

FOR USE IN THE LIBRARY ONLY

FOR USE IN THE LIBRARY ONLY

11  
**POLICING HUMAN-SECURITY: PERCEPTION OF ANTI-TERRORISM  
POLICING AND PREPAREDNESS IN KENYA 11**

**BY**

**NDICHU, PETER MURIUKI**

**C/50/P/9240/01**

**UNIVERSITY OF NAIROBI  
EAST AFRICANA COLLECTION**

**A Research Project Paper in partial fulfillment for the degree of Masters of Arts in  
the department of Sociology, University of Nairobi**

University of NAIROBI Library

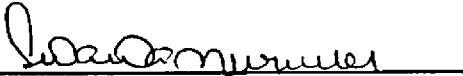


0442441 2

**November 2004**

## DECLARATION

This Research project paper is my original work and has not been presented for a degree in any other university.




**Ndichu, Peter Muriuki**

**Date** \_\_\_\_\_

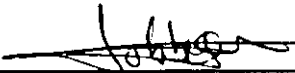
**Approval**

**This project paper has been forwarded for examination with our approval as  
University supervisors**

  
\_\_\_\_\_  
**Dr. Paul Mbatia, supervisor**

Date 22/2/05

**And**

  
\_\_\_\_\_  
**Dr. Robinson M. Ocharo, supervisor**

Date 23/02/05

## **DEDICATION**

**To my late father Muriuki Wainaina, who lived all his life in search for Human-security until the last second of his earthly life and my friend Fr. Donald Doherty who empathized with my desire for continuous search for knowledge.**

## ACKNOWLEDGEMENTS

A sociological research activity of this kind could not have been complete without the guidance, encouragement and support of countless individuals and institutions. My two supervisors Dr. Ocharo and Dr. Mbatia share my special thanks for having taken me through this sociological journey. The two gave immense support that saw to the developing of the proposal, fieldwork, analysis and finally the writing of this paper. They were tireless in giving comments and positive criticism. All was taken with an open heart and in turn built and stimulated my thinking.

My thanks also goes to the department of sociology staff whom I interacted with and shared with them my challenges and thinking. Special thanks to the administrative secretary Anne, at the department of Sociology who organized for materials during my proposal presentation. Thanks also goes to Mr. Allan Korongo, a teaching staff member who willingly went through my proposal and in turn giving detailed comments that were useful for completion of my work.

I also appreciate and thank all my key informants for showing patience and for devoting their time to discuss security matters which are taken to be sensitive. Specifically, I would want to acknowledge the security heads in different hotels, restaurants and lodging facilities that I visited.

Special thanks also goes to Irene Asanji who devoted her time to proof read my report. I pray that countless blessings follow you through while in your motherland-Cameroon and elsewhere world over.

Finally, I thank my family for having stayed on my side all through my journey. Special thanks to my elder brother, Wainaina for endless support in information-technology briefings that he extended. With all said and done, this work could not have been complete without material and emotional support that I received from my wife Grace and our son Isak who stayed up late with me most of my writing days. Their spirit kept me going.

## ABSTRACT

This study deals with security dynamics and the ways in which lives of ordinary persons are affected. Specifically, the study involves policing human-security in urban centers which are targets of international terrorism networks. The impact of such policing and its implications is seen in relation to perception of security stakeholders in Nairobi city and how such actors engage in anti-terrorism policing as a coping mechanism. The study therefore is an attempt to examine the role played by different security stakeholders who have either been direct victims of terrorism or those who indirectly perceive themselves as potential targets in everyday life.

At the core of its objective, the study attempts to establish the various policing measures and strategies employed by security stakeholders and their effect on human-security of individuals. The researcher targeted the core of Nairobi Central Business district, which has been a victim of terrorism activities both in early 80s and late 90s. Therefore, the reader may find some events considered in the study and which may lack in terms of in-depth analysis. Such cases as domestic terrorism are considered to fall under this assumption as the researcher was concerned mostly with terrorism that takes an international perspective.

Most of the paper is written in story format owing to the kind of information generated from selected security stakeholders. Analysis has therefore been presented in narration format. Information generated is based on discussions that the researcher carried out with various stakeholders. Past experiences, current challenges and future orientations towards reducing security threats and risks have been covered in-depth throughout the study.

## Table of Contents

Title Page.....	i
Approval.....	ii
Declaration.....	iii
Dedication.....	iv
Acknowledgements.....	v
Abstract .....	vi
Table of content.....	vii
List of Abbreviations.....	x
List of Tables.....	xi
<b>CHAPTER ONE- INTRODUCTION</b>	
1.0 Background information.....	1
1.1 Problem statement.....	3
1.2 Research Questions.....	7
1.3 Study Objectives.....	7
1.4 Scope and limitation.....	7
1.5 Study Justification.....	8
<b>CHAPTER TWO- LITERATURE REVIEW</b>	
2.0 Introduction.....	9
2.1 Terrorism and its effect on human-security.....	9
2.2 Policing Terrorism threats.....	15
2.3 Anti-Terrorism and social-cultural human-security conflict.....	15
2.4 Economic deprivation and terrorism.....	25
2.5 Gaps in Literature Review.....	28
2.6 Theoretical models.....	29
2.6.1 Realism Theory.....	29
2.6.2 Liberalism Theory.....	30
2.6.3 Human Security Approach.....	32
2.7 Working Assumptions.....	34
2.8 Operational Definition of Terms.....	35



<b>CHAPTER THREE: METHODOLOGY</b>	
<b>3.0 Introduction</b> .....	36
<b>3.1 Site selection</b> .....	36
<b>3.2 Site Description</b> .....	36
<b>3.3 Sources of Data</b> .....	37
<b>3.4.0 Methods of data collection</b> .....	37
<b>3.4.1 Semi-structured interviews</b> .....	37
<b>3.4.2 In-depth interviews</b> .....	37
<b>3.4.3 Selection of observation unit [sample]</b> .....	37
<b>3.4.4 Methods of Data Analysis</b> .....	37
<b>3.4.5 Problems encountered during data collection</b> .....	38
<b>CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS</b>	
<b>4.0 Introduction</b> .....	39
<b>4.2 Demographic characteristics of key informants</b> .....	41
<b>4.3 Policing duties and responsibilities</b> .....	43
<b>4.4 Knowledge and awareness about the problem of terrorism</b> .....	45
<b>4.5 Costs and benefits of policing threats</b> .....	48
<b>4.6 Types of threats</b> .....	49
<b>4.7 Opinion regarding Terrorists</b> .....	53
<b>4.8 Terrorism and gender differences</b> .....	57
<b>4.9 Perception of Kenya's potentiality for terrorists</b> .....	58
<b>CHAPTER FIVE: POLICING TERRORISM THREATS</b>	
<b>5.1 Stages of Policing</b> .....	59
<b>5.2 Perception of anti-terrorism policing and preparedness</b> .....	64
<b>5.3 Social-Cultural tension in policing</b> .....	69
<b>5.4 Legitimacy of policing and preparedness measures</b> .....	71
<b>5.5 Culture-sensitive policing</b> .....	74
<b>5.6.0 LONG-TERM HUMAN-SECURITY STRATEGY</b> .....	75
<b>5.6.1 Military and Anti-terrorism Policing</b> .....	75
<b>5.6.2 Anti-terrorism Legislation</b> .....	77
<b>5.6.3 Community participation as a long-term approach</b> .....	80
<b>5.6.4 Private security and policing</b> .....	80

<b>CHAPTER SIX: SUMMARY, CONCLUSION AND RECOMMENDATION.....</b>	<b>83</b>
<b>RECOMMENDATIONS.....</b>	<b>86</b>
<b>References.....</b>	<b>88</b>
<b>Appendix.....</b>	<b>91</b>

## LIST OF ABBREVIATION

**CNN- Cable News Network**

**CPF- Community Policing Forum**

**CSO- Chief Security Officer**

**CYU- Chemchemi Ya Ukweli**

**GSU- General Service Unit**

**HIV-AIDS- Human Immune Virus-Acquired Immune Deficiency Syndrome**

**IMCS- International Mission of Catholic Students**

**JKIA- Jomo Kenyatta International Airport**

**KHRC- Kenya Human Rights Commission**

**KARA- Kenya Alliance of Residents Association**

**NARC- National Rainbow Coalition**

**NATO- North Atlantic Treaty Organization**

**NGO- Non Governmental Organization**

**UN- United Nations**

**UNDP- United Nations Development Program**

**USA- United States of America**

**USIU- United States International University**

**SPSS- Statistical Package for Social Science**

**SRIC- Security Research Information Centre**

## LIST OF TABLES

1 Category of security stakeholders.....	39
2 Distribution of key informants.....	39
3 Interviewee's gender.....	41
4 Interviewee's Educational level.....	41
5 Interviewee's Religion.....	42
6 Interviewee's marital status.....	42
7 Respondent's ethnicity.....	42
8 Likelihood of Kenyans to suffer from bombing.....	49
9 Likelihood of Kenyans to suffer from hijacking.....	50
10 Likelihood of Kenyans to suffer from kidnapping.....	50
11 Likelihood of Kenyans to suffer from nuclear terrorism.....	51
12 Likelihood of Kenyans to suffer from biological terrorism.....	51
13 Likelihood of Kenyans to suffer from chemical terrorism.....	52
14 Likelihood of Kenyans to suffer from cyber and electronic terrorism.....	52
15 Likelihood of Kenyans to suffer from missile attacks.....	53
16 Opinion of terrorist's family background.....	54
17 Opinion of terrorist as hardcore criminal.....	55
18 Opinion of male terrorists.....	57
19 Opinion of female terrorists.....	57
20 Perception of Christians as likely victims of terrorism.....	60
21 Perception of Muslims as likely victims of terrorism.....	60
22 Perception of Jews as likely victims of terrorism.....	61
23 Perception of general security status in Kenya.....	65
24 Perception of government's preparedness on bomb threats.....	65
25 Perception of government's preparedness on kidnapping threats.....	66
26 Perception of government's preparedness on hijacking threats.....	66
27 Perception of government's preparedness on missile threats.....	67
28 Perception of government's preparedness on chemical threats.....	67
29 Perception of government's preparedness on nuclear threats.....	68
30 Perception of government's preparedness on biological threats.....	68

31 Perception of government's preparedness on cyber and electronic threats.....68

UNIVERSITY OF NAIROBI  
EAST AFRICANA COLLECTION

## CHAPTER ONE- INTRODUCTION

### 1.0 Background information

Since Aug. 7<sup>th</sup> 1998 when an Alqaeda suicide bomber hit the American Embassy in Nairobi, Kenyans have said much relating to the link between anti-terrorism, security and policing. The argument on security holds that it is an issue which relates to every state and its citizenry. The state is obliged to provide security to its constituent and thus every government wants to ensure that any threats to security and peace of its population are eliminated.

One of the major organizing principles adopted by governments in assuring and guaranteeing this peaceful environment is through the institution of the police. The Police institution has a major impact on what becomes defined as crime, which offences are prioritized, and which of the community are portrayed as dangerous or troublesome.<sup>1</sup> Communities that breed high crimes are generally given more attention when it comes to state policing as they are seen to be more risky and dangerous. Urban centers which act as economic centers report more crimes all over the world owing to heterogeneity of cultures, religion, occupation, technology and high population densities. For this reason, policing becomes an integral part of both the community and state, linking the citizens and the government in pursuit of peace and security.

The existing framework for addressing insecurity in Kenya is the criminal law. In particular it is in the form of penal code and the police Act. The criminal justice has dealt with the problem of crime but has not adequately addressed social dimensions of the problem of insecurity. It only deals with the symptoms rather than the root causes of the problem as convicted criminals are put to jails, fined, sent to community services or are put on probation programmes. The police Act on the other hand provide a one-dimensional view to security. It does not encourage the police to see themselves as partners with the communities in the pursuit of peace. Police officers have come to be feared by the civilian community as harassment, torture, demand for briberies, illegal arrests and other state-sponsored violence

---

<sup>1</sup> Maguire, Mike, Morgan, Rod and Reiner Robert [2002] Handbook of Criminology. Oxford University Press

creep in. It is thus imperative to begin changing the philosophy of policing in Kenya so that the police force perceives themselves as peace workers and propagating the values of human-security. This change will also allow for civilians to take the policing agents with seriousness when policing against terrorism and thus collaborate accordingly. The Anti-terrorism police unit which came into existence after the bombing of 1998 is yet to prioritize its relation with the ordinary civilians in risky communities. There has not been any coordinated interaction between the anti-terrorism unit and the civilian community living in urban cities thus maintaining the gap.

The on-going transformation of international crimes and terrorism in particular however, goes beyond the internal security thinking. At the international level, UN has left the problem of international crimes and terrorism to be solved by individual governments. Richard Roth, who is the senior UN correspondent to CNN's Diplomatic license, argued that UN has no structural arrangements to deal with international terrorism after the Madrid bombing in March this year<sup>2</sup>.

National security structures are therefore left to explore links between anti-terrorism policies and resolution of conflicts on both short and long-term basis. Kenya has not been left behind on this. The government has shown its commitment in addressing the problem of terrorism through the establishment of an Anti-Terrorism Bill which came in April 2003, creation of a special anti-terrorism police unit, upgrading of airport security, arrests, prosecution of suspected terrorists and closer scrutiny of immigration into Kenya. The introduction of anti-terrorism bill has advocated for the police institution to go beyond the existing national territories since terrorism is not limited to Kenya. However, much of the proposed measures in the legislation bear more internal impacts than the external ones especially with the thinking that Kenya has been earmarked as harboring terrorist groups and cells that have inter-continental links.

The Anti-terrorism police unit that came into force is believed to be having the specialty that is required to carry out investigations and forensic searches that are characterized by the

---

<sup>2</sup> CNN Diplomatic License Program, March 2004

complexity of terrorism. The lack of technological machinery and trained police force to handle the complexity has however been met with pessimism by the public, as the process is seen to be haphazard and reactionary. This study however goes beyond this unit to focus on policing activities carried out at various government levels, ministries and within the civilian population. Government ministries and departments such as trade and commerce, tourism and wildlife, communication, immigration, police force and the judiciary have been largely affected by the threats and actual acts of terrorism. The aim of the study therefore goes with an attempt to assess the knowledge, perception and attitude of security stakeholders concerning the efforts employed by the government. This is with an aim of reconciling the anti-terrorism policing measures and strategies with the individual human-security interests in a long-term preventive and integrative strategy.

### **1.1 Problem statement**

The following selected cases of violence helps in bringing out the acute problem of terrorism in the world and how Kenya has been affected. On December 31<sup>st</sup> 1980, a terror attack kills 16 and more than a hundred are left injured after Norfolk hotel, owned by an Israeli Jack Block is bombed in Nairobi, on August 7<sup>th</sup> 1998, Cooperative House in Nairobi is brought down by an Alqaeda-connected suicide bomber killing 246 Kenyans and 12 Americans, on November 28<sup>th</sup> 2002 Paradise Hotel in Kikambala coastal beaches is bombed leaving at least 15 dead coupled with a failed missile attack on an Israeli aircraft<sup>3</sup>, on September 11<sup>th</sup> 2001 The world Trade Centre and the Pentagon are hit in multiple suicide bombing in USA, on October 7<sup>th</sup> 2001 US military begin strikes against Alqaeda in Afghanistan, on March 19<sup>th</sup> 2003 US commences military attack on Baghdad to start a campaign to oust Saddam's regime in Iraq, early February 2004 somewhere in the Middle East, the leader of Hamas, Sheik Ahmed Yassin is killed with a targeted missile by the Israeli military, Weeks later, his follower Abdul Aziz Rantisi suffers the same and the atrocities are endless.

All these cases of violence leave many asking the question why certain individuals and governments would want to commit actions of such magnitude and ready to give their own lives and survival for it. Social scientists and military strategists are left with the desire to

---

<sup>3</sup> Data base selected from <http://proquest.umi.com/pqdwebndex=0&sid=2&srchmode=1&vin>



explain the motivation behind these acts of violence in an ever expanding and globalizing world. The main issues in peace and security have focused on how these threats can be effectively policed in a “runaway world” to use the words of Anthony Giddens.

Acts of terrorism presupposes the presence of an actual or perceived enemy. An enemy to be defeated by any means possible. Regrettably, individuals and governments employ different means in tackling the actual and perceived threats posed by terrorism. Strategies and tactics used to defeat and deter terrorism involve the use of force and violence on one side and through peaceful-non-violent means on the other. The police institutions in many countries are endowed to apply both of these strategies in their daily maintenance of law and security. On matters pertaining to application of force, the police enjoy the legitimacy of implementing the monopolized state violence, where the law gives them room to even shoot any person or animal that poses a threat to public peace.

The Kenya police Act allows a police officer to use arm firstly to “*any person in lawful custody charged and convicted of felony, when such person is escaping or attempting to escape, secondly to any person who by force rescues or attempts to rescue another from lawful custody and thirdly, against any person who by force prevents or attempts to prevent lawful arrest of himself or of any other person*”<sup>4</sup> The police are therefore recognized as people sanctioned by the State with the powers to enforce the law and keep peace<sup>5</sup>. This means that the priority of the police institution is in policing the public peace and is thus given the first priority by many States. Many advocates of modern policing agree that the process is necessary as it serves the function of reinforcing positive social order in an environment of human-security and peace-building.

However, there has been a dominantly State-centric approach to problems of policing, ignoring the call for unitary policing between the police and civilians. Maguire, Morgan and Reiner [2002] argue that public peace is not kept by the police but by primarily, an intricate almost unconscious network of voluntary controls and standards among the people

---

<sup>4</sup> Laws of Kenya. The Police Act Chapter 84, Part III section 28. Pg. 13

<sup>5</sup> Maguire, Morgan, and Reiner [2002]. Handbook of Criminology, Oxford University Press

themselves and enforced by the people themselves<sup>6</sup>. This has not been the case in many States of Africa, where State policing has become isolated from the people whose peace it should be promoting. In 2001, KHRC reported that police brutality remained the most visible form of State-perpetrated violence against Kenyans.<sup>7</sup> Violence by police officers on mwananchi [citizen] came in the form of torture, extra judicial executions, excessive use of force, arbitrary arrests, illegal confinement and sexual violence against women.<sup>8</sup>

The violence meted in this manner creates more tension between the police and the community. To try and remedy this tension, there are concerted efforts to bring together the efforts of the police with those of the community. As a response, the Kenya police have created a special branch to deal with the issues of community-police relations. Anti-terrorism at its core, concerns the security of individuals in communities and thus a joint effort must be put in place in addressing the problem of terrorism.

The bombing of East African cities of Nairobi and Dar es Salaam exposed the laxity of policing at both border controls and inland law enforcement. As a remedy and a response to this, the Kenya parliament structured an elaborate Bill to tackle the problem of terrorism at national, regional, and international levels. The bill however has been crafted in a manner that the public are left with little input. The public has not been given any room in day to day policing activities. The bomb that hit the American Embassy in Nairobi was assembled in a city hotel and therefore the role of the community cannot be ignored. The Bill has not been well received by the public from its initial stage. Firstly, it fails to give a satisfactory definition of the crime that it intends to suppress. Secondly, it gives the burden of proof to suspected individuals who are placed in a situation of proving their innocence contrary to the requirement of law.

At the academic level, the bill poses a threat to scholarship as it threatens to treat collection of information that is likely to be used by terrorists as an offence thus magazines and booklets about terrorism can send a scholar behind bars. Academicians, security

---

<sup>6</sup> Ibid

<sup>7</sup> Quarterly Human Rights Report [2001:30] Vol.3 Number 4

<sup>8</sup> Quarterly Human Rights Report [2001:30] Vol.3 Number 4

stakeholders, and policy makers in Kenya have been torn in between the measures proposed as a blue-print strategy for tackling the problem of terrorism. Tension has mounted inside and outside the parliament with some members of parliament showing clear opposition to the bill. Groups and individuals in the private and public sectors have taken sides with some claiming total failure of the Anti-terrorism bill while others are asking for minimum revision on the document.

It is therefore a challenge for the police force to adjust to international trends that are calling for more policing activities at both international and homeland security. The traditional way of focusing on internal State security order has failed to address the concerns of ordinary citizens, calling for a joint effort from the State and individuals in various communities and sectors. Sociologically, the anti-terrorism bill has tended to polarize the religious tension between Muslims and Christians with the view that “not all Muslims are terrorists but all terrorists are Muslims”<sup>9</sup> in Kenya and probably the world over. Terrorism threats in Kenya have largely been perceived as an internal threat and thus creating a dissonance between State laws and international law. The bill has exemplified this in all its sections that reflect a nationalized anti-terrorism legislation.

Much focus is given on the local population with an aim of containing and controlling it. Certain citizens are seen and interpreted as a threat and an enemy to the existing legitimate government. This kind of policing perception and implementation by the government adds to the risks of those groups and individuals who oppose decisions of the government. This has been manifested by the resentment aired by minorities such as Nubians in Kibera slums, Somali in Eastleigh, and Asian communities that live on the margins of the central business area. To this effect, one of the most features of modern urban life has been the increasing level of insecurity, fear and tension.

