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## An Evaluation of the Effectiveness and Challenges of Counterterrorism Strategies in Kenya

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### Abstract

The literature on counterterrorism is awash with questions and answers about the causes of terrorism and how best to prevent and counter them. This is a valid approach since we cannot address terrorism without understanding its causes. However, little appears to have been said about how effective these counterterrorism measures are, or the challenges that remain despite the measures, especially from an empirical point of view. In this direction, using a descriptive cross-sectional research design, this paper sought to understand the effectiveness of counterterrorism strategies in Kenya, and which challenges remain despite the strategies. Using Nairobi as its point of focus, the study targeted a population of 159 officers responsible for counterterrorism operations. The officers were drawn from government agencies including: The Ministry of Foreign Affairs, Ministry of Interior and Coordination of National Government, Ministry of Defence, National Police Service, Kenya Prison Service, Judiciary, State Law Office, as well as Civil Society Organizations (CSOs). A 30% sample size (48 respondents) was used for the research. Stratified random sampling was applied to come up with a proportionate number of respondents who were involved in handling terror suspects or in counterterrorism operations. The study relied on primary data, which was collected using a semi-structured questionnaire containing both close-ended and open-ended questions. An interview guide was also used to obtain qualitative data from the respondents. Piloting was carried out using eight (8) respondents drawn from each of the agencies under study, with a view of improving the data collection tools. The findings generally point to a positive effect of the various counterterrorism measures, while a negative picture is painted regarding the context of challenges on counterterrorism. Subsequently, the researchers recommended that more emphasis needs to be put on: addressing underlying historical questions among and within communities; professionalism in counterterrorism undertakings; enhancing the multiagency approach; and ensuring more community-oriented preventive processes.

**Key Words** | Constitution, Counterterrorism, De-radicalization, Radicalization, Terrorism, Violent Extremism

## Introduction

Terrorism is an international security threat that keeps evolving (2010). It threatens security within States and transcends international borders with little or no respect for existing laws (Bhatnagar, 2016). Kenya (among other States) has variously been affected by this vice (Nzau, 2017). Countering terrorism has proved to be a daunting task in Kenya, regionally, and globally due to the dicey, convoluted, and contradictory terrain associated with countering the irrationality that comes with terrorism on one hand, and with the task of preserving life, liberty, and survival by governments. Hence, States have come up with strategies that are internationally agreeable on counterterrorism. Yet, in the course of fighting terrorism, the right to life and safety of individuals' human rights has faced increased challenges rendering counterterrorism efforts apparently inappropriate (Blomberg, et al. 2004; Ludlam, 2012; Amnesty International, 2016; Human Rights Watch, 2017). All in all, the threat of terrorism remains real and imminent today. This paper sheds light on existing counterterrorism strategies, their effects, and specific challenges regarding counterterrorism in Kenya. It was guided by three objectives: to establish the nature of counterterrorism measures in Kenya; to examine the effects of existing measures of counterterrorism in Kenya; to assess the challenges facing counterterrorism in Kenya.

### *The Theoretical Domain*

When a State understands the motivation and causes of terrorism, this helps it to structure a broad counter terrorism strategy since terrorists are not from the same group (Osman, 2008). Terrorists internationally target civilians in order to gain publicity. Political oppression, religious intolerance, and divine revelation are the most cited reasons for terrorist attacks. Pierre-Joseph Proudhon fronted the argument on anarchism (Max, 1996). Anarchism demerits the mere essence of State control on the argument that the individual ought to be left to interact freely with others (Walsh and Piazza, 2010). Anarchism has been variously used to account for the historical roots of terrorism Nyakundi (2012). It somewhat rationalizes terrorism as a form of criminal activity that attacks the principles of a structured and satisfied society (Chergui, 2014). This theory is critical because it addresses the irrationality of terrorism and how its aims and means often contradict those of States (Osman 2008; Goodwill et al, 2010).

Similarly, Relative Deprivation Theory contends that the ideas of terrorists will sell especially where people feel denied or deprived of what they rightfully deserve. It has variously been used to compel victims to join certain movements including terror groups because they may feel denied of their possessions, freedom, justice, life, or space (Hoganand Taylor, 2001). As times, people's views about their own government and the political system as a whole inform their likelihood of embracing or rejecting the ideological stances taken by extremists, including the Al-Shabaab militias as a "remedy" for their perceived suffering.

### *Trends in the Literature and the Gap Therein*

#### • Counterterrorism Measures

Allison (2016) argues that the vast number of terrorist attacks in Africa, which are not deterred by known sovereign borders, prove that counter terrorism strategies by the African Union (AU) are a failure. Egypt, Tunisia, Mali, Nigeria, Burkina Faso, and Kenya have experienced such attacks by terror organizations such as al-Shabaab and Boko-Haram. AU is conscious that among the worrying insecurity on the continent, terrorism coupled with violent extremism ranks the highest.

