approaches of global War on Terror have shaped Counter Terrorism Strategies by states,
- b. Counter/Preventing Violent Extremism approaches of global War on Terror have shaped CVE / PVE strategies by states.

#### **1.5 Scope, limitations and significance of the study**

##### **1.5.1 Scope of the study**

Fieldwork was conducted on diverse dates between 1<sup>st</sup> March 2020 and 20<sup>th</sup> March 2020, regarding CVE strategies in Kenya. This was informed by temporal constraints and objectives of the study. Geographically, the scope of the study entailed the entire area under the jurisdiction and boundaries of Kenyan territory. To achieve its objective, interviews were conducted Nairobi with senior government officials responsible for formulation and implementation of CVE strategies in Kenya, particularly within security agencies. Nairobi was chosen due to its convenience in meeting the identified target population of the study. Security agencies were chosen because they make crucial contribution in CVE processes in Kenya.

##### **1.5.2 Limitations of the study**

The study met a few challenges beyond its control. Some of these limitations include constraints in time and funds, and inability of some respondents to stick to interview timetable. To mitigate these constraints, the researcher endeavored to work within the work plan and budget to prudently work within the timelines and available budget resources. To address the challenges of inability of some respondents to stick to interview timetable, the researcher allowed for flexibility and rescheduling of interviews.

##### **1.5.3 Significance of the study**

The findings of this research study will inform CVE policy in Kenya. Specifically, the findings will be of significant interest to National Security Council (NSC), National Counter Terrorism Centre, Ministry of Defence, and Ministry of

Interior and Coordination of National Government Kenya among others in helping them understand issues revolving homegrown violent extremism threat and how to overcome it. This will enable them to formulate appropriate policies that match the changing security environment to address terrorism. Non-governmental organizations and private sector will also find this study useful in formulating grassroots development policies which addresses some of issues raised.

This study will also be of interest to law enforcement agencies. These include National Police Service, National Counter Terrorism Centre and Kenya Defence Forces among others. With a better understanding of violent extremism threat picture, they alongside other stakeholders in this sector, can determine the actions required, who needs to do what, and when, to effectively achieve the desired results. Stakeholders can assess their strengths and weaknesses to chart out path for improvement. This assessment helps to promote synergy, collaboration and increased focus on the issues identified thereby increasing effectiveness in countering violent extremism.

This study will also provide a benchmark to which other researchers can base their study on this subject. It will make contributions towards filling gaps in the availability of sustainable literature on CVE strategies in the country, and their interface with realities of security machinery. It will be a reference for future researchers on related topics. Certainly, this study will stimulate and provoke further studies and debates among the academicians and researchers working in the field of violent extremism and terrorist groups at large.

## **1.6 Literature review**

The review of literature is grouped under four main sub-headings namely; understanding terrorism, War on Terror, terrorism as a conflict in transition, and emergence of CVE in War on Terror.

### **1.6.1 Understanding terrorism**

A key theoretical lacuna in conceptualization of terrorism is difficulty in its definition. Terrorism is a contested concept. Its many definitions wrought with subjectivity. The phenomenon is not causally coherent or autonomous to be solely conceptualized as violence itself.<sup>13</sup> Terrorism is not all about a violent act.<sup>14</sup> It is

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<sup>13</sup> Jackson, Richard. "The Study of Terrorism after 11 September 2001: Problems, Challenges and Future Developments". *Political Studies Review*. 7 (2):2009: 171-184.

rather a phenomenon with cultural and political meanings. These connotations are symbolic and only understood with social agreement or a range of intersubjective practices.<sup>15</sup> What is common among definitions of terrorism is that it entails threat of or use of force and violence to achieve underlying ideology, political end or objective.

The other contestation is about who commits acts of terrorism. Two schools of thought emerge. The first one associates acts of terrorism to groups like *Al-Qaeda*, *Islamic State*, *Taliban*, *Al-Shabaab* and *Boko Haram*. This viewpoint mirrors classical realist thought that consider states to have monopoly on use of violence. It implies that use of violence by any non-state actor constitute acts of terrorism. There are also paradigms within this viewpoint. Some initial definitions of terrorism only applied the terrorism label to groups that were perceived to be anti-West.<sup>16</sup> Others have argued that rise of Osama bin Laden and *Al-Qaeda* network by extension can be traced from the support of US government for *mujahideen* fighters against the Soviet invasion of Afghanistan.<sup>17</sup> This means that pro-West groups were not branded as terrorists even when they commit similar acts. For instance, *mujahideen* fighters and groups who received support from US against the Soviet invasion in Afghanistan did not pass the threshold for terrorism.<sup>18</sup>

The other school of thought with scholars like Laqueur, argue that states also do commit terrorism, even more than groups and individuals.<sup>19</sup> Others felt that the coercive counter terrorism approach was prone to manipulation by governments. To circumvent these complications, some scholars choose to follow practice of states and international organizations in defining terrorism. They construe it as violence committed by non-state actors and prefer to use terms like repression for similar acts by states. This study will only delve into terrorism by non-state actors.

### **1.6.2 War on Terror**

The global WoT was precipitated by the events of 9/11.<sup>20</sup> To this end, the US mobilized and brought together ‘a coalition of willing’ to collectively invent a counter

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<sup>14</sup> Schmid, A. and Jongman, A. *Political Terrorism: A New Guide to Actors, Authors, Concepts, Databases, Theories and Literature*. Oxford: North Holland.1988

<sup>15</sup> Zulaika, J. and Douglass, W. *Terror and Taboo: The Follies, Fables, and Faces of Terrorism*. London: Routledge.1996

<sup>16</sup> Livingston, S.. *The Terrorism Spectacle*. Boulder CO: Westview Press.1994

<sup>17</sup> Chomsky, Naom. *The Iranian Threat: Who is the gravest danger to the world?* NY: 2015

<sup>18</sup> Chomsky, Naom. *9-11* New York: Seven stories. 2001

<sup>19</sup> Laqueur, W. *Terrorism*. London: Weidenfeld and Nicolson. 1977

<sup>20</sup> See transcript of President Bush's Address to a Joint Session of Congress on Thursday Night, September 20, 2001," *CNN*, 21 September 2001.

terrorism strategy. Literature on WoT is littered with contending scholarly debates. Firstly, the contestations begin right from the basis of 'declaration of the war' itself, which was said to be disrupting terrorist plots by deposing hostile regimes in Afghanistan and Iraq.<sup>21</sup> There are disagreements on significance and implication of naming this problem a 'war'.<sup>22</sup> Rosenau et al posit that WoT was an inevitable response to protect the state and its population.<sup>23</sup> This group of literature see terrorism as a testament of the realities of the changed security environment. It is viewed as a form of "new war" that symbolizes shift from interstate to intra state wars. This imply that following the attacks, the states had to take terrorism threat seriously and had an obligation to respond.

Other literature contends the purity of the declaration on WoT. This group of literature also has intra debates and paradigmatic viewpoints within them. It is argued that declaration on WoT was about other things other than terrorism. The purist realist lenses of interstate conflicts is criticized for its inaptness to capture realities of contemporary security environment.<sup>24</sup> Others argue that the 9/11 provided convenient justification for US to pursue much sought oil resources abroad.<sup>25</sup> There are also views that WoT is overrated and a mere continuation of cold war politics. It is argued that since first World War, US maintained a doctrine that postulated that defending Americans entailed engaging in wars abroad.<sup>26</sup> These perspectives see 9/11 as having provided a platform for another war.

The viewpoints on declaration of WoT leads to discursive debates on its success. The debatable issue is whether WoT suppressed threats posed by terrorist groups like *Al-Qaeda*. Some have argued that WoT characterized by aggressive counter terrorism policies after 9/11" disrupted and prevented further attacks by Al-

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<sup>21</sup> Matthew Levitt and Michael Jacobson, "The US Campaign to Squeeze Terrorists' Financing," *Journal of International Affairs* 62, no. 1 (2008); See also Fatma al Sayegh, "Post-9/11 Changes in the Gulf: The Case of the UAE," *Middle East Policy* 11, no. 2 (2004).

<sup>22</sup> Fierke, K. M. "The 'War on Terrorism': A Critical Perspective." *Irish Studies in International Affairs* 16 (2005): 51-64.

<sup>23</sup> Rosenau James N. and Ernst-Otto Czempiel. *Governance Without Government: Order and Change in World Politics*. Cambridge: Cambridge University Press. 2010

<sup>24</sup> Keohane Robert. O. and Joseph S. Nye, "Neorealism and Neoliberalism," *World Politics*, Vol.40 (1988) pp.235-251. See also F, Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1992)

<sup>25</sup> Bronson, Rachel. *Thicker Than Oil: America's Uneasy Partnership with Saudi Arabia* (New York: Oxford University Press, 2006);

<sup>26</sup> Eland, I.. "Protecting the Homeland: The Best Defense is to give No Offense", *Cato Policy Analysis*. No. 306 May 5, 1998.: 1-43

Qaeda.<sup>27</sup> Johnston and Sarbahi established that drone strikes by US in Pakistan undermined activities by radical groups.<sup>28</sup> The success of WoT is however contested by others who argue that it failed. Jenna et al discredited the aggressive military approach terming it counterproductive due to lack of legitimacy and impacts of its adverse kinetic actions.<sup>29</sup> The failures of US foreign policy on fight against terrorism is echoed by other scholars like Jeremy.<sup>30</sup> Central argument is that WoT ignored underlying dynamics of terrorism conflict. For instance, Thrall and Goepner established increase in deaths from terrorism in countries that US targeted for invasions or air strikes compared to those it did not.<sup>31</sup>

Others have taken middle ground with mixed results for WoT coercive activities. The discursive points is political successes by militants despite tactical humiliation.<sup>32</sup> There is short-term rise in terror attacks due to US air strikes and covert operations. The WoT is also criticized for ignoring underlying causes of terrorism conflict. This casts doubt on its utility in resolving the problem. It is against that background that focus shifted to CVE. The approach emphasizes on conditions that promote violent extremism. Its adoption is on the rise at global, regional and domestic levels. CVE is hailed as the “soft” side of counter terrorism strategies to address drivers of radicalization.

In 2011, KDF made a military incursion into Somalia in pursuit of *Al-Shabaab* terrorist group.<sup>33</sup> It was framed as war against *Al-Shabaab*. This interpretation derives from the global WoT framework. Terrorism and insurgency threats from *Al-Shabaab* were seen to threaten Kenya’s statehood. The problem was perceived to be from outside thus necessitated military response. The country previously suffered series of cross border terror attacks including kidnapping of foreign tourists by *Al-Shabaab*

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<sup>27</sup> Hal Brands and Peter Feaver, "The Case for Reassessing America's 43<sup>rd</sup> President," *Orbis* 62, no. 1 (2018): 83.

<sup>28</sup> Patrick B. Johnston and Anoop K. Sarbahi, "The Impact of Us Drone Strikes on Terrorism in Pakistan," *International Studies Quarterly* 60, no. 2 (2016).

<sup>29</sup> Jenna Jordan, Margaret E. Kosal, and Lawrence Rubin. "The Strategic Illogic of Counter terrorism Policy," *The Washington Quarterly* 39, no. 4 (2017)

<sup>30</sup> Jeremy Pressman. "Power without Influence: The Bush Administration's Foreign Policy Failure in the Middle East," *International Security* 33, no. 4. (2009)

<sup>31</sup> Trevor Thrall and Erik Goepner. "Step Back: Lessons for U.S. Foreign Policy from the Failed War on Terror," *Policy Analysis*. 2017 (*Cato Institute*).

<sup>32</sup> Daniel Byman. *A High Price: The Triumphs and Failures of Israeli Counter terrorism* (New York: Oxford University Press: 368. 2011

<sup>33</sup> Ndambo, M. D. Kenya’s intervention in Somalia: Adherence to International Humanitarian Law and its unintended Consequences, in Mwagiru Makumi and Morumbasi Kigen (eds). *Countering Violent Extremism in Kenya: Vol. 1 Strategic and Legal Issues*. Thirty-three Consortium Publication on International Security. 2018. Chap. 1 pp.8-33

militants. KDF's incursion into Somalia therefore aimed at uprooting the enemy who was perceived to be external from the source, once and for all.<sup>34</sup> Kenya cited 'just war' doctrine in international law.<sup>35</sup> Some of the justifications of just war includes declaration by a lawful authority and good intentions. Others are just cause, last resort, reasonable chance of success and that the means used would be in proportion to the end that the war seeks to achieve.

Kenya also cited article 51 of the United Nations Charter on a state's right to self-defense.<sup>36</sup> It provides that "nothing in the present charter shall impair the inherent right of an individual or collective self-defense if an armed attack occurs against a member of the United Nations". Kenya alluded to *Al-Shabaab's* cross-border attacks targeting KDF, tourists and aid workers. Military responses to *Al-Shabaab* threats terrorism by Kenya also engendered expansion of roles of the police and intelligence agencies. Legislation like Prevention of Terrorism Act 2012 and Security Laws (Amendment) Act of 2014 were enacted. These legislations have unclear definitions of terrorism. Expanded police powers allowed them to create lists of suspects and terrorist organizations without due process.<sup>37</sup>

The powers granted to law enforcement were arbitrarily used against the public and organizations.<sup>38</sup> Police were accused of extrajudicial killings of terror suspects.<sup>39</sup> Being a non-state actor, *Al-Shabaab* could not respond militarily to achieve their aims. The group had to strategically retreat to the drawing board to re-examine these emerging realities for an appropriate survival strategy. This retreat gave birth to strategic shift in its strategy for Kenya, by introducing radicalization and recruitment of Kenyan youth. The enemy 'without' metamorphosed into an enemy 'within'. These dynamics necessitated Kenya to re-calibrate its response strategies to violent extremism, particularly the homegrown threat. As a result, Kenya incorporated CVE strategy alongside its military strategies. It is that way since then.

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<sup>34</sup> Mwangi, The War on Terror, Somalia and AMISOM Revisited, In Mwangi, *The Three Anthems and Other Essays*, pp.136-158

<sup>35</sup> Von Elbe, Joachim. "The Evolution of the Concept of the Just War in International Law." *The American Journal of International Law* 33, no. 4 (1939): 665-88.

<sup>36</sup> Article 51 of Charter of United Nations.

<sup>37</sup> Freedom House. *Kenya's Antiterrorism Strategy Should Prioritize Human Rights, Rule of Law* Nairobi: Freedom Hs. (2018)

<sup>38</sup> Kenya National Commission on Human Rights. *The Error of Fighting Terror with Terror*. Nairobi: KNCHR. 2015

<sup>39</sup> Human Rights Watch. *Kenya: Killings, Disappearances by Anti-Terror Police*. Nairobi: HRW. 2014.

Just like the global WoT, Kenya's war against *Al-Shabaab* raises serious issues strategic and legal issues on response to terrorism and the large problem of violent extremism. Characteristically, conventional wars are short. Their success is seen in terms of success or defeat.<sup>40</sup> They come to an end when the enemy is defeated. However, Kenya's war against *Al-Shabaab* is now in its ninth year, with no end in sight. The war is a protracted conflict that could even span over generations. Ironically, Kenya's war against *Al-Shabaab* must also be sustained as long as the state of war exists. Like other states, Kenya does not have infinite resources. So, is it feasible for Kenya to fight a war without an end?

Historically, Kenya's vulnerability to terrorism was linked to close working relations with the West.<sup>41</sup> However, recent literature and trends point to a widespread homegrown radicalization and recruitment of Kenyan youth into terrorist activities. This literature review here finds that the terrain of violent extremism and terrorism threat in Kenya has, and is constantly evolving. The traditional coercive approaches to these threats do not fit in this environment characterized by logarithmic and unpredictable change. It is against this background that Kenya launched a National Strategy to Counter Violent Extremism in 2016. This tool mirrors the framework provided for in the United Nations Plan of Action on Preventing Violent Extremism.

### **1.6.3 Terrorism as conflict in transition**

There have been many attempts to understand conflict. Conventional analysis focuses on conflict profile, its history, actors, and their perspectives. It delves on structural, proximate causes and interactions of these elements.<sup>42</sup> Two groups of literature emerge in conflict analysis. The first group of literature views conflict as a short-term phenomenon. It can be resolved permanently through mediation or other intervention processes. This perspective pursues processes and outcomes that are mutually acceptable to parties involved and self-sustaining.<sup>43</sup> It ends in positive relationship between parties that were previously adversaries. Proceeding from this

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<sup>40</sup> See Jan Angstrom and Isabelle Duyvesteyn (Eds.) *Understanding Victory and Defeat in Contemporary War*. (London and New York: Routledge). 2007.

<sup>41</sup> Mazrui, Alamin, Kimani Njogu, and Paul Goldsmith. *Countering Violent Extremism in Kenya: Between the Rule of Law and the Quest for Security*. Nairobi: Twaweza Communications Ltd. 2018

<sup>42</sup> Conflict Sensitivity Consortium. *How to Guide to Conflict Sensitivity*. London: Conflict Sensitivity Consortium. 2012

<sup>43</sup> Mitchell Christopher Roger and Banks, M. *Handbook Conflict Resolution: The Analytical Problem-Solving Approach*. London: Pinter Pub Ltd. 1996

view, conflict resolution connotes finality: issues are resolved permanently. The parties involved are mutually satisfied with the outcomes.

Best argues that resource-based conflicts can be permanently resolved but value-based ones are not.<sup>44</sup> From this preoperative, non-resolvable conflicts can only be transformed or managed. This makes conflict resolution a protracted pursuit of necessary satisfiers to the parties involved. Rapoport's conceptualizes four waves of terrorism beginning with Anarchist 1880s, through Nationalist and Marxist waves in the early and mid-twentieth century, to the present Religious Wave.<sup>45</sup> Looking at terrorism as a resort to revolutionary violence provides a useful tool to categorize and analysis terrorist groups and their activities. This framework suggests that terrorism rises and falls. Groups naturally dissolve when they can no longer inspire others to continue with the struggle or violent resistance to authorities in pursuit of redress of their grievances.

This suggest that terrorism, terrorist groups and their motivations are reflected by conditions and changes in social and political contexts. However, this raises questions on the character of current social and political context of contemporary wave of terrorism. Critical issues that emerge are who defines this context, does it require unanimity, or can it be defined in a country-specific context like the current WoT, and what are its implications on WoT and its future. From this perspective, the strategies and tactics employed by terrorists in each of these waves' is should be mirrored in the strategies adopted by states in responding to these threats. Terrorism is a conflict in transition. As the conflict goes on, the actors involved are strategically changing their offensive and defensive tools and strategies.

Given the volatility of the operating environment, terrorism is ever metamorphosing with shifting of goals, actors and its terrains. Responding to a transforming conflict is daunting task due to the changing character of the conflict, actors involved and lack of necessary conditions for successful negotiations, most critical being a mutually hurting stalemate.<sup>46</sup> This conflict is asymmetric, amorphous, borderless and permeates regions, states and localized settings. Hesitation to draw on

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<sup>44</sup> Best, S.G. *Introduction to Peace and Conflict Studies in West Africa –A reader (Ed.)*. Ibadan: Spectrum Books Ltd. 2005.

<sup>45</sup> Rapoport, David C. *Terrorism: Critical Concepts in Political Science. Volume 4, Volume 4*. Abingdon: Routledge.2006

<sup>46</sup> Marina, *Mediation in a Transitional Conflict*, pp. 69-81

conflict frameworks deprives this domain the benefits of research in peacebuilding.<sup>47</sup> It leads to rejection of wider conflict management strategies like negotiation in terrorism analysis. Intellectualizing on how to navigate this landscape would make crucial contribution to expanding the spheres of our understanding of terrorism and the attendant response strategies.

#### **1.6.4 Emergence of CVE in War on Terror**

The change towards CVE as an approach to counter terrorism represents a paradigmatic shift. Paradigmatic model of production of scientific knowledge derives from the work of Kuhn.<sup>48</sup> He argued that in social sciences, it is possible for many paradigms to run parallel to another. When older paradigms fail to explain or solve certain issues, they are surpassed and scientists' defect to the new ascendant paradigms. For WoT, it was realized that military responses in WoT did not resolve underlying root causes of terrorism. New tools had to be sought to address the problem at hand. In essence, WoT had focused on coercive measures like military action, creation of new police units and expanding their powers as well as that of intelligence services. However, these developments did not stop incidences like Madrid train and London public transit bombings in 2004 and 2005 respectively.<sup>49</sup>

As WoT proceeded, there emerged "homegrown" terrorists, Jihadist networks and cells in the US.<sup>50</sup> These dynamics demonstrated that the terrorist threat and networks, which had earlier been perceived to only emanate only from the Middle East, had proliferated to even Western countries. It also demonstrated that it was important for whichever solution is preferred to address itself to the conditions that are giving rise to the phenomenon. Conceptually, CVE is contested and ill-defined. Research on the subject has traditionally been carried separately and disjointedly by practitioners, scholarly and non-state actors like civil society groups. As a result, research studies on this area are contextual, event-driven, reactionary and technically

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<sup>47</sup> Roger Mac Ginty. Look Who's Talking: Terrorism, Dialogue and Conflict Transformation, *Critical Studies on Terrorism*,6:1, (2013) 216-223,

<sup>48</sup> See Thomas Kuhn. *The Structure of Scientific Revolutions*. Chicago: University of Chicago Press.1962

<sup>49</sup> Harris-Hogan Shandon, Kate Barrelle and Andrew Zammit. "What is countering violent extremism? Exploring CVE policy and practice in Australia". *Behavioral Sciences of Terrorism and Political Aggression*, 8:1(2016), 6-24,

<sup>50</sup> See Schuurman, B., Harris-Hogan Shandon, Lentini, P., and Zammit, A. "Operation Pendennis: A case study of an Australian terrorist plot". *Perspectives on Terrorism*, 8(2014), 91-99.

oriented.<sup>51</sup> The varied conceptualizations have been exported to policy responses by states.

CVE is now emerging as a catch all phenomenon.<sup>52</sup> Literature on CVE is characterized by several limitations like disparities and range of research methodologies, minimal reliance on field research and primary data, focus on certain regions and countries and the domination of Western narratives. The factors have engendered inconsistencies and gaps in local CVE theory and practice. This has complicated efforts of coherently linking CVE with other programs.<sup>53</sup> They include development, poverty alleviation, governance, democratization and education. This relates to distinctions in the CVE policy spectrum.

Donor approaches are increasingly shifting to a perspective that sees security and stability as an investment.<sup>54</sup> This perspective informs thinking that CVE is tantamount to investing in poverty reduction and development. What this has led to in some cases and contexts is the diversion of funding and resources to fund CVE projects and programs.<sup>55</sup> This has given rise to a situation where mainstream development and peace-building interventions are increasingly facing a crunch. Civil-society actors have been forced to rebrand their proposals as CVE actions. This implies that CVE in terms of its emphasis on structural variables like poverty is easily being instrumentalized to draw away resources from other spheres. It is also a testament to the increasingly precarious erosion of civil-society neutrality and impartiality due to their probably inevitable entanglement in the CVE sphere.

There also arguments that the idea of use of soft approaches to counter conflict were mooted in 1980s in European Exit programs.<sup>56</sup> That it was used in Germany, Norway and Sweden to neutralize right wing radicalism. However, the current conceptualization of CVE was initially deployed by United Kingdom (UK) in 2003.

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<sup>51</sup> Ranstorp, M.. Introduction: Mapping Terrorism Research - Challenges and Priorities, In M. Ranstorp (Ed.), *Mapping Terrorism Research: State of the Art, Gaps and Future Direction*. UK: Routledge. 2006

<sup>52</sup> Heydemann, Steven. 'Countering Violent Extremism as a Field of Practice', *United States Institute of Peace Insights*, No. 1 (Spring 2014), pp. 1-5

<sup>53</sup> Neumann, Peter R. *Countering Violent Extremism and Radicalisation that lead to Terrorism: Ideas, Recommendations, and Good Practices from the OSCE Region*. London: International Centre for the Study of Radicalization. 2017

<sup>54</sup> United States Agency for International Development. *The Development Response to Violent Extremism and Insurgency: Putting Principles into Practice*. Washington, DC: USAID. 2011

<sup>55</sup> Kessels, Eecole and Nemr, Christina. "Countering Violent Extremism and Development Assistance: Identifying Synergies, Obstacles, and Opportunities", *Global Center on Cooperative Security*. UK. Pgs. 8 No. 12 (2016)

<sup>56</sup> Demant, F., Sloopman, M., Bujis, F. and Tilly, J. *Decline and Disengagement: An Analysis of Processes of Deradicalization*. Amsterdam: Institute for Migration and Ethnic Studies at the University of Amsterdam. 2008

In that year, the UK launched “CONTEST”. This was a counter terrorism strategy which focused on preventing population from becoming or supporting terrorists.<sup>57</sup> In 2004, European Union come up with several CVE-related initiatives like EU Declaration on Combating Terrorism and EU Plan of Action on Combating Terrorism. To consolidate these efforts, European Commission established Expert Group on Violent Radicalization in 2006.<sup>58</sup> However, these efforts were only addressed itself and was designed and limited in Europe.

There were also many divergences in the CVE approaches in countries where it was adopted. For instance, US used UK case study before gradually shifting its tools in counter terrorism efforts. However, military approach was never discarded. Vidino notes that the US was initially reluctant to adopt CVE approaches until 2009.<sup>59</sup> It launched its strategy in 2011 with focus on community collaborations.<sup>60</sup> Emphasis shifted to constructing solutions to the problem through measures that address root causes and underlying grievances. The value of definition of push and pull factors elicited debates from various quarters. One point of view argues that categorization of factors that drive VE as push and pull factors offers a plausible framework to analyze drivers of radicalization and VE.

The International Centre for Counter Terrorism (ICCT) describes push factors behind violent extremism as; reaction to experience of violence, anger based on experience of discrimination and injustice, socioeconomic marginalisation and political exclusion and frustrated aspiration. It has also listed pull factors as extremist ideology, peer-group, adventure, charismatic leadership and image of heroism. Others are expectation of success, opportunity to boost one’s image and promise of reward.<sup>61</sup> However, models characterizing push and pull factors are contended. Khalil and Zeuthen view them as simplistic and ambiguous. They suggest distinction of structural motivators from individual incentives and other enabling factors.<sup>62</sup>

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<sup>57</sup> HM Government. *Prevent Strategy*. London: The Stationary Office. 2011

<sup>58</sup> Coolsaet, R. “EU Counter Terrorism Strategy: Value added or chimera?”, *International Affairs*, 86(2010), 857–873.

<sup>59</sup> Vidino, Lorenzo. *Countering Radicalization in America: Lessons from Europe, United States*. Institute of Peace. (2010). Washington, DC: U.S. Institute of Peace, [2010]

<sup>60</sup> White House. *Empowering Local Partners to Prevent Violent Extremism in the United States*. Washington: Office of the President of the United States. 2011

<sup>61</sup> Schmid, A. P. and J. Tinnes. “Foreign (Terrorist) Fighters with IS: A European Perspective”, *The International Centre for Counter-Terrorism – The Hague* 6, no. 8 (2015).

<sup>62</sup> Khalil James and Zeuthen Martime. “Countering Violent Extremism and Risk Reduction: A Guide to Programme Design and Evaluation” *Royal United Services Institute for Defense and Security Studies* (2016), 6.

According to this model, ‘structural motivators’ refers to the conditions and environment surrounding VE, ‘individual incentives’ refers to the rewards and sense of purpose gained by participating in violence or violent extremism, and ‘enabling factors’ refers to catalyzing processes of radicalization, recruitment, or both, like mentors, charismatic leaders or online forums.

There are also debates on the conceptual differences between PVE versus CVE. The distinction refers to the distance from initial radicalization to participation in a VE act. Australia views PVE as being focused more on resilience-building measures and large-scale strategies to reduce ‘conditions conducive’ to violent extremism.<sup>63</sup> They locate CVE to interventions at a localized level that involve individuals further along the radicalization pathway. Many states have shifted focus to CVE, specifically counter-radicalization, de-radicalization and disengagement programmes. It responds to increasing threat of homegrown radicalization and violent extremism.<sup>64</sup> As a result, CVE has emerged as an idea to suppress terrorism.

In Kenya, the initial response to terrorism was use of force. This was latter seen as counterproductive because it triggered resentment which served to promote radicalization and terrorist recruitment by *Al-Shabaab* in the country. It necessitated calibration of response to mirror the changes in tactics and strategies by adopted by *Al-Shabaab*. CVE strategies in Kenya therefore emerged as a response to homegrown threat entrenched by *Al-Shabaab* terrorist group.<sup>65</sup> They reflect on the model provided by CVE approaches of the global WoT framework.<sup>66</sup> Like other states, CVE in Kenya refer to use of soft approaches to prevent and address radicalization.

One of the biggest security concerns for the country is radicalization and recruitment of Kenyan youths by *Al-Shabaab*. The threat became more intricate from the time KDF intervened in Somalia. The group has capitalized on large pool of disgruntled and unemployed Kenyan youth to not only wage war in Somalia against Kenya, but also waging internal war within the Kenyan territory. The enemy is now both “without” and within. CVE discourse in Kenya seeks to reduce the pool of

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<sup>63</sup> Lisa Sharland, Tim Grice, and Sara Zeiger. *Preventing and Countering Violent Extremism in Africa: The role of the mining sector*. Barton, ACT, Australia: Australian Strategic Policy Institute, 2017.

<sup>64</sup> Serdar San. “Counter-Terrorism Policing Innovations in Turkey: A Case Study of Turkish National Police CVE experiment”, *Policing and Society*, 2018

<sup>65</sup> Davis, John. *Terrorism in Africa: The Evolving front in the War on Terror*. Plymouth: Lexington Books. 2012

<sup>66</sup> Fathima Azmiya Badurdeen, and Paul Goldsmith., "Initiatives and Perceptions to Counter Violent Extremism in the Coastal Region of Kenya", *Journal for Deradicalization*. Fall (16): (2018): pp.70-102.

individuals whom terrorist groups radicalize and recruit. NSCVE was designed for this purpose.<sup>67</sup> However, problem of youth radicalization and recruitment remains a major security concern.<sup>68</sup>

Initially, terror attacks Kenya did not intentionally target Kenyans. The intended targets were Israel and US, even though majority of the casualties were Kenyans. However, with the homegrown threat, the dynamics changed fundamentally. However, the threat in Kenya has domestic, regional and transnational dimensions. This necessitates the state to use both military and CVE depending on the immediate operational environment. The central issue is that as *Al-Shabaab's* tactics and strategies changed, the strategies adopted by Kenya have not evolved at the same speed or correspondingly. Kenya seem to be reactive to the war rather than proactive. Terrorism, which is a form of violent extremism, is multidimensional and dynamic. The dynamism emerges from transnational networks that are formed and enhanced by technology. Mazrui et al argue that recruitment and radicalization into violent extremism is driven underlying structural issues.<sup>69</sup> These include marginalization, socio-economic inequalities and high levels of unemployment in the country.

CVE aims at countering or reversing adoption of radical ideologies and disengaging the already radicalized from participation in terrorist activity. It also takes cognizance that different stakeholders and approaches are needed to address the problem. The approach has incorporated use of community-based initiatives to build resilience and cohesion in the society. The shift in terminology from terrorism to CVE show that the problem as then formulated needed new approaches. Softer approaches were preferred to address the problem from its roots upwards rather than from top downwards. CVE policies and practices in Kenya seems to face challenges. Core to these problems is that the state has adopted reactionary strategies whereby when terrorists attack, a military strategy is applied; when it doesn't work, counter insurgency is brought on board; when these doesn't work, CVE is contemplated.<sup>70</sup>

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<sup>67</sup> National Strategy to Counter Violent Extremism

<sup>68</sup> Mwangi, Makumi. Countering violent extremism in Kenya: Legal and policy dimensions, In Mwangi, Makumi. and Morumbasi Kigen. *Countering Violent Extremism in Kenya: Strategic and Legal issues*. Vol 1 Thirty-Three Consortium on International Security.3. 2018. Intr.

<sup>69</sup> Mazrui, Kimani and Paul, *Countering Violent Extremism in Kenya*, pp.13-38

<sup>70</sup> Macharia, N., Rosalind. Strategic Implications of the shift from Counter Terrorism to Countering Violent Extremism and Counter Insurgency, In Mwangi Makumi and Morumbasi Kigen (eds). *Countering Violent Extremism in Kenya: Vol. 1 Strategic and Legal Issues*. Thirty-three Consortium Publication on International Security.2018. Chap 4. pp.70-91

Whereas Kenya is using both military and CVE strategies, there is little empirical data on the attendant dynamics. This includes questions about how one strategy affects the other. Whether this duality breeds complementarity, cannibalism or is a zero-sum game. CVE strategies in Kenya are shrouded with narratives that perceive the problem as an external rather than internal. Like other states facing terrorism threats, Kenya seem to have reluctantly espoused CVE policies while ‘on the run’.<sup>71</sup> There is a problem with availability of information on the basis and realities of local CVE contexts in Kenya. Even in contexts where such knowledge exists, the CVE policies and practices are not grounded on it. At the end, Kenya is confronted with a wave of unprecedented security challenges. Are counter violent extremism tools offered to policy makers working? A critical analysis of CVE strategies in Kenya is logical progression in search of solutions to the problem at hand.

#### **1.6.7 Gaps in literature**

Regardless of lack of unified definition, terrorism threat is ever evolving and threatening survival of states. Reviewed literature concedes that WoT is not eliminating or reducing terrorism. It is instead aggravating it. Despite these acknowledged consequences, states are still using WoT framework to counter the terrorism threat. This implies that the policies of states are not based on the realities they are confronting. Available literature is not illuminating on the reasons for this inconsistency. These dynamics have constrained states in terms policy and strategy responses in dealing with the problem. This study is informed by the identified inadequacies in rationale of the military approach to WoT, and/or pairing it with CVE strategies.

This research study finds that war against *Al Shabab*, as currently conceived, is not eradicating terrorism. Instead, it is aggravating the problem. There is problem with assumptions anchoring this war. These have been imported to responses to the problem thus inconsistencies. Violent extremism has a global, regional and localized dimensions. Its enablers are multiple, complex, and context specific. They also entwined with ideological, political, economic and historical dimensions. This defies traditional analysis prisms of understanding conflict. For such reasons, the problem remains loosely defined.

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<sup>71</sup> Mwangi Makumi. Countering Violent extremism in Kenya: Legal and policy dimensions, In Mwangi, Makumi. and Morumbasi, Kigen. (eds). *Countering Violent Extremism in Kenya: Strategic and Legal Issues*. Vol. 1. Thirty-three Consortium Publication on International Security. 2018 Intr.

Although literature concedes that terrorism is an asymmetric conflict, perceptions abound that it cannot be investigated using the lenses of conflict management, especially conflict in transition. It is dissociated from the study of conflict. This dissertation is designed to challenge this perception. Failure to reflect on terrorism as a conflict in transition portends serious strategic implications on national security policies and attendant strategies by states to tackle the problem, and on scholarship. This research proposal aims to provoke debates along these lines by contributing to theoretical tenets on how management of conflict in transition can inform discourses on CVE strategies. Such conceptions have profound implications on study of terrorism and its analysis.

The other gaps identified is that CVE strategies by states have emerged as ‘fit-all’. They are not based on varying circumstances of states. This cautions against reliance on generic CVE strategies which are not founded on sound philosophical and contextual basis. The questions on effectiveness of Kenya’s military-CVE duality strategy on the fight against terrorism is a critical one. There is need to look at the basis of Kenya’s CVE strategies in milieu of context-specific peculiarities of political, social and cultural dynamics, especially homegrown radicalization threat. This is key towards achieving effective and sustainable interventions. The evolving character of violent extremism calls for a clear understanding of threat interactions as the basis for formulating and implementing CVE strategies. This need to be the basis for policy and strategy on normative issues which need to be considered.

CVE in Kenya did not replace use of force. It was instead appended to it. Can CVE strategies co-exist with coercive approaches? What are the necessary conditions for CVE to succeed? This study sought to respond to these evidential gaps. It interrogates underlying criteria for validify of CVE strategies in Kenya. Insights along this line will not only illuminate on the philosophical standing of CVE strategies in Kenya but will also provoke debates on a more effective set of response and interventions to the current problem.

### **1.7 Conceptual framework**

A conceptual framework is described as a written or a visual tool that either narratively or graphically illustrates relationship between key variables.<sup>72</sup> It provides

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<sup>72</sup> Miles, Matthew B., A. M. Huberman, and Johnny Saldaña. *Qualitative Data Analysis: A Methods Sourcebook*. Thousand Oaks, California: Sage Publications, Inc., 2014

structure that best explains the natural progression of a phenomenon. The construction of relationships between key variables maps out what is known, and the actions required in the course of the study. A conceptual framework is used to arrive at study hypothesis or assumptions. In this study, the independent variable is global War on Terror (WoT) and its attributes. WoT has emerged as the dominant post-cold war framework for international and national security of states.

During the Cold War, state security organs like military, intelligence and the larger military-industrial complex in national security were geared towards warlike posture.<sup>73</sup> However, with collapse of USSR, states lost the cold war philosophy and theme as strategic basis for their national security.<sup>74</sup> 9/11 provided an opportunity for re-directing national security industry. WoT filled that strategic gap. Today, many states have calibrated their national security policies and strategies on basis of WoT framework. The initial attribute of WoT was Counter Terrorism (CT) approaches characterized by use of force (military). However, it faced a lot of criticism due to inability to address issues at the base of terrorism.<sup>75</sup> Adjustments were made to incorporate Counter violent Extremism (CVE) and Preventing Violent Extremism (PVE). The latter strategies use soft power approaches to co-opt people rather than coerce them.<sup>76</sup>

The dependent variable of this study, national security policy of states are influenced by WoT. As frameworks of security for the state and its citizens, national security policies reflect on both external and internal environments in which the state requires to survive.<sup>77</sup> Central to this study is national security policy as a source of national security strategies.<sup>78</sup> Strategies are designed to implement the policy.<sup>79</sup> In the context of this study, CT, CVE and PVE strategies are founded on national security policy. The policy itself is informed by global WoT and its attributes.

The independent and dependent variables of this study are mediated by an array of issues in the operating environment. They include unresolved

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<sup>73</sup> Wesley, Michael. Interpreting the Cold War, in *Power and International Relations: Essays in Honour of Coral Bell*, Ball Desmond and Lee Sheryn (eds), 79-92. ANU Press. 2014

<sup>74</sup> Eisenberg, Carolyn. "The New Cold War." *Diplomatic History* 29, no. 3 (2005): 423-27.

<sup>75</sup> See Daniel, *A High Price*

<sup>76</sup> Nye Jr. op.cit pp. 94-109

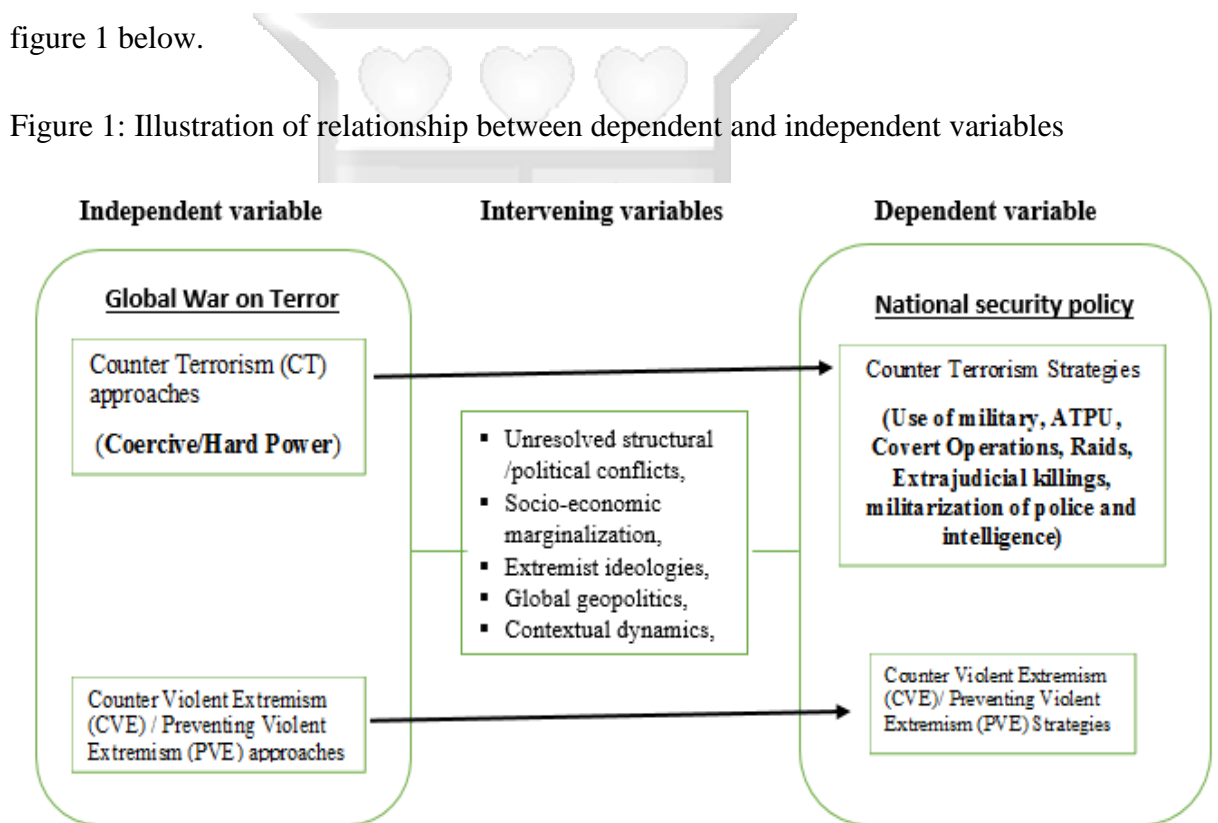
<sup>77</sup> Stolberg, Alan G. US. Army War College Guide to National Security Issues. Report. Bartholomees J. Boone (eds). *Strategic Studies Institute*, US Army War College, 2012. 41-62.

