

Assessing The Effectiveness Of Intelligence Gathering And Sharing (IGS) In Countering Violent Extremism (CVE) In Kenya

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Abstract: Despite Kenya's continuous efforts to streamline intelligence gathering and sharing (IG & S) to help curb transnational terrorism, debates continue to range on its effectiveness within the context of increased global terror threats. The purpose of this paper is to appraise the effectiveness of intelligence gathering and sharing as a counterterrorism strategy in Kenya. The paper begins by identifying main types of intelligences applied to curb transnational terrorism in Kenya; progresses to assess the contribution of different types of intelligence in curbing transnational terrorism in Kenya; analyze the effectiveness and or ineffectiveness of intelligence gathering and sharing in curbing transnational terrorism in Kenya; and finally examines the challenges undermining the use of intelligence in curbing transnational terrorism. An exploratory research design was applied where data was collected and analyzed using the mixed methods approach from disciplined and civilian components. Findings revealed that most of Kenya's Intelligence gathering and sharing (henceforth abbreviated as IG & S) use different types of intelligence. IG & S agencies largely handle human intelligence and signals intelligence to confront transnational terrorism. The use of IG & S is fundamentally contributing to the fight against terrorism in the country but it is confronted by several conspicuous challenges that need to be addressed. The study concludes by noting that while efforts at reinvigorating IG & S have borne fruits more needs to be done especially with regard to precision of the target of anticipated attack and timeliness of the intelligence gathered and dispatched to other security agencies.

Keywords: Intelligence, Intelligence gathering and sharing, Transnational terrorism, Counterterrorism

I. INTRODUCTION

Although terrorism has continued to be a major security threat drawing a global attention over time, the term 'terrorism' is yet to get a universally accepted definition. Nasser-Eddine et al. (2011) elaborates on the definition by the Federal Bureau of Investigation (FBI) in the United States of America (U.S) noting that it entails using violence illegally against people or property with the intent of intimidating or coercing a government, civilians, or any other party in furthering social or political motive(s). Enders, Sandler and Gaibulloev (2011) identify five distinguishing features of

transnational terrorism (TT): perpetrators come from a country different from the victims' country; terrorists trespass international territorial boundaries to execute attacks; terrorists launch attacks directed at foreign envoys; terrorism events which commence in a particular state end in a different state; and terrorists targeting international peacekeeping missions or international organizations. Sandler (2015) further identifies distinguishing components of terrorism as use of violence and social or political goal which militants seek to further through dreadful acts of violence to intimidate their target audience.

Terrorism negatively impacts a nation's economy by among others, death, deterring growth and destruction of

property. It is thus critical to ensure effectiveness of the strategies put in place to curb it. States individually or collectively have developed various counterterrorism strategies including inter alia, the use of diplomatic power, economic and financial power, information, law enforcement and military power. Among the widely adopted strategies is intelligence gathering and sharing (Martin, 2016). Intelligence refers to information that has been processed so that it contains a particular meaning for a given recipient (Flavius-Cristian & Andreea, 2013).

By definition, intelligence encompasses both spying and espionage (Ndenda Midred, 2006). It varies in meaning among peoples and governments. Overtime, intelligence has come to denote organized information and the analytical processes. IG & S in counterterrorism involves any secret information, together with the activities involved in producing or procuring it, designed to ensure and or enhance national and global security (Martin, 2016). Flavius-Cristian and Andreea (2013) concur that intelligence is the core in fighting against terrorism as it directs law enforcement activities, concentrates undercover operations and helps to inform the planning of military activities. Intelligence gathering is done for a state by agencies set by the government, where the government's executive arm is the principal recipient and user of the intelligence. However, this is not a preserve of the government agencies as civilian components continue to be actively engaged through a multi-dimensional and multi-agency approach. This inter-operability between the disciplined and civilian components has led to interdiction of terrorists before they get their target although hardly acknowledged.

As terrorism threat has continued to change over time, countries have been making efforts to advance their IG & S mechanisms. The advent of IG & S in Africa can be traced to the colonial period where its main role was to protect colonial interests (Hutchful, 2009). Long distance traders would pass intelligence on areas they trans-versed. This role was later taken over by colonial administrators who appointed locals to perpetuate their interests after giving them elementary education. The perception of associating colonialism and the Police with intelligence collection did not endear it to the local people as they saw a window of perpetuating oppression. IG & S in Kenya is dynamic and have evolved overtime with different regimes using different strategies to protect state centric interests. A major change was done in the structure and command of the Special Branch of the Kenya Police Service whereby over time, SB became independent of KPS and was charged with the responsibility of handling all issues related to intelligence and by 1986, the SB was granted a presidential charter to become Directorate of Security Intelligence (DSI) (Boinnet, 2009).