Great effort has been made to develop counter terrorism strategies such as having legal framework that spell out terrorism acts and how States can cooperate on aspects of investigation and prosecution of such acts. These have been efforts of the AU's Conventions and Protocols on Prevention and Combating Terrorism as was held in Algiers in 2004 and 2014 respectively (AU, 2004).

African States have not all ratified the Algiers Protocol of 2004 despite some having become victims of terrorist attacks. This is an indication of how disjointed AU is on its concerted effort for counterterrorism. Nigeria, Somalia, and Kenya are examples of such countries. Nevertheless, deployment of African Union in Somalia (AMISOM) troops has degraded Al-Shabaab's capabilities in having freedom of action in Somalia such as the capture of Port Kismaiyu, which was one of its

sources of revenue. Several Al-Shabaab leaders have been killed through AMISOM's operations and the effort continues (Griset and Sue, 2014).

The Constitution of Kenya, (2010) lays provision for the Bill of Rights in Chapter 4 which laud the importance of protecting individual rights and freedoms. It equally applies to all people inclusive of terror suspects. Kenya's Terrorism Bill of 2003 lays deterrence measure against terrorism regardless above individual rights. Nevertheless, the Bill fails to define terrorism and therefore leaves leeway for security agents to extort information from suspects they perceive as being terrorists. It also lacks provision for "burden of proof" in that suspicion alone can lead to conviction of an individual. Such shortfalls discredit the validity of such legislation.

The Constitution further upholds the right of every person to life and that a person shall not be deprived of life intentionally, except to the extent authorized by the law (Whitaker, 2007). In the fight against terrorism, the Kenya Human Rights Commission emphasizes how 'crucial it is in making sure that the whole enforcement of law in all cadre of forces should do their mandate in accordance with the law' (Oramini, 2013).

According to Whtaker, the deliberate killing and whimsical shoot-to-kill order contravene the right to life but it sometimes serves the greater good (Whitaker, 2007). International and Kenya Law, on use of force, allow police to use lethal force only when necessary for self-defense or to save a life. Section 4 of the Sixth Schedule of the National Police Service Act, (GoK, 2011) requires police officers who use lethal fire to report to their immediate superior explaining the circumstances that necessitated the use of force. Section 5 of the same act requires officials to report any use of force that leads to death or serious injury to the Independent Police Oversight Authority for investigation. Police authorities have not complied with these requirements especially in cases of extrajudicial killings (Kivoi and Mbae, 2013).

Practically, countries have embraced diverse measures which have an effect on the freedom of people, such as pre-trial process for terrorism related offences, including provisions regarding bail and the detention of people in custody awaiting trial (Brysk and Gershon, 2007). Terrorist suspects continue to suffer infringement of their human rights set out under international and Kenyan Law.

According to an Overseas Security Advisory Council report (OSAC, 2016), Kenya has borne the brunt of terror attacks. More than 900 people have been killed and maimed/or injured as a result of terror-related activities from 1997 to-date. Such a situation can be redressed by mobilizing all sectors with the main idea to avert the populace from ideologies that enable terrorism to thrive. It is also meant to reduce vulnerable groups from falling prey to being radicalized and pushed into terror activities.

Kenya's counterterrorism strategy employs both soft and hard power approaches largely aimed at preventing terror activities just like other States such as the US or EU. Kenya perceives her terror threats being more externally perpetrated by such groups as Al-Shabaab, Al-Qaeda, Dae'sh (ISIS), State-sponsored terrorist organizations, and local networks. These groups have orchestrated attacks as witnessed during the West Gate, Mpeketoni and Garissa University (GoK, 2016). Elsewhere, incursions as in parts of the Kenyan coastal and north eastern regions were carried out by terrorists; this also involved ambushes backed by improvised explosive devices (IED) (Mutunga, 2015).

In order to realize its counterterrorism objectives, the government adopts a multi-agency approach through a Joint Counter Terrorism Analysis Center (JCTAC) which has representatives of the National Intelligence Service, Police, and Military, Kenya Wild Life Service, and Kenya Forest Service, among others, depending on the location of the terror threats. JCTAC is an analytical authority on actionable counterterrorism intelligence that homes on specific threats from a particular identified terror group. It also has established command centers and tactical teams. All are multi-agency tasks organized to carry out counterterrorist actions. The 'joint-ness' enables aspects of investigative and prosecutory approaches to ensure credible evidence for strong prosecution cases (GoK, 2016).

The President of Kenya signed the Security Laws Bill of 2014 as a measure to enhance the ability of Kenya to deal with its national security with emphasis on detecting, deterring, and disrupting any threat. The Bill was signed at a time the country was faced with terrorist threats and attacks such that it was fast-tracked because within a span of ten days it was passed (Goitom, 2014). The amendment addressed key areas including: The Prevention of Terrorism Act (2012) out rightly declares criminal any act done to occasion terrorist act in other countries other than his/her own; and any form of training related to terror whether in one's country or not is deemed punishable by jail term of up to ten years. The Bill also

strengthened aspects of surveillance through its organs responsible for security to intrude or intercept communications. It criminalized radicalization where a culprit was liable of imprisonment of 30 years.