<sup>78</sup> Mwagiru Makumi. *Policy and Strategy in National Security: Contexts, Perspectives and Challenges in East Africa*. Three Legs Consortium Monographs on National Security.1. 2019

<sup>79</sup> Mark Phillips. "Policy-Making in Defence and Security", *The RUSI Journal*, 157:1,(2012) 28-35

structural/political conflicts; socio-economic marginalization, extremist ideology, global geo-politics and contextual dynamics. These issues explain the missing link between WoT and national security policies by states. Whereas terrorism conflict revolves around these issues, WoT framework is detached from them. On the flipside, the issues are inherently aggravating WoT. They qualify terrorism as a conflict in transition. Inversely, while national security of states is confounded by these issues, their strategies are based on constructs of WoT. This has imported implications on both WoT and national security policy by states.

This framework is not a fixed preposition, but rather a conceptual reference point that can provide rationale for critical analysis of CVE strategies. The relationship between independent and dependent variables of the study is shown in figure 1 below.



[Source: Author’s construct of study]

In the above framework, attributes of independent variable form the research assumptions of the study. They independently or collectively have an impact on national security policy and strategies by states.

## 1.8 Research methodology

This section outlines the logic of development of study process and procedural framework within which it was conducted. The study was ethnographic.<sup>80</sup> Primary data was collected through interactions and observation from participants in their real-life settings. Data was therefore collected from participants as the processes of CVE strategies went on. Perspectives on CVE strategies in Kenya were investigated in their contexts and meanings that stakeholders ascribed to them. The study deemed this design appropriate because the issues being investigated required exploration of meanings and insights in their contexts. This enabled scrupulous description, analysis and understanding of philosophy undergirding CVE strategies in Kenya. The study was an observation of one case; thus, a case study.<sup>81</sup> A single case approach allowed holistic and in-depth investigation. It provided basis to inquire issues that do not require control over events like what, how and why. This entailed search for strategic rational that inform policy responses to violent extremism in Kenya.

### 1.8.1 Research design

This study was anchored on tenets of qualitative research design.<sup>82</sup> It emphasized on understanding meanings that individuals ascribe to social problems.<sup>83</sup> The fact that other countries are also implementing CVE strategies makes a critical analysis of CVE strategies in Kenya is a typical case. The case is useful in illuminating the contextual dynamics of CVE strategies to generate generic knowledge. As such, the study's sampling procedures, data collection, analysis and interpretation were qualitative. The researcher deemed this design appropriate because the issues being investigated required critical interrogation, exploration of meanings and insights.<sup>84</sup>

### 1.8.2 Target population

Target population is a unit with observable characteristics of interest to the researcher.<sup>85</sup> This study involved government officials tasked with formulation and

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<sup>80</sup> Creswell, J. W. *Research Design Qualitative, Quantitative and Mixed Methods Approaches* (4th ed.). Thousand Oaks, CA Sage. 2014

<sup>81</sup> Yin, R. K. *Case Study Research Design and Methods*. Newbury Park, CA Sage. 1984

<sup>82</sup> See Creswell, *Research Design Qualitative, Quantitative and Mixed Methods Approaches*

<sup>83</sup> Holliday, A. R. *Doing and Writing Qualitative Research*. Newbury Park: Sage. 2007

<sup>84</sup> Corbin, J., and Strauss, A. *Basics of qualitative research: Techniques and procedures for developing grounded theory* (3rd ed.). Thousand Oaks, CA, US: Sage Publications, Inc. 2008

<sup>85</sup> Mugenda, O. and Mugenda, A. *Research Methods, Quantitative & Qualitative Approaches*, 4<sup>th</sup> Edition, Acts Press, Nairobi. 2012

implementation of counter terrorism polices and strategies in Kenya. It specifically targeted Ministries of Defence, Interior and Coordination of National Government, Kenya Defence Forces, National Police Service and National Counter Terrorism Centre. In addition, it sought views of scholars and national security policy commentators with expertise on CVE policies in Kenya.

### 1.8.3 Description of sample and sampling procedure

Methodologically, respondents were selected through purposive (also known as judgmental) sampling technique.<sup>86</sup> This was because the study necessitated collection of data from certain individuals who are in possession of deep insight into realities of CVE in Kenya. The study interviewed twelve individuals at the strategic level within the selected agencies representing the whole.<sup>87</sup> The sample size was informed by necessity for information from strategic and policy making levels on CVE strategies in Kenya. Cadre at this level are few unlike at operational and tactical domains. In peculiarity of this, and consistent with objectives of study, only actors deemed to have information sought were targeted. This formed basis of two respondents for each of the six strata targeted by study.

The study used stratified sampling techniques to distribute respondents from government agencies and stakeholders outside them. The sampling frame was shown in Table 1.

**Table 1: Sampling frame**

Segment of Target Population	Department/Office	Number of Respondents
Kenya Defence Forces	Office of the Chief of Defence Forces (CDF)	2
National Police Service	Office of Inspector General of Police	2
Ministry of Interior and Coordination of National	Office of Cabinet Secretary (CS)/ Principal Secretary (PS)	2
Ministry of Defense	Office of Cabinet Secretary (CS)/ Principal Secretary (PS)	2
National Counter	Office of Director NCTC	2
Other strategic stakeholders outside government	Scholars	1
	National security policy commentators	1
<b>TOTAL</b>		<b>12</b>

<sup>86</sup> See Turner III, D. W. Qualitative interview design: A practical guide for novice investigators. *The qualitative report*, 15(3), 2010: 754.

<sup>87</sup> Mugenda and Mugenda, *Research Methods, Quantitative & Qualitative Approaches*

#### 1.8.4 Types of data, research instrument and data collection procedures

To contextualize the study, primary and secondary data were collected and analyzed. Face-to-face interviews collected primary data with help of a pre-planned interview guide. Questions were open-ended and unstructured. This allowed greater depth and breadth in the responses. Secondary data was collected through content and document analysis of CVE strategy in Kenya, published literature and other reports on the topic. Before data collection, authorization was sought from Strathmore University. The selected respondents were also notified.

#### 1.8.5 Validity and reliability of research instruments

Mock interviews were conducted to pre-test the research instrument on a pilot group similar to target sample. The group comprised of seven respondents selected through purposive sampling technique from the segments of the target population. One respondent for pilot study was selected from each segment of the target population. Table 2 shows sampling frame for pilot study.

**Table 2: Sampling frame for pilot study**

Segment of the Target Population	Department/Office	Number of Respondent
Kenya Defence Forces	Office of Chief of Defence Forces (CDE)	1
National Police Service	Office of Inspector General of	1
Ministry of Interior and Coordination of National government	Office of Cabinet Secretary (CS)/ Principal Secretary (PS)	1
Ministry of Defense	Office of Cabinet Secretary (CS)/ Princinal Secretary (PS)	1
National Counter Terrorism Centre	Office of Director NCTC	1
Other strategic stakeholders outside government	Scholars	1
	National security policy	1
<b>TOTAL</b>		<b>7</b>

Mock interviews enhanced validation and appropriateness of the interview guide, processes and data.<sup>88</sup> They further helped to ensure that final interviews were logically organized with necessary questions included. The researcher utilized feedback from mock interviews to fine-tune the final interview guide. To enhance

<sup>88</sup> Creswell, *Research Design Qualitative, Quantitative and Mixed Methods Approaches* (4th ed.) op.cit

external validity, this study used audit trail of all activities or decisions made. Data collected was subjected to meticulous verification and constant comparison. In addition, the researcher self-disclosed inherent assumptions, personal beliefs, and biases that could influence the study. These buttressed generalizability of study results.<sup>89</sup>

### **1.8.6 Description of data analysis procedures and interpretation**

To achieve its objectives, this study adopted a methodology with three component tools of analysis. Firstly, it exploited secondary data analysis through a critical review of published materials on counter violent extremism strategies in Kenya. Use of such instruments in this case were within case analysis. The other component entailed interviews with individuals involved in policy making decisions relating to CVE strategies in Kenya. The third methodological component focused on select participants on basis of their knowledge and expertise on CVE policy and strategies in Kenya. They included scholars and national security policy commentators.

Theoretical considerations and content analysis helped to explain, understand and interpret data collected from interviews. This enhanced understanding realities in which CVE strategies in Kenya are grounded. The study integrated element of documentary analysis and qualitative data generated through interviews. It verified accuracy of data in both form and context. This was done through constant comparison of emerging themes with existing concepts and theoretical frameworks. These measures helped put the study in right context. Once data on CVE strategies in Kenya was collected, it was reviewed, sorted and categorized according to patterns and themes. The study checked data for consistency and completeness in preparation for analysis and interpretation. Analysis was based on the research questions. It was done through use of narrative analysis and content analysis.<sup>90</sup>

In undertaking narrative and content analysis the study judiciously deduced general themes and statements among the collected data. This enabled grouping of collected data into various groups for easier analysis and presentation in continuous prose. The study first sought to familiarize with data collected by reading and re-reading transcripts and interview extracts. It then deciphered meanings, patterns,

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<sup>89</sup>See Holliday, *Doing and Writing Qualitative Research*.

<sup>90</sup> Creswell, *Research Design Qualitative, Quantitative and Mixed Methods Approaches* (4th ed.) op.cit

trends and themes according to objectives of the study. Data was coded, processed and organized systematically according to merging initial themes. To preserve anonymity of respondents, verbatim excerpts in the report were coded in the format “CVE\_KE.XX”.

The study then evaluated how initial denotations generated by data fitted together into themes. This was done through in-depth probe of data associated with each theme. The study further assessed whether emerging themes were supported by data. It then scrutinized coherence and distinctiveness of each theme. This allowed systematic explanations and objective identification of characteristic messages. The same approach was used to relate the trends. The study then refined and ascertained what each theme was all about. This entailed asking questions like; what such themes were saying, how they interacted and related to others.

This study judiciously deduced general themes and statements among the collected data. It used them to respond to research problem identified in the beginning. The last stage of thematization analysis entailed compiling project report. It enabled the researcher capture descriptive narratives and meaning attached to them. Interpretation of the findings was structured according to themes identified and stemming from research objectives. The approach made meaning to the data by interrogating interplay of various themes, emergent theoretical underpinnings and knowledge gaps.

#### **1.8.7 Dissemination and utilization of study results**

Dissemination of research findings is the process of transferring and creating awareness of research-based knowledge to appropriate audiences who can best use it.<sup>91</sup> It entails planning and careful consideration of who, where, and how of reaching the audiences. For this research study, the main audiences were national security decision and policy makers in Kenya responsible for counter terrorism efforts, and the academia fraternity. The study will make efforts to share copies of results with its audiences. This will be through presentations where organizational bureaucracies permitted. Utilization of study results is the practical use of findings.<sup>92</sup> Although this study aims at informing CVE policymaking processes, it takes cognizance of the

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<sup>91</sup> Roe, B. Research and Development, in *Clinical Nursing Practice: An Overview*, In B. Roe, and C. Webb (Eds.) *Research and Development in Clinical Nursing Practice*. Whurr Publishers Ltd. 1998

<sup>92</sup> Ibid. pp 3-12

dynamics of respective institutional discretion, cultures and priorities in utilizing the study results.

### **1.8.8 Ethical considerations**

This study took cognizance of the sensitivity of research topic and attendant ethical implications. Consent to collect data was sought beforehand from the relevant institutions and government agencies. The study further took necessary precautions to guarantee confidentiality, security and privacy of respondents or information provided. Additionally, the study sought informed and voluntary consent from all participants before interviews were conducted. Those who declined to be interviewed were respected for their views. No identification or photographs of respondents were taken. All data obtained was solely used for writing research report and not any other purpose.

### **1.9 Chapter outline**

This thesis is organized in seven Chapters: Chapter One is introduction to the study. It outlines research problem by problematizing policy responses to terrorism threat. That terrorists keep changing their tactics and strategies as they advance their cause. This shifting of tactics and strategies portend serious implications on tools and strategies devised by countries to deal with the problem. The chapter concludes that terrorism necessitates new tools.

Chapter Two discusses global War on Terror. It historicizes and takes a critical view of global WoT. It focuses on the fundamental assumptions upon which WoT is constructed, and their impact on discourse of terrorism, and counter terrorism efforts.

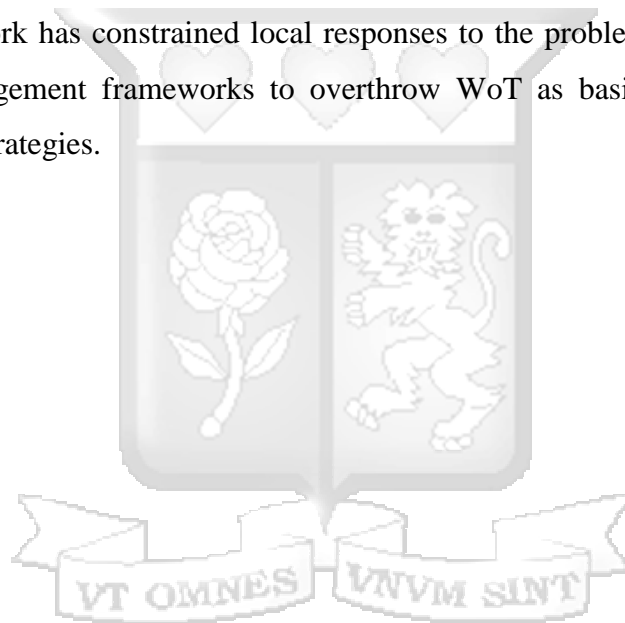
Chapter Three is terrorism as conflict. It examines the transitional character of terrorism arising from the changing strategies the parties involved adopt. The chapter explains CVE strategies, their design and relationship with conflict. It assesses flexibility of CVE strategies as terrorism conflict transform.

Chapters Four examines Counter Violent Extremism framework in War on Terror. It begins by discussing its emergence and development, and eventual application by states. argues that despite adoption of CVE, coercive approaches were retained. The chapter questions the validity of CVE strategies being mediated with military strategies and holds that discourses on CVE are still shrouded with narratives that perceive violent extremism as an external, instead of an internal threat.

Chapter Five presents Kenya's perception of the War on Terror. The chapter begins by discussing Kenya's interpretation and understanding of War on Terror. It argues that like other states, Kenya initially responded to *Al-Shabaab's* threats by use of force. The chapter further contends that CVE strategies in Kenya take an external posture to the problem rather than internal: they are not homegrown.

Chapter Six is a critical analysis of CVE strategies in Kenya. It presents data collected, findings and interpretation in accordance with objectives of the study. It raises legal and strategic issues on the basis and validity of CVE strategies in Kenya and the extent to which they can mediate terrorism conflict in Kenya.

Chapter Seven is conclusions. The chapter presents summary of main findings, their implications, and conclusion. Framing of Kenya's CVE strategies on global WoT framework has constrained local responses to the problem. The study suggests conflict management frameworks to overthrow WoT as basis of national security policies and strategies.



## CHAPTER TWO

### GLOBAL WAR ON TERROR

#### 2.1 Introduction

Chapter One outlined research problem in line with the gaps identified in literature review. A framework of analysis and methodology guiding this study were also presented. This and subsequent chapters take up issues raised by contextualizing and problematizing them. Specifically, this Chapter takes a critical examination of global War on Terror (WoT) and is organized into five thematic areas. These include understanding terrorism, context of global War on Terror, legal aspects on War on Terror, criticism on War on Terror, and terrorism as an evolving threat.

#### 2.2 Understanding terrorism

To understand global WoT, it is necessary to start from a conceptual basis. However, conceptualization is undermined by definitional ambiguities which have implications for any discourses. Inability to define terrorism presents legal and strategic complexities that makes it difficult to engage on the concept and the implied discourses on policies and strategies. The difficulty arises out of the subjective construction of terrorism.<sup>1</sup> Without a common a conceptualization of terrorism, we cannot have meaningful engagement or understand each other. Terrorism is conceived as a political act.<sup>2</sup> The tasks of defining it or its manifestations is also political. This complicates efforts to understand it. However, these complexities are not new. They have bedeviled the field for some time.

The term terrorism was initially coined during the French Revolution (1793-1794).<sup>3</sup> It was used to describe the Reign of Terror. Today, the term has become elastic and contested. The many definitions of terrorism complicate rather than complement discourses. Legally, the law succeeds when it differentiates what exactly something is from what it is not.<sup>4</sup> The concept has remained broad and characterized by ambiguity. For instance, US Department of Defense defines it as:

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<sup>1</sup> Sciallo, Nick J. "The Ghost in the Global War on Terror: Critical Perspectives and Dangerous Implications for National Security and the Law", *Drexel Law Review*, Vol. 3(2011).

<sup>2</sup> Sami Zeidan. "Desperately Seeking Definition: The International Community's Quest for Identifying the Specter of Terrorism". *Cornell Int. 'L L.J.* 36: (2004) 491

<sup>3</sup> Carter, John Denton. "Interpretations of the Reign of Terror." *The Historian* 3, no. 1(1940): 79-96.

<sup>4</sup> Cyrille Begorre-Bret., "The Definition of Terrorism and the Challenge of Relativism", *Cardozo Law Review*. 27, no. 5, (2006): pp.1987-2004

‘The calculated use of unlawful violence or the threat of unlawful violence to inculcate fear; intended to coerce or to intimidate governments or societies in pursuit of goals that are generally political, religious, or ideological’.<sup>5</sup> (p.443)

Such description does not illuminate on who the enemy is or where he is. It is subject to diverse interpretations. This has engendered politicization and misuse of the term to cover other issues. It also paved way for states to violate international human rights law in their counter terrorism efforts. There are nevertheless attempts in statute and treaties to define the term. For instance, United Nations General Assembly Resolution 1566 of 2004 designates it as:

... criminal acts, including against civilians, committed with intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act, ..... (Para. 3).

This definition was aimed at assisting states to domestic counter terrorism legislations under Security Council Resolution 1373 (2001). Other definitions like one for African Union (AU) Convention have targeted tactical aspects. It views terrorism as promoting, sponsoring, inciting, encouraging, threatening, conspiring, organizing, or procuring person with the intent to commit acts cited in paragraphs (a) (i) to (iii) of its Convention”. But all these have not clarified the situation.

### **2.3 Context of global War on Terror**

Following end of cold war, there lacked a theme and a subject for states like US to base their international and national security policies on. The period between end of cold war and 9/11 marked strategic pause in international security framework. States found it daunting because they no longer had cold war philosophy to use as a strategic basis. Yet, the military-industrial complex that developed since the end of 2<sup>nd</sup> world war and intelligization were in limbo. They were designed for cold war security framework. When 9/11 tragedy struck, US President George W. Bush declared

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<sup>5</sup> United States Department of Defense. *Dictionary of Military and Associated Terms*”. Joint publication 1-02. Washington DC: DoD. 2002: p.443

framed it as acts of war.<sup>6</sup> This 'war' provided a convenient opportunity to fill the strategic gap that end of cold war had caused.

The issue arising is whether WoT can really replace the cold war as the dominating framework for international and national security. The cold war security framework worked because some states had nuclear capacity which could destroy the world.<sup>7</sup> In replacing cold war framework with WoT, there are clearly missing things like that existential threat to the whole world. President Bush tried to justify that existential threat to the whole world. He argued that Iraq held weapons of mass destruction.<sup>8</sup> It had none.<sup>9</sup> This made it difficult to return to the cold war framework. It effectively killed WoT as a strategic basis for international security.

WoT refers to counter terrorism campaigns that were launched in response to 9/11. Consequences of the attacks was that US laid out an extensive set of policies aimed at pursuing and defeating *Al-Qaeda*. It focused on coercive measures like military action, expanding the powers of the police and intelligence services. In this regard, such policies were either outlined in public official speeches or policy documents, while others remained confidential. Immediately after 9/11, President Bush remarked: "Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists."<sup>10</sup> It was like rationalizing framework of the cold war: that states were either on one side of the war or on the other.

In addition, US foreign policy required compliance by other states in WoT. It also upscaled denial that the effort did not target majority-Muslim states. In this regard, US demanded reporting on terrorist activities and responses from some countries. Initially, US argued that the primary objectives of the global WoT was capturing members of *Al-Qaeda* thus disrupt potential terror plans.<sup>11</sup> It delineated the task to entail ousting of "hostile regimes" in Afghanistan and Iraq. In 2003, a further step was taken by unveiling US National Strategy for Combating Terrorism. This

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<sup>6</sup> See transcript of President Bush's Address to a Joint Session of Congress on Thursday Night, September 20, 2001," *CNN*, 21 September 2001.

<sup>7</sup> Mullen, Robert K. "Mass destruction and terrorism." *Journal of International Affairs* 32, no. 1(1978): 63-89.

<sup>8</sup> Krepon, Michael. "Weapons of Mass Destruction: Reemerging Threat?" *Great Decisions*, 1999: 43-54.

<sup>9</sup> Higgins, Ronald. "Weapons of Mass Destruction: Rhetoric and Realities." *Connections* 2, no. 1(2003): 59-68.

<sup>10</sup> See transcript of President Bush's Address to a Joint Session of Congress on Thursday Night, September 20, 2001," *CNN*, 21 September 2001.

<sup>11</sup> Raphael Perl. *Combating Terrorism: The Challenge of Measuring Effectiveness*. (Washington, DC: Congressional Research Service, 2005).

became the strategic tool to steer global WoT. It aimed at identifying and defusing threats overseas. Underlying this strategy was a broad intention to deter terrorists from acquiring or manufacturing WMD.

Global WoT took multidimensional approach through militaristic invasions and covert actions in Afghanistan, Iraq and Yemen. It was reinforced by military assistance to cooperative regimes and radical increase in intelligence spending. Other aspects of operationalization of WoT policies included capturing and detaining of terrorist suspects at Guantanamo Bay. US further enhanced liaison and cooperation with foreign intelligence agencies, tracking and interception of terrorist financing. It also established and maintained extensive public diplomacy campaigns to suppress criticism stemming from counter terrorism activities, particularly in the Middle East.

Domestically, WoT precipitated legal and institutional reforms geared at the anchoring the aggressive counter terrorism policies. This included enactment of Patriot Act and establishment of Department of Homeland Security. These were by expansion of covert operations and law enforcement. Other measures included preventive detainment of terror suspects, capacity building of emergency-response capabilities, enhanced protective security at airports, borders and other public amenities. An attack on the US mainland become a global issue because it daunted a superpower, thus exemplifying no one is safe. It underscores internationalization and globalization aspects of the problem at hand. Some of the responses by states are informed by this “global” approaches to the problem. Despite these efforts, the world continued to witness evolution of terrorism. Groups like *Al-Qaeda*, *Islamic State in Syria* and *Levant* continue to hold ground.<sup>12</sup>

#### **2.4 Legal aspects on War on Terror**

The US-led WoT was declared and is going on amid conceptual clutter and ambiguities. It grapples with difficulties of describing its parameters. President Bush stated that it ‘began with *Al-Qaeda* but will not end until every terrorist group of global reach is found, stopped and defeated.’<sup>13</sup> Such characterization implied that WoT bordered abstraction: no clear enemies or objectives. This mirrors definitional ambiguities facing concept of terrorism. The other legal aspect on WoT, relates to

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<sup>12</sup> Hoffman, *The Changing Face of Al-Qaeda and the Global War on Terrorism*, pp.549-560

<sup>13</sup> See transcript of President Bush's Address to a Joint Session of Congress on Thursday Night, September 20, 2001," *CNN*, 21 September 2001.

framing terrorism as a war. By declaring WoT, President George W. sought to frame terrorism as an existential threat. A threat that required extraordinary measures.<sup>14</sup>

Debates abound on significance of framing the problem a war. The very definition led to adoption military strategies. One point of view regards WoT as a hyped continuation of cold war politics.<sup>15</sup> That from first World War (WWI), US maintained a doctrine that postulated that defending Americans entailed engaging in wars abroad. Others argue that the 9/11 provided a convenient justification and a perfect cover for US quest for greater global hegemony projection.<sup>16</sup> That by framing and defining the 9/11 attack as a war, it ought to provide a legitimate language for its intention to exercise imperialist powers, at both the domestic and international arena. From that perspective, 9/11 is therefore a platform for this war. There are also arguments that campaign on WoT has other objectives other than responding to 9/11. Rockmore argues that the campaign needs a moral justification that cannot be provided for by either the war in Afghanistan or Iraq.<sup>17</sup>

From classical security perspective, wars were interstate. They entailed use of force. Framing terrorists within this framework credits them as equivalent to states. Secondly, war is not conducted in a vacuum. It is confined to international law. The law prescribes that only states (as actors) can engage in war, the justifications to go to war, rules governing its conduct, how non-combatants should be treated and other aspects of war. The law of war (now international humanitarian law), is specified in Geneva Conventions of 1949. States are subjects of international law. That international law is law; it must be observed.<sup>18</sup> Terrorist groups are not subject to international law. The point here is that WoT does not fit within both traditional frame on war and thresholds of international law. It is an asymmetrical phenomenon that depict shift from inter-state to intra state conflict.

Purist state-to-state realist lenses does not capture realities of wars in the contemporary security environment.<sup>19</sup> The import of non-state actors, globalization and information age define the new terrain of conflicts. US' imperialistic reach

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<sup>14</sup> Waever, Ole. *Securitization and De-securitization*. (Copenhagen: Centre for Peace and Conflict Research. 1993).

<sup>15</sup> Eland, Protecting the Homeland, pp.1-43

<sup>16</sup> See Bronson, *Thicker Than Oil*

<sup>17</sup> Rockmore, Tom."On the so-called war on terrorism." *Metaphilosophy* 35, no. 3 (2004): 386-401.

<sup>18</sup> Mwangi, Makumi . *Perspectives on International Law: Epistemology, Paradigms and Theory*. Vol. 1. (Nairobi: Three Legs Consortium Publication. 2016)

<sup>19</sup> Keohane and Nye op.cit pp.235-251. See also F, Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1992)

included invasion and occupation of foreign spaces, detention of terror suspects without trial like in Guantanamo Bay, use of torture, and extensive surveillance on US citizens among other quasi-legal measures to respond to the problem.<sup>20</sup> This was complemented with an elaborate program entailing coercion and pressurizing other states to crack down terrorism encountered mixed reactions.

These campaigns had multidimensional implications to US, public, other countries, non-state actors and threat evolution. First, despite framing terrorism as threat to international security, they failed delegitimize it.<sup>21</sup> States which partnered with US in these campaigns strengthened their coercive powers. These included expanded legal frameworks to prosecute and disrupt terror activities. However, they were criticized for violating human rights.<sup>22</sup> The repressive actions by states also evoked negative reactions from sections of the population who gradually started to identify themselves with the 'oppressed', specifically the terrorists, while others engaged in activities that highlight their support and commitments to their new beliefs, identities, and/or others who hold them.

Along this line, many states struggled with the pressure to enact anti-terrorism measures. Others could not take decisive action against terrorists.<sup>23</sup> The US-led coalition treated such countries as terror sympathizers and enemies. It was either "you are with us or against us".<sup>24</sup> All these served to aggravate the divide between the proponents of WoT and 'others'. This further widened perceptual dissonance about its essence. The other issue is that WoT is now in its 18<sup>th</sup> year, and no end in sight. This raises the question whether it is feasible for states to wage wars without end.<sup>25</sup> Implications of this is that with a war without timeframe and limiting terrain or geographical locus, it is not possible to cordon off its parameters. It could imply an

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<sup>20</sup> Mazrui, Kimani and Paul op.cit pp.13-38

<sup>21</sup> Keohane Robert. "The public delegitimization of terrorism and coalition politics", in K. Booth and T. Dunne (eds), *Worlds in collision: Terror and the Future of global order*: New York. Palgrave Macmillan. 2002: pp. 141-151

<sup>22</sup> Sanders Rebecca. *Plausible Legality: Legal Culture and Political Imperative in the Global War on Terror* (New York: Oxford University Press, 2018).

<sup>23</sup> Daniel Byman, *Deadly Connections: States that Sponsor Terrorism* (New York: Cambridge University Press, 2007);

<sup>24</sup> See transcript of President Bush's Address to a Joint Session of Congress on Thursday Night, September 20, 2001," *CNN*, 21 September 2001.

<sup>25</sup> Hiro, D. *War without End: The Rise of Islamist Terrorism and the Global Response*. London and New York: Routledge. 2002

infinite task. WoT is not bound by peacetime-wartime frames; it run in perpetuity.<sup>26</sup> Wartime has become the only kind of time states have.

The vagueness of WoT policy was also reflected in US National Security Strategy (NSS) of 2002. It which described terrorism as an ‘enemy’ with a political/paramilitary facet and ideological paradigm.<sup>27</sup> The strategy listed its objectives to be championing of aspirations for human dignity and strengthening alliances to defeat global terrorism. Others included working with other countries to defuse regional conflicts, preventing threats from WMDs, reforming national security institutions to meet challenges of 21<sup>st</sup> century, promoting free markets/trade, development, and democracy.<sup>28</sup> Implications of this is that the issues are instrumentalized as capitalist ideals which are being imposed by US on other states. In 2006, US revised NSS with a clarification of who the enemy was. It branded the enemy to be the ‘militant Islamic radicalism’.<sup>29</sup> This characterization limited terrorism to a particular religion. It clustered Islam with terrorism. This has shaped post 9/11 national security policies by states with serious implications. For instance, this vagueness has complicated responses because an ideological adversary differs from a military one.<sup>30</sup>

Conduct of WoT is also shrouded with many ethical concerns. Debates on respect for rule of law in the conduct of WoT transcend both parties in the conflict. The issues revolve around violation of civil liberties in the name of national security.<sup>31</sup> The US-led coalition faced condemnation over its tactical operations.<sup>32</sup> They were deemed immoral, illegal, or both. Critics cited unlawful detention, torture and clandestine oversee prisons. Others faulted use of unmanned drones to kill suspected terrorists in Iraq and Afghanistan.<sup>33</sup> In the name of the sacrosanct WoT, wide-ranging anti-democratic and abuses of freedoms like undue surveillance, telephone interception, and monitoring of private electronic mails among others were imposed. An atmosphere of fear was artificially created and quickly exploited. This

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<sup>26</sup> Dudziak, *Wartime*, pp.4

<sup>27</sup> White House. *The National Security Strategy of the United States of America*. White House 5 (2002),

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*

<sup>30</sup> Priester, Benjamin J., “Who Is A 'Terrorist'? Drawing the Line Between Criminal Defendants and Military Enemies,” *FSU College of Law, Public Law Research Paper No. 264*. (2007), pp. 1255–1256

<sup>31</sup> Mockaitis Thomas. “Winning Hearts and Minds in the ‘War on Terrorism’”, *Small Wars and Insurgencies*, 14:1(2003), 21-38,

<sup>32</sup> Hoffman, Paul. "Human Rights and Terrorism." *Human Rights Quarterly* 26, no. 4(2004): 932-55.

<sup>33</sup> See Sanders, *Plausible Legality*.

led to emergence of “lawfare”: that states fighting WoT are also confronted by both the terrorists and by the limitations of the law.

## 2.5 Significance of War on Terror

One of the inescapable debate about global WoT is about its outcomes or success. Many scholars and practitioners have vigorously contested whether the aggressive counter terrorism policies by US after 9/11 have succeeded in preventing further attacks. There are arguments that WoT recorded successes in the first years. Eland list overthrowing of Taliban regime, arrests/elimination of terror suspects and closure of *Al-Qaeda* training camps in Afghanistan as key milestones of WoT.<sup>34</sup> He further observes that it led to enhanced international cooperation in global counter terrorism efforts. However, this is contended by others. Alan and David point to its ineptness of and lack of legitimacy.<sup>35</sup> They argue jihadist groups, number, frequency and complexity of terror attacks fundamentally increased after 9/11. Others have cited inability of US to reconstruct the ‘conquered’ territories. That US underestimated difficulties of rebuilding functional governments after ousting Iraq and Afghanistan governments. It led to chaos and civil wars.<sup>36</sup> Gen. Powell had warned about Iraq: “if you break it, you own it”.<sup>37</sup>

There are also views that US got entrapped by responding “how” *Osama bin Laden* wanted.<sup>38</sup> That it concentrated too much on *Osama*’s apocalyptic rhetoric and ignored his more specific agenda to divide and portray the world as pitting ‘believers and infidels’. They argue that Osama needed active support of states and people who share in the sense of grievances. He used terrorism to achieve that objective. This has fueled violent extremism groups like *Al-Qaeda*. The groups have rapidly transformed and sired clones and franchises to pursue the jihadist struggle.<sup>39</sup>

Others claim that WoT policy by US was aggressive and controversial, but it worked. They contend that the campaign registered some successes, but some failures overshadowed it. For instance, war in Afghanistan scattered *Al-Qaeda* but it also precipitated radicalization. This implies that US calculations failed to transform the

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<sup>34</sup> Eland op.cit pp.1-43

<sup>35</sup> Alan B. Brueger and David D. Laitin. "Mis-underestimating" terrorism,' *Foreign Affairs* (5) 2004,4,

<sup>36</sup> Ishtiaq Ahmad. The U.S. Af-Pak Strategy: Challenges and Opportunities for Pakistan, *Asian Affairs: An American Review* 37, no. 4 (2010);

<sup>37</sup> Remarks by Gen. Colin Powell to President George W. Bush during an interview with the *Atlantic*, General Powell April 2004.

<sup>38</sup> Robin Cook, “Bush will now celebrate by putting Falluja to the torch”, *Guardian*, 5 November 2004.

<sup>39</sup> Hoffman op.cit pp.549-560

region. It instead strengthened resolve of other anti-US states like Iran. The region remains a terror threat. One of the criticisms on WoT is that it failed to stem radicalization or prevent radicalized individuals from becoming terrorists.<sup>40</sup> Instead, as states upscaled WoT, terrorist groups continued to hold ground. There emerged homegrown radicalization, lone wolf phenomena and foreign fighters travelling to theatres of war like Iraq, Syria and Somalia. Use of force was reactive, evoking anger, frustration and radicalization. The approach was counterproductive: it did not win hearts and minds.

Criticism on WoT extended to level of compliance by US on other states in tackling the problem. US pressurized other states especially those suspected to host *Al-Qaeda* members or sympathizers like Pakistan, Indonesia, Saudi Arabia and Algeria to crack down the groups and its activities.<sup>41</sup> The targeted states were also coerced to reform their policies towards renouncing passive support for terrorist groups.<sup>42</sup> All these resulted in targeted profiling of some states. It made their populace resentful while others evoked anti-US crusades. This shows that WoT ended up with unintended consequences. The most prominent of these is radicalization of the people it was meant to save. These issues were aggravated by the deliberate and focused crafting of moderate Islam messaging targeting Muslim populations.<sup>43</sup> The WoT had failed to recognize that the threat has no race, region, religion, or otherwise.

## **2.6 Terrorism as an evolving threat**

Terrorism is a struggle. A form of warfare resorted to by those who are militarily disadvantaged but support a cause they are ready to fight for. Rapoport conceptualizes terrorism in four waves.<sup>44</sup> They begin with Anarchist in 1880s, Nationalist, Marxist in early/mid-twentieth century, to the present Religious Wave. This framework is one of most influential explanation in terrorism studies. Looking at terrorism as a resort to revolutionary violence provides a useful tool to categorize and analysis terrorist groups and their activities. Such conceptualization reflections on the

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<sup>40</sup> Kinzer, Stephen. *Overthrow: America's Century of Regime Change from Hawaii to Iraq*: NY: Times Books. 2007

<sup>41</sup> Refer to Ishtiaq, The U.S. Af-Pak Strategy. See also Ann Marie Murphy, "US Rapprochement with Indonesia: From Problem State to Partner," *Contemporary Southeast Asia* 32, no. 3 (2010).

<sup>42</sup> Bronson, *Thicker Than Oil*. See also Daniel Byman. *Deadly Connections: States That Sponsor Terrorism* (New York: Cambridge University Press, 2007)

<sup>43</sup> Steven Kull, *Feeling Betrayed: The Roots of Muslim Anger at America* (Washington, DC: Brookings Institution Press, 2011);

<sup>44</sup> See Rapoport, *Terrorism*

global WoT, particularly understanding the kind of threat the world is faced with. It is an ever-evolving threat. A conflict in transition.

Rapoport's framework exemplify that terrorists rise and fall. That groups emerge and dissolve naturally when they can no longer inspire others to continue with the struggle. This suggest that terrorism, terrorist groups and their motivations are reflected by conditions and changes in social and political contexts. However, this raises questions on the character of current social and political context of contemporary wave of terrorism. Critical issues that emerge are who defines this context, does it require unanimity, or can it be defined in a country-specific context like the current WoT, and what are its implications on WoT and its future. From this perspective, the strategies and tactics employed by terrorists in each of these waves' is should be mirrored in the strategies adopted by states in responding to these threats. For WoT, the strategies to counter terrorism cannot be one-fit all. The strategies cannot be imposed on other, but rather need to be context specific.

Parker and Nick have argued that it is 'not waves, it is Strains'.<sup>45</sup> They view held terrorists learn and emulate each other. There is therefore no clear distinction in terrorist violence. It is the same thing driven by successive broad historical trends. Concept of strains underscore that terrorist groups learn from both contemporary and history. They then design their goals, strategies and tactics based on that knowledge. This framework suggests four strains of terrorism. They are socialist, nationalist, religious extremism, and exclusionism. This means that terrorism occurs all over the world because its actors are motivated differentially.

It suggests that underlying motivators of terrorist actors are not sequential. Instead, the strains can co-exist and work in parallel. They can overlap and motivate other networks. What all these means to the global WoT is that terrorism is a complex threat which engenders local, national and international networks that can support each other or have overlapping goals. It is against this background that scholars have shifted focus to proactive measures to counter terrorism. The measures are dubbed Counter Violent Extremism (CVE).<sup>46</sup> They entail addressing underlying factors,

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<sup>45</sup> Parker, Tom, and Nick Sitter. "The Four Horsemen of Terrorism: It's Not Waves, It's Strains". *Terrorism and Political Violence*. 28/2: (2016) 197-216.

<sup>46</sup> See Chapter four.

prevent violent extremism and promote resilience in the societies. CVE focuses on use of soft power approaches to co-opting people rather than coercing them.<sup>47</sup>

## **2.7 Conclusions**

This dissertation took a critical perspective on the global WoT. It raised some legal and strategic issues that challenging its current conceptualization. These issues have impacted on responses designed by states to terrorism conflict. The current threat differs from traditional security threats both in scope and complexity. Its character is aggravated by change of tactics and strategies by actors involved. This means that regardless of lack of unified definition, the threat is ever evolving and threatening the survival of the state. WoT is not eliminating or reducing the terrorism threat. Instead, it is aggravating it. These dynamics have constrained states in terms policy and strategy responses in dealing with the problem.

WoT is framed to fight in physical terrain. On the flipside, terrorism entail war of ideas and motivations. Fighting ideas and a ghostly enemy is almost impossible undertaking. This thesis argues that there is a problem with fundamental assumptions underlying WoT. Whereas the war is essentially asymmetrical, response policies and strategies by states are still caged with the state-centric lens. The WoT will not solely be won through military might. The assumptions also include the significance of framing the problem a 'war'. The role and effect of inappropriate aggressive strategies by states has not been contemplated. At the same time, factors like deprivation and structural conflicts have been ignored. While terrorism endures, the forces of contemporary security environment like globalization and information age have exacerbated it. This includes how terrorist groups recruit individuals and then use them to carry out attacks. The security environment has radically shifted from traditional conceptualization of physical terrain.

