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## 'Killing a mosquito with a hammer': Al-Shabaab violence and state security responses in Kenya

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### ABSTRACT

Networked, transnational forms of violence pose a significant threat to peace and security in a number of sub-Saharan African countries. In recent years, Kenya has witnessed an expanding number of attacks involving Al-Shabaab – the Somali-based militant organisation. Kenya's state responses to these attacks derive from a social construction of Somalis as a threatening presence, justifying a raft of hard security measures. However, this targeting has been counter-productive by driving a deeper wedge between Somalis, other Muslims and the state, and levels of Al-Shabaab violence have remained high. Seen from the social and political margins that Kenya's Somali and Muslim populations occupy, recent violence continues a long-standing dynamic of insecurity in which the state itself is a central actor. Internal stress relating to state-led planning of social order built on unequal citizenships and the use of violence, enmesh with the external threat of Al-Shabaab, producing the conditions for insurgency and violence to spread. Reducing violence and building peace require greater understanding of how violence and security are seen and experienced at the margins.

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Insurgent margins; external stresses; security; Kenya; Somalis

## Introduction

The growing prominence of networked, transnational forms of violence and militancy, particularly across the Sahel and the Horn of Africa, has raised the profile of the margins as areas contributing to larger situations of instability. Viewed through the lens of state security, and seen from the perspective of the state, networked transnational violence happening at the margins represents a potential source of instability affecting whole states and regions. Viewed from the margins, however, this violence may appear very different, as something reflecting a longitudinal dynamic of state–society relations, enmeshed in local politics and society, and inseparable from earlier experiences of violence and legacies of conflict. Seen from the perspective of vernacular understandings of security at the margins, recent violence is less a new phenomenon than it is the continuation of long-standing situations of violent insecurity.

The tensions engendered by different ways of 'seeing', and hence, responding to violence are evident in worsening violence in Kenya linked to Al-Shabaab, the Somalia-based militant

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organisation. Kenya has witnessed an expanding number of attacks since 2008, when violence involving Al-Shabaab accounted for less than 2% of all recorded violence events. By 2011, Al-Shabaab was implicated in over one quarter of all recorded incidences of violence. Kenya's security institutions have responded to worsening violence as something that constitutes an 'external stress' and threat to Kenya's peace and security. In 2011, it launched a military operation in neighbouring southern Somalia, ostensibly to establish a buffer against Al-Shabaab attacks. Further, it instigated police swoops in majority-Somali neighbourhoods, tightened administrative controls of refugee populations, passed new security laws and gave wide leeway to the Anti-Terrorism Policing Unit (ATPU) that is tasked with identifying and detaining terror suspects. These responses derive from a discourse and understanding that 'sees' outsiders, namely Somalis and Muslims, as a threat, both internally and with regard to conflict spillovers from Somalia.

Yet, far from curbing Al-Shabaab violence, attacks have multiplied, ranging from the September 2013 siege of Nairobi's Westgate shopping centre, to village massacres, to the targeted killings of police and religious figures, to the Garissa University College attack in April 2015 – Kenya's deadliest since the 1998, Al Qaeda bombing of the Nairobi US Embassy. Whilst Kenya's political and security establishments consider Al-Shabaab to be a type of new external stress that can be contained and defeated, seen from the margins, recent violence marks the continuation of a long-standing conflict dynamic, intimately connected to Kenya's own political history – including its complex relationships with Somalia – and one in which the state itself has been a central actor.

This article considers the nature and dynamics of recent, networked, transnational forms of violence affecting 'the margins'. These describe not only remote, rural areas. In Kenya, because of deep divisions, insurgent margins exist in other places and interstices existing within wider society and politics, showing how marginality is experienced socially and politically. The case of Al-Shabaab attacks and state security responses that target Kenya's Somali and Muslim populations is developed to critically review the 'external stresses' framing that is widely used by governments and multilateral institutions as a way to understand and thus address recent Islamist violence in sub-Saharan Africa. The counter-productive outcomes of Kenya's state security responses to Al-Shabaab attacks – likened to 'killing a mosquito with a hammer' by some – reveal the group's effectiveness at exploiting the country's longstanding internal tensions, marginalisation and use of state violence against Somalis. This enmeshing of Al-Shabaab with legacies of unequal citizenship rights and adverse state security responses raises the risk of violence and poses the need for different peacebuilding responses that pay heed to security in the vernacular.

The article is based on historical as well as qualitative analysis, including interviews carried out in Kenya in June and July 2014 with journalists, human rights officials and other civil society actors, security and counter-terrorism analysts, foreign diplomats and local researchers. Some of these represented state perspectives whilst others were part of or closely aligned with Kenyan Somali and Muslim populations. National and international print and online media were used to help construct state security discourses, as well.

The next section details the external stresses framing that Kenyan state security actors have used to explain and respond to worsening violence that involves Al-Shabaab. Section three provides a deeper context of the state's security and political relations with Somali society over time, which provides a framing to understand recent trends in violence and the home-grown threat that are detailed in section four. Kenya's state security responses are discussed in section five before the article concludes.

## Networked violence and external stresses

A growing number of works seek to understand the role of 'external stresses' in situations of violence and political instability. The *World Development Report 2011* (WDR) gives examples including military invasion, external support for domestic rebels, cross-border conflict spillovers, international terrorism and criminal networks, price shocks and the impacts of climate change. It posits that the risk of conflict and violence arises from these stresses interacting with 'internal stresses', such as low income levels, youth unemployment, corruption and human rights abuses. Mitigating the negative effects of external stresses, it holds, requires building 'buffering institutions' at the national level in the affected countries – to enhance capabilities for coping with stress – and enhancing cooperation with their regional neighbours: 'Countries and subnational areas with the weakest institutional legitimacy and governance are the most vulnerable to violence and instability and the least able to respond to internal and external stresses'.<sup>1</sup>

A weakness in this approach is its underlying premise that 'internal' and 'external' stresses are somehow separate and distinct. However, Schultze-Kraft shows that the issue is not merely that internal and external stresses combine to generate stress but that they 'actually *relate to and reinforce one another*, for they are interconnected through *transnational* actors and processes'.<sup>2</sup> Further, states are not only overwhelmed by these transnational dynamics; rather, they actively shape these, as well: 'powerful political and military elites and their patronage-dependent constituencies are actively engaging in processes of ... globalization, seeking to appropriate rents to maintain positions of power and influence through patronage and clientelism'.<sup>3</sup> He shows that interrelated internal, external and transnational actors drive these processes, which can promote the interests of state and non-state groups both within and outside the country that is thought to be stressed.

This enmeshing is evident in Kenya, where inequalities in citizenship for the country's Somali populations, as well as Muslims, has historical roots and has been part of the state formation process leading up to contemporary state security responses to Al-Shabaab attacks. Seen from the perspective of Kenya's political and security establishments, the country's peace and security are undermined by external stress arising from spillovers from Somalia's long-running conflict. This builds on a pedigree of thinking and practice within Kenya's security institutions that regards Somalis, in particular, whether from Somalia, or Kenyan Somalis, acting as part of or through transnational terrorist networks, as 'outside' threats to peace and security. Take for example comments by John Sawe, Kenya's former ambassador to Israel, following the bombing in 2002 by militants of the Paradise Hotel in Kikambala and attempt to shoot down an Israeli commercial plane, 'There is no doubt in my mind that al-Qaëda is behind this attack, because we have no domestic problems, no terrorism in our country, and we have no problem with our neighbours, no problem whatsoever'.<sup>4</sup> Announcing an eminent security crackdown in Nairobi's Eastleigh neighbourhood in 2011 to flush out suspected Al-Shabaab members, then Assistant Internal Security Minister Orwa Ojode remarked, 'This is a big animal with its head in Eastleigh, Nairobi and its tail in

<sup>1</sup>World Bank, 'World Development Report 2011: Conflict, Security, and Development'. (Washington, DC: International Bank for Reconstruction and Development/The World Bank, 2011): 7.