Allison, (2016) states that the Civil Society of Kenya ranks among the most vibrant and assertive in Africa and therefore much has been expected in its lead role on counterterrorism. Besides this expectation, it has however faced challenges in having to operate free from government control. Within the civil society, the ability of having all within it to come together and echo one voice on counterterrorism has been a challenge. The government has considered aspects of human right within its constitution and therefore advocated for numerous reforms within its security sector (Bakrania, 2014).

Obonyo, (2015) observes that the Government of Kenya (GoK) has been quite skeptical with some Civil Society Organizations (CSO) funded externally due to their involvement is rendering financial and legal support to terror organizations like Al-Shabaab. Some of the adversely mentioned CSO are *Haki Africa* and *Muslim for Human Rights*.

#### • **The Effectiveness of Existing Measures**

The UN Global Counter-Terrorism Strategy provides a comprehensive and collective document with an international affirmation. It indicates how terrorism is a common threat to all, and its implementation has gained extensive international approval. It has led to having Central Asian States to come up with plans on how to implement this strategy, which has been a positive move (UN, 2007).

Regarding US, Kolodkin (2017), views those sources of terror groups/individuals are from all over the world including the US which has asserted itself globally on counterterrorism efforts. Employment of military forces overseas, such as in Afghanistan and Iraq, has not been an effective measure simply because terrorists are applying all manner of tactics that easily evade the huge combat power deployed. Use of simple but lethal IEDs that are carried by individual terrorist in their clothing reveals the challenge. Abizaid and Brooks (2014), observes that despite hard power strategy by US through its precision air strikes on terrorist targets, terror attacks increased by 39 percent compared to 2013, while losses in lives were more by 83 percent. In essence, Islamic extremist groups continue to multiply alarmingly in dominance, lethality and control, spreading into Africa, parts of South Asia and the Arab world (Bowman, 2007). This indicates that counterterrorism has to embrace a different approach for a positive impact. If States continue searching for individual solutions, this will take more time even as terror groups and attacks increase.

Alexander, (2006) argues that it was not until the 9/11 attack on the World Trade Center that the US realized how grave terrorist threats could be and how its institutions had not tailored their policies, plans and practices to handle the threats. To date, the continued process of coming up with relevant polices/strategies show that no strategies have proven effective.

The European Union (EU) strategy on counterterrorism (2005), lays emphasis on preventing, protecting, pursuing, and responding to terror activities. Initially, the strategy focused on merely sharing of intelligence amongst EU States and how best their security organs could carry out their responsibility regarding terror actions. It was however the sole responsibility of individual governments for their security while assisted by the Union as it strengthens capability of the member States and as it promotes cooperation amongst its governments (Monar, 2014).

According to EU Report, (2017), counterterrorism strategy for the Union has faced drawbacks: Threats experienced affecting the region are not regularly and centrally updated. Police and intelligence institutions carry out parallel assessments such that information trickling to the public is not synchronized. Terror threat within EU seems to be analysed from a jihadist perspective which favors the Central and Western part of the region yet whatever affects the East may not necessarily have a jihadist face. Responses to threats may fail because of the disparity. Experiences in Norway's terror attack were a clear proof that jihadist threats are not engulfing the entire region. This means States may fall victim and remain entangled due to counterterrorism that does not yield desired solutions. The strategy does not address the dynamic change within the environment on areas of asymmetric warfare. The policy architecture also appears ambiguous since EU member States continue to criminalize counterterrorism acts generally. Explicitness is in the development of such strategies. These challenges pose difficulties on how EU's counterterrorism strategy can achieve its desired goals. According to Block (2005), France has been rocked by terror attacks and threats whose frequency and tenacity has superseded other cases in Europe. France has counterterrorism strategies that are comparatively deemed more effective in the region.

There is general coherence in intelligence, dispensing justice and legislations of France, with heavy penalties on terror offences. However, despite this, the country continues experiencing new terror threats that pose security concerns within its intelligence system including institutions such as the French Secret Service (DSI), General Intelligence Service (RG) and National Anti-Terrorism Division (DNAT).

In response to the Nice terror attack, McPartland (2016) asserts that the French security Forces are overstretched, which has caused the government to mobilize its reservists and retired security personnel to boost the security lapse.

According to Kumar (2014), India unlike other States, perceives terrorists threats as emanating from a neighboring State (Pakistan) sponsored groups with a sole aim of countering its defense. It also associates terrorism with the fight over Kashmir. Besides military action on any terrorist threat, the country does not rule out the need for peaceful dialogue with Kashmir as a long-term solution of the persistent terrorist incursion.

Siyech, (2017) gives credit to India's intelligence led counterterrorism operations that have reduced by 30 percent ceasefire violations and penetration across its international border. Even though this is a credit, more robust intelligence on terrorist movement, coupled with building more capability in its porous border control through military action, are good measures. As a result of government action, terror groups also devise their counter strategies, which only protract endless skirmishes, with devastating consequences on government and innocent people.