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<sup>47</sup> Nye Jr. op.cit pp. 94-109

## CHAPTER THREE

### TERRORISM AS CONFLICT

#### 3.1 Introduction

This Chapter informs the thesis by creating a focal point to analyze the mutative character of terrorism threat, actors, modus operandi and their goals. It examines terrorism first as a conflict, and as a conflict in transition. This appreciation links and bring to fruition issues that arose in the literature review and debates that emerged in Chapter two. The Chapter is organized into five thematic areas; concept of conflict, subjective and objective views of conflict, terrorism as a conflict, terrorism as a conflict in transition, and ripe moments in terrorism conflict analysis.

#### 3.2 Concept of conflict

A clear conceptualization of conflict is important for research, legal and policy. However, it is difficult to define conflict because it is shrouded with subjectivism and cultural settings.<sup>1</sup> What is considered to be conflict in one culture may not be considered so in another. The methodologies of conflict management also differ from one culture to another.<sup>2</sup> Nevertheless, it is possible to outline some shared features of conflicts. Conflict is a struggle or contest between parties with incompatible needs, ideas, beliefs, values or goals.<sup>3</sup> It has to do with survival of a party. The parties or subjects could be states or non-state actors.

Conflicts are endemic in society; as long as there are human beings in the world, there will always be conflict.<sup>4</sup> They will always play an important part of human life. Conflicts are symptoms of spirit in society.<sup>5</sup> It can be good or bad; has both destructive and constructive facets.<sup>6</sup> This means that it carries both a warning and promise. This thesis view conflict as incompatibility of visions, inability and/or unwillingness to see other party's point of view.

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<sup>1</sup> Kurtz, R., Lester., *Encyclopedia of Violence, Peace, and Conflict*. (Amsterdam London: Elsevier, 2008)

<sup>2</sup> John Paul Lederach. *Preparing for Peace: Conflict Transformation Across Cultures*. Syracuse University Press. 1995)

<sup>3</sup> Mitchell Christopher Roger. *The Structure of International Conflict*. New York: St. Martin's Press.1981

<sup>4</sup> Mwagiru Makumi. *Conflict in Africa: Theory, Processes and Institutions of Management* (Nairobi: CCR Publication: 2006)

<sup>5</sup> Anthony de Reuke. "The logic of conflicts: Its origin, development and resolution", In Michael Banks (ed) *Conflict in World Society: A new Perspective on International Relations*. Brighton: Wheatsheaf Books, 1984. pp. 96-111

<sup>6</sup> Galtung, J. "Violence, Peace and Peace Research." *Journal of Peace Research* 6 (3) 1969. 167–191

There are various levels of conflict. These levels reflect the many parties, causes and diversity of conflicts. Levels of conflict can broadly be conceptualized variedly as inter-personal, family, social/group, industrial, communal, national, international, intra-state and inter-state conflicts among others. For instance, in inter-personal conflict, the parties and causes of the conflict are at individual (personal) level. There are multiple explanations about conflict and its causes. Individual level concern with motivations that can lead one to engage in aggressive behavior. State level entail decision making processes that can lead to conflict. Needs, motives and reasons for conflict transcends these levels.

Conflicts is classified in many ways. The ensuing types and the attendant theories of conflict are reflected in the complexity of human society, its motivations and interactions. First, conflicts is classified and dichotomized as violent and non-violent.<sup>7</sup> Violent conflict manifests in physical harm of those affected by it, while non-violent conflict is devoid of physical harm. One of the central claims of classical realism is about nature of man. He is seen to be aggressive and conflictual by nature. This view has not changed.<sup>8</sup> This understanding is used to analyze distribution and changes in power and interests, in milieu of conflicts among states and system stability. States are constantly interacting and influencing each other. They are seen as billiard balls: knocking each other constantly.<sup>9</sup> The sharp end of violent conflict is war. Conflict is thus seen as war that span from traditional state system.

Non-violent conflict is often invisible or even unimagined, thus more difficult to deal with. Curle's laid foundation for refinement of conceptualization of non-violent conflict by challenging the traditional dual classification and dichotomy of war and peace.<sup>10</sup> He typified that it is possible to have no war and not have peace, and it is possible to have no peace without being at war; a third condition of unpeacefulness. This was later refined as structural conflict. Although structural conflict is informally seen as non-violent, its sharp end is structural violence.<sup>11</sup> It is thus not less harmful than violent conflict. Structural conflicts can give us early warning on issues that require remedy. Addressing structural conflict necessitate change of the structure which is responsible for the conflict.

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<sup>7</sup> Mwagiru, *Conflict in Africa*, pp.3-5

<sup>8</sup> Malnes, Raino. *The Hobbesian Theory of International Conflict*. Oslo: Scandinavian University Press. 1993

<sup>9</sup> Mearsheimer, John J. *The tragedy of Great Power politics*. Vancouver, BC Crane Library. 2015

<sup>10</sup> Curle, Adam. *Making peace*. London: Tavistock Publications. 1971

<sup>11</sup> Galtung, Violence, Peace and Peace Research, pp.167-191

### 3.3 Subjective and objective views of conflict

Classifying conflict as either violent or structural raises questions of whether it must be perceived for it to exist.<sup>12</sup> This has elicited debates pitting two schools of thought; subjectivists and objectivists. The subjective view posits that conflict exists only when incompatibility of goals is subjectively perceived. From this perspective, if people cannot subjectively perceive a conflict, they cannot be said to be in a situation of conflict. Objectivists argue that its possible to be in a state of conflict even when people do not immediately experience it. They view conflict as being embedded in social structures thus can exist independently of people's perception of it. Literature posit that underlying conditions of terrorism are structural and cultural dimensions.<sup>13</sup> This situates causal factors of terrorism to objective view. The problem exists with or without perception of states.

The subjective/objective schools of thought have certain implications in conflict and its management. To subjectivists, parties to a conflict must first experience it. This means that its management revolves on involvement of pertinent parties. Objective view posits that conflict exists even without realizing it. This means underscores salience of third-party interventions in conflict management. Situating terrorism within this school of thought implies that it needs intermediaries. Third parties delineate the conflict so that the parties can feel or experience it. As currently conceptualized, WoT is devoid of intermediary mechanism to make parties perceive the conflict. Subjectivists approach conflict from the perspective of negotiation and analysis while avoiding taking sides in a conflict. For WoT, this imply that states and terrorists must independently perceive the conflict before entering into negotiations to end it.

Objectivists approach conflict from perspective of taking action to change structures. It is thus activist in character. Distinction between subjective and objective views to conflict delineates peace research (objectivists) and conflict research (subjectivist).<sup>14</sup> Conceptually, objective view of conflict imposes its own values on the conflict. It is conceivable that two observers who hold different values would interpret the same situation differently. This portends serious implications on the management of that conflict. The other debatable issue relates to sources of conflict.

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<sup>12</sup> Mwagiru op.cit pp.20-27

<sup>13</sup> Navin, The Escalation of Terrorism, pp.568-578

<sup>14</sup> Mwagiru op.cit pp.15-16

Sources of conflict inform its responses. Two types of literature is generated in this debate. The nature and nurture. Those who argue for the nature school of thought contend that human beings are inherently (by nature) violent and aggressive. Violence is thus inevitable as it is part of human nature.

Nurture school of thought contests people being violent or aggressive by nature. It argues that people are conditioned by their surrounding environment. This suggests that violence is learned. It means that it can be unlearned by changing the environment that caused it. The analytical thrust from these debates is that perception of the sources of conflict informs its management. The nature conceptualization of sources of conflict could be inclined to use of force and repression. WoT has responded to terrorism through use of force. It means that the problem is being perceived to be inherent in man (caused by nature). Terrorism is not perceived as linked with the environment in which people find themselves in. The nurture view responds to conflict via accommodation and negotiation approaches. A closer scrutiny of underlying conditions of terrorism threat, nature, causes, contestations, and plausible responses point to structural and cultural dimensions.<sup>15</sup>

Classical thinking emphasizes on analysis of symmetric conflicts. It delves into role of representation, sovereignty, identity and states system in causing conflicts. Such state centric approaches do not capture realities of the contemporary environment.<sup>16</sup> The period is characterized by proliferation of security actors, means of using force, sources and internationalization of internal conflicts.<sup>17</sup> With end of Cold War, large supply of idle arms led to increase in intra-state/civil wars. This prompted United National Security Council (UNSC) to recognize these wars as threat to international peace and security.<sup>18</sup> It shifted initial meaning of UN Charter that saw threats to international peace and security as only emanating only from inter-state wars.

In classical politics, power was associated with states, that had a monopoly on bearing arms and hence engaging in wars. However, these dynamics changed with non-state actors having access to arms. This broke the state monopoly on bearing

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<sup>15</sup>Navin, op.cit pp.568-578

<sup>16</sup> Lemke, Douglas. "Power Politics and Wars without States." *American Journal of Political Science* 52, no. 4 (2008): 774-86.

<sup>17</sup> Wardlaw, Grant. "Is the Intelligence Community Changing Appropriately to Meet the Challenges of the New Security Environment?" In *Change! Combining Analytic Approaches with Street Wisdom*, edited by Bammer Gabriele, 107-28. ANU Press, 2015.

<sup>18</sup> Navin, op.cit pp.568-578

arms. The character of the wars was therefore asymmetric in the sense that one party has arms, armies, legitimacy and the monopoly of bearing arms; the other has arms but not the others: and hence its strategies are different to enable it to make the best of its strengths. A new understanding of security emerged. 9/11 underscored these dynamics. The power politics theories have not yet come to terms with these developments.<sup>19</sup> They are still fixated with inter-states conflicts. The state centric lenses do not fit in the changed security environment characterized by logarithmic and unpredictable change.<sup>20</sup>

### 3.4 Terrorism as a conflict

The definitional ambiguity of terrorism makes it difficult to engage on the concept and its discourses. However, many definitions concede about threat and unlawful use of violence with intent to advance political, religious and ideological causes. Terrorism is seen as a communicative violence. It is also depicted as a bad form of conflict. This suggests that another category (of good conflict) exists. One that does not function as terrorism.<sup>21</sup> This characterization postulates that political violence is disciplined and controllable. It means that despite contentions in defining terrorism, it exists as an objective ontological category of conflict. Terrorism conflict is intertwined with critical approaches to political violence. The threat is created when violent resistance is abstracted from its formative conditions and crude form.<sup>22</sup>

Terrorism is a form of political violence directed against civilians with a coercive to cause fear. It is also seen as form of dissent. From this perspective, national security policy and strategy is a force of dominance to crush this dissent.<sup>23</sup> However, conditions surrounding political violence and how to change it are central concerns of peace studies and conflict research.<sup>24</sup> This linkage is core to understanding direct, structural and cultural violence in which the former is embedded.<sup>25</sup>

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<sup>19</sup> See chapter two.

<sup>20</sup> Keohane, Robert. "Realism, Neorealism and the Study of World Politics." *In Neorealism and Its Critics*, ed. Keohane Robert. New York: Columbia University Press, 1986. 1-26.

<sup>21</sup> Helen Dexter. "Terrorism and violence: Another Violence is Possible?" *Critical Studies on Terrorism*, 5:1, [2012] 121-137,

<sup>22</sup> Burnett, J. and Whyte, D. "Embedded expertise and the media". *Journal for Crime, Conflict and the Media*, 1 (4), [2005] 10–18.

<sup>23</sup> Makau Mutua, *Terrorism and Human Rights: Power, Culture, and Subordination*, 8 Buff. Hum. RTS. L. REV. 1, 10 (2002).

<sup>24</sup> Harmonie Toros and Ioannis Tellidis. "Editor's introduction: Terrorism and peace and conflict studies: investigating the crossroad", *Critical Studies on Terrorism*, 6:1, [2013] 1-12,

<sup>25</sup> Galtung op.cit pp.167–191

Terrorism conflict is hinged on idea of mobilization of actors on things like history and ideology. Its concern is with individual motivations which can lead to conflictual behavior. This makes conflict theory a useful tool for analyzing strategies for dealing with terrorists, by seeing terrorism as a conflict. However, terrorism is not properly dissected and appreciated as a conflict. Bulk of literature on terrorism have not captured the underlying motivations, goals and needs to explain terrorism violence. WoT is based on symmetrical thinking.<sup>26</sup> Such frameworks falter when confronted with violence from non-state actors.

These problems are exported to national security policies and strategies. The strategies are inclined to settlement rather than resolution of conflict. The distinction between settlement and resolution of conflict has certain implications for the conflict management approach and the nature of resultant peace. While a resolution portends a long-term solution, settlement is short-term.<sup>27</sup> The conventional strategies for confronting terrorism are primarily law and order measures and state-sanctioned use of force. They are predisposed to settlement. This does not address root of the conflict. Whereas settlement relies on power, resolution negates it. A conflict settlement thus addresses causes; but resolution deals with underlying factors of the conflict. The relationship between settlement and resolution of conflict is derived from methodology used to settle the conflict. Resolution is more permanent, settlement is temporal.

Terrorism conflict has challenged the realist perceptions on both international law and International Relations.<sup>28</sup> International law is not properly grounded terrorism conflict within the larger national security frameworks. It has not reflected on the impact of forces beyond the state and legal responses.<sup>29</sup> National security policies and strategies are confronted with the challenge of adapting to a legal regime to address the evolving issues around non-state actors and extra-territorial problems. In legal perspectives about the role of international law in war, the law serves to limit the dimensions of the war. But in WoT, nobody finds out the causes and its limits of the

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<sup>26</sup> Harmonie Toros. "We Don't Negotiate with Terrorists!' Legitimacy and Complexity in Terrorist Conflicts." *Security Dialogue* 39 (4): 2008, 407–426.

<sup>27</sup> Mwangi op.cit pp.38-48

<sup>28</sup> Phillip C. Cerny, *Terrorism and the New Security Dilemma*, Naval War C. Rev., Winter 2005, 11, 12.

<sup>29</sup> Lexie Henderson-Lancett. "Research handbook on international law and terrorism". *Journal of Policing, Intelligence and Counter Terrorism*, 12:2, 2017, 190-191,

war within the law.<sup>30</sup> It is thus a purely legal and legalistic strategy. For instance, it lacks a clear enemy and specific geographic location. This has caused a political paralysis of some sort.<sup>31</sup>

Terrorism is a political problem. It thus necessitates political solutions as opposed to legal ones which are unable to swim in that arena.<sup>32</sup> Without a physical space to challenge terrorism and WoT, states risk falling into a de-territorialized domain against which they are fighting. This renders other actors unable to politically engage in this conflict. National security policies have cast terrorism as ‘other’ out there, not within or among us. This fear of the “other” has directed states to action even when results are displaced. Like other contemporary conflicts, terrorism is an internationalized conflict. Even in instances where it may appear to be an internal issue, it is internationalized by interests and networks of actors involved. The media has served to internationalize conflicts by publicizing conflicts and related activities like violations of international human rights law beyond territorial boundaries.<sup>33</sup> Equally, during terrorist campaigns, terrorists and insurgents often target or seek refuge in foreign states. This effectively transforms the conflict from just domestic contest into an international issue. Explanations why terrorist organizations choose to internationalize conflicts are as political their cause.

Historically, people have used violent revolutions to free themselves.<sup>34</sup> The thinking here is that violence can achieve beneficial ends; it can lead to restructuring of state institutions. This means that when other channels of seeking justice for grievances are exhausted, violence is contemplated. It means that violence has rationality. This does not make violence right. Terrorists have instrumentalized it to highlight structural conflicts. However, classical power politics have not come to terms with this development. It is against this background that CVE strategies enter this discourse. They pursue non-military approaches to address terrorism. The focus is on the underlying structural issues not merely the communicative violence. The actors

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<sup>30</sup> Written communication from Prof. Makumi Mwagiru on 13 February 2020. Mwagiru is a Professor of Diplomacy and International Conflict Management. He is currently Adjunct Professor of Diplomacy, School of Humanities and Social Sciences (SHSS), Strathmore University, Nairobi and Visiting Professor, National Defence College of Kenya.

<sup>31</sup> Stuart Elden, “Terror and Territory”, *Antipode* 39/821 (2007), pp.821–22

<sup>32</sup> Mwagiru, Written communication 13 Feb 2020

<sup>33</sup> Mwagiru Makumi, *Conflict, Diplomacy and Mediation in Uganda*. (Nairobi: Thirty-three consortium and Centre for Conflict Research and Training Publications on Conflict.3. 2<sup>nd</sup> edition 2016

<sup>34</sup> Paul Redfern. ‘UK papers call for robust pressure on Kibaki, Raila. *The East African*, February 4-10, 2008, p11 -quoting Madeleine Bunting in *The Guardian*

and manifestation of the conflict vary with time, but the causal factors endure. As Kaldor argues, the so called “new wars” are not new.<sup>35</sup> This caution against obsession with the ‘newness’ of wars at the expense of political elements driving these wars.

Although literature concedes that terrorism is a form of conflict, perceptions abound that it cannot be investigated using conflict management frameworks. It is disassociated from study of conflict. This dissertation is designed to challenge this perception. Failure to reflect on terrorism as a conflict in transition portends serious strategic implications on national security policies and attendant strategies by states to tackle the problem, and on scholarship. This dissertation provokes debates along these lines by contributing to theoretical tenets on how management of conflict in transition can inform discourses on CVE. Conceptualizing terrorism as a conflict has profound implications on its study and analysis. This includes conception of probable responses to terrorism conflict.

### **3.5 Terrorism as a conflict in transition**

Conventional conflict analysis focuses on its profile or history, actors involved, their perspectives, structural/proximate causes and attendant interactions.<sup>36</sup> Two groups of literature emerge in conflict analysis. The first group of literature view conflict as a short-term phenomenon. This implies that it can be resolved permanently through mediation or other intervention processes. Its responses entail outcomes in which issues are satisfactorily dealt with. This is through solutions that are mutually acceptable to the parties, self-sustaining, and leads to new or positive relationship between previous hostilities.<sup>37</sup> Proceeding from this view, conflict resolution connotes a sense of finality. It means that parties are mutually satisfied with the outcome of a settlement and the conflict is resolved permanently.

A conflict is resolved when needs of parties involved are met and their fears allayed. This makes it a protracted pursuit of necessary satisfiers to parties involved. For terrorism, this pursuit is intricate because the actors involved are always changing strategies, tactics and given the volatility of operating environment. The complication emerges because the conflict is in transition. Rapoport’s framework denotes that

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<sup>35</sup> Kaldor, M., “In Defence of New Wars”. *Stability: International Journal of Security and Development*, 2(1), 2013 p. Art. 4.

<sup>36</sup> Conflict Sensitivity Consortium. *How to Guide to Conflict Sensitivity*

<sup>37</sup> Mitchell and Banks, *Handbook Conflict Resolution*

terrorists rise and fall.<sup>38</sup> That the groups emerge and dissolve when they can no longer inspire others to continue with the struggle or violent resistance to authorities in pursuit of redress of their grievances. Parker and Nick have argued that it is ‘not waves, it is Strains’.<sup>39</sup> They observe that terrorists learn and emulate each other. It suggests that terrorist actors are motivated differentially. Responding to a transforming conflict is complex undertaking due to the changing character of the conflict, actors involved and lack of necessary conditions for successful negotiations, most critical being a mutually hurting stalemate.<sup>40</sup>

By framing terrorism as a conflict in transition, this study holds that peace and conflict management frameworks can enhance our understanding of terrorism. They can also illuminate on the asymmetrical character of the violence and required responses. This analyses terrorism and CVE strategies through epistemological and ontological aspects on conflict management. This heralds an alternative approach to appreciate root causes, expanded responses. Both international relations and international law prescribe that settlement of conflicts be done through peaceful means. Peaceful settlement of conflicts entails multifaceted methods like negotiations, mediation, conciliation, arbitration, judicial settlement among others.

Managing conflicts in transition asks which of the transitioning conflicts is more amenable to negotiation. This means that CVE strategies need to isolate the various contentions of terrorism conflict and frame conceivable ones for resolution. It entails construction of an in-built normative dimension that defines the desired end state of political change. In “*Mediation in transitional conflict: Eritrea*”, Ottaway brings to live the intricacies of tracking and transiting with conflict during the thirty years of Eritrean conflict with Ethiopia.<sup>41</sup> In this this case, what had started as a bilateral conflict between the government and Eritreans, progressively transited to a multilateral conflict thereby complicating negotiations. Transitional characteristics diminishes prospects of conditions necessary for successful negotiations, particularly a mutually hurting stalemate. What all this means is that mediator need to focus on not just the end-state model/solutions, but also interim (transitional) dynamics, policy and strategy arrangements that would allow entry points to gradual end of the conflict.

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<sup>38</sup> See Chapter two.

<sup>39</sup> Parker and Nick, *The Four Horsemen of Terrorism*, pp. 197-216

<sup>40</sup> Marina op.cit pp. 69-81

<sup>41</sup> Ibid.

### 3.6 Ripe moments in conflict analysis

Zartman's ripeness theory illuminates crucial dynamics of conflicts and plausible framework to its resolution.<sup>42</sup> It outlines ripe moment of a conflict crisis in three perspectives. First, there is a mutual painful stalemate that is marked by recent or impending catastrophe. The second aspect is when both parties' efforts at unilateral solutions or 'tracks' are blocked. This implies that bilateral options or tracks are conceivable. The last aspect is a long slope where the 'ins' start to slip and the 'outs' start to surge.<sup>43</sup> Still on ripe moments, Mitchell has observed four relevant types of structural ripeness.<sup>44</sup> They are hurting stalemate, imminent mutual catastrophe, entrapment, and enticing opportunity. His analysis of the linkages between objective and subjective illustrate that decision making plays a crucial role in creating and recognizing ripe moments. This framework could be used to analyze terrorism conflict.

The psychological dimension to the realization of hurting stalemates is not an objective thing, but a subjective one. Each party must independently come to the realization that it has reached a hurting stalemate. Shift in psychological perception of conflict imply that ripeness is not wholly dependent on structural changes. This suggests that relationship between psychological perception and structural changes is dialectical. They must be there and interact to create ripeness or willingness. The issue therefore is how will a third party become privy to this subjective realization. Ripeness model suggests that conflict resolution is pegged proper appreciation of right moment in an environment of differing patterns and escalation.

The model gives primacy to proper context analysis of conflict, its relationship actors, instability and peace. A ripe moment for resolving a conflict is linked to plateaus and precipices which produces varying pressure deadlocks and deadlines.<sup>45</sup> It is reached when one side is unable to achieve its aims. This cycle is complete when the other party reaches similar perception. The parties reach a mutually hurting

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<sup>42</sup> Zartman Ira William. "Conflict and Resolution: Contest, Cost and Change", *The Annals of the American Academy of Political and Social Science* 518 (November 1991): 11-22 (Special Volume on 'Resolving Regional Conflicts: International Perspectives', Special Editor, Ira William Zartman).

<sup>43</sup> Zartman, Ira William. *Ripe for Resolution: Conflict and Intervention in Africa*. Updated edition (New York: Oxford University Press 1989).

<sup>44</sup> Mitchell Christopher Roger. "The Right Moment: Notes on four models of "ripeness", *Paradigms*, 9:2, 1995, 38-52,

<sup>45</sup> Zartman, *Ripe for Resolution*

stalemate. They can no longer escalate their way to victory. The costs of countering efforts of the other side make it a costly deadlock.

Stalemates can emerge from desperation, attrition or frustration.<sup>46</sup> It is where both sides are completely exhausted, and none can see victory. Stalemate of attrition is where neither party is being significantly hurt and none can destroy or neutralize the other. Lastly, stalemate of frustration occurs when adversaries realize that they cannot achieve a clear victory irrespective of their efforts and resources. A hurting stalemate is not a phase for resting or recouping, but an unpleasant terrain that stretches into the strategic realm, with no possibility for decisive escalation of the conflict or for a graceful exit.<sup>47</sup> It calls for negotiating truce and reducing violence between the warring parties. Both parties reach a point where they cannot continue fighting. When this happens, the situation is ripe for resolution.<sup>48</sup> Each party is uncomfortable with the costly dead-end it has gotten itself.

In such circumstances, conflict resolution rests on perceptions of this dead-end situation. If parties lack this discernment, a mediator can persuade them that any escalation is not possible. Each party has to recognize the strength of opponent and his inability to surpass it. With focus on implementation of peace agreements in Africa, works by Anyona suggests that the theory of ripe moments is not properly appreciated and exploited.<sup>49</sup> Through a comparative analysis of similar cases of internal conflicts and their mediation in Mozambique and Angola, she analysis why the outcomes of mediation in the two cases were different. She attributes it to contextual differences in the timing and dynamics of ripe moments. This implies that contextual failure to discern and appreciate ripe moments leads to varied outcomes to cases that even look similar. All this points to importance of proper understanding conflict with its dynamics, discerning and seizing the ripe moments depending with the contexts.

Neither party in the WoT seem to be winning. The conflict has reached a stalemate of a kind. A moment that has kept both parties from achieving their goals.

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<sup>46</sup> Mitchel Christopher Roger. "The Right Moment: Notes on Four Models of Ripeness". *Paradigms* Vol. 9 No.2 1995, pp.38-52

<sup>47</sup>Mwagiru Makumi. *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya*. Nairobi: IDIS Publication on International Studies. 2008

<sup>48</sup>Zartman Ira William. 'Bargaining and Conflict Reduction, in Edward A. Kolodziej and Roger E. Kanet, (eds), *Coping with Conflict After the Cold War*. Baltimore, MD and London: Johns Hopkins University Press 1996: (271-290).

<sup>49</sup>Anyona Rosemary. *Conflict and Mediation in Mozambique and Angola*. Three Legs Consortium. Nairobi: Kenya. 2019

The stalemate in WoT is not necessarily of an identical degree. Central issue is that neither party sees likelihood of an end or victory. They have exhausted their resources and thus strong incentives to seek resolution of the conflict. Continued fighting is painful and costly to both parties. However, these hurting stalemates in terrorism conflict are not static. They are always shifting as the operating environment changes with the actors involved strategically changing their offensive and defensive tools and strategies. As a result, not all ripe moments are acted upon. This is the dilemma that ought to bother CVE strategies. They should understand full range of terrorism conflict as it evolves.

CVE strategies need to mirror the character of the operating environment they are meant for. Ripeness is a perceptual concept. This means that parties feel a mutual hurting stalemate. However, this feeling has a source in the reality of relations between the parties. CVE strategies need to identify and isolate the hurting of the actors involved and its content as the conflict evolves. This will pave the way for eventual adoption of wider conflict management strategies. Timing is a crucial aspect in identifying the hurting stalemate and resolving conflicts. The challenge then, is to identify conditions where parties perceive more costs than benefits in pursuing conflict.<sup>50</sup> The attendant strategies must be transient to correspond with the terrain of the operating environment. This implies that CVE strategies must be flexible and not one-sided; they must be valid for the stage of transition the conflict is at. It also means that CVE strategies must no longer be seen from solely a state-centric perspective. The ripeness framework is plausible to map requisite multipronged inter-actions for a better appreciation of the dynamics of terrorism conflict and eventually grasp the ripe moment.

### **3.7 Conclusions**

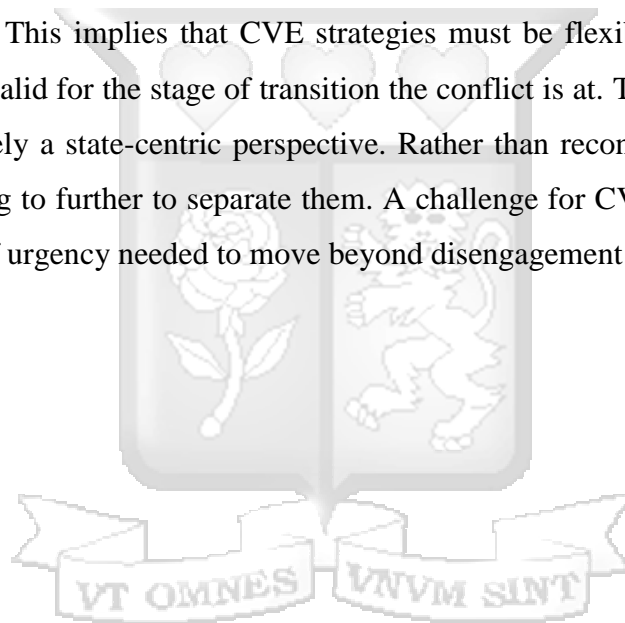
The terrain in which conflicts have traditionally been conceptualized has radically shifted to asymmetric and symbolic terrains. This has necessitated scholars and policy makers to go back to the drawing board to re-examine at the underlying assumptions. This study has analytically situated and categorized terrorism as a conflict in transition within the precincts of conflict management. It has exemplified that despite clear similarities of actors and the root causes of contemporary conflicts

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<sup>50</sup> Patchen, Martin, "When Does Reciprocity in the Actions of Nations Occur?", *International Negotiation* 3(2): 1998, 171-196.

and terrorism. There is a divide between conflict and terrorism analysis. Whereas discrete literature on conflict management and counter terrorism exists, there is little interaction of the two. Analyzing terrorism as a conflict in transition in relation to ripe moments theory illuminates the understanding of terrorism conflict and its resolution.

By taking advantage of occasional hurting stalemate plateaus, CVE strategies can settle terrorism conflict. The issue is how to capture conflict at the moment. The thesis questions whether CVE strategies are designed to capture the conflict at the time they are formulated, or they become stale once the conflict transforms. The transitional character of terrorism arises from the changing strategies the parties involved adopt. For instance, the terrorism that required KDF to enter into Somalia was not the same as two years later. Two years later the terrorism had transitioned to radicalization. This implies that CVE strategies must be flexible and not one-sided; they must be valid for the stage of transition the conflict is at. They must no longer be seen from solely a state-centric perspective. Rather than reconciling the two parties, WoT is serving to further to separate them. A challenge for CVE strategies is thus to create sense of urgency needed to move beyond disengagement to a lasting peace.



## CHAPTER FOUR

### COUNTER VIOLENT EXTREMISM IN WAR ON TERROR

#### 4.1 Introduction

Chapter three examined terrorism as a conflict in transition. It addressed the shifting character of terrorism threat, actors, and their strategies. The Chapter argued that as a conflict in transition, it necessitates new response tools. This Chapter picks up the discourse from there by tracing the origin and development of counter violent extremism (CVE) as a strategy in WoT. Beyond historicizing global CVE approaches, it critically examines its theory and practice as an aspect of War on Terror. This chapter is organized into five. The first examines violent extremism, radicalization and their conceptual contestations. It then delves into global CVE practice alongside coercive approaches and its implications.

#### 4.2 Understanding violent extremism

The aftermath of 9/11 necessitated states to rethink the nature and kind of threat the world was facing. Initially, use of force was considered to be an appropriate response. However, this response was not solving the problem but instead aggravating it.<sup>1</sup> Questions arose about emergence of homegrown terrorists and lone wolf phenomenon. The 2004 Madrid train bombings and 2005 public transit bombings in London exemplified these dynamics.<sup>2</sup> This search for plausible explanations found that the problem was within. It is this realization that shifted focus towards explaining violent extremism and its root causes. This shift had implications on response tools to the problem. Central to this new understanding was phenomenon of radicalization to violent extremism.

However, despite this shift violent extremism is defined subjectively. This has caused isolation of political, ideological and other aspects of violence. This makes it difficult to engage the concept of violent extremism, and the policies and strategies designed to address it. However, there are contextual definitions by states, organizations and other actors. This means it is interpreted subjectively. This is also reflected in the policy responses. What is common is view that the approach seeks

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<sup>1</sup> See Chapter two.

<sup>2</sup> Harris-Hogan, Kate and Andrew, What is countering violent extremism? pp. 6-24

policy responses that seek to address push and pull factors that drive individuals and groups to extremist violence.<sup>3</sup>

There are debates about relationship between violent extremism and terrorism. Some have argued that both concepts are synonymous.<sup>4</sup> That terrorism was a highly politicized term that needed to be replaced to redeem WoT. However, violent extremism is interpreted more broadly than terrorism, to include a wider range of groups. Literature argue that violent extremism is different from terrorism, but both seek to achieve politically motivated goals through violent means.<sup>5</sup> However, it is the commitment to violence that distinguishes a terrorist from other extremists.<sup>6</sup> The problem manifests in different forms and expressions depending on contexts where it grows. Extremism is context dependent.<sup>7</sup> It is viewed as advocating, engaging, preparing, and/or supporting ideologically motivated, and justified use of violence to further social, economic or political objectives.<sup>8</sup> Traditionally, groups like *ISIS*, *Boko Haram*, *Al-Shabaab* and *Al-Qaeda* formed the global understanding of violent extremism.<sup>9</sup>

This understanding still shapes many national and international security policies. It means that attendant responses target a certain ‘enemy’ out there. Yet, recent trends have looped in subtle groups and lone wolves. This shows that violent extremism is not confined to one group, ideology, religion or political goal. Its varied contexts and characteristics lead to subjective policies and strategies. This makes it difficult for states and international community to respond to it. Some countries have borrowed from generic violent extremism toolkits and strategies with presumptive variables and drivers of radicalization. This means that they don’t match the realities of threat in the operating environment.

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<sup>3</sup> Anne Aly and Jason-Leigh Striegher. Examining the Role of Religion in Radicalization to Violent Islamist Extremism, *Studies in Conflict & Terrorism*, 35:12, 2012, 849-862,

<sup>4</sup> Refer to Neumann, *Countering Violent Extremism and Radicalisation that lead to Terrorism*

<sup>5</sup> Frazer O. and C. Nünlist. “The Concept of Countering Violent Extremism”, *CSS Analyses in Security Policy*, No. 183.2015

<sup>6</sup> Maluki Patrick and Seif Rashid. Using soft power to Counter Violent Extremism among the Youth, in Kenya, In Mustafa Y. Ali, Mumo Nzau, and Hassan Khannenje (eds). *The changing dynamics of terrorism & violent extremism. An Analysis*. (Nairobi: International Conference on Terrorism and Violent Extremism. HORN International institute for strategic studies, 2018). Chap.5.

<sup>7</sup> Fiore Geelhoed, “Fundamentalism,” in Jeffrey Ian Ross, ed., *Religion and Violence: An Encyclopedia of Faith and Conflict from Antiquity to the Present* (Armonk, NY: M.E. Sharpe, 2011), p. 368

<sup>8</sup> Frazer and Nünlist, *The Concept of Countering Violent Extremism*

<sup>9</sup> United Nations. Report of the Secretary-General, Plan of Action to Prevent Violent Extremism, United Nations Global Counter-Terrorism Strategy, General Assembly, p. 4, December 24, 2015.

In Kenya, *Al-Shabaab* has upscaled radicalization and information warfare with the purpose of influencing its followers. This entails exploiting perceived socio-political grievances and global *jihadist* narrative. It blends truths and falsehoods to construct narratives that subvert reality. The group's propaganda strategy is linked to Somali nationalism and Kenya's *Operation Linda Nchi* intervention.<sup>10</sup> These are combined with local narratives that exploit structural grievances, injustices and anti-Muslims rhetoric. *Al-Shabaab* in Somalia seek to overthrow government and establish an Islamic caliphate. Though it focuses on East Africa, its dream is akin to *Al-Qaida's*. Kenya's response to *Al-Shabaab* should be grounded on knowledge of these context realities to capture the moments of the conflict.

#### 4.3 Understanding radicalization

There have been many attempts to explain radicalization as a key component of violent extremism. For instance, Anne argue that the concept of radicalization is a predictor of violent behavior.<sup>11</sup> It is also described as the stage when one accepts violence as a possible and legitimate course of action.<sup>12</sup> This process entails indoctrination with narratives that provide easy answers to causes and solutions to grievances. It makes individuals derive fulfilment, meaning, belonging, acceptance, purpose, value, esteem, dignity and pride in defending their cause. This perspective on radicalization have largely focused on ideology. From this understanding, its antithesis is de-radicalization. Ideology and action are occasionally linked; but not always.<sup>13</sup> This is a narrow perception. It suggests radicalization is a necessary precursor to for violent behavior.

New literature suggest that terrorism and violent extremism are beyond ideology. That some individuals harbor radical justifications but don't necessarily engage in violent extremism. This means that there are many pathways for different people in diverse periods and in varying contexts.<sup>14</sup> Violent extremism is now

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<sup>10</sup> United Nations Assistance Mission in Somalia. *Countering Al-Shabaab propaganda and recruitment mechanisms in South Central Somalia*. UNSOM 2017

<sup>11</sup> Anne and Jason-Leigh, Examining the Role of Religion in Radicalization to Violent Islamist Extremism, pp. 849-862

<sup>12</sup> Borum, Randy. "Radicalization into Violent Extremism I: A Review of Social Science Theories." *Journal of Strategic Security* 4, no. 4 (2011): 7-36.

<sup>13</sup> Ibid.

<sup>14</sup> D. R. Mandel, "Radicalization: What does it mean?" In T. M. Pick, A. Speckhard, and B. Jacuch (eds.) *Home-Grown Terrorism: Understanding and Addressing the Root Causes of Radicalization among Groups with an Immigrant Heritage in Europe* (Amsterdam, Netherlands: IOS Press,2010), pp.101-113.

examined through a framework of push-pull factors.<sup>15</sup> However, the commonly referenced drivers/push-pull factors to violent extremism are too generic to adequately and consistently explain radicalization. Some literature view radicalization to violent extremism as a process involving series of successive stages.<sup>16</sup> That it is an ordered path where terrorism is ultimate manifestation of radicalization. Among the common model is the four phased account.<sup>17</sup> It has pre-radicalization, self-identification, indoctrination and violent extremism phases. Pre-radicalization is entry point for individuals and groups in that progression. They are induced and exposed to radical ideology by recruiters. During the self-identification recruits begins to explore new ideology. They subscribe to the group's cause and gravitate old identity.

The indoctrination stage entails progressive intensification of radical beliefs and adoption of extremist ideology. They unconditionally believe that action is required to support a cause through violence. In the last phase of violent extremism, recruits willingly use violence to justify their causes. They embrace a mindset that legitimizes and encourages violence to address issue that are against their belief. It is argued that these phases are autonomous. Recruits do not necessarily go through a linear sequence of progression. They may abandon the path at any point. However, individuals who complete the process are more likely to commit terrorist acts.<sup>18</sup>

However, others have contended this phased process of radicalization. Instead, they argue that it is not an exact progression.<sup>19</sup> That individuals may engage in extremist behavior for various reasons. They may be radicalized before or after joining the group. This school of thought faults notion of violence being adapted only as an end. It argues that framing radicalization as a pre-terrorism phenomenon risks alienating groups that may never become violent.<sup>20</sup> It exacerbates drivers of extremism like identity, polarization and marginalization. Despite criticism, the four-phased radicalization model remain a crucial explanation for radicalization. The

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<sup>15</sup> European Union. "Preventing and Countering Youth Radicalization in the EU" *IPOP PE* 509.977(2014) 31

<sup>16</sup> Anne and Jason-Leigh op.cit pp. 849-862

<sup>17</sup> Silber M. and Bhatt A. *Radicalization in the West: The Homegrown Threat*. (NY:New York City Police Department, 2007).

<sup>18</sup> Marc Sageman. *Leaderless Jihad: Terror Networks in the Twenty-First Century* (Philadelphia: University of Pennsylvania, 2008), p. 72.

<sup>19</sup> Mandel, Radicalization, In Pick, Speckhard and Jacuch (eds.) *Home-Grown Terrorism*, pp.101–113.

<sup>20</sup> See Khalil and Zeuthen, *Countering Violent Extremism and Risk Reduction*

model explains how individuals can become terrorists. It is therefore used to construct psychological reforms like de-radicalization and disengagement programs.<sup>21</sup>

Growth in lone wolf violence and use of social media to recruit has changed perceptions on what used to be considered domestic terrorism or violent extremism.<sup>22</sup> Globalization, exploitation of social media and lone wolf phenomenon has challenged the traditional lenses of looking at violent extremism. Against these conceptual challenges, violent extremist groups like *Al-Qaeda*, *Boko Haram* and *Al-Shabaab* have exploited these developments to their advantage. This has contributed to insecurity in Sahel, Lake Chad basin and Greater Horn of Africa. These dynamics have complicated efforts to understand and pace with the threat as the actors involved change strategies. There have also been misconceptions that link violent extremism to Islamist violence.<sup>23</sup> Its implication is that violence by other religious ideologies are not considered as violent extremism. Linking of Islamist extremism or radicalism with terrorism has inevitably profiled and elicited stigma to the Muslim community.