As the national security challenge continued to increase with the rise in the threat of terrorism and organized crimes, the National Security Intelligence Service (NSIS) was formed which culminated in the enactment of the NSIS Act of 1998 (National Intelligence Service, 2017). Later, when Kenya's constitution 2010 was promulgated, NSIS was renamed National Intelligence Service (NIS) under Article 242. The powers and functions of NIS were enhanced with the enactment of the NIS Act 2012 where it is currently charged with the responsibility of providing timely, actionable and

quality intelligence for assisting in decision making, planning and policy formulation, by identification of national security threats and opportunities (Republic of Kenya, 2010). The Criminal Intelligence Unit in the Directorate of Criminal Investigations (DCI) also contributes greatly in intelligence gathering under its mandate as stipulated under the National Police service Act, 2011 (Directorate of Criminal Investigations, 2015).

To enhance its IG & S, Kenya has also engaged in various partnerships for IG & S. In addition to being a member of the Great Lakes Region Intelligence Fusion Centre, Kenya has often partnered with U.S and Israel in sharing intelligence in efforts to curb transnational terrorism (Otiso, 2009). More recently, Kenya and the Dutch (Netherlands) government signed an agreement to partner in counterterrorism through intelligence sharing among other measures (Muraya, 2017).

Nevertheless, despite continuously streamlining IG & S to curb transnational terrorism (TT) in the country, doubts still linger on how effective IG & S strategies have been. It has been argued that terrorists continue to morph and execute more daring attacks successfully. Interestingly, since 2002 more than ten successful terrorist attacks have been reported with an even more increased degree and number of casualties. Such attacks have been reported in establishments such as universities, government buildings, hotels and private entities. Terrorists have also targeted police institutions and public transport modes. Their recruitment in institutions and radicalization of young unsuspecting Kenyans of all walks of life continues undeterred by the many security institutions commissioned to engage in intelligence gathering and sharing. To what extent has those mandated with IG & S succeeded or failed in doing their job? Why have they failed and/or succeeded? How could IG & S installations and methodologies contributed to the success or failure?

On one hand, there are arguments that most incidences of success by IG & S have not been adequately documented (Karmon, 2002). These include but are not limited to; a plot to attack an Israel aircraft (*El Al* airline) in 1976 that was prevented through effectively coordinated IG & S between Kenya and Israel (Mogire & Agade, 2011). Recently, between March and May 2018, Kenyan government collaborating with the South Sudan government was able to intercept the transit of terrorist fighters in Malindi who were on their way to join ISIS and al-shabaab (U. S Department of State, 2018). While this may be the case, the proliferation of terrorists attacks in the country especially after the entry of Kenya Defense Forces into Somalia continue to cast doubts on whether IGS is an effective strategy to counter terror threats and attacks.

Therefore, as Kenya continues to enhance IG & S in curbing TT including partnering with other states in IG & S, the question is, do terror attacks still get the intelligence agencies by surprise? Is the problem in the institutions, the system or the methods used by the actors in IG & S? Paramount issues around the principles underpinning IG & S reflect a major dilemma. For instance, IG & S is often perceived as violating some human rights, yet TT itself continues to violate the very rights. This is complicated by the question of state sovereignty (and national interests) that largely undermines cooperation. States in bilateral and multilateral IG & S alliances are mostly driven by their

individual self interest considering intelligence as a security treasure for the state. Hence, they often hide behind sovereignty to withhold some of the vital information and refuse to share it. Yet, terrorism is a global security issue that often may require intelligence sharing. Behind the scenes, concealment of the very information needed hampers the efforts at curbing TT. The fundamental question therefore is, how are these issues mitigated to ensure IG & S is effective in curbing TT? Unfortunately, Studies assessing the use of IG & S in curbing TT in Kenya are very scarce. The perceived failure of IG & S is only echoed in aftermath of the attacks in terms of innuendos by journalists and politicians with little empirical grounds to guide any reforms. Thus, very scarce empirical evidence exists regarding application of IG & S in curbing TT in Kenya. The implication is that, there is inadequate information to guide on necessary reforms to enhance the effectiveness of IG & S in curbing TT in Kenya. This study thus assessed the effectiveness of IG & S as a strategy in curbing TT in Kenya. Faced with this dilemma, a need arises for a multi-agency IG & S framework that incorporates formal intelligence collection entities and the civilian components like the *Nyumba Kumi* initiative.