<sup>2</sup>Markus Schultze-Kraft, 'External Stresses' and Violence Mitigation in Fragile Contexts: Setting the Stage for Policy Analysis', Addressing and Mitigating Violence (Brighton: IDS, October 2013): 8.

<sup>3</sup>Schultze-Kraft op. cit.

<sup>4</sup>Anneli Botha, 'Radicalisation in Kenya Recruitment to Al-Shabaab and the Mombasa Republican Council' (Pretoria: Institute of Security Studies, 2014): 3.

Somalia.<sup>5</sup> Strongly derided by Kenya's Somali leaders and politicians at the time, Ojode's comments were widely publicised in Kenya because they so transparently revealed the optic informing Kenya's approach to reducing the spread of violent insecurity.

This approach distances the terror problem, favouring security, policing and legal measures that target 'outside' forces that are thought to spread violence. Critically, it underplays home grown radicalisation,<sup>6</sup> thereby missing the intricacies of how transnational actors like Al-Shabaab reinforce and entwine with 'internal' tensions and situations. Following a spate of kidnappings of aid workers and tourists, in October 2011, 1500 Kenya Defence Forces personnel crossed the border into parts of southern Somalia, marking the beginning of a military campaign dubbed Operation Linda Nchi, or 'Protect the Nation'. Explaining Kenya's right to defend itself under international law, Internal Security Minister at the time, George Saitoti, emphasised, 'Kenya has been and remains an island of peace, and we shall not allow criminals from Somalia, which has been fighting for over two decades, to destabilise our peace. The kidnappers in Lamu who sneaked in and ran away must not be given a chance again.'<sup>7</sup> The official justification of the operation built on a securitisation of the steady increase in numbers of Somali refugees in Kenya from the 1990s onwards. The perception of risk evolved around localised insecurity issues across the porous border, poaching and the illegal trade in arms. Perceptions of threat were also influenced by the Global War on Terror launched in the aftermath of the September 11th attacks.<sup>8</sup> Somali refugees became the 'local and regional epitome of contemporary global terrorism.'<sup>9</sup> From 2006, a new wave of refugees to Kenya followed US-backed military action by Ethiopian proxy forces against the Islamic Courts Union (ICU) in Somalia.<sup>10</sup> The Kenyan government responded by shutting the border in 2007 due to increased insecurity in the area and fear that ICU fighters might cross the border.<sup>11</sup> Refugee registration services were suspended, leaving thousands stranded and hundreds of asylum seekers forcibly returned by Kenyan authorities. Kenya again shut the border when it embarked on Operation Linda Nchi and stopped registration of new refugee arrivals citing security reasons.

Yet, although buffering Kenya from Al-Shabaab attacks was the official reason for Kenya's military intervention, diplomatic cables released by Wikileaks lend credence to the theory that preparations were already set for the Operation and that the tourist abductions were just a trigger for the intervention. The cables showed that Kenya had lobbied for US support of the 'Jubaland Initiative' since 2010. This sought to establish a separate pseudo-state in southern Somalia, the idea being that it severs ways for Al-Shabaab to infiltrate Kenya's borders by pushing the group back well into southern Somalia's hinterlands. Kenyan forces would enter southern Somalia, drive away Al-Shabaab, creating a buffer zone to allow the Transitional Federal Government to take control and increase its capacity to retain it.

<sup>5</sup>Standard, 'Minister Says Eastleigh the next Target in the Hunt for Al-Shabaab Militants', October 20, 2011.

<sup>6</sup>David M. Anderson and Jacob. McKnight, 'Kenya at War: Al-Shabaab and Its Enemies in Eastern Africa', *African Affairs* 114, no. 454 (January 1, 2015): 1–27.

<sup>7</sup>The Star, 'Security Alert at Kenya's Border Points, Says Saitoti', October 10, 2011.

<sup>8</sup>Jeremy Lind and Jude Howell, 'Counter-Terrorism and the Politics of Aid: Civil Society Responses in Kenya', *Development and Change* 41, no. 2 (March 2010): 335–53.

<sup>9</sup>Rose Jaji, 'Somali Asylum Seekers and Refoulement at the Kenya – Somalia Border', *Journal of Borderlands Studies* 28, no. 3 (2013): 355–68. Page 355.

<sup>10</sup>Anna Lindley. "Between a protracted and a crisis situation: Policy responses to Somali refugees in Kenya." *Refugee Survey Quarterly* (2011): 14–49.

<sup>11</sup>Human Rights Watch (HRW), 'Bring the Gun or You'll Die', 29/6/2009, <https://www.hrw.org/report/2009/06/29/bring-gun-or-youll-die/torture-rape-and-other-serious-human-rights-violations> (accessed February 17, 2014).

The Kenyan government thought that its military involvement in the Jubaland initiative would have a moderating influence on the risk of further Al-Shabaab violence. Yet, attacks have multiplied. Seen from the perspective of Kenya's Somali and Muslim populations that have been worst affected by Al-Shabaab violence in recent years, the military operation and a raft of other security responses in Kenya were the latest turn in a situation of persistent marginalisation, unequal citizenship and the use of state violence against minority populations.

### Seeing like a state: review of Kenya's relations with Somalia and its Somali population

The current relationship between Kenyan Somalis and the Kenyan state should be assessed in view of the longer history of state–society relations between the state and ethnic Somalis. The state's position on ethnic Somalis has entangled with its approaches to domestic security right from Kenya's independence in 1963. The alienation of the North Eastern Province (NEP), comprising the Somali-majority current-day Mandera, Wajir and Garissa counties, started during the early years of colonial rule. The colonial regime extended its control in the early twentieth century over the area that was then known as the Northern Frontier District (NFD). The regime enforced a form of military administration, implementing policies that effectively isolated the area from the rest of Kenya.<sup>12</sup> It made no efforts for the socio-economic and political integration of its population.<sup>13</sup> The colonial regime imposed further mobility restrictions and severed administrative control over the next few decades.<sup>14</sup> Political parties in NFD were banned and Somali resistance to these measures was harshly suppressed.

During the Lancaster House Constitutional Conference in 1962, Kenyan Somali representatives from NFD expressed their wish to secede from Kenya and join the greater Somalia, which had gained Independence on 1 July 1960. The outcome of a government-inquiry by an Independent Commission showed that 87% of the NFD population, Somali and non-Somali Muslims, were in favour of secession to Somalia.<sup>15</sup> The British government ignored this, however, and instead formed the NEP.

Disgruntled by the decision, the region's Somali population boycotted the 1963 elections. Armed groups started an insurgency known as the 'Shifta war' (1963–1967), which Somalia covertly supported.<sup>16</sup> The new Kenyatta government declared a state of emergency for NEP in December 1963 and sent military and paramilitary police units. Its counter-insurgency strategy included 'forced villagisation' of scattered communities<sup>17</sup>: an example of 'planned

<sup>12</sup>David M. Anderson, 'Remembering Wagalla: State Violence in Northern Kenya, 1962–1991', *Journal of Eastern African Studies* 8, no. 4 (2014): 658–76.