Conceptually, such division of violence is faulty. If an extremist from wherever attacks, we need to look at the outcome without really distinguishing to religious affiliation. These biases have made most Muslim communities in West, Middle East and Greater Horn of Africa to view global WoT as a veiled attack against Islam. Africa's vulnerabilities to radicalization are multifaceted and entwined with its history. They are shaped issues like underdevelopment, exclusion structures, incomplete peacebuilding and disjointed nation-building.<sup>24</sup> The continent is also confounded by complexities of delivering peace and stability, particularly linked to managing its increasing youthful population. Some argue that a key impediment facing current CVE in Africa efforts is the lack of funding.<sup>25</sup> At the center of Africa's threat picture are narratives with multifaceted grievances and injustices at individual and communal level. Consequently, violent extremist ideologies exploit these

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<sup>21</sup> Horgan, J. *Walking Away from Terrorism: Accounts of Disengagement from Radical and Extremist Movements* (Routledge: London), 2009. p. 153

<sup>22</sup> Miller, Gregory D. "Blurred Lines: The New 'Domestic' Terrorism." *Perspectives on Terrorism* 13, no. 3 (2019): 63-75.

<sup>23</sup> Nasser-Eddine M., B. Garnham, K. Agostino, and G. Caluya, *Countering Violent Extremism Literature Review* (Edinburgh: Counter Terrorism and Security Technology Centre, DSTO Defence Science and Technology Organization, 2011)

<sup>24</sup> United Nations Development Programme. *Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment*. New York: United Nations Development Program Regional Bureau for Africa. 2017

<sup>25</sup> Koser, Khalid and Rosand Eric. "A Better Way to Counter Violent Extremism-Why Business as Usual Won't Work" in *Foreign Affairs*. 2016

injustices, deprivation, low levels of education and desperation to challenge to the status quo. The recruiters tailor the messages to suit different contexts and individuals targeted.

#### 4.4 Counter Violent Extremism

Assessment on global WoT pointed to an indicting judgement. Despite disrupting terrorist plots, WoT failed to defuse global violent extremism threat. There was consensus that traditional counter terrorism policies were reactive and overlooked underlying factors. Furthermore, coercive counter terrorism was generating and adding into the pool of radicalization. As WoT proceeded, many homegrown Jihadist networks and cells emerged.<sup>26</sup> Terrorist threat and networks, which were earlier perceived to only emanate only from the Middle East, proliferated to other jurisdictions. With emphasis on coercive approaches, terrorist continued to hold ground with increased radicalization; the threat was persistent, not fixed to regions or territories.<sup>27</sup>

Developments like rise of *ISIS*, home-grown terrorism, proliferation of foreign fighters, and exploitation of cyberspace pointed to failure in WoT.<sup>28</sup> It is against this background that CVE approaches were devised. However, there is no consensus on its definition. This means it is explored diversely in theory and practice.<sup>29</sup> CVE reflects on soft power approaches to counter terrorism. It seeks to win hearts and minds of people rather than coerce them. Shandon argues that CVE emphasizes on non-coercive attempts to reduce involvement in violent extremism.<sup>30</sup> These include pre-emptive and preventive measures like ideological and communicative interventions.<sup>31</sup> Others are political approaches to address grievances, nation building and social cohesion.<sup>32</sup>

CVE need to be conceived in the realm policies. This entails programmes and interventions designed to prevent individuals from engaging in violent extremism. It

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<sup>26</sup> Schuurman, Harris-Hogan, Lentini and Zammit, Operation Pendennis, pp.91–99.

<sup>27</sup> Harris-Hogan Shandon. "Understanding the Logic: An Analysis of Neo-Jihadist targeting and tactics in Western Countries from 2000 – mid 2012", *Security Challenges*, 11 (2015) 75–91.

<sup>28</sup> Rundle-Thiele, Sharyn, and Renata Anibaldi. "Countering Violent Extremism: From Defence to Attack." *Security Challenges* 12, no. 2 (2016): 53-64.

<sup>29</sup> Cilliers, J. 'Violent Islamist Extremism and Terror in Africa', *ISS Paper 286*, October 2015. Institute for Security Studies, Pretoria, South Africa.

<sup>30</sup> Harris-Hogan, Kate and Andrew, What is countering violent extremism? pp. 6-24

<sup>31</sup> Rundle-Thiele and Renata, Countering Violent Extremism, pp.53-64

<sup>32</sup> Minerva N., E., Bridget G., Katerina A., and Gilbert C. *Countering Violent Extremism (CVE) Literature Review* (Edinburgh, SA: Counter Terrorism and Security Technology Centre, Defence Science and Technology Organisation, 2011).

refers to banner of efforts to prevent radicalization and possibly help individuals to disengage. This general conception of CVE means it lacks precision.<sup>33</sup> It need not to be generalized because it is determined by local settings. Although violent extremism is often associated with groups like *ISIS*, *ISIL*, *Al-Qaida*, *Al-Shabab* and *Boko Haram*, it is not new.

As early as 2001, Organization for Security and Co-operation in Europe (OSCE) had advocated for alternative approaches to counter terrorism. It decried the failure by military approaches to addressing root causes of problem.<sup>34</sup> However, urgency and emphasis for CVE was accelerated by bombing in Madrid and London in 2004 and 2005 respectively. There were upscaled efforts in Europe to respond to homegrown Islamist terrorism. Some literature suggest that United Kingdom's Prevent Programme was the first applied CVE initiative in prevention of jihadist radicalization. It accelerated clarion for holistic approaches to address conditions conducive to terrorism. United Nations Development Program rooted for strategies to tackle factors that that make people engage in violent extremism.<sup>35</sup> Lack of definition brought challenges of distinguishing CVE from other programs.<sup>36</sup> These include development, poverty alleviation, governance and democratization and education.

Despite these complications, CVE approach in the WoT represented an evolution thinking. It aims at changing behavior, ideas and beliefs to build a cohesive society. It was first tested in Europe when United Kingdom launched 'CONTEST' in 2003.<sup>37</sup> Under its Prevent pillar, it emphasized on discouraging and preventing terrorism. It was followed by European Union Declaration on Combating Terrorism in 2004. In the same year, European Union Plan of Action on Combating Terrorism was launched. These developments popularized dangers of radicalization in European Union policy realms. This culminated in efforts to institutionalize responses. In 2006, European Union Expert Group on Violent Radicalization was established.<sup>38</sup>

Within the African continent, US, European Union and Global CT Forum actively supports states to domesticate CVE frameworks. These efforts have also

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<sup>33</sup> Heydemann, *Countering Violent Extremism as a Field of Practice*, pp. 1-5

<sup>34</sup> Frazer and Nünlist op.cit

<sup>35</sup> United Nations Development Program. *Preventing Violent Extremism through Promoting Inclusive Development, Tolerance and Respect for Diversity: A Development Response to Addressing Radicalization and Violent Extremism*. NY" UNDP 2016

<sup>36</sup> Heydemann op.cit pp.1-5

<sup>37</sup> See See HM Government. *Prevent Strategy*.

<sup>38</sup> Coolsaet, R. "What drives Europeans to Syria, and to IS? Insights from the Belgian case. Brussels: Egmont Papers, *The Royal Institute for International Relations*. (2015, June 30).

looped in Inter-Governmental Authority on Development. To this end, IGAD has formulated a regional strategy dubbed ‘Preventing and Countering Violent Extremism’ and established a Center of Excellence for P/CVE. However, only one-member state (Kenya), has formulated a national CVE strategy. EU has a program dubbed ‘Strengthening Resilience to Violent Extremism’ in the Horn of Africa. It focusses on engagement with non-governmental organizations and capacity building in Somalia and Kenya. USAID and DFID are also engaged in CVE related programs in the Greater Horn of Africa. Several civil-society organizations are also implementing CVE projects and programmes in the Horn of Africa.

P/CVE should define its methodologies in local contexts of push and pull factors and design interventions to reduce or downplay these factors. It should inculcate resilience-building measures or skills that protect against these issues. Structural, environmental, economic, socio-cultural and political conditions create environment for violent extremism and its ideology. CVE should take many forms like dialogue, inclusion and social cohesion. This necessitates concerted efforts from states, public and private sector players. The measures also include aligning fields like education, development and religion to CVE objectives. Overarching theme of violent extremism revolves around socialization of individuals. The triggers of violent extremism can be foreign or domestic, national or international. There are many threads to violent extremism. An individual may be radicalized but not engage in violent extremism. The challenge for CVE is to identify the violent extremism nexus between the two divides.

#### **4.5 CVE Approaches in War on Terror**

Violent extremism continue to be a major security problem in many regions and jurisdictions. This has made CVE to be a global concern that has necessitated international responses. UN Plan of Action on Preventing Violent Extremism describes it as a diverse phenomenon that is not exclusive to a region, nationality and belief.<sup>39</sup> This means that the world is confronted by a complex and amorphous threat that is entwined with religion, ethnic and political dimensions. Its spread across borders poses serious contemporary challenges to diverse and multi-cultural societies.

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<sup>39</sup> UN, Report of the Secretary-General Plan of Action to Prevent Violent Extremism, pp.4

UNDP describes CVE as deterring radicalized and vulnerable people from becoming violent extremists.<sup>40</sup>

Normative frameworks have emphasized on comprehensive approaches to terrorism, especially its prevention. For instance, UN Global Counter Terrorism Strategy of 2006 highlights need to address conditions that are conducive to propagation of terrorism.<sup>41</sup> It also denotes salience and protection of human rights. Equally, UNSC resolution 2178 of 2014 highlights centrality of CVE in tackling threats to international peace and security.<sup>42</sup> However, this is contextualized on basis of foreign jihadist fighters. The Council emphasized on involvement of non-state actors and local communities in developing CVE strategies. Conceptually, UN General Assembly Plan of Action to Prevent Violent Extremism of 2015 associates the problem with historical, political, economic and social circumstances.<sup>43</sup> It also enlists geopolitics and globalization. The Plan cites growing horizontal inequalities like unemployment, poverty, injustices and human-rights violations. Other drivers of violent extremism are marginalization, corruption and failure by state to provide services to the populace.<sup>44</sup> The weak states and failed political transitions, with weak institutions provide a fertile ground for violent extremism groups.<sup>45</sup>

To guide states in tackling violent extremism, UN Security Council has provided frameworks like UNSC Resolutions 2178 of 2014, 2242 of 2015 and 2250 of 2015. It describes root causes of violent extremism as complex and multifaceted phenomenon. The Council advocates for long term approaches in addressing underlying causes of radicalization and violent extremism. It emphasizes on programs like peace, education, development, leadership, human rights advocacy and health targeting special interest groups. These include youth, women, civil society and local communities. UNSC resolutions and strategies are complimented by other UN organs. For instance, UNDP takes a development approach to the Prevention of Violent

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<sup>40</sup> See UNDP, *Journey to Extremism in Africa*

<sup>41</sup> United Nations. General Assembly 60th session: 2005-2006. President. 2006. *The United Nations Global Counter-Terrorism Strategy: draft resolution*. [New York]: UN.

<sup>42</sup> United Nations. *International Instruments Related to the Prevention and Suppression of International Terrorism*. NY: UN 2019

<sup>43</sup> UN op.cit pp.4

<sup>44</sup> Badurdeen, F. A. Roles, Motivations, and Recruitment Pathways of Kenyan Women Recruited into the Al-Shabaab, in Mazrui, A., Njogu, K., and Goldsmith, P. (Eds.). *Countering Violent Extremism in Kenya: Between the Rule of Law and the Quest for Security*. Nairobi: Twaweza Communications, 2018, 151-168.

<sup>45</sup> Sodipo, M.O. "Mitigating Radicalism in Northern Nigeria", *African Security Brief*, No.26. 2013

Extremism (PVE).<sup>46</sup> This perspective denotes an upstream approach by engaging the wider contextual and societal issues. These responses are largely premised on development principles.

Various regional establishments like EU have come up with CVE frameworks. They are premised on pillars like Prevent, Protect, Pursue and Respond. In Africa, most frameworks are largely imported from West. For instance, UNDP designed Preventing and Responding to Violent Extremism in Africa in 2015. The program works with governments, regional organizations, and civil society to augment PVE interventions. It targets societal conditions that can lead to radicalization. This includes emphasis on good governance, human rights, democracy, education, economic prosperity and conflict resolution. They also target inter-cultural dialogue and long-term integration. Calls are made for AFRICOM to change its WoT mindset in Africa. It has framed the continent as a haven for international terrorist and violent extremism groups.<sup>47</sup> In the midst of this dissonance, the terrain of violent extremism in Africa is ever changing. Groups like *Al-Qaeda*, *Boko Haram*, *Al-Shabaab*, *LRA* and *Ansaru* have upscaled their activities through regionalized networks.<sup>48</sup> They have radicalized and recruited locals in various parts of the continent. There are also issues foreign fighters travelling to jihad theaters in support of violent extremist activity.

#### **4.6 Pairing CVE with military strategies in War on Terror**

Discourse on efficacy of CVE in War on Terror is wrought with contentions. It can be approached from perspective of their conceptual and philosophical basis. The literature review on War on Terror deduced that military operations and similar offensive strategies were deficient in addressing the problem.<sup>49</sup> CVE was therefore innovated to cure what coercive approaches could not; a paradigm of some sort.<sup>50</sup> However, despite recognition, emphasizes and adoption of CVE, countries did not

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<sup>46</sup> UNDP, *Preventing Violent Extremism through Promoting Inclusive Development, Tolerance and Respect for Diversity*,

<sup>47</sup> Princeton N. Lyman and J. Stephen Morrison, "The Terrorist Threat in Africa," *Foreign Affairs*, Vol. 83, Issue 1, January/February 2004; pp. 75-86; See also Thomas Dempsey, *Counter terrorism in African Failed States: Challenges and Potential Solutions*, Carlisle Barracks, PA: U.S. Army War College, Strategic Studies Institute, 2006.

<sup>48</sup> Boukhars, A. "Rethinking Security across the Sahara and the Sahel", *Fride Policy Brief*, No. 199, April 2015. Madrid, Spain.

<sup>49</sup> Brophy-Baermann, B., and Conybeare, J. A. C. "Retaliating against terrorism: rational expectations and the optimality of rules versus discretion", *American Journal of Political Science*, 38(1), 1994, 196–210.

<sup>50</sup> See Thomas Kuhn. *The Structure of Scientific Revolutions*. Chicago: University of Chicago Press.1962

completely defect to the new paradigm; coercive approaches were retained.<sup>51</sup> Since then, countries are engaging both military and CVE approaches.

This military-CVE duality presents strategic dilemmas about character of the threat faced and responses required. It also points to concerns on the relationship between the two approaches. This raises questions on the supposed efficacy of CVE strategies; what works, how and why. The second aspect is that inconsistencies and gaps in CVE theory and practice has certain implications. It is hardly surprising that definitional ambiguities are extended into policy realms.<sup>52</sup> CVE has emerged as an imprecise catch-all policy category. Despite shift towards CVE approaches, many countries cannot outline specifics of what they are preventing, how they are doing it and whether they are meeting that end.<sup>53</sup> There seem to be a disconnect between CVE strategies and realities of their environments. As a paradigmatic shift, CVE ought to have overthrown use of force in counter terrorism efforts.

Literature concedes that use of force is aggravating radicalization and its root causes. This suggests that many countries have borrowed form generic CVE strategies with presumptive variables and drivers of radicalization like religious affiliation, poverty and unemployment. Rationale for CVE strategies need to be pegged on proper appreciation of local contexts. However, research on the problem is event-driven, reactionary and technically oriented.<sup>54</sup> This has brought about several limitations like disparities and in range of research methodologies, minimal reliance on field research and primary data, focus on certain regions and countries and the domination Western narratives. It is difficult to tell what works and doesn't. Whereas the normative frameworks provide generic guidelines, it's effectiveness and sustainability lie with member states. They need to meet obligations.

Pairing CVE with military strategies has implications. Literature posit that despite increased global efforts in CVE, radicalization persists.<sup>55</sup> It suggests that the 'alternative' is not addressing the problem. Although many states countries have launched CVE action plans, there are no universal metrics to assess these efforts. It is

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<sup>51</sup> Saira Bano Orakzai. Pakistan's Approach to Countering Violent Extremism (CVE): Reframing the Policy Framework for Peacebuilding and Development Strategies, *Studies in Conflict & Terrorism*, 42:8, (2019) 755-770,

<sup>52</sup> Heydemann op.cit pp.1-5

<sup>53</sup> Charles P. Webel, and John A. Arnaldi. *The Ethics and Efficacy of the Global War on Terrorism: Fighting Terror with Terror*. New York: Palgrave Macmillan, 2011

<sup>54</sup> Ranstorp, Introduction, In. Ranstorp (ed), *Mapping Terrorism Research*, pp.2

<sup>55</sup> Rundle-Thiele and Renata op.cit pp.53-64

therefore difficult to speculate configurations between context, mechanisms and outcomes of these interventions.<sup>56</sup> There are concerns among many communities that CVE approaches are being used to profile and discriminate sections of society.<sup>57</sup> This mirrors the coercive approaches of WoT. For instance, sections of Muslim community feel targeted and victimized by CVE mechanisms.<sup>58</sup> This suggests that counter terrorism efforts have securitized relationship some communities and the state.

#### **4.7 Conclusions**

CVE strategies were devised and adopted following failure by the coercive approaches to address radicalization and the root causes of terrorism and violent extremism. Coercive approaches were found to be part of the problem. However, even with the adoption of CVE, countries have not dropped the coercive approaches; CVE and military responses are coexisting in the war against terrorism. The basis of mediating CVE strategy with a military strategy is a critical question in addressing terrorism threat. Equally, as the terrorism threat evolves to include radicalization of local population, countries are still held in state-centric lenses in their responses to the problem. This has constrained policy and strategy responses in dealing with terrorism and violent extremism.

CVE policies and strategies are not working. The problem is the fundamental assumptions upon which these policies and strategies are constructed and implemented. They are still shrouded with narratives that perceive threat as an external, rather than internal. Whereas terrorism conflict is on transition, response policies and strategies by states are still caged with generic CVE strategies and borrowed lenses. There is a problem with availability of information on realities of local CVE contexts. Even in contexts where such knowledge exists, the CVE policies and practices are not grounded on it. Terrorism is characterized by an ever shifting of strategies by the enemy and the security operating environment. CVE strategies need to match if not shape the terrain these shifts. This research study aimed at responding to these gaps.

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<sup>56</sup> Amy-Jane Gielen. "Countering Violent Extremism: A Realist Review for Assessing What Works, for Whom, in What Circumstances, and How?" *Terrorism and Political Violence*, 31:6, (2019) 1149-1167,

<sup>57</sup> Saira, Pakistan's Approach to Countering Violent Extremism (CVE), pp.755-770

<sup>58</sup> Jones, Seth G., and Martin C. Libicki. *How Terrorist Groups End: Lessons for Countering Al Qaeda*, 121-40. Rand Corporation, 2008.

## CHAPTER FIVE

### KENYA'S STRATEGIES IN WAR ON TERROR

#### 5.1 Introduction

Chapter four examined emergence of counter violent extremism (CVE) in War on Terror (WoT). It argued that despite emergence and adoption of CVE as a tool in the WoT, countries retained coercive approaches. It raised issues of CVE policies and practices being shrouded with narratives that perceive the issue as an external rather than internal problem. This creates disconnect that renders the approaches ineffective. This Chapter examines strategic aspects of terrorism threat in Kenya by tracing its history. It then delves into Kenya's responses to that threat over time, and issues arising.

#### 5.2 Context of terrorism threat in Kenya

The context of examining terrorism threat in Kenya and how it has been responded to, is multidimensional. It can be approached from appreciation of global trends, Kenya's neighbourhood, and internal/domestic dynamics. This appreciation provides anchorage to Kenya's national security policies and strategies. There a clear linkage between global WoT, and the security intricacies within Kenya's neighbourhood and its national counter terrorism policies and strategies. Although contemporary terror attacks in Kenya are mainly perpetuated by *Al-Shabaab* terrorist group, the *Al-Qaeda* group initially targeted US and Israel interests in Kenya.<sup>59</sup> The group, which was waging terrorism attacks against these countries considered Kenya as a close ally of US and Israel.<sup>60</sup> The *Al-Qaeda* link prompted Kenya to join WoT crusade. Like other states, Kenya remain vulnerable to terrorism threats from groups with religious and ethnic motivations.

The other aspect entails Kenya's neighborhood specifically the Horn of Africa which continue to reel in a complex web of interminable conflicts and security

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<sup>59</sup> Krause, V., and Otenyo, E. "Terrorism in Kenya and the Kenyan public", *Studies in Conflict and Terrorism*, 28 (2), 2005. 99-112

<sup>60</sup> Prestholdt, J. "Kenya, the United States, and counter terrorism". *Africa Today*. 57 (4): 2011, 3-27.

challenges.<sup>61</sup> It is a region seen in milieu of intermittent historical, current and latent fragilities. These have made it a 'regional security complex', where 'durable patterns of amity and enmity take form of sub-global, geographically coherent patterns of security interdependence'.<sup>62</sup> The issues range from territorial border disputes, civil wars, piracy, terrorism and maritime border dispute disputes among others. Some scholars have argued that the problem with Africa is that its borders border on war.<sup>63</sup>

These factors portend a bleak outlook on peace and security both within and outside Africa. The continent is confounded with perennial conflicts involving countries and non-states.<sup>64</sup> These dynamics are interconnected with local, national, regional and global social processes. Volatility in the Horn of Africa have led to proliferation of arms, arms flow, intensified militarization among other adverse security implications. There are rare intra-state conflicts that are exclusively internal matters; virtually all internal conflicts are internationalized.<sup>65</sup> Relationship between insecurity in Horn of Africa and Kenya is exemplified by its proximity with Somalia, the jihad theater of *Al-Shabaab*. On its part, *Al-Shabaab* emerged in the East African region as an offshoot of *Al-Qaeda*. When it descended into civil conflict in 1991, it gave rise to *Al-Shabaab* and other groups. These are also affiliated to international extremists like *Al-Qaeda* and ISIS.<sup>66</sup> This precipitated piracy, refugee crisis and insurgency in Kenya.

Although terrorism threat from *Al-Shabaab* is Kenya's biggest national security challenge, radicalization of youth is the long-term problem.<sup>67</sup> Initially, the enemy was believed to be emerging from Somalia hence anti-radicalization efforts were aimed at the Somali youth. However, the problem has since shifted to an internal problem thereby portending serious strategic consequences for the conduct of the War on Terror in Kenya. Radicalization, violent extremism and terrorism are complex and multifaceted phenomenon which are constantly transforming and mutating. In Kenya,

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<sup>61</sup> Bereketeab, Redie. *The Horn of Africa: Intra-State and Inter-State Conflicts and Security*. London: Pluto Press, 2013.

<sup>62</sup> Buzan Barry and Ole Wæver, *Regions and Powers: The Structure of International Security* (Cambridge: Cambridge University Press, 2003),

<sup>63</sup> Zartman Ira William. *Understanding life in the Borderlands: Boundaries in Depth and in Motion*. Athens: The University of Georgia Press. 2016

<sup>64</sup> Bereketeab, *The Horn of Africa: Intra-State and Inter-State Conflicts and Security*, pp.26

<sup>65</sup> Mwangi op.cit pp.60-70

<sup>66</sup> Williams Paul. "Continuity and Change in War and Conflict in Africa," *Prism* 6, no. 4 (2017): 32-45.

<sup>67</sup> Mwangi, Makumi Countering Radicalization Beyond Kenya's War on Terror, In Mwangi, Makumi. *The Three Anthems and Other Essays* (Nairobi: Three Legs Consortium) 2018 Chap. 27

the problem takes advantage of the large pool of unemployed, disenfranchised and loosely managed youth.

*Al-Shabaab* have invented grievances revolving around narratives of Muslim persecution in the country and elsewhere.<sup>68</sup> It leverages on exclusion, jihad and historical marginalization of coastal and northeastern parts of Kenya.<sup>69</sup> Botha argues that other than ideological causes, youth unemployment and repressive state counter terrorism initiatives had “pushed” many youths to radicalization.<sup>70</sup> These findings are echoed by a research study by ACTS! who linked youth radicalization in Kenya with factors like proximity to Somalia, marginalization and influence of radical Muslim clerics and institutions.<sup>71</sup> In a 2012 video featuring Kenyan recruits, the then *Al-Shabaab* leader, Ahmed Godane, urged “the Muslims of Kenya” to “boycott the general elections and wage Jihad against the Kenyan military”, which had started operations against the group in Somalia in October 2011.<sup>72</sup> All these implies that radicalization problem overshadows the War on Terror.

### **5.3 Use of force as response to terrorism in Kenya**

Terrorism and insurgency threats from *Al-Shabaab* threatens Kenya’s statehood. They prompted it to take active role in regional security. Eventually, it became an anchor state in global WoT.<sup>73</sup> In both the global and regional strategic aspects of terrorism threat picture in Kenya, the enemy was perceived to be from outside. As a matter of necessity, Kenya responded to these threats. Like other states, Kenya first responded to terrorism through the military means. One of the prominent features of this approach is *Operation Linda Nchi* in 2011. The main aim of the offensive/incursion was to uproot the external enemy from the source, once and for all.<sup>74</sup> It was an offensive war against *Al-Shabaab* and aimed at protecting territorial integrity, sovereignty and sanctity of national values and principles. Similar to the

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<sup>68</sup> D. M. Anderson and J. McKnight. “Understanding *Al-Shabaab*: Clan, Islam and insurgency in Kenya”, *Journal of Eastern African Studies*, 9(3), 2015, pp.536–57

<sup>69</sup> Ibid

<sup>70</sup> Botha, Annel. *Radicalization in Kenya: Recruitment to Al-Shabaab and the Mombasa Republican Council*, ISS, Pretoria. 2014

<sup>71</sup> ACT!. *Local Needs and Strategy Assessment: An Assessment of Conflict and Violent Extremism in the coastal region of Kenya*, ACT! and USAID Kenya, Nairobi 2014.

<sup>72</sup> Anzalone C. “*Al-Shabaab’s* tactical and media strategies in the wake of its battlefield setbacks, West Point”, *Combating Terrorism Center Sentinel* 6, No. 3, 2013

<sup>73</sup> Bachmann, J., and Honke, J. “Peace and security’ as counter terrorism? The political effects of liberal interventions in Kenya”, *African Affairs*, 109 (434), 2010, 97-114

<sup>74</sup> Mwagiru Makumi. *Towards a functional Kenya exit strategy for Somalia in Mwagiru, Makumi. The Three Anthems and Other Essays.* (Nairobi: Three Legs Consortium. 2018. Ch 19.

global WoT, KDF's incursion into Somalia raised strategic, legal and political issues on the nature of conflict faced and the appropriate responses.

In spite of the consistent use of hard power to counter violent extremism, Kenya's young people continue to join terror groups.<sup>75</sup> This points to third dimension of strategic aspect of terrorism threat in entailing *Al-Shabaab* group infiltrating, radicalizing and enlisting Kenyan youths into terrorism. *Al-Shabaab*, being a non-state actor could not respond to the military means to achieve their aims. The group strategically retreated to the drawing board and re-examined its survival options and strategy. This retreat gave birth to strategic shift in its strategy for Kenya, by introducing radicalization and recruitment of Kenyan youth. The enemy 'without' metamorphosed into an enemy 'within'.

#### **5.4 Counter Violent Extremism in Kenya**

Despite deployment of military strategy, *Al-Shabaab* remained an active and dangerous threat in the country.<sup>76</sup> It was realized that despite significant territorial defeats in Somalia, Al Shabab continued to hold ground, radicalize and recruit through various platforms. The changing dynamics associated with the character of WoT in Kenya necessitated calibration of response strategies to CVE, particularly to deal with the homegrown threat. The failure of hard power to stem the rise of violent extremism shifted the policy focus to soft power approaches. The soft power approaches seek to address the problem from its root causes upwards rather than downwards. It is premised on the idea that the problem begins from the individual who for various reasons has become prey to processes of radicalization.

CVE was therefore incorporated alongside military strategies to counter violent extremism. It has been that way since then. Its aim was to dissuade people who are already in radical movements to abandon the same. At the end, Kenya has responded to terrorism threat from *Al-Shabaab* in dual pronged approach; use of force and CVE. Part of the radicalization problem was blamed on the violence meted on the civilian by the military and the police in the course of responding to terrorism. It is argued that the use of force by the state fueled resentment. *Al-Shabaab* took advantage of the this to radicalize and recruit the disfranchised. The enemy without metamorphosed into an enemy within.

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<sup>75</sup> Horgan, *Walking Away from Terrorism*, pp. 153

<sup>76</sup> Yashasvi Chandra. "The threat of Al-shabaab in Kenya: The Kenyan government's counter terrorism approach". *CPA UK Briefing Paper*. 2019

Conceptually, CVE denotes use of soft approach, to that addresses the root causes rather than the ‘hard’ approach that is security oriented. It is against this background that in September 2016, Kenya launched NSCVE. This Strategy seek a change in approach through participation of non-state actors. It focuses on soft approaches like job creation, economic development and enhancing life skills to reduce radicalization.<sup>77</sup> Core to CVE is understanding the drivers of radicalization and violent extremism in their local contexts. In Kenya CVE strategy homegrown radicalization, the dilemma foreign fighters and returnees.<sup>78</sup> Mwangiri argues that the biggest terrorist risk to Kenya is *Al-Shabaab*. However, the country’s longer-term threat is youth radicalization.<sup>79</sup> Initially, the enemy was believed to be emerging from Somalia, thus anti-radicalization efforts were aimed at the Somali youth. However, radicalization now targets the Kenyan youth.

This exemplifies a shift in perceived source of problem from outside to within. The fact that the youth being radicalized are now Kenyans has serious strategic implications. It means specifically that now the enemy is within and is one of us. Kenya’s failure to contextualize the local dynamics particularly on radicalization has resulted in generic CVE strategies that are at best based on operational aspects. CVE have also not perceived as a policy spectrum. Counter radicalization has not been given policy emphasizes nor linked with other policies like education and job creation. This has exacerbated radicalization problem, especially amongst the youth. It underscores necessity for CVE discourses in Kenya to be homegrown. Their assessment should go beyond perception to engage with factual data and verifiable observation based on strategic contexts.

## **5.5 National security policy and strategy making in Kenya**

Incursion into Somalia raises serious strategic legal and political consequences on the nature of conflict faced and utility of the responses. Among the issues that arise relates to counter terrorism and CVE policy/strategy making processes in Kenya. The issues are core to national security policy and decision making in Kenya. National security policy making entails decision making, creating of laws, setting standards,

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<sup>77</sup> National Strategy to Counter Violent Extremism

<sup>78</sup> Mkutu Kennedy and Opondo Vincent. “The Complexity of Radicalization and Recruitment in Kwale, Kenya”, *Terrorism and Political Violence*, 1-23 (2019)

<sup>79</sup> Mwangiri, Makumi. “Countering Radicalization Beyond Kenya’s War on Terror”, In Mwangiri, Makumi. *The Three Anthems and Other Essays* (Nairobi: Three Legs Consortium) 2018 Chap. 27

and operationalization of these policies.<sup>80</sup> Strategy making begins (or should begin) with identifying the strategic objectives namely the long-term goals or objectives that are being sought by the policy.<sup>81</sup> Several issues arise relating to the counter terrorism policy and strategy making in Kenya. The debatable issue here is whether the counter terrorism and CVE policy/strategy in Kenya are homegrown or externally influenced, and whether they are *ad hoc* or institutionalized.

Although Kenya adopted CVE strategies, it did not abandon military ones. This raises questions philosophical basis to ground the battle of on philosophical basis of CVE strategies. It is argued that Kenya's responses to terrorism and by extension the regional fragility are externally leaning policies meant to contain transnational terrorism. The country is perceived as US designated anchor state in global WoT.<sup>82</sup> Its profile in fighting affiliates of *Al-Qaeda* in the region is on the rise. Prior to 1998 US embassy attack, there was disinterest by the West in Kenya's counter terrorism issues. This is attributed to perceptions that earlier incidents were not considered as threats to West interests. From this analytical thrust, KDF incursion into Somalia is serving external interests. Affiliation of *Al-Shabaab* to international terror group like *Al-Qaeda* link the country with global WoT lenses.

However, there are also arguments that the incursion into Somalia was pre-planned, and Kenya's intention were to create a buffer zone between Kenya and Somalia. Kenya's security is a key national interest. Its ability to maintain its independent identity and functional integrity is core.<sup>83</sup> *Al-Shabaab* in Somalia seek to capture territories and implement sharia.<sup>84</sup> Outside Somalia, the group focuses on creating foci and networks which can fan the objectives into a regionalized and internationalized levels. It is thus argued that Kenya faces both a domestic and transnational threat. This perspective frames Kenya's military-diplomatic framework in responding to conflict in Somalia.

The most noticeable aspect of this approach was diplomatic negotiations for creation of state of government in Jubaland region which would act as buffer zone to

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<sup>80</sup> Mwangi, *Policy and Strategy in National Security*, pp.1-26.

<sup>81</sup> Ibid.

<sup>82</sup> Barkan, J.D, and J.G. Cooke. "US policy towards Kenya in the wake of September 11. Can antiterrorist imperatives be reconciled with enduring U.S. foreign policy goals?", *African Notes* 4. 2001

<sup>83</sup> Buzan Barry. *People, States and Fear*, (Lynne Rinner Publishers, Boulder: 1992), p. 19

<sup>84</sup> Abdalla, A. "Africa and the Growth of Violent Radicalization in the name of Islam: The Need for a Doctrine Revision Approach", *IPSS Policy Brief*, Vol. 1, January/February 2016. *Institute for Peace and Security Studies*, Addis Ababa University, Addis Ababa, Ethiopia.

Kenyan border regions, whereby the military was to help in pacifying the region.<sup>85</sup> It was envisioned that as soon as administration in Jubaland was functional and guaranteed security, KDF would exit Somalia. Kenya's diplomatic aspect also entailed reaching out to countries particularly Uganda and Ethiopia to support the intervention in the Region. At the international level, Kenya reached out to US and EU.<sup>86</sup> Consequently, it benefited from intelligence and technical support from foreign countries like US, Israel, United Kingdom, and EU among others.

Kenya leveraged on structures of IGAD and hosted several consultative meetings to discuss strategies to solve the terrorism problem. Indeed, Jubaland was created under the auspices of IGAD. Kenya also delved in tackling the security complex in Somalia through the Eldoret and Mbagathi peace processes.<sup>87</sup> The Somalia National Reconciliation Conference in Eldoret and Mbagathi entailed negotiations to pacify the country. Although the mediated diplomatic process led to among other things creation of the Somali transitional charter, and the transitional federal government, it collapsed along the way.<sup>88</sup> The process was infiltrated by Kenyan Somalis, lost goodwill from the federal government in Mogadishu amid turf wars by relevant the security agencies in Kenya. What remained is the military aspect.

The military-diplomatic framework was however undermined by confluence of bureaucratic turf wars and interests among security actors managing the processes.<sup>89</sup> What emerged is that the strategies were reactionary; emergency strategies that are resorted to whenever problems appear. Coordination among and within inter-ministerial or interagency concerned with the national security issues is lacking.<sup>90</sup> Kenya's *ad hoc* and reactionary strategies in responding to emerging issues lack coordination aspect because they are founded on crisis thinking.<sup>91</sup> The necessity for Kenya to formulate CVE policies and strategies is that in their absence, threats are not properly conceived. This process entail input of many relevant agencies and

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<sup>85</sup> Mwangiri Makumi. "Beyond El Adde: Towards a new Kenya Foreign and Security Policy for Somalia", In Mwangiri Makumi. *The Three Anthems and Other Essays* (Nairobi: Three Legs Consortium, 2018) Chap.26 pp.142-147

<sup>86</sup> Kisiangani, Emmanuel. "Kenya's Regional Diplomacy: Peripheral or Adaptive Pragmatism?" *South African Institute of International Affairs, Occasional Paper No. 248* (2016) Johannesburg: South African Institute of International Affairs.

<sup>87</sup> Mwangiri, Beyond El Adde, In Mwangiri *The Three Anthems and Other Essays*, pp.142-147

<sup>88</sup> *Ibid.*

<sup>89</sup> Andrew Franklin. *National Insecurity: Kenya's Forever War on Terror*. The Elephant. Nairobi 2017

<sup>90</sup> Kenya National Commission on Human Rights. "A Country under Siege: The State of Security in Kenya", *An occasional report* (2010 – 2014). KNCHR 2014

<sup>91</sup> Mwangiri, Makumi. *Issues of Coordination in National Security Strategy: Towards a Metatheory of a Grand Strategy for Kenya*. Nairobi: University of Nairobi School of Law. 2003

institutions. Iron rule of interagency denote that no national security or international affairs issue can be resolved by one agency.<sup>92</sup> Like other national security policy issues, formulation and implementation of counter terrorism/CVE policies and strategies is an exclusive affair of a few: national security organs. This has excluded other crucial players.

Others have raised issues of ethics and leadership in the national security discourses in Kenya. It is argued that strategic conceptualization and operationalization of national security policy in Kenya is lacking across security sectors.<sup>93</sup> Responses to terrorism threat in Kenya have not appreciated the bigger picture of the interests of the country. The country's strategic culture and environment is nested on internal vulnerabilities like corruption, inefficiency, nepotism, and negative ethnicity among others. Inclusion of ethics, nationalism and national values is missing in Kenya's political leadership. This is imported in discourses on national security policies and strategies.

Corrupt leadership has engendered leadership issues that threaten the survival of the country relative to inability to strategically conceive national threats bedeviling the country. Developing a security conscious leadership begins with commitment to theory to give it insight and ability to discern and conceive the big picture. Rosenau argues that criteria to determine national interests is elusive.<sup>94</sup> It is therefore difficult to trace them in substantive policies. The caveat here is that certain decisions and conceptualization of security threats or national interests coincide with those of individuals and some sub-national groups.

It is impractical to examine Kenya's responses to terrorism without resorting to appreciation of the philosophy and architecture of national security. Constitution of Kenya 2010 anchors discourses on national security and supporting statutes. The question here is about the constitutional basis for CVE policies and strategies. Constitutional philosophy provides boundaries and guidelines about what precisely should be looked in national security policies. It is from this frame that arguments on issues like whether the policy is right, the basis of the inherent problems, whether it should continue or be discontinued, or even how to set right the policy. Such a

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<sup>92</sup> Marcella, Gabriel. *Affairs of state: the interagency and national security*. Carlisle, PA: Strategic Studies Institute, U.S. Army War College. 2008

<sup>93</sup> Katumanga, Musambayi. Leadership and the National security policy process in Kenya, In Mwagiru, Makumi and Njoroge, Humphrey (eds) *Grand Strategy in Kenya*. Concepts, Context, Process and Ethics. Vol.1. Three Legs Consortium Publication on Grand Strategy. 1. 2019. Chap. 6. pp.87-107

<sup>94</sup> Rosenau James N. *The Scientific Study of Foreign Policy* (New York, 1971), p. 243.

framework offers lenses of assessing utility of counter terrorism/CVE policies and strategies in responding to terrorism threat.

There is an underlying philosophy and architecture of national security in Kenya. It is anchored on Chapter Fourteen of the constitution.<sup>95</sup> Article 238 (1) defines national security as the protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity, and other national interests.<sup>96</sup> This understanding addresses itself to the physical/ traditional security conceptualization. It is a state-centric approach to national security.<sup>97</sup> This worldview emphasis on state as referent object of national security.<sup>98</sup> KDF incursion into Somalia is informed by the necessity of physical security. Attacks from *Al-Shabaab* had threatened Kenya's statehood.<sup>99</sup> In the circumstances, Kenya sought to protect its statehood and safety of Kenyans. It was an offensive war against *Al-Shabaab*.

Kenya's state-centric conceptualization of security is further emphasized by the constitutional provisions that form basis and legal framework guiding the establishment organs of national security, their structures and functions. Article 239 (1) establishes three organs of national security namely. They are Kenya Defence Forces (KDF), the National Intelligence Service (NIS) and the National Police Service (NPS).<sup>100</sup> The primary object of the National Security Organs and security system is to promote and guarantee national security in accordance with the principles of the constitution as stipulated in Article 238 (2). Article 240 (1) establishes National Security Council (NSC). It is then given some functions. These includes integrating domestic, foreign and military policies relating to national security. Up to this point, this provision attempts to give a broader view of national security. However, subsequent provision says that the purpose of that integration is to enable national security organs to co-operate and function effectively. This takes away what the earlier

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<sup>95</sup> Constitution of Kenya 2010 op.cit

<sup>96</sup> Ibid.