Kodjo (2015) states that the African Union has developed ways to mitigate against terror through its Peace and Security Council (AUPSC). The Union in 1992 adopted Resolution 213, which strengthened cooperation and coordination amongst African States. The members agreed to combat all forms of terrorism such as violent extremism and other direct attacks by terror groups. Subsequently, in 1994, Declaration 2 enabled States to denounce any form of terrorism regardless of; sectarianism, ethnicity, tribalism, or religion. Terror activities were branded as criminal to be fought cooperately.

The Boko Haram threats are viewed by the UN Security Council Resolution 1566 (2004) as being criminal in nature because they target civilians with the intention of occasioning death or provocation of terror including other vices condemned by the UN. This terror group has resemblance of the Islamic State of Iraq and Syria including Al-Qaeda where it has been observed to draw assistance from in the form of finances, equipment, and training. Boko Haram has influenced politico-religious crusades that have terrorist connotations such as advocacy for Sharia Law in the upper parts of Nigeria.

According to Okobi (2017), Nigeria focuses on structural problems such as youth unemployment, illiteracy and poverty as a way of countering terrorism. Nigeria's President in April 2013 formed the Presidential Committee on Dialogue and Peaceful Resolution to tackle the Boko Haram threat of the North, with amnesty as an incentive. Some of these soft approaches to the problem are proving effective because the former hard-power approach did not reduce or deter terror activities. Hard power has nevertheless enabled Nigeria to rescue the long-abducted school girls and women. Application of intelligence based decision making on combating Boko Haram operatives is a positive move towards the strategy and it saves time and resources (Barkindo 2015). It is evident also that the correct target is dealt with thus obtaining public support.

Religious organizations such as the Inter-Religious Council of Kenya (ICK), Supreme Council of Kenya Muslims (SUPKEM), and National Council of Churches in Kenya (NCCCK), have been active in advocacy for counterterrorism through common dialogue. Following some incidences such as Mombasa riots where agitated Muslims burned a church in protest of having their cleric killed, interfaith leaders were in the forefront to express religious tolerance and restraint (International Religious Freedom Report, 2013).

Main units of the Al Shabaab behind the terror threat are the Amniiyats, led by Habil Al Somali and assisted by Mustafa Ato. The Jabha terror units are commanded by Mohamed Kuno Gamadere who is the Commander of Juba Land. Abdifatah Abubakar Abdi is the leader focusing on Coastal operations with their main operational base at Jilib (Mapping Militant Project, 2016). Such kind of accurate mapping and profiling leading to arresting them can only be obtained through coordination and cooperation in operational effort.

According to a Report from Human Rights Watch, (2017), Kenya is a resident of more than 500,000 refugee and asylum seekers. Decision to close Dadaab refugee camp to repatriate them gave an indication of the determination of addressing some of counterterrorism measures by Kenya. Insecurity brewed within the refugee camp by some terrorist operatives are some of the reasons fronted by the Kenya Government irrespective of the violation of Refugee Convention of 1951 that prohibits refoulement. Terror groups exploit all ungovernable spaces including opportunities to carry out their covert acts.

Boldness by the government on refugees who are a conduit of threat should be adequately explained to the international community to support the idea.

Counterterrorism attracts huge resources in terms of financial support and manning, with donors willing to support the government's clear strategy. According to Eilperin & Sieff, (2015) the US government continued its support to Kenya in its war on terror in terms of training and funding the Kenya Defense Forces. Equally, the Trump administration plans to continue with a US Dollar 83 million in the Fiscal Year of 2018 for counterterrorism effort against Al-Shabaab (Kelly, 2016). This is amidst huge aid cuts to other African countries.

#### • Challenges Facing Counter-terrorism Measures

According to McCaul (2016), the US Chairman of the Homeland Security Committee, US seems to be losing the war on terror as long as terror threats continue to engulf many parts of the world including the US. Kolodkin, (2017) observes that, sources of terror groups/individuals are from all over the world including US. Deployment of military forces overseas in countries like Afghanistan and Iraq has not been that effective because terrorists are ever changing tactics that easily evade the huge combat power deployed.

Brooks (2015), shows that despite hard power strategy by US through its precision air strikes on terrorist targets, terror attacks increased by 39 percent in 2015 as compared to 2013, while deaths rose by a 83 percent in the same period. In essence, Islamic extremist groups continue to multiply alarmingly in dominance, lethality and control spreading into Africa, parts of South Asia, and the Arab world (Bowman, 2007). Since African States including Kenya cannot match such capability compared to developed States, it would be wise to focus on soft power which when supported by the developed would yield better outcomes as opposed to the use of hard power, which degrades weak economies within the continent.

Kenya like any other country faces challenges when dealing with counter-terrorism activities. Despite the effort, the threat has grown very fast vis a vis her capacity to stem it. The underlying challenge on protection of terrorists under the umbrella of safeguarding rights and freedoms of individual unfolds an abuse of one's democratic space with the populace unduly criticizing government decisions regardless of whether it is trying to curb the terror menace.