II. RESEARCH METHODOLOGY

RESEARCH DESIGN

The exploratory research design was used in this study. The design was chosen due to its strong ability to address the study problem through an in-depth analysis of issues for which little is known about. To achieve this both qualitative and quantitative data were collected and analysed.

STUDY LOCATION

The geographical location for the study was in Kenya particularly in Nairobi, Mombasa and Mandera areas. This is because the areas have continuously seen an increased level of terror threats and attacks.

STUDY DURATION

The research was carried out between October 2017 and September 2019.

SAMPLE SIZE

A sample size of 113 informants was interviewed. They included security officers from the national police service, members of civil society organizations working in areas of security and human rights, academicians and members of the public. Government officers, members of community policing department and former police reservists in particular provided a good cohort for key informant interviews.

SAMPLE SIZE CALCULATION

Purposive sampling was applied to get the sample. In addition the researcher largely relied on the snowballing

technique to identify respondents for Key informant interviews. To achieve a good number of FGDs, convenient sampling was chosen for the study. This is due to the sensitivity of the topic under research.

PROCEDURE METHODOLOGY

Permit to conduct the study was obtained from all relevant authorities, after which an open-ended questionnaire and an interview guide were used to collect data. The interview guide was used to collect data from the national and regional bosses in the targeted ministries and institutions through face to face interviews. The questionnaire on the other hand was used to collect data from their subordinates. Taking into account the highly sensitive and secretive nature of security matters especially pertaining to IG & S and terrorism, convenience sampling combined with snowballing techniques were largely applied to effectively get the respondents. The researcher being part of the system was able to establish good rapport with the key informants which greatly helped to win their consent to be engaged in the study and give the required data.

STATISTICAL ANALYSIS

A mixed analysis method was used for data analysis. This method was preferred because the study involved the use of both qualitative and quantitative data. Quantitative data was analyzed through descriptive statistics of percentages, means, standard deviations and frequencies. Qualitative data was analyzed through content analysis by systematically classifying it and extracting the themes or trends, and interpreting them in line with the study objectives.

III. RESULTS AND FINDINGS

TERRORISM IN KENYA

Terrorism has been a security threat in Kenya since 1975 when the first terror attack occurred. Since then, McLuhan (2016) indicates that the number and severity of the terror attacks in the country has increased over time particularly in the past decade. In this regard, various strategies have been adopted by the government to confront the menace. These include: institutional building, bilateral and multilateral partnerships with other states, legislative reforms, and enhanced trainings. Specifically, Mohochi (2011) highlights some critical strategies adopted by the government in countering violent extremism and terrorism including the establishment of the Anti-Terrorism Police Unit (ATPU) in 1998 and the National Counter-Terrorism Center (NCTC) in 2003 among others.

A major strategy that the government has been using in the war on terror is IG & S. The Kenya National Intelligence Service Act of 2012 defines intelligence as information that has been collated, evaluated and analyzed and which is relevant to a government's decision making formulation or implementation of policy in relation to any internal or external threat or potential threat to national security as well as

opportunities relevant to the protection and promotion of national security and national interests (Republic of Kenya, 2012). The major strengths of IG & S as a counterterrorism strategy include: informing policy and supporting police, military or covert operations by giving early warning, to ensure state security (Nte, 2011). Nevertheless, its major weakness is that it is largely dependent on cooperation from other security agents involved who do not always cooperate effectively. The arena is marred by perceived self-interests and mistrust among the many actors.

Upon interrogation, respondents expressed different perceptions concerning the application of IG & S in countering VE and terrorism in the country and the challenges therein as presented in the subsequent sections of this paper.

TYPES OF INTELLIGENCE APPLIED TO CURB TRANSNATIONAL TERRORISM IN KENYA

Dailey (2017) identifies five types of intelligence. They include: Signals Intelligence (SIGINT); Human Intelligence (HUMINT); Geospatial Intelligence (GEOINT); Measurement and Signatures Intelligence (MASINT); and Open-Source Intelligence (OSINT). Security officers may use one type of intelligence or the other, or a combination of different types of intelligence based on the security need. In this study, the informants indicated the different types of intelligence they preferred and or used in countering terrorism and violent extremism.