<sup>97</sup> Buzan Barry, Waever Ole and Wilde Jaap de. *Security: A New Framework for Analysis*. Lynne Rienner Publishers Inc. 1998

<sup>98</sup> Carr E. H, *The Twenty Years' Crisis* (New York: Harper and Row, 1964),

<sup>99</sup> Mwagiru, Makumi. "The roar on the other side of silence: Framing the war on terror and combating violent extremism in Kenya, In Mwagiru Makumi and Morumbasi Kigen (eds). *Countering Violent Extremism in Kenya: Vol. 1 Strategic and Legal Issues*. Thirty-three Consortium Publication on International Security. 2018 Chap. 5 p.93

<sup>100</sup> Constitution of Kenya 2010 op.cit

provision had given like idea of human security and reinstates the physical/traditional view of national security.

The other function as per the first part of Article 240 (6) (b) provides for NSC is to assess and appraise objectives, commitments and risks. It relates to aspects of risk analysis, assessing and appraising the content of national security, and a SWOT analysis of national security capabilities in milieu of realities of Kenya's operating environment. However, the subsequent provision provides that the rationale of this for this assessment is in respect to actual and potential national security capabilities. This excludes other dimensions of national security. It thus reverts the viewpoint to the physical/traditional view of security. The Constitution does not define "other" national interests. It leaves security as the only national interest. This shows predisposition to physical security concerns.

It is clear that the constitutional philosophy in Kenya is very traditional in its conceptualization of national security. It gives prominence to physical security. In linking this aspect with CVE policies and strategies in Kenya, it becomes even clearer that this predisposition has surely shaped Kenya's response to this environment. This traditional perspective to national security does not suffice the demands of the dynamism and complexities of terrorism threat. CVE strategies are shaped by constitutional philosophy and conceptualization of national security. This has disconnected it with issues underlying terrorism conflict. These are about individual motivations, structural inequalities and unresolved grievances.<sup>101</sup>

Kenya responded to *Al-Shabaab*, a non-state actor using state-centric approaches. Contemporary conceptualization to national security resonates with the human security approach to security. It seeks to identify and address cross-cutting challenges to survival, livelihood and dignity of people.<sup>102</sup> This calls for people-centered and context-specific responses to issues that strengthen people. For Kenya, the problem and the attendant responses is not perceived as one pitting non-state actors or as linked with human security conceptualization. Kenya's responses to violent extremism lacks the dynamism that matches the character of the threat faced. This is the missing link and explains the sub-optimality of Kenya's national security policies in responding to terrorism threat.

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<sup>101</sup> See Chapter four

<sup>102</sup> United Nations Development Programme. *Human Development Report: New Dimensions of Human Security*. NY: UNDP 1994

## 5.6 Emerging issues on CVE strategies in Kenya

In examining Kenya's strategies in WoT, several issues emerge. The issues include initialization of CVE in Kenya, actors and coordination aspects of CVE strategies in Kenya. It also entails the role of public in CVE in Kenya. The context of examining discourses on actors, institutions and coordination in Kenya's CVE strategies can be approached from the perspective of the country's architecture of national security. This architecture is anchored on Chapter Fourteen of Constitution of Kenya.<sup>103</sup> CVE strategies seek to respond to concerns of national security. The constitution defines national security as the protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity, and other national interests.<sup>104</sup> This conceptualization addresses itself to physical security interpretation of national security.<sup>105</sup> The State is considered as the referent object of national security.

Article 239 (1) establishes national security organs namely the KDF, NIS and NPS. This shows predisposition to physical security concerns. This provision sheds light on who the actors and institutions involved in national security in Kenya. It is unsurprising that CVE discourses in Kenya are still perceived as extensions of physical security conceptualization.<sup>106</sup> National Counter Terrorism Centre (NCTC) is designed as focal point of CVE policies and strategies in Kenya. However, it is nested on the physical security conceptualization; it's a multi-agency instrument security agencies. This conflation of surrounding CVE actors in Kenya has excluded other players like the public, private sector, academia, potential and existing victims of violent extremism.

It is argued that the challenge for Kenya's national security policy making and its leadership is its disdain for theory, antipathy for knowledge generation, alienation from the public, and impunity.<sup>107</sup> Strategic culture which undergirds the logic of strategic responses is often lacking among many leaderships thus complicating pursuit of desired outcomes.<sup>108</sup> Kenya's CVE policies and strategies ought to be rooted in

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<sup>103</sup> Constitution of Kenya 2010 op.cit

<sup>104</sup> Article 238 (1) of constitution of Kenya 2010

<sup>105</sup> See Morgenthau Hans. *Scientific Man vs. Power Politics* (Chicago: University of Chicago Press, 1946).

<sup>106</sup> Mazrui, Kimani and Paul op.cit, pp.13-38

<sup>107</sup> Katumanga, Leadership and the National security policy process in Kenya, In Mwangi and Njoroge, *Grand Strategy in Kenya*, pp.87-107

<sup>108</sup> Tami Davis Briddle, *Strategy and Grand Strategy: What Students and Practitioners Need to Know* [US Army War college Press, 2015], pp. 1-19.

plurality of actors, and strategic thinking in what is already known about terrorism conflict. A study by Mkutu et al on devolution and security in Kenya established that it can significantly address peace and cohesion at grassroots.<sup>109</sup> Others argue that the Kenyan government has incentive to tolerate infrequent attacks.<sup>110</sup> That CVE discourse in the country get lip service at the expense of angling to benefit from foreign aid for CVE related programs. This is potent of undermining CVE efforts. The analytical thrust of such complexities presents dilemmas to policy making and scholars in identifying suitable tools.<sup>111</sup>

National security institutions need a functional and a well-coordinated system to function smoothly.<sup>112</sup> The necessity of strategic organ to coordinate national security policy for containment of national security threats to Kenya is found in NSC. NCTC operates under auspices of NSC. The argument here is that there exists an institutional infrastructure to coordinate and address concerns of CVE in Kenya. However, one of the major setbacks to responses to terrorism in Kenya is the problem of inter-agency coordination at the domestic, inter-state, regional and international levels.<sup>113</sup> It is argued that the fact that NSC has not formulated a National Security Policy exemplifies lack of shared understanding on some core national security issues.

One of the core functions of NSC is to integrate domestic, foreign and military policies.<sup>114</sup> The integration here implies harmonization, coordination and collaborations to enhance better functioning of the security organs and inter-agency co-operation. Without it, implementation and coordination will be unfeasible. In Kenya, there are fundamental problems with the coordination mechanism and processes. The events leading to and the responses to Westgate terrorist attack

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<sup>109</sup> Mkutu, K., Marani, M. and Ruteere, M. *Securing the Counties: Options for Security after Devolution in Kenya*, CHRIPS, Nairobi. 2014

<sup>110</sup> Mogire E. and Agande K.M. "Counter Terrorism in Kenya". *Journal of contemporary African studies*, Vol. 29, No. 4, October 2011, 473-491

<sup>111</sup> Mwangi, Makumi. Perspectives on Countering Violent Extremism in Kenya: Policy and Strategic proposals in Mwangi, M. and Morumbasi, K. (eds). *Countering Violent Extremism in Kenya: Vol. 2 Emerging National Security perspectives*. Thirty-three Consortium Publication on International Security.4. 2018 Chap. 8 pp. 143-164

<sup>112</sup> Mwangi Makumi, 'Security Institutions in Kenya: Structure, Strategy and Coordination' in Mwangi Makumi, *Dimensions of Grand Strategy: Essays on Theory, Practice, Institutions and Mechanisms in Kenya*, Nairobi: Thirty-Three Consortium, 2016, pp 141-156

<sup>113</sup> Morumbasi Kigen. "Kenya Policy considerations in countering violent extremism", In Mwangi Makumi and Morumbasi Kigen (eds). *Countering Violent Extremism in Kenya: Vol. 1 Strategic and Legal Issues*. Thirty-three Consortium Publication on International Security. 2018. Ch. 11 p.194

<sup>114</sup> Ibid.

typified the deficiencies of coordination at both strategic and operational levels.<sup>115</sup> Coordination ensures that there is collaboration, liaison and interoperability among the various elements of the grand strategy to respond to the threats identified.

Kenya's counter terrorism/CVE policies and strategies does not operate in a legal vacuum. The issues arising is whether the counter terrorism/CVE policies and responses adhere to the utility and doctrinal compatibility with norms of both international and domestic laws. The entry into Somalia for instance raises several core legal and strategic issues. These issues include the basis of framing it as a "war", questions of application of war powers in Kenya, use of force, and strategic shift from counter terrorism to CVE. Like other states, Kenya is subject to international law. That international law is law.<sup>116</sup> This means that CVE policies and strategies should not infringe on norms of international law.

Article 238 (2) (b) denotes that national security shall be pursued in compliance and respect for rule of law, democracy, human rights and fundamental freedoms. That rule of law also means rule of international law, given the provisions of Article 2 (5), which says that the general rules of international law forms part of the law of Kenya. This means that international law is part of national security laws of Kenya.

First, fight against *Al-Shabaab* in Kenya is framed as a war. This way, an existential threat was securitized, requiring extraordinary measures.<sup>117</sup> War is seen as an extraordinary measure to respond to that threat. There are debates regarding the significance of naming this problem a 'war,' and the potential for transforming a military logic into a political one. Like the global WoT, there are debates on whether Kenya's intervention into Somalia conforms to the classical war definition as delineated by the international humanitarian law. The concept of war was an important feature of international law prior to the creation of the United Nations.<sup>118</sup> Kenya cited article 51 of the UN Charter on a state's right to self-defense viz:

"nothing in the present charter shall impair the inherent right of an individual or collective self-defense if an armed attack occurs against a member of the United Nations. If a nation takes measures to exercise the right to self-defense, it shall be immediately reported to the

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<sup>115</sup> Williams Paul D. "After Westgate: Opportunities and Challenges in the War against Al-Shabaab." *International Affairs (Royal Institute of International Affairs 1944-)* 90, no. 4 (2014): 907-23.

<sup>116</sup> See Mwangi, *Perspectives on International Law*

<sup>117</sup> Waever, *Securitization and De-securitization*

<sup>118</sup> Greenwood, Christopher. "The Concept of War in Modern International Law." *The International and Comparative Law Quarterly* 36, no. 2 (1987): 283-306.

Security Council and shall not in any way affect the authority and responsibility of the Security Council under the UN Charter. The action taken by a member state must be in the interest of restoration of peace and security”<sup>119</sup>

In classical terms, war pitted two states and entailed use of military force to conquer the opponent. Countering terrorism within the ‘war’ framework suggests that the terrorist group represents the equivalent of a state. With the establishment of the UN, war ceased to exist as a legal condition to create a state of war and would be incompatible with the prohibition of the threat or use of force in Article 2(4) of the UN Charter.<sup>120</sup> The UN Charter created a new order within which the traditional "rights of war" cannot be enthroned. Member states pledged to refrain from the threat or use of force, except on behalf of the purposes of UN. However, the Charter characterized armed conflict and the criterion for engaging in the same. Armed conflict gives leeway to states to use force. Armed conflict is the new term for war. Kenya’s war against *Al-Shabaab* is going on amid conceptual clutter and ambiguities surrounding terrorism.

The war against *Al-Shabaab* in Kenya grapples with difficulties in plainly describing its parameters. This implies a war against abstraction. Conceptualization of responses to terrorism in Kenya have failed to take cognizance of the evolving, asymmetric, amorphous and borderless threat that states are confronted with. It is still fixated with rigid state-centric lens. It is argued that save for *Al-Shabaab* being a non-state actor and lack of protraction of violence, the dichotomy violence by the state and *Al-Shabaab* in Kenya mirrors that of international armed conflict.<sup>121</sup> It was like violence between from another state with conventional military. *Al-Shabaab* could not respond through military means to achieve its aim. The group strategically retreated to the drawing board and re-examined its survival options and strategy. This retreat gave birth to strategic shift in its strategy for Kenya, by introducing radicalization and recruitment of Kenyan youth. The enemy ‘without’ metamorphosed into an enemy ‘within’.

There is also imports of external influence on domestic counter terrorism efforts. The effect Kenya’s partnership with the US in the counter terrorism efforts

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<sup>119</sup> Charter of the United Nations

<sup>120</sup> Lauterpacht E. "The 'Legal Irrelevance' of a State of War" (1968) 62 Proc. Am.Soc.Int Law 58

<sup>121</sup> Ndambo, Kenya’s intervention in Somalia, In Mwagiru and Morumbasi. *Countering Violent Extremism in Kenya*, pp.8-31

was domestication of coercive powers of the state. These includes expanded legal frameworks to prosecute terrorist activities and aggressive disruption of terrorist supporters. This gave birth to laws like Prevention of Terrorism Act 2012; the Security Laws (Amendment) Act, 2014; the Proceeds of Crime and Anti-Money Laundering (Amendment) Act 2017 among others. Implementation of some of these laws raised concerns of human rights violations.<sup>122</sup> Questions have arisen on whether these statutes conform to norms of international and domestic laws particularly violation of civil liberties in the name of national security.<sup>123</sup> In the end, in conceiving appropriate responses to the issues in its operating environment, Kenya is confronted by both the enemy (*Al-Shabaab*) and by the limitations of the law.

Kenya's intervention in Somalia also challenged the traditional distinction between international and non-international conflict. Somalia was a total collapse of state structures typifying anarchy. In a bid to occupy the power vacuum in Somalia, there was eruption of numerous armed groups trying to occupy the power vacuum. Like other states, Kenya intervened in Somali through the armed conflict paradigm. Its is premised on the notion that the threat posed by terrorism is commensurate to an armed conflict.<sup>124</sup> *Operation Linda Nchi* depicts the nature of the conflict faced as a non-international armed conflict. It involves a state and a non-state actor.<sup>125</sup> Initially, Kenya alluded that the operation was carried out with the consent of Somalia. This was later refuted by Somali's Transitional Federal Government (TFG). Kenya's unilateral move into Somalia was later on endorsed by TFG as support to the latter in fighting *Al-Shabaab*.<sup>126</sup> Unilateral in this case means without international support. There are arguments that the unilateral action worked really well in the first year (based on use of force), and almost delivered the mission as it was planned.<sup>127</sup>

The other debatable issue relates to the application of war powers in Kenya. It is argued elsewhere that Kenya framed (and still does) terrorism threats as an act of war. This makes Kenya's military intervention into Somalia a subject of war powers

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<sup>122</sup> See KNHRC, *The Error of Fighting Terror with Terror*

<sup>123</sup> Mockaitis, *Winning Hearts and Minds in the 'War on Terrorism*, pp. 21-38

<sup>124</sup> Yuval Shany, "Human Rights and Humanitarian Law as Competing Legal paradigms for fighting terror" in Orna BEN-NAFTALI (ed.), *International Humanitarian Law and International Human Rights Law*. Oxford/New York, Oxford University Press, 2011,

<sup>125</sup> Sassòli, Marco, *The Role of Human Rights and International Humanitarian Law in New Types of Armed Conflicts*, in Orna Ben-Naftali (ed.), *International Humanitarian Law and International Human Rights Law*, Oxford/New York, Oxford University Press, 2011,

<sup>126</sup> Capital Digital media, "Kenya, TFG jointly agree to fight *Al-Shabaab*" 18 October 2011. <https://www.capitalfm.co.ke/news/2011/10/kenya-tfg-jointly-agree-to-fight-al-shabaab/>

<sup>127</sup> Mwangi, Written communication 20 February 2020

in Kenya. The underlying philosophy and architecture of national security in Kenya is anchored on Chapter Fourteen of the Constitution.<sup>128</sup> Article 238 specifies the principles upon which national security should be anchored. Specifically, article 238(2) designates that “national security is subject to the authority of this constitution and Parliament”. This implies that discourses and practices of national security like counter terrorism/CVE policies must be grounded on the constitution.

In examining application of war powers in Kenya, many issues arise. Language of article 238(2) implies that in cases where the use of force may be contemplated to protect the country against specified threats, the authority of parliament is crucial.<sup>129</sup> The issue is that if Kenya’s offensive against *Al-Shabaab* is a war, it needs a presidential declaration. This is in tandem with article 239(5) proclaims that the national security organs are subordinate to civilian authority, and article 131(1)(c) designating the president as the commander in chief of KDF. Presidential declaration can only be done with the approval of parliament. On the other hand, if it is about self defence, then it is not necessary for have parliamentary approval because it is an emergency that can’t wait for parliamentary processes. Controversy abounds as to whether Kenya’s military incursion into Somalia received prior nod of the Parliament. Policies and strategies that are not guided on the principles of the constitution.

Other issues emerge in view of dynamics of the policy and plurality of actors in operating environment. When KDF re-hatted and joined AMISOM, the offensive assignment metamorphosed into a peace keeping mission under auspices of *AMISOM*. Article 240 provides that peace keeping missions can only be given by NSC with the approval of parliament. If these things are not done, it raises questions on decision making capacities of NSC. These issues are further confounded by lack of a coherent document on that clearly sets objectives being sought, and the attendant decision-making milestones. The fight against *Al-Shabaab* inside and outside Kenya as presently conceived lacks a clear enemy and specific geographic location.

The other issue arising is Kenya’s exit from Somalia. The protracted character of war against *Al-Shabaab* raises questions on wartime-peacetime frames. It is now in ninth year; there is no end in sight. There is no clear exit strategy from Somalia. The

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<sup>128</sup> Constitution of Kenya 2010 op.cit

<sup>129</sup> Mwangi, Makumi. “Framing war powers in the Kenya Constitution (2010)”, *Occasional Paper on National Security*. No. 1 May 2019. Nairobi: Three Legs Consortium

war against *Al-Shabaab* seem not to be bound by peacetime-wartime frames; it runs in perpetuity.<sup>130</sup> Wartime has become the only kind of time states have. It is infinite. This raises questions of feasibility of this war, ethic and citizenry support. The vagueness of counter terrorism/CVE policy in Kenya is exported to the attendant strategies: they are not founded on clear and strategic underpinnings. The analytical thrust of such a phenomenon is that without timeframe, limiting terrain, enemy, time or geographical locus, it is not possible to cordon off the parameters of war against *Al-Shabaab*.

Kenya cannot afford a war without an end. The exit strategy for Somalia is core and urgent national interest issue for Kenya. Yet, this decision is no longer in the hands of Kenya. Kenya's continued stay in AMISOM inclines more towards the interest of other actors like AU and AMISOM. As Kenya is stuck with AMISOM, *Al-Shabaab* has changed tactics and started massive radicalization and recruitment of Kenyan youths. These recruits have become the enemy within. It is argued that the attack at Garrissa University College was a testament to this strategy by *Al-Shabaab*. This puts to question the primacy of an external war, when the enemy is also within. Kenya's military strategy in Somalia and being in AMISOM should be recalibrated with dynamisms of the operating environment. As part of AMISOM, KDF is likely remain in Somalia in the foreseeable future.

Public plays a crucial role in discourses of national security.<sup>131</sup> Role of public in informing policy is as diverse as the intended policy objectives. In Kenya, public participation in policy and decision-making processes is anchored in the Constitution. From this perspective, question of public participation in national security policy and decision making is not an option. It is demanded by the constitution. Article 1 (2) proclaims that sovereign power belongs to the people of Kenya. They may exercise their sovereignty directly or through their elected representatives. This implies the public ought to participate in national security policy making contributions either directly or through parliament. Role of the public is further emphasized in article 10 (2) (a), (b) and (c) which outlines national values and principles of governance. These include; democracy and participation of the people; inclusiveness; good governance, integrity, transparency and accountability.

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<sup>130</sup> Dudziak, *Wartime*, pp.135-136

<sup>131</sup> Mwangi Makumi. The war on terror, Somalia and AMISOM revisited, In Mwangi, Makumi. *The Three Anthems and Other Essays*, (Three Legs Consortium 2019) Chap.25 pp.136-141

Issues of deficiencies in ethics and competence leadership have been raised in Kenya.<sup>132</sup> This has engendered misrepresentation of the interests of the public. There is also lack of awareness by the public on the issues being discussed. Responses to terrorism in Kenya are developed and implemented without input of key stakeholders. Engaging public in formulation and implementation of CVE policies could enhance initiatives aimed at addressing the push and pull factors of violent extremism in Kenya. Citizens must be carried so that they can support the chosen national security policy and its financial implications.<sup>133</sup>

The role of public and non-state actors in national security making is crucial. This includes media, civil society, religious groups, business community and educational institutions to broaden understanding about violent extremism. They also promote tolerance and coexistence in society. The repressive actions by Kenyan security agencies evokes negative reactions from the public. They gradually start to identify with the ‘oppressed’ (*Al-Shabaab*). Kenya’s efforts have profiled *Al-Shabaab* as Muslim Somalis. All these have amplified perceptual dissonance on CVE strategies in Kenya. Engaging public as part of this concerted effort is critical.<sup>134</sup>

## 5.7 Conclusions

This study finds that current conceptualization of CVE strategies in Kenya to be suboptimal. They are state-centric and not homegrown. The country has taken an external posture to the problem rather than internal. Externally leaning policies only serve to contain transnational terrorism, while ignoring the local dynamics. Kenyan CVE strategies need to be homegrown, flexible and customized to its contexts. It is an opportunity to do things differently with greater participation that capture the transiting conflict with greater impact. Responses and strategies on WoT in Kenya are hybridized. It entails use of force and CVE approaches. The country treat terrorism as a war, normal crime, social-economic and political problem. Diagnosis and responding to a conflict in transition necessitates appreciation of its dynamics.

The shifting character of terrorism threat especially radicalization is conceived narrowly. It has ignored the fact that it is within us. The country’s internal issues contributing to the problem have been overlooked. As a result, CVE has not been

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<sup>132</sup>Katumanga op.cit pp.87-107

<sup>133</sup> Mwangiri, Makumi. *The War on Terror: Somalia and AMISOM Revisited*, in Mwangiri, Makumi. *The Three Anthems and Other Essays*. Three Legs Consortium 2019) Ch.25 pp.136-141

<sup>134</sup> See Lisa, Tim and Sara, *Preventing and Countering Violent Extremism in Africa*.

entrenched in policy realm. The external posture of Kenya's strategies in WoT, ignores the body of relevant research on localized contexts and trends. As a result, the strategies do not provide the answers to the contemporary problem facing the country. Widening the lens of the strategic level perceptions on radicalization and terrorism could offer ways to enhance effective response mechanisms. This necessitates calibration of CVE tools and strategies in Kenya. This study seeks to respond to these issues.



## CHAPTER SIX

### CRITICAL ANALYSIS OF COUNTER VIOLENT EXTREMISM STRATEGIES IN KENYA

#### 6.1 Introduction

Chapter five presented case study of Kenya in War on Terror (WoT). It scrutinized how it has conceived, analyzed and responded to *Al-Shabaab* in and outside Somalia, and the emerging issues. This Chapter presents a critical analysis of CVE strategies in Kenya based on data collected and an interpretation of the data. In accordance with the objectives of study, in-depth interviews were done with 12 respondents from five national security institutions, scholars and public policy commentators with expertise on CVE strategies in Kenya. Secondary data was collected through a comprehensive review of published and unpublished materials on CVE strategies in Kenya. The study adopted a methodology with two component tools of analysis; narrative analysis and content analysis.

#### 6.2 Demographic characteristics of respondents

Although not part of the objective of study, demographic data was collected to help assess its influence on findings. The demographic data captured was age, gender, years of experience and level of education. The 10 respondents were derived from the target population through stratification into five national security institutions namely Ministry of Defence, Ministry of Interior, Kenya Defence Forces, National Police Service and National Counter Terrorism Centre. Two other respondents drawn from scholarly and public policy commentators with expertise on CVE. This represented a one hundred percent response rate of the targeted sample size. Selection of the respondents was done through purposive sampling technique. Collectively, the study interviewed ten men and two women. Although male respondents were more compared to female, the spread was valid enough for the study since from the findings, there was no bias based on either gender. The issues under study had no bearing with gender orientation.

Whereas the age categories of the twelve respondents ranged between forty-eight and sixty-years, the duration worked in national security agencies ranged from twenty-four to forty-one years. This indicates that the respondents had a good understanding on CVE strategies in Kenya. All the respondents interviewed were at least graduates. This enhanced communication and engagements during the interview discussions. The age,

work experience and level education were therefore valid in meeting the objectives of the study.

### **6.3 Data on CVE in Kenya**

This section presents data on CVE strategies in Kenya as was established in the field. In line with the objective of the study, the data is presented in four thematic areas which were constructed from the interview narratives and content analysis.

#### **6.3.1 Terrorism threat in Kenya**

Most respondents traced the history of terrorism threat in Kenya from the attack at Norfolk Hotel in 1975, where blasts at the Starlight nightclub and near Hilton hotel exploded. The blasts were considered to be domestically instigated and associated with the disappearance of JM Kariuki. Details about the attackers and their motivations are unknown. Others recounted the 1980 terror attack outside Norfolk Hotel in Nairobi. It was reported that the hotel was targeted by Palestine Liberation Organization (PLO), and internationally linked terror group due to its affiliation with Israeli. Prior to the attack, Kenya had assisted Israel in 1976 during the hostage crisis operation at Entebbe International Airport, and this logistical assistance infuriated Islamic extremist groups like PLO.<sup>1</sup>

The study established that terror attack on the United States (US) embassy in Nairobi in 1998 was part of the *Al-Qaeda's* global campaign targeting US interests. It was however established that majority of casualties in the attack were Kenyans. The study established that the 2002 Kikambala Hotel bombing and the Arkia Airlines missile attack in Mombasa targeted Israel interests in the country. It was reported that between 2010 and 2011 Kenya experienced a surge in kidnapping of tourists in coastal towns and sporadic grenade attacks in North eastern region. The new wave of attacks largely targeted Kenya's interests and were perpetuated by *Al-Shabaab* insurgents from Somalia.<sup>2</sup> It was established that when Somalia descended into civil conflict in 1991, it gave rise to groups like *Al-Shabaab*, refugee crisis, piracy in Indian Ocean and terror attacks in Kenya.<sup>3</sup>

The collapse of government in Somalia resulted in anarchy. This had implications at local, national, regional and global levels, Kenya being the biggest casualty.<sup>4</sup> Data

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<sup>1</sup> Interview with CVE\_KE- [KDF]\_ 01, a retired senior military official. March 6, 2020, Westlands.

<sup>2</sup> Interview with CVE\_KE- [MoD]\_ 02, policy analyst at Ministry of Defence. March 1, 2020, Nairobi.

<sup>3</sup> Williams, Continuity and Change in War and Conflict in Africa, pp.32-45

<sup>4</sup> Interview with CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre (NCTC) March 4, 2020, Karen.

collected show that *Al-Shabaab* insurgents initially used cross-border tactics to launch attacks in Kenya, but has since changed tack by radicalizing Kenyan youths who stage attacks locally as well as participate in foreign missions (foreign fighters). Respondents following KDF intervention in Somalia, the country experienced increased grenade attacks from *Al-Shabaab*. Post-KDF incursion into Somalia attacks include the Westgate Mall attack in 2013, series of terror attacks in Mpeketoni in 2014, Garissa university College attack in 2015, and Dusitd2 Hotel Complex attack in 2019.

The study learnt that terrorism remain a risk in Kenya. Data obtained indicated that *Al-Shabaab* had infiltrated, radicalized and enlisted Kenyan youths into terrorism. The attacks on Garissa University College and Dusitd2 Hotel Complex in 2015 and 2019 respectively relied on Kenyan youths enlisted by *Al-Shabaab*. The group had tapped into the historical and perceived grievances like marginalization, poverty, and state oppression among others to radicalize and recruit.<sup>5</sup> Some respondents felt that the volatility in Northeastern part of Kenya was giving *Al-Shabaab* terrain to blend and camouflage amongst the locals. As noted, this local dimension of *Al-Shabaab* in Kenya has seriously impacted on the country's response strategy. Kenya went into Somalia to protect itself from further terror attacks from *Al-Shabaab* group. However, the group has found its way into Kenya and recruited youth in Mombasa, Kwale, Garissa, Nairobi, Mandera and Isiolo among other regions.<sup>6</sup>

### **6.3.2 National security policy making processes in Kenya**

The study established that the constitution of Kenya 2010 lays the legal framework guiding the establishment of organs of national security, their structures and functions. Article 239 (1) of the Constitution establishes three organs of national security namely; the Kenya Defence Forces (KDF), the National Intelligence Service (NIS) and the National Police Service (NPS).<sup>7</sup> This showed organs of national security are the main actors in national security matters in Kenya. However, respondents added that besides these organs, there were other critical players, who correlated with national power and work together with the organs of national security in policy and strategy making in Kenya.

“Other actors have also been recognized as important contributors in formulation and implementation of national security policy and strategy.

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<sup>5</sup>Badurdeen, F.A. “Youth Radicalization in the Coast Province of Kenya”, *Africa Peace and Conflict Journal*, 5(1): (2012) 53-64.

<sup>6</sup> Interview with CVE\_KE- [MoD]\_ 01, Top administrator Office of the Cabinet secretary, Ministry of Defence. March 2, 2020, Nairobi.

<sup>7</sup> Constitution of Kenya 2010

These include diplomatic element, economic element, other departments like Ministry of Interior, parliament, think tanks, the media, NGOs, universities and even the public.”<sup>8</sup>

Core to the structure and mechanisms of coordination of national security policy making and implementation in Kenya is National Security Council (NSC). It serves as the President's forum for considering national security policy matters with principals of national security organs. The study established that these other actors were critical players in the discourse of national security policy and decision-making processes. According to the constitution of Kenya 2010, when the President makes a policy decision, he needs to transmit the information in writing to the relevant cabinet secretary or parliament for appropriate action. Data collected show that Prevention of Organized Crime Act of 2010, Proceeds of Crime and Anti-Money Laundering Act of 2011, Prevention of Terrorism Act of 2012, and Security Laws (Amendment) Act of 2014 were among the prominent legal framework under which counter terrorism/violent extremism are prosecuted.

These legislations are state-centric and constructed within the framework of the global WoT. They are predisposed to use of force and other legalistic measures to counter terrorism conflict. Kenya lacks a documented national counter terrorism or violent extremism policy. However, it was learnt that it is ad hoc presidential and senior government pronouncements that drive issues of terrorism and violent extremism in the country. Data collected revealed that CVE strategies in Kenya are formulated and implemented by and through organs of national security. Role of public and other non-state actors like media, civil society, religious groups, business community and educational institutions is yet to be fully appreciated. Opinion is divided on considerations made during formulation and implementation of CVE strategies in Kenya. Some reported that derivation of factors or issues considered in the formulating and implementing CVE strategies was issue and context based. The problem at hand determine how to respond to the problem. For instance, the decision for incursion into Somalia was made based on the circumstances that the country faced at the time.<sup>9</sup>

### **6.3.3 Responses to terrorism in Kenya**

Kenya approaches terrorism threat in various ways. Based on data collected, initially the country responded by crafting and implementing a number of counter

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<sup>8</sup> Interview with CVE\_KE- [S/PP] \_ 01, National security policy expert/commentator. March 6, 2020, Nairobi.

<sup>9</sup> Interview with CVE\_KE- [MoD]\_ 01, Top administrator Office of the Cabinet secretary, Ministry of Defence. March 2, 2020, Nairobi.

terrorism measures. This section examines responses terrorism in Kenya through use of force and CVE strategies.

### **Use of force and external intervention**

Kenya initially responded to terrorism threats from *Al-Shabaab* through use force and external intervention in Somalia. This was veiled under various security-related laws and operations.<sup>10</sup> All of them were state-driven and predominantly characterized by use of force. Respondents repeatedly cited Kenya Defence Forces (KDF) incursion into Somalia in 2011 to tackle *Al-Shabaab*, in a security operation dubbed *Linda Nchi*. The main aim of this offensive/incursion was to uproot the external enemy from the source, ‘once and for all’.<sup>11</sup> It was an offensive war against *Al-Shabaab* in the sense that it sought to invade the terrorists in their turf. The operation therefore aimed at protecting territorial integrity, sovereignty and sanctity of national values and principles. In justifying its case, Kenya argued on the right to self-defense as embodied in Article 51 of the UN Charter.

“Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.”<sup>12</sup>

The provision recognizes the inherent right of individual or collective self-defense in the wake of an armed attack against a member of the UN. Following this, Kenya enacted and strengthened relevant counter terrorism legislations. It also enhanced capacities of law enforcement agencies, increased security patrols and vigilance especially along the Kenya-Somalia border. These were aimed at responding to *Al-Shabaab* terror threats. It emerged that use of force was however to blame for triggering new wave of attacks in the country as *Al-Shabaab* sought reprisal on the operative measures.

To counter the new wave of attacks, the government adopted raft of measures such as increased police operations and use of force in areas suspected to harbor terror suspects. Security operations like *Usalama Watch* in 2014 was meant to rid the country of the many terror suspects and illegal immigrants in the country.<sup>13</sup> This operation began in Nairobi’s Eastleigh and its neighborhood, before spreading to other parts of the country. It targeted

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<sup>10</sup> Interview with CVE\_KE- [S/PP] \_ 01, Senior lecturer and consultant on governance, conflict and security. March 4, 2020, Nairobi.

<sup>11</sup> Mwagiru Makumi. Towards a functional Kenya exit strategy for Somalia, In Mwagiru, Makumi. *The Three Anthems and Other Essays*. (Nairobi: Three Legs Consortium 2018). Chap 19. pp.106-109.

<sup>12</sup> Article 51 of Charter of the United Nations

<sup>13</sup> Interview with CVE\_KE- [NPS]\_ 01, Assistant Inspector General, National Police Service (NPS) March 3, 2020, Nairobi.

arrest of foreign nationals who were in the country unlawfully as well as terror suspects. However, the operation was castigated over claims of profiling Somalis and Muslims. It was also shrouded with human rights violations and breaches of the law by security agencies. Others accused police of corruption and demanding bribes from ‘detainees’ to secure their release.

In March 2014, the Kenya government followed these measures by ordering refugees residing outside designated refugee camps to immediately move to Kakuma and Dadaab refugee camps.<sup>14</sup> It further ordered immediate closure of all refugee registration centers in urban areas. These measures were further bolstered by deployment of additional police officers in Nairobi and Mombasa to enhance security and surveillance. These developments were followed by further government directives ordering enforced closure of Dadaab refugee camp and repatriation of refugees back to Somalia. Kenya justified the decision by claims that Al-Shabaab were recruiting members and planning attacks from the Dadaab refugee camp, citing Westgate Mall terror attack. The Dadaab refugee camp had become a breeding ground for terrorists and their accomplices.<sup>15</sup>

Use of force faces various challenges like hostility from communities who feel targeted/profiled by security operations. It has also resulted in radicalization and disfranchisement among the youth. Other options had to be explored.<sup>16</sup> Opinion is divided on the impact of use of force in realization of the intended objectives. Some argued that the state-driven counter terrorism measures succeeded in averting unrestrained cross border incursion by *Al-Shabaab* insurgents from Somalia.

There were also arguments that the initial unilateral action by KDF in Somalia worked really well in the first year (based on use of force), and almost delivered the mission as planned.<sup>17</sup> However, others express centrally opinion. They pointed out that use of force compromised security of citizens due to violation of human rights committed by security agencies involved in countering terrorism. It was established that Anti-Terror Police Unit (ATPU) conducted raids in mosques and arrested suspected *Al-Shabaab*

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<sup>14</sup> Al Jazeera. “Kenya orders all refugees back into camps.” March 26, 2014. Available at <https://www.aljazeera.com/news/africa/2014/03/kenya-confines-all-refugees-two-camps-2014325211245266713.html>

<sup>15</sup> Interview with CVE\_KE- [MoI]\_ 01, Top policy administrator at Ministry of Interior and Coordination of national government. March 1, 2020, Nairobi.

<sup>16</sup> Interview with respondent CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre. March 4, 2020, Karen.

<sup>17</sup> Mwangi, Written communication 20 February 2020

members.<sup>18</sup> The raids were linked with targeted killings and forced disappearances of Muslim clerics suspected to have links with terror groups.<sup>19</sup>

The raids and targeted killings led to increased terrorist attacks in the country. The attack on Westgate Shopping Mall in Nairobi on 21<sup>st</sup> September 2013, which left 67 people dead and over 170 injured, was a response to the raids. The study learnt that a section of the Somali-Muslim community in the country felt aggrieved by the war on *Al-Shabaab* and profiling on grounds of religion. The raids thus exacerbated rather than mitigated radicalization problem in the country. Whereas some respondents argued that there were no other options other than military incursion into Somalia in 2011, others feel that the decision was rushed and did not explore other options. The decision for incursion into Somalia was made based on the circumstances that the country faced at the time.<sup>20</sup> They reported that there was no trace of government authority in Somalia, thus constraining other means of responding to the problem. The recurrent cross border incursions and provocations by *Al-Shabaab* insurgents left Kenya with no other choice other but to pursue the enemy at the source.<sup>21</sup>

The other view that the military incursion into Somalia was rushed and failed to explore other options pointed that previous military interventions had failed to solve the problem in Somalia.<sup>22</sup> It had occasioned despair. The crisis in Somalia had attracted regional and international interventions over the years like UNOSOM I in 1992 and US joint operations with Unified Task Force (UNITAF) in 1992. Others that followed were UNOSOM II in 1993, Ethiopia military intervention in 2006, and African Union Mission in Somalia (AMISOM) in 2007 among others. The study learnt that previous military interventions in Somalia had failed to win the hearts and the minds of the local populace. Kenya needed to consider this and explore other options. Some were viewed as attempts to impose regime change in the country.<sup>23</sup>

Opinion on the processes that sanctioned KDF intervention in Somalia is divided. Some argue that the intervention was in the offing following deterioration of security in

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<sup>18</sup> Ndambo op.cit pp.8-31

<sup>19</sup> See Human Rights Watch, *Kenya*.

<sup>20</sup> Interview with CVE\_KE- [MoD]\_ 01, Top administrator Office of the Cabinet secretary, Ministry of Defence. March 2, 2020, Nairobi.

<sup>21</sup> Interview with CVE\_KE- [NPS]\_ 01, Assistant Inspector General, National Police Service (NPS) March 3, 2020, Nairobi.

<sup>22</sup> Human Rights Watch. *Somalia no Mercy in Mogadishu: The Human Cost of the Conflict and the Struggle for Relief*. Nairobi: HRW. 1992.

<sup>23</sup> Interview with CVE\_KE- [S/PP] \_ 01, National security policy expert/commentator. March 6, 2020, Nairobi.

Somalia.<sup>24</sup> They alluded that the matter was a subject to deliberations of National Security Council (NSC). Others argued that the mission was an emergency that was sanctioned by the President to respond threats on the country's sovereignty and territorial integrity. Data collected show that Parliament was notified after the incursion. When asked whether there was an exit strategy, some respondents reported that the exit strategy was there. They stated that the initial intention of Kenya's occupation in Somalia was to create a buffer region within *Jubaland* thus effectively cutting off *Al-Shabaab* spilling into Kenya. KDF was to withdraw after Jubaland is fortified and able to manage security issues along that corridor.<sup>25</sup> This strategy however changed when KDF re-hatted to AMISOM. The study established that Kenya's exit from Somalia now lies with AMISOM. Others reported that since the incursion was an emergency, exit meant when the mission is accomplished.

### **CVE strategies in Kenya**

As the study learnt, use of force to fight *Al-Shabaab* brought serious legal and strategic challenges. These dynamics necessitated Kenya to incorporate counter violent extremism (CVE) approaches alongside military strategies in 2016 in responding to the problem. This has been the case since then. The study established that CVE in Kenya uses soft approach to addresses the root causes of the problem. Kenya launched National Strategy to Counter Violent Extremism (NSCVE) in 2016 with emphasizes on soft approaches like job creation, business opportunities, and life skills to tame recruitment of youth to violent extremism.<sup>26</sup> The study found that NSCVE mirrors the framework provided for in the United Nations Plan of Action on Preventing Violent Extremism.

Consequently, Kenya increased its efforts and coordination with international partners on countering the financing of terrorism (CFT), promoted CVE efforts, especially with focus on de-radicalization and reintegration of returnees.<sup>27</sup> NCTC is the designated coordinating mechanism for NSCVE. It is the focal point for external partnerships on CVE related matters. For a long time, there was no overarching mechanisms in Kenya to guide CVE efforts. NCTC was created to meet that need.<sup>28</sup> It works with security agencies, and other government ministries and departments, local communities, civil society, private

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<sup>24</sup> Interview with CVE\_KE- [MoD]\_ 01, Top administrator Office of the Cabinet secretary, Ministry of Defence. March 2, 2020, Nairobi.

<sup>25</sup> Interview with CVE\_KE- [KDF]\_ 01, Retired senior military official March 6, 2020, Westlands.

<sup>26</sup> National Strategy to Counter Violent Extremism, op.cit

<sup>27</sup> Interview with CVE\_KE- [NCTC]\_ 02, Senior policy analyst at National Counter Terrorism Centre. March 5, 2020, Nairobi.