As a developing country other challenges such as the provision of health services, food, or even national development, are hampered when national development resources are diverted towards counterterrorism. Kenya has a long border (684 KM) with the troubled Somali as a haven of terror groups whose manning is outstretching her security assets especially the military (CIA, 2016). A report by Oside and Chatterjee (2016) shows that youth unemployment amongst Kenyans remains the highest in the sub-region at a rate of about one million in a year. This increases vulnerability to recruitment by terror groups with a promise of better livelihoods. Reducing this false promise will also reduce counterterrorism.

## Methodology

The study was conducted in Nairobi County because it has experience terrorism threats the most. A descriptive cross-sectional research design was adopted because data was collected at one point in time. The study targeted a population of 159 key officers who are tasked with the responsibility of counterterrorism operations. The officers were drawn from government agencies which included the Ministry of Foreign Affairs, Ministry of Interior and Coordination of National Government, Ministry of Defence, National Police Service, Kenya Prison Service, National Police Service, Judiciary, State Law Office and the Civil Society Organizations. A 30% sample size (48 respondents) was considered. Stratified random sampling was applied to come up with a proportionate number of respondents who were involved in handling terror suspects or involved in counterterrorism operations. The study relied on primary data, which was collected using a semi-structured questionnaire containing both close-ended and open-ended questions. An interview guide was also used to obtain qualitative data from the respondents. Piloting was done using eight respondents drawn from each of the agencies under study with a view of improving the data collection tools. Once collected, data was coded and entered in preparation for data analysis using the Statistical Package for Social Sciences Version 23 computer package. Descriptive statistics was used to analyze quantitative data while content analysis was used to analyze qualitative data. The study findings were presented in prose, tables, and graphs. The study findings formed the basis for conclusions and recommendations.

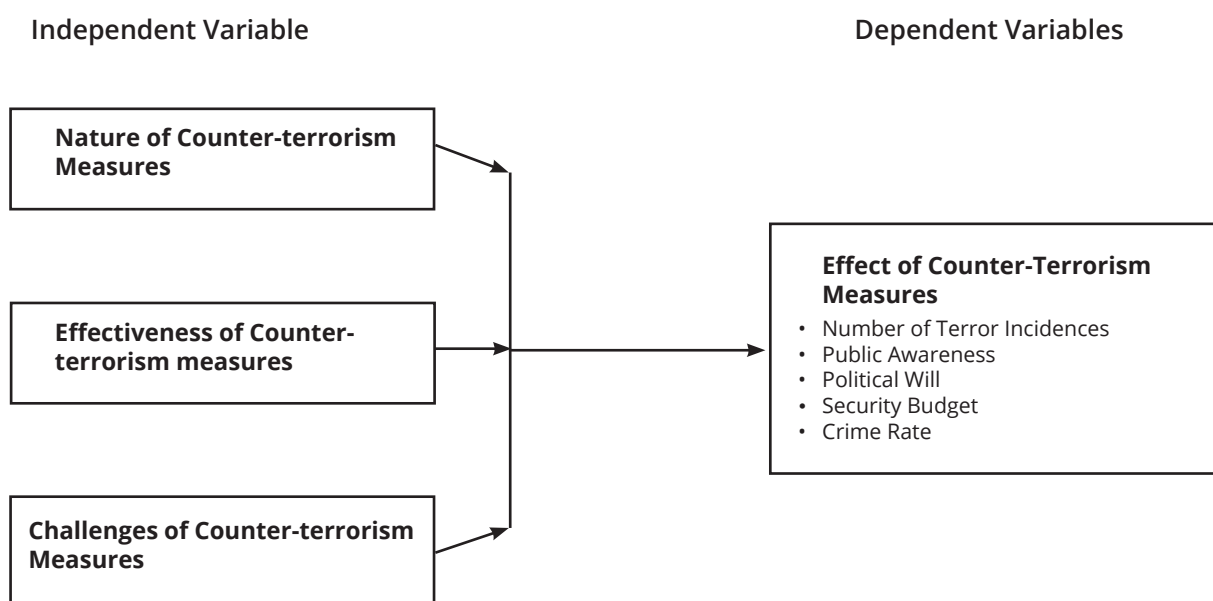
### *Hypotheses*

This study was guided by the following alternative hypotheses:

- H<sub>1</sub>: Counterterrorism measures in place have a positive effect on counterterrorism in Kenya.  
 H<sub>2</sub>: Challenges facing counterterrorism have a negative impact on counterterrorism in Kenya.

### *Conceptual Model*

Counter-terrorism viewed through aspects of cost, incidences, and public awareness was the dependent variable in this study whereas the counter-terrorism strategies were the independent variables. Three major parameters influenced the effects of the strategies: 'nature,' 'effectiveness' and 'challenges' of counter-terrorism strategies (Frankfort and Nachmias, 2004).