Type of intelligence handled	Frequency	Percent (%)
Human Intelligence	37	68.5
Open-Source Intelligence	34	63.0
Signals Intelligence	11	20.4

Table 1: Types of intelligence

According to 68.5% of the informants, Human intelligence is the preferred form of intelligence that they use in countering VE. There were 63.0% of them who used open-source intelligence, while 20% used signals intelligence. This indicates that human intelligence is a major form of intelligence that is applied by intelligence agencies in confronting transnational terrorism. This is probably due to its strength of enabling the HUMINT collector to easily shift to a more focused and relevant information on the subject of investigation, by selectively changing statements during interrogations or discussion to elicit new and critical information from the source (U.S Department of the Army, 2006). The findings support the assertions by Steele (2010) who affirmed that HUMINT is bound to be the core of security intelligence within governments in the 21st century. This may be due to the shock of 9/11 attacks which triggered a refocus on HUMINT by most security agencies according to Andrews and Lindeman (2013). However, although the forms of intelligence are presented as distinct, they are often used complementary for a more enhanced understanding of the information gathered.

CONTRIBUTION OF DIFFERENT TYPES OF INTELLIGENCE IN CURBING TRANSNATIONAL TERRORISM IN KENYA

Different types of intelligence play an important role in curbing violent extremism and terrorism. According to Martin

(2016), the usefulness of intelligence in the fight against terrorism and VE is based on its ability to achieve the following goals: uncertainty reduction, provision of early warning as well as provide insight to policy making in fighting terrorist attacks. In this regard, informants who were interviewed in this study had different opinions on the role played by the different types of intelligence.

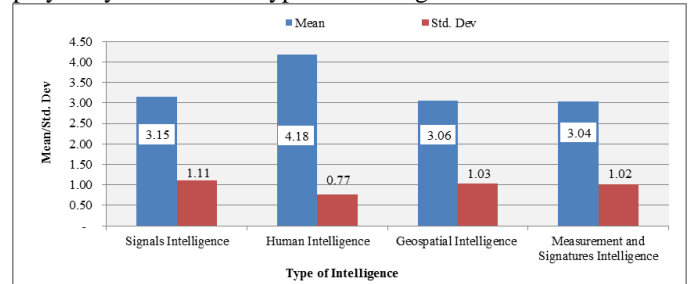


Figure 1: Contribution of various forms of intelligence in the fight against terrorism

Figure 1 above shows the perception of the informants on the extent that different forms of intelligence contribute to the fight against transnational terrorism as rated on a scale of 1 to 5 where: 5= very great, 4= great, 3= moderate, 2= little extent, and 1= no extent at all.

Among the different forms of terrorism, human intelligence was affirmed as having played the greatest role (mean = 4.18; Std. Dev = 0.77) in curbing transnational terrorism. Contribution from each of the other forms of intelligence was rated as moderate. This indicates that human intelligence is considered by many intelligence officers as greatly important in curbing transnational terrorism, relative to other forms of intelligence. This is probably because of the nature of HUMINT which Nolte (2009) explains that it entails direct personal involvement of the agents with other persons recruited or who have volunteered 'to betray' their colleagues. The findings nevertheless, disagree with Hughbank and Githens (2010) who faulted HUMINT on the ground that the person collecting the intelligence is often at a high risk. However, the informants highlighted that effectiveness of gathering and sharing of intelligence irrespective of the form of the intelligence was described as subject to those who receive it. An intelligence officer based in Nairobi explained that, 'It can be very effective if acted on timely because it helps the agencies concerned to act swiftly and be ahead of terrorists. Therefore, the agencies can act proactively in case of an impending attack.' This implies that, the effectiveness of intelligence in curbing terrorism is largely anchored on the ability of the recipient security officers of any intelligence to proactively act on it swiftly to thwart any attack detected.

The importance of open source intelligence particularly collected from social media sites was also emphasized by the informants. They highlighted the need to monitor content in social media sites to gather intelligence in the fight against terrorism. A member of a civil society organization working in the security sector in Mombasa was of the opinion that;

It is very prudent to monitor such social media sites because some terrorist groups use such sites to lure and recruit youths into their terror groups. Such monitoring can lead to apprehension of such agents.

This was echoed by a security expert from Mandera who added that;

Terrorists heavily use the internet in spreading propaganda, training, raising funds, radicalization and data mining for potential targets and recruits. It is therefore good that intelligence agents use analytic tools like Google trends to analyze social media platforms for the purposes of collecting intelligence, but legislation should be in place to enable the same.

Their comments seem to point to the need for monitoring of content in social media like Facebook, Twitter among others and identify any suspicious communications that could lead to the cracking of secret terrorist cells that may be used to lure the youth and radicalize them into terrorism. Unearthing such communications network can significantly help to intercept the planning and execution of terror attacks.