<sup>13</sup>Ogenga Otunnu, 'Factors Affecting the Treatment of Kenyan–Somalis and Somali Refugees in Kenya: A Historical Overview', *Refuge: Canada's Journal on Refugees* 12, no. 5 (1992).

<sup>14</sup>Otunnu, *op. cit.*; Neil Carrier and Hassan H. Kochoe, 'Navigating Ethnicity and Electoral Politics in Northern Kenya: The Case of the 2013 Election', *Journal of Eastern African Studies* 8, no. 1 (January 2, 2014): 135–52. The regime declared the area a closed district in 1926. This was followed by a Special District Ordinance, requiring Somali citizens to obtain special passes to leave the area (Otunnu 1992). The Special Districts (Administration) Ordinance (1934), together with the Stock, Theft and Produce Ordinance (1933), gave the colonial administrators extensive powers of arrest, restraint, detention and seizure of properties of 'hostile tribes'. The latter two ordinances also applied to Tana River, Lamu, Kajiado and Samburu districts.

<sup>15</sup>Otunnu, *op. cit.*

<sup>16</sup>Anderson, 'Remembering Wagalla'.

<sup>17</sup>Anderson, *op. cit.*



control' of a population.<sup>18</sup> An estimated 4000 Somalis were killed between 1964 and 1967, when the insurgency was halted.<sup>19</sup>

Yet, the relationship between Kenya and Somalia continued to be tense. Post-colonial governments maintained forms of military administration in NEP and reinforced many of the legal provisions that effected its isolation.<sup>20</sup> 'Collective punishment' was a key strategy of the military to control and discipline the population throughout the 1970s and 1980s. Colonial policies that allowed for such measures were maintained after Independence and therefore security forces could operate with little oversight.<sup>21</sup> After Somalia's intervention in the Ogaden war (1978–1979) in Ethiopia, the Kenyan government feared that Somalia might infiltrate NEP and stepped up its military presence.<sup>22</sup> The worst incidents occurred in 1980, 1984 and 1989 under President Moi.<sup>23</sup> The Wagalla massacre in February 1984 was the largest collective punishment operation that took the lives of between 500 and 3000 men from the Degodia clan.<sup>24</sup>

Later, the government launched operations to scrutinise the identity and origins of Kenyan Somali in NEP, in order to distinguish 'original' from 'foreign' Somalis and to expel the latter for security reasons. A major screening exercise carried out in 1989 under President Moi, with the purpose of distinguishing 'indigenous' Somali from 'alien' Somali refugees who had obtained Kenyan identity documents illegally, echoed Enloe's 'ethnic security maps', laying bare the ways that state security elites profile and target minorities in direct contradiction of their citizenship rights.<sup>25</sup> Kenyan Somalis were forced to demonstrate their membership of particular Somali lineages. The measures to verify their statements were highly controversial, in effect creating 'hierarchies of citizenship'.<sup>26</sup>

Military presence in NEP remained high after the state of emergency was lifted in 1991. As conflict spiralled following the collapse of the state in Somalia, and the Kenyan government expected spillover effects on its territory, Kenyan state security institutions subjected Somalis to surveillance and renewed screening, mistreatment and violence. Even after the identity requirements on Kenyan Somalis were removed in 1997, in practice, they have long since been subject to routine stop and searches by the police and coerced into paying bribes. So widespread is the practice of paying bribes to the police that Kenyan Somalis have referred to themselves as being 'human ATMs'.<sup>27</sup>

<sup>18</sup>James C. Scott, *Seeing like a state: How certain schemes to improve the human condition have failed* (Yale University Press, 1998).

<sup>19</sup>Daniel Branch, 'Violence, Decolonisation and the Cold War in Kenya's North-eastern Province, 1963–1978', *Journal of Eastern African Studies* 8, no. 4 (2014): 642–57.

<sup>20</sup>For example, through three Constitutional amendments: The third amendments vide Act No.14 (1965) altered parliamentary majority required for approval of a declaration of a state of emergency from 65% to a simple majority. The Fourth amendment vide Act No. 16 (1966) extended the President's Power to rule NEP by decree, extending this to the neighbouring Marsabit, Isiolo, Tana River and Lamu Districts. The sixth amendment vide Act No.18 (1966) enlarged the government's emergency powers by removing existing legislation relating to parliamentary control over emergency legislation and the Law relating to Public order.

<sup>21</sup>Anderson, 'Remembering Wagalla'. Actions were carried out with nearly complete impunity. The Indemnity Act (1970) protected state officials, including the army, from being held to account for state violence. This Act was only revoked in 2010.

<sup>22</sup>Otunnu, 'Factors Affecting the Treatment of Kenyan-Somalis and Somali Refugees in Kenya'.

<sup>23</sup>Otunnu, *op. cit.*; Anderson, 'Remembering Wagalla'.

<sup>24</sup>Anderson, 'Remembering Wagalla'. President Moi's regime silenced any account of the massacre and persisted in denial, which is why only estimates exist of number of victims. Campaigns for revealing the details accompanied by a truth-telling processes have increased since 2002.

<sup>25</sup>Cynthia H. Enloe, *Ethnic Soldiers: State Security in Divides Societies* (University of Georgia Press, 1980).

<sup>26</sup>Emma Lochery, 'Rendering difference visible: The Kenyan state and its Somali citizens', *African Affairs* (2012): 615–639.

<sup>27</sup>IPOA, 'Monitoring Report on Operation Sanitization Eastleigh Publically Known As "Usalama Watch"' (The Independent Policing Oversight Authority, 2014).

## **Ethnic Somali and Kenya's politics**

President Moi (1978–2002) formulated a strategy to include Somali leaders and he integrated several prominent Somali leaders, primarily Ogadeni, into his government and the military. It was an attempt to create patronage networks between the state, the Kenyan Somali leaders and their constituencies, in order to address resistance amongst ethnic Somali.<sup>28</sup> However, Moi's actions fuelled ethnic politics and divisions amongst the Somali clans in NEP. Other Somali groups viewed the elevation of select Ogadeni as a sign of favouritism and political dominance by particular Somali lineages.<sup>29</sup> Further, Somalis in government and the Kenyan military used their official positions to detain and deport members of rival Somali clans during the 1989 screening exercise.<sup>30</sup>

Dynamics in NEP indicated an integration into national politics after 2002 under President Mwai Kibaki's first government with certain candidates reaching out to (segments of) the NEP population, against the background of intensifying ethnic politics that pitted Somali groups against each other. In the 2007 and 2013 elections, politicians considered NEP more of a swing area.<sup>31</sup> In the run-up to the 2007 elections, Raila Odinga and his Orange Democratic Movement (ODM) campaigned for the Muslim vote in general and for NEP in particular (Mahmoud 2008). It signed a formal Memorandum of Understanding with the newly founded National Muslim Leaders' Forum in August 2007. ODM promised to give government appointments, redress marginalisation, and resolve citizenship issues. In response, the Kibaki government quickly appointed several Muslims to government positions and established a Presidential Special Action Committee in October 2007, including two prominent Somali members, which was to investigate Muslim concerns and make recommendations. However, the Committee's report was not made public.