Insecurity and fear has been an area of focus for human-security proponents. The inadequacy of traditional approaches to security has resulted in the desire to focus on security issues from another angle. Human-security matters are the concerns of the individual ordinary citizens

---

<sup>9</sup> <http://www.nationaudio.com/News/DailyNation/Today/Comment/Comment23012004>

and not the State as the traditional schools of security have always argued. Critical theorists have questioned the traditional approaches especially on issues of power relations and organization. The emphasis has been to de-construct and to offer alternative ways of perceiving the reality. This study therefore will focus on individual responses from various security stakeholders in the private and public sectors. Information generated will be addressing on knowledge, attitude and perception of selected security stakeholders concerning the proposed anti terrorism policing measures and preparedness in Kenya. The study will therefore seek to answer the following research questions;

### **1.2 Research Questions**

1. What is the level of knowledge about terrorism commanded by various security stakeholders?
2. What is the perception of security stakeholders towards Anti-terrorism policing strategies and preparedness by the government?
3. What actions have the legal system and government taken to enhance long-term Anti-terrorism and human-security?

### **1.3 Study objectives**

The general objective will be to identify human-insecurity posed by anti-terrorism policing in the pursuit of peace and security. Specifically, the study will attempt

1. To identify the level of knowledge commanded by security stakeholders concerning the problem of terrorism.
2. To assess the perception of security stakeholders towards the proposed Anti-terrorism and preparedness strategies
3. To identify human-security intervention strategies by government and legal system for long-term anti-terrorism strategy.

### **1.4 Scope and limitation**

The study will focus on Nairobi province which is the capital city of Kenya. At the theoretical level, the study will apply the human-security approach to security studies as an alternative to the traditional state-centric and militaristic lens. The study will limit itself to the problem posed

by international terrorism to selected security stakeholders under study. Specifically, the study will seek to understand the knowledge, perception and long-term anti-terrorism policing measures adopted as a response to international terrorism and their effect on human-security of ordinary individual persons. Nairobi has many security stakeholders thus one-on one interviews will be a challenge to a single researcher.

### **1.5 Study Justification**

Globalization has brought with it some transformations upon the lives of world inhabitants. These transformations have been both positive where lives are made better and negative where human-security has been threatened. Crimes committed by individuals and governments have undergone a similar transformation in tactics and strategy. The problem of terrorism has come to affect many, and especially innocent civilians who are caught unaware. To counter this problem, different measures are taken. Anti-terrorism legislation is one of the many preventive strategies that Kenya has employed. However, the public has been reluctant to adopt it as a way of enhancing public human-security.

Urban populations have been a major target of terrorism, counter terrorism and anti-terrorism. The city of Nairobi with a population of 2,139,000<sup>10</sup> represents a diverse multi-ethnic, multi-religious, and multi-national population. This population has been a victim twice in the last two decades with attacks targeting foreign interests and civilians. The government has introduced measures to prevent and punish the perceived and actual terrorists in the pursuit for peace and security. Specific individuals and human-rights groups on the other hand, have argued that the policing strategies proposed for application impact negatively, especially when it comes to policing of suspected areas inhabited by immigrants who profess non-Christian religious beliefs. This conflict has been on-going and thus the study is timely.

---

<sup>10</sup> Kenya population census Data Sheet of 1999

## **CHAPTER TWO- LITERATURE REVIEW**

### **2.0 Introduction**

Literature on terrorism is very expansive with interests of individuals, groups, and governments conflicting when it comes to its causes, justifications and effects. The following chapter reviews in great depth the available literature on issues of anti-terrorism and its effect on human-security with a close reference to Kenya.

### **2.1 Terrorism and its effect on human-security**

Terrorism as a phenomenon has been a contested field by scholars, media journalists and policy makers. The recent development in technology has complicated the term as originally viewed owing to the changing “faces” of terrorism and one can argue of a modern style of terrorism. There has not been a consensus on the exact definition of the term. The term terrorism comes from a Latin word *terrere* “to cause tremble and came into common usage in the political sense, as an assault on civil order, during the reign of terror in the French revolution.”<sup>11</sup> During this time it was used to describe the actions of the French government. Thousands of people who were perceived or considered the “enemies of the State” were put on trial and guillotined. This view has been adopted by modern leaders such as the American administration under Bush Jr. where terrorism has been declared Americans’ enemy number one. Mr. Bush has vowed to continue with both non-violent means where possible, and military force in dealing with this problem.

Al Qaeda has been identified as leading on the enemy list for both Nairobi and World Trade Center attacks. Al Qaeda has been designated as an evil that has to be defeated. In his speech given on October 7th 2001, President Bush appealed to American citizens to be patient “given the nature and reach of the enemies”<sup>12</sup>. The striking part in this view is the prerequisite for one to define and identify a terrorist as an enemy. This view applies the demonological view to crime by identifying terrorists with and attributing their actions to “the evil” and demons. This

---

<sup>11</sup> Juergensmeyer, Mark 2001:5 *Terror In the Mind of God: The Global Rise of Religious Violence*. University of California Press Berkeley and Los Angeles, California.

<sup>12</sup> Lincoln, Bruce 2003:100 *Holy Terror*. The university of Chicago Press, Chicago USA

view legitimizes the way crime is attributed to “invisibility, immateriality, eternity, omnipresent, and omnipotence”<sup>13</sup> creating a link between terrorism and belief systems.

A myriad of definitions of terrorism have been advanced by governments, institutions and individuals. Various definitions link terrorism to crimes, beliefs and politico-economic factors. The FBI defines terrorism as “the unlawful use of force or violence against a person or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives. It further describes terrorism as either domestic or international, depending on the origin, base, and objectives of the terrorist organization.”<sup>14</sup> This definition is closely related to one adopted by the government of Kenya.

The government of Kenya defines terrorism as

- “the use or threat of action where the action used or threatened-involves serious violence against a person, involves serious damage to property, endangers the life of any person other than the person committing the action, creates a serious health risk or safety of the public or a section of the public or is designed seriously to interfere with or seriously to disrupt an electronic system.
- The use or threat is designed to influence the government or to intimidate the public or a section of the public; and
- The use or threat made for the purpose of advancing a political, religious, or ideological cause”<sup>15</sup>

The above definition is a State-centric one, applying a government-lens in viewing terrorism. Terrorism here is taken to be either an already committed action or a perceived threat to people and property thus inviting pre-emptive and curative strategies. Pre-emptive force and covert actions applied by different States have threatened to polarize the world into two especially at the international law. Though Kenya has been affected by terrorism, it has created an image of neutrality to demands of the USA and Britain especially proposed unilateral anti-terrorism and counter-terrorism strategies. Kenya has expressed through its foreign ministry the desire for the

---

<sup>13</sup> Morris, Norval and Hawkin, Gordon, 1970:206 *The Honest Politician’s guide to Crime Control*. University of Chicago, USA

<sup>14</sup> <http://www.fbi.gov/publish/terror/terrusa.html>

<sup>15</sup> *Anti-Terrorism Bill 2003:448-449* The Government Printers, Nairobi

UN to take central stage in targeted counter-terrorism and anti-terrorism activities. Much of the argument has focused on the legitimacy of the UN in matters of inter-State conflicts. This is however, a dilemma for many states since the UN on the other hand has left the problem of terrorism to be handled by individual states.

Kenya's approach to anti-terrorism has been criticized as encompassing everything in its classification of potential and actual terrorism threats. There are high risks of accusing minor offenders as terrorists as long as their actions or threats are perceived to be politically, religiously, or ideologically opposing to the view of the government. Thus some political parties, individual or religious sects may be labeled as terrorists and terrorist-groups. For both the current and former government regimes, some religious groups have been portrayed as enemies and a threat to peace.

On March 8<sup>th</sup> 2002, the Kenyan police announced that 18 sects, groups and private armies, some of them linked to prominent politicians, had been outlawed. Among the groups banned were *Mungiki* and *Taliban vigilantes* who had participated in the violent clashes in one of Nairobi's region of Kariobangi. A number of people had been killed and hundreds injured. This violence was interpreted by some people as having ethnic indicators where *Mungiki* is believed to comprise of Kikuyu while the *Taliban* include the majority Luo community members. Other groups that were banned by former Police Commissioner Philemon Abong'o comprised *Jeshi la Embakasi*, *Jeshi la Mzee*, *Baghdad Boys*, *Sungu Sungu*, *Amachuma*, *Chinkororo*, *Dallas Muslim Youth*, *Runyenges Football Club*, *Jeshi la Kingole*, *Kaya Bombo Youth*, *Sakina Youth*, *Charo Shutu*, *Kuzacha Boys*, *Kosovo Boys*, *Banyamulenge* and *KamJesh*.<sup>16</sup>

At the international level, the UN defines a terrorist as "any person who, acting independently of the specific recognition of a country or as a single person, or as a part of a group not recognized as an official part of division of a nation, acts to destroy or to injure civilians or destroy or damage property belonging to civilians or to governments in order to effect some political goal"<sup>17</sup> This definition by the UN gives more emphasis on human-security of civilians

---

<sup>16</sup> Daily Nation Newspaper March 8<sup>th</sup> 2002

<sup>17</sup> <http://www.inlink.com/~civitas/mun/res9596/terror.html>.



as it tries to make them the focus and referent object in a more decentralized manner. On the other hand, terrorism is seen as “an act of destroying or injuring civilian lives or the act of destroying or damaging civilian or government property without the express chartered permission of a specific government, thus by individuals or groups acting independently or governments on their own accord and belief, in an attempt to effect some political goals.”<sup>18</sup> The above definition by the UN is important in that it adds into the bracket of terrorism those governments who resort to aggression that is not permitted by the United Nations Charter.

The above aspect of terrorism is captured by Walzer who recognizes aggression by States as a crime and an example of immorality of decisions made by leaders. Walzer sees terrorism as “a way of avoiding engagement with the enemy army and representing the extreme strategy of the indirect approach.”<sup>19</sup> Thus it can be implied that Al Qaeda terrorists were avoiding direct encounter with the mighty American military force when attacking Nairobi. This idea focuses on the asymmetric nature of power characterized by the parties involved. Groups and individuals who command less strategic power employ terrorism as an unconventional method in pursuing their interests. According to the contemporary military strategy, terrorism perceived in this sense could be classified as a ‘crime of aggression’ and thus requiring a legalistic approach.

UNIVERSITY OF NAIROBI  
EAST AFRICANA COLLECTION

There has been no legal agreement either at the international level concerning the problem of terrorism. Every State has its own definition thus creating a conflict in its interpretation. Kenya offers its own definition which is different from those of other States thus creating an “unconducive environment” for harmonized international law. The famous saying of “one man’s terrorist is another man’s liberator” goes with this conflict at the international level. The late leader of Hamas, Dr. Abdul Aziz Rantinsi did not consider Hamas’ activities as terrorism but rather preferred to call them operations carried out by martyrs<sup>20</sup>.

A criminological view however attributes terrorism to crime since it involve planning for violence, sourcing of human and material resource with illegal intention, and general

---

<sup>18</sup> Ibid

<sup>19</sup> Walzer, Michael [2000:197]. *Just and Unjust Wars*. Basic Books, New York.

<sup>20</sup> Juergensmeyer 2001:72

perpetration of assault on innocent people. Kenya's penal code had not recognized the crime of terrorism but somehow recognize the various forms that terrorism takes e.g. kidnapping, hijacking, suicide bombing, hostage taking, conspiracy, arson etc.

It is therefore impossible to come up with one generally agreed approach to anti-terrorism since terrorism fluctuates according to time and space. Some forms of terrorism could be seen as crime, war, or revolutions. Other forms are long-term and enduring where individuals, groups and States support it in pursuit of their legitimate cause or deeply cherished values. What is called terrorism in one time could be called war, or revolution in other times, while acts that were not considered terrorism could be classified as so in other times. Terrorism is also an emotionally charged word that could be used to politically and socially discriminate against individuals or groups.

At one time in the struggle for independence, the Mau Mau Liberation movement was considered a terrorists group with Jomo Kenyatta as its leader. The current government in Kenya in conjunction with the British authority has de-illegalized and de-labelled Mau Mau as a group of terrorists, with its founders recognized as freedom fighters and nationalists serving a justified cause.

Academicians have also sunk in the sea of confusion when it comes to the problem of terrorism. However, terrorism is widely taken "as an anxiety-inspiring method of repeated violent action, employed by semi-clandestine individuals, groups or State actors, for idiosyncratic, criminal, or political reasons, whereby-in contrast to assassination-the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly [targets of opportunity] or selectively [representative or symbolic targets] from a target population, and serve as message generators. Threat and violence based communication processes between terrorist victims, and main targets are used to manipulate the main target [audiences] turning it into a target terror, target of demands or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily used."<sup>21</sup>

---

<sup>21</sup> Schmid, Alex P. *Thesaurus and Glossary of early warning and conflict prevention terms*. 2000. Forum on Early Warning And Early Response, The Old Truman Brewery, 91-95 Brick Lane London.

This view to terrorism identifies acts committed by individuals and those of oppressive governments in its definition. It helps in bringing the idea of government-sponsored terrorism. This view is not visible in the proposed Anti-Terrorism Bill in Kenya thus holding irresponsible government leaders as terrorism-free individuals. Terrorism here is also seen as an attention-generating activity i.e communication between the adversary, the oppressor and the purported victim targets.

Communication aspect is further captured well by Cindy C. Combs where she defines terrorism as “a synthesis of war and theatre, a dramatization of the most proscribed kind of violence-that which is perpetrated on innocent victims-played before an audience in the hope of creating a mood of fear, for political purposes”<sup>22</sup>. This means that there are “stages” that are produced for drama and as Lincoln Bruce says “the activities on the stage are designed to attract and hold its audience, while also advancing the interest of the backers”<sup>23</sup>. Don DeLillo is quoted by Juergensmeyer adding that terrorism is the language of being noticed. Without being noticed it would not exist<sup>24</sup>. In setting the stage where the acts are to be committed, terrorists are interested in one that will produce the most dramatic thus East Africa towns of Nairobi and Dar es Salaam proved to be excellent for a variety of symbolic reasons. Nairobi was considered by Osama Bin Laden as portraying a symbol of secular political power<sup>25</sup> which is a threat to Islamic belief and interests.

To date, the Kenya government has not come out clear to let the victims and citizens be aware of the reasons behind the Nairobi bombing. The deafening silence on the side of the government neither encourages reconciliation for those who were affected nor the perpetrators. Clear indication points toward its foreign policy which had been interpreted by the attackers as not serving Islamic survival interests. The attack on Nairobi was thus as a result of Kenya's role in global issues rather than a direct involvement in the conflict between Al Qaeda and the Western interests. The proposed Bill cannot therefore ignore the ongoing effects of

---

<sup>22</sup> Combs, C. Cindy [2003:10] *Terrorism in the Twenty-First Century*. Pearson Education, Inc. New Jersey.

<sup>23</sup> Lincoln, Bruce. [1994] *Authority: Construction and Corrosion*. University of Chicago Press, Chicago.

<sup>24</sup> Juergensmeyer, Mark [2001:139] *Terror in the Mind of God*. University of California Press, Berkeley, USA

<sup>25</sup> *Ibid* pg. 60

globalization in terms of technology, trade, commerce, migration, political, economical, and social cultural transformations.

## **2.2 Policing terrorism threats**

The effort to combat and prevent terrorism has resulted in usage of counter-terrorism and anti-terrorism as synonyms. The two terms have even become an almost standardized lexicon in the diplomacy of the United Nations. States such as the USA and Britain have however, gone ahead to differentiate the two. Counter-terrorism is seen as a security task performed by the military component of the State or international authority while anti-terrorism applies the use of political, legal, economic, civilian society and other human-security instruments in preventing and countering terrorism. The Kenya government refers to the proposed Bill as an Act of Parliament to "provide measures for detection and prevention of terrorist activities."<sup>26</sup> Interpreted this way, anti-terrorism is therefore equated to policing activities that oversee investigations geared towards detention, deportation of alien suspects of terrorism as well as search and seizure of properties and fundraising activities of suspects for both local and international suspects.

Many nations rushed in creation of anti-terrorism law immediately after 9/11. The outcry from local and international actors interpreted these laws as retroactive ones. Individuals, groups and religious sects considered to be actual threats or potential terrorists lost their finances while others were arrested as suspects. By the end of 2002, more than 166 countries had issued orders to freezing of more than \$121 million in terrorist related financial assets.<sup>27</sup>

## **2.3 Anti-Terrorism and social-cultural human-security conflict**

Religious connection to violence has been an area of focus by many religious scholars. The fundamental question that has been asked is whether religion as a social organization principle leads to violence or conformity. Odegi-Awuondo in his book Syracuse Memos defines religion as "a belief system of a people or a system of worship"<sup>28</sup>. A conflict on the other hand is seen

---

<sup>26</sup> The Suppression of Terrorism Bill 2003:446

<sup>27</sup> Report by American Ambassador Cofer Black-Coordinator for counter terrorism, Department of State publication, office of the Secretary of State [April 30<sup>th</sup> 2003]

<sup>28</sup> Syracuse Memo pg. 85

as “a social factual situation in which at least two parties are involved and who strive for goals which are incompatible to begin with or strive for the same goal which can only be reached by one party<sup>29</sup>. Thus combining religion and conflict, one can therefore imply a religious conflict to be the incompatibility of goals as addressed by the competing belief systems.

August 7<sup>th</sup> 1998 has been referred by many Kenyans as the “dark Friday” after the killing of many and injuring thousands. The act has been significant in relation to time, place, day, and the people implicated in the act. The significance of the above attributes brings the religious implications and symbolism related to the act. Firstly, the bombing happened on a Friday- a day when Muslims are preparing for Salaat ijumaa<sup>30</sup>. Secondly, the act targeted an American building as well as Kenyan citizens who interacted within the vicinity.

Criminologists have pointed out that disciplines of theology, religion, and philosophy have had important things to say about terrorism<sup>31</sup>. It is also a fact that about a quarter of all terrorist groups and about half of the most dangerous ones on earth are primarily motivated by religious concerns<sup>32</sup>. The believe is that God not only approves action, but demands them too. Terrorism cause is sacred, and consists of a combined sense of hope for the future and vengeance for the past. Successful use of terrorism in the name of religion rests upon convincing the followers that a “neglected duty” exists. Most religious traditions are filled with plenty of violent images at their core, and destruction or self-destruction is a central part of the logic behind religion-based terrorism.<sup>33</sup> The Christian doctrine invites believers to fight the devil and his evils to the end. The Gospel gives an example when Jesus denied himself the luxuries to fight the devil in the wilderness for forty days and forty nights. Fighting evil is always portrayed as a test of faith.

Religious symbols and cultural values considered sacred are defended with zeal. Al Qacda has blamed the West for its role in staining the purity of Islam through its secularization,

---

<sup>29</sup> Schmid, Alex P. in *Thesaurus and Glossary of Early warning and conflict prevention terms*

<sup>30</sup> This is the Friday Prayer for Muslims which believers are encouraged to attend

<sup>31</sup> Kraemer, E. (2004). "A Philosopher Looks at Terrorism." Pp. 113-131 in Nyatepe-Coo, A. & Zeisler-Vralsted, D. (eds.) *Understanding Terrorism: Threats in an Uncertain World*. Upper Saddle River, NJ: Prentice Hall.

<sup>32</sup> Hoffman, Bruce. (1993). *Holy Terror*. Santa Monica: RAND.

<sup>33</sup> Juergensmeyer, Mark. 2001 *Terror In the Mind of God*. University of California Press, Berkeley, USA

westernization, and modernization trends. Prof. Ali Mazrui is quoted as saying that the Islamic code of dressing has been criminalized and that the Kenya police will find themselves arresting Jesus Christ "if he walked on the streets of Nairobi with his long beards and Arab-style robes."<sup>34</sup> The proposed anti-terrorism strategy has therefore been interpreted as not serving the survival interests of the nation of Islam. In France the legislature passed into law beginning this year that female students should not wear Hijab-the head scarfs.

Modern Kenya has been characterized by heating debates between Christians and Muslims especially in entrenchment of the Khadhi's courts in the constitution. Christian groups have gone ahead to protest on the streets. Some of those "Christian fundamentalists" carried placards reading "am a soldier in the army of the Lord". This is a true indication of the reasoning behind the struggle and that one is willing to die in the "war" for the sake of religion. The town of Nairobi was interpreted as housing the western, secular influence and thus the symbolic achievement of "striking the heart of the infidel." Dar es-Salaam-[the house of Islam] sounded a warning that no one should tamper with the holy lands and shrines associated with Allah.

In the USA, Christian fundamentalists have torched some clinics in the anti-abortion struggle. Individuals and sects perpetrating the violence are involved in the struggle for the values of the family. Family planning and contraceptive usage have become contentious issues whose implications in demographic policy of the State are being felt all over. Religious politics have had immense effect on human-security of individuals in areas of family planning, contraceptives, HIV-AIDS and sex education in Kenya. Christians and Muslims have maintained their stance on abstinence as the only way to tackle the scourge of HIV-AIDS. The clergy from both sides ignore the importance of condoms use as a combined strategy. This has resulted to too many Christian deaths and Muslim deaths in the name of religion. The security of women and children has been highly affected.