### *Presentation and Analysis of Findings*

The first objective sought to identify counterterrorism measures in Kenya. Key measures identified included: Enactment of the Anti-Terrorism Act, educating the public, creation of income generating activities, arrests and prosecutions, ministerial pardons for terrorists on surrender, security forces fighting terrorism, multiagency approach, monitoring and interception of money transactions, and regulating the media. Respondents also suggested the following as other measures used in the fight against terrorism in Kenya: Global partnership with other countries to fight terrorism; involvement in peace keeping operations; review of education curriculum within training institutions to include counterterrorism measures; check on religious and Islamic studies in all communities; implementation of the National Strategy On Countering Violent Extremism launched by the President in May 2017; enhanced community programmes on prevention/countering violent extremism; enhancement of intelligence networks; and management and enhancement of post-traumatic stress disorder (PTSD); soft approach through NGOs and civil societies; and establishment of monitoring mechanisms within institutions of learning for those falling victims of radicalization.

Findings from the interviews revealed that the following were other measures adopted in the fight against terrorism in Kenya: Development and implementation of a National Counterterrorism Strategy; establishment of Rehabilitation And Reintegration Programmes for Reformes; increased access to funds by youth to engage in income generating activities; public sensitization on the effects of terrorism; investment in education, security, legal, social-cultural and political pillars; and the establishment of multi-agency special response teams. The interviews also established that the Kenyan Constitution 2010 has a provision for countering terrorism including: Creation of a Directorate of Public Prosecution; establishment of national security organs, security amendment laws , and Acts of parliament.

The second objective sought to establish the *effectiveness of counterterrorism measures in Kenya*. Respondents were required to rate the effectiveness of the identified counterterrorism efforts in Kenya on a scale of 1 to 5 where 1 (Not Effective), 2 (Least Effective), 3 (Moderate), 4 (More Effective) and 5 (Most Effective). Means of between 2.2308 and 4.8718 and standard deviations of between 0.76707 and 0.95820 were registered. It is generally evident that the various strategies put in place to counter terrorism have been more effective as shown by an aggregates score of 3.7470.

Specifically, the findings reveal that security forces fighting terrorism head-on and adopting a multi-agency approach were the most effective strategies in the fight against terrorism in Kenya and the region. This is explained by high registered means of 4.8718 and 4.8421 respectively. Arrest and prosecution of terrorists was also highly rated as another most effective measure in the fight against terrorism as explained by a mean of 4.5641. On the contrary using ministerial pardons for terrorists upon surrender (2.2308) and creation of income generating activities (2.6410) were rated the least effective in the fight against terrorism in Kenya and the region. The findings are presented in Table 1 below.

**Table 1** | *Descriptive Statistics on Effectiveness of Counterterrorism Measures*

Item	Mean	Std. Deviation
Enactment of the anti-terrorism Act	4.0000	.82717
Educating the public	3.2051	.95580
Creation of income generating activities	2.6410	.95820
Arrests and Prosecution	4.5641	.82062
Ministerial pardons for terrorists on surrender	2.2308	.93775
Security Forces fighting terrorism	4.8718	.76707
Multiagency approach	4.8421	.92215
Monitoring and intercept of money transactions	4.2895	.83530
Regulating the media	3.0789	.81809
<b>Aggregate Score</b>	<b>3.7470</b>	<b>.87135</b>

On being asked to explain measures which were rated lowly, the majority of respondents mentioned the following: That the government is biased and educating them does not yield much; public education is not effective because of the limited geographical area to cover; limited in scope in terms of language barrier; and the media has not been involved in educating the public regarding terrorism and its effects; (respondents stated that the media is only called upon whenever there is an attack. Once the situation normalizes it no longer highlight issues regarding terrorism); regulating media is counter-productive; identifying beneficiaries/persons to benefit from income generating activities and ministerial pardon is not useful as many terrorists often do not want to surrender.

On being asked to explain those measures rated highly, respondents mentioned the following: Fighting terrorist head-on ensures there is no room for terrorists to operate; multi-agency approach promotes efficiency and coordination; arrests and prosecution help bring civility in the society as opposed to extra-judicial killings; monitoring and intercepting money transaction is preventive; and the prevention of terrorism using the Anti-terrorism Act provides measures for both detection and prevention of terrorism and as such activities can be detected before occurrence. The pronouncements are also heavy hence deterrent.

The third objective *sought to assess the challenges facing implementation of counterterrorism measures in Kenya*. Respondents were required to rank the challenges faced by the government when countering terrorism on a scale of 1 to 5 where 1 (Lowest), 2 (Least), 3 (Moderate), 4 (Higher) and 5 (Highest). Means of between 3.0000 and 4.9789 and standard deviations of between 0.31809 and 0.96543 were registered. Generally, the findings presented in the table below revealed that the various challenges identified were rated highly as shown by means of 4.0819. Specifically, the findings reveal that violent extremism, radicalization and ideologies were the greatest challenges facing the fight against terrorism in Kenya and



the region at large as shown by means of 4.9789, 4.8895 and 4.7947 respectively. Inadequate early warning mechanisms on terror threats to the public (4.7421), poor handling of terror suspects (4.5789) and high poverty levels were also highly rated. However, public sympathy with terrorists and external influence by donors were rated the least at 3.000 and 3.1579 respectively.