PERCEPTION ON THE EFFECTIVENESS OF IG & S IN CURBING TRANSNATIONAL TERRORISM IN KENYA

Effectiveness of IG & S according to Rickards (2016) is not merely about information collection and sharing, but a demonstrated ability of bringing together multi-agency expertise, who by drawing upon the diverse skills are able to confront the terrorism menace across jurisdictional boundaries. In this study, informants expressed their perception on the effectiveness of IG & S in curbing TT. This was rated on a scale of 1 to 5 where: 5= Highly effective and 1= Don't know.

Aspect	Don't know	Not effective	Moderately effective	Effective	Highly effective	Mean	td. Dev
Stopping transnational terrorism attacks in Kenya	-	-	9.4	43.4	47.2	4.38	.66
Informing defensive strategies against transnational terrorism	-	-	17.3	48.1	34.6	4.17	.71
Informing offensive strategies against transnational terrorism	-	11.4	36.4	38.6	13.6	3.55	.87
Informing development of anti-terrorism policies	-	8.0	14.0	36.0	42.0	4.12	.94
Supporting police and military operations to prevent proliferation of terrorism	-	3.7	11.1	51.9	33.3	4.15	.76
Adequacy to prevent most of the terror attacks that have occurred in the country	-	17.6	23.5	41.2	17.6	3.59	.98
Effectiveness of Kenya's partnership with other states in intelligence gathering and sharing in fighting terrorism	1.9	11.5	9.6	40.4	36.5	3.98	.06
Average						3.99	.85

Table 2: Perception on effectiveness/ineffectiveness of IG & S in curbing transnational terrorism in Kenya

The overall effectiveness of IG & S in curbing TT was rated at a mean of 3.99 with a Std. Dev of 0.85. This indicates that IG & S is effective in curbing TT. This concurs with McGill and Gray (2012) who attested that IG & S is set at the forefront in confronting terrorism. Informants strongly affirmed the effectiveness of IG & S in stopping transnational terrorism attacks in Kenya (mean = 4.38; Std. Dev = 0.66). This is congruent to the findings by Karmon (2002) who expressed that IG & S helps to stop terror attacks but most of

them are usually not recorded. The informants further confirmed its effectiveness in supporting police and military operations to prevent proliferation of terrorism (mean = 4.15; Std. Dev = 0.76). This supports Nte (2011) who indicated that in addition to its primary role of informing policies, IG & S plays a major secondary role of supporting military and or police operations that aim at guarding the country against terrorists to hinder their spreading.

The informants further expressed that IG & S has been effective in informing defensive strategies (mean = 4.17; Std. Dev = 0.71) than offensive strategies against TT (mean = 3.55; Std. Dev = 0.87). The findings imply that the effectiveness of intelligence gathering and sharing is also enshrined in its ability to pre-empt an attack and been reliable and relevant enough to support the police and military forces to move in time to thwart the attack. This agrees with the assertions by Martin (2016), that the role of intelligence is emphasized on reducing uncertainty, providing early warning and informing policy decisions in fighting terrorist attacks.

A scholar from a local university further noted that Kenya's partnership with other states in IG & S has helped to fight TT in the country (mean = 3.98; Std. Dev = 1.06). This concurs with Adams, Nordhaus and Shellenberger (2011) who confirmed that in addition to proper coordination of intelligence agents and citizens disclosure of information, many thwarted terrorist plots are supported by inputs from foreign partner states. This implies that successful intelligence in combating terrorism calls for a combined effort between state agencies, members of the public and foreign partners as well. Even so, according to an Independent Police Oversight Authority official IG & S agreements between Kenya and other states have had positive and negative effects. An intelligence officer based in Mombasa alleged that

It has helped the security agencies to act proactively to reduce the terror threats and thwart impending attacks by helping apprehend the perpetrators as well as intercepting the terror cells before executing an attack.

A former police reservist added that,

It has helped to inform the development of more policies to further address the terror threat such as the Prevention of Terrorism Act 2012.

The comments imply that by engaging in bilateral and multilateral IG & S agreements with other states, Kenya has been able to intercept and thwart terror attacks as well as streamline the country's anti-terrorism regulatory framework.

However, in a focus group discussion with junior police officers in Nairobi they faulted the IG & S agreements on the ground of certain disadvantages. They complained that,

The agreements often result in conflict of interest which leads to withholding of information by some agencies. This leads to institutional rivalry and suspicion among the agencies. The complimentary role lacks as each agency tends to conceal intelligence instead of sharing.