An estimated 800,000 Kenyans have died of AIDS with four million more believed to be infected with HIV<sup>35</sup>. Much funding has been invested and especially in matters relating to

---

<sup>34</sup> Daily Nation Newspaper, 23<sup>rd</sup> January 2004

<sup>35</sup> [http://www.trincoll.edu/depts/csrpl/RINV013No1/condoms\\_kenya.htm](http://www.trincoll.edu/depts/csrpl/RINV013No1/condoms_kenya.htm)

awareness and sexuality but behavior change which is religious-based is yet to be fully realized. The use of condoms has been interpreted as promiscuity by both the Muslims and Christians. The former president also adopted a policy of "don't talk don't tell"<sup>36</sup> until December 2001 when he came out to oppose the stand taken by the religious groups. He finally declared HIV-AIDS a national disaster and invited MPs to talk openly about the disease. This was followed by a one-week HIV awareness to parliamentarians in Mombasa.

The trick to successful use of terrorism in the name of religion has thus rested upon convincing followers that a "neglected duty" exists in the fundamental, mainstream part of the religion. Kenya has become a battle ground for a perceived 'religious neglect' resulting to competition over domination by international NGOs, external States and donor agencies. Much of the funding in many economic projects comes from international government partners especially from the developed nations of the West. This has led to projects that have the blessings of non-Muslims and thus has posed as a potential risk to the minority Muslims. To counter this, Saudi Arabia, Iran and other Muslim countries have continued to offer scholarships, sponsor activities and fund numerous projects and institutions as a response to this competition. In one of Saudi Exhibition in USIU, a Saudi diplomat confided that their country offered a number of scholarships yearly for Kenyan students to study in Saudi Arabia<sup>37</sup>.

Education has resulted to the desire to control the ideological space both in the media and in the school curriculums. In both Kenya's primary and secondary schools, there are elective courses on IRE [Islamic Religious Education], CRE [Christian Religious Education] as well as HRE [Hindu Religious Education]. These subjects are examinable in the national exams and determine one's grade to enter the university.

The performance at the national exams has mostly favoured those boarding schools run by Christian groups such as the Catholic, Presbyterian, Anglican and Independent Churches with

---

<sup>36</sup> Ibid

<sup>37</sup> Fr. Brady, Ed [S.] and Ofuho, Hiteng Cirino, Building a Multi-Religious Society in the Context of Islamic Fundamentalism: Challenges and Appropriate Christian responses. February 19<sup>th</sup>-23<sup>rd</sup>, 2001, Resurrection Gardens, Nairobi.

Coast province being portrayed as sluggish in terms of academics. Performance has been attributed to indiscipline thus portraying non-boarding and non-Christian as problematic and wanting in discipline. At one time the Institute of Education was accused of developing and writing of textbooks for primary and secondary schools with an anti-Shia bias.<sup>38</sup> In specific pursuit of *dawa*<sup>39</sup> Iranian Library opened its doors in Nairobi in 1991 and Saudi Arabia opened medical clinics all over Kenya through the coordination of the international Islamic Relief organization.

Politicization of religion in Kenya for the last 40 years has not only had impact on health but also on economic security. After independence, the morale of Kenyan Muslims had slumped due to the development of commercial agriculture upcountry, reversed migration of labourers and educational marginalization, as regards English language<sup>40</sup>. Many of the jobs that were created after independence demanded an 'educated candidate' and thus many coastal people were shun out. Mombasa is the second largest town in Kenya but has not yet got a university. The fight for independence was mostly by Christians in Kenya with Muslims controlling the coastal region of Indian Ocean. After independence, the dominantly "white highlands" were inherited by Christians who continued to form the elite group in the government.

At the same time the Anglican Church and the Presbyterian churches had developed a close, semi-established relationship with the state long before independence.<sup>41</sup> Some of the clergymen had already been nominated to represent the "African interest" on the legislative and the executive councils. At independence, President Jomo Kenyatta, the first president of the republic of Kenya rewarded many Christian leaders and lay people by putting them in influential positions in the government. It is to be noted that Obadiah Kariuki, Kenyatta's brother-in-law was the first appointed Anglican Bishop while his wife's brother Monsignor George Muhoho was the Chaplain of the Roman Catholic in the University of Nairobi<sup>42</sup>. The

---

<sup>38</sup> <http://payson.tulane.edu/conflict>

<sup>39</sup> This is an Arabic word meaning Missionary work and can as well mean Islamisation

<sup>40</sup> Hansen, Holger Bernt and Twaddle, Michael 1995:7

<sup>41</sup> Hansen Holger Bernt and Michael Twaddle, Religion and Politics in East Africa (1995:143), James Currey Ltd. London.

<sup>42</sup> Hansen, Holger Bernt and Twaddle, Michael 1995:145



anti-terrorism Bill therefore has been considered as sustaining and legitimizing these secular and Christian values through an attack on clothing symbolism.

Large areas of interior Kenya have few Muslim communities and are relatively isolated. It is to be noted that large populations of Muslims are to be found along the Coast and North Eastern regions of Kenya due to the long history of dawa [islamisation]. The Coastal region has been highly influenced by Arab traders and close link that has existed between the Middle East and the local population. This could explain as to why Islamic politics are centered on these areas. However, there are pocket of Muslim communities in some urban areas such as Nairobi, Kisumu, Nakuru, and other relatively larger cities in Kenya.

The Islamic Party of Kenya (IPK), which was established in 1992, received its political backing not only from the coastal towns of Kenya bordering the Indian Ocean but also from Muslims from the interior parts as it was launched in the capital city Nairobi. The politics of regionalism has affected Kenya with close arguments that [National Islamic Front [NIF] of Sudan led by Al Turabi has found some links with the coastal people at one time, especially in the early formation of IPK [Islamic Party of Kenya]. The coastal population has always advocated for a Majimbo (federal) government and this has been interpreted as an indication of separatist attitudes. Call for federal government interpreted this way, has been as a result of the idea that coastal region has been marginalized by the previous regimes.

An attempt by Coastal political leaders to follow federalism thinking has also a leaning towards supporting religious sentiments that could support terrorism. This has not been taken well by the government as well as foreign representatives in Kenya. Crimes and violence supported by religious sentiments thus becomes a threat to interests of policymakers and mostly those that are in conflict with Islamic Faith. Most of the religious terrorists justify their actions in their accountability only to God. It is taken that it is only he who has chosen them for this sacred mission in history. The Hamas leaders have been quoted as referring to such acts as “act of martyrdom.” The practice of martyrdom is an important aspect in both internal and external contextual spaces of the terrorist. “Not only does a martyr serve recruitment and other purposes after their death, but a whole mythology develops around them, which might be called

a process of martyrology"<sup>43</sup>. Targets are chosen not for strategic purposes, but for symbolic purposes, and the repercussions of an attack are managed as well.

The ideal target is one in which the martyr can inflict more damage than is expected for their size. This is the principle used by the Hamas suicide bombers in Palestine as well as the Tamil tigers in Sri Lanka. The image created is one of an impression that the group is bigger and powerful than the adversary actually thinks it is. The martyr has to undergo an indoctrination process for the creation of a new identity and mostly is provided with false sociological and sometimes biological backgrounds e.g. the changing of identification cards, birth records and citizenry. This process largely affects immigration and refugee policies of many receiving countries. Immigration has thus become one of the contested areas where individual loyalty and acceptance to the process of integration is questioned. The proposed Anti-terrorism Bill shows no clear direction towards immigration and refugee integration.

Islam has emerged as a competitive religious force in a Christian dominated Kenya. There are signs of expanding joint Iranian and Sudanese contacts with Islamic Faithfuls in Kenya and Somalia<sup>44</sup> in a wave of violence connected to global terrorism. At the local level, the 1992 clashes in Mombasa and the burning of 'Our Lady of Mercy' Catholic Church in Nairobi by Muslim youth in 2001 are pointers towards this phenomenon. Human security will thus be affected as tension builds up. The proposed Anti-Terrorism Bill has hit hard on Muslims and an effort to reconcile it with a long-lasting human-security mechanism is thus imperative. The ongoing debate on entrenchment of the Kadhi's court<sup>45</sup> has exposed the tension between the two religious groups indicating a potential source of conflict.

---

<sup>43</sup> Ranstorp, Magnus. (1996). "Terrorism in the Name of Religion," Pp. 121-36 in Russell Howard & Reid Sawyer (eds.) *Terrorism and Counterterrorism*. Guilford, CT: McGraw-Hill.

<sup>44</sup> Fr. Brady, Ed [S.J] and Ofuho, Hiteng Cirino. [2001:30]. Building a Multi-Religious Society in the Context of Islamic Fundamentalism: Challenges and Appropriate Christian responses. February 19<sup>th</sup>-23<sup>rd</sup>, 2001, Resurrection Gardens, Nairobi.

<sup>45</sup> Kadhi's courts were established by the Kadhi's Court Act [CAP11] of the laws of Kenya with a jurisdiction of determining questions of Muslim law relating to personal status, marriage, divorce or inheritance in proceedings in which all the parties profess the Muslim religion [Adopted from the book The law of Kenya by Tudor Jackson, Kenya literature Bureau Nairobi]

At the global level, one's religion has a lot of influence during the socialization process. It shapes the way the "other" group is perceived. In post-cold war, religious fundamentalism of both Christians and Muslims are posing a threat to security and peace of the world. If religion is giving rise to terrorism, then representation of close to one billion Muslims in the world must be considered even at the Security Council. The United Nations as an institution has remained skewed when it comes to interests of minorities. Religious minority is one factor that has not been taken seriously when it comes to human-security at both local and international level. Human-security approach calls for an enhanced dialogue and listening of minorities rather than dictatorship of the majority.

Sociologists and psychologists have at the same time associated negative identity link to crime. This view holds that a person develops a vindictive and covert rejection of the roles and statuses laid out for them by their family, community, or society. This is the rebellious kind of characteristics that finds its opposition on existing structural arrangement. Many female suicide bombers in Sri Lanka and Chechnya have gone ahead to explode themselves thus defying the notion that women should not involve in the struggle for power. They have been referred to as "the women in black". The long-nurtured negative identity comes out, and the subjects feel more like a total identity transformation.

Psychologically, terrorists are believed to hold that they are doing nothing wrong when they are killing, taking hostage or blowing themselves up. Terrorists have the thinking that "I am good and right, you are bad and wrong. This is a polarized thinking which allows them to distance themselves from opponents and make it easier for them to kill"<sup>46</sup>. This condition is manifested in the lack of empathy in the suffering of the victims. However, terrorists are not just another group of anti-social or psychopaths for they show high level of intelligence, with clear planning and precision.

Social-psychology field of study has attempted to merge some explanations especially in criminal justice where attempts have been done to come up with profiles of terrorists. Russell

---

<sup>46</sup> Merari, A. (1990). "The Readiness to Kill and Die: Suicidal Terrorism in the Middle East." In W. Reich (Ed.), *Origins of Terrorism: Psychologies, Ideologies, Theologies and States of Mind*. Cambridge: Cambridge University Press.

and Miller<sup>47</sup> in their study found out that terrorism had a high support from individuals who are:

- 22-25 years of age
- 80% male, with women in support roles
- 75-80% single
- 66% middle or upper class background
- 66% some college or graduate work
- 42% previous participation in working class advocacy groups
- 17% unemployed
- 18% strong religious beliefs.

Merari<sup>48</sup> conducted some interviews with terrorists, wanting to know as to why suicide bombing was on the rise and found that most suicide terrorists were between the ages of 16 and 28. Most were male, but 15% were female. Many came from poor backgrounds and had limited education, but some had university degrees and came from wealthy families. The point to note here is that there is no single psychological personality of terrorist thus Osama Bin Laden will be different from Timothy James McVeigh, Mohammed Odeh will be different from Hitler. Motivations, conditions and contextual background will therefore tell more than an attempt to generalize the psychology of the terrorist.

Mental illnesses as well has been given as an attempt to explaining terrorism though very weak owing to the high, extra-ordinary information and intelligence that terrorists require for them to execute their plans and actions. However, some scholars such as Jerrold Post have been on record saying that the most dangerous terrorist is likely to be a religious terrorist, and that all terrorists suffer from negative childhood experiences and a damaged sense of self<sup>49</sup>. He has

---

<sup>47</sup> Russell, Charles & Bowman Miller. (1977). "Profile of a Terrorist." *Terrorism: An International Journal* 1(1): 17-34.

<sup>48</sup> Merari, A. (1990). "The Readiness to Kill and Die: Suicidal Terrorism in the Middle East." In W. Reich (Ed.), *Origins of Terrorism: Psychologies, Ideologies, Theologies and States of Mind*. Cambridge: Cambridge University Press.

<sup>49</sup> Post, Jerrold. (1990). "Terrorist Psycho-Logic: Terrorist Behavior as a Product of Psychological Forces," Pp. 25-40 in W. Reich (ed.) *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind*.

analyzed what he calls the terrorist "mindset" as a mental illness that compels them to commit horrible acts. He attempts to use a neo-Freudian style by showing the link between terrorists who want to "destroy the nation, or world, of their fathers" and those who desire to "carry on the mission, or world, of their fathers." This view is based on the principle of Oedipus complex and erectus complex.

Complexity of terrorism has resulted in classifying terrorists into various categories. Categorization such as fanatics, extremists, insurgents, nationalists, separatists, fascists, rebels, guerillas etc have been used. Among these categorizations, fanatics and extremists are given more attention. Fanatics are seen as those with strongly held religious beliefs while extremists have strongly held political beliefs. Walter Laqueur refers to fanatics as religious zealots while extremists are taken to be political zealots. He at one time strips away any religious connotation, and says that most terrorists are fanatics<sup>50</sup>. This is fanaticism characterized by some implications of mental illness which is not in itself a diagnostic category and he claims that it is characterized by excessive cruelty and sadism. Others such as (Taylor 1988)<sup>51</sup> have pointed out that fanaticism is characterized by the following:

- prejudice toward out-groups
- authoritarianism
- an unwillingness to compromise
- a disdain for other alternative views
- a tendency to see things in black and white
- a rigidity of belief
- a perception of the world that reflects a closed mind

Fanaticism as put here could as well mean over commitment to a given course of action and could as well apply to governments. Genocides such as those committed by Germany during

---

Cambridge: Cambridge Univ. Press.

<sup>50</sup> Laqueur, Walter. (1999) *The New Terrorism*. NY: Oxford Univ. Press.

<sup>51</sup> Taylor, Maxwell. (1988). *The Terrorist*. London: Bracey's.

the reign of Hitler, Rwanda in 1994 and former Yugoslavia were marked by regimes that were committed and determined to wipe out some ethnic communities.

#### **2.4 Economic deprivation and terrorism**

Economics as a discipline attempts to explain terrorism in terms of supply and demand, costs and benefits, profits and losses, growth and decline etc. Penology as a branch in Criminology employs this rational choice model in the function of the law referred to as deterrence. According to this model, People will engage in crime after weighing the costs and benefits of their actions. Criminals believe that the anticipated action will be beneficial to themselves, group, community, or society and that it pays, or is at least a risk-free way to better their situation. The routine activities theory by Cohen and Felson best illustrates this model. It states that three conditions must be present in order for a crime to occur: (1) suitable targets or victims who put themselves at risk; (2) the absence of capable guardians or police presence; and (3) motivated offenders or a pool of the unemployed and alienated<sup>52</sup>. Deterrence as a goal of Anti-terrorism has been put into question by human-security proponents. In its roots deterrence involves punishing offenders for the sake of stopping potential terrorists from committing the same acts. This involves instilling of fear.

For human-security proponents, security has been taken to mean freedom from fear and want and thus anti-terrorism strategy that breeds fear in others is working against individual's security and peace. The other issue is whether convicted terrorists in Kenya and others places in foreign cell will fear and thus be deterred in the future. This is likely not to be the case as it has been seen in Kenya where terrorists revisited Mombasa even after some Al Qaeda members who were involved in the Nairobi bombing were sentenced to life imprisonment in the USA.

Many terrorist activities target businesses and offices of the perceived or actual enemy. The perpetrators do this with a calculated benefit. In doing this, the enemy's infrastructure is crumbled and this brings desperation, fear and anger. In examples of hostage taking, terrorists are willing to keep some hostages alive for bargaining purposes. The on-going drama in Iraq

---

<sup>52</sup> Cohen, Lawrence & Marcus Felson. (1979). "Social Change and Crime Rate Trends: A Routine Activities Approach." *American Sociological Review* 44: 588-608.

exemplifies this kind of rational calculation where insurgents are giving deadlines to foreign governments to withdraw their soldiers from their territory. The current Anti-Terrorism Bill must therefore be evaluated with the level of human-security perceived by economic actors and business entrepreneurs in Nairobi and other potential-target places

In cases where some groups are opposing the existing government, terrorists will target military bases, government offices as well as business premises owned by government officials and their close allies. The attack on Norfolk hotel in Nairobi on December 31<sup>st</sup> 1980 and Kikambala in Coast Province on November 28<sup>th</sup> 2002 is an example of attacks on targeted business premises of allies.

Africa has ranked high when it comes to civil and internecine conflicts. Clandestine, individual-self proclaimed terrorists, government-sponsored terrorism have taken toll in many regions. Major conflict zones are as a result of economically calculated gains by some individuals. In Sierra-Leone, many lives have been lost while the remaining population has been left to come to terms with body mutilations that were inflicted on them. The on-going war in Democratic Republic of Congo has been connected with minerals such as gold, copper and diamonds. The oil conflict in Nigeria is another example while the Liberian conflict leaves a lot to be regretted.

Many conflicts arise due to the feeling of relative deprivation of some groups or communities. Poverty has been linked to the availability of individuals who are ready to be recruited in gangs and cells since they have nothing to lose but their lives. Somalia has gone without a centralized government for the last 13 years and many youths have resorted to gun-ownership as a tool to wealth-creation through banditry, highway robberies, rustling of cattle etc. The counter-terrorism and anti-terrorism measures adopted by USA on Sudan, Afghanistan, and currently Iraq leaves a lot to be desired in terms of economic calculations. In the month of February 2004 the governments of Norway, Canada, USA, France, Germany and Japan were involved in differences of how reconstruction contracts in Iraq were being offered to specific companies from USA.

The proposed anti-terrorism bill allows for “an authorized officer who has reasonable ground to suspect that any cash which is being imported into or exported from Kenya, or is being brought to any place in Kenya for the purpose of being exported from Kenya as a terrorist’s property and may seize the cash.”<sup>53</sup> Many individuals and financial institutions suffered losses immediately after 9/11 especially Somali citizens who had savings in Barakat bank and whose accounts got frozen by the government of the USA and its allies. This has led to an increased frustration to innocent civilians who had savings with the bank.

The frustration-aggression phenomenon has been linked to terrorism in many occasions. It implies that every frustration leads to some form of aggression, and that every aggressive act relieves that frustration to some extent. However, criminologists tend to agree that not all frustrations lead to terrorism and not all terrorism are as a result of aggression. In the field of conflict studies Michael Walzer sees aggression as the immoral use of force<sup>54</sup> and thus it should be met with resistance. Though Walzer is against realism, he later agrees that it is only aggression that justifies the use of force thus anti-terrorism and counter-terrorism legitimized and justified. The critical issue is whether responses to “terrorism aggression” acts to reduce frustrations or works as a hardening of terrorists and potential terrorists. Robert K. Merton’s theory of relative deprivation points at various ways in which frustrations may arise and thus frustrations rather than aggression should be the main focus for criminologists and policy makers.

The other aspect is the relative deprivation link to crime. It holds that a person goes about choosing their values and interests, comparing what they have and don’t have, as well as what they want or don’t want in relation to others. When one perceives a discrepancy, he or she might react with anger or with a feeling of injustice. At the global level, interests of some groups are hampered by others during the process of competition at both material and cultural circles. The Palestinians take it as their duty therefore to claim their territorial rights, the Indians and Pakistanis take Kashmiri region as one of theirs, Al Qaeda perceives both religious

---

<sup>53</sup> Suppression of Terrorism Bill 2003:462. Government printers, Nairobi Kenya.

<sup>54</sup> Refer to the book- Just and Unjust war [2000], where Walzer talks about the theory of aggression



and economic threats to Islamic religion and civilization and thus will want to convert or punish heretics as possible.

Relative deprivation has thus extended to political power bargain at the helm of the United Nations Security Council. This is the highest level of decision-making regarding world's peace and security and thus any decision that comes out of it will have a great impact to everyone in the globe. If issues such as religion are causing terrorism, then one should ask how many Muslims or Islamic States are represented in the 15member-security council. Close to 1 billion Muslims have no representative in the Security Council and the United Nations is still mump on this.

## **2.5 Gaps in Literature Review**

Available literature indicates that several extensive studies on terrorism and anti-terrorism have been done mostly in Europe, America and Asia. Africa is missing out in the picture when it comes to counter-terrorism and anti-terrorism measures, laws and strategies. Africa has been portrayed as a potential source of terrorism yet nothing much has addressed the actual and potential causes. The problem of terrorism has also not been given enough attention. Ordinary individual citizen's human security has been short sized with much literature focusing on States as the referent objects.

