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Contemporary Terrorism in Kenya: Evolving Definitions, Debates, and Strategic Implications

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Abstract

This paper critically explores the evolving definitions, discursive constructions, and strategic responses to contemporary terrorism in Kenya. Drawing on the securitisation theory and critical terrorism studies, we interrogate how terrorism is framed by state actors, often in ways that marginalise Kenya's vulnerable populations. We propose a context-specific definition of contemporary terrorism in Kenya as ideologically driven violence by non-state actors that exploits historical grievances, digital platforms, and vulnerable communities to influence governance to respond to their demands through fear. Through a chronological analysis of *Al- Shabaab's* operations from 1980 to 2024, we identify shifts from transnational attacks to hybrid asymmetric warfare, including digital radicalisation. The study critiques Kenya's counter- terrorism practices—highlighting the securitisation of ethnic identity, human rights violations, and the politicisation of counter-terrorism laws—while acknowledging recent reforms and technological innovations. We propose a four-pronged hybrid model of counter-terrorism strategy in Kenya involving community engagement, technological adaptation, and cross- border intelligence collaboration. Ultimately, we argue that Kenya must recalibrate its approach to prioritise rights-based, locally grounded strategies that build resilience and mitigate extremist appeal.

Keywords: *Kenya, terrorism, Al-Shabaab, securitisation, digital radicalisation, human rights, counter-terrorism*

Introduction

The definition of "terrorism" in Kenya has evolved through both domestic experience and international influence. Kenyan law (notably the Prevention of Terrorism Act 2012) defines a "terrorist act" in broad terms: any use or threat of violence against a person that endangers life or public safety, causes serious property damage or public disruption (such as by using firearms, explosives, or interfering with services), to intimidate the public or compelling government or institutions to act, or destabilizing constitutional, political, or social structures. This legal definition reflects a broad counterterrorism stance, but by enumerating specific violent means and political aims, it also underscores what Kenya considers the core elements of terrorism. Notably, Kenyan law explicitly exempts peaceful protest from being labelled "terrorism" so long as there is no intent to harm life or property. In practice, though, the line between political protest and violent extremism has been contested in Kenya's recent history—as in many global contexts—meaning that definitions are often navigated as much by political context as by law.

Globally, terrorism is defined in numerous ways without consensus. Critical terrorism studies (CTS) emphasises that this definition is political and constructed, reflecting the power and ideology of those who speak it. CTS scholars document how states and elites use terms like "terrorism" to marginalise particular groups and to legitimise security measures—what securitisation theory calls the framing of a group as an "existential threat" to national security. Securitisation theory (rooted in the Copenhagen School) insists that a security threat is ultimately a speech act: by labelling an actor or action as a threat, political leaders justify extraordinary policies. In Kenya, key policymakers and media often securitise terrorism discourse by associating Somalis or Islam with militant violence, as one analysis shows. This reflects how securitised discourses in Kenya have framed 'Somalis' and Islamic faithful (including refugees and diaspora) as existential security threats, thus justifying harsh counterterrorism measures.

The international community has never agreed on a single definition of terrorism. Instead, the United Nations General Assembly's 1999 resolution offers a working definition— "criminal "acts intended to provoke a state of terror in the general public, a group, or particular persons, for political purposes"— and urges states to implement effective countermeasures accordingly. Kenya's own National Counter Terrorism Centre adopts a similarly broad definition of "counterterrorism" as "measures aimed at preventing, deterring, and responding effectively to acts of terrorism." Drawing on CTS, we note that such *definitions* also carry underlying assumptions about who is a legitimate target of law enforcement and what kinds of violence demand exceptional responses. In Kenya's case, post-9/11 politics and recurring attacks by Al- Shabaab have driven a very security-oriented framing. Nonetheless, CTS insists on examining *how* these framings take root—for example, analysing speeches by Kenya's National Security Council that present Somali communities as a collective threat—to understand both definitions and policy. Thus, any Kenyan definition of terrorism must be critically examined through these lenses: recognising that words like "terrorism" are contested, politically charged, and embedded in power relations.

Drawing on Kenyan legal statutes, policy documents, and CTS literature, this paper proposes a context-sensitive conception of *contemporary terrorism in Kenya*. It then traces the evolution of contemporary terrorism in Kenya (1980–2024), highlighting how threats and tactics have changed. Next, it discusses the enduring tension between robust security measures and human rights in Kenya's counterterrorism policies, in light of international norms. The paper also examines Kenya's efforts to counter digital radicalisation and tech-enabled extremism—an area of growing concern as extremist groups exploit social media globally. Finally, synthesising academic research, policy reports, and regional frameworks, it outlines a hybrid model of counterterrorism: one that blends community-based prevention, advanced technologies (including intelligence platforms), and regional intelligence-sharing, anchored on human rights protection, arguing that such integration is needed to effectively combat contemporary terrorism in Kenya.