These concerns played out against the backdrop of renewed targeting of Kenyan Somalis and Muslims following the US-backed Ethiopian military intervention in Somalia against the ICU fighters in late 2006. The fall out of the military intervention saw Islamists flee to Kenya, in part instigating a crackdown by Kenya's Anti-Terrorism Police Unit (ATPU). Hundreds were arrested and more than 100 renditioned to Somalia, renewing allegations of state security profiling and targeting of Somalis and Muslims more widely.<sup>32</sup>

In summary, the colonial regime as well as Kenya's post-colonial governments used various top-down strategies to establish a designed or planned social order.<sup>33</sup> Policies restricting the movement of Somalis, forced villagisation in certain areas of NEP, screening exercises, and policies allowing for military coercion and collective punishment were all part of the state's approach to systematically control a (segment of) its citizenry<sup>34</sup>. The strategies were in any event unsuccessful and opposed through Somali mobilisation, both through democratic

<sup>28</sup>Godwin R. Murunga, 'Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya', *African Studies From Below* (CODESRIA Book Series, Dakar) (2009): 198–232.

<sup>29</sup>Anderson, 'Remembering Wagalla'; Lochery, 'Rendering difference visible'.

<sup>30</sup>Lochery, *op. cit.*

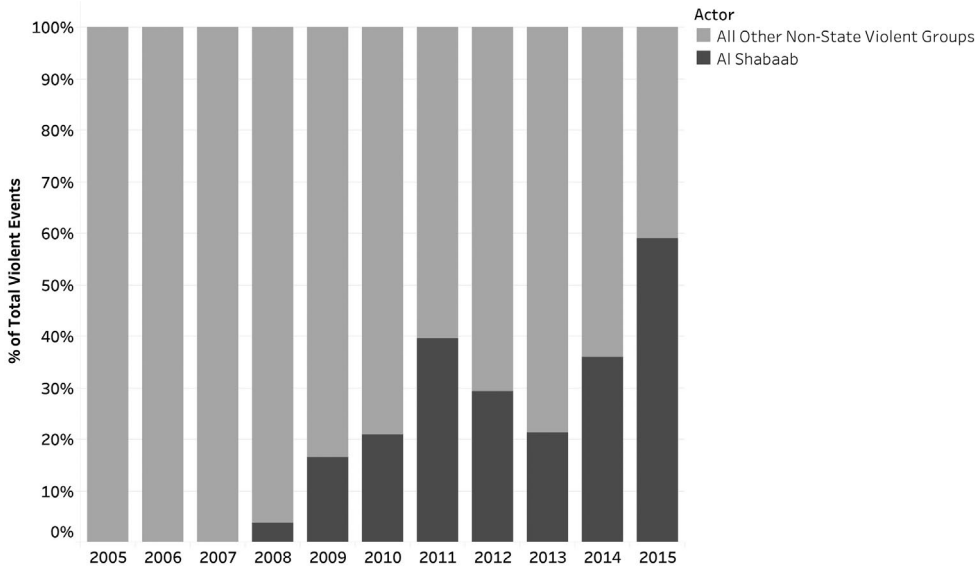
<sup>31</sup>Neil Carrier and Hassan H. Kochore, 'Navigating Ethnicity and Electoral Politics in Northern Kenya: The Case of the 2013 Election', *Journal of Eastern African Studies* 8, no. 1 (2014): 135–52.

<sup>32</sup>Beth Elise Whitaker, 'Reluctant Partners: Fighting Terrorism and Promoting Democracy in Kenya', *International Studies Perspectives* 9, no. 3 (August 2008): 254–71; Jeremy Lind and Jude Howell, 'Counter-Terrorism and the Politics of Aid: Civil Society Responses in Kenya', *Development and Change* 41, no. 2 (March 2010): 335–53.

<sup>33</sup>Scott, 'Seeing Like a State'.

<sup>34</sup>Francis B. Nyamnjoh, *Insiders and Outsiders: Citizenship and Xenophobia in Contemporary Southern Africa*, Africa in the New Millennium (Dakar: Codesria Books, 2006). There are parallels with other political contexts in southern Africa where certain population groups, particularly from immigrant backgrounds, are socially constructed as 'outsiders', legitimating the construction of unequal citizenship regimes for 'insiders' and 'outsiders'.





**Figure 1.** Percentage of all non-state violence attributed to Al-Shabaab in north-eastern and coastal counties (2005–2015).

means and through informal resistance. Yet, in the process of pursuing strategies to restrict, police and otherwise control Somalis, the state attempted to forge a Somali identity ‘from above’<sup>35</sup> and imagined – and presented – it as a largely criminal identity and security threat. The social construction of Somalis as a threatening presence has become imprinted in the state’s security thinking, justifying new security responses to recent Al-Shabaab violence. As the following sections explore, these responses, building on the construction of Somali and Muslim citizens as a threat, have diminished public attitudes of the state and hardened vernacular outlooks on security, providing ready fodder for Al-Shabaab’s campaign.

### Al-Shabaab in Kenya and the home-grown threat

Although ostensibly launched to enhance domestic security, the scope, scale and audacity of Al-Shabaab attacks have worsened since Operation Linda Nchi. What began as low-profile grenade attacks on citizens and then assassinations of police, religious and business figures has morphed into a far more threatening pattern of insecurity that is destabilising a wide area of Kenya’s north-eastern and coastal counties. Al-Shabaab violence in Kenya made international headlines when militants attacked Nairobi’s Westgate shopping centre, killing 67 people. Al-Shabaab claimed responsibility for the June 2014 massacre in Mpeketoni in Lamu County that left 60 dead. Weeks later, new raids on the 5th of July in Lamu and Tana River counties left over 20 dead. As before in the Mpeketoni attack, a heavily armed group came during the night, striking the local police station, torching homes and businesses while targeting men on a killing spree that was rumoured to last for hours. In April 2015, Al-Shabaab militants launched a pre-dawn attack of Garissa University College, killing 148.

<sup>35</sup>Murunga, ‘Refugees at Home?’

According to the Armed Conflict Location Event Database (ACLED), 206 attacks occurred between 16 October 2011 (the start of Operation Linda Nchi) and the end of 2015, with 839 reported fatalities over this period. Further, the highest number of fatalities were recorded in 2014 (290) and 2015 (276), indicating the effectiveness of the organisation's strategy to exploit internal tensions in Kenya to promote the spread of violence. The locus of attacks remains Kenya's north-east and coastal counties.<sup>36</sup> In these areas, Al-Shabaab was linked to less than 10 % of all incidences of violence recorded in 2008. This jumped to nearly 40% in 2011, dipping in 2013 when levels of violence around the elections spiked (drowning out attacks involving Al-Shabaab), before rising to 59% in 2015 (Figure 1).<sup>37</sup>

Observers note that responsibility for the attacks can be divided between those directed by Al-Shabaab's command structure in Somalia, by terrorist cells in Kenya, and by criminal organisations intent on exploiting the situation of insecurity in pursuit of political and business agendas.<sup>38</sup> Some differentiate between Al-Shabaab and extremists of various stripes who deploy the organisation's violent tactics in pursuit of a range of aims:

The Al-Shabaab threat level is high but this is mostly from Al-Shabaab sympathisers. They are taking advantage of the current insecurity to cause mayhem ... Note that I call them sympathisers and not Al-Shabaab because I think they do not believe in the ideology, only in the tactics they use.<sup>39</sup>