The policy responses to international terrorism in Kenya have been seen as wanting as indicated by the growing dissatisfaction by citizens and foreign countries who at one time have issued traveling advisories and warnings to their citizens resulting in economic loses for Kenya. In spite of the fact of the creation of a special anti-terrorism police unit, anti-terrorism legislation and stiffer immigration controls, dissatisfaction has continued to surface from the local communities, human rights organizations and NGO groups especially when it comes to policing areas dominated by Islamic civilization.

## 2.6 Theoretical models

### 2.6.1 Realism Theory

Security has mainly been the focus of the Realism school of thought in international relations and practice. The school has drawn heavily from the thinking of Thucydides, Hobbes, Machiavelli and Rousseau. Realism goes back as far as 430 BC to the time of Thucydides and his book 'The Peloponnesian War', through Machiavelli in the 16th and Rousseau in the 18th Century. The essence of Realism is a system of power politics and state-interest. The French philosopher Jean-Jacques Rousseau states, using the analogy of a family that: "The most ancient of societies, and the only one that is natural, is the family: and even the children remain attached to the father only so long as they need him for their preservation...If they remain united they continue so no longer naturally, but voluntarily; and the family itself is then maintained only through convention...[man's] first law is to provide self preservation, his first cares are those which he owes to himself."<sup>55</sup>

The 'founding fathers' of realism are grounded in a pessimistic conception of human nature. For Hobbes, human beings are seen to have a problematic nature. They are considered to be naturally evil and aggressive. Persons are seen as uninformed, passionate, undisciplined and violent. Man is seen as violent in nature and lack the intelligence to carry out rational cost-benefit analysis. Man can only therefore find his fulfillment of his potential through the collective security provided by the state. The state compensates the human deficiency for survival both locally and internationally.

For Hobbes, the state needs elite [group] because it must survive in a hostile environment at home and abroad.<sup>56</sup> Security in this sense is therefore a concern of the state that must guard against the two sources of threats; against the local uninformed-irrational mass and the international hostile powers. Graham and Nana say that "this is a world of no permanent friendship or enmities but of constantly changing alliances dictated by no other sentiments such

---

<sup>55</sup> <http://www.ixyl.co.uk/>

<sup>56</sup> Graham, T. David and Poku, K. Nana [2000:11]. Migration, Globalization and Human Security. Routledge, New Fetter Lane, London.

as religion, ideology, dynastic bond than the reason of state.”<sup>57</sup> State’s power therefore becomes the focal point of interest to be spoken by realists. The central question here concerns the causes of war and the conditions of peace. This school of thought attributes the absence of a central authority to settle disputes as the essential feature of contemporary system. International relations is considered to be that of anarchy and a jungle. Security dilemma is thus as a result of the need for the “self-help system where one nation’s search for security leaves its current and potential adversaries insecure.”<sup>58</sup>

Unlike liberals and idealists, conflict is taken as natural state of affairs by realists rather than historical circumstances and inadequacies. Conflict is seen as inevitable and thus represented by a dichotomous struggle. The struggle here focuses on geographically based actors as the central actors in the anarchic world organized on the basis of territorial sovereignty. Territorial sovereignty represented by the state becomes the guiding principle in pursuit of “national interests defined in terms of survival, security, power, and relative capabilities.”<sup>59</sup> Following this, the state is taken to be a rational actor in response to external and local forces. This perception to security has however been criticized by rationalist, idealists, liberalists, and critical theorists for not taking into account the interdependence, cooperation, inequalities and the security transformation that is characterized in the current globalization movement and especially the period after the Cold War.

### **2.6.2 Liberalism theory**

Liberal thought to security was emphasized at the turn of the 20th century and more importantly at the end of the First World War. This seemed to peak with the formation of the League of Nations in January 1918 by Woodrow Wilson, the then President of the United States of America when he delivered his “fourteen points speech.”<sup>60</sup> This has coincided with the labelling of this theory as “wilsonian thinking.” In this, he argued that an association of nations must be formed to preserve and secure the peace in the afterwar periods. Liberals argue that

---

<sup>57</sup> Graham, T. David and Poku, K. Nana [2000]. *Migration, Globalization and Human Security*. Routledge, New Fetter Lane, London.

<sup>58</sup> Kegley, Jr. W. Charles [1995:37]. *Controversies in International Relations Theory: Realism and the Neo-liberal Challenge*. St. Martins Press Inc.

<sup>59</sup> Kegley, Jr. W. Charles [1995:37]. *Controversies in International Relations Theory: Realism and the Neo-liberal Challenge*. St. Martins Press Inc.

<sup>60</sup> <http://www.ixyl.co.uk>

nation-states are not the only decisive actors in issues relating to war and peace. International organisations, NGOs, multinational corporations, finance institutions, etc affects world security and peace for they go beyond State boundaries. Wilson's great ideal however was affected "before World War Two with acts of aggression by Germans, Japanese and others"<sup>61</sup>. Post cold war period has also challenged the UN as an international institution where unilateralism is creeping in. The USA is emerging as a main determinant especially in the use of force against Iraq, and Afghanistan.

The tenets of Liberalism focuses on self-restraint, moderation, compromise and peace. Many liberals "define security in terms that are broader than the geo-political, emphasizing the potential for cooperation and relations among nations."<sup>62</sup> According to Hoffman, international politics is diametrically opposite with states of 'troubled peace at best or the state of war.'<sup>63</sup>

There are many branches of liberalism thought. However, Liberalism in general puts emphasis on prevention of global conflict and the preservation of peacetime values by individuals and States.

UNIVERSITY OF NAIROBI  
EAST AFRICANA COLLECTION

It is held that undemocratic States and undemocratic leaders corrupt the world order when they continue to use out-dated policies. Such propositions have been supported by Immanuel Kant who believes that every State should enter into a constitution and enter into a universal community.<sup>64</sup> Human beings are taken to be law-abiding and thus the world without a central authority is possible. One branch of liberal thought, that of institutionalism, led to the formation of the League of Nations in the early 20<sup>th</sup> century. Institutionalism together with the other branch of Idealism believe that international order is constructed and sustained effectively by an international organisation. For Idealists, War is unnatural, and peace is the normal condition.

People are good and rational and thus war is taken to be bad and irrational. Therefore, war is not caused by the will of the people, but by either misunderstanding, or by dictators who reject the will of the people. Cross-cultural interactions, including trade, international education, can

---

<sup>61</sup> <http://www.ixyl.co.uk>

<sup>62</sup> Kegley Jr., W. Charles [1995:43]. *Controversies in International Relations Theory: Realism and the Neoliberal Challenge*. St. Martins Press Inc.

<sup>63</sup> <http://www.ixyl.co.uk>

<sup>64</sup> Ibid

promote peace by reducing misunderstandings that can cause war. This line of thinking goes with the proposition of perpetual peace and democratic peace. Democracy is taken that it will bring peace because people will use their reason to avoid the irrationality of war. It is also taken that democratic nations will cooperate to establish international law and international institutions like the League of Nations.

The Idealists branch is one of collective security amongst all of the nations who sign the agreement. If one nation is aggressive towards any other then all the members take actions against the offending nation. The concept of **collective security** is based on the principle that peace is indivisible; a threat to peace anywhere is a threat to peace everywhere. In a collective security organization, States agree to respond to a threat to peace by uniting against the aggressor. The United Nations Charter in 1945 and the formation of NATO follows this kind of approach.

### **2.6.3 Human Security Approach**

Both academicians and policy makers have seen the concept of human security as one that is hard to define. Academicians have interpreted this concept as an expansive and a vague one. Some have seen it as a politically colored label that allows everything and anything to go as security. Policy makers on the other hand argue that they have been met by the confusion of what to consider as the major threat when it comes to prioritization in the light of limited resources.

In spite of the above, the concept of human-security has increased in usage, shaping and influencing foreign policies of different countries such as Norway, Canada, Japan and the new middle-level powers. The first major statements concerning human security appeared in 1994 under the United Nations Development programme report. It came out that the concept of security had for too long been narrowed to meaning security of territory from external aggression or as a protection of national interests in foreign policy as a global security order. The late Economist Mahbub Ul Haq played a key role in the development of the human security approach and its inclusion in the UNDP report. He created the "Human Development

Index [HDI] and was also a moving force behind the recent Humane Governance Index [HGI]<sup>65</sup>

The UNDP definition of human security includes seven categories; **economic, food, health, community, environmental, political, and personal security**. It is considered to be the broadest possible conceptualization of human security. This expansion to security places more emphasis on other non-state actors. At the base, security is seen as a concern of the ordinary citizen and not the territorial borders and frontiers. The proponents of human security are concerned with the welfare of ordinary people in their daily life and in their quest for individual security. The governments of Norway and Canada have so far pursued this notion, which is a move towards the **individual as a point of reference** in what is referred to as the Lysøen Conference Agreement. The two states agreed to base their foreign policies based on the values of human security.

Human security concept goes beyond the traditional central issues of statism and national security, which mostly focus on political high grounds, sacrificing individual liberties and interests for collective prosperity. Mahbub Ul Haq as well has answered the question of who should be the referent object to security. He says that “security is not about States and nations but about individual people”.<sup>66</sup> The argument here is on equating security of individuals and not security of States in the global security agenda. Haq is quoted by Bajpai as having put forward a normative direction by stating that “we need to fashion a new concept of human security that reflects on the lives of our people, not in the weapons of our countries.”<sup>67</sup>

Canada has followed this line by offering a definition of human security as “**freedom from pervasive threats to people’s rights, safety or lives.**”<sup>68</sup> Lloyd Axworthy, by then the

---

<sup>65</sup> Kanti Bajpai in the paper “Human Security: Concept and Measurement. Kroc Institute Occasional Paper No. 19: OP: 1 August 2000.

<sup>66</sup> Kanti Bajpai in the paper “Human Security: Concept and Measurement. Kroc Institute Occasional Paper No. 19: OP: 1 August 2000

<sup>67</sup> Ibid

<sup>68</sup> Roland Paris in the paper titled “Human Security Paradigm: Shift or Hot Air? Also reflected in International Security Vol. 2 Fall [2001]. The President and Fellows of Harvard College and Massachusetts Institute of Technology.

Canadian Minister for Foreign Affairs argued that a people-centered approach to security takes care of “security against economic privation, an acceptable quality of life, and a guarantee of fundamental human rights”<sup>69</sup> This is an extension beyond the military defense of State interests and territory and thus a paradigm shift. The main concern of security thus becomes the concern of people rather than the government. However, he later conceded that security between States remain a necessary condition for the security of people, although post Cold War period has showed inadequacy of national security in guaranteeing individual security.

Generally, there has been an attempt to interpret human security as comprising of two aspects. First of “safety from chronic threats such as hunger, disease, repression and secondly, protection from sudden and hurtful disruption in the pattern of daily life whether in homes, jobs or in communities.”<sup>70</sup> The focus on human security thus helps to unveil the lack of protection and security of large number of individuals, groups, and communities in the course of their daily life. With a widened concept of security, it follows that security of individuals will be evaluated not only in terms of insecurity caused by international terrorists but also on the direct and indirect threats emerging from internal State policing.

## **2.7 Working Assumptions**

- There is differential knowledge and awareness concerning the problem of terrorism between policing agents.
- Private civilian security stakeholders have a negative perception towards anti-terrorism policing measures and preparedness initiated by the government.
- Anti-terrorism policing measures and preparedness has not promoted a long-term human-security intervention strategy

---

<sup>69</sup> Lloyd Axworthy in “Canada and Human Security” page 184

<sup>70</sup> Roland Paris in the paper titled “Human Security Paradigm: Shift or Hot Air? Also reflected in *International Security* Vol. 2 Fall [2001]. The President and Fellows of Harvard College and Massachusetts Institute of Technology

## **2.8 Operational Definition of Terms**

**Security stakeholders-** security personnel hotels, restaurants, boarding & lodging facilities and peace workers in the field of peace and security.

**Peace-** A process and a condition characterized by preservation of individual existence, declining violence and the continuation of individual self-realization on an increasingly equal distribution of development chances.

**Violence-** Physical or psychological force exerted for the purpose of injuring, damaging or abusing people or property

**Direct violence-** Direct harm to someone's body or mind.

**Structural violence-** Concealed violence in unjust, unequal and unrepresentative social structures, policies and laws suppressing an individual.

**Policing-** Activities performed by authorized members in the business security sector and the police force as indicated in Anti-terrorism and police Acts.

**Human-security-** Absence of overt violence, structural violence and fear.

**Fear-** Perceived or actual danger leading to behavior avoidance or physical escape



## CHAPTER THREE: METHODOLOGY

### 3.0 Introduction

This chapter highlights procedures and justifications for the research methodology adopted. The study mainly utilized qualitative methodology in gaining information concerning knowledge, perception and long-term anti-terrorism policing strategies. The nature of information generated in this study necessitated a qualitative approach due to the nature of in-depth analysis that was required. The assumption was that every security stakeholder had a different view, knowledge, and perception concerning the problem of terrorism. Security issues are also taken with a lot of caution and sensitivity and thus not every person gives the same answers concerning various aspects of security.

### 3.1 Site selection

The study focused on the capital city of Kenya. Nairobi carries a population of more than two million people,<sup>71</sup> with a multi-ethnic-religious and an inter-national identity. Urban population has also been the target of terrorism, with Nairobi suffering three major attacks. The study targeted hotels, guest houses, restaurants, boarding and lodging facilities mainly found within the Central Business District. However, few hotels, guest houses, restaurants, boarding and lodgings found outside the central business district were also targeted purposively for comparative reasons.

### 3.2 Site Description

Nairobi is one of the eight provinces of the Republic of Kenya. It has an area of 696 square kilometers<sup>72</sup>. It is the capital city of Kenya and the head of government administration. It has a population of 2.39 million. Population density has been translated to be a density of 3073 persons per square kilometer<sup>73</sup>. Nairobi is sub-divided into 8 parliamentary constituencies namely Dagoretti, Embakasi, Kamukunji, Kasarani, Langata, Makadara, Starehe, and Westland. The study focused on the core inner city which has a high concentration of business activities.

---

<sup>71</sup> Kenya Bureau of Statistics, 1999 Population Census Data Sheet

<sup>72</sup> Kenya Bureau of Statistics, 1999 Population Census Data Sheet

<sup>73</sup> Kenya Bureau of Statistics, 1999 Population Census Data Sheet

### **3.3 Sources of Data**

The study utilized both primary and secondary data. Primary data was collected from security heads in hotels, guest houses, restaurants, boarding facilities, government officers and selected NGO peace workers. Secondary data was collected from published, unpublished materials, journals and internet resources.

#### **3.4.0 Method of data collection**

Two main methods were used. These methods include firstly, semi-structured interview guides with security departments in hotels, guest houses, restaurants, boarding and lodging facilities. Information gathered during the discussions was recorded as field notes. Secondly, in-depth interviews were conducted with government officers and NGO peace workers.

#### **3.4.3 Selection of observation unit [sampling]**

The major sampling techniques used were purposive sampling and theoretical sampling. Security stakeholders in hotels, restaurants, guest houses, boarding and lodging facilities were identified using purposive sampling techniques. Selection of key informants was guided by a map and list of hotels and restaurants issued by electoral commission and ministry of tourism respectively. Once the first respondents were identified, the researcher finalized the interview with guiding questions for direction of other possible respondents within the security sector under investigation. Emphasis was on organizations that offer bedding facilities i.e sleeping facilities for commercial reasons. Theoretical sampling on the other hand worked under the assumption that the researcher knows some people who would possibly give appropriate information on certain issues e.g human security, terrorism, human rights. Key informants that responded to in-depth interviews were also primarily identified using purposive theoretical sampling technique.

#### **3.4.4 Methods of data analysis**

Data from the field was continuously analyzed as it took much of a qualitative approach. However, quantitative analysis was also carried out especially on questions that were allowing in terms of structure. Demographic characteristics of key informants were also

analyzed quantitatively. Semi-structured interview guides and in-depth responses were categorized based on study objectives. Microanalysis based on words, sentences and explanations generated from discussions was carried out. Semi-structured interview guides responses allowed for quantitative analysis based on descriptive statistics. Frequency distributions and percentages were the mostly used statistical analysis methods. The tables and percentages were generated using SPSS computer program. Only the questioned that were in semi-structured interview guides were analyzed in this manner.

#### **3.4.5 Problems encountered during data collection**

Probably the following cases should not be taken as pressing problems as such but notes on experience in the field. For this case, a tape recorder could have been very useful to record statements but majority of key informants did not approve its usage.

In many occasions, key informants were called in for meetings and thus not easy to schedule appointments. Owing to their positions, many were contacted to address to security matters even while under interviews.

Generating information on terrorism policing was a “terror-exposure” as interpreted by many security heads. The researcher had to take close to five-six minutes justifying the need for the information. Security information to be generated was firstly interpreted as possible literature for potential terrorists. This aspect demanded some rapport creation moments which took considerable time. Security heads had learnt not to trust many researchers owing to the negativity of misreporting and malicious journalism. In some instances, the informants had to consult as a team before clearing the way for the interview.

The study coincided with the Holy month of Ramadhan when Muslims are fasting. Identifying key informants from this social category was thus a challenge as many individuals did not want to engage in long discussions. Many were found in mosques and steadily got involved in prayers [sala].

## CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS

### 4.0 INTRODUCTION

The data in this chapter are based on a sample of 39 security stakeholders from various organizations who in one way or another are concerned with international human-security that also takes into account the domestic dynamics. The aim of the study was to identify challenges to human-[in] security posed by Anti-terrorism policing. The data was collected from stakeholders mainly from hotels, restaurants, boarding and lodging facilities and professionals from NGOs. The table below summarizes the distribution of key informants and institution as they responded to interviews.

**Table 1: Category of Security Stakeholder**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Five Star Hotel	8	20.5	20.5	20.5
Four Star Hotel	2	5.1	5.1	25.6
Three Star Hotel	4	10.3	10.3	35.9
Two Star Hotel	1	2.6	2.6	38.5
One Star Hotel	2	5.1	5.1	43.6
Unclassified Hotel	8	20.5	20.5	64.1
NGO Peace Workers	14	35.9	35.9	100.0
Total	39	100.0	100.0	

The above information is distributed and captured by the table below that shows the names of organizations and the number of stakeholders interviewed during the study.

**Table 2- Distribution of key informants**

Institution	Category	Number of respondents
1. Norfolk	Five star	2
2. Intercontinental	Five star	2
3. Serena	Five star	2
4. Jacaranda	Four star	1
5. Fairview Hotel	Four star	1
6. 680 hotel	Three star	2

7. Marble Arch	Three star	2
8. Ambassadeur Hotel	Three star	1
9. Comfort hotel	Two star	1
10. Nawas Hotel	Two star	1
11. Roast House Hotel	Unclassified	1
12. Sirikwa Lodge	Unclassified	1
13. Kadorhi Hotel Restaurant	Unclassified	1
14. Relax Inn Lodging	Unclassified	1
15. Mash Express	Unclassified	2
16. Nile Source Hotel	Unclassified	1
17. Tamambo Restaurant	Five star	1
18. Pavement Restaurant	Five star	1
19. Munyaka Hotel	Unclassified	1
20. CYU	NGO	3
21. KARA	NGO	1
22. Community policing	NGO	1
23. SRIC	NGO	1
24. Majengo C.P.F	NGO	1
25. Huruma Pamoja Y. group	NGO	1
26. IMCS-Africa	NGO	1
27. Ufungamano	NGO	1
28. Babadogo CPF	NGO	1
29. LockBlock Constructions	NGO	1
30. Ujamaa Center	NGO	1
31. Kahawa west C.P.F	NGO	1

## 4.2 Demographic characteristics of key informants

The study targeted adult security stakeholders from Nairobi who are working in various organizations. The following table summarizes the demographic information about respondents. It is to be noted by the reader that issues of security were considered to be sensitive and thus not every respondent was willing to give all the demographic details. However, the major demographic data collected from respondents was as follows;

**Table 3: Interviewees' Gender**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Male	35	89.7	89.7	89.7
	Female	4	10.3	10.3	100.0
	Total	39	100.0	100.0	

The distribution of security stakeholders seems to favour males than females. Security sector has been dominated by men in Kenya and this is the case in both private and public policing provisions. Women issues are thus not treated with sensitivity as the study found out. In some hotels and restaurants, only men are to be found as security agents. The study found out that pubs and toilet sections were the most risky areas as many crimes happen in these areas. However, it is men who monitor security in ladies' toilets and thus lack of sensitivity. When a question was asked why a lady security worker could not be employed, the answer was simply that "ladies do understand when they see me [security officer] into the toilets as long as I am in my dark suit uniform."

**Table 4: Interviewees' Educational Level**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Primary	2	5.1	5.1	5.1
	Secondary	27	69.2	69.2	74.4
	Tertiary/University	10	25.6	25.6	100.0
	Total	39	100.0	100.0	

Majority of key informants have received education up to secondary level. This comprises of those coming from both systems of education. Those that went through the old educational system of 7-6-3 are thus in the Secondary category if they did not go past 13 years of

education. 69.2% occupied secondary school category with 5.1% having primary education. 25.6% had college or university education.