<sup>28</sup> Interview with CVE\_KE- [NCTC]\_ 02, Senior policy analyst at National Counter Terrorism Centre March 5, 2020, Nairobi.

sector, bilateral and multilateral partners in supporting CVE efforts in the country. Data collected show that Westgate Mall attack brought to the fore issues of information sharing and coordination in counter terrorism in Kenya. 'It was just a matter of time; the attack prompted the government to initiate process to establish a multiagency framework on counter terrorism issues.<sup>29</sup> Core to the mandate of NCTC is develop NSCVE and spearhead its coordination mechanism. NSCVE aims at rallying all sectors in efforts to discredit violent extremist ideologies. It targets to minimize opportunities for terrorist groups to operate, radicalize and recruit in Kenya.<sup>30</sup>

CVE efforts in Kenya are facing challenges. It was reported that Somalia was not keen in cooperating with other stakeholders in the fight against *Al-Shabaab*.<sup>31</sup> It was observed that difference between Kenya and Somalia in counter terrorism were apparent from the first year of KDF intervention. Creation of autonomous states like Jubaland irked Somalia.<sup>32</sup> It wanted to have centralized system of governance. This precipitated KDF joining AMISOM. Respondents also reported corruption, lack of proper inter-agency coordination and cooperation as the threats to effective strategies on terrorism and violent extremism in Kenya, and national security at large. Laxity and culture of corruption in security and other related agencies was facilitating movement of illicit weapons and insurgents in the county.<sup>33</sup> For instance, bribery at Kenya-Somalia border was cited as avenue that exposes the country to security threats. The other shortcoming cited was lack of capacity in state policing personnel.

Counter terrorism and CVE efforts in Kenya need to incorporate more players especially private sector, civil society, media and the public. Respondents reported that security agencies were making effort to embrace multi-agency approach in counter terrorism. They cited NCTC and *ad hoc* Joint Operations Command Centres. Data collected show collaboration, coordination and cooperation among and between national security agencies was necessary to improve efficiency and synergy both at the strategic and operational levels.

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<sup>29</sup> Interview with CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre. March 4, 2020, Karen.

<sup>30</sup>National Strategy to Counter Violent Extremism, op.cit

<sup>31</sup> Interview with CVE\_KE- [KDF]\_ 02, Major General Kenya Defence Forces. March 7, 2020, Nairobi.

<sup>32</sup> Interview with CVE\_KE- [KDF]\_ 01, Retired senior military official March 6, 2020, Westlands.

<sup>33</sup> Interview with CVE\_KE- [S/PP] \_ 01 Senior lecturer and consultant on governance, conflict and security. March 4, 2020, Nairobi.

#### 6.4 Critical analysis of CVE strategies in Kenya

This section brings order, structure and meaning to collected data.<sup>34</sup> It synthesizes issues raised during interviews and secondary data sources, in order to understand their context and what they mean in discourses of CVE strategies in Kenya. This study used narrative analysis and content analysis to search for answers about relationships among the categories of data collected on CVE in Kenya. The ensuing discussions emerged from both theory and practice, with the former helping to explain, understand and later interpret reality of CVE practice in Kenya. This informed basis for the study's findings.

A proper conception of strategic threat picture of terrorism is core to understanding and analysis of CVE strategies in Kenya. It is until this is done, that one can enter debate, make any progress and/or expect the reader to share in one's views. Kenya has been waging two wars: externally and internally. A distinction between the two war environments is crucial for theory and practice. Externally, terrorism is a global problem. Like other countries, Kenya is not immune to the vagaries of the global terrorism threat. Indeed, the country is caught up in a precarious position due to its affiliation with crusaders and supporters of the global WoT like US and Israel. This has exposed the country to attacks from anti-US movements like *Al-Qaeda* terror group. The attacks on the US embassy in Nairobi in 1998, Norfolk Hotel in 1980 and the 2002 Kikambala Hotel bombing are a testament to these dynamics.

Other studies argue that part of the terrorism threat in Kenya is attributable to global geo-politics, regional instability, global Islamic fundamentalism and globalization.<sup>35</sup> The collapse of the state in Somalia degenerated into regional and global security crisis with Kenya bearing the biggest burden.<sup>36</sup> The anarchy that followed in Somalia eased launch of cross-border attacks by *Al-Shabaab* to Kenya. KDF's intervention in Somalia which began in 2011 is an external offensive war against *Al-Shabaab*. This war is still ongoing, and KDF remains in Somalia.<sup>37</sup>

Internally, Kenya is facing radicalized/homegrown *Al-Shabaab* networks who stage attacks in various parts of the country. This is not unique to Kenya. There is a shift

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<sup>34</sup> Marshall, Catherine, and Gretchen B. Rossman. *Designing Qualitative Research*. Newbury Park (Calif.): Sage Publications. 1990

<sup>35</sup> Okuto Emily A. "State responses to terrorism in Kenya", In Mustafa Y. Ali, Mumo Nzau, and Hassan Khannenje (eds). *The Changing Dynamics of Terrorism & Violent Extremism. Policy and Practice*. International Conference on Terrorism and Violent Extremism. HORN International institute for strategic studies. 2018. Chap.3.

<sup>36</sup> Interview with CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre (NCTC) March 4, 2020, Karen.

<sup>37</sup> See Chapter Five

in concentration from terrorism sponsored by organized groups like *Al-Shabaab*, *ISIS*, *Al-Qaeda* and *Boko Haram* to terrorism by lone wolf-phenomenon (individuals).<sup>38</sup> The internal dimension is the contemporary and most immediate terrorism threat to Kenya. Indeed, the Dusit2terror attack was enlightening with regards to the profiles of the militants. Ethnicities of the perpetrators were not the often-assumed Somali and Bajuni backgrounds. Kenyan youths have been radicalized and joined *Al-Shabaab* and are staging attacks locally as well as participating in foreign *jihadist* missions (foreign fighters). This underscores problem of homegrown radicalization and dilemma of returnees.<sup>39</sup>

Profound political, socioeconomic inequalities and grievances are at the core of radicalization in Kenya. Non-manageability of youth bulge, coupled with rising unemployment and social-economic injustices continue to disfranchise sections of the population.<sup>40</sup> *Al-Shabaab* has tapped into the historical and perceived grievances like marginalization, poverty, and state oppression among others to radicalize and recruit.<sup>41</sup> Local communities are not helping fight *Al-Shabaab*. Relations between national security machinery and the public is characterized by environment of suspicion, hostility and conflictual. This has made the locals fear sharing information about their concerns.<sup>42</sup> Others accuse police of demanding for bribes from terror suspects to secure their release. There are also concerns that police don't act on intelligence provided by locals.<sup>43</sup> This has enabled the enemy to live amongst the people undetected.

Some studies argue that some of Kenya's responses to terrorism violates its own constitution.<sup>44</sup> They raise issues of violation of human rights and "not made in Kenya". The issues are core because the problem at hand requires homegrown solutions. This raises questions on the basis and whose interests these policies and strategies serve. When considering Kenya's responses to *Al-Shabaab* terrorism threats, it is constructed within the framework of global WoT. It is a "*war against Al-Shabaab*". This imports legal and strategic implications especially informing how the war is waged and its tools. For instance, use of force has been the dominant theme of the global WoT to terror threats.

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<sup>38</sup> Interview with CVE\_KE- [KDF]\_ 01, Retired senior military official March 6, 2020, Westlands.

<sup>39</sup> Mkutu and Opondo, *The Complexity of Radicalization and Recruitment in Kwale, Kenya*, pp.1-23

<sup>40</sup> Interview with CVE\_KE- [S/PP] \_ 01 Senior lecturer and consultant on *governance, conflict and security*. March 4, 2020, Nairobi.

<sup>41</sup> Badurdeen, *Youth Radicalization in the Coast Province of Kenya*, pp.53-64

<sup>42</sup> Owen, Oliver. "The Police and the Public: Risk as Preoccupation." *Sociologist* 63, no. 1/2 (2013): 59-80.

<sup>43</sup> Interview with CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre (NCTC) March 4, 2020, Karen.

<sup>44</sup> Wanjiru Carolyn Kamau. "Kenya & the War on Terrorism." *Review of African Political Economy* 33, no. 107 (2006): 133-41. Accessed March 22, 2020.

KDF incursion into Somalia is framed along this thinking. However, the country justifies that its survival in its core operating environment was threatened and the response had to be through military means.

Actors in counter terrorism are yet to embrace deeper coordination, interaction and synergies among themselves.<sup>45</sup> These manifest at both the inter and intra-institutional levels. Bureaucratic turf wars and suspicion amongst agencies is common during the formulation and implementation of national security policies in Kenya.<sup>46</sup> To cure such problems, the country is struggling with multiagency framework in counter terrorism efforts. The multi-agency framework is geared towards improving coordination, resource and operational efficiency as well as end rivalry among agencies.<sup>47</sup> However, there is improvement along these lines. Comparison of operational response to terror attack at DusitD2 and Westgate Mall show significant improvement.<sup>48</sup> Majority of the respondents felt that CVE efforts in Kenya needed to be all-inclusive to defeat *Al-Shabaab* in and outside Kenya. They opined that the country should use local people and their leaders to de-escalate the conflict.

From the interviews and secondary data collected, it is clear that the philosophy of national security policies in Kenya are conceived in the traditional conception of security. They are predisposed to physical security. The architecture of national security in Kenya is anchored on Chapter Fourteen of the Constitution of Kenya 2010.<sup>49</sup> Article 238 (1) defines national security as the protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity, and other national interests.<sup>50</sup> This understanding of security is state-centric approach to national security.<sup>51</sup> It emphasis on state as the referent object of national security.<sup>52</sup> From this perspective, Kenya's military incursion into Somalia can be explained by the necessity of physical security.

Kenya's responses to terrorism are inclined outwards rather than inwards. They perceive the problem to be external rather than internal. This posture is an import of the

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<sup>45</sup> See Chapter five

<sup>46</sup> Interview with CVE\_KE- [S/PP] \_ 01 Senior lecturer and consultant on governance, conflict and security. March 4, 2020, Nairobi.

<sup>47</sup> Remarks by Interior Cabinet Secretary Fred Matiang'i on February 27 2018 while commenting on restructuring of the National Police Service during a police pass out parade in Embakasi, Nairobi.

<sup>48</sup> Interview with CVE\_KE- [NPS]\_ 02, Senior security analyst, National Police Service. March 2, 2020, Nairobi.

<sup>49</sup> Constitution of Kenya 2010 op.cit

<sup>50</sup> Ibid. pp.144

<sup>51</sup> See Buzan, Waever Ole and Wilde, *Security A New Framework for Analysis*.

<sup>52</sup> Carr, *The Twenty Years' Crisis*

global WoT. Attacks from *Al-Shabaab* are viewed as threatening Kenya's statehood.<sup>53</sup> In the circumstances, Kenya sought to protect its statehood and safety of Kenyans. It was an offensive war against *Al-Shabaab*. The response to this problem ignored crucial internal dynamics that are enablers to radicalization like marginalization and other political and socio-economic inequalities. There is a deficiency in appreciation and conception of the problem as being 'within' and devising customized policy responses according to the local context. Such an appreciation also necessitates a coherent policy. The *ad hoc* pronouncements by the president and senior government officials on counter terrorism issues is fleeting.

This shows that the country lacks an overarching strategic perspective on the kind of threat faced. Despite increased radicalization of Kenyan youths since 2011 following KDF incursion into Somalia, there was no policy stance on this shift. Formulation and implementation of counter terrorism and CVE strategies in Kenya is state-centric. Such posture excludes other perspectives from other players in the discourses of counter terrorism and CVE. Players like the public are kept on the periphery of security issues in Kenya.<sup>54</sup> NSC which offers structures and mechanisms of coordination of national security policy making and implementation in Kenya is also caged in an exclusionist posture. It is dominated by members of national security organs. All these means that the content of CVE policies and strategies are state-centric. There are little or no perspectives from non-security players. Recent literature emphasizes salience of plurality of perspectives and actors in CVE discourses.<sup>55</sup> The purist realist lenses of conflicts has been criticized for its inaptness in the contemporary security environment.<sup>56</sup>

There is dearth of information on realities local violent extremism contexts in Kenya. Even where such knowledge exists, CVE policy and practice are not informed by that reality. Other studies emphasizes the uniqueness of each CVE environment.<sup>57</sup> In Kenya for instance, structural effects of marginalization, economic disenfranchisement, poverty in the Coast and Northeast regions are attributed to the near absence of formal

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<sup>53</sup> Mwangi, "The roar on the other side of silence, In Mwangi and Morumbasi (eds). *Countering Violent Extremism in Kenya*, pp.93

<sup>54</sup> Interview with CVE\_KE- [S/PP] \_ 01, National security policy expert/commentator. March 6, 2020, Nairobi.

<sup>55</sup> Romaniuk, Peter. *Does CVE Work?: Lessons Learned From the Global Effort to Counter Violent Extremism*. Report. Global Center on Cooperative Security, 2015. 23-34.

<sup>56</sup> Keohane and Nye, Neorealism and Neoliberalism, pp.235-251. See also F, Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1992)

<sup>57</sup> Kessels, Eelco, Tracey Durner, and Matthew Schwartz. *Violent Extremism and Instability in the Greater Horn of Africa: An Examination of Drivers and Responses*. Report. Global Center on Cooperative Security, 2016. 23-27.

employment opportunities and low student enrollment in these regions.<sup>58</sup> This uniqueness of contexts need to be reflected in the attendant strategies by states. CVE in Kenya is also not been perceived within the policy spectrum. It is only seen narrowly through national security laws, legislations and operations.

The analytical thrust of this stance is that it is dissociated from development and poverty alleviation, governance and democratization, and education programs.<sup>59</sup> This makes it difficult to rallying all sectors of social, religious, and economic life to emphatically and continually embrace peace and democracy and reject violent extremist ideologies and aims in order to eliminate opportunities for terrorist groups to operate, radicalize and recruit in Kenya.<sup>60</sup>

Distinction between the external and internal dimensions of the terrorism threat picture in paves way to scrutiny of the appropriate policy responses in the two environments. This study finds that responses to *Al-Shabaab* terrorism threat in Kenya lacks the distinction of the two 'war' environments. Although Kenya applies both military and CVE in responding to terrorism, the former dominates the latter. The value of CVE in mediating *Al-Shabaab* conflict in both Somalia and Kenya is yet to be appreciated. This renders Kenya's strategies to be reactionary and *ad hoc*. When terrorists attack a CT strategy is applied, when that does not work, counter insurgency is reigned in, when that proves overwhelming, CVE is contemplated.<sup>61</sup> This has constrained policy development and enhancement.

Data collected revealed that adoption of CVE in Kenya has not overthrown the use of force. An understanding into the forces that led shift to CVE is core. The use of force was seen as aggravating the problem of radicalization and failing to address root causes of the problem. *Al-Shabaab* takes advantage of disfranchisement and hostility from security forces to radicalize and recruit from the pool of aggrieved Kenyan youths.<sup>62</sup> At the end, use of force and CVE is running concurrently. This duality in strategy raises critical policy and empirical questions. Use of force and CVE strategies have conflicting ends. The latter

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<sup>58</sup> United Nations Development Programme (UNDP), "Kenya's Youth Unemployment Challenge," January 2013, p. 16,

<sup>59</sup> Refer to Neumann, *Countering Violent Extremism and Radicalisation that lead to Terrorism*

<sup>60</sup> National Strategy to Counter Violent Extremism, op.cit

<sup>61</sup> Macharia, Strategic implications of the shift from Counter Terrorism to Countering Violent Extremism and Counter Insurgency, In Mwagiru and Morumbasi (eds). *Countering Violent Extremism in Kenya*, pp.70-91

<sup>62</sup> Interview with CVE\_KE- [NCTC]\_ 02, Senior policy analyst at National Counter Terrorism Centre March 5, 2020, Nairobi.

seeks to win hearts and minds, but the former undermines this objective. Mediating CVE with a military strategy begs questions on the proper criteria of validity of CVE praxis.

Working relationship between and among and the various components of the duality strategy is core to realization of envisaged national security objectives. Use of force and CVE seem to be working separately with little or no shared aims. Security agencies seem frustrated by the lack of cooperation by local communities in tackling *Al-Shabaab*. ‘In northeastern region, we suspect that these people are known but the locals don’t divulge anything’.<sup>63</sup> Even initiatives like *Nyumba Kumi* did not helped much due to suspicion between members of public and security agencies. Volatility in Northeastern part of Kenya is also seen to be aiding *Al-Shabaab* to blend and camouflage amongst the locals.

Security agencies are facing hostility from communities. The later feel targeted/profiled by security operations. This has served to undermine legitimacy of the government among the people it is seeking to help. The nascent multi-agency framework on national security matters in Kenya is also confounded with bureaucratic turf wars.<sup>64</sup> This has constrained coordination of national security issues in Kenya. Analysis of narratives and secondary data collected in this study raises a number of legal and strategic issues on CVE practice in Kenya. one of them is the legal justifications for KDF incursion into Somalia. Many studies have delved into debates on the legal implications of Kenya’s decision to intervene in Somalia. Some explore justifications for and consequent implications of the invasion of Somalia by the KDF, especially in light of an existing African Union (AU) mission in Somalia.<sup>65</sup> Kenya’s justification for intervention in Somalia invoked provisions Article 51 of the UN Charter. The provision recognizes the inherent right of individual or collective self-defense in the wake of an armed attack against a member of the UN. This legal justification raises a lot of questions regarding what constituted an armed attack against Kenya and whether such actions necessitated an invasion of that magnitude.

This study finds that Kenya’s military intervention Somalia was done in haste. ‘*Al-Shabaab* had intensified cross border incursions. We had to move in fast because things were getting out of hand.’<sup>66</sup> This suggests that decision could was made in an emergency and crisis environment. Decisions conditioned by crisis thinking often overlook some

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<sup>63</sup> Interview with CVE\_KE- [MoD]\_ 02, policy analyst at Ministry of Defence March 1, 2020, Nairobi.

<sup>64</sup> See Chapter five.

<sup>65</sup> Ndambo op.cit pp.8-31

<sup>66</sup> Interview with CVE\_KE- [KDF]\_ 02, Major General, Kenya Defence Forces. March 7, 2020, Nairobi.

considerations. These findings are reinforced by Tams who argue that Kenya did not follow the right procedures in pursuit of the right to self-defence because it did not report its intended actions to the United Nations Security Council (UNSC).<sup>67</sup> Others draw comparisons between intervention in Somalia and the 2003 invasion of Iraq by US.<sup>68</sup> This analysis suggest that Kenya's intervention was to achieve other political goals like maritime resources.

This leads to the question of war powers in Kenya. Although Kenya has framed the intervention in Somalia as a 'war' against *Al-Shabaab*, this war was not rightly declared. Article 132 (4)(a) provides that the president with the approval of parliament declare war. The declaration of war under the constitution of Kenya 2010 is provided for under article 95(6). Under this provision, the National Assembly approves declarations of war and extensions of states of emergency. This means that the declaration of war powers in Kenya require action by both the parliament and the president. This study finds that in the case of KDF intervention in Somalia, this did not happen. These omissions are being blamed in temporal dynamics. We had to move in fast because things were getting out of hand.'<sup>69</sup>

The other issue is that the lack of a coherent and formal national security or counter terrorism/CVE policy in Kenya, begs the question of the basis of CVE strategies. This denotes lack of a shared vision about count counter terrorism and CVE. In absence of a formal CVE policy or national security policy in Kenya, this study questions the basis of CVE strategies in the country. Policy making involve decision-making and the interactions among the various actors involved in national security.<sup>70</sup> A policy forms the basis of a strategy. What policy does the National Strategy to Counter Violent Extremism (NSCVE) implement? This question is important because there is need to be clear on the kind of threat faced.

This analysis finds that CVE strategies in Kenya based on operational issues. They are reactionary and *ad hoc*, with short of a clear strategic perspective. 'The Westgate Mall attack prompted the government to initiate process to establish a National Counter Terrorism Centre (NCTC) in 2014'.<sup>71</sup> The agency was mandated to formulate a NSCVE. However, the strategy that emerged largely reflects the generic framework provided for in

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<sup>67</sup>Tams, C. J., "The Use of Force Against Terrorists," *European Journal of International Law*, 20 (2), (2009), pp. 359–397.

<sup>68</sup> Antić, M. *Iraq war (2003-): Was It morally justified?* Zagreb: University of Zagreb. 2009

<sup>69</sup> Interview with CVE\_KE- [KDF]\_ 02, Major General, Kenya Defence Forces. March 7, 2020, Nairobi.

<sup>70</sup> Mwangi, op.cit pp.1-26

<sup>71</sup> Interview with CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre. March 4, 2020, Karen.

the United Nations Plan of Action on Preventing Violent Extremism. The strategy is not homegrown. This implies that CVE policies and strategies in Kenya are devoid of strategic assessment of the country's operational environment.

### **6.5 Understanding CVE strategies in Kenya**

This section interprets and gives meaning to issues that arose in data analysis. To understand CVE strategies in Kenya, the study judiciously constructed themes and statements that emerged from analysis and explained them. This entailed grouping analyzed data into categories. The study first familiarized with data collected and its analysis through detailed scrutiny to decipher meanings, patterns, trends and themes according to objectives of the study. Interpretation was based on theory and practice, with the former helping to explain, understand realities of CVE practice in Kenya. It explored emergent theoretical underpinnings and knowledge gaps. This entailed asking questions like; what generated themes were saying, their interplay and interactions. This study constructed understanding of CVE strategies in Kenya in four thematic areas. They are Kenya's dyadic terrorism threat, philosophy of counter terrorism and CVE strategies in Kenya, Military – CVE duality response to terrorism in Kenya, and legal and strategic issues on CVE strategies in Kenya.

#### **6.5.1 Kenya's dyadic terrorism threat**

This study finds that Kenya has been waging two wars: externally and internally. Externally, Kenya is in Somalia to fight *Al-Shabaab*. The country is also exposed to vagaries of the global terrorism threat from groups like *Al-Qaeda*. Terrorism is a global concern for all states.<sup>72</sup> This is especially milieu of affiliation with crusaders and supporters of the global WoT like US and Israel. All this denoted an enemy from "outside". Internally, the country is confronted with radicalized/homegrown *Al-Shabaab* networks. The group has radicalized and recruited Kenyan youths.<sup>73</sup> They are not only staging attacks locally but also participating in foreign *jihadist* missions (foreign fighters). There is also threat posed by lone wolf-phenomenon.<sup>74</sup> The enemy is now from "within".

Traditionally, Kenya's terrorism threat has been perceived to be from the external dimension. It was associated with typical global terrorism threat and volatilities in

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<sup>72</sup> UNDP op.cit

<sup>73</sup> Interview with CVE\_KE- [NPS]\_ 01, Assistant Inspector General, National Police Service (NPS) March 3, 2020, Nairobi.

<sup>74</sup> Interview with CVE\_KE- [KDF]\_ 01, Retired senior military official March 6, 2020, Westlands.

Somalia.<sup>75</sup> Little of no attention was given to Kenya being a source of terrorism threat. Today, as pointed by analysis, the internal dimension is the most immediate and urgent terrorism threat to Kenya. Radicalization and problem of returnees is driving local terror attacks. Although terrorism threat from *Al-Shabaab* is the biggest national security challenge for Kenya at the moment, the longer-term threat is the problem of the radicalization of the youth.<sup>76</sup> Radicalization will outlive the War on Terror, thus necessitating urgent and strategic response. The fact that Kenyan youth are radicalized has serious strategic consequences for the conduct of the War on Terror. It means specifically that now the enemy is within and is one of us.

This analysis distinguishing the dyadic terrorism threat for Kenya has implications for theory and practice. It implies that Kenya needs to have distinct strategies for each environment. Without forgetting the external dimension, urgency for search of a homegrown strategic response to internal dimensions of terrorism threat in Kenya cannot be overemphasized. State-centric and security lenses are unfit for this realm. Probable solutions to the internal problems and underlying causes and grievances can be found through conflict management frameworks.

### **6.5.2 Philosophy of policy responses to terrorism in Kenya**

It is necessary to ascertain philosophy of national security policy in Kenya because it points to the basis of its justification.<sup>77</sup> National security strategies are derived from national security policies of states. Identifying philosophy of policy responses to terrorism in Kenya is useful in many ways. First, it enables asking question of about their contents and its conceptual analysis.<sup>78</sup> Secondly, it promotes rational national security policy analysis by facilitating comparison with others. Philosophy facilitates scholarly communication by establishing common ground between those with disparate views.

Data analyzed postulate that philosophy of national security policies in Kenya disposed to physical/traditional conceptualization of security. This conception is an import of the cold-war frameworks disposed to use of force. Article 238 (1) of Constitution of Kenya 2010 defines national security as the protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property,

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<sup>75</sup> Prestholdt, Kenya, the United States, and counter terrorism, pp.3-27

<sup>76</sup> Mwangi, Makumi. The War on Terror, Somalia and AMISOM Revisited, in Mwangi, Makumi. *The Three Anthems and Other Essays* (Nairobi: Three Legs Consortium) 2018. Chap 25.

<sup>77</sup> Westow, Theo. "The Ideology of National Security." *New Blackfriars* 61, no. 717 (1980): 52-61.

<sup>78</sup> Baldwin, David A. 1997. *The concept of security*. (Cambridge: Cambridge University Press, 1997)

peace, stability and prosperity, and other national interests.<sup>79</sup> This understanding of security is state-centric approach to national security.

Kenya's responses to terrorism are constructed within the framework of global WoT. It is a "war" against *Al-Shabaab*.<sup>80</sup> The philosophy of WoT framework is conceived in realist thinking.<sup>81</sup> It is state-centric. Just like global WoT, framing the problem as war has implications. An asymmetrical 'war' was responded to using symmetrical lenses. This response perceives the problem to be external rather than internal. It also presumes the enemy to have capabilities similar to states. This cautions against rushing for quick fixes with fixated state-centric mindset to the problem. Considering counter terrorism and CVE policy within *ad hoc* presidential and ministerial directives in Kenya point to lack of an overarching strategic policy.

Kenya's responses to terrorism are informed by necessity of physical security. 'Recurrent cross border incursions and provocations by *Al-Shabaab* insurgents left Kenya to pursue with no other choice other than pursue the enemy at the source. It had to protect territorial integrity and sovereignty.<sup>82</sup> To protect the state, use of force was deployed.<sup>83</sup> The response did take consider the character of the enemy or the realm in which the threat operates. Wolfers raises concerns about ambiguity of national security and its pursuit if not founded on firm specifications.<sup>84</sup> Following intervention in Somalia, *Al-Shabaab* embarked on radicalization of youths. However, this shift was not contemplated by Kenya's policy responses. This suggest that CVE in Kenya as a reactive response. Traditionally, coordination and information sharing on counter terrorism was constrained. 'Westgate Mall attack prompted the government to initiate process to establish a NCTC.<sup>85</sup> This was a mechanism to ease coordination and information sharing on counter terrorism efforts.

Analysis of Kenya's NSCVE revealed it mirrors the generic framework provided for in the United Nations Plan of Action on Preventing Violent Extremism. The Strategy is not homegrown. It is outward rather than inward- looking. This has dissociated it with

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<sup>79</sup> Constitution of Kenya 2010 op.cit

<sup>80</sup> Speech by President Uhuru Kenyatta during state of nation address on El Adde attack on January 19, 2016. Available at <https://www.youtube.com/watch?v=401Yt0MAkNU>

<sup>81</sup> See Chapter two

<sup>82</sup> Interview with CVE\_KE- [NPS]\_ 01, Assistant Inspector General, National Police Service (NPS) March 3, 2020, Nairobi.

<sup>83</sup> Morgenthau Hans. *Scientific Man vs. Power Politics*. (Chicago: University of Chicago Press, 1946).

<sup>84</sup> Wolfers Arnold. "National Security" as an Ambiguous Symbol', *Political Science Quarterly*, 67 (1952), p. 483.

<sup>85</sup> Interview with CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre. March 4, 2020, Karen.

trends like dilemma of returnees, homegrown radicalization and structural conflicts underlying the problem. Importance of homegrown solutions lie in taking cognizance of cultural values, trends and contextual dynamics.<sup>86</sup> This is yet to be appreciated in discourses on CVE in Kenya. The external posture of CVE strategies in Kenya does not capture moments of the conflict as it transits. They are not flexible to match the character of the threat.

Exclusion of non-security actors in discourses on CVE in Kenya suggest that CVE is perceived at the policy spectrum. It is dissociated from development, poverty alleviation, governance and democratization, education and peace programs.<sup>87</sup> This has made it difficult to ‘rally all sectors of Kenyan social, religious, and economic life to emphatically and continually embrace peace and democracy and reject violent extremist ideologies and aims in order to eliminate opportunities for terrorist groups to operate, radicalize and recruit in Kenya.’<sup>88</sup> Kenya’s response to violent extremism fell into the traps of *Al-Shabaab* narratives by depicting security policies and strategies as targeting Somalis and Muslims. This creates dissonance about the character of the war against terror and the strategies being used.

### **6.5.3 Military-CVE dual response to terrorism in Kenya**

Analysis show that Kenya applies both military and CVE strategies in responding to terrorism in its operating environment. This consideration is constructed within the framework of global WoT. Despite adopting CVE approaches, states did not abandon use of force.<sup>89</sup> For Kenya, the problem is confounded by use of force even on own population. This suggests lack of distinction between internal and external war environments for Kenya. The strategic imperative of distinction between these two dimensions is core in analyzing and designing policy responses. It means that appropriate and distinct strategies conceived for each environment. Use of force in Somalia and within Kenya suggests that responses to terrorism threat in Kenya lacks the distinction of the two ‘war’ environments.

Military-CVE dual strategy in Kenya raises critical policy and empirical questions. Use of force and CVE strategies have conflicting ends. The latter seeks to win hearts and minds, but the former undermines this very praxis. Conceptually, CVE emerged as a

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<sup>86</sup> Ezeanya, C. “The Rise of Homegrown Ideas and Grassroots Voices: New directions in Social Policy in Rwanda”, *United Nations Research Institute for Social Development (Working Paper 2017-6)*

<sup>87</sup> Refer to Neumann, *Countering Violent Extremism and Radicalisation that lead to Terrorism*

<sup>88</sup>National Strategy to Counter Violent Extremism, op.cit

<sup>89</sup> See Chapter four

paradigm to solve a problem that military strategy failed to address.<sup>90</sup> Use of force was aggravating radicalization and not addressing its root causes. Mediating CVE with a military strategy begs questions on the proper criteria of validity of CVE strategies. This study finds that adoption of CVE in Kenya did not overthrow use of force. This means that CVE has not been properly appreciated as an important and distinct response to terrorism threat in Kenya. Military strategy in Kenya outshines CVE.

This finding echoes Macharia who argues that Kenya has adopted reactionary strategies; when terrorists attack a CT strategy is applied, when that does not work, counter insurgency is reigned in, when that proves overwhelming, CVE is contemplated.<sup>91</sup> Deeper sentiments are expressed by Ogada who argue that the content of Kenya's NSCVE is generic.<sup>92</sup> This has deprived it of touch with the realities of the threat. There is a disconnect in the military-CVE duality strategy in responding to *Al-Shabaab* threats in Kenya. Use of force on own population has evoked criticism over claims of profiling Somali-Muslims, human rights violations and breaches of the law by security agencies.<sup>93</sup>

Working relationship between and among various components of the duality strategy is another problem. Local communities for example are not cooperating or sharing information on *Al-Shabaab*.<sup>94</sup> The nascent multi-agency framework on national security matters in Kenya is also confounded with bureaucratic turf wars. This has constrained coordination of national security issues in Kenya. This analysis cautions against a one-fit-all approach in Kenya's counter terrorism and CVE strategies. A proper appreciation of uniqueness of internal (or better put CVE) environment in Kenya is lacking. It is only after such assessment that strategies can be based on. This means that existing policy responses to this environment are suboptimal.

### **6.5.3 Emerging issues on CVE strategies in Kenya**

Like global WoT, practice of CVE in Kenya raises legal and strategic issues. First, is about legal justifications for KDF incursion into Somalia and framing it as a war. Many studies debate legal implications of Kenya's intervention in Somalia. Some explore

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<sup>90</sup> See Kuhn, *The Structure of Scientific Revolutions*, pp.24-36

<sup>91</sup> Macharia, N., Rosalind. Strategic Implications of the Shift from the Counter Terrorism to Countering Violent Extremism and Counter Insurgency in Mwagiru Makumi and Morumbasi Kigen (eds). *Countering Violent Extremism in Kenya: Strategic and Legal Issues*. Vol.1 Thirty-three Consortium Publication on International Security. 2018. Chap 4.

<sup>92</sup> Ogada, Mikewa. A Policy Content Evaluation of Kenya's National Strategy to Counter Violent Extremism. Centre for Human Rights and Policy Studies, Policy Brief No. 9, November 2017.

<sup>93</sup> Interview with CVE\_KE- [NPS]\_ 01, Assistant Inspector General, National Police Service (NPS) March 3, 2020, Nairobi.

<sup>94</sup> Interview with CVE\_KE- [MoD]\_ 02, policy analyst at Ministry of Defence March 1, 2020, Nairobi.

justifications for and consequent implications of the invasion of Somalia by the KDF, especially in light of an existing African Union (AU) mission in Somalia.<sup>95</sup> Kenya's justification for intervention in Somalia invoked provisions Article 51 of the UN Charter raises questions regarding what constituted an armed attack against Kenya and whether such actions necessitated an invasion of that magnitude.

This study finds that Kenya's "war against *Al-Shabaab*" simply replicated the global WoT. It does not fit the frame of classical war, thus a defective war. This finding implies that the Kenya's responses to *Al-Shabaab* are grounded on flawed conception of war. Secondly, Kenya's military intervention Somalia was done in haste. '*Al-Shabaab* had intensified cross border incursions. We had to move in fast because things were getting out of hand.'<sup>96</sup> This suggests that the decision could was made in an emergency and crisis environment. Decisions conditioned by crisis thinking often overlook some considerations. These findings are reinforced by Tams who argue that Kenya did not follow the right procedures in pursuit of the right to self-defence because it did not report its intended actions to the United Nations Security Council (UNSC).<sup>97</sup>

These issues lead us to question of war powers in Kenya. Kenya's 'war against *Al-Shabaab*', was not rightly declared. Article 132 (4)(a) provides that the president with the approval of parliament declare war. The declaration of war under the constitution of Kenya 2010 is provided for under article 95(6). Under this provision, the National Assembly approves declarations of war and extensions of states of emergency. This means that the declaration of war powers in Kenya require action by both the parliament and the president. This study finds that in the case of KDF intervention in Somalia, this did not happen. These omissions are being blamed in temporal dynamics. We had to move in fast because things were getting out of hand.'<sup>98</sup>

Lack of a coherent and formal national security or counter terrorism/CVE policy in Kenya, begs the question of the basis of CVE strategies. It denotes lack of a shared vision about count counter terrorism and CVE. In absence of a formal CVE policy or national security policy in Kenya, this study questions the basis of CVE strategies in the country. A policy forms the basis of a strategy.<sup>99</sup> National security policies need to be clear and

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<sup>95</sup> Ndambo op.cit pp.8-31

<sup>96</sup> Interview with CVE\_KE- [KDF]\_ 02, Major General, Kenya Defence Forces. March 7, 2020, Nairobi. *Military and Associated Terms*". pp. 359–397.

<sup>98</sup> Interview with CVE\_KE- [KDF]\_ 02, Major General, Kenya Defence Forces. March 7, 2020, Nairobi.

<sup>99</sup> Mwangi, op.cit pp.1-26

grounded on sound underpinning of threats facing the state.<sup>100</sup> What policy does the National Strategy to Counter Violent Extremism (NSCVE) implement? Such a question is important because there is need to be clear on the kind of threat being faced. This study finds that CVE strategies in Kenya grounded on operational and tactical issues.

## 6.6 Study findings

This study began by faulting global WoT framework as basis for national security policies by states. It argued that WoT framework does not provide a strategic perspective to national security of states. The study proposed that terrorism can be analyzed and responded to through peace and conflict management frameworks. That analysis paved way for possibility of negotiated or diplomatic solutions for terrorism. The conceptual framework constructed by the study at the beginning hypothesized that contemporary national security strategies by states are informed by global WoT. This frame enhanced investigations on inherent relationship between study variables and its implications.

From literature, it emerged that conditions underlying terrorism conflict are not unique. They revolve around political, structural and cultural dimensions. Literature on terrorism did not explain why peace and conflict management frameworks cannot be used to design responses to terrorism. The only objection raised against negotiating with terrorists is that it legitimizes terror groups, their goals and their means; thus, the anecdote ‘we don’t negotiate with terrorists!’<sup>101</sup> This does not mean that this literature was unusable. It provided valuable insights that enriched analysis of this study and draw conclusion.

### 6.6.1 Findings on philosophy of global War on Terror

This study took a critical perspective on the global WoT. A clear conceptualization of philosophy of national security is crucial. A philosophy of a society is fashioned out of a climate of beliefs, behavior and actions. It is the basis that inform why the society do what it does. This understanding is important to illuminate on the whys and wherefores of behavior. This study finds that the US-led WoT has emerged as the dominant post-cold war framework for international and national security. The philosophy of national security for US during the Cold War was containment. In that framework, the role of state security organs like the military, intelligence and the larger military-industrial

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<sup>100</sup> Paleri, Prabhakaran. *National security: Imperatives and challenges*. (New Delhi: Tata McGraw-Hill Pub. Co. 2008)

<sup>101</sup> See Harmonie, We Don’t Negotiate with Terrorists! pp.407–426.

complex in national security was geared to that goal. With the collapse of the USSR, states lost cold war philosophy as a strategic basis. There lacked a theme and subject for states to base their security policies and 9/11 provided an opportunity for re-directing the national security industry. WoT is constructed along this frame and was intended to fill strategic gap caused by end of the cold war.

There is a problem with the fundamental assumptions upon which WoT is constructed. These assumptions begin with the significance of framing the problem as a 'war'. WoT does not fit in classical conceptualization of war. It is a war that runs on perpetuity, has no clear enemy, and negates the conventional laws of war. This raises serious legal and strategic issues with implication on responses to the problem. The study finds that despite lack of unified definition and current responses, terrorism is ever evolving and threatening survival of states. Instead of eliminating or reducing the problem, WoT is aggravating it. These findings are collaborated by Fierke who hold that WoT is a defective war.<sup>102</sup> States responded to non-state actors as though they are states. The current problem differs from the cold war threats both in scope and complexity.

Whereas the problem is asymmetrical, states are responding through state-centric lens. WoT cannot solely be won through military might. The role and effect of inappropriate aggressive strategies by states, socio-economic factors like deprivation and poverty in fanning this conflict have been overlooked. While terrorism remains enduring, globalization and information age has further fueled its character, including how terrorist groups recruit individuals and then use them to carry out attacks.<sup>103</sup> The security operating environment has radically shifted from the traditional conceptualization of physical terrain. These dynamics have constrained states in terms policy and strategy responses in dealing with the problem.

This study holds that an alternative strategy like negotiation or mediation is necessary to give WoT a convincing political purpose by transforming battlefield successes into peace. This strategy needs to go beyond mere reactionary and anticipatory frameworks to uncharted waters of shaping an alternative environment devoid of need for violence. The basis of this assertion is that the scope and complexity of terrorism requires a more complex approach, clear, comprehensive and coherent strategy. Devoid of such a strategy, states run risk of formulating and pursuing policies grounded on operational and

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<sup>102</sup> Fierke, *The 'War on Terrorism*, pp.51-64

<sup>103</sup> Interview with CVE\_KE- [KDF]\_ 01, Retired senior military official March 6, 2020, Westlands.

tactical issues. End result is that states risk countering and responding to illusory threats and challenges.

### 6.6.2 Findings on terrorism as a conflict in transition

The terrain in which conflicts have traditionally been conceptualized has radically shifted to asymmetric and symbolic. Terrorism epitomizes a struggle for a cause: a form of conflict. Given volatility of operating environment, actors are always changing tactics and strategies. As such, terrorism threat is always mutating. It is a conflict in transition characterized by complex peculiarities, that makes it challenging to respond to. As the conflict goes on, the actors involved are strategically changing their offensive and defensive tools and strategies.<sup>104</sup> Responding to a mutating conflict is a daunting task because the of its changing character, actors involved and lack of necessary conditions for successful negotiations, most critical being a mutually hurting stalemate.

This has necessitated scholars and policy makers to go back to drawing board and re-examine underlying assumptions. Despite clear similarities of actors and root causes of structural conflicts and terrorism, there is a disconnect between conflict analysis and analysis of terrorism. This study sought to challenges this divide. It analytically situated terrorism as a conflict in transition within peace and conflict management frameworks. Despite misgivings about whether states can negotiate with terrorists, current literature argues that it is possible to negotiate a solution. Literature on peace and conflict management is rich with strategies to solve political, structural and cultural contestations. This study argues that CVE strategies need to mediate the terrorism conflict by importing new dimension as opposed to use of force.