On being asked to highlight challenges facing counterterrorism in Kenya majority of the respondents mentioned the following: Politicization of efforts to combat terrorism; past historical injustices to do with land which have not been addressed; weak laws which allow suspects to be out on bail as their cases continue; corruption; long porous border with Somalia; inadequate training and capacity building of security officers; and presence of sympathizers and financiers of terror networks.

Responses from the interviews conducted revealed that aspects on the Individual Bill of Rights had been a challenge to those engaged in counterterrorism in the following ways: Terrorists kill and destroy properties of others yet when arrested the Bill Of Rights applies; those engaged in counterterrorism initiatives protect the life and property of the individual; the Bill of Rights under the Kenya Constitution 2010 places the burden of proof on the government because one is presumed innocent until proven guilty, thus security agencies become vulnerable.

**Table 2** | *Descriptive Statistics on Challenges Facing Counterterrorism Measures*

Item	Mean	Std. Deviation
Public sympathy with terrorists	3.0000	.96543
Unemployment	3.5128	.84810
Poverty levels	4.5000	.35665
Ideologies	4.7947	.32215
Radicalization	4.8895	.33530
Violent extremism	4.9789	.31809
Poor security measures by the government	3.5632	.94519
Weak laws e.g. bail for terrorist suspects	3.3684	.90324
External influence by donors	3.1579	.95141
Violation of human rights	3.3684	.97606
Poor investigation	4.2895	.33530
Compromised/poor handling of terror suspects/inmates	4.5789	.31809
Media action glorifying terrorists	3.9308	.83775
Lack of clear definition of a terrorist	3.8718	.76707
Inadequate early warning mechanism on terror threats to the public	4.7421	.32215
Refugees presence in the country	4.7641	.32062
<b>Aggregate Score</b>	<b>4.0819</b>	<b>.61391</b>

### *Hypothesis Testing*

**Hypothesis 1:** *Counterterrorism measures in place have a positive effect on counterterrorism in Kenya.*

**Table 2** | *A Chi-Square Test for Counterterrorism Strategies*

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	75.877	48	.006
Likelihood Ratio	50.932	48	.359
Linear-by-Linear Association	32.979	1	.000
N of Valid Cases	38		

$X^2 = 75.877$  and  $p$  values = 0.006

Chi-square test is used when you wish to explore the relationship between two categorical variables. Chi-square test of independence was used to test whether counterterrorism measures in place had a positive effect on counterterrorism in Kenya. The main value that one are interested in from the output is the Pearson chi-square value and the sig value ( $p$ ) which should be less than 0.05. It is generally evident from the findings presented in Table 2 above, that the various counterterrorism measures had a positive effect on counterterrorism as revealed by high Chi-Square values ( $X^2 = 75.877$ ) and  $p$  values of 0.006 which are less than 0.05. The research therefore fails to reject the alternative hypothesis as stated.

**Hypothesis Two:  $H_2$ :** *Challenges facing counterterrorism have a negative impact on counterterrorism in Kenya.*

**Table 3** | *A Chi-Square Test for the Challenges Facing Counterterrorism*

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	104.549	72	.007
Likelihood Ratio	72.295	72	.468
Linear-by-Linear Association	33.826	1	.000
N of Valid Cases	38		

$X^2 = 104.549$  and  $p$  values = 0.007

Chi-square test of independence was also used to test whether challenges facing counterterrorism had a negative impact on counterterrorism in Kenya. The level of statistical significance is as revealed by Pearson chi-square value and the sig value ( $p$ ) which should be less than 0.05.

The findings presented in Table 3 above, revealed that the various challenges experienced had a negative effect on counterterrorism as revealed by high Chi-Square values ( $X^2 = 104.549$ ) and  $p$  values of 0.007 which are less than 0.05. The researcher therefore failed to reject the alternative hypothesis as stated.

### *A Summary of the Findings*

#### **On the Nature of Counterterrorism Measures in Kenya**

Key counterterrorism measures used to combat terrorism in Kenya include: Enactment of the Anti-Terrorism Act, educating the public, creation of income generating activities, arrests and prosecutions, ministerial pardons for terrorists on surrender, security forces fighting terrorism, multiagency approach, monitoring and interception of money transactions, and regulating the media; Global partnership with other countries to fight terrorism; involvement in peace keeping operations; review of education curriculum within training institutions to include counterterrorism measures; check on religious and Islamic studies in all communities; implementation of the national strategy on countering violent extremism launched by the President

in May 2017; enhanced community programmes on prevention/countering violent extremism; enhancing intelligence network; management of Post-Traumatic Stress Disorder (PTSD) needs to be enhanced for multi-agency security Forces fighting terrorism; soft approach through NGOs and civil societies; and establishment of monitoring mechanisms within institutions of learning for those falling victims of radicalization.