**Table 5: Interviewees' Religion**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Christian	36	92.3	92.3	92.3
	Muslim	3	7.7	7.7	100.0
	Total	39	100.0	100.0	

The above percentages indicate that there are fewer Muslims within the security departments in various organizations under study. Much information therefore would seem to reflect very little when it comes to religious comparisons between Islam and other religious groups.

**Table 6: Marital Status**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Married	26	66.7	66.7	66.7
	Single	13	33.3	33.3	100.0
	Total	39	100.0	100.0	

66.7% of respondents were in matrimonial relationships. 33.3% were either single or were married at one time but later divorced. This implies that risks involved during policing go beyond one self to his or her dependants and partner.

**Table 7: Ethnicity**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Luhya	6	15.4	15.4	15.4
	Kikuyu	12	30.8	30.8	46.2
	Luo	12	30.8	30.8	76.9
	Kamba	2	5.1	5.1	82.1
	Kisii	2	5.1	5.1	87.2
	Kalenjin	1	2.6	2.6	89.7
	Somali	2	5.1	5.1	94.9
	Baganda	1	2.6	2.6	97.4
	Seychellios	1	2.6	2.6	100.0
	Total	39	100.0	100.0	

Two local ethnic groups dominate the security sector with each having 30.8% of respondents. These are the Kikuyu and the Luo ethnic groups. Others have marginal contribution as indicated by the table above with international ethnicities also represented. The two international are from Uganda and Seychelles who represented their organizations.

#### **4.3 Policing duties and responsibilities**

As indicated earlier in the study, terrorism denotes different meaning to different people in specific time and space. At the core of the study, the researcher was interested in finding out the perception of anti-terrorism policing and preparedness that has emerged as a coping mechanism and its effect on human-security. It came out clear that policing is not a preserve of the public police institution. During the study, a question was asked about the duties and responsibilities that informants were performing. The major duties and responsibilities performed were recorded as prevention of crime, protection of guests and staff, apprehension of offenders, carrying out investigations, enforcement of all hotel policies and managing risks. Key informants coming from NGO sector were also involved in reduction of violence and crime during their work as peace builders.

These duties correspond to those performed by public police officers. The Police Act CAP 84 indicates that the force is employed "for the maintenance of law and order, the preservation of peace, the protection of life and property, the prevention and detection of crime, the apprehension of offenders, and the enforcement of all laws and regulations with which it is charged."<sup>74</sup> The difference between what the public police does and what is carried out by security officers in private organizations came out to be divided by a very thin line.

One noticeable difference was that security heads within the hotel and service industries were concerned with the affairs of their employer-organization and thus had limited operational zone. The kind of policing carried out at this point goes hand in hand with the business interests of the organization and not the public. On the other hand the public police force is concerned with the general public security interests and thus will attend to any security threat as indicated within the guiding duties of the police force. However, even at the public level, the police force

---

<sup>74</sup> Laws of Kenya, The police Act CAP 84 page 6



is organized in a centralized manner with clear geographical boundaries where commands are given from a single source to reduce contradictory signals.

The police Act gives a hierarchical chain of seniority within the force which is generally categorized in three classes;

1. Gazetted Officers comprising of
  - a. Commissioner
  - b. Deputy Commissioner
  - c. Senior Assistant Commissioner
  - d. Assistant Commissioner
  - e. Senior Superintendent
  - f. Superintendent
  
2. Inspectorate category comprising of
  - a. Chief Inspector
  - b. Inspector
  - c. Cadet Inspector
  
3. Subordinate Officers comprising of
  - a. Senior Sergeant
  - b. Sergeant
  - c. Corporal
  - d. Constable

The problem of terrorism however necessitates the introduction of a specialized police force unit due to its complexity and dynamism that is occasioned by covert activities. Terrorism disregards any kind of hierarchical response forcing the anti-terrorism unit to perform as a team. For this reason, key informants within the private sector share considerable covert collaboration with the specialized unit in charge of policing terrorism threats. As one key informant put, *“the police [public] know what every hotel is doing. There are no secrets between us and them.”*

The study also established that many chief security officers within hotels and restaurants have at one time worked with the discipline forces. Many had worked for armed forces, the police force, GSU and prisons department. At the highest classification of hotels and restaurants i.e four-star and five-star, operations between the public police and the organization's security department were observed to be very close.

During periods of high alert, the interaction between the public and private security officers is at its climax, is regular, in-depth and carries with it a lot of cooperation between the two sides. This is due to relatively "common perception" of risks that terrorism poses to both parties. At the governmental level, the police are there to see to it that the legitimacy of the government is maintained in its daily efforts to ensure and guarantee human-security of citizens. At the private organizational level, the security department is concerned with the economic legitimacy that it commands from their local and international clientele.

#### **4.4 Knowledge and awareness about the problem of terrorism**

At the knowledge and awareness level, key informants showed varied understanding of the problem of international terrorism. Different dimensions concerning motivations and causes of terrorism were discussed. Terrorism was generally considered as actual activities and potential [verbal, medialised, videolized and written] forms of threat-communicative mechanism such as phoning and internet emailing that are geared towards intimidating the opponent. The goal of the "terrorist mind" focuses mainly on coercing the opponent into certain social-cultural, economic and political directions that are supportive to the survival of values upheld by the actual or potential terrorist. Some key informants had the opinion that terrorists are social-economic-political strugglers.

The study showed the need for an understanding of the "terrorist mind" before making any counter terrorism or anti-terrorism moves. This also calls for varied definitions and perception of the acts or threats. Every terror attack or potential terror has a motivation behind it. Terrorism threats occur differently in terms of types and motivation to different stakeholders. Some threats are motivated by economics, politics, culture, religion,

psychology while others are purely based on revenge. At the core of every threat are a myriad of individual and group interests. These interests are meant or geared towards individual self-preservation or are motivated by group survival mechanism. Out of the various perceptions generated during the fieldwork, terrorism may be classified in different ways, depending on the interests of the classifier. For example:

1. Domestic terrorism - in the terrorists' own country against their own people or government
2. International terrorism - in another country by non State actors or by State actors. In cases where State actors are concerned, international law reflects it as an act of aggression and thus an abuse of territorial sovereignty of the affected State. Kenya has fallen victim of non-state terrorism in all its cases.
3. State sponsored - by a government against their own people or in support of international terrorism. The governments through the help of State machineries marginalize some sections of citizens and mark them as targets of anti-terrorism. This has been the case where genocides have occurred such as the Rwanda where Hutus and Tutsis pitted each other.

UNIVERSITY OF NAIROBI  
EAST AFRICANA COLLECTION

Another typology contains the following categories;

1. Political - for ideological and political purposes
2. Non-political - for private purposes or gain
3. Quasi-terrorism - Hijacking and hostage taking
4. Limited political - ideological but not revolutionary
5. Official or State - used by nation against nation or people

Still another typology contains the following categories:

1. Revolutionary - aims to overthrow or replace an existing government.
2. Political - groups that focus on gaining power or supremacy over government intrusion.
3. Nationalist - promotes the interests of an ethnic or religious group that is seen as being persecuted by another. Most nationalist-oriented terrorists are interested in severing the

link between their groups and the government. Such will operate as cessation movements and separatists.

4. Cause Based - groups devoted to a social or religious cause using violence to address their grievances such as Islamic Holy War, Anti-abortion campaigners.
5. Environmental - groups dedicated to slowing down development they believe is harming flora and fauna. This goes hand in hand with an expanded approach to security where environment is accorded its importance and reference.
6. State sponsored - when a ruling regime provides funds, intelligence or material resources to terror groups operating locally and internationally.
7. Genocide - when a government seeks to wipe out a minority group in its territory such as in Rwanda, former Yugoslavia and Iraq.

None of the above typology is homogenous as there are some overlapping characteristics, categories and subjective interpretations. Therefore, no single classification system will satisfy all researchers, policymakers and practitioners. Each will use the system that best fits the problem being dealt with and the kind of image one want to portray against the opponents. The problem of terrorism in Kenya is thus given different typological characteristics based on the kind of perception an interpreter carries with him or her. Reported cases of terrorism in Kenya that have happened in the past take an international and a non-state actor dimension. The kind of policing adopted by hotels, restaurants, and other service sector organizations are therefore meant for enhancing the realization of interests that take into account the international dynamics. The study found out that the kind of policing implemented is geared towards profit-making, reduction of loss and related costs at the private security level.

At the public level, the government is interested in sustaining its image to its electorates and the international interest groups that have stakes in the country. It is thus imperative for the government to create a mental picture that seeks to balance needs and interests of various categories both locally and internationally. The establishment of the Anti-Terrorism Bill and the specialized anti-terrorism police unit is a direction towards this move. However, the study found out that much of the pressure towards this bill emanated

from Western interests. The bill lacks the local touch in the manner that is crafted and has been interpreted as serving the interests of foreigners.

#### **4.5 Costs and benefits of policing threats**

The costs involved in policing threats require prioritization of activities. For private business community, this is a defining factor between profits and loss. Cost-effective policing becomes the norm in a sector that is full of business competition. Policing terrorism threat at most calls for sophisticated technology and additional personnel investments. Technological policing aided by surveillance cameras, fire arm detectors, bomb detectors, metal detectors and other bio-chemical detectors call for extra financing within security departments. Adding to the costs is the period marked by “beefing up” of security personnel during periods of high alert.

The “beefing up” required during periods of high alert by private companies is realized through *security contracting*. Security contracting involves a process of hiring additional security guards from private security firms that are offering alternative policing or supplementary policing other than that provided by government or the organization. Private security firms have been a vital service provider especially arising from efficiency gap and inadequate policing by the public police force. Many organizations visited during the study had contracted private security firms as physical security coordinators and surveillance assistants to internally hired security officers. This shows a willingness to pay extra for security matters.

Failure to invest in security has its consequences. Kenya government came under accusation in the year 2003 from foreign governments for not showing commitments towards addressing the problem of terrorism. Western governments pressured the Kenyan government through issuance of travel advisories to their citizens. Various governments warned potential visitors against traveling to Kenya as risks were considered to be high. US embassy, Norwegian, Swedish, German, Belgian, Australian, the British High commission and many others, closed their doors from Kenyan visitors wanting to travel to their countries as worries and desperations hit individuals and political leaders.

The service sector within the tourism and wildlife industry was highly affected during the period when foreign governments issued travel advisories to their citizens. Extended withdrawal by British airways' operation in Kenya and cautionary measures to Americans by their government dented highly on economy and much needed incomes by hotels. Many hotels were operating at their lowest infrastructural capacity as many rooms remained vacant. At the local level, employment was lost particularly by the staff category comprising of casual workers. Trainees and volunteers within hospitality industry also lost the opportunity to extend their knowledge, skills and experience as organizations avoided over-staffing in their departments.

The amount of investment in policing is thus tied to multinational business interests and a myriad of state interests. Policing of terrorism is thus a preserve of those organizations and governments that have international business interests and power struggle. Five-star and Four-star hotels in Kenya showed high dependency on foreign interests when it comes to policing. Political elites in Kenya have invested heavily in form of shares within the tourism and hotel industry and therefore run the risk of losing business if "global anti-terrorism" is not supported.

#### 4.6 Types of threats

The type of threats that organizations face were found to be different. The study found out that the major terrorism threats experienced by Kenyans were those arising from bombing, hijacking, kidnapping, and gun-related killings. Table 8, 9 and 10 shows the response given by key informants concerning the likelihood of Kenya to suffer from these threats.

Table 8: What is the likelihood of kenans to suffer from bombing?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	12	30.8	30.8	30.8
	High	16	41.0	41.0	71.8
	Low	9	23.1	23.1	94.9
	Very Low	2	5.1	5.1	100.0
	Total	39	100.0	100.0	

A cumulative frequency of 71.7% of interviewees were of the perception that Kenya has high or very high risks of being bombed compared to 28.2% who believed that the threat is low or very low.

**Table 9: What is the likelihood of kenyans to suffer from hijackings?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	13	33.3	33.3	33.3
	High	18	46.2	46.2	79.5
	Neutral	6	15.4	15.4	94.9
	Low	2	5.1	5.1	100.0
	Total	39	100.0	100.0	

More than 79.5% of the response on the cumulative percentage indicated that Kenyans were more prone to hijackings and thus making it the highest ranking threat. This was attributed to the high rates of car-jacking and robberies in major cities.

**Table 10: What is the likelihood of kenyans to suffer from kidnapping?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	11	28.2	28.2	28.2
	High	16	41.0	41.0	69.2
	Neutral	6	15.4	15.4	84.6
	Low	4	10.3	10.3	94.9
	Very Low	2	5.1	5.1	100.0
	Total	39	100.0	100.0	

Key informants were of the perception that kidnapping as a quasi-terrorist activity had a high cumulative percentage of 69.2%. The likelihood of such occurrence and threat is thus perceived as high by Kenyans.

The technological know-how required in the above terrorism threats was interpreted as accessible to Kenyans and many other international individuals and groups. On the other hand, key informants had the perception that Kenya has very low risks of nuclear,

biological, chemical, and cyber- electronic terrorism. The tables below show different percentages of response given during the study by key informants.

**Table 11: What is the likelihood of Kenya to suffer from nuclear terrorism?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very High	4	10.3	10.3	10.3
High	6	15.4	15.4	25.6
Neutral	4	10.3	10.3	35.9
Low	9	23.1	23.1	59.0
Very Low	16	41.0	41.0	100.0
Total	39	100.0	100.0	

Only a cumulative percentage of 25.6% considered Kenya to have a high likelihood of suffering from nuclear terrorism. 64.1% of respondents considered Kenya to have a low or very low likelihood of nuclear terrorism.

**Table 12: What is the likelihood of Kenya to suffer from biological terrorism?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very High	1	2.6	2.6	2.6
High	7	17.9	17.9	20.5
Neutral	9	23.1	23.1	43.6
Low	10	25.6	25.6	69.2
Very Low	12	30.8	30.8	100.0
Total	39	100.0	100.0	

The likelihood of biological terrorism also recorded low levels of threat perception. A cumulative frequency of 20.5% had the perception that Kenya has high or very high risks of suffering from biological terrorism. 25.6% of respondents considered biological terrorism threats to be low while 33.3% considered the threat to be very low.



**Table 13: What is the likelihood of Kenya to suffer from chemical terrorism?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	4	10.3	10.3	10.3
	High	4	10.3	10.3	20.5
	Neutral	7	17.9	17.9	38.5
	Low	11	28.2	28.2	66.7
	Very Low	13	33.3	33.3	100.0
	Total	39	100.0	100.0	

In regard to chemical terror threats, respondents had a cumulative frequency percentage of 20.5% indicating high or very high likelihood of Kenya to suffer such threats. 28.2% of the response regarded chemical threats to be low while 33.3% considered the threats to be very low. The threat perception reflected herein thus indicates low threat perception.

**Table 14: What is the likelihood of Kenya to suffer from cyber and electronic terrorism?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	5	12.8	12.8	12.8
	High	9	23.1	23.1	35.9
	Neutral	9	23.1	23.1	59.0
	Low	8	20.5	20.5	79.5
	Very Low	8	20.5	20.5	100.0
	Total	39	100.0	100.0	

The threat perception on cyber and electronic terrorism was also low as the above table shows. 23.1% considered cyber and electronic threat to be high. The same number of respondents [23.1%] was neutral owing to lack of awareness in terms of information technology.

**Table 15: What is the likelihood of Kenya to suffer from missile attack?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very High	7	17.9	17.9	17.9
	High	11	28.2	28.2	46.2
	Neutral	4	10.3	10.3	56.4
	Low	8	20.5	20.5	76.9
	Very Low	9	23.1	23.1	100.0
	Total	39	100.0	100.0	

Missile attacks recorded medium level threat perception. A cumulative frequency percentage of 46.2% considered Kenya to have high or very high likelihood of suffering from such threats.

Nuclear terrorism, biological terrorism, chemical terrorism, cyber and electronic terrorism, and missile attack were interpreted as high level or advanced threats by stakeholders. Perception concerning “advanced threats” was divided according to different categories of stakeholders. At the local level and in regard to internal security, Kenya is interpreted as not having the technological advancement required for complex, “smart” weapons and thus the threat is minimal. At the international level the study found out that Kenya could fall victim of such advanced types of terrorism threats especially when dealing with internationally recognized terrorist groups such as Al Qaeda. Ordinary Kenyans were of the opinion that such complex threats would emanate from “would-break-away military officers” at the local level. This is the category of local individuals who at great length command the know how of such weaponry. Kenyans are thus cautious in any militaristic moves made by the government in general and military force in particular.

#### **4.7 Opinion regarding Terrorists**

There was overwhelming majority of respondents that were hostile to terrorists. Key informants were of agreement that terrorism is never justified in any way especially in the killing of innocent civilians who are not direct parties of conflicting interests. At the international level, Kenya’s threats arise from the fact that it is embedded in international exchange that involves business and politics. Kenya’s lack of clear foreign policy has

resulted in inter State and regional antagonism especially those that are not in line with opponents of the USA and Britain's interests. Issues of Middle East conflicts are such areas where Kenya remains entangled. Kenya has tried to remain neutral but this has not translated to increased security. At one point, George Bush Junior had to issue the dichotomy of either being with Americans or being their enemy. This kind of categorization forced Kenya to turn to the UN for support. The dichotomy introduced by President Bush draws the line between terrorists and peace-lovers as it leaves no room for maintaining a heretical neutral ground. This line of thinking increased insecurities to developing countries, who in one way or another rely heavily on grants and funding from Western partners. Maintaining a heretical standing [neutral] is thus interpreted as risking funding on one hand and at the same time keeping the enmity with allies and competitors. Terrorists are aware of such global political dynamics and thus a form of manipulation to the international political mood and emotion.

The study found out that terrorists are not ordinary persons. The "modern terrorist thinking" and the level of violence meted, its planning and implementation portray the "extra-ordinary" characteristics that go hand in hand with terrorism tactics. Terrorists and terrorism thrives heavily under the cover of false documentation. A single terrorist will keep various "faces" to make policing a hard and complicated affair.

The "modern terrorist" is likely to come from an influential background in terms of finance and education. Respondents were of the perception that terrorists come from rich families giving them an edge on funding of violence. A statement depicting the relationship between terrorists and wealth was put down during the study and respondents were asked to tick yes or no. The results are reflected by the table below where

**Table 16: Terrorists come from rich families**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	27	69.2	69.2	69.2
No	12	30.8	30.8	100.0
Total	39	100.0	100.0	

69.2% of respondents were of the opinion that terrorists come from rich families. This also means that organizations and individuals involved in terrorism are wealthy and “money is not their problem.” Individual terrorists are able to move from one place to another and sometimes from one country to another under different identities. It is therefore a challenge for security agents to carry out policing that is purely based on physical characteristics. At the same time, there is a financial and technological competition between terrorists’ ways of manipulating their identity and their opponents at the international level.

Terrorist are able to access their targets through different means. Some will take a tourist identity, donor identity, worker identity, expatriates, while others take business identity. At the extreme, terrorists operate on forged documents such as passports, birth certificates, death certificates, national identification cards as well as matrimonial certificates. Document forgery amount to high level and *not easy to detect* criminal behaviour characterized by illegal migration and false identity. The table below represents the perception of respondents when they were asked whether terrorist were hardened criminals.

**Table 17: Terrorists are hardcore criminals**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	24	61.5	61.5	61.5
No	15	38.5	38.5	100.0
Total	39	100.0	100.0	

61.5% of respondents were of the opinion that terrorists are hardened criminals. Considerable response characterized terrorists as hardcore criminals who are not likely to benefit from rehabilitation. The terrorist mind is thus characterized by an individual whose stand is between life and death. There was a feeling that a terrorist is very prepared to die or survive depending on the outcome of the activity. For suicide bombers, death is the ultimate outcome that the terrorist longs for. Imprisonments of convicted terrorists thus would do very little to deter other potential terrorists or criminals. Some section of population under study felt that capital punishment fits well with convicted terrorists.

The levels of technology required for the operation of terror machinery entail some high standards of training and skills development. There was general feeling that many modern terrorists would have a high education or college education that exposes them to global issues and security dynamics. The study found out that the flow of money and documents is very easy nowadays owing to technological advancements.

Third World countries such as Kenya have faced a steep challenge when it comes to screening of documents such as passports. As one key informant suggested, Kenya's immigration department has technology that detects valid passports only. This has increased cases of stolen passports which have ready markets within the city. A stolen passport in some parts of Nairobi are said to fetch close to Ksh. 200,000 for snatchers who work in conduits with middlemen. An individual who buys such stolen passports "only requires changing of photos and comfortably board an airbus" at JKIA.

The machines at the airport cannot detect false pictures of passport holders thus making immigration easy for criminals. Kidnapping, hijacking and killings of owners of passports is carried out by criminals to keep information regarding stolen passports away from security agents. It is therefore easy for a holder of a passport to fall victim of terrorism in Kenya due to high passport-demand as it serves the intended terrorist planning tactics. Holding of passport by an individual thus translates to personal human-insecurity. Any emigrant or potential immigrant holding a traveling document therefore carries with him/her double security threats. Firstly, one is taken as a potential terrorist or accomplice in aiding of terror acts by host country as migrants are always taken with caution. This is because "any migrant into a country is always taken as suspect in matters related to espionage and spying." Secondly, he or she becomes a target for internal criminals who are ready to steal passports and possibly kill the holder for lucrative passport business.