Definitions of Terrorism in Kenya: Legal and Theoretical Perspectives

Kenya's legal definition of terrorism under the Prevention of Terrorism Act (PTA) and related laws reflects both international models and domestic concerns. As noted, the PTA's description of a "terrorist act" centres on violence or threats with explicit political or ideological aims (such as intimidating the public, coercing governments, or destabilising institutions). This definition is comprehensive: it covers physical attacks (using firearms, explosives, or hazardous materials), cyber-disruptions (interference with electronic systems), and targeting of public or national security services. By enumerating such acts, the law addresses the *means* and target of terrorism (violence or threat of violence against humans, critical infrastructure destruction, or disruption) alongside the *intent* (fear and coercion). It thus closely mirrors the United Nations General Assembly (UNGA) formula but also goes further by explicitly including acts against financial and tech systems. Notably, Kenya's 2012 law (and subsequent amendments) treats a broad array of support actions—financing, recruitment, harbouring, online incitement—as terrorism-related offences, reflecting an expansive legal approach to tackling networks as well as attacks.

While the statute is detailed, scholars have pointed out that legal definitions alone cannot capture the changing nature of terrorism in Kenya. For example, Mwangi and Mwangi (2020) argue that Kenyan counterterrorism discourse has undergone *securitisation*, inflating certain threats and downplaying others. They cite national security speeches that construct Somalis (especially refugees) as *intrinsically linked* to terrorism. This has real implications: Kenyan courts and police may interpret broad terms (like "prejudice of national security") in ways that encompass ethnic profiling. Critics note that the PTA's vague elements—for instance, "prejudices national security" or "destabilises social institutions"—grant wide discretion to authorities. In practice, community members have reported harassment and abuse under counterterrorism pretexts (discussed later), which suggests that the line between political protest or dissent and "terrorist" activity can blur when speech and association become securitised.

From a critical theoretical standpoint, such definitional ambiguity is predictable. CTS scholars emphasise that terrorism is a *contested concept*, socially constructed to reflect power dynamics. In this view, Kenya's adoption of the UN "terrorism" formula is not accidental: it aligns the country with global counterterrorism norms (strengthening international cooperation) even as domestic stakeholders leverage the concept to address local security concerns. Securitisation theory specifically warns that once an issue is labelled as a security threat, "normal politics" is suspended and emergency measures become justified. In Kenya, successive governments have securitised Islamist extremism—often equating it with Somali ethnicity or Islam itself—thereby legitimising extraordinary measures (such as military actions in Somalia and heavy-handed policing of Somali-Kenyans). The result is that the *definition* of terrorism in Kenya cannot be understood purely as a neutral legal category: it is also a product of discourse, identity politics, and history.

This is evident in how critical terrorism studies (CTS) frames terrorism. Whereas traditional terrorism studies often treat terrorism as a problem of irrational violence to be fought with force, CTS asks: who benefits from calling this violence "terrorism?" It shows that mainstream definitions of terrorism often invisibilise state violence and privilege certain narratives. For Kenya, applying CTS means questioning why the state emphasises the Somali Islamist threat while overlooking domestic sources of violence, or how Kenyan counterterror laws might serve broader political ends (e.g., quelling dissent). Scholars Jarvis et al. (2024) note that CTS has evolved over three "waves," from simply critiquing mainstream studies to challenging the entire field and acknowledging its own biases. We adopt this reflective stance: Kenyan definitions of terrorism will be examined not just by their words, but by the social functions they perform. For example, after the Westgate mall attacks in 2013 and the Garissa attacks in 2015,

Kenyan leaders' discourse "legitimised" targeted public and home surveillance—illustrating securitisation in action.

On the other hand, Kenya's legal texts and official definitions remain important, as stated in the policy. They affirm that violent acts with political/ideological aims are "terrorism", which aligns Kenya with the global consensus that terrorism is politically motivated violence against civilians. This also ensures that Kenya's laws meet the requirements of international counterterrorism instruments (like UN Security Council resolutions) and finance/trade regulations. Yet, critically, the "political purpose" criterion theoretically distinguishes terrorism from criminal violence. In Kenya's context, however, the state often lumps politically motivated dissent or civil protests under broad security threats, raising CTS concerns about overreach.

In summary, Kenya's evolving terrorism definition is shaped by both formal law and powerful discourses. The formal definition in the Prevention of Terrorism Act sets the legal stage, but scholars note that media and political rhetoric frequently extend or constrict it based on socio- political context. This duality suggests that a robust understanding of "terrorism in Kenya" requires both a legal and a critical analysis. The next section synthesises these insights into a working definition of contemporary terrorism in Kenya – one that reflects Kenya's unique social fabric, history, and security environment, while aligning with global understandings of political violence.

Toward a Context-Specific Definition of Contemporary Terrorism

Drawing from the above discussion, we propose defining "contemporary terrorism" in Kenya as follows: *violent or coercive actions (including attacks, threats, or sabotage) carried out by individuals or groups, often with an ideological or political motive, that aim to intimidate the public or destabilise state/social order in Kenya. These actions typically involve indiscriminate harm to civilians or public infrastructure, are aimed at generating fear beyond immediate victims, and exploit structural grievances (such as political marginalisation and ethnic or religious tensions)* to recruit support. This definition seeks to be broad enough to encompass the variety of terrorism Kenya has experienced (siege, active shooter, hostage, and kidnappings), yet specific to the local context (mentioning underlying grievances and the effect on the public).