The incidence of copycat attacks or vendetta veiled by other violence is an important development that points to the enmeshing of Al-Shabaab with local politics and vernacular understandings of security. The greatest threat from Al-Shabaab is how it relates to and reinforces tensions precipitated by Kenya's domestic policies, politics and practices, particularly as they relate to uneven development patterns and the treatment of its Muslim populations. Whilst radicalisation is not a new phenomenon in Kenya, the challenge deepens in a context of a resurgent Al-Shabaab. The group's recruitment in Kenya can be traced back to its origins in 2006 following the demise of the ICU.<sup>40</sup> Al-Shabaab has also recruited former fighters belonging to a 2,500-men strong militia of Kenyan Somalis and refugees that Kenya mobilised and trained to fight in Somalia.<sup>41</sup> Many deserted and returned to Kenya after facing the reality of warfare in southern Somalia. Others remained in Somalia, later joining forces that seized control of Kismayo port, whilst others were recruited by Al-Shabaab. Kenya media reports note that fighters who have returned have quietly slipped back to Kenya with little or no support to demobilise and reintegrate.<sup>42</sup> A human rights official familiar with the militia explained:

A lot of local boys were recruited. Initially the idea was to use Kenyan Somalis. But then locals were recruited in Isiolo, Lamu and Garissa. They were trained by the KDF. But the posting was not properly managed, so many returned. In Mandera in 2012, 600 Garre had returned. The government knows these people but nothing was done to demobilise them. So part of the

<sup>36</sup>A region defined here to include Mandera, Wajir, Garissa, Lamu, Kilifi, Mombasa and Kwale Counties.

<sup>37</sup>ACLED data is coded from public sources; thus, attacks documented in confidential reports such as by security and intelligence agencies is not captured. Further, Figure 1 does not include unattributed attacks (i.e. those that are not claimed or attributed to Al-Shabaab). For these reasons the data presented in Figure 1 likely *under-estimates* the number of actual attacks carried out by Al-Shabaab.

<sup>38</sup>Abdullahi Boru Halakhe, 'To Prevent More Mpeketonis Kenya Must Define Somalia Exit Plan', *African Arguments Blog*, June 19, 2014.

<sup>39</sup>Interview with Kenyan government official, July 7, 2014.

<sup>40</sup>Interview with Kenyan Muslim leader, July 4, 2014.

<sup>41</sup>Human Rights Watch (HRW), 'Welcome to Kenya. Police Abuse of Somali Refugees', 17/06/2010. [www.hrw.org/reports/2010/06/17/welcome-kenya-0](http://www.hrw.org/reports/2010/06/17/welcome-kenya-0) (accessed February 17, 2014); International Crisis Group (ICG), 'Kenya: Al-Shabaab – Closer to Home', 102, 2014.

<sup>42</sup>How Poverty and Search for Identity Drive Youth into Terrorism', *Sunday Nation*, August 10, 2014.

problem was failures of the government to properly deal with it, and they come back to haunt the state ... The youth will tell you that they were trained from 8 months to 2 years, and how much they were paid.<sup>43</sup>

Further, the 2011 UN Monitoring Group Report on Somalia singles out the Muslim Youth Centre (MYC) at Pumwani Riyadhha Mosque in Nairobi as a recruitment and training centre for would-be Al-Shabaab fighters.<sup>44</sup> One of the MYC officials named in the UN report was picked to head Al-Shabaab's Kenya operations.<sup>45</sup> The MYC later emerged as Al-Hijra in 2012. Yet a year before then Al-Shabaab had around 500 Kenyans in the ranks of its mujahidin, most of whom were not recruited or trained by MYC or Al-Hijra. As the Kenyan government tightened regulatory controls on mosques and madrassas, recruitment became more diffuse and difficult to track. For example, entertainment halls, such as where young people watch European football matches, were targeted by recruiters in places like Garissa and Isiolo. Further, activist Salafi-jihadi clerics used websites and social media to spread their ideology amongst the Muslim faithful, enlisting new recruits who were on the whole Sufi (not Salafist). The magazine *Gaidi Mtaani* as well as videos such as 'Mujahideen Moments' feature Swahili-speaking Kenyan militants who emphasise themes such as the humiliation suffered by Muslims in Kenya, Christian 'occupation' of coastal land, revenge for the killing of prominent preachers, and the liberating potential of violence.<sup>46</sup> Kenyan and foreign intelligence services have alleged associations between Salafi-jihadi clerics and Al-Shabaab. Since 2012, a "dirty-war" of tit-for-tat killings<sup>47</sup> has escalated in the coastal counties of Mombasa and Kilifi but also in Nairobi,<sup>47</sup> implicating Kenyan security agencies in murderous, covert counter-terrorism operations, as explored below.

The June 2014 massacre in Mpeketoni in coastal Lamu County epitomises the evolving dynamic of Kenya's violent insecurity. Survivors and witnesses described the attackers as being a mix of Somalis, Arabs, English-speaking and local (Mijikenda) people. Many of the attackers spoke Kiswahili, with one local resident telling a Kenyan reporter, 'These people knew people by their names.'<sup>48</sup> Al-Shabaab's intent to recruit non-Somali Kenyans is evident in the fact that suspects in several past attacks were from the Mt. Kenya region and western highlands. For example, a July 2014 report of Kenya's National Intelligence Service copied to all police stations in Coastal counties identified Idris Kamau, a Kenyan of Kikuyu ethnicity, as the mastermind of the spate of terror attacks in Lamu and Tana River Counties in June and July.<sup>49</sup> A report into the Westgate attack tabled by a Joint Parliamentary Committee reported:

Certain segments of Kenya's Muslim youth are becoming more and more at a risk of radicalization and recruitment into extremist groups for various reasons. This is visible because it is not Somali nationals behind most of the terrorist incidents outside Somalia's borders but Kenyan nationals. Though Somalia provides a safe haven, training camps and opportunities for extremists to fight the 'enemies of Islam', al-Qaeda and al-Shabaab have executed attacks in the region by relying on Kenyan youth assistance and support. The Government should therefore strive for strategies that address the youth radicalization.<sup>50</sup>

<sup>43</sup>Interview with Kenyan researcher, July 2, 2014.

<sup>44</sup>UN Monitoring Group, 'Report of the Monitoring Group on Somalia Pursuant to Security Council Resolution 1916 of 2010', 18/07/2011. [http://reliefweb.int/sites/reliefweb.int/files/resources/Full\\_Report\\_1869.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_1869.pdf) (accessed March 6, 2014).

<sup>45</sup>Kenyan Takes Charge of Local Al-Shabaab Wing, *Standard*, January 17, 2012.

<sup>46</sup>Kenya at the Precipice: Al-Shabaab and the Coast Crisis, *Daily Nation*, July 18, 2014.

<sup>47</sup>International Crisis Group (ICG), 'Al-Shabaab – Closer to Home', 10.

<sup>48</sup>Kenyan Converts Return to Take Charge of jihadist killings, *Standard*, July 19, 2014.

<sup>49</sup>Police Unveil Names Behind Coast killings, *Standard*, July 12, 2014.

<sup>50</sup>Kenya National Assembly, 'Report of the Joint Committee on Administration and National Security and Defence and Foreign Relations on the Inquiry into the Westgate Terrorist Attack, and Other Terror Attacks in Mandera in North-Eastern and Kilifi in the Coastal Region', Republic of Kenya (2013), 16.