#### 4.8 Terrorism and gender differences

Gender differences and its linkage to terrorism came out as a debatable issue. Some respondents felt that there are no gender relationships that will incline an individual into terrorism. However, the majority were of the opinion that men are likely to turn to terrorism due to differential social cultural leanings and socialization. Table 18 shows the responses of the possibility of men to participate in terrorism.

**Table 18: Terrorists are mainly men**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	19	48.7	48.7	48.7
No	20	51.3	51.3	100.0
Total	39	100.0	100.0	

48.7% said that terrorists were likely to be men while 51.3% disagreed with the statement. Men are however likely to be recruited into terrorism due to “warrior socialization” that boys undergo during their childhood and young adolescence. Opinion regarding terrorists as mainly comprising women had a clear cut perception.

**Table 19: Terrorists are mainly women**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	3	7.7	7.7	7.7
No	36	92.3	92.3	100.0
Total	39	100.0	100.0	

Only 7.7% regarded women as potential terrorists while 92.3% said that women are not likely to be part of terrorist movement and organization.

In addition terrorists were seen as misguided people with a majority comprising frustrated youth and young adults. Attacks on Kenya are thus interpreted as a form of relieving off the pent-up emotions of anger and frustration. Kenya’s contribution to international political, social-cultural and economically divided market becomes the “thermometer” for potential fire exchange.

#### **4.9 Perception of Kenya's potentiality for terrorists**

At the local level, Kenya is characterized as having potential terrorists. An overwhelming majority believed that Kenyan Christians were unlikely to turn to terrorism as compared to Muslims. Traditional religious followers and non-believers were not interpreted as having any security threats. Immigrants living in Kenya are seen as a potential category of individuals that could be recruited for terrorism activities. Any migrant is taken as a potential threat whose movements must be monitored. There is little confidence in regard to the immigration department in Kenya and this has been the case for a long period.

The laws of Kenya, chapter 65 sets out measures that are geared towards prevention of corruption. "Any person who by himself or by or in conjunction with any other person and who solicits or receives gifts, loan, money, fees, rewards, considerations, or advantages whatsoever is guilty of a felony."<sup>75</sup> However, internal corruption within the immigration department coupled by porous borders along the Horn and East Africa regions is a big threat. Local politicians have for long focused on refugee crisis ignoring the possibility of potential terrorists coming to look for work, education and tourism activities. Refugees have highly been linked to gun-related criminality in urban centers making them to be self-defensive.

The self-defense and preservation characteristic by migrants creates a room for illegal migrants to hide from day to day interaction with police officers. The police intelligence that relies heavily on human to human contacts is thus reduced. Refugees at the same time suffer legally since the government of Kenya has not yet passed any legislation geared towards recognition of refugees. Lack of a systematic integration programme for migrants complicates the issues as migrants are left to struggle on their own in terms of language, job search and other orientations. Visitors coming into Kenya cannot be traced easily as there is poor planning on housing. Only those who come to "big" hotels can be tracked down. This is a threat to families, relatives and friends of potential visitors. Such individuals might be falsely earmarked for anti-terrorism and counter terrorism measures.

---

<sup>75</sup> Laws of Kenya Cap.65 page 4

## CHAPTER FIVE: POLICING TERRORISM THREATS

### 5.1 Stages of Policing

Police is usually understood as the organized structure of a State dealing with maintenance of law and order. The police are persons sanctioned by law to preserve the peace. However, policing as applied in this study is not a preserve of the police only. Policing is not even the work of a particular group of people. It is a set of activities that consists of both private and public initiatives in everyday life. As used in the study, policing is taken to describe actions by both public and private sanctioned officers in the process of maintenance of peace and security.

The security transformations happening in Nairobi and Kenya in general has enhanced the debate on policing of terrorism threats at various levels. Academicians have been confined to the theoretical approach of what to consider as security, what values to pursue, and what reference to give when dealing with security phenomenon. Policy makers and practitioners on the other hand have however gone ahead in exchange of experiences and technical assistance necessary in combating terrorism through policing initiatives.

As many respondents indicated, the focus on policing terrorism threats elucidates the conflict between practitioners and academicians. Key informant practitioners were more concerned with decision making. Decision making process in security calls for an individual, group or organizations to go further in creating alternative routes to realization of set-up goals. However, terrorism leaves very little room for alternatives as it targets "equal power opponents" or those with relatively less power.

Terrorists carry out enough "field work" before meting their violence. At the institutional level, many practitioners are interested in tackling threats at the initial stages. Although precise function and role may vary, the central function of policing at various levels is never law enforcement as such, but rather the implementation of forms of order and social control. The government, private companies and individuals do this by focusing on a number of stages when policing terrorism threats.



The first stage of policing terrorism carried out by stakeholders starts with the **targeting stage**. Many practitioners associate this stage with “green colour”. The colour is associated with low level-threats to security and “near-peace context” as applied on traffic rules. This is the stage where people and property are targeted for attacks either as individual, groups or a line of properties. Certain categories of personalities or economical material-capital are targeted by terrorists depending on the goal to be achieved. Individuals targeted by terrorists at this stage may be government officials, corporate heads, diplomats, business middlemen or a group of individuals within a sector that is perceived as a threat by to be terrorists. Targeted people are interpreted as enemies and therefore a desire to defeat or eliminate them.

During the fieldwork a question was asked to respondents about which social categories were likely to be victims of terrorism. Responses pointed towards government agents and politicians as likely targets of politically motivated terrorism. A majority also felt that Christians and people of Jewish origin were likely to fall victims of terrorism fuelled by religious and ideological leanings.

**Table 20: Christians are likely to be victims of terrorism**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	13	33.3	33.3	33.3
No	26	66.7	66.7	100.0
Total	39	100.0	100.0	

**Table 21: Muslims are likely to be victims of terrorism**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	7	17.9	17.9	17.9
No	32	82.1	82.1	100.0
Total	39	100.0	100.0	

66.7% believed that Christians are likely to be victims of terrorism in Kenya. This is in contrast to the perception that Muslims are not likely to be victims of terrorism. Only 17.9% of respondents believed that Muslims are likely victims. Majority of respondents

believed that foreign interests in Kenya were highly at risk of becoming a target for terrorists. Foreign migrants, business investments, diplomats are thus likely to be targets.

**Table 22: People of Jewish origin are likely to be victims of terrorism**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	27	69.2	69.2	69.2
No	12	30.8	30.8	100.0
Total	39	100.0	100.0	

There is a high possibility therefore for migrants and visitors to become victims of threat and actual attacks. In particular, people of Jewish origin and those closely linked to Israeli interests are likely targets. 69.2% of respondents had the perception that this is the case for those living in Kenya. Table 22 above reflects this view concerning Jewish people and Israelis interests in Kenya.

There is however the perception indicating that terrorists are not politicians. Politicians struggle for power and leadership and mostly use the mouth for maneuvers, while terrorists are interested in a “hide and seek game” that is maneuvered through killing and meeting of violence. At the extreme religious and ideological interests, respondents indicated that it was very hard to solve a Biblical and Quranic conflict. Respondents felt that a “modern Abraham/Ibrahim” was required to intervene between conflicting interests of “Isaac and Ishmael” the two sons of the same man but different women.

At this initial stage, another potential non-human target includes economic investments. Physical properties such as premises, cash on transit, transportation cargo, manufactured goods and raw materials also fall under this stage. Terrorists will target each case based on the level of threat and violence that they have calculated. At this stage targeted people or properties have nothing much to do in terms of prevention and counter-terrorism as it involves an **internally-closed door evaluation** by terrorist(s).

The second stage is the **intelligence stage**. This stage is associated with “amber colour” as a symbol. This is the stage when terrorist(s) gather specific intelligence concerning a

target. Profiling of the target is carried out with the intention of tracking down movements, intervals, and frequencies of activities. The major theme for a terrorist at this stage comprises ascertaining of **patterning-effect**. The terrorist(s) wants to understand whether there is any patterned activity for easy penetration. This is carried out for the purpose of precision and timing. Security stakeholders and specifically those that perceive a high threat level will therefore carry out preventive policing by avoiding *routine activities*.

The third stage involves the **planning stage**. This stage is given the “red colour” symbol. At this stage the threat is heightened to another level where the terrorist has the mental image of activities carried out by the target. This stage coincides with laying out the **logical framework** in terms of personnel and weaponry to be adopted for execution of violence. As a matter of success, probability, and precision, the terrorist will come out with a number of plans. At least three alternative plans [A-B-C planning] could be laid down in case one or others fail in realizing the objectives set forth. The plan that is effected is one that promises efficiency and effectiveness. During the Kikambala bombing, the terrorists had multiple targets and different plans where some were successful and others failed. The bomb that hit the hotel was a success while the intended missile attack on an Israeli plane was a failure by terrorists. Policing agents are therefore aware of multiplicity of targets by terrorists thus a widened approach in tracking the terrorists’ moves.

The fourth stage of policing involves the **attack stage**. This is the “red+ [plus] colour” symbol where the actual implementation of the plan is carried out. The plan could be based on sabotage, kidnapping, hijacking, bombing, shooting and killing or tampering with the electronic and computer systems. As already noted, Kenya does not have high weaponry threats based on nuclear, biological, and chemical owing to low level of technology. The high level weaponry becomes a threat only when on transit from one source destination to another. The levels of preparedness for these high level threats thus remain low in Kenya. On the other hand the implementation of the plan could as well be verbal, or communicated in the form of mails, telephone, videos, emails and electronic

formats. Many practitioners found in high-level target sectors such as tourism in Kenya, have taken a step in training employees on how to handle threats based on telephone calls, mails, and direct verbal conversations. This is earmarked as vital processes in managing crisis and potential disasters.

The last stage of policing is the **escape stage**. The attack or the threat has already been demonstrated overtly and is clear at this level. Once the terrorist has attacked, various escape routes are used. The routes are hard to follow during the process of policing as they are complicated with reduced possibility of apprehension. Documentation and forensic expertise becomes a vital process at this stage as the criminals are sought. In many instances terrorists adopt false identities and this makes it hard for investigations and apprehension. At the extreme level of terrorism attack, escape stage becomes complicated as one has to deal with precipitated criminals. Suicide bombing is one aspect of such complications as very few indicators are left behind to guide investigations. High level technology is required at this level that call for forensic expertise. This is a big challenge to private individuals and companies thus the need for government support and collaboration. Kenya suffers immensely at this level as **inadequate evidence** becomes the order of the day even for simple crimes.

For successful policing however, there must be a laid down mechanism and strategies aimed at breaking threats and actual attacks in all the stages. The first three stages of policing calls for active preventive strategies while the last two calls for both preventive and curative strategies. Anti-terrorism should therefore aim at an all-time- ongoing preventive and curative strategy.

#### *Conclusion*

Kenya went ahead in the year 2003 to propose the suppression of Anti-Terrorism bill and the creation of a special police unit. This became a social political and economic volatile issue as the government went ahead to prove that it was committed towards eradicating and preventing this dangerous social political phenomenon of terrorism. However, the study showed that little coordination and collaboration is going on at government-community levels. During the ongoing process of redrafting of the contentious terrorism

legislation, very few private security stakeholders were consulted. At the same time, some level of laxity and ignorance was noticeable within the private security stakeholders as they have neither accessed the Anti-Terrorism Bill nor received any retraining on policing at various threat levels.

## **5.2 Perception of anti-terrorism policing and preparedness**

Understanding of international terrorism underpins the kind of policing responses and measures that the Kenyan government and private sector is initiating. Though a global problem, States have gone ahead and nationalized their responses in different ways. Threats are evaluated at local and international levels. Terrorism that takes the shape of a conflict therefore threatens to be a long-lasting problem unless compromise comes along the way. This is the nature of conflict that Kenya as a region finds itself, with two external forces competing for its control and influence. One party to the conflict is the Western powers; the opposing party is the Eastern powers, with the local elites and leaders forming the third party.

Kenya government has however, initiated measures that address the problem of terrorism in various forms. Such measures are visible in immigration department, police force, tourism and wildlife, judiciary, home affairs ministry and foreign affairs activities. Much of the measures however serve the interests of local politics instead of addressing international politics which is the root cause of Kenya's victimology.

Immediately after the bombing in 1998, Kenya government allowed foreign detectives to carry out investigations and arrests in various parts of the country. Muslims in Coastal region were harassed by foreign policing structures thus jeopardizing sovereignty and legitimacy accorded to the State. For conflicting opponents, this action by the government was interpreted as collaboration and therefore earmarking Kenya as an ally to a "designated enemy." These acts play a major role in alienating the local population as a party to security matters. Minority local Muslims bear much grunt as they are the target of western-style anti-terrorism strategy.

The private sector has also tended to follow with the likes of Western interests based on what is at risk. For private businesses, profit-making and market protection becomes the norm of the day. Hotels, lodging and restaurants that register high number of international clientele and customers are forced to introduce a western-friendly policing style. Technologically oriented policing, heavy machinery preparedness such as fire-engines and mounting of barriers on roads has increased as a response. However, many ordinary citizens consider Kenya to be wanting in security. Policing measures adopted have not translated to a feeling of security. Table 23 shows the response of security stakeholders concerning the general security status in Kenya.

**Table 23: What would you say about the general security status in Kenya?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very Secure	1	2.6	2.6	2.6
Secure	12	30.8	30.8	33.3
Insecure	23	59.0	59.0	92.3
Very Insecure	3	7.7	7.7	100.0
Total	39	100.0	100.0	

59% of the response was of the perception that Kenya is still insecure despite numerous preventive measures adopted by government and private security service providers. 7.7% of respondents believed that Kenya is very insecure and anti-terrorism measures are a total failure. The study found out that the government has showed differential levels of preparedness. Much of anti-terrorism preparedness and prevention efforts concentrate on bombing, kidnapping, and hijacking.

**Table 24: What is the level of Government preparedness from Bomb Threats?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very High	2	5.1	5.1	5.1
High	10	25.6	25.6	30.8
Medium	13	33.3	33.3	64.1
Low	11	28.2	28.2	92.3
Very Low	3	7.7	7.7	100.0
Total	39	100.0	100.0	

As the table indicates, cumulative percentage up to the medium level of preparedness was 64.1%. This is the perception that goes in line with the history of terrorism in Kenya

where major terrorist attacks have come in form of bombs. The government and private sector thus tend to be "over-prepared" for bombing eventualities.

**Table 25** What is the level of Government preparedness from Kidnapping Threats?

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very High	1	2.6	2.6	2.6
High	19	48.7	48.7	51.3
Medium	8	20.5	20.5	71.8
Low	8	20.5	20.5	92.3
Very Low	3	7.7	7.7	100.0
Total	39	100.0	100.0	

Kidnapping as a form of quasi-terrorism registered a cumulative preparedness percentage of 71.8% up to the medium level. This means that targeted individual be it business corporate heads, politicians, government agents, diplomats and other international agents have low risks of kidnapping as a crime. The government policing agents have concentrated their effort on personal security of vulnerable individuals. This is dramatized by high security contingents during international meetings, conferences and local political meetings.

UNIVERSITY OF CAIRO  
EAST AFRICANA COLLECTION

Hijacking as a crime has dominated many urban towns in Kenya. Most hijackings are linked to robbery with violence and usage of small arms. Motor vehicles both public and private are the major victims to this crime. As a response to this, drivers and commuters have become extra vigilant. The table below shows the summary of preparedness levels attributed to public security stakeholder.

**Table 26:** What is the level of Government preparedness from Hijacking Threats?

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very High	1	2.6	2.6	2.6
High	19	48.7	48.7	51.3
Medium	10	25.6	25.6	76.9
Low	6	15.4	15.4	92.3
Very Low	3	7.7	7.7	100.0
Total	39	100.0	100.0	

Similar to kidnapping and bombing, hijacking also registered high level of preparedness with a cumulative frequency of 76.9%. Government and private sector initiatives that target reduction of hijackings are thus appreciated by the public. This is not the case when it comes to other forms of threats.

Government preparedness for biological terrorism, chemical terrorism, nuclear terrorism, missile attacks and cyber-electronic terrorism was recorded as very low. The tables below summarize the response as generated during the study.

**Table 27: What is the level of Government preparedness from Missile Threats?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid High	6	15.4	15.4	15.4
Medium	12	30.8	30.8	46.2
Low	14	35.9	35.9	82.1
Very Low	7	17.9	17.9	100.0
Total	39	100.0	100.0	

15.4% of the respondents had the perception that the government had showed high level preparedness against missile threats. 30.8% believed that the government had a medium level of preparedness owing to the history of weaponry used during the past terror acts in Kenya. 17.9% however had the perception that the government had a very low preparedness in terms of missile attacks with 35.9% considering the government to have a low preparedness.

**Table 28: What is the level of Government preparedness from Chemical Threats?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Medium	2	5.1	5.1	5.1
Low	13	33.3	33.3	38.5
Very Low	24	61.5	61.5	100.0
Total	39	100.0	100.0	

Table 28 above shows that 61.5% of respondents considered Kenya government to be having very low preparedness against chemical terror threats. Only 5.1 believed the government to have medium level preparedness concerning chemical threats.



**Table 29: What is the level of Government preparedness from Nuclear Threats?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Medium	1	2.6	2.6	2.6
	Low	10	25.6	25.6	28.2
	Very Low	28	71.8	71.8	100.0
	Total	39	100.0	100.0	

Nuclear threat preparedness also recorded negative perception. 71.8% of the respondents considered the government to have very low levels of preparedness.

**Table 30: What is the level of Government preparedness from Biological terrorism?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	High	1	2.6	2.6	2.6
	Medium	2	5.1	5.1	7.7
	Low	14	35.9	35.9	42.6
	Very Low	22	56.4	56.4	100.0
	Total	39	100.0	100.0	

Biological terror preparedness as an advanced preparedness also recorded negative perception. 35.9% and 56.4% had the perception that the government had low and very low preparedness respectively, when it comes to biological terrorism.

**Table 31: What is the level of Government preparedness from Cyber & electronic terrorism?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Medium	9	23.1	23.1	23.1
	Low	15	38.5	38.5	61.5
	Very Low	15	38.5	38.5	100.0
	Total	39	100.0	100.0	

**Table 31**

Cyber and electronic terror preparedness had a negative perception. 38.5% of the respondents considered Kenya government to have low preparedness while the same percentage of respondents also felt that preparedness was very low.

The above terrorism threats are considered high level threats because of the potential damage that can be inflicted once used. Perception of government preparedness in all the five threats ranked very low. This is an indication that the public has no confidence with the initiatives so far. Cumulative percentages ranked lower than the "medium level" preparedness in many of the threat preparedness.

### **5.3 Social-Cultural tension in policing**

The Kenyan society is still on the period of social political and economic transition. In the area of terrorism, the issue would appear not to eradicate terrorism but instead to establish institutional means for long-term human-security and peace. This has been one of the prime issues for the past two years and the question is whether anti terrorism should follow according to the already proposed models or should enhance a culturally sensitive strategy and one that places high emphasis on individuals and minorities.

As already noted, Muslims in Kenya are portrayed as potential group that can recruit terrorists. This is a perception that is legitimated by the on-going international characterization of Islam as an alternative competitor to Christianity. Policy makers in Kenya must therefore take into account the global aspects of conflicts that involve a Muslim-Christian perspective. The on-going Middle East conflict is one that Kenya cannot fail to recognize. However, the Middle East case is more complex as it involves Jewish people who do not necessarily consider themselves Christians, as well as Arabs who have Jewish ties and also a myriad of intermarriage relationships. Involvement of USA in the Middle East redefines the parties concerned with any countries being labeled as either an enemy or a friend in fighting a common problem. Attacks on Norfolk hotel in Kenya in early 80s was a response to such dynamics. Kenya was interpreted as threatening the interests of Palestinians by having assisted the Israeli commandoes during the Entebbe raid of 1976.

In regard to this internationally crafted perception of interests and values, human-security of Muslims in Kenya is affected as various anti-terrorism measures are adopted for internal control and surveillance. One cited case involves that of documentation. Sheria

House government offices in Nairobi, that carry out registration of persons becomes a “delegitimizing zone” for any person who bears an Islamic name or one that is connected to Somali origin. Children of Islamic parentage undergo differential screening as one is asked to show lineage that extends two generations. This is with an aim of denying birth certificates which are a prerequisite for issuance of passports.

By virtue of one being born in an Islamic family, the right to movement is thus controlled from birth. Immigration rules and requirements on the other hand keep on shifting as various documentations are sought by immigration officers. Immigration officers are likely not to issue passports if an applicant does not prove his or her baptism and allegiance to religious faiths. Baptism cards become a prerequisite for issuance of traveling documents. This has extended tension, mistrust and to some extent anger as a way of response by Muslims. The whole process of documentation becomes characteristic of structural violence that people who are non-Christian have to undergo.