Findings from the interviews revealed that the following were other measures adopted in the fight against terrorism in Kenya: Development and implementation of a National Counterterrorism Strategy; establishment of rehabilitation and reintegration programmes for reformees; increased access to funds by youth to engage in income generating activities; public sensitization on the effects of terrorism; investment in relevant education, security, legal, social-cultural and political pillars; and establishment of multi-agency special response teams.

### *On the Effectiveness of Counterterrorism Measures in Kenya*

The findings revealed that 41% of the respondents were of the opinion that enactment of the Anti-Terrorism Act was more effective while another 30.8% of them rated it as most effective; 33.3% of the respondents rated educating the public as moderate, 30.8% rated it as more effective, 20.5% as least effective, 10.3% as most effective and 5.1% as not effective. Creation of income generating activities was rated as moderate by 33.3% of the respondents. Arrest and prosecution was rated as most effective by 51.3% of the respondents.

Ministerial pardons on the other hand were rated as least effective by 35.9% of the respondents. Security Forces were rated as being most effective by 61.5% of the respondents. Adopting a multi-agency approach was rated as most effective and more effective at 48.5% and 20.6% respectively. Monitoring and intercepting of money transactions was rated as most effective and more effective at 48.7% and 30.8% respectively. Regulating the media was rated as more effective and more effective at 33.3% and 41% respectively.

Qualitatively the respondents explained the following on counterterrorism measures that were lowly rated: That the government is biased and educating the public does not yield much; public education is not effective because of the limited geographical area to cover. It is also limited in scope in terms of language barrier; the media has not been involved in educating the public regarding terrorism and its effects. Turning to the media only comes up whenever there is an attack. Once the situation normalizes they never highlights issues regarding terrorism; regulating media is counter-productive; challenges in identifying beneficiaries/persons for income generating activities and ministerial pardon, and that many terrorists do not want to surrender thus there is minimal use of ministerial pardons.

Respondents further explained the following on those measures rated highly: Fighting terrorists head-on ensures that there is no room for terrorists to operate; multi-agency approach promotes efficiency and coordination; arrests and prosecution help bring civility in the society as opposed to extra-judicial killings; monitoring and intercepting money transactions is preventive; and the prevention of terrorism using the Anti-Terrorism Act provides measures for both detection and prevention of terrorism and terrorist activities can be detected before occurrence. The punishments are also heavy hence deterrent.

### *On the Challenges facing Counterterrorism Measures in Kenya*

The findings revealed that 35.9% of the respondents ranked public sympathy as a moderate challenge facing counterterrorism in Kenya while 33.3% of them ranked it as a higher challenge. Unemployment was ranked highest by 60.5% of the respondents. High poverty levels was ranked highest by 48.4% of the respondents. Ideology was ranked highest and higher by 30.6% and 38.5% of the respondents respectively. Radicalization was ranked highest by 64.1% of the respondents.

Violent extremism was ranked highest and higher by 33.3% and 41% of the respondents respectively. Poor security measures by government was ranked moderate by 35.9% of the respondents. Weak laws were ranked as moderate by 30.8% of the respondents. External influence by donors was ranked as higher by 35.9% of the respondents. Violation of Human Rights was ranked as higher by 46.2% of the respondents.

Poor investigations was ranked as highest by 48.7% of the respondents. Poor handling of terror suspects was ranked as highest by 41% of the respondents. Media glorifying terrorists was ranked highest by 35.9% of the respondents. Lack of clear definition of a terrorist was ranked as highest by 61.5% of the respondents. Inadequate early warning mechanism on

terror threats to the public was rated as highest and higher at 48.5% and 30.7% respectively. Finally, presence of refugees was ranked higher by 51.3% of the respondents.

Politicization of efforts to combat terrorism; past historical injustices to do with land which have not been addressed; weak laws which allow suspects to be out on bail as their cases continue; corruption; long porous border with Somalia; inadequate training and capacity building of security officers; and presence of sympathizers and financiers of terror networks, were also identified as key challenges affecting combating of terrorism in Kenya.

Finally, responses from the interviews conducted revealed that aspects on the individual Bill of Rights had been a challenge to those engaged in counterterrorism in the following ways: Terrorists kill and destroy properties of others yet when arrested the Bill of Rights applies; those engaged in counterterrorism initiatives protect the life and property of the individual; the Bill of Rights under the constitution places the burden of proof on the government because one is presumed innocent until proven guilty thus security agencies become vulnerable.

## Conclusions and Recommendations

Research findings led to the conclusion that key strategies for combating terrorism in Kenya include but are not limited to the following: Enactment of the Anti-Terrorism Act, educating the public, creation of income generating activities, arrests and prosecutions, ministerial pardons for terrorists on surrender, security forces fighting terrorism, multiagency approach, monitoring and intercept of money transactions, and regulating the media. Key strategies for combating terrorism were generally effective. Generally, the various challenges identified were rated highly. The study recommended that: Historical injustices be addressed, politics be detached from tribes and security issues, and embracing a multi-agency approach in the fight against terrorism. Further research should be conducted to cover other counties not covered in this research, on the impact of counterterrorism strategies and Foreign Direct Investments in Kenya.

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