While awareness is growing of the need to address the problem of young people being drawn to extremist organisations, policy discussions tend to reify ‘radicalisation’, when in fact, it is a compound phenomenon with many disparate antecedents.<sup>51</sup> Ideology is part of the radicalisation story in Kenya. Observers trace the radicalisation of Kenya’s young Muslims in part to the deepening influence of Wahhabism, an orientation of Salafism that informs much of the core theological outlook of Jihadi groups like Al Qaeda and Al-Shabaab.<sup>52</sup> Wahhabi influences can be traced back to the 1970s but really took root in Kenya throughout the 1990s through the work of Saudi-funded charitable organisations like Al-Haramain and the Young Muslim Association, who laid a foundational network of madrassas and orphanages in northern Kenya and the Coast. Many madrassa graduates received scholarships to study in Saudi Arabia, Pakistan amongst other places and they returned to Kenya, where they set up other madrassas and charities.<sup>53</sup> Matters came to a turn in 2006, when many madrassa teachers and students travelled to Somalia to fight alongside the ICU.

Yet, more than ideology, uneven socio-economic development and the historic marginalisation of some Kenyan populations has fuelled extremist leanings, as the following quotes highlight:

In Lamu there are historical injustices. Mzee Kenyatta created an avenue for his own people to displace the indigenous in Lamu. During the Kibaki era, the Kikuyu got an upper hand. They got access to financial institutions and infrastructure. This has created a huge division ... With Al-Shabaab now coming across the border, and the injustices present at the Coast, the resources that are available, people want a hand. Al-Shabaab is recruiting off of Swahili land grievances, it is arming them, giving them an ideology that ‘your land has been taken away’.<sup>54</sup>

I think 50% of attacks are carried out by local jihadi groups in northern Kenya and the Coast. Al-Shabaab is basically instrumentalising grievances. It’s work is much easier, it realises. It doesn’t even need to use its own resources. This is a very conducive territory for them to operate – to seek shelter, hide, and find individuals who sympathise with their aim of destabilising the state.<sup>55</sup>

In a similar vein, Anderson and McKnight identify the risk of Al-Shabaab evolving into a domestic insurgency at Kenya’s margins, ‘Al-Shabaab is likely to exploit the deeply rooted disaffection amongst the peoples of the Kenya coast and north-east in gaining recruits to its banner. These affiliates may only see Al-Shabaab’s black standard as a temporary flag of convenience, but that may be enough to incubate and evolve an Al-Shabaab-led insurgency within Kenya’.<sup>56</sup>

That far more complex dynamics are at play in recent violence than infiltration by Al-Shabaab operatives came to the fore during the June and July 2014 attacks in Lamu and Tana River Counties. Claiming responsibility for the first attack in Mpeketoni, Al-Shabaab proved deft at weaving together local grievances as well as regional cleavages. A statement explained why the insurgents raided Mpeketoni – a settlement scheme established in the 1960s for Gikuyu from the central highlands – because ‘it was originally a Muslim

<sup>51</sup>Anneli Botha, ‘Political Socialization and Terrorist Radicalization Among Individuals Who Joined Al-Shabaab in Kenya’, *Studies in Conflict & Terrorism* 37, No. 11 (2014): 895–919.

<sup>52</sup>International Crisis Group (ICG), ‘Al-Shabaab – Closer to Home’, 8.

<sup>53</sup>*Ibid.*

<sup>54</sup>Interview with Kenyan-Somali professional, July 9, 2014.

<sup>55</sup>Interview with Kenyan journalist. July 2, 2014.

<sup>56</sup>Anderson and McKnight, ‘Kenya at War’, 3.

town before it was invaded and occupied by Christian settlers,<sup>57</sup> adding that the attack was ‘revenge for the presence of Kenyan troops in Somalia and the killing of Muslims.’<sup>58</sup>

Weeks later, new raids on 5 July on the settlements of Hindi in Lamu and Gamba in Tana River left over 20 dead. Less than a day after the raids, Deputy Inspector General of the Police, Grace Kaindi, claimed in a press briefing that the outlawed Mombasa Republican Council (MRC) was behind the attacks. This was despite a broadcast on an Al-Shabaab-affiliated radio station which stated that it was responsible for the Hindi attack (no group immediately came forward to claim responsibility for the Gamba attack). Explaining the police thinking, Kaindi revealed that a board was placed at a road junction, with the following message scrawled in chalk:

Raila Tosha (Raila is enough, the one who should lead)  
MRC munalala (MRC is sleeping)  
Waislamu Ardizenu (Muslims, it's your land)  
Sina nyakuliwa (Your land is being taken away)  
Amkeni mupigane (Wake up and fight)  
you invade Muslim county  
and you want to stay in peace  
Kick Christians out Coast  
Uhuru down'

The attacks in Lamu and Tana River – more than retribution for Kenya's military operation in southern Somalia – exposed Al-Shabaab's efforts to square long-standing marginalisation and historic injustices in Kenya's coastal areas with the organisation's regional jihadist agenda. They revealed the ease with which Al-Shabaab could exploit simmering sectarian divisions and local political disputes through providing arms, other tactical support, salaries for fighters, as well as an ideological edifice on which deeply held grievances could hang. Thus, the threat of Al-Shabaab was and remains its competences and capacities to exploit internal stresses in Kenya apparent in inequalities in citizenship and development, the use of state violence and targeting of Somalis and Muslims in state security practices.

## Kenya's security responses to Al-Shabaab violence

Whilst Al-Shabaab has grounded its Kenya campaign in the country's internal tensions and divisions, Kenya's state security responses are conditioned by a logic that Al-Shabaab violence is an external stress that can be suppressed and contained. These responses, including Operation Linda Nchi, have only encouraged the Al-Shabaab threat to grow, whilst undermining the security of Somalis and Muslims.

### Increased policing of Muslim communities

Kenya's wider strategy to prevent Al-Shabaab attacks involves measures to identify and remove individuals who are in the country illegally, continuing a form of 'ethnic security mapping' and profiling seen during the Shifta conflict and up through the 1990s. In April 2014, Kenya's Internal Security Minister launched Operation Usalama Watch (Operation Peace Watch) to remove individuals – mainly Somalis – who were in the country illegally

<sup>57</sup>Al-Shabaab Changes Tack to Directly Take on KDF in Lamu'. *East African*, July 26, 2014.