CVE strategies can condition certain frameworks that can lead to negotiation, or mediation of those negotiations. In early 2020, the US signed a deal with *Taliban*, setting the stage for withdrawal of US troops from Afghanistan.<sup>105</sup> This was an actual negotiation leading to a peace agreement, and ultimately to a USA exit strategy from the Afghanistan theatre. It will mark the end of US' longest war in Afghanistan that began after 9/11. To this end, case analysis and cross analysis can be useful tools to draw comparative perspective and detailed analysis along these lines.

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<sup>104</sup> Interview with CVE\_KE- [S/PP] \_ 01 Senior lecturer and consultant on *governance, conflict and security*. March 4, 2020, Nairobi.

<sup>105</sup> The Guardian. "US and Taliban sign deal to withdraw American troops from Afghanistan", Feb 29, 2020. Accessed at <https://www.theguardian.com/world/2020/feb/29/us-taliban-sign-peace-agreement-afghanistan-war>

Framing terrorism as a conflict in transition and relating its analysis to ripe moments theory illuminates understanding of terrorism conflict and its resolution. Zartman's model rests on idea that conflict resolution depends on identification of the ripe moment in differing patterns of conflict and escalation. The model gives primacy to a proper context analysis of conflict and relationship of the issue with conflict, instability and peace. The point when a conflict is ripe for resolution is linked to 'plateaus' and "precipices", which produces varying pressure; deadlocks" and deadlines.<sup>106</sup> This means that CVE strategies must be flexible and not one-sided; they must be valid for the stage of transition the conflict is at. It also means that CVE strategies must no longer be seen from solely a state-centric perspective. The ripeness framework is plausible to map requisite multipronged inter-actions for a better appreciation of the dynamics of terrorism conflict and eventually grasp the ripe moment.

By taking advantage of occasional hurting stalemate plateaus, CVE strategies can contribute to settlements of terrorism conflict. The transitional character of terrorism arises from change of strategies by parties involved and vicissitudes of operational environment. For instance, terrorism that prompted Kenya to intervene in Somalia was not the same as two years later. The problem transited to radicalization. The issues arising is how to capture moments of conflict and whether CVE strategies are dynamic or may become stale once the conflict transforms. This study finds that negotiation and mediation of transitional conflicts in transition can provide a framework for terrorism conflict. While considering security and devolution, Mkutu et al reckons that devolution is portent of altering balance of power at the grassroots levels.<sup>107</sup> This means that structural issues underlying terrorism conflict can be addressed through alternative approaches.

De-escalation of conflict is conceivable when one of the parties conjures the significance of the conflict, and the incentive to continue fighting declines.<sup>108</sup> As the war proceeds, *Al-Shabaab* group has been changing strategies and tactics. It resorted to radicalization and recruitment of Kenyan youth. The enemy 'without' has now changed face to an enemy 'within'. The shift in tactics by *Al-Shabaab* have serious implications on the policies and strategies devised to deal with the problem. Use of force in Kenya was seen to be contributing to the very radicalization of youths that the state seeks to address,

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<sup>106</sup> Zartman *Ripe for Resolution* op.cit

<sup>107</sup> Mkutu, Marani and Ruteere, *Securing the Counties*, pp.7-13

<sup>108</sup> Louis Kreisberg, and Stuart J. Thorson (eds). *Timing the de-escalation of International Conflicts* (New York: Syracuse University Press, 1991) pp 20

thus making them receptive to recruitment by terrorist organizations and networks.<sup>109</sup> *Al-Shabaab* has tapped into the historical and perceived grievances like marginalization, poverty, and state oppression among others to radicalize and recruit.<sup>110</sup> The study found that the initial plan in Kenya's occupation in Somalia was to create a buffer region within *Jubaland*. This was to effectively cutoff *Al-Shabaab* spilling into Kenya. However, these were disrupted re-hatting of KDF into AMISOM and problems of homegrown radicalization.

### **6.6.3 Findings on CVE approaches in War on Terror**

The overarching theme in violent extremism is the socialization of individuals and groups into a radical or extreme worldview. The triggers of violent extremism can be foreign or domestic, national or international. There are many threads of radicalization of which violent extremism is one; an individual may be radicalized but not engage in violent extremism. The challenge for CVE is to identify the violent extremism nexus between the two divides. CVE strategies were devised and adopted following failure by the coercive approaches to address radicalization and the root causes of terrorism and violent extremism. Coercive approaches were found to be part of the problem.<sup>111</sup> However, even with the adoption of CVE, countries have not dropped the coercive approaches; CVE and military responses are coexisting in the war against terrorism.

Besides *Al-Shabaab* threat from Somalia, Kenya is also confronted with the problems of homegrown radicalization. This has complicated responses, particularly identifying the enemy among your own citizens. Questions are also raised on the consequences of subjecting own citizenry to use of force, and what does this mean their support for this war and radicalization. If this war continues, its will lose citizenry support. The thesis here is that the military strategy is problematic and ineffective in the light of the contemporary security environment.

The basis of mediating CVE strategy with a military strategy is a critical question in addressing terrorism threat. Equally, as the terrorism threat evolves to include radicalization of local population, countries are still held in state-centric lenses in their responses to the problem. This has constrained policy and strategy responses in dealing with terrorism and violent extremism. CVE policies and strategies are not working. The

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<sup>109</sup> Silber and Bhatt, *Radicalization in the West*

<sup>110</sup> Badurdeen op.cit pp.53-64

<sup>111</sup> Interview with respondent CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre. March 4, 2020, Karen.

problem is the fundamental assumptions upon which these policies and strategies are constructed and implemented. They are still shrouded with narratives that perceive threat as an external, rather than internal. Whereas terrorism conflict is on transition, response policies and strategies by states are still caged with generic CVE strategies and borrowed lenses.

Implementation of CVE strategies is contextual. Like other states, Kenya is experimenting CVE: it is trial and error undertaking. The legal and policy dimensions of CVE in Kenya are also complex because there is no single answer to the problem at hand.<sup>112</sup> It is confronted by rapidly evolving security challenges that are unprecedented. Initially, the country responded to terrorism from the *Al-Shabaab* terrorist group by use of military means. However, *Al-Shabaab*, changed tact and resorted to radicalization and recruitment of Kenyan youth.<sup>113</sup> There is a problem with availability of information on realities of local CVE contexts. Even in contexts where such knowledge exists, the CVE policies and practices are not grounded on it. Many CVE approaches lack evidence of success, and this can undermine their efforts. Terrorism is characterized by an ever shifting of strategies by the enemy and the security operating environment. CVE strategies need to match if not shape the terrain these shifts. This research study aims at responding to these empirical gaps.

#### **6.6.4 Findings on CVE strategies in Kenya**

This study finds that strategic terrorism threat picture in Kenya is dyadic. The country confronts both an external and internal war. Externally, terrorism is a global concern for all states and like other states is vulnerable to this problem. Kenya's affiliation with crusaders and supporters of the global WoT like US and Israel exacerbates Kenya's threat from outside with groups like *Al Qeda*, *ISIS* and *ISIL* among other being targeted by WoT, seek reprisals on US allies. Kenya's intervention in Somalia is a thread of tis external dimension threat. Internally, homegrown radicalization of youths by *Al-Shabaab* networks poses the biggest threat to Kenya's national security. Kenyan youths have joined *Al-Shabaab*. They are staging attacks locally and participating in foreign *jihadist* missions (foreign fighters). There is also threat posed by lone wolf-phenomenon. The enemy is now from "within". This study finds that the threat within (radicalization) is the most

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<sup>112</sup> Mwangi, Perspectives on Countering Violent Extremism in Kenya, In Mwangi and Morumbasi, *Countering Violent Extremism in Kenya*, pp. 143-164

<sup>113</sup> Interview with respondent CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre. March 4, 2020, Karen.

immediate and urgent terrorism threat to Kenya. It necessitates urgent and strategic response. The study heard that an enforced repatriation of Somalia refugees, *Usalama watch* and construction of the Somalia-Kenya border were meant to wade of terrorists.

As the study found out, Kenya's "war" against *Al-Shabaab* is constructed within the framework of global WoT. Just like WoT, framing the problem as war has serious implications. First, the problem is perceived to be external rather than internal.<sup>114</sup> This implies that Kenya has traditionally conceived the threat to be from Somalia. As a result, the response to the problem are designed for that environment (external). This has mainly focused on military tools. Secondly, aggressor is considered like one with capabilities held by states. An asymmetrical 'war' is responded to using symmetrical lenses. This means there is a rushing for quick fixes with fixated state-centric mindset to the problem. Hence, this study found that Kenya lacks a coherent approach to counter terrorism and CVE issues. The coherence can be found in a proper appreciation of the operating environment and the attendant dynamics. Such appreciations seem to be lacking.

In absence of a formal CVE policy or national security policy in Kenya, this study questions the basis of CVE strategies in the country. What policy does the National Strategy to Counter Violent Extremism (NSCVE) implement? Such questions are important because we need to be clear on the kind of threat being faced. These findings suggest that Kenya's responses to terrorism and violent extremism are based on operational and tactical issues. Such strategies are reactive response and *ad hoc*.

The study established that the philosophy of national security policies in Kenya is inclined to physical/traditional conceptualization of security. It is states-centric mirrors just like the pre cold war security frameworks. Threats to national security are thus responded through use of force.<sup>115</sup> This philosophy informed by the constitutional conception of national security. For instance, article 238 (1) defines national security as the protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity, and other national interests. The emphasis is on the state. From this perspective, Kenya's military incursion into Somalia on necessity of physical security. Responses for concerns of physical security are designed in use of force paradigm.

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<sup>114</sup> Interview with CVE\_KE- [MoD]\_ 01, Top administrator Office of the Cabinet secretary, Ministry of Defence. March 2, 2020, Nairobi.

<sup>115</sup> Interview with CVE\_KE- [MoD]\_ 02, policy analyst at Ministry of Defence March 1, 2020, Nairobi.

Preoccupation with physical security is emphasized by domination of national security organs in discourses of formulation and implementation of counter terrorism and CVE. For instance, NCTC, the national focal point for CVE is under control of organs of national security organs. This posture excludes perspectives of other players outside security organs. Such exclusion of non-security actors in discourses on CVE in Kenya suggest that CVE in Kenya has not been perceived as a broader policy spectrum. It is dissociated from other programs targeting structural inequalities like development, poverty alleviation, governance and democratization, education and peace programs. National security institutions need a functional and a well-coordinated system to function smoothly.<sup>116</sup> This seem to be constrained in Kenya.

It was established that despite use of force, Kenya continue to endure terrorist attacks by *Al-Shabaab*. The most prominent incidents include the September 2013 attack on the Westgate Shopping Mall in Nairobi, which killed at least 69 people and injured almost 200; the 2014 Mpeketoni attack, in which nearly 50 people died; and the 2015 attack on Garissa University College in Garissa County, which left 147 people, mostly students, dead. It was realized that traditional CT policies are reactive and overlooked the underlying factors. Others argue that Kenya had been held hostage to governance crisis because of the instrumentalization of violence and the scourge of corruption.<sup>117</sup> It These have restrained strategic thinking in policy and strategies to address terrorism threat.

This study argues that CVE strategies in Kenya are not homegrown. They are blueprints from elsewhere thus lacking in customized local contexts. The framework provided in Kenya's National Strategy on Counter Violent Extremism largely mirrors the template of United Nations Plan of Action on Preventing Violent Extremism. This posture fails to capture terrorism conflict as a conflict in transition. It means that the responses are misdirected because they are not valid for the moment of the conflict. This study finds CVE strategies in Kenya to be outward rather than inward- looking and devoid of strategic assessment that appreciates the local contexts. Without appreciation of local contexts, they are inflexible to match the character of the threat.

As the study established, Kenya applies both use of force and CVE to responding to terrorism. This duality-strategy raises questions. Use of force and CVE strategies have conflicting ends. The latter seeks to win hearts and minds, but the former undermines this

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<sup>116</sup> Mwangiri Makumi. Security Institutions in Kenya: Structure, Strategy and Coordination', In Mwangiri Makumi (ed), *Dimensions of Grand Strategy: Essays on Theory, Practice, Institutions and Mechanisms in Kenya*, Nairobi: Thirty-Three Consortium, 2016, pp 141-156

<sup>117</sup> Katumanga op.cit pp.87-107

very praxis. This study finds that CVE practice in Kenya lacks a convincing philosophy. Application of military-CVE duality strategy in Kenya is skewed with former eclipsing the latter. This means CVE has not been properly anchored and appreciated as an important and distinct response to terrorism threat in Kenya. Secondly, use of force in both Somalia and within Kenya suggests that Kenya has not appreciated distinction of the two 'war' environments. This omission is exported to designing response strategies like use of force on own population. This makes the population not to support the war. The nascent multi-agency framework on national security matters in Kenya is also confounded with bureaucratic turf wars. This has constrained coordination of national security issues in Kenya.

This study argues that war against *Al-Shabaab* in Kenya faces a replica of questions in WoT. These range from framing it a war, legal justifications for incursion, and strategies deployed. This resonates with findings of Samuel that Kenya's war against *Al-Shabaab* is a copy of the global WoT.<sup>118</sup> As the study established, invoking provisions Article 51 of the UN Charter by Kenya raises questions regarding what constituted an armed attack against Kenya and whether such actions necessitated an invasion of that magnitude. Kenya's war against *Al-Shabaab* does not fit the frame of classical war. It is thus based on a defective conception. Secondly, Kenya's military intervention Somalia was done in haste. This suggests that the decision was made in an emergency and crisis environment. All this implies that if Kenya's responses to terrorism continues in this direction, they may fail. This failure means aggravation of the threat.

The other finding relates to question of war powers in Kenya. This study finds that Kenya's 'war against *Al-Shabaab*', was not rightly declared. Whereas article 132 (4)(a) provides that the president with the approval of parliament declare war, this did not happen in the case of Somalia incursion. Under article 95(6), the National Assembly approves declarations of war and extensions of states of emergency. This means that the declaration of war powers in Kenya require action by both the parliament and the president. This did not happen. These omissions are being blamed in temporal dynamics there reinforcing crisis and emergency conditioning in policy making processes.

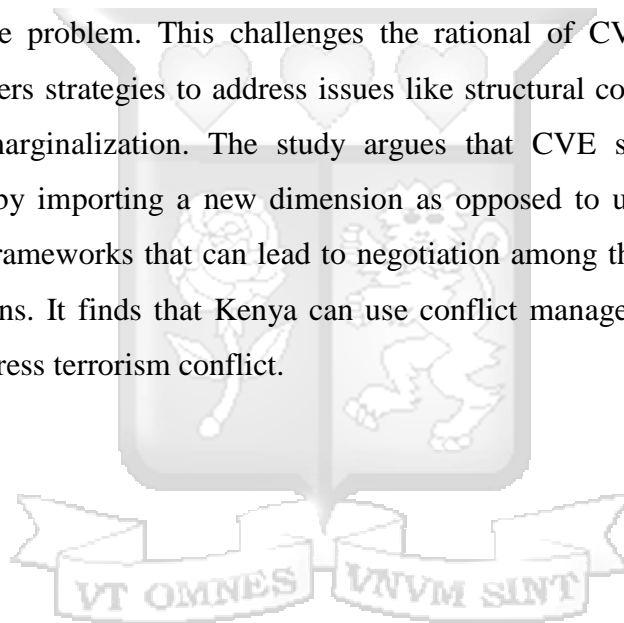
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<sup>118</sup> Samuel L. Aronson. "Kenya and the Global War on Terror: Neglecting History and Geopolitics in Approaches to Counterterrorism", *African Journal of Criminology and Justice Studies: AJCJS*, Vol.7, 2013. #s1 &2

## 6.7 Conclusions

This study examined terrorism as a conflict in transition through a critical analysis of CVE strategies in Kenya. What emerges is that Kenya's CVE strategies are constructed within the global WoT framework. They are not homegrown. The global WoT framework does not address issues underlying terrorism conflict. For instance, structural conflicts, grievances and social-economic marginalization are outside purview of WoT. These issues explain the missing link between WoT and national security policies by states. Whereas terrorism conflict revolves around such issues, WoT framework is detached from them. They are aggravating WoT and qualify terrorism as a conflict in transition.

Adoption of CVE by states did not overthrow use of force. This is despite recognition that the latter had failed to address root cause of the problem. Indeed, it was seen as part of the problem. This challenges the rationale of CVE strategies in WoT. Conflict theory offers strategies to address issues like structural conflicts, grievances and social-economic marginalization. The study argues that CVE strategies can mediate terrorism conflict by importing a new dimension as opposed to use of force. They can condition certain frameworks that can lead to negotiation among the actors, or mediation of those negotiations. It finds that Kenya can use conflict management frameworks like negotiations to address terrorism conflict.



## CHAPTER SEVEN

### CONCLUSION

#### 7.1 Introduction

This study started by reviewing how states responded to terrorism after 9/11. It argued that global War on Terror (WoT) is the dominant theme anchoring national security policies of states. The study further argued that WoT lacks a coherent strategic basis to anchor national security framework. WoT framework was also faulted for overlooking issues underlying issues like structural conflicts, grievances and social-economic marginalization. Chapter six focused on a critical analysis of Counter Violent extremism (CVE) strategies in Kenya. It found that Kenya's CVE strategies are constructed within the global WoT framework. This Chapter outlines summary of main findings, their implications, and conclusion based on objectives of the study.

#### 7.2 Summary of main findings

Debates on the kind of threat facing the world are imperative. This is because the current tools inadequately explain the problem. This presents dilemmas to both theory and policy making. Terrorism epitomizes a conflict in transition because of shifting strategies by actors involved and changes in the operating environment in which it occurs. A complex and transitional conflict can only be managed through a complex but flexible methodology. Such a methodology involves diversity of perspectives and isolating the amenable issues underlying the conflict. This will pave way for designing of appropriate tools for identified issues. Plurality of perspectives will engender enrichment and diversity of options to deal with the problem. Terrorism is a war of ideas and can only be fought and won by providing better ideas. The future of CVE efforts in Kenya lie with homegrown solutions.

The praxis of global WoT is mediated by an array of issues in the operating environment. They include unresolved structural/political conflicts, socio-economic marginalization, extremist ideology, global geo-politics and contextual dynamics. The issues epitomize the missing link in WoT. Terrorism conflict is grounded on these issues. However, the current conceptualization of WoT is detached from these underlying issues. This has imported implications on both WoT and national security policy by states. This study finds that issues underlying terrorism conflict can be addressed through conflict

management approaches. CVE strategies in Kenya can condition frameworks that can lead to negotiation, or mediation of those negotiations.

Contemporary events and cases helped circumvent criticism about single cases thereby validating their findings. Reliability is also achieved since its conclusions are not derived from this case alone but rather incorporate observations of other cases elsewhere. There is need to grow interest in interrogating alternative frameworks to address underlying issues in terrorism conflict. Similar studies can be conducted in other countries. A comparative and cross-sectional analysis of other countries provokes debate among scholars thereby enriching literature on the subject. This also reveals critical issues and aspects brought about replicate research on different contexts.

Though a case study, this study finding may be generalizable. This is because it drew from contemporary events and cases elsewhere which enabled sufficient latest data. Generalization can be done through use of many cases which ensure validity and reliability of data collected. Thus, this study can generalize that conflict management approaches can be used to resolve aspects of terrorism. In February 2020, US signed a deal with Taliban, setting the stage for withdrawal of US troops from Afghanistan.<sup>119</sup> Even the British government maintained a secret back channel to the Irish Republican Army (IRA) even after the latter had launched a mortar attack on 10 Downing Street that nearly eliminated the entire British cabinet in 1991. In 1988, the Spanish government sat down with the separatist group Basque Homeland and Freedom (known by its Basque acronym ETA) only six months after the group had killed 21 shoppers in a supermarket. By taking into consideration these contemporary cases, this study creates a generic base for multiple observations.

### **7.2.1 Philosophy of global war on terror**

This study concludes that WoT is the dominant contemporary framework anchoring national security policies of many states, especially in regard to terrorism. However, WoT has been faulted due to its inadequacies to anchor national and international security framework. It is seen as a war about other 'things'.<sup>120</sup> It has been associated with US imperialist reach and continuation of cold war politics.<sup>121</sup> This posture

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<sup>119</sup> The Guardian. "US and Taliban sign deal to withdraw American troops from Afghanistan", Feb 29, 2020. Accessed at <https://www.theguardian.com/world/2020/feb/29/us-taliban-sign-peace-agreement-afghanistan-war>

<sup>120</sup> Bronson, Rachel. *Thicker Than Oil: America's Uneasy Partnership with Saudi Arabia* (New York: Oxford University Press, 2006);

<sup>121</sup> Alan B. Brueger and David D. Laitin. "Mis-underestimating" terrorism,' *Foreign Affairs* (5) 2004,4,

makes it loose touch with the realities of the issues underlying the terrorism conflict.<sup>122</sup> This study found that national security policies of states are facing problems and not working. The study linked this dilemma to the underlying philosophy of WoT. With the end of cold war, there lacked a theme, subject or strategic basis for national security policies by states. The 9/11 provided an opportunity for re-directing the national security industry. This study established that WoT framework sought to incompatibly carry over the philosophy and liabilities of cold war security framework. Some underlying baggage of cold war framework like new role of the larger military-industrial complex required reinvention. There is also question of how to sustain and spread certain ideals like capitalism.<sup>123</sup> WoT assumes that the liberal or capitalist side of the cold war won, thus the whole world can be made to subscribe to that one side.<sup>124</sup>

In replacing cold war framework with WoT, other things like existential threat to the whole world are clearly missing. This makes it difficult to return to the cold war framework. It lacks strategic perspective. This study further concludes that there are problems with fundamental assumptions upon which WoT is constructed. First, is the significance of framing the problem as a 'war'. WoT does not fit in classical conceptualization of war. One of the implications of this is that states responded by use of force. The study found that the current problem differs from the cold war threats both in scope and complexity. Whereas Cold War's enemy was easy to identify, analyze and respond to, contemporary terrorism defies this frame. It is amorphous and borderless.

The WoT has no clear enemy and negates the conventional laws of war. Instead of eliminating or reducing the problem, use of force, the overriding face of WoT is aggravating it.<sup>125</sup> This study further finds that terrorism will not solely be won through use of force. Despite the asymmetrical and shifting character of the problem, states are stuck with state-centric and inflexible responses. An alternative strategy like negotiation or mediation is necessary to give WoT a convincing political purpose. It can transform battlefield successes into peace. This strategy needs to go beyond mere reactionary and anticipatory frameworks to uncharted waters of shaping an alternative environment devoid of need for violence. The basis of this assertion is that the scope and complexity of terrorism requires a more complex approach, clear, comprehensive and coherent strategy.

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<sup>122</sup> See Chapter three.

<sup>123</sup> Rockmore, Tom. "On War, Politics and Capitalism After 9/11." *Theoria: A Journal of Social and Political Theory*, no. 110 (2006): 74-96.

<sup>124</sup> Fukuyama F, *The End of History and the Last Man* (New York: Free Press, 1992)

<sup>125</sup> Interview with CVE\_KE- [NCTC]\_ 01, Senior administrator at National Counter Terrorism Centre (NCTC) March 4, 2020, Karen.

Devoid of such a strategy, states run risk of formulating and pursuing policies grounded on operational and tactical issues. End result is that states risk countering and responding to illusory threats and challenges.

### **7.2.2 Terrorism as a conflict in transition**

Neither party in the WoT seem to be winning. As the conflict goes on, the actors involved are strategically changing their offensive and defensive tools and strategies.<sup>126</sup> In Kenya, *Al-Shabaab* strategy has changed from tactical cross border incursions to radicalization of local youth.<sup>127</sup> To respond to this, Kenya changed its strategy from exclusive use of force to incorporate. This has created a stalemate. Although the stalemate is not necessarily of an identical degree, the issue is that neither party sees likelihood of an end or victory. They have exhausted their resources and thus strong incentives to seek resolution of the conflict. Continued fighting is painful and costly to both parties.

Debates on the issues underlying terrorism conflict begs questions regarding effective management of such conflicts. This study finds that there are similarities in actors and root causes of structural conflicts and terrorism.<sup>128</sup> It analyzed terrorism as a conflict in transition within peace and conflict management frameworks. The study challenged existing misgivings about whether states can negotiate with terrorists and argues that it is possible to negotiate a solution. This assertion is premised on frameworks in peace and conflict management that offer infinite strategies in which contestations that have political, structural and cultural dimensions can be addressed.

This thesis questions whether CVE strategies are designed to capture the conflict at the time they are formulated, or they become stale once the conflict transforms. It suggests that CVE strategies can mediate terrorism conflict by importing new dimension as opposed to use of force. They can condition frameworks that can lead to negotiation, or mediation of those negotiations. This provides opportunity for doing things differently, greater participation and solutions that capture the transiting moments with greater impact. The US recently signed a deal with *Taliban*, setting the stage for withdrawal of US troops from Afghanistan. This entailed actual negotiations leading to a peace agreement, and ultimately to a USA exit strategy from the Afghanistan theatre. It will mark the end of US' longest war in Afghanistan that began after 9/11. To this end, case analysis and cross

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<sup>126</sup> Mwangi, Makumi. *The War on Terror, Somalia and AMISOM Revisited*, In Mwangi, Makumi. *The Three Anthems and Other Essays* (Nairobi: Three Legs Consortium) 2018. Chap 25.

<sup>127</sup> Interview with CVE\_KE- [S/PP] \_ 01, National security policy expert/commentator. March 6, 2020, Nairobi.

<sup>128</sup> See Chapter three

analysis can be useful tools to draw comparative perspective and detailed analysis along these lines.

This study suggests that time is ripe to consider alternative conflict management approaches to deal with terrorism. It holds that CVE strategies can contribute to settlements of terrorism conflict. Policy experts should not just pay attention to radicalizing ideologies that lead individuals to join extremist groups. This study established that while ideologies are important, many youths are joining violent extremist for material reasons. Material conditions or lack of opportunities open up the youth to greater vulnerability for recruitment into extremist agendas. The transitional character of terrorism arises from change of strategies by parties involved and vicissitudes of operational environment. For instance, terrorism that prompted Kenya to intervene in Somalia was not the same as two years later. The problem transited to radicalization. The issues arising is how to capture moments of conflict and whether CVE strategies are dynamic or may become stale once the conflict transforms.

### **7.2.3 Counter violent extremism in War on Terror**

The study found that although CVE was devised and adopted following failure by the coercive approaches the root causes of the problem, states did not abandon use of force. This is despite recognition that use of force is part of the problem. This study concludes that coexistence of CVE and use of force weakens the rational and basis of the CVE in WoT. The overarching theme in violent extremism is socialization of individuals and groups into a radical or extreme worldview. The study found that there are many threads of radicalization of which violent extremism is one; an individual may be radicalized but not engage in violent extremism. It concludes that the challenge is for CVE is to identify the violent extremism nexus between the two divides.

This study suggests that CVE policies and strategies are not working. It sees the problem as being informed by fundamental assumptions upon which these policies and strategies are constructed and implemented. Assumptions in this case are the enemy is an external one. The enemy is presumed to have capabilities like a state. This has complicated policy responses by states to the problem. The CVE strategies designed by states are caged generic pull and push factors. They don't capture realities of environments in which they are implemented. They are borrowed blueprints from global WoT approaches.

There is a problem with availability of information on realities of local CVE contexts. Even in contexts where such knowledge exists, the CVE policies and practices are not grounded on it. Many CVE approaches lack evidence of success, and this can undermine their efforts. Terrorism is characterized by an ever shifting of strategies by the enemy and the security operating environment. CVE strategies need to match if not shape the terrain these shifts. This research study aims at responding to these empirical gaps.

#### **7.2.4 CVE strategies in Kenya**

The role of a strategic national security policy is key in anchoring CVE strategies and collective effort of instruments of national power towards meaningful goals. Such framework needs to be founded on realities that terrain in which conflicts were traditionally conceptualized has radically shifted to asymmetric and symbolic. There are concerns that the tools provided to combat terrorism are still not working.<sup>129</sup> This necessitated scholars and policy makers to go back to drawing board and re-examine the problem at hand and strategic responses required. A distinction of the strategic threat environment for Kenya is important for policy and practice. This study established that Kenya faces a dyadic terrorism threat. It is confronted with two and external and internal war. Externally, terrorism is a global concern. However, Kenya's risk is aggravated by its affiliation with crusaders and supporters of the global WoT like US and Israel. Its intervention in Somalia epitomizes this external dimension threat.

Internally, Kenyan youths have been radicalized and joined *Al-Shabaab*. The enemy is now from "within". The internal dimension is most immediate and urgent terrorism threat to Kenya. This study concludes that Kenya needs an urgent and strategic response to this dimension of terrorism threat. These findings suggest that Kenya's responses to violent extremism are based on operational and tactical issues. They are reactive response and *ad hoc*. This is further exacerbated by the country's philosophy of national security. This philosophy is predisposed with physical conceptualization of security. The implications are preoccupations with use of force to respond to threats to national security.

Kenya's military incursion into Somalia on necessity of physical security. Responses for concerns of physical security are designed in use of force paradigm. Preoccupation with physical security is emphasized by domination of national security organs in discourses of formulation and implementation of counter terrorism and CVE. This posture excludes perspectives of other players outside security organs. This suggest that CVE in

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<sup>129</sup> Ezeanya, C. "The Rise of Homegrown Ideas and Grassroots Voices: New directions in Social Policy in Rwanda", *United Nations Research Institute for Social Development (Working Paper 2017-6)*

Kenya has not been perceived as a broader policy spectrum. It is dissociated from other programs targeting structural inequalities like development, poverty alleviation, governance and democratization, education and peace programs.

This study concludes that CVE strategies in Kenya need to be homegrown. They need to capture terrorism as a conflict. This entails assessing its operating environment. Such assessment will negate the current outward to inward- looking posture. The study challenges the hybridized use of force and CVE to respond to terrorism in Kenya. It argues that use of force and CVE have conflicting ends. Mediating the CVE with use of force undermines the former. The study concluded that CVE practice in Kenya lacks a convincing rationale. The country has not properly appreciated its strategic responses to radicalization of local youths. This has cofounded the threat dimensions. Kenya needs to provide alternative narrative to discredit the ones offered by *Al-Shabaab*. Counter narratives need to be founded on knowledge of local contexts. Terrorism is a war of ideas and can only be fought and won by providing better ideas.

There are concerns that Kenya has an incentive to tolerate infrequent attacks.<sup>130</sup> That the country was only giving lip service to CVE while angling to benefit from donor funded security programs. The study found that CVE initiatives in Kenya are shrouded with claims of profiling, discrimination, and resentment in the individuals they were meant to help. The analytical thrust of such complexities presents dilemmas to policy making and scholars in identifying suitable tools to deal with the problems arising from the phenomenon.<sup>131</sup> Use of force in both Somalia and Kenya suggests that Kenya has not distinguished the two ‘war’ environments. This omission has led to problems like use of force on own population that has undermined public support for war against *Al-Shabaab*. The study established that coordination of use of force and CVE, and within the distinct elements remains a challenge in Kenya. This constrains responses to the ever-evolving threat. Lastly, the study found inconsistencies in application of war powers in Kenya. It established that despite framing incursion into Somalia as a war, it was not rightly declared.

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<sup>130</sup> Mogire and Agande, *Counter Terrorism in Kenya*, pp.473-491

<sup>131</sup> Mwangi, Makumi. Perspectives on Countering Violent Extremism in Kenya: Policy and Strategic proposals, In Mwangi, Makumi. and Morumbasi, Kigen. (eds). *Countering Violent Extremism in Kenya: Emerging National Security perspectives*. Vol. 2. Thirty-three Consortium Publication on International Security.4. 2018. Chap. 8 pp. 143-164

### 7.3 Implications of the findings

The findings of this study have implications for policy and practice. As currently conceptualized, WoT framework does not provide a strategic perspective for national security policies of states. It is pegged on operational and tactical issues. Many states are being coerced to align with this framework. There is urgent need for states to go to the drawing board and re-examine the basis of their national security policies and attendant strategies. Such revisit necessitates a proper appreciation of kind of threat faced from both external and internal environments and design appropriate responses. Urgency for search of homegrown strategic responses to radicalization in Kenya cannot be overemphasized. That search needs to accommodate and aboard diversity of perspectives from non-state actors, scholarly, media and the public among others.

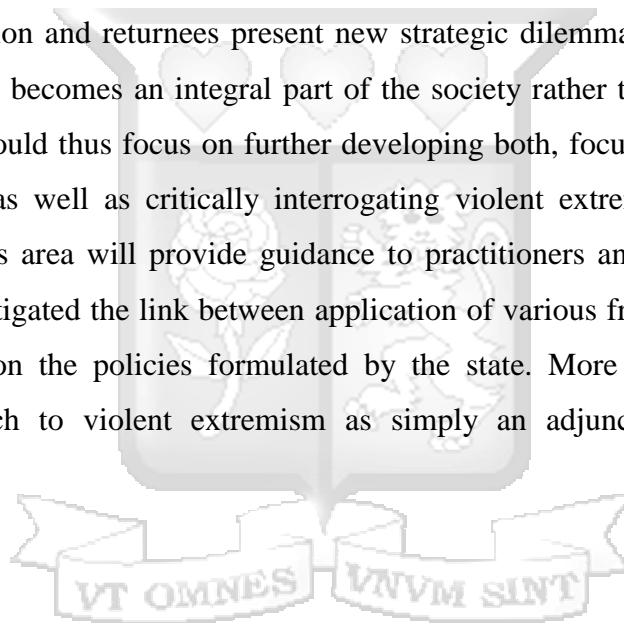
In search for new solutions to *Al-Shabaab* threats, Kenya must go beyond the comfortable platitudes and state-centric mindsets. An alternative strategy like negotiation or mediation are necessary to give war against *Al-Shabaab* a convincing political purpose by transforming battlefield successes into peace. The scope and complexity of terrorism requires a more complex approach, comprehensive and coherent strategy. Devoid of such a strategy, states run risk responding to illusory threats and challenges. This cautions against rushing for quick fixes with ‘borrowed generic’ and fixated state-centric responses to the problem. It is only after such assessment that strategies can be designed. This imply that existing policy responses to this environment are suboptimal.

CVE strategies are facing challenges or simply not working. They are not capturing transitions in terrorism conflict. Timing is a crucial aspect in identifying the hurting stalemate and resolving conflicts. CVE strategies need to be agile and transient. They must be alive to the realities of the operating environment, flexible and not one-sided; they must be valid for the stage of transition the conflict is at. It also means that CVE strategies must no longer be seen from solely a state-centric perspective. The ripe moments approach offers a systemic view to map out multipronged inter-actions of the terrorism conflict. It enhances a better appreciation of the dynamics of terrorism conflict and eventually grasp the ripe moments. This way it opens up linkages that can be exploited by CVE strategies to end the conflict. Counter terrorism and CVE strategies need to be anchored on a strategic national security policy. This implies that a strategic national security policy for Kenya is overdue. Responding to terrorism necessitate a shared vision about the kind of threat being faced, and responses required.

#### **7.4 Gap for further research and recommendations**

This study made inferences after examining CVE strategies in Kenya. Few studies have explored terrorism conflict using conflict management frameworks. There is need for more research on the standing of related areas like defense policies/military strategies and intelligence policies and strategies among others. Comparison and cross-sectional analysis will enhance insights and promote sharing of best practices. This will also reveal critical issues and aspects brought about replicate research and different contexts. Despite growing interest in CVE research, there is a significant need for more detailed models related to address radicalization and problems arising from lone wolf phenomenon. Very few studies have investigated this link. This cautions against a one-fit-all approach in CVE.

Radicalization and returnees present new strategic dilemmas to counter terrorism efforts. The enemy becomes an integral part of the society rather than being an outsider. Future research should thus focus on further developing both, focused models examining key relationships as well as critically interrogating violent extremism. Comprehensive frameworks on this area will provide guidance to practitioners and policy makers. Few authors have investigated the link between application of various frameworks and models and their impact on the policies formulated by the state. More insights to refute the traditional approach to violent extremism as simply an adjunct to radicalization is required.