As one immigrant from Somali noted, this kind of “document delegitimation” by the Kenyan government has gone to the international level by giving differential recognition to Visas and passports. He noted that “*Somali passports are not recognized by the Kenyan government and thus I had to search for an Ethiopian passport for survival mechanism.*” The problem of illegal documentation and illegal migration thus becomes a coping mechanism for desperate cases of transit migrants. In many occasions, migrants whose aim is to travel to other western countries are living illegally waiting for an opportunity to acquire the required documents.

Profiling of migrant individuals living in Kenya thus becomes the order of the day. This has not augured well with visitors from Asia and Arab countries. Tourism sector is crucified due to high risk of profiling that potential visitors are to undergo while on visit to Kenya.

#### 5.4 Legitimacy of policing and preparedness measures

Issues of policing terrorism threats in Kenya appear to be developing around two approaches. The first is focused on moving towards a legitimating approach. Legitimacy is used in this case to denote the generally unquestioned authority bestowed to personalities and social structures in society. In this study the notion of legitimacy is employed to structures and functions in policing. The main focus of this approach is directed towards the impact of policing on the socio-political factors of society.

The second approach that Kenyan society emphasizes is the cultural aspects of the community policed being the primary foundation in developing a policing strategy. This is a 'culturalistic' approach that has sparked debates in Kenya mainly because of social-cultural, political and economic heterogeneity.

Issues of legitimacy in policing have become a point of consideration by security stakeholders since the bombing in 1998. The question of how police and security heads in private sector acquire legitimacy becomes an important issue towards understanding the relationship between the State, business sector and society. The State derives its legitimacy from the broadly agreed values and equal application of rules and governing which are acceptable to its constituent. It thus becomes the central monopolization of legitimate force. Policing agents from the State [public] or private acquire this legitimacy of force through *employment* and *contracting* respectively. Positively sanctioned security agents occupying these positions become the specialists and experts in exercising and executing the acquired "legitimate force".

At the State level, public police structure becomes the mediator between the state and its citizens while private security industry occupies the same position between business corporate and their customers/clients. Once these "legitimate actors" are unable to maintain this legitimacy, the State and business/hotels, lodges and restaurants are under threat. However, the public police command the "cream of legitimacy" as observed during the process of policing terrorism threats. The legitimacy is highly structured

during the periods of high alert where security heads within the hotel service industry are supposed to give regular communication to specialized police structures.

During the period when foreign governments issued travel advisories to their citizens, security workers with major hotels, lodging and restaurants became highly involved in profiling, documentation scrutiny and disaster preparedness. However, there is a looming conflict between the interests of private security and public security agents [police]. On one hand the public policing agents are concerned with the generalized maintenance of law and order while private companies and businesses are only interested with their internal dynamics. This conflict of security interests however takes different directions based on classification of business actors. The study found out that the conflict between security structures of the two sectors reduces and increases based on the classification of hotels and restaurants.

There is high coordination and collaboration between public police and security heads with private hotels occupying the top levels. These top levels comprise of five star, four star, and some three star hotels and restaurants. Most of private security heads in the business sector had at one time been in the public police or the military structures. Positively, this kind of blending experienced and retired public police and private security heads increases understanding of security demands and maneuvers. On the other hand, this kind of policing strategy risks marginalizing of lower ranked hotels and restaurants. One-star, two-star and "starless" entrepreneurship thus becomes the potential area for terrorists to use owing to relaxed policing.

It is to be noted that the August 7<sup>th</sup> bomb had been assembled at an Accra road hotel which does not belong to either four-star or five-star categories. This differential policing and coordination undermines the legitimacy of policing structure as some categories of society are left vulnerable. The police structure in Kenya is highly connected with the government and thus the political elites at the top. Legitimacy thus is "granted" from the top ignoring other sources of legitimacy; namely the community as a whole and ordinary individuals. It is therefore imperative for legitimacy to arise from top and from below

when it comes to terrorism policing. The specialized community-policing strategy founded by the police in Nairobi is a step towards this direction. This initiative must be extended when it comes to policing of terrorism threats locally and internationally.

In cases when legitimacy is provided by an occupying power as in case of Iraq during the invasion by USA or during the colonial period in many cases of Africa, it can hardly claim the consent of the population. The policing agents in such situations become highly militarized and coercive. This kind of policing is highly capable of triggering insurgency and rebellious groups which go for government agents, collaborators and sympathizers. When legitimacy of policing is provided by both community as a whole and the State, it becomes policing by consent thus no need for coercion.

Policing of terrorism at this level thus becomes proactive, preventive and decentralized without the need for weapon accumulation and instilling of fear. The study found out that tourists and migrants visiting Kenyan hotels and restaurants in Kenya were supportive of surveillance technology as an indicator of preparedness. Preparedness thus implies "surveillance", observation and information processing systems. At the government levels it becomes important to realize this in a complex system which combines spying on immigration information and profiling selected cases of actual and potential migrants. Preparedness, however, is also an economic operation consisting of allocating appropriate funds to meet eventual induced needs. Security companies involved in sale of security gadgets profit highly as purchase of surveillance technology increases.

This economic aspect of "preparedness" is an important factor on which the advanced, industrial and technocratic societies rely on in maintaining competitiveness and profit making. Security stakeholders within the hotel industry have adopted this through the use of surveillance cameras within the vicinity of their premises. As one key informant noted "visitors from USA, UK and Europe in general are very happy when they find that there are surveillance cameras in major entrances, corridors and on the fence". This shows the level of legitimacy given to technological policing although one risks individual privacy and freedom of movement as a right. The ethical question is the extent to which policing

is carried out in everyday life by security agents. This remains unclear and is centralized at the top security level. The consequence is the use of covert strategies in policing and secrecy as is the case in Kenya where the public is not comfortable to share information on crimes and criminals.

### **5.5 Culture-sensitive policing**

Whereas the legitimating approach examines the impact of policing on the socio-economic-political human-security of society, the culturalistic approach focuses on socio-economic-political factors which influence policing behavior and activities. There are two kinds of culture that are reflected in policing. Firstly, there is what one can refer to as "police culture." This is based on what the police force in Kenya has internalized as their normal way of behavior. Secondly, there is the general culture of communities and society in general that conditions policing.

There is a generalized perception that terrorism threats in Kenya emanate from Muslims and generally those found along the Coast province in Kenya. Some respondents followed the thinking that some people are born criminals and are violent in nature. This characteristic is highly associated with those individuals and groups practicing the culture and religion closely linked with Arabs.

When looking at '*policing culture*' and behaviour carried out by public police, many Kenyans interpret it as having been abusive for the last three decades. This has been the case given the kind of corruption, harassment, torture, unlawful arrests, detention and targeted killings that the police force has been implicated in. As the study found out in some sections of migrant communities, the police have certain "classified prices" for arrested migrants. Migrants from different regions are asked for bribes based on what is the '*culturally accepted*' norm by the police. Those communities of migrants that don't part with huge bribes end up in courts or receive beatings and harassment. The endemic violation of working ethics by sections of the force thus undermines the security of citizens with illegal migrants staying in the country under the umbrella of "police godfathers."

The relationship between the police and the State on one hand and between the police and the community therefore would help to understand the process of policing terrorism in Kenya. As the study indicate, it appears that the success of policing terrorism does not depend on purely an application of technology and the emphasis on financial accountability adopted by State and private security firms. The social, economic and cultural differences and heterogeneity characterized in Kenya is giving rise to need for re-directing policing reforms towards that of a culturally sensitive one. One aspect that threatens the security and peace of citizens is the culture of corruption. The new government under NARC political party has showed its commitment towards reduction and eradication of corruption at various levels.

At the top level, the newly formed Anti-corruption commission structure borrows heavily from policing agents. It is therefore a prerequisite for the commission to rid itself of any temptations to being corrupt before a long-lasting approach is entrenched. By doing so, public confidence and trust will translate into the individuals taking charge of their affairs towards a culture of transparency, honesty, legality and thus promote a lasting human-security.

## **5.6.0 LONG-TERM HUMAN-SECURITY STRATEGY**

### **5.6.1 Military and Anti-terrorism Policing**

As a long term strategy in dealing with the problem of international terrorism in Kenya, the study established that the military services and its attendance is of great importance. The Kenyan military has had a wide experience in international affairs especially in its peacekeeping missions abroad. The military has also been involved in peace negotiations and mediations within the region of Horn of Africa. A key figure so far has been the military personnel involvement in Sudan and Somali peace talks.

Regional security challenges within the Horn of Africa have had connections with the ongoing dynamism in international terrorism. The case of failed government in Somalia and civil war in Sudan has been a contributing factor especially on weapon proliferation



and cross border criminality. Key informants were of the opinion that the military is also in command of sophisticated technology for effective intelligence gathering. This is necessary during the process of anti-terrorism and counter terrorism efforts. Counter terrorism which concerns mostly the work of military is dependent on the quality of intelligence and information within the reach of the two functioning security forces namely; the police and the military.

The Kenya police force has for long focused on internal security giving a comparative advantage to military when it comes to international exposure. However, war on terrorism has been problematic at the international level. This is due to the nature of varied interpretations given by different governments at the time of threat and actual terrorism attacks. After the September 11 attack on World Trade Center in USA, President Bush and his administration perceived the attack as an act of both terrorism and war. This kind of perception at the international level creates a mixture between modern terrorism and warfare. After the August 7<sup>th</sup> 1998 attack on Kenya and Tanzania by Al Qaeda, both countries interpreted the acts as normal terror and criminality. This interpretation required no immediate militaristic activity as a response. Therefore, no war was declared to any enemy target unlike the case of US attack on Afghanistan and Sudan by the Clinton administration. At the military level, disagreements are based on what to consider as war and what to consider as counter-terrorism measures. As terrorism takes various forms and tactics, there arises a looming tension between the military and the political wings of the government on what interpretation and perception to maintain.

For ordinary Kenyans, the feeling is that the military has for too long been "idle" and thus a liability to tax payers. The militaristic benefits at the national level have not trickled down to the grassroot civilian society. Military-civilian relationship is thus at crossroads with the ongoing democratic transition in Kenya. As one key informant indicated, *"the military has no business being there if they go on recruiting 18 year old boys who end up retiring without any services to the communities in need. This security department in Kenya has been cited as one major sector within the government that has had high levels of corruption making it a liability to us"*. Reports given in the last two

years by Transparency International [TI] confirm this kind of internal rotting. Police force, the military and immigration departments have been leading on corruption and thus reducing public confidence.

The study found out that Kenya is still wanting in terms of security owing to internal decay and withering of ethics in security sector. This is coupled with low level of confidence by the public on matters relating to fighting crime and threats at the community level. The police and military personalities have not had a chance to share experiences and services at the community level. The community on the other hand feels marginalized reducing the role of community policing. Intelligence gathering thus becomes a challenge to security forces due to this gap that threatens to keep the public away from the security forces. Coordinated intelligence sharing between the two security functionaries namely; military and police thus requires re-establishment of civilian confidence. At the global level, the functionaries are yet to establish an internationally oriented, long-term police unit. The Anti-terrorism police unit therefore has to continue with its effort towards internationalization of its activities.

### **5.6.2 Anti-terrorism Legislation**

After 9/11 attacks on USA in the year 2001, many countries joined together to think about what the acts meant to international security and peace. No-one could have imagined such attacks on American soil where inland security commands a lot of technological policing machinery. Kenya joined the category of the scared and rushed to introduce an Anti-terrorism legislation which is yet to be passed into law. Legislature and judiciary plays an important role in facilitation of law and order. The essential functions of the two organs can therefore not be underestimated when it comes to addressing the needs of anti-terrorism and imposing legal constraints on anti-terrorism activities. Terrorism in many occasions is given a political dimension and therefore State politicians are either part of the problem or part of the solution.

The government in Kenya is still struggling to see to it that anti-terrorism bill is translated into law. The formation of a specialized prosecution team through the Attorney General's

office is a positive direction towards this goal. However, it is such a confusing move by the government that may not be received well by the common mwananchi [citizen]. At the core of their duties and responsibilities, the specialized prosecution team is to make sure that the criminal in question is exposed and ultimately bring out the criminal intent or the criminal mind of the accused. The training of such prosecutors has however come earlier than the law itself and this raises questions as to which law the prosecutors have been training on. The Bill is yet to be passed into law.

The Bill has given priority to policing activities before and after any commission of a terrorist act. The policing agents have the duty to carry out terrorist investigations that are to guide during the prosecution. The Bill specifically takes terrorist investigation to mean investigation of;

- a) the commission, preparation or instigation of acts of terrorism
- b) an act which appears to have been done for the purpose of terrorism
- c) the resources of a declared terrorist organization
- d) the possibility of making an order in the gazette by a minister declaring a specified organization as terrorist related and finally
- e) the commission, preparation, or instigation of an offence under the whole Act.

According to the Anti-terrorism bill, the police commissioner may apply to the judge of the high court for the issuance of a warrant for the purpose of a terrorist investigation. The warrant allows any member of the police force to enter the specified premises, search any person, and inspect any document, record or anything found therein. The warrant also allows the seizure and retaining of relevant material from the person or premises under investigation. The issuance of a warrant on the side of the judge is based on believing that there are materials or persons on the premises which may be relevant to investigations. The judge therefore relies heavily on reporting from the policing agents and in this case the anti-terrorism police unit.

The warrant of investigation is however a second option for a police officer in the rank of inspector accompanied by 'other' officers may carry out investigations without notice

where the case is interpreted as of urgency. The level of urgency is not clear as it is subjective depending on individual police interpretation. Sociologically, this kind of legislation risks the human-security of minorities and individuals who might be interpreted as a security threat by incumbent leadership.

The current Anti-terrorism Bill also poses a threat to ordinary persons who opportunistically may be found in a designated place under investigation. Any person found on any premises or place may be detained by a member of the police force until the investigations are over. There is no specific time period of the investigation thus giving room for human-rights abuse. Once put into detention the police force is also allowed to retain the suspect to custody for 36 hours without him or her having any access to anybody apart from a police officer in the rank of inspector or a government medical officer.

This is a clear manipulation of State structures in violation of the right to representation. Under human-security concept and values, instilling of fear as a method of controlling people's behaviour is a violation of a people's security. Citizens must not be guided by fear but by their willingness to obey and follow the laid down rules, orders, and State laws. Irungu [2000] has focused on fear as "a mental state that follows the perception of danger or the consciousness of danger that leads to avoidance behaviour, escape, and which involves the neuro-endocrine system when the danger so perceived is immense and immediate in time and space."<sup>76</sup> The study found out that the proposed Anti-terrorism legislation has been so crafted in a manner to use law in instilling fear. This is a legislation that aims at criminalizing some sections of society and labeling of opposition for the purpose of intimidation.

---

<sup>76</sup> Irungu, Kiunjuri [2000]. *The Machiavellian Art of Political manipulation: The Kenya Experience*. The House of Hedges Thika, Kenya.

### **5.6.3 Community participation as a long-term approach**

Underpinning the theory of community policing is a belief that the regular exchange of information between residents and law enforcement personnel is essential to effective policing. Reflecting this is the move by the Kenyan police to establish a community based policing strategy currently operating in some estates in Nairobi. Specifically, the project has been going on in Huruma, Ziwani and Kariobangi estates in Nairobi. These are areas that have recorded highly rates of crimes in the city. Several members of the police visit or live in the community creating strong connections to the neighborhood through schools, churches or private businesses. This approach goes hand in hand with the democratization of the police force that is happening in Kenya.

This is a move towards policing by consent and not by coercion that long-term anti-terrorism strategy should seek to follow. However, although the community should be involved in the process of anti-terrorism, very little information is available or is known concerning the problem to ordinary citizens. Kenyans are yet to command the knowledge, tactics and strategies that terrorist adopt in their meting of violence. This is a drawback especially during times of crisis-interventions where uncoordinated effort to save lives of victims was exposed after the 1998 bombing of Nairobi. The community plays a great role in self-preservation and such initiatives would see to training of humanitarian workers, crisis interventionists, counselors and general social workers to address cases of actual attack or preventive human-security activities.

### **5.6.4 Private security and policing**

Private security is one of the fastest growing service industries in Kenya owing to the gap created by state's failure to provide adequate security to citizens and their property. As already noted earlier, private business organizations are willing to hire private security to serve their purpose and interests that are geared more towards market dynamics. According to a fieldwork research carried by SRIC [Security Research and Information Network], private security companies of several big sized multinational companies that control a large share of the market and other small scale local companies already

dominate the security sector in Kenya<sup>77</sup>. The sector has generated employments for many who rather would be jobless. Overwhelming majority of hotels, lodging, restaurants and boarding facilities visited had two security wings.

Firstly, there are those individuals who are employed by the organization. The number is relatively low compared to the second category. It could be as few as one person to five. This security wing is on payroll of the organization and share employee's benefit such as medical, annual leave and transport. This category is answerable to the managing director or the personnel manager. Where the structure of the organization is characterized by few hierarchies, the wing is answerable to the boss or the owner of the organization.

The study also found out that this category of security agents are well remunerated compared to public policing agents. Many employees within this category had at one time worked for the government either as police officers, General Service officers, military officers or within the prisons department. Private security sector is thus a competing actor to public security sector which has so far been struggling due to limited budget. For many security officers within this category, life is better with what they are doing compared with their past experiences under government supervision.

The second security wing in hotels, lodging, boarding and restaurant facilities consisted of *contracted* security firms. This group is the highest in number and is mostly spotted easily manning physical buildings, gates, corridors, fences and other entrance and exit routes around the perimeter fence. This category is remunerated by the contracted private security firm which enters into contract with the host organization. Guards, watchmen, watchwomen, door openers, gatekeepers and other labels are given to them. Most of those serving in this wing have low level education and their salaries are lower than those of public police officers.

---

<sup>77</sup> For a detailed analysis of private security in Kenya see Wairagu, Francis, Kamenju, Jan and Mwachofi, Singo in their publication Private Security in Kenya [June 2004].

Training of private security at this level is left to the contracted firm and thus not easy to find standardized services. Some private security firms are managed by individuals whose qualifications and managerial skills are questionable. These security wings are however at the grassroots of security and are exposed to all manners of threats at initial stages. They also have the benefit of having a real picture of what is happening at the grassroots. This is the category that does the screening of individuals and vehicles coming and leaving the premises. The study found that some of security guards carrying out motor vehicle screening using the mirror did not have *"an idea of the different sheath layout of different car models and thus unable to tell of any peculiar additional parts."* This is a threat to security as Kenya is perceived to have more bomb threats.

Majority of guards reported a sense of insecurity to their own security. As one security guard reported *"I am at the gate all the time to carry out inspections and thus would fall the first victim to terrorism attacks. I feel sorry for myself at times knowing that we don't have the equipment necessary for detecting firearms and bombs."* The guard hoped that they would be considered for life assurance as their jobs involve high risks to one's life and his or her family members. Anti-terrorism training and preparedness offered to government agents should therefore find a way of trickling down to the fast-growing private security firms as they are proving to offer alternative security services.

## **CHAPTER SIX: SUMMARY, CONCLUSION AND RECOMMENDATION**

An attempt is made in this last section to summarize the content of the whole study followed by recommendations based on the findings. The general objective of the study was to identify perception of anti-terrorism policing and its consequences in the pursuit of peace and security. The study carried with it three specific objectives and assumptions whose findings have been reflected herein.

Firstly, the study had the assumption that there was differential knowledge and awareness concerning the problem of terrorism between policing agents. The study found out that this was the case as different key informants gave different meanings and perceptions to terrorism. Some considered the problem of terrorism to be a social-economic and political struggle of individuals and groups that are oppressed by the West. In particular, the problem of terrorism in Kenya is linked to conflicts happening outside Kenya. As one key informant said "*Kenya is at cross-fire between two giants.*" With this kind of logic, Kenya becomes a religious playground by two opposing forces, one from the West and the other from the East. When Kenya is hit by terrorists from the East, USA and Britain bear much anger while Kenya mourns its victims. As a result, the two Western powers have continued to exert political pressure in matters relating to legal and institutional coping mechanism toward combating global terrorism in Kenya.

Knowledge on terrorism was limited to the position that one held in the organization and community in general. In some cases of hotels and restaurants, those classified as four-star and five-star showed high understanding of the problem of international terrorism. Various organizations had already made an effort to offer training to their security staff on ways of handling threat emanating from international terrorism. Some staff confided that they have shared training inside and outside Kenya. For cases of unclassified hotels and restaurants, the feeling and perception was that they are less at risk from international terrorism as direct targets. The problem of terrorism is considered a "creation of Americans and Britons" and therefore any interpretation will be biased depending on which side an individual considers advantageous to personal interests at the international political level.



Most key informants from this category attributed terrorism threats to the presence of visitors who come into Kenya as tourists or those who are in Kenya to set up businesses. One key informant went ahead to define terrorism as “what Israeli is doing to Palestinians in the middle East.” Specifically, business interests that record high presence of Americans, Israeli, Britons and selected European countries stand a high risk of attack.