<sup>58</sup>Kenya Attacks: Al-Shabab Raid Village Near Mpeketoni', *BBC News*, June 17, 2014.

and believed to be behind the attacks. Over 6,000 police officers and soldiers deployed in Nairobi's Eastleigh neighbourhood. Detainees were incarcerated at police stations throughout Nairobi, as well as in the city's Kasarani sports stadium, where they were screened by officials from the National Registration Bureau and Department of Refugee Affairs. Some 82 were deported to Mogadishu, including children and UNHCR-registered refugees whilst others were sent to refugee camps.<sup>59</sup> However, others languished in custody months after being detained because the state had failed to provide funds to transport them back to Somalia.<sup>60</sup>

Kenya's Somali and Muslim leadership strongly criticised Usalama Watch, which some likened to a 'state-led profiling of the Kenya-Somali community'.<sup>61</sup> Echoing this, a Kenyan Muslim leader remarked: 'Somalis are being harassed all the time. It is no longer a security issue but one of extortion and it does not matter if one has a document. The police are on the spot saying our IDs are fake but it becomes genuine when one pays the money'.<sup>62</sup> A fact finding mission by the Independent Policing Oversight Authority (IPOA) found that police personnel failed to observe human rights protections and demanded bribes from the detainees ranging between 1000 and 20,000 Ksh.<sup>63</sup>

Extended and indefinite curfews were also imposed in a number of north-eastern counties, including Garissa, Wajir, Mandera and Tana River. Police and Kenyan military service personnel are alleged to have exploited the curfew to extort and harass residents if they were not carrying their government-issued identity cards. One Mandera resident commented, 'Many of the people who are arrested and cannot pay are taken into custody are accused of having ties with the Al-Shabaab'.<sup>64</sup>

Rather than providing protection, state security practices like Usalama Watch, deployment of military in the marginal frontiers and extended curfews are modelled on the assumption that these populations threaten Kenya's peace and security. Yet, Kenyan Somalis and Muslims also feel exposed and deeply vulnerable to terrorist violence, as a Muslim leader commented, 'We met with the President ... We told him that Usalama Watch is a bad operation that will not work and you cannot hold people in a camp without charge. We gave him proposals on what needs to be done including strengthening the National Intelligence Service, and employing Muslim members to infiltrate the community and stop making Muslims feel like suspects yet we are also targets'.<sup>65</sup>

### **Extra-judicial killings**

Kenya's security forces have been accused of being behind a wave of assassinations and forceful disappearances of ordinary Muslims, businessmen, traders, clerics and activists. The state-funded Kenya National Commission on Human Rights (KNCHR) has accused security agencies of being behind the extrajudicial killings of 25 people and enforced disappearances of 81 others during counterterrorism operations.<sup>66</sup> Human Rights Watch documented at

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<sup>59</sup>IPOA, 'Monitoring Report on Operation Sanitization Eastleigh Publically Known As "Usalama Watch"'.  
<sup>60</sup>'Illegal Visitors Still Held 4 Months Later', *The Star*, August 11, 2014.

<sup>61</sup>Boru Halakhe, 'To Prevent More Mpeketonis Kenya Must Define Somalia Exit Plan'.

<sup>62</sup>Interview with Kenyan Muslim leader. July 4, 2014.

<sup>63</sup>'29 Police Officers Probed for Abuses', *Daily Nation*, July 14, 2014.

<sup>64</sup>Interview with resident. 21 March 2016.

<sup>65</sup>Interview with resident.

<sup>66</sup>Kenya National Commission on Human Rights, 'The Error of Fighting Terror with Terror', September 15, 2015.



least 34 cases of disappearances between 2014–2016 in Nairobi and in north-eastern Kenya, alleging the involvement of the Anti-Terrorism Policing Unit (ATPU) and KDF in the disappearances.<sup>67</sup> There has been no conclusive investigations resulting in arrests and the prosecution of the killers or those who have paid them. The government has also denied its security forces are responsible for the disappearances and killings.

Failure to hold any one to account has deepened mistrust and tension between security agencies and Muslims. Lack of accountability has led to conclusions that security personnel resort to extrajudicial killings of suspects because of existing failures to gather evidence and secure witnesses to testify in court.<sup>68</sup> A Kenyan researcher who has investigated the killings explained, ‘The state response (to the threat of attacks) has been abusive and extreme. Excessive and unnecessary force is used. The investigative capacity of the police is weak; the state has not been able to present strong cases that can withstand rigorous scrutiny in courts. Because it fails to convict these people, it instead reverts to targeted killing.’<sup>69</sup>

### **Crackdown on refugees**

Over the years, Kenyan politicians and government officials have blamed insecurity on, and attributed specific attacks to, the country’s refugee population, which the UN estimates is over 80% Somali (UNHCR, 2016).<sup>70</sup> As Al-Shabaab attacks worsened since 2011, political leaders have on several occasions singled out Dadaab as a concern, allegedly because it provides a haven for Al-Shabaab to take cover and seek recruits. In December 2013, the Kenyan government reached a ‘voluntary repatriation’ agreement with the UNHCR and the federal government of Somalia. In March 2014, Kenya’s then Interior Minister, Joseph Ole Lenku, ordered all refugees residing outside Dadaab and Kakuma (Kenya’s other UNHCR-operated camp for refugees) to immediately return to the camps where they are officially registered. The directive further ordered the immediate shutting of all refugee registration centres in urban areas including Nairobi.

Up to September 2016, a total of 30,731 Somali refugees from Dadaab went through the voluntary return process; of these, 24,630 returned in 2016 alone as the process accelerated under pressure from Kenyan authorities. In May 2016, the Kenyan government announced plans to close the Dadaab camps within a year and to repatriate hundreds of thousands of Somalis. Announcing the closure, Kenya’s Interior Minister Joseph Nkaissery stated, ‘For reasons of pressing national security that speak to the safety of Kenyans in a context of terrorist and criminal activities, the government of the Republic of Kenya has commenced the exercise of closing Dadaab refugee complex.’<sup>71</sup> At the same time, the government also moved to disband the Department of Refugee Affairs (DRA), which had been tasked with registering and managing the refugee population. By evoking security threats and the risk of further Al-Shabaab attacks, the government won domestic political support for its plans to close Dadaab. Others saw the move as an attempt by Kenya’s government to win greater

<sup>67</sup>Human Rights Watch (HRW), ‘Deaths and Disappearances: Abuses in Counterterrorism Operations in Nairobi and in Northeastern Kenya’, 19/07/2016. <https://www.hrw.org/report/2016/07/19/deaths-and-disappearances/abuses-counterterrorism-operations-nairobi-and> (accessed September 5, 2016).

<sup>68</sup>Open Society Foundations, ‘We’re tired of taking you to the court’: Human rights abuses by Kenya’s Anti-Terrorism Police Unit’, 2013, 47.

<sup>69</sup>Interview with Kenyan researcher. July 2nd 2014.

<sup>70</sup>United Nations High Commissioner for Refugees (UNHCR), ‘Kenya Comprehensive Refugee Programme 2016: Programming for Solutions’, 2016.

<sup>71</sup>Kenya Says It Will Shut World’s Biggest Refugee Camp at Dadaab, *The Guardian*, May 11, 2016.

international assistance for hosting refugees.<sup>72</sup> After the United States pledged millions to support refugee operations in Kenya, Nkaissery announced a softening of plans to close the camp, which were postponed until Somalia stabilises. Regardless, Kenya's political leaders still pressed the case that the camps posed a security threat. For example, three female attackers shot dead whilst attempting to detonate explosives at Mombasa central police station in September 2016 were alleged to have Dadaab connections. Speaking after the foiled attack, Foreign Affairs Minister Amina Mohamed told media, 'We are doing this [closing Dadaab] because of our own security. Let's close the camps and see what happens. We'll then see if the evidence we have presented was concrete or not.'<sup>73</sup>

### **Security laws amendments**

The Kenyan government has pushed for a number of changes in security architecture that seek to consolidate security powers around the Executive. In December 2014, parliament passed a hastily drafted Security Laws (Amendment) Bill 2014 which President Kenyatta said 'gives security actors a firm institutional framework for coherent cooperation and synergy'. The bill was strongly opposed by the opposition CORD coalition as well as civil society groups who argued that it violated the constitution and was an affront to the bill of rights. Following a petition by CORD and the Kenya National Commission on Human Rights (KNCHR), the High Court nullified application of eight sections of the Act saying they raised concerns over human rights, a ruling that was upheld by the Court of Appeal.<sup>74</sup> The nullified sections included a requirement to seek police permission before publishing images of terrorism victims. Sections imposing jail terms of up to three years and hefty fines for reports deemed to undermine police investigations on terrorism were also suspended. Section 20 of the Act which amended the criminal procedure code was declared unconstitutional for being in conflict with the right to be released on bond or bail on reasonable conditions.