This indicates that some countries in IG & S agreements with Kenya in some instances withhold information that is useful to Kenya's security intelligence in the war on terror. This concurs with Wippl (2012) who indicated that states and their national intelligence agencies are often reluctant to share sensitive, classified information with many international organizations but they prefer to share on a more controllable,

bilateral, case-by-case basis. This can be a major setback in efforts to curb transnational terrorism in the country.

In an interview with a member of *Nyumba Kumi* initiative stated that

The agreements have often caused overload of information that does not earn the necessary value. Large amount of information requires detailed analytical work from human agents in order to distinguish the valid and verified information from false one. But the human resource is inadequate, hence the valueless overload.

This seems to point to the fact that the number of intelligence officers in the country is inadequate to process every bit of information received from the different agencies involved in IG & S networks. This means that, there is a possibility of a critical piece of information to be overlooked in the voluminous collection of information collected from different intelligence agencies within and across the borders. This supports the assertion by Hughbank and Githens (2010) who aver that, through the dynamic fact-finding skills applied in the fight against terrorism, collecting, decoding, classifying, prioritizing, disseminating and acting on all information coming along is quite a challenge. This may also largely undermine the effectiveness of IG & S in curbing terrorism. The implication is that the effectiveness of IG & S partnerships with other states is largely rooted in the ability of an individual country's capacity to process the intelligence it receives from the other states and the willingness of the states in the IG & S agreements to share information.

Perceptions on how effective IGS has been in curbing transnational terrorism were also varied as follows;

Perceptions	Response in %
Highly effective	68
Effective	19
Moderately effective	8
Not effective	3
Don't know	2

Of the total number of respondents interviewed 68% were of the opinion that IGS has really helped in dealing with transnational crimes including terrorism. In the case of dealing with terrorism, the respondents noted that they trust agents dealing with IGS since they do not disclose the names of those that give them sensitive information. They therefore concluded that stakeholders should strengthen efforts at using many forms of IGS to gather enough evidence on imminent terror threats and attacks. Of those interviewed, 19% disapproved the use of IGS arguing that it has not helped in reducing cases of terror attacks. Only, a negligible minority completely disapproved the use of IGS in reducing terror threats. For them terrorists are more dynamic than Kenyan security agencies.

CHALLENGES UNDERMINING THE USE OF INTELLIGENCE IN CURBING TRANSNATIONAL TERRORISM IN KENYA

According to Pillar (2017), various key challenges facing the use of IG & S in curbing terrorism has been a concern for quite long. In this research, informants highlighted the challenges in the use of IG & S to curb transnational terrorism.

Statement	No extent at all	Little extent	Moderate extent	Great extent	Very great extent	Mean	Std. Dev
Pressure to comply with many legal frameworks	-	12.0	24.0	44.0	20.0	3.72	0.93
Collating bulky information gathered	2.0	8.0	34.0	36.0	20.0	3.64	0.96
Obsolete/outdated technology	-	16.7	20.8	37.5	25.0	3.71	1.03
Existence of plots involving few persons who are highly secretive and very informed of security operations	7.7	17.3	26.9	36.5	11.5	3.27	1.12
Highly unrealistic expectations from the public and politicians	2.0	7.8	39.2	27.5	23.5	3.63	1.00
Poor exchange of intelligence among agents and law enforcers	-	10.0	28.0	42.0	20.0	3.72	0.90
Mutual suspicion between different actors in intelligence gathering	2.0	15.7	27.5	31.4	23.5	3.59	1.08
Average						3.61	1.00

Table 3: Perception on the challenges encountered in using IG & S to curb TT

Table 4 shows the informants' perception regarding the challenges encountered in the use of IG & S to curb TT as rated on a scale of 1 to 5 where 1 was no extent at all, and 5 was very great extent.

The overall rating of the extent of the challenges in the use of IG & S in the fight against TT was on average 3.61 with a Std. Dev of 1.00. This implies that the challenges facing the use of IG & S are quite great. The greatest challenges according to the informants include: poor exchange of intelligence among agents and law enforcers (mean = 3.72; Std. Dev = 0.90). The findings imply the coordination and cooperation between different security agents in sharing and acting upon information is quite wanting. This concurs with Catano and Gauger (2017) who affirmed that there is a tendency among different agencies to withhold "their" information being reluctant to share it which culminates to poor sharing of intelligence among the agents.

The pressure to comply with many legal frameworks was also identified as a major challenge by many informants (mean = 3.72; Std. Dev = 0.93). This supports the assertions by Rickards (2016) who indicated that intelligence agents are often hindered in their operations by the pressure to comply with many legal requirements. They further rated obsolete/outdated technology as a major challenge too (mean = 3.71; Std. Dev = 1.03). This agrees with Walsh (2015) who affirmed that despite the great enhancement in the capacity for collecting intelligence, there is still a myriad of technological challenges especially with the law enforcers.