This is perpetuated by a global outlook of conflicts happening in the Middle East, Iraq, and Afghanistan. In the horn of Africa, Sudan case and Somalia conflicts are key determinants of regional threats that are easily to take the shape of terrorism. The military presence of Western countries in the horn of Africa is highly interpreted as potential source of threats that would lead to host countries being attacked. The kind of political and economic transformation happening in Kenya and East Africa in general is also a key determinant as cultures come into competition. East Africa has had a triple civilization to use the words of prof. Ali Mazrui. There is thus competition between indigenous African culture, Arabic culture based on Islam, and Western culture based on Christianity.

Overwhelming majority of key informants saw the inherent tension between Muslims and Christians in Kenya. The level of tension is however at low levels but runs the risk to escalate once elevated to the political level. Politicians and especially legislatures are thus treading on a thin line between tension and escalation of conflict during the process of anti-terrorism law making. This is the “measuring tool” for many who feel that the government has not addressed the problem of Kenyans. International relations between Kenya and the West is a determinant so far and thus policy making that is sensitive to international political situations will score high or low on war against terrorism depending on the direction of the policy.

The second assumption that the study carried with it was that private security stakeholders carried a negative perception towards anti-terrorism policing measures and preparedness initiated by the government. This assumption is related to the second objective which was to assess the perception of security stakeholders towards anti-

terrorism and preparedness strategy. The study found out that Kenya was relatively secure than it was before the bombing in 1998. The response by the government in terms of specialized Anti-terrorism police unit and the Anti-terrorism legislation is taken as a positive move. However, the study found out that in-depth training for security officers was required. Equipment and extra financing of Anti-terrorism activities was also required. Key informants within the private business sector expressed the need for the government to extend this training and funding to private sector security providers. The anti-terrorism police unit is taken as committed towards fighting of terrorism but lack the training and financing required. Therefore, there was a positive perception about the general intention of the government but with some level of improvement suggested on personnel development, coordination between community, business and private security sectors.

The third working assumption and objective focused on whether anti-terrorism measures adopted promoted a long-term human-security intervention strategy. The study found out that most interventions carried out so far take a short term dimension. These are "ad-hoc fear responses" meant to please other people and not focusing on needs of ordinary Kenyans. The strategy lacks domestic and local backing. Long term strategies therefore need to be homegrown as human-security concerns individual citizens and not boundaries and frontiers.

Terrorism is a global problem that requires global intervention strategies. The expanding gap between the rich and poor dramatized by poverty, deaths and internal conflicts in developing countries are symptoms of global inequalities. Kenya can therefore try to keep away international terrorists but will not succeed without coordinated effort with other global players. As one key informant put it, "*economic status and crime are always related*". In Kenya police are poorly paid and thus tempted to engage in lucrative terrorism activities. Poverty, low pay in terms of salary and low technology results in "loyalty test" for public police. Policing agents are left in a dilemma of justifying the risk they are exposed to during the process of anti-terrorism.

Internationally, global response to terrorism has seen to the increase in controlled immigration. This is an effort towards immobilizing individuals and groups labeled as terrorists or potential threats to global peace and security. The "global control" is a skewed response as targeted groups come from specific regions in the Middle East, Asia and numbered countries in Africa and Latin America. Third world countries especially in Africa rely heavily on tourism making certain categories of visitors to be marginalized. Such situations make positive global cultural-social interactions an accelerating challenge. The result is ignorance of the power found in interdependence and social-cultural exchanges.

## **RECOMMENDATIONS**

1. There is need to give legitimacy of policing for both private and public anti-terrorism structures. Anti-terrorism law must therefore be the starting point. The law should reflect the local situations in terms of definitions of terrorism, severity of punishment and powers conferred to policing agents.
2. The Kenyan public has mixed interpretation of terrorism, its causes, motivations, outcomes and corresponding anti-terrorism responses. There is need for public awareness on the risks and responses to terrorism threats. This will be a proactive strategy for crisis intervention and disaster preparedness. The office of the president which coordinates security matters and also houses the Director of special programs, should take the first initiative towards preparation of educative training manuals and vulnerability assessment.
3. There is need for a joint-policing initiative between public police force, private security providers and the community. Actual and potential criminals reside in the community and it is therefore the security of individuals in these communities that should remain the referent object.
4. Private security service providers in Kenya are highly involved in security dynamics. This sector has not been accorded the required attention. Policy framework that will

guide the establishment, operations, standards in recruitment and remuneration of private policing agents should be formulated.

5. Kenya's foreign policy should reflect the true interest of Kenyans and their neighboring countries. This will diffuse the political mistrust that is at the core of the region.

6. Terrorism is an international problem that requires collaboration, networking and sharing of information between States. The anti-terrorism strategies adopted should therefore focus on regional cooperation in terms of police, military, and business sectors.

7. Salary and remuneration of police officers need to be improved to higher levels to reduce temptations into corruption. Motivation of policing agents must also be the focus for both private and public security providers.

8. The Immigration department should be revolutionized to reflect the demands of today's technological demands. Computerized scanning of documents and case filings remains imperative in a globalising world.

9. A national structure on peace and conflict transformation should be formed to address existing and potential conflicts both internally and internationally. This will address local and regional tensions that threaten human-security of individuals.

10. Inter-religious dialogues in matters relating to formation of laws and their implementation should be encouraged at the local level for building tolerance and understanding.

11. At the academic level, research should be done on issues of security which all along have been taken as secretive and covert-oriented. Much research has focused on government institutions, State borders and territories ignoring the ordinary citizens as a referent object.

## REFERENCES

- Combs, C. Cindy [2003]. Terrorism in the Twenty-First Century. Pearson Education, Inc. New Jersey.
- Graham, T. David and Poku, K. Nana [2000]. Migration, Globalization and Human Security. Routledge, New Fetter Lane, London.
- Hansen Holger Bernt and Michael Twaddle [1995]. Religion and Politics in East Africa James Currey Ltd. London.
- Hoffman, Bruce. (1993). Holy Terror. Santa Monica: RAND.
- Irunju, Kiunjuri [2000]. The Machiavellian Art of Political manipulation: The Kenya Experience. The House of Hedges Thika, Kenya.
- Juergensmeyer, Mark (2001). Terror In the Mind of God: The Global Rise of Religious Violence. University of California Press Berkeley and Los Angeles, California.
- Kegley, Jr. W. Charles [1995]. Controversies in International Relations Theory: Realism and the Neo-liberal Challenge. St. Martins Press Inc.
- Kraemer, E. "A Philosopher Looks at Terrorism." Pp. 113-131 in Nyatepe-Coo, A. & Zeisler-Vralsted, D. (2004) (eds.) Understanding Terrorism: Threats in an Uncertain World. Upper Saddle River, NJ: Prentice Hall.
- Laqueur, Walter [1999]. The New Terrorism. NY: Oxford Univ. Press
- Lincoln, Bruce [1994]. Authority: Construction and Corrosion. University of Chicago Press, Chicago.
- Lincoln, Bruce (2003). Holy Terrors. The university of Chicago Press, Chicago USA.
- Maguire, Mike, Morgan, Rod and Reiner Robert. [2002] Handbook of Criminology. Oxford University Press
- Merari, A. "The Readiness to Kill and Die: Suicidal Terrorism in the Middle East." In Reich, Walter (1998) (Ed.), Origins of Terrorism: Psychologies, Ideologies, Theologies and States of Mind. Cambridge: Cambridge University Press.
- Morris, Norval and Hawkin, Gordon. (1970). The Honest Politician's guide to Crime Control. University of Chicago, USA.
- Odegi-Awuondo, Casper. (1995) Syracuse Memos. Basic Books [Kenya] Limited. Nairobi.

Post, Jerrold. "Terrorist Psycho-Logic: Terrorist Behavior as a Product of Psychological Forces," Pp. 25-40 in Reich, Walter (1998) (ed.) Origins of Terrorism: Psychologies, Ideologies, Theologies and States of Mind. Cambridge: Cambridge Univ. Press.

Ranstorp, Magnus. "Terrorism in the Name of Religion," Pp. 121-36 in Russell Howard & Reid Sawyer (2003) (eds.) Terrorism and Counter terrorism. Guilford, CT: McGraw-Hill.

Schmid, Alex P. (2000) Thesaurus and Glossary of early warning and conflict prevention terms. Forum on Early Warning And Early Response, The Old Truman Brewery, 91-95 Brick Lane London.

Taylor, Maxwell. (1988). The Terrorist. London: Bracey's.

Walzer, Michael [2000]. Just and Unjust Wars. Basic Books. New York.

### **JOURNALS AND PAPERS**

Axworthy Lloyd. "Canada and Human Security: The Need for Leadership". *International Journal* 52.2 1997:183-196

Cohen, Lawrence & Marcus Felson. (1979). "Social Change and Crime Rate Trends: A Routine Activities Approach." *American Sociological Review* 44: 588-608.

Kanti Bajpai in the paper "Human Security: Concept and Measurement. Kroc Institute Occasional Paper No. 19: OP: 1 August 2000.

Paris, Roland in the paper titled "Human Security Paradigm: Shift or Hot Air? Reflected in *International Security* Vol. 2 Fall [2001].

Russell, Charles & Bowman Miller. (1977). "Profile of a Terrorist." *Terrorism: An International Journal* 1(1): 17-34.

### **REPORTS AND GOVERNMENT PUBLICATIONS**

Ambassador Cofer Black-Coordinator for "counter terrorism Report" Department of State publication, office of the Secretary of State [April 30<sup>th</sup> 2003]

Fr. Brady, Ed [S.J] and Ofuho, Hiteng Cirino, "Building a Multi-Religious Society in the Context of Islamic Fundamentalism: Challenges and Appropriate Christian responses". February 19<sup>th</sup>-23<sup>rd</sup>, 2001, Resurrection Gardens, Nairobi.

Kenya population census Data sheet. (1999). Central Bureau of Statistics. Nairobi Kenya.

Laws of Kenya (1970). The Police Act Chapter 84. Government Printers. Nairobi.

Laws of Kenya [1998]. The prevention of corruption Act Cap. 65. Government Printers, Nairobi.

Quarterly Human Rights Report. [2001] Vol.3 Number 4. Kenya Human Rights Commission. Nairobi, Kenya.

Suppression of Terrorism Bill (2003). Government Printers, Nairobi Kenya.

### **INTERNET SOURCES AND NEWSPAPER**

Daily Nation Newspaper 8<sup>th</sup> March 2002

Daily Nation Newspaper, 23<sup>rd</sup> January 2004

<http://proquest.umi.com/pqdweb?index=0&sid=3&srchmode=re=ref:in>

<http://www.nationafrica.com/News/DailyNation/Today/Comment/Comment030304a>

<http://www.fbi.gov/publish/terror/terrorism.html>

<http://www.inlink.com/~civitas/mun/050506terror.html>

[http://www.trincoll.edu/depts/civilt/RI/Vol3No1/condoms\\_kenya.htm](http://www.trincoll.edu/depts/civilt/RI/Vol3No1/condoms_kenya.htm)

<http://payson.utah.edu/conflict>

<http://www.isvi.co.uk>

# **Policing Human-Security: Perception of Anti-Terrorism Policing and Preparedness in Kenya**

## **Interview Guideline for key informant**

### **Introduction**

How are you? My name is Peter Ndichu Muriuki from the University of Nairobi, Department of Sociology. I am carrying out a research study on Perception of Anti-Terrorism policing and preparedness in Kenya. My study has been cleared by the ministry of Education Science and Technology permit no. MOEST 13/001/34C 248. The information I collect is for the purpose of academic advancement as well as for advising policymakers on appropriate measures to addressing the problem. You have been carefully selected as a key security stakeholder. The information you give will be treated in confidence and hope that you can spare some time for an interview.

### **SECTION A**

#### **Background information of the interviewee**

Date of Interview \_\_\_\_\_

Name \_\_\_\_\_ Age \_\_\_\_\_

Gender \_\_\_\_\_ Marital Status \_\_\_\_\_ Religion \_\_\_\_\_

Level of Education \_\_\_\_\_ Ethnicity \_\_\_\_\_

Residence \_\_\_\_\_ Place of birth \_\_\_\_\_ Occupation \_\_\_\_\_

Organization \_\_\_\_\_ Category \_\_\_\_\_

Position held \_\_\_\_\_

#### **Level of knowledge and awareness on terrorism**

1. What are your duties and responsibilities in the organization? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. What do you understand by Terrorism? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



3. How does your department address threats caused by international crimes and terrorism?

---

---

---

4. What kind of terrorism threats does your organization address? Please tick

Cyber and electronic terrorism

Bombing

Kidnapping

Biological terrorism

Hijacking

Chemical terrorism

Nuclear

Arms and Gun murder crimes

5. What precautionary measures against terrorism have your organization embarked on concerning;

i. Cyber and electronic terrorism? \_\_\_\_\_

---

---

ii. Kidnapping? \_\_\_\_\_

---

---

iii. Hijacking? \_\_\_\_\_

---

---

iv. Nuclear terrorism? \_\_\_\_\_

---

---

v. Bombing? \_\_\_\_\_

---

---

vi. Biological terrorism? \_\_\_\_\_

---

ii. Chemical terrorism? \_\_\_\_\_

\_\_\_\_\_

iii. Arms and Guns murder crimes? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. There was a period in which various foreign governments issued travel advisories to their citizens to avoid traveling to Kenya. How was your organization affected?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
UNIVERSITY OF NAIROBI  
EAST AFRICANA COLLECTION  
\_\_\_\_\_

7. What is your opinion concerning terrorists? Tick Yes or No

- a) Terrorists come from rich families-----Yes No
- b) Terrorists are mainly men-----Yes No
- c) Terrorists are mainly women----- Yes No
- d) Terrorists are hardcore criminals----- Yes No
- e) Terrorists are misguided people-----Yes No
- f) Terrorists are religious fanatics----- Yes No
- g) Terrorists are honest persons who rebel----- Yes No
- h) Terrorists are frustrated youth and young adults----- Yes No
- i) Terrorists are political fighters----- Yes No
- j) Terrorists are poor people----- Yes No

8. What is the likelihood of Kenya to suffer from the following terrorism threats?

Very high                  High                  Neutral                  Low                  Very Low

	Very high	High	Neutral	Low	Very Low
Bombs					
Missiles					
Chemical					
Nuclear					
Hijacking					
Kidnapping					
Biological terrorism					
Cyber and electronic terrorism					

Please tick Yes or No to the following potential source of terrorists

- 9a. Do you consider Kenya to have potential Terrorists..... Yes      No
- b, Kenyan Christians are likely to turn to terrorism..... Yes      No
- c, Kenyan Muslims are likely to turn to terrorism ..... Yes      No
- d, Traditional religious followers are likely to turn to terrorism..... Yes      No
- e, Immigrants are likely to turn to terrorism in Kenya..... Yes      No
- f, Non believers are likely to turn to terrorism in Kenya..... Yes      No

10. Which social categories are likely to be victims of terrorism? Please tick

- Christians                   Muslims                   Government Agents
- Jews                           Politicians                   Corporate Heads

Section B

**Perception of policing and preparedness**

11. What would you say about the general security status in Kenya?

Very Secure	Secure	Insecure	Very Insecure

12. What do you consider to be the role of the police in tackling the problem of terrorism?

---



---



---

13. What is the level of government preparedness in the following categories of terrorism threats?

	Very high	High	Medium	Low	Very low
Bombs					
Missiles					
Chemical					
Nuclear					
Hijacking					
Kidnapping					
Biological terrorism					
Cyberterror electronic terrorism					

14. Kenya has proposed an Anti-terrorism legislation. What is your view concerning the bill? Explain

---



---

15. What is your comment on the powers conferred to the police by the proposed Bill? Explain

---

---

---

---

16. How would you rate the general anti-terrorism policing and preparedness by the government in terms of its performance?

Very successful     Successful     Wanting     Failure     Total Failure

17. How far has the anti-terrorism police unit been interacting with the public especially within your economic sector? \_\_\_\_\_

---

---

18. How has the various government departments collaborated with your organization in terms of policing and preparedness? \_\_\_\_\_

---

---

---

19. What are the risks to individual security during the process of policing terrorism at your level of operations? \_\_\_\_\_

---

---

20. What complaints do individuals and communities put forward during the process of policing threats? \_\_\_\_\_

---

---

21. In your view, does the current strategies by the government deter potential terrorists from attacking? \_\_\_\_\_

---

---

22. What is your opinion concerning the level of commitment by Anti-terrorism police unit in fighting terrorism? \_\_\_\_\_

\_\_\_\_\_

23. What is your opinion concerning the capacity and ability of the Anti-terrorism police unit?

\_\_\_\_\_

\_\_\_\_\_

24. Kenya has decided to respond to terrorism threats by mainly focusing on policing and legislation. In your view, should the military be involved? Explain

\_\_\_\_\_

\_\_\_\_\_

### Section C

#### Long-term human-security intervention Strategies

25. What do you think is the level of public confidence in relation to?

i. Police-Hindu relation	<input type="checkbox"/> Very strong	<input type="checkbox"/> Strong	<input type="checkbox"/> Fair	<input type="checkbox"/> Weak	<input type="checkbox"/> Very Weak
ii. Police-Muslims relation	<input type="checkbox"/> Very strong	<input type="checkbox"/> Strong	<input type="checkbox"/> Fair	<input type="checkbox"/> Weak	<input type="checkbox"/> Very Weak
iii. Police-Christian relation	<input type="checkbox"/> Very strong	<input type="checkbox"/> Strong	<input type="checkbox"/> Fair	<input type="checkbox"/> Weak	<input type="checkbox"/> Very Weak
iv. Police-immigrant relation	<input type="checkbox"/> Very strong	<input type="checkbox"/> Strong	<input type="checkbox"/> Fair	<input type="checkbox"/> Weak	<input type="checkbox"/> Very Weak
v. Police-terrorist suspects relation	<input type="checkbox"/> Very strong	<input type="checkbox"/> Strong	<input type="checkbox"/> Fair	<input type="checkbox"/> Weak	<input type="checkbox"/> Very Weak
vi. Police-Politicians relation?	<input type="checkbox"/> Very strong	<input type="checkbox"/> Strong	<input type="checkbox"/> Fair	<input type="checkbox"/> Weak	<input type="checkbox"/> Very Weak
vii. Police-Corporate relation	<input type="checkbox"/> Very strong	<input type="checkbox"/> Strong	<input type="checkbox"/> Fair	<input type="checkbox"/> Weak	<input type="checkbox"/> Very Weak
viii. Police-Lecturers relation?	<input type="checkbox"/> Very strong	<input type="checkbox"/> Strong	<input type="checkbox"/> Fair	<input type="checkbox"/> Weak	<input type="checkbox"/> Very Weak

26. What legal issues do you think must be addressed in order to succeed in policing terrorism threats? \_\_\_\_\_

\_\_\_\_\_

27. What role does the criminal justice system have to play in future concerning terrorism and suspected terrorists? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

28. Do you think that the public is feeling secure after the introduction of the special police force and the anti-terrorism bill? Yes No

29. What are the various roles that can be played by civilians and communities in anti-terrorism strategies and how? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

30. Kenya has suffered through terrorism activities especially the bombing in 1998. How should Kenyans respond to such periods of attack?

In terms of Police force? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In terms of military

\_\_\_\_\_  
\_\_\_\_\_

The public? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

in terms of Health? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

31. What are the long-term strategies for tackling the problem of terrorism that your department has embarked on? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

32. What are the major reform strategies that the government must take to guarantee peace and human-security of ordinary Kenyans as a long-term strategy? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## **Policing human-security: Perception of Anti-terrorism policing and preparedness in Kenya**

[In-depth Interview guide to key informant security stakeholders]

Date of Interview \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_  
Gender \_\_\_\_\_ Marital Status \_\_\_\_\_ Religion \_\_\_\_\_  
Level of Education \_\_\_\_\_ Ethnicity \_\_\_\_\_  
Residence \_\_\_\_\_ Place of birth \_\_\_\_\_ Occupation \_\_\_\_\_  
Organization \_\_\_\_\_ Category \_\_\_\_\_  
Position held \_\_\_\_\_

1. What do you consider to be the role of police-force in Kenya especially in maintenance of security?
2. What is terrorism? Scope, diversity dynamics and factors contributing to risks
3. How do you go about managing terrorism threats? Resources, regulatory framework, coordination and collaboration, decision making and in relation to public interest
4. What role do you think the police play in terrorism policing and preparedness?
  - Role- whether they are performing their role adequately
  - Regulatory Framework supporting the interaction with the public and the business community in security matters
  - Coordination and collaboration of internal functions and activities of various cadres and special police forces
  - Public interest- what is the level of confidence on the anti-terrorism police force
5. What reform strategies should the government in general and the police force in particular undertake in ensuring a long lasting anti terrorism policing and preparedness in Kenya?
  - In understanding of terrorism-making the public aware of their security needs
  - Resource in terms of equipping, training, and efficiency
  - Regulatory framework including the balance between suppression of terrorism and public interests
  - Decision making on how to handle terrorist suspects, criminals in ensuring justice
  - Coordination and collaboration efforts in ensuring effective participation of all security stakeholders
  - Public interest- protecting the rights of the public and increasing public confidence
6. What role do you think the public play in terrorism policing and preparedness?