The Security Laws (Amendment) Bill reflected internal power struggles and personal differences amongst security bosses over the distribution of security powers as well as President Uhuru Kenyatta's attempts to roll-back reforms that followed Kenya's 2010 constitution. Yet, it is questionable the reforms will do anything to address lapses in Kenya's internal security. These include weak coordination and poor relations between intelligence and policing departments, which have been blamed for the failure of security agencies to prevent several attacks in recent years. Prior to the Westgate attack, the National Security Council, chaired by the President, was told of plans to attack key buildings in Mombasa and Nairobi between 13 and 20 September and concerns were also raised with the National Security Advisory Committee, which prepares intelligence briefings for the NSC.<sup>75</sup> At the time, the Israeli Embassy in Nairobi raised concern that Israeli and Jewish business interests – including Westgate – could be targeted during the Jewish holidays in September. The intelligence was not acted upon. Further, police ignored five intelligence reports issued

<sup>72</sup>'Refugees Shouldn't Be Bargaining Chips', Ben Rawlence, *New York Times*, May 17, 2016. <http://www.nytimes.com/2016/05/17/opinion/refugees-shouldnt-be-bargaining-chips.html> (accessed October 11, 2016).

<sup>73</sup>'Women Killed in Mombasa Police Station Attack Had Dadaab Camp Links – Amina', *The Star*, September 21, 2016.

<sup>74</sup>Republic of Kenya, 'Petition No. 628 of 2014'.

<sup>75</sup>'Did Karangi, Ministers Ignore Terror Warning?' *Daily Nation*, September 27, 2014.

before the Garissa University attack, including one issued just 24 h before the ambush.<sup>76</sup> A report by the National Assembly's Committee on Administration and National Security found that the attack would have been thwarted had the police acted on the intelligence.<sup>77</sup> The National Intelligence Service is said to have warned of the attacks in Mpeketoni and Maporomoko three days prior to the massacre, but the warning was not acted on by local security chiefs and the police. The message was also reportedly passed on to the Lamu County security and intelligence committee.<sup>78</sup> A report by Independent Policing Oversight Authority found that the security operation following the massacre was chaotic because different units of the police could not agree on a joint counter-offensive, giving the fleeing assailants room to carry out a second attack.

## Conclusion

Networked, transnational forms of violence pose a significant threat to peace and security in a number of sub-Saharan African countries. Governments reason that external stresses – including the spillovers of conflict and political disorder in neighbouring countries, or international terrorist and criminal networks – are to blame. Such thinking is evident in state security responses that are shaped by a perceived need to stamp out and contain such threats. The spread of violence involving Al-Shabaab in Kenya highlights the limitations of this analysis and the need to engage with vernacular understandings of security. Kenya's security responses to Al-Shabaab violence fit a long pattern in how the state responds to perceived external stresses on its peace and security. Kenya, like other SSA countries experiencing violence by militant Islamist groups, is not overwhelmed by external, transnational dynamics. Rather, this article shows that it is the entwining and mutual reinforcement of internal and external stresses through transnational actors and processes that threaten its peace and security. In Kenya, internal stress relating to state-led planning of social order built on unequal citizenships and the use of state violence, enmesh with the external threat of Al-Shabaab, producing the conditions for insurgency and violence to spread at the margins. State security responses, informed by a logic that 'others' Somalis in particular, as well as Muslims and other minority groups, as threatening, reinforces vernacular understandings of marginal populations that the state itself contributes to their insecurity and undermines opportunities for building peace. As one Kenyan-Somali put it, state security responses targeting Somalis compare to 'killing a mosquito with a hammer', a form of collective punishment that drives a deeper wedge between Somalis and the state.<sup>79</sup>

The threat to Kenya's peace and security is intimately tied up with the legacies of earlier state violence and marginalisation of certain regions and populations, particularly Somalis and other coastal populations. Stirring anxiety and fear in Kenya is integral to how Al-Shabaab seeks to advance its regional ambitions in the Horn of Africa. Whilst Al-Shabaab remains a considerable threat to regional peace and security, the aftermath of its attacks in Kenya show that the organisation's greatest impact is to unmask the country's

<sup>76</sup>Kenya National Assembly, 'Report of the Committee on Its Investigations into the Garissa University College Terrorist Attack', Republic of Kenya, 2015.

<sup>77</sup>'Kenya "Ignored Garissa University Raid Intelligence". *BBC News*, April 30, 2015.

<sup>78</sup>'Spy Agency Warning on Attack Was Ignored', *Daily Nation*, June 17, 2014; 'Uhuru Blames Massacre on Tribalism, Hate Politics', *Daily Nation*, June 17, 2014.

<sup>79</sup>Interview with Kenyan Somali professional. July 2, 2014.

deep divisions. With minimal resources, it has crawled under the skin of Kenya's domestic politics, deftly picking at regional and ethnic divisions as well as exploiting the existence of longitudinal continuities in how the state crafts a social and political order that marginalises many, diverse areas and populations. Deeply seated injustices and a sense of marginalisation amongst Kenya's many minority ethnic and religious groups have provided fertile ground for Al-Shabaab to localise its Jihad at Kenya's margins. Seen from the perspective of security in the vernacular, the current threat to peace and security arises from a longer trajectory of state–society relations rather than as something solely external connected to the advent of transnational Islamist militancy.

The implication of this analysis for peacebuilding and stemming Al-Shabaab attacks in Kenya is to understand how violence and security are seen and experienced at the margins. The legitimate needs of Kenya's citizens intimidated by Al-Shabaab violence, whilst providing support for state interventions, contrasts with the largely ineffective and outright counter-productive targeting of Somalis seen in Operation Usalama Watch. Further, it has diminished the security of Kenya's Somali and Muslim populations that have been most exposed to Al-Shabaab attacks. Still, the uncomfortable reality is that there has been some public support for security crack-downs, and initially for Operation Linda Nchi, as well. The 'securitisation of the Somali presence' affects the attitudes towards Somalis in everyday life,<sup>80</sup> revealing that the sense of being a 'marginalised identity'<sup>81</sup> does not stem from state interventions alone. Equal citizenship is as much about state–society relations as it is about citizen–society relations. Guaranteeing equal citizenship rights for all Kenyans, following through on police reforms, and ensuring accountability in state security practices are fundamental parts of a wider peacebuilding approach that could heal both state–society and citizen–society tensions and reduce the Al-Shabaab threat. However, for the moment, a lack of political will, combined with existing levels of public support for a harder security approach, presage further violence at the margins.

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<sup>80</sup>Botha, 'Radicalisation in Kenya Recruitment to Al-Shabaab and the Mombasa Republican Council'.

<sup>81</sup>Sam Hickey, 'Caught at the Crossroads: Citizenship, Marginality and the Mbororo Fulani in Northwest Cameroon', in *Making Nations, Creating Strangers* (Brill, 2007), 81–104.

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