A key informant who is a senior security officer in Garissa confirmed receiving information that was not actionable whereby, the information received in some instances is inadequate for the other security agencies to act upon effectively to thwart the impending attack. This was emphasized by a Criminal Intelligence expert based in Nairobi who shared a piece of information that he received a day before a terror attack was executed in the city the next day in the afternoon. It stated:

Information obtained from a very reliable source established that al-Shabaab top commanders have just wished god's blessings to operatives who are proceeding to execute unknown mission at unknown location. The action could be any time from now. Inform all field units to heighten security particularly tonight. Alert all our personnel immediately to take the necessary measures.

The information indicates several gaps that make it difficult to be acted upon to thwart the attack. It lacks precision on the probable target of the attack and the probable time which are very critical in intercepting an attack. Consequently, the terrorists may still successfully execute the attack even despite such information being available because it does not provide adequate insight to inform an offensive or defensive strategy to thwart the attack. The implication therefore is that it is possible to have terror attacks executed despite the existence of intelligence on the attacks due to insufficiency in the information that was available pertaining to the attack. The intelligence is generic in nature and applicable in almost all instances. Without specifics, countering measures are ineffective.

An academician based in Nairobi pointed out that the secrecy in intelligence is beneficial but a challenge in some instances as far as the national security interest is concerned. He elaborated that,

Secrecy ensures that the national security is not jeopardized through classification of information that is considered national secret. Nevertheless, in some cases, it is difficult to establish the authenticity of information to be classified, and to differentiate between propaganda and genuine secret.

The comment implies that crucial information that could aid to pre-empt and foil an attack may be withheld on the basis of national security interest and as a result, the terrorists may successfully launch the attack because of lack of timely interception. This means the classification of the information may in some instances end up jeopardizing the very national security interest it was meant to protect. From another perspective, the comment also depicts the possibility of leaking information that should be withheld and as a result, the terrorists may access it and use it to defeat the security strategies that may have been put on ground to intercept or neutralize them.

A member of the public based in Mombasa complained that human rights activists also pose a challenge as far the use of IG & S to curb terrorism is concerned. He explained that,

As the government through the intelligence agencies tries to come up with a policy to help monitor the movement of perpetrators of terrorism and other transnational crimes, human rights activists come in arms opposing it. They term it as infringing the rights of individual privacy fearing that the law will be applied to anybody through advanced technology.

This implies that use of IG & S in curbing terrorism is often at loggerheads with human right activists who mostly are opposed to the methods used by intelligence agencies to gather intelligence on the basis that it infringes on privacy rights of individuals. However, a member of the civil society based in Manderla expressed that,

What human rights agencies are usually against is not the use of intelligence per se, but its misuse. The idea is to caution

the state from collecting people's private information and having it shared among different agencies and or states without observing the rule of law in which case, it may eventually be negatively used against them. This is what threatens the violation of human rights.

The comment implies that human rights groups fear the use of information gathered by intelligence agencies to victimize the people to violations of human rights by other states. From a realist perspective, Jones (2010) is of the opinion that when an intelligence officer engages in what would be considered unethical behavior, the actions are not considered unethical because they are all necessary for national security. Similarly, Gill (2009) explains that intelligence activities are justified if they serve the well-being of the state and rest on the "moral duty of the sovereign to protect her subjects" (p.89). This means that, the sole driver of intelligence gathering is the national interest as opposed to an individual's rights. As per Kenya Human Rights Commission officer, infringing of human rights on suspected terrorists further aggravates the perilous situation and leads to more radicalization among the youths.

IV. DISCUSSION

The results make it apparent that most of Kenya's IG & S agencies largely handle HUMINT. This according to Martin (2016) may be explained by the evolution that has occurred in intelligence gathering over time. According to Martin (2016), the major part of the evolution in intelligence gathering occurred from the Cold War period which was characterized by spies, HUMINT, double agents and moles. With advancements in technology in the 1950s and 1960s, Bellaby (2014) notes that focus shifted to SIGINT where interception of communications was adopted due to the perception that SIGINT was more reliable than the HUMINT. However, the shock of 9/11 attacks triggered a refocus on HUMINT and increment in collection of SIGINT (Andrews & Lindeman, 2013).