## BIBLIOGRAPHY

### Books

- Andrew Franklin., *National Insecurity: Kenya's Forever War on Terror* (Nairobi: The Elephant, 2017)
- Antić, M. *Iraq war (2003-): Was It morally justified?* (Zagreb: University of Zagreb, 2009)
- Anyona Rosemary. *Conflict and Mediation in Mozambique and Angola* (Nairobi: Three Legs Consortium, 2019)
- Baldwin, David A. 1997. *The concept of security* (Cambridge: Cambridge University Press, 1997)
- Ball Desmond and Lee Sheryn (eds)., *Power and International Relations: Essays in Honour of Coral Bell.* (Canberra: ANU Press, 2014)
- Bammer Gabriele (ed). *Change! Combining Analytic Approaches with Street Wisdom* (Canberra: ANU Press, 2015)
- Bereketeab, Redie. *The Horn of Africa: Intra-State and Inter-State Conflicts and Security* (London: Pluto Press, 2013)
- Best, S.G. *Introduction to Peace and Conflict Studies in West Africa –A Reader* (Ibadan: Spectrum Books Ltd. 2005)
- Booth K and Dunne T. *Worlds in Collision: Terror and the Future of global order* (New York. Palgrave Macmillan, 2002)
- Botha, Annel. *Radicalization in Kenya: Recruitment to Al-Shabaab and the Mombasa Republican Council.* (Pretoria: ISS, 2014)
- Bronson, Rachel. *Thicker Than Oil: America's Uneasy Partnership with Saudi Arabia* (New York: Oxford University Press, 2006)
- Buzan Barry and Ole Wæver. *Regions and Powers: The Structure of International Security* (Cambridge: Cambridge University Press, 2003)
- Buzan Barry, Wæver Ole and Wilde Jaap de. *Security: A New Framework for Analysis* (Colorado: Lynne Rienner Publishers Inc., 1998)
- Buzan Barry. *People, States and Fear* (Boulder: Lynne Rinner Publishers, 1992)
- Carr E. H, *The Twenty Years' Crisis* (New York: Harper and Row, 1964),
- Charles P. Webel, and John A. Arnaldi. *The Ethics and Efficacy of the Global War on Terrorism: Fighting Terror with Terror* (New York: Palgrave Macmillan, 2011)
- Chomsky, Naom., *9-11.* (New York: Seven stories. 2001)
- , *The Iranian Threat: Who is the Gravest Danger to the World?* (NY: Metropolitan Books, 2015)
- Conflict Sensitivity Consortium. *How to Guide to Conflict Sensitivity.* (London: Conflict Sensitivity Consortium, 2012)

- Corbin, J., and Strauss., *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory* (3rd ed.) (Thousand Oaks, CA, US: Sage Publications, Inc. 2008)
- Creswell, J. W. *Research Design Qualitative, Quantitative and Mixed Methods Approaches* (4th ed.) (Thousand Oaks CA: Sage, 2014)
- Curle, Adam. *Making peace*. (London: Tavistock Publications, 1971)
- Daniel Byman, *Deadly Connections: States that Sponsor Terrorism* (New York: Cambridge University Press, 2007)
- Daniel Byman. *A High Price: The Triumphs and Failures of Israeli Counter terrorism* (New York: Oxford University Press, 2011)
- *Deadly Connections: States That Sponsor Terrorism* (New York: Cambridge University Press, 2007)
- Davis, John. *Terrorism in Africa: The Evolving Front in the War on Terror* (Plymouth: Lexington Books, 2012)
- Demant, F., Slootman, M., Bujis, F. and Tilly, J. *Decline and Disengagement: An Analysis of Processes of Deradicalization*. (Amsterdam: Institute for Migration and Ethnic Studies at the University of Amsterdam, 2008)
- Dudziak Mary L. *Wartime: An Idea, Its History, Its Consequences*. (NY: Oxford University Press, 2013)
- Edward A. Kolodziej and Roger E. Kanet. *Coping with Conflict After the Cold War*. (Baltimore, MD and London: Johns Hopkins University Press, 1996)
- Freedom House. *Kenya's Antiterrorism Strategy Should Prioritize Human Rights, Rule of Law* (Nairobi: Freedom Hs., 2018)
- Fukuyama F, *The End of History and the Last Man* (New York: Free Press, 1992)
- Hiro, D., *War Without End: The Rise of Islamist Terrorism and the Global Response*. (London and New York: Routledge, 2002)
- HM Government. *Prevent Strategy*. (London: The Stationary Office, 2011)
- Holliday, A. R., *Doing and Writing Qualitative Research*. (Newbury Park: Sage, 2007)
- Horgan, J., *Walking Away from Terrorism: Accounts of Disengagement from Radical and Extremist Movements* (Routledge: London, 2009)
- Human Rights Watch. *Somalia no Mercy in Mogadishu: The Human Cost of the Conflict and the Struggle for Relief*. (Nairobi: HRW. 1992)
- Human Rights Watch., *Kenya: Killings, Disappearances by Anti-Terror Police*. (Nairobi: HRW. 2014)
- Jan Angstrom and Isabelle Duyvesteyn (Eds.) *Understanding Victory and Defeat in Contemporary War*. (London and New York: Routledge, 2007)
- Jeffrey Ian Ross, *Religion and Violence: An Encyclopedia of Faith and Conflict from Antiquity to the Present* (Armonk, NY: M.E. Sharpe, 2011)

- John Paul Lederach. *Preparing for Peace: Conflict Transformation Across Cultures*. (Syracuse University Press, 1995)
- Jones, Seth G., and Martin C. Libicki. *How Terrorist Groups End: Lessons for Countering Al Qaeda*. (California: Rand Corporation, 2008)
- Kenya National Commission on Human Rights. *The Error of Fighting Terror with Terror*. (Nairobi: KNCHR, 2015)
- Keohane, Robert (ed). *Neorealism and Its Critics*. (New York: Columbia University Press, 1986)
- Keohane, Robert O., and Joseph S. Nye. *Transnational Relations and World Politics*. (Cambridge, Mass: Harvard University Press, 1972)
- Kinzer, Stephen. *Overthrow: America's Century of Regime Change from Hawaii to Iraq*. (NY: Times Books, 2007)
- Kurtz, R., Lester., *Encyclopedia of Violence, Peace, and Conflict*. (Amsterdam London: Elsevier, 2008)
- Laqueur, W. *Terrorism*. (London: Weidenfeld and Nicolson, 1977)
- Lisa Sharland, Tim Grice, and Sara Zeiger. *Preventing and Countering Violent Extremism in Africa: The Role of the Mining Sector*. (Barton: Australian Strategic Policy Institute, 2017)
- Livingston, S.. *The Terrorism Spectacle*. (Boulder CO: Westview Press, 1994)
- Louis Kreisberg, and Stuart J. Thorson (eds). *Timing the de-escalation of International Conflicts* (New York: Syracuse University Press, 1991)
- Malnes, Raino. *The Hobbesian Theory of International Conflict*. (Oslo: Scandinavian University Press, 1993)
- Marc Sageman. *Leaderless Jihad: Terror Networks in the Twenty-First Century* (Philadelphia: University of Pennsylvania, 2008)
- Marcella, Gabriel. *Affairs of State: The Interagency and National Security*. (Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2008)
- Marshall, Catherine, and Gretchen B. Rossman. *Designing Qualitative Research*. (Newbury Park: Sage Publications, 1990)
- Mazrui, Alamin, Kimani Njogu, and Paul Goldsmith. *Countering Violent Extremism in Kenya: Between the Rule of Law and the Quest for Security*. (Nairobi: Twaweza Communications Ltd, 2018)
- Mearsheimer, John J. *The Tragedy of Great Power Politics*. (Vancouver: BC Crane Library, 2015)
- Michael Banks., *Conflict in World Society: A New Perspective on International Relations*. (Brighton: Wheatsheaf Books, 1984)
- Miles, Matthew B., A. M. Huberman, and Johnny Saldaña. *Qualitative Data Analysis: A Methods Sourcebook*. (Thousand Oaks, California: Sage Publications, Inc., 2014)

- Minerva N., E., Bridget G., Katerina A., and Gilbert C., *Countering Violent Extremism (CVE) Literature Review* (Edinburgh, SA: Counter Terrorism and Security Technology Centre, 2011)
- Mitchell Christopher Roger and Banks, M. *Handbook Conflict Resolution: The Analytical Problem-Solving Approach*. (London: Pinter Pub Ltd., 1996)
- Mitchell Christopher Roger. *The Structure of International Conflict*. (New York: St. Martin's Press.1981)
- Mkutu, K., Marani, M. and Ruteere, M. *Securing the Counties: Options for Security After Devolution in Kenya*. (Nairobi: CHRIPS, 2014)
- Morgenthau Hans. *Scientific Man versus Power Politics* (Chicago: University of Chicago Press, 1946)
- Mugenda, O. and Mugenda, A. *Research Methods, Quantitative & Qualitative Approaches*, 4<sup>th</sup> Edition. (Nairobi: Acts Press, 2012)
- Mustafa Y. Ali, Mumo Nzau, and Hassan Khannenje. *The Changing Dynamics of Terrorism and Violent Extremism. An Analysis*. (Nairobi: International Conference on Terrorism and Violent Extremism. HORN International institute for strategic studies, 2018).
- , *The Changing Dynamics of Terrorism & Violent Extremism. Policy and Practice*. (International Conference on Terrorism and Violent Extremism. HORN International institute for strategic studies, 2018)
- Mwagiru Makumi and Morumbasi Kigen (eds)., *Countering Violent Extremism in Kenya: Strategic and Legal Issues*. Vol. 1 (Nairobi: Thirty-Three Consortium, 2018)
- , *Countering Violent Extremism in Kenya: Emerging National Security perspectives*. Vol. 2 (Thirty-three Consortium, 2018)
- Mwagiru Makumi and Njoroge, Humphrey (eds). *Grand Strategy in Kenya*. Concepts, Context, Process and Ethics. Vol.1. Three Legs Consortium, 2019)
- Mwagiru Makumi. *Conflict in Africa: Theory, Processes and Institutions of Management* (Nairobi: CCR Publication, 2006)
- , *Dimensions of Grand Strategy: Essays on Theory, Practice, Institutions and Mechanisms in Kenya*, (Nairobi: Thirty-Three Consortium, 2016)
- , *Issues of Coordination in National Security Strategy: Towards a Metatheory of a Grand Strategy for Kenya*. (Nairobi: University of Nairobi School of Law, 2003)
- , *Perspectives on International Law: Epistemology, Paradigms and Theory*. Vol. 1. (Nairobi: Three Legs Consortium, 2016)
- , *Policy and Strategy in National Security: Contexts, Perspectives and Challenges in East Africa*. (Three Legs Consortium, 2019)
- , *The Three Anthems and Other Essays* (Nairobi: Three Legs Consortium, 2018)

- . *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya*. (Nairobi: IDIS, 2008)
- ., *Conflict, Diplomacy and Mediation in Uganda. 2<sup>nd</sup> Ed.* (Nairobi: Thirty-Three Consortium, 2016)
- Nasser-Eddine M., B. Garnham, K. Agostino, and G. Caluya. *Countering Violent Extremism Literature Review* (Edinburgh: Counter Terrorism and Security Technology Centre, DSTO, 2011)
- Neumann, Peter R. *Countering Violent Extremism and Radicalisation that lead to Terrorism: Ideas, Recommendations, and Good Practices from the OSCE Region*. (London: International Centre for the Study of Radicalization, 2017)
- Orna Ben-Naftali, *International Humanitarian Law and International Human Rights Law*, (Oxford/New York, Oxford University Press, 2011)
- Paleri, Prabhakaran. *National Security: Imperatives and Challenges*. (New Delhi: Tata McGraw-Hill Pub. Co., 2008)
- Pick T. M., Speckhard A., and B. Jacuch (eds.) *Home-Grown Terrorism: Understanding and Addressing the Root Causes of Radicalization among Groups with an Immigrant Heritage in Europe* (Amsterdam, Netherlands: IOS Press, 2010)
- Ranstorp M. (ed.), *Mapping Terrorism Research: State of the Art, Gaps and Future Direction*. (UK: Routledge, 2006)
- Raphael Perl. *Combating Terrorism: The Challenge of Measuring Effectiveness*. (Washington, DC: Congressional Research Service, 2005).
- Rapoport, David C. *Terrorism: Critical Concepts in Political Science. Volume 4*. (Abingdon: Routledge, 2006)
- Richards, Julian. *The Art and Science of Intelligence Analysis*. (Oxford: Oxford University Press, 2010)
- Roe B. and Webb C. (eds.) *Research and Development in Clinical Nursing Practice*. (Whurr Publishers Ltd, 1998)
- Rosenau James N. and Ernst-Otto Czempiel., *Governance Without Government: Order and Change in World Politics*. (Cambridge: Cambridge University Press, 2010)
- Rosenau James N., *The Scientific Study of Foreign Policy*. (New York: Nichols Publishing Company, 1971)
- Sanders Rebecca. *Plausible Legality: Legal Culture and Political Imperative in the Global War on Terror*. (New York: Oxford University Press, 2018).
- Schmid, A. and Jongman, A. *Political Terrorism: A New Guide to Actors, Authors, Concepts, Databases, Theories and Literature*. (Oxford: North Holland, 1988)
- Silber M. and Bhatt A. *Radicalization in the West: The Homegrown Threat*. (NY: New York City Police Department, 2007)
- Steven Kull, *Feeling Betrayed: The Roots of Muslim Anger at America* (Washington, DC: Brookings Institution Press, 2011)

- Tami Davis Briddle, *Strategy and Grand Strategy: What Students and Practitioners Need to Know* (Washington: US Army War College Press, 2015)
- Thomas Kuhn. *The Structure of Scientific Revolutions. Chicago.* (Chicago: University of Chicago Press, 1962)
- United Nations Development Programme., “Kenya’s Youth Unemployment Challenge,” *UNDP Publication.* (New York: UNDP Regional Bureau for Africa, 2013)
- , *Human Development Report: New Dimensions of Human Security.* (NY: UNDP, 1994).
- United Nations General Assembly. *Global Counter-Terrorism Strategy.* (NY: UNGA, 2015).
- , *International Instruments Related to the Prevention and Suppression of International Terrorism.* (NY: UNGA 2019)
- United States Agency for International Development. *Local Needs and Strategy Assessment: An Assessment of Conflict and Violent Extremism in the coastal region of Kenya* (Nairobi: USAID 2014)
- United States Agency for International Development., *The Development Response to Violent Extremism and Insurgency: Putting Principles into Practice.* (Washington, DC: USAID. 2011)
- United States Department of Defense. *Dictionary of Military and Associated Terms.* Joint Publication 1-02. (Washington DC: DoD, 2002)
- Vidino, Lorenzo. *Countering Radicalization in America: Lessons from Europe.* (Washington DC: US Institute of Peace, 2010)
- Waever, Ole. *Securitization and De-securitization.* (Copenhagen: Centre for Peace and Conflict Research, 1993)
- White House. *Empowering Local Partners to Prevent Violent Extremism in the United States.* (Washington: Office of the President of the US, 2011)
- , *The National Security Strategy of the United States of America.* (Washington DC: White House, 2002)
- Yin, R. K. *Case Study Research Design and Methods.* (Newbury Park: CA Sage, 1984)
- Zartman Ira William. *Understanding life in the Borderlands: Boundaries in Depth and in Motion.* (Athens: The University of Georgia Press, 2016)
- Zartman, Ira William., *Ripe for Resolution: Conflict and Intervention in Africa.* Updated edition (New York: Oxford University Press 1989).
- Zulaika, J. and Douglass, W., *Terror and Taboo: The Follies, Fables, and Faces of Terrorism.* (London: Routledge, 1996)

### **Journal Articles**

- Abdalla, A. “Africa and the Growth of Violent Radicalization in the name of Islam: The Need for a Doctrine Revision Approach’, *IPSS Policy Brief*, Vol. 1 (2016).

- Alan B. Brueger and David D. Laitin. "'Mis-underestimating" terrorism,' *Foreign Affairs* No. 5 (2004): pp.4.
- Amy-Jane Gielen. "Countering Violent Extremism: A Realist Review for Assessing What Works, for Whom, in What Circumstances, and How?" *Terrorism and Political Violence*, 31:6, (2019): pp.1149-1167.
- Ann Marie Murphy, "US Rapprochement with Indonesia: From Problem State to Partner," *Contemporary Southeast Asia* 32, no. 3 (2010).
- Anne Aly and Jason-Leigh Striegher. Examining the Role of Religion in Radicalization to Violent Islamist Extremism, *Studies in Conflict & Terrorism*, 35:12, (2012): pp.849-862.
- Anzalone C. "Al-Shabaab's Tactical and Media Strategies in the Wake of its Battlefield Setbacks, West Point", *Combating Terrorism Center Sentinel*, No. 3, (2013): pp.6
- Bachmann, J., and Honke, J. "Peace and Security' as Counter Terrorism? The Political Effects of Liberal Interventions in Kenya", *African Affairs*, 109 (434), (2010): pp.97-114.
- Badurdeen, F.A. "Youth Radicalization in the Coast Province of Kenya", *Africa Peace and Conflict Journal*, 5(1): (2012): pp.53-64.
- Barkan, J.D, and J.G. Cooke. "US policy towards Kenya in the wake of September 11. Can Antiterrorist Imperatives be Reconciled with Enduring U.S. Foreign Policy goals?", *African Notes* 4. 2001.
- Borum, Randy. "Radicalization into Violent Extremism I: A Review of Social Science Theories." *Journal of Strategic Security* 4, no. 4 (2011): pp.7-36.
- Boukhars, A. "Rethinking Security across the Sahara and the Sahel", *Fride Policy Brief*, No. 199, April 2015. Madrid, Spain.
- Brophy-Baermann, B., and Conybeare, J. A. C. "Retaliating Against Terrorism: Rational Expectations and the Optimality of Rules Versus Discretion", *American Journal of Political Science*, 38(1), (1994): pp.196–210.
- Burnett J. and Whyte, D. "Embedded Expertise and the Media". *Journal for Crime, Conflict and the Media*, 1 No.4 (2005): pp.10–18.
- Carter, John Denton. "Interpretations of the Reign of Terror," *The Historian* 3, No. 1(1940): pp.79-96.
- Cilliers, J. "Violent Islamist Extremism and Terror in Africa", *ISS Paper* 286, October 2015. Institute for Security Studies, Pretoria, South Africa.
- Coolsaet, R. "EU Counter Terrorism Strategy: Value Added or Chimera?", *International Affairs*, 86(2010): pp.857–873.
- Coronado, J. P. "Between Soft Power and a Hard Place: Dilemmas of the Bush Doctrine for Inter-American Relations", *Journal of Developing Societies*, 21(3-4), (2005): pp. 321-335.
- Cyrille Begorre-Bret., "The Definition of Terrorism and the Challenge of Relativism", *Cardozo Law Review*. 27, no. 5, (2006): pp.1987-2004.

- D. M. Anderson and J. McKnight. "Understanding Al-Shabaab: Clan, Islam and insurgency in Kenya", *Journal of Eastern African Studies*, 9 No. 3, (2015): pp.536–57.
- Eisenberg, Carolyn. "The New Cold War." *Diplomatic History* 29, no. 3 (2005): pp.423-27.
- Eland, I.. "Protecting the Homeland: The Best Defense is to Give No Offense", *Cato Policy Analysis*. No. 306 May 5, (1998): pp.1-43
- European Union. "Preventing and Countering Youth Radicalization in the EU," *IPOP PE* 509.977(2014): pp.31
- Ezeanya, C. "The Rise of Homegrown Ideas and Grassroots Voices: New directions in Social Policy in Rwanda", *United Nations Research Institute for Social Development Working Paper*. (2017): pp.6
- Fathima Azmiya Badurdeen, and Paul Goldsmith., "Initiatives and Perceptions to Counter Violent Extremism in the Coastal Region of Kenya", *Journal for Deradicalization*. Fall (16): (2018): pp.70-102.
- Fatma al Sayegh, "Post-9/11 Changes in the Gulf: The Case of the UAE," *Middle East Policy* 11, no. 2 (2004).
- Fierke, K. M. "The 'War on Terrorism': A Critical Perspective." *Irish Studies in International Affairs* 16 (2005): pp.51-64.
- Frazer O. and C. Nünlist. "The Concept of Countering Violent Extremism", *CSS Analyses in Security Policy*, No. 183 (2015)
- Galtung, J. "Violence, Peace and Peace Research." *Journal of Peace Research* Vol. 6 No. 3. (1969): pp.167–191.
- Greenwood, Christopher. "The Concept of War in Modern International Law." *The International and Comparative Law Quarterly* 36, no. 2 (1987): pp.283-306.
- Hal Brands and Peter Feaver, "The Case for Reassessing America's 43<sup>rd</sup> President," *Orbis* 62, no. 1 (2018): pp.83.
- Harmonie Toros and Ioannis Tellidis. "Editor's Introduction: Terrorism and peace and conflict studies: Investigating the Crossroad", *Critical Studies on Terrorism*, 6:1, (2013): pp.1-12,
- Harmonie Toros. "We Don't Negotiate with Terrorists!' Legitimacy and Complexity in Terrorist Conflicts." *Security Dialogue* 39 (4): 2008, pp.407–426.
- Harris-Hogan Shandon, Kate Barrelle and Andrew Zammit. "What is Countering Violent Extremism? Exploring CVE policy and practice in Australia". *Behavioral Sciences of Terrorism and Political Aggression*, 8:1(2016): pp.6-24.
- Harris-Hogan Shandon. "Understanding the Logic: An Analysis of Neo-Jihadist targeting and tactics in Western Countries from 2000 – mid 2012", *Security Challenges*, 11 (2015): pp.75–91.
- Helen Dexter. "Terrorism and violence: Another Violence is Possible?" *Critical Studies on Terrorism*, 5:1, (2012): pp.121-137.
- Heydemann, Steven. 'Countering Violent Extremism as a Field of Practice', *United States Institute of Peace Insights*, No. 1 (Spring 2014): pp. 1-5

- Higgins, Ronald. "Weapons of Mass Destruction: Rhetoric and Realities." *Connections* 2, no. 1(2003): pp.59-68.
- Hoffman Bruce. "The Changing Face of Al-Qaeda and the Global War on Terrorism", *Studies in Conflict & Terrorism*, 27:6 (2004): pp.549-560.
- Hoffman, Paul. "Human Rights and Terrorism." *Human Rights Quarterly* 26, no. 4(2004): pp.932-55.
- Ishtiaq Ahmad. The U.S. Af-Pak Strategy: Challenges and Opportunities for Pakistan, *Asian Affairs: An American Review* 37, no. 4 (2010): pp.65.
- Jackson, Richard. "The Study of Terrorism after 11 September 2001: Problems, Challenges and Future Developments". *Political Studies Review*. 7 (2):2009: pp.171-184.
- Jeremy Pressman. "Power without Influence: The Bush Administration's Foreign Policy Failure in the Middle East," *International Security* 33, no. 4. (2009) pp.28-31
- Kaldor, M., "In Defence of New Wars". *Stability: International Journal of Security and Development*, 2(1), (2013): pp.4.
- Kenya National Commission on Human Rights. "A Country under Siege: The State of Security in Kenya", *An occasional report* (2010 – 2014). KNCHR 2014
- Keohane Robert. O. and Joseph S. Nye, "Neorealism and Neoliberalism," *World Politics*, Vol.40 (1988): pp.235-251.
- Kessels, Eecole and Nemr, Christina. "Countering Violent Extremism and Development Assistance: Identifying Synergies, Obstacles, and Opportunities", *Global Center on Cooperative Security*. UK. No. 12 (2016): pp.8
- Kessels, Eelco, Tracey Durner, and Matthew Schwartz. Violent Extremism and Instability in the Greater Horn of Africa: An Examination of Drivers and Responses. *Report. Global Center on Cooperative Security*, (2016): pp.23-27.
- Khalil James and Zeuthen Martime. "Countering Violent Extremism and Risk Reduction: A Guide to Programme Design and Evaluation" *Royal United Services Institute for Defense and Security Studies* (2016): pp.6.
- Kisiangani, Emmanuel. "Kenya's Regional Diplomacy: Peripheral or Adaptive Pragmatism?" *South African Institute of International Affairs, Occasional Paper* No. 248 (2016)
- Koser, Khalid and Rosand Eric. "A Better Way to Counter Violent Extremism-Why Business as Usual Won't Work" in *Foreign Affairs*. 2016
- Krause, V., and Otenyo, E. "Terrorism in Kenya and the Kenyan public", *Studies in Conflict and Terrorism*, Vol. 28 No. 2, (2005): pp.99-112
- Krepon, Michael. "Weapons of Mass Destruction: Reemerging Threat?" *Great Decisions*, (1999): pp.43-54.
- Lauterpacht E. "The 'Legal Irrelevance' of a State of War", *Proc. Am.Soc.Int Law* (1968): pp.58
- Lemke, Douglas. "Power Politics and Wars without States." *American Journal of Political Science* 52, no. 4 (2008): pp.774-86.

- Lexie Henderson-Lancett. "Research Handbook on International Law and Terrorism". *Journal of Policing, Intelligence and Counter Terrorism*, 12:2, (2017): pp.190-191.
- Makau Mutua, "Terrorism and Human Rights: Power, Culture, and Subordination", *Buff. Hum. Rts. L. Rev.* 1, 10 (2002): pp.8
- Marina Ottaway. "Mediation in a Transitional Conflict: Eritrea". *The Annals of the American Academy of Political and Social Science*. 518: (1991): pp.69-81.
- Mark Phillips. "Policy-Making in Defence and Security", *The RUSI Journal*, 157:1, (2012): pp.28-35.
- Matthew Levitt and Michael Jacobson, "The US Campaign to Squeeze Terrorists' Financing," *Journal of International Affairs* 62, no. 1 (2008)
- Miller, Gregory D. "Blurred Lines: The New 'Domestic' Terrorism." *Perspectives on Terrorism* 13, no. 3 (2019): pp.63-75.
- Mitchel Christopher Roger. "The Right Moment: Notes on Four Models of Ripeness". *Paradigms* Vol. 9 No.2 (1995): pp.38-52
- Mkutu Kennedy and Opondo Vincent. "The Complexity of Radicalization and Recruitment in Kwale, Kenya", *Terrorism and Political Violence*, No. 7 (2019): pp.1-23.
- Mockaitis Thomas. "Winning Hearts and Minds in the 'War on Terrorism'", *Small Wars and Insurgencies*, 14:1(2003): pp.21-38.
- Mogire E. and Agande K.M. "Counter Terrorism in Kenya". *Journal of contemporary African studies*, Vol. 29, No. 4, (2011): pp.473-491
- Mullen, Robert K., "Mass Destruction and Terrorism," *Journal of International Affairs* 32, No. 1(1978): pp.63-89.
- Mwagiru Makumi. "Framing war powers in the Kenya Constitution (2010)", *Occasional Paper on National Security*. No. 1 May 2019.
- Navin A. Bapat. "The Escalation of Terrorism: Microlevel Violence and Interstate Conflict," *International Interactions*, 40:4 (2014): pp. 568-578.
- Nye Jr., J. S. "Public Diplomacy and Soft Power", *The Annals of the American Academy of Political and Social Science*, 616 No. 1, (2008): pp. 94-109.
- Ogada, Mikewa., "A Policy Content Evaluation of Kenya's National Strategy to Counter Violent Extremism", *Centre for Human Rights and Policy Studies, Policy Brief* No. 9, November 2017.
- Owen, Oliver. "The Police and the Public: Risk as Preoccupation." *Sociologus* 63, no. 1/2 (2013): pp.59-80.
- Parker, Tom, and Nick Sitter. "The Four Horsemen of Terrorism: It's Not Waves, It's Strains". *Terrorism and Political Violence*. 28/2: (2016), pp.197-216.
- Patchen, Martin, "When Does Reciprocity in the Actions of Nations Occur?", *International Negotiation* 3 No (2): (1998): pp.171-196.
- Patrick B. Johnston and Anoop K. Sarbahi, "The Impact of Us Drone Strikes on Terrorism in Pakistan," *International Studies Quarterly* 60, no. 2 (2016), pp.67-86

- Paul Redfern. "UK Papers Call for Robust Pressure on Kibaki, Raila," *The East African*, February 4-10, (2008): pp.11
- Phillip C. Cerny, "Terrorism and the New Security Dilemma," *Naval War C. Rev., Winter* (2005): pp.11-12.
- Prestholdt, J. "Kenya, the United States, and counter terrorism". *Africa Today*. 57 (4): (2011): pp.3-27.
- Priester, Benjamin J., "Who Is A 'Terrorist'? Drawing the Line Between Criminal Defendants and Military Enemies," *FSU College of Law, Public Law Research Paper* No. 264. (2007): pp. 1255–1256.
- Princeton N. Lyman and J. Stephen Morrison, "The Terrorist Threat in Africa," *Foreign Affairs*, Vol. 83, Issue 1, (2004); pp. 75-86.
- Reidy, Ken. "Benevolent Radicalization: An Antidote to Terrorism," *Perspectives on Terrorism* 13, No. 4: (2019), pp.1-13.
- Robin Cook, "Bush will now Celebrate by Putting Falluja to the Torch", *Guardian*, 5 November 2004.
- Rockmore, Tom., "On the So-called War on Terrorism," *Metaphilosophy* 35, no. 3 (2004): pp.386-401.
- Roger Mac Ginty., "Look Who's Talking: Terrorism, Dialogue and Conflict Transformation," *Critical Studies on Terrorism*, Vol.6:No.1, (2013): pp.216-223
- Romaniuk, Peter., "Does CVE Work?: Lessons Learned From the Global Effort to Counter Violent Extremism," *Global Center on Cooperative Security*, (2015): pp.23-34.
- Rundle-Thiele, Sharyn, and Renata Anibaldi. "Countering Violent Extremism: From Defence to Attack," *Security Challenges* 12, no. 2 (2016): pp.53-64.
- Saira Bano Orakzai. Pakistan's Approach to Countering Violent Extremism (CVE): Reframing the Policy Framework for Peacebuilding and Development Strategies, *Studies in Conflict & Terrorism*, 42:8, (2019): pp.755-770,
- Sami Zeidan. "Desperately Seeking Definition: The International Community's Quest for Identifying the Specter of Terrorism". *Cornell Int. 'L L.J.* 36: (2004): pp.491
- Samuel L. Aronson. "Kenya and the Global War on Terror: Neglecting History and Geopolitics in Approaches to Counterterrorism", *African Journal of Criminology and Justice Studies: AJCJS*, Vol.7, (2013), pp.1-2
- Schmid, A. P. and J. Tinnes. "Foreign (Terrorist) Fighters with IS: A European Perspective", *The International Centre for Counter-Terrorism – The Hague* 6, no. 8 (2015).
- Schuurman, B., Harris-Hogan Shandon, Lentini, P., & Zammit, A. "Operation Pendennis: A case study of an Australian terrorist plot". *Perspectives on Terrorism*, 8 (2014): pp.91–99.
- Sciullo, Nick J. "The Ghost in the Global War on Terror: Critical Perspectives and Dangerous Implications for National Security and the Law", *Drexel Law Review*, Vol. 3(2011).

- Sodipo, M.O. "Mitigating Radicalism in Northern Nigeria", *African Security Brief*, No.26. 2013
- Stolberg, Alan G. US. Army War College Guide to National Security Issues. Report. Bartholomees J. Boone (eds). *Strategic Studies Institute*, US Army War College, (2012): pp.41-62.
- Stuart Elden, "Terror and Territory", *Antipode* 39/821 (2007): pp.821–22
- Tams, C. J., "The Use of Force Against Terrorists," *European Journal of International Law*, 20 (2), (2009): pp.359–397.
- Trevor Thrall and Erik Goepner. "Step Back: Lessons for U.S. Foreign Policy from the Failed War on Terror," *Policy Analysis*. 2017 (*Cato Institute*).
- Turner III, D. W., "Qualitative Interview Design: A Practical Guide for Novice Investigators," *The qualitative report*, 15(3), (2010): pp.754.
- United Nations Development Programme., "Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment," *Publication of UNDP Regional Bureau for Africa*, 2017.
- , "Preventing Violent Extremism through Promoting Inclusive Development, Tolerance and Respect for Diversity: A Development Response to Addressing Radicalization and Violent Extremism. A UNDP Publication, 2016
- United Nations General Assembly., "Plan of Action to Prevent Violent Extremism," *Report of the Secretary-General*. NY: UNGA 2015
- Von Elbe, Joachim. "The Evolution of the Concept of the Just War in International Law," *The American Journal of International Law* 33, no. 4 (1939): pp.665-88.
- Wanjiru Carolyne Kamau. "Kenya & the War on Terrorism." *Review of African Political Economy* 33, no. 107 (2006): pp.133-41.
- Westow, Theo. "The Ideology of National Security," *New Blackfriars* 61, no. 717 (1980): pp.52-61.
- Williams Paul D. "After Westgate: Opportunities and Challenges in the War against Al-Shabaab." *International Affairs (Royal Institute of International Affairs 1944-)* 90, no. 4 (2014): pp.907-1023.
- Williams Paul. "Continuity and Change in War and Conflict in Africa," *Prism* 6, no. 4 (2017): pp.32-45.
- Wolfers Arnold. "National Security" as an Ambiguous Symbol', *Political Science Quarterly*, 67 (1952): pp.483.
- Yashasvi Chandra., "The Threat of Al-shabaab in Kenya: The Kenyan Government's Counter Terrorism Approach", *CPA UK Briefing Paper*. 2019
- Zartman Ira William (ed). "Conflict and Resolution: Contest, Cost and Change', *The Annals of the American Academy of Political and Social Science* 518 (November 1991): pp.11-22.

## Other materials

Al Jazeera. "Kenya orders all refugees back into camps." March 26, 2014. Available at <https://www.aljazeera.com/news/africa/2014/03/kenya-confines-all-refugees-two-camps-2014325211245266713.html>

Capital Digital media, "Kenya, TFG jointly agree to fight *Al-Shabaab*" 18 October 2011. <https://www.capitalfm.co.ke/news/2011/10/kenya-tfg-jointly-agree-to-fight-al-shabaab/>

Charter of the United Nations.

The Guardian. "US and Taliban Sign Deal to Withdraw American Troops from Afghanistan", Feb 29, 2020. <https://www.theguardian.com/world/2020/feb/29/us-taliban-sign-peace-agreement-afghanistan-war>

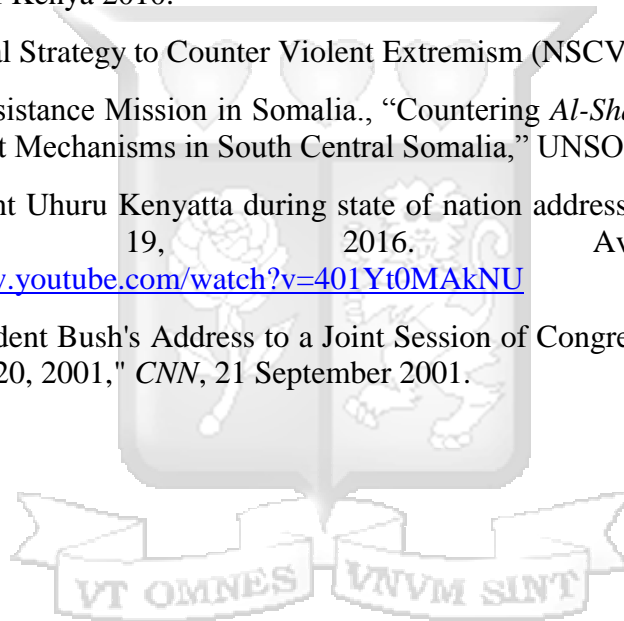
The Constitution of Kenya 2010.

The Kenya National Strategy to Counter Violent Extremism (NSCVE).

United Nations Assistance Mission in Somalia., "Countering *Al-Shabaab* Propaganda and Recruitment Mechanisms in South Central Somalia," UNSOM Publication 2017

Speech by President Uhuru Kenyatta during state of nation address on El Adde attack on January 19, 2016. Available at <https://www.youtube.com/watch?v=401Yt0MAkNU>

Transcript of President Bush's Address to a Joint Session of Congress on Thursday Night, September 20, 2001," *CNN*, 21 September 2001.



## APPENDICES

### Appendix A: Turnitin similarity report

TERRORISM AS CONFLICT IN TRANSITION A CRITICAL  
ANALYSIS OF COUNTER VIOLENT EXTREMISM  
STRATEGIES IN KENYA

#### ORIGINALITY REPORT

<b>19%</b>	<b>14%</b>	<b>10%</b>	<b>16%</b>
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<b>13</b>	<b>Submitted to Macquarie University</b> Student Paper	<b>&lt;1%</b>
<b>14</b>	<b>Mooradian, M., and D. Druckman. "Hurting Stalemate or Mediation? The Conflict over Nagorno-Karabakh, 1990-95", Journal of Peace</b>	<b>&lt;1%</b>

## Appendix B: Letter of introduction



02 March 2020

TO WHOM IT MAY CONCERN

Dear Sir/Madam,

**RE: REQUEST TO CONDUCT RESEARCH**

This is to certify that **Stephen Gichira** is a final term Master of Arts in Diplomacy, Intelligence and Security (MDIS) student at Strathmore University. To complete his Masters, he is required to write a dissertation applying the knowledge and skills he has acquired.

Stephen has titled his dissertation '*TERRORISM AS CONFLICT IN TRANSITION: A CRITICAL ANALYSIS OF COUNTER VIOLENT EXTREMISM STRATEGIES IN KENYA*'. We shall be grateful for any assistance you can give him.

He commits to follow all confidentiality regulations and submit the findings to your institution's management before publishing or disseminating them.

We shall appreciate any assistance given to him.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Brian Njeru'.

**Brian Njeru**

Research and Masters Coordinator

MASTERS OF ARTS IN DIPLOMACY INTELLIGENCE AND SECURITY

## Appendix C: Consent form

### ***TERRORISM AS CONFLICT IN TRANSITION: A CRITICAL ANALYSIS OF COUNTER VIOLENT EXTREMISM STRATEGIES IN KENYA***

I ....., do agree to participate in the research project titled ***“Terrorism as conflict in transition: A critical analysis of counter violent extremism strategies in Kenya”***, conducted by *Stephen Gachoki Gichira* who has discussed the research project with me.

I have received, read and kept a copy of the information letter. I have had the opportunity to ask questions about this research and I have received satisfactory answers. I understand the general purposes, risks and methods of this research.

I consent to participate in the research project. The following has been explained to me:

- The research may not be of direct benefit to me,
- My participation is completely voluntary,
- My right to withdraw from the study, any time without any implications to me,
- Risks including possible inconvenience, discomfort or harm as a consequence of my participation in the research project,
- Steps that have been taken to minimize any possible risks,
- Public liability insurance arrangements
- What I am expected and required to do
- Whom I should contact for any complaints with the research or the conduct of the research,
- I am able to request a copy of the research findings and reports
- security and confidentiality of my personal information.

I consent to publication of results of this study on condition that my identify will not be revealed.

Signature:.....Date:.....

## Appendix D: Research instrument

### ***TERRORISM AS CONFLICT IN TRANSITION: A CRITICAL ANALYSIS OF CVE STRATEGIES IN KENYA***

**Dear Participant,**

This is an interview guide on a research study on “*Terrorism as conflict in transition: A critical analysis of CVE strategies in Kenya*”. You have been identified to participate in this study because of your current exposure on Kenya’s policies and strategies on War on Terror. I am confident that your responses will go a long way in making this study a success. Your responses will be treated with strict confidentiality.

**You are not required to write your name anywhere in this research.**

#### **Demographic information**

Please answer the questions appropriately by filling the blank spaces provided.

1. Please indicate your age.....
2. State your gender: .....
3. Kindly indicate your occupation and organization/department/Agency  
Organization .....
- Organization/Department/Agency .....
4. How long have you worked in your organization, department or agency?.....
5. Please indicate the highest level of your education you  
attained.....

#### ***PART I: Background to terrorism threat in Kenya***

Q.1. When did you first hear about terrorism in Kenya?.....

Q.2. In your view, what do you consider to be the main causes of terrorism threat to Kenya? .....

Q.3. How and when did this terrorism problem begin in Kenya?  
.....

Q.4. Which terrorist group or groups pose main terror threat to Kenya? Explain  
.....

Q.5. In what ways does these group or groups in Q.4 (above) threaten Kenya's security?  
.....

Q.6. What is the outlook of terrorism threat in Kenya?.....

***PART II: National security policy making processes in Kenya.***

Q.7. Through what mechanisms, structures and processes are national security policies and strategies formulated and implemented?.....

Q.8. Who is involved in formulation and implementation of policies and strategies on terrorism and violent extremism in Kenya? Explain  
.....

Q.9. Does Kenya have a national counter terrorism/violent extremism policy? Expound.....

Q.10 If yes in Q.9 above, what are the objectives of this policy?.....

Q.11. What factors or issues are considered in formulation and implementation of polices on terrorism/violent extremism?.....

Q.12. What legislations on counter terrorism/violent extremism does Kenya have?  
.....

***PART III: Responses to terrorism in Kenya.***

Q.13. In your view, through what means, or strategies has Kenya responded to terrorism (domestic and regional)? Provide details.....

Q.14. What prompted Kenya's military intervention in Somalia? Expound.....

Q.15 Were there other options other than military incursion? Clarify.....

Q.16. Through what processes was the decision on Kenya's military intervention in Somalia sanctioned? .....

Q.17. Was there an exit strategy for KDF in Somalia? If yes, expound.....

Q.18. Comment counter violent extremism strategies in Kenya.....

Q.19. What are your views on the simultaneous use of military and CVE approaches?.....

Q.20 In your view, has Kenya's responses to terrorism and violent extremism been effective? Clarify.....

Q.21 What are shortcomings of Kenya's responses to terrorism and violent extremism?  
.....

***PART IV: Emerging issues on CVE strategies in Kenya.***

Q.22. In your view, how has terrorists responded to Kenya's strategies on terrorism/violent extremism?.....

Q.23. What are the trends and new shifts on radicalization in Kenya?  
.....

Q.24. Does CVE strategies in Kenya capture these new shifts and trends? .....

Q.25. Comment rationale of simultaneous use of force and CVE approaches in Kenya.

Q.26. Comment on coordination in the use of force and CVE.....

Q.28. What is the future of CVE efforts in Kenya?.....

**END**

Thank you for participating in this study

## Appendix E: Ethical clearance certificate



3<sup>rd</sup> March 2020

Mr Gichira, Stephen  
stephen.gichira@strathmore.edu

Dear Mr Gichira,

### **RE: Terrorism as Conflict in Transition: A Critical Analysis of Counter Violent Extremism Strategies in Kenya**


This is to inform you that the SU-IERC has reviewed and **approved** your above research proposal. Your application approval number is **SU-IERC0651/20**. The approval period is **3<sup>rd</sup> March, 2020 to 2<sup>nd</sup> March, 2021**.

This approval is subject to compliance with the following requirements:

- i. Only approved documents including (informed consents, study instruments, MTA) will be used
- ii. All changes including (amendments, deviations, and violations) are submitted for review and approval by SU-IERC.
- iii. Death and life threatening problems and serious adverse events or unexpected adverse events whether related or unrelated to the study must be reported to SU-IERC within 72 hours of notification
- iv. Any changes, anticipated or otherwise that may increase the risks or affected safety or welfare of study participants and others or affect the integrity of the research must be reported to SU-IERC within 72 hours
- v. Clearance for export of biological specimens must be obtained from relevant institutions.
- vi. Submission of a request for renewal of approval at least 60 days prior to expiry of the approval period. Attach a comprehensive progress report to support the renewal.
- vii. Submission of an executive summary report within 90 days upon completion of the study to SU-IERC.

Prior to commencing your study, you will be expected to obtain a research license from National Commission for Science, Technology and Innovation (NACOSTI) <https://oris.nacosti.go.ke> and also obtain other clearances needed.






Yours sincerely,

*for*   
Dr Virginia Gichuru,  
Secretary; SU-IERC

Cc: Prof Fred Were,  
Chairperson; SU-IERC



## Appendix F: NACOSTI research license

 REPUBLIC OF KENYA	 NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION
Ref No: 510012	Date of Issue: 16/March/2020
<b>RESEARCH LICENSE</b>	
	
<p>This is to Certify that Mr.. STEPHEN GACHOKI of Strathmore University, has been licensed to conduct research in Nairobi on the topic: <b>TERRORISM AS CONFLICT IN TRANSITION: A CRITICAL ANALYSIS OF COUNTER VIOLENT EXTREMISM STRATEGIES IN KENYA</b> for the period ending : 16/March/2021.</p>	
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1. The License is valid for the proposed research, location and specified period
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National Commission for Science, Technology and Innovation  
off Waiyaki Way, Upper Kabete,  
P. O. Box 30623, 00100 Nairobi, KENYA  
Land line: 020 4007000, 020 2241349, 020 3310571, 020 8001077  
Mobile: 0713 788 787 / 0735 404 245  
E-mail: [dg@nacosti.go.ke](mailto:dg@nacosti.go.ke) / [registry@nacosti.go.ke](mailto:registry@nacosti.go.ke)  
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