As reflected in the findings, effectiveness of any form of intelligence in curbing terrorism is dependent on other security agencies receiving it in advance, and swiftly acting upon it to thwart an imminent attack. The findings also imply that intelligence agencies mostly use HUMINT and SIGINT to confront transnational terrorism whereby overlapping certain human rights in the process is inevitable. This concurs with Forcese (2011) who affirmed that although effective, the gathering of HUMINT and SIGINT could prompt the need to apply the norms in international human rights. In his argument, Forcese asserts that HUMINT may entail interrogations, which raise concern on how these interrogations are conducted as far as human rights are concerned. On the other hand, collecting SIGINT especially through electronic surveillance usually entails covert scrutiny on communications and behavior, which prompts privacy rights issues (Forcese, 2011).

It is apparent from the results that IG & S is fundamentally contributing to the fight against terrorism in the country especially by informing the streamlining of anti-terrorism policy framework and the defensive strategies being

applied against TT. This concurs with Nte (2011) who affirmed that IG & S mainly contributes to the fight against terrorism by not only informing policy, but also supporting police, military or covert operations to ensure state security. However, IG & S in the country is confronted by several challenges that are quite notable and cannot be overlooked. As a result, it is often perceived that intelligence was or should have been available prior to successful TT attacks. With the challenges on ground especially poor cooperation between the different agents, the pressure of compliance to different regulatory framework and insufficient technology, the intelligence perceived as available is in some instances insufficient to foil an attack. That is, although intelligence could be provided prior to an attack, it may not be sufficient for the security agencies to take effective actions to thwart the attack. This confirms a critic highlighted in a report by Reuters (2019) that, in some instances, intelligence agencies may give very vague warnings or they could it too late. This could explain why some terror attacks are successfully launched and thereafter follows a hullabaloo of 'there was intelligence before the attack.'

V. CONCLUSIONS

The study concludes that use of IG & S in Kenya to curb TT is a holistic approach that entails the collection and sharing of different forms of intelligence and not just relying on one type. Even so, HUMINT and SIGINT are the most used forms of intelligence in the fight against transnational terrorism. The study also concludes that the question of intelligence being effective or ineffective in curbing TT is dependent on the reaction of all security agencies who receive it. Even so, it is concluded that effectiveness of IG & S in the country has improved compared to the past but more needs to be done especially on precision of the target of anticipated attack and timeliness of the intelligence gathered and dispatched to other security agencies. The study also concludes that effectiveness of IG & S in the country is largely constrained by poor exchange of intelligence among agents and law enforcers, and the agents being put under pressure to comply with many legal frameworks. Respondents also decried inadequate technology use. Confidence sharing was also mentioned as a constraint to using IGS in curbing TT.

Nevertheless, a high number of informants affirmed that IG & S is effective in curbing terrorism, which concurs with Martin (2016). It is therefore important that IG & S as a counterterrorism strategy be enhanced. The paper thus recommends the following in strengthening IGS to allow it effectively counter violent extremism and decrease transnational terrorism:

To begin with, the ability of terrorists to morph should be met with equal efforts by security forces changing their strategies in gathering and sharing information on terrorism from members of the public. There is therefore need for streamlining the security sector. All agencies should thus continuously go through retooling and capacity building on early warnings. This should not be onetime event but a continuous process by all involved agencies and institutions to capacity build and retool their staff.

There is also need to separate the enemy (terrorists) from the populace. The security agents needs to take extra-cautionary measures necessary to ensure that when executing offensive or defensive strategies against terrorists, physical or psychological harm to the populace is largely minimized. Moreover, the state should work hard towards denying an aboard to the enemy. This implies that stringent measures need to be taken to seal possible loopholes detected in the structures and system of IG & S that grants terrorists access to security information. Additionally, propaganda is the oxygen for terrorists and therefore, security agencies should counter it by acting fast to ensure that terrorists do not successfully use it to sway the perception of the populace.

There was a concern regarding the large number of radicalised youth in Nairobi, Mombasa and Mandera. To deal with this, it is suggested that the state should reduce opportunities and police spaces where possible radicalisation may be taking place. As a way to reduce the number of youth to be recruited into extremist activities the state should endeavour to create more employment and engage the youth in income generating activities. To deal with the challenge of confidence building, intelligence officers need to be capacity build and sensitised on the need for non disclosure of evidence and identities of those that provide sensitive information. The officers should continually go through vetting and training.

Most importantly there is need for interagency cooperation in sharing intelligence. Both domestic and foreign agencies involved in intelligence sharing should work together to boost their confidence with each other to enhance their readiness and commitment to share security intelligence. It is also important to incorporate the civilian component through a multi-agency framework in IG & S to enhance interoperability between the disciplined and civilian components in reducing threats and incidences of TT.

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