This formulation differs from Kenya's formal legal definition in two ways. First, by highlighting *ideological or political motives* rather than enumerating violent means, it captures the *why* of terrorism, not just the *how*. Kenyan law focuses on specific methods (firearms, explosives, hazardous agents), but contemporary terrorists might also use improvised tactics or digital tools to achieve political aims. Second, by mentioning the exploitation of local grievances, we acknowledge Kenya's own experience: the narrative that "terrorist attacks are responses to marginalisation of Muslim or Somali communities" has been repeatedly voiced by analysts. Indeed, crisis reports note that Kenya's earlier crackdowns "fuelled militant recruitment" by exacerbating Muslim Kenyans' sense of grievance. Hence, our definition does not see grievances as excuses for violence but recognises them as drivers that contemporary terrorist groups exploit. This aligns with CTS's emphasis on understanding the socio-political roots of terrorism rather than treating it as inexplicable evil.

Importantly, the proposed definition situates terrorism as a *political instrument*. This echoes the UNGA formulation (to provoke terror "for political purposes") and Kenya's law (which defines terrorism partly by its aim at intimidating governments or the public). In Kenya's setting, Al- Shabaab's declarations ("do not dream of security in your lands until security becomes a reality in Muslim lands" after Garissa) explicitly tied attacks to Kenya's military role and domestic policy. Thus, we stress that contemporary terrorism in Kenya is not random criminal violence; it is generally intended to influence public policy or ideology (even if perpetrators cloak it in sectarian rhetoric).

We also incorporate nonviolent means in our understanding. The 'PTA' criminalises recruitment, financing, and propaganda as terrorism offences. Contemporary terrorism evolves in the internet age: online radicalisation, recruitment through social media, or cyber-attacks might not involve physical violence but can be part of a broader campaign to terrorise and destabilise. For example, "interferes with an electronic system" is legally recognised by Kenya as terrorism if it disrupts services. A modern Kenyan definition should acknowledge that a sophisticated terror campaign might leverage digital technology (such as encrypted messaging or online radicalisation networks) even as it recruits for "physical" operations. Indeed, global reports note the rise of digital propaganda: Kenya, like many countries, is grappling with extremists who use the internet to inspire violence or harass critics.

However, we must guard against overexpansion: everyday protests or political speech must remain distinct from terrorism. The Kenyan law provision that exempts protests "not intended to result in harm" from the terrorism definition is prudent. In our contextual definition, we similarly rely on intent and means: only actions (or clear threats) that go beyond standard political campaigning and aim to coerce through fear of violence qualify as terrorism. This helps preserve democratic space (allowed by Article 37 of Kenya's constitution) even amid a high-threat environment.

In summary, "contemporary terrorism in Kenya"—as we use the term—refers to politically motivated violent campaigns by non-state actors (often transnationally linked), targeting civilians or state symbols to induce fear and achieve ideological goals. It encompasses bombings, mass killings, kidnappings, and other attacks attributed to groups like Al-Shabaab (as elaborated below), but also extends to cyber or psychological tactics when aimed at instilling terror. Grounded in both Kenyan experience and CTS insight, this definition captures terrorism as a phenomenon shaped by local conditions (such as ethnic divisions and refugee flows) and by global extremist ideologies. It differs from more abstract or rigid international definitions by explicitly acknowledging Kenya's particular drivers (e.g., the historical grievances of coastal and northeastern communities) and Kenya's legal commitments. By balancing the specificity of intent and impact with the political-ideological character of terrorism, it can guide both scholarship and policy in the Kenyan context.

Phase I (1980s–2002): Roots of Militancy and the Early Islamist Threat

Kenya's exposure to Islamist militancy predates Al-Shabaab's founding in Somalia. In the late Cold War era, Kenya became a target of global jihadist movements. The most notorious instance was the 1998 U.S. embassy bombings in Nairobi (and Dar es Salaam), which killed over 200 Kenyans and 12 foreigners in Nairobi alone. Orchestrated by *Al-Qaeda*, these attacks undermined Kenya's national security and signified the presence of local jihadist networks. Although *Al-Qaeda* (not yet *Al-Shabaab*) was responsible, the events connected Kenya to the rise of Somali extremist threats. At this time, Kenya served as a logistical base for foreign 'jihadists'; for example, U.S. probes revealed that planning for the Nairobi bombing involved meetings in Nairobi and refugee camps in Kenya.

Within Kenya, Islamist ideas were present among certain populations long before 2000. Coastal and northeastern Kenya had communities with ties to Somalia, and Salafi movements (like the Wahhabi-linked mosques) gained some ground in the 1980s-90s. However, these groups initially advocated for preaching local grievances (land rights, marginalisation) rather than mass violence. For instance, the Shifta insurgency in the 1960s had a secessionist element, but by the 1980s most militancy had faded (Anderson & McKnight 2015). Still, the collapse of Somalia's state in 1991 generated refugee flows into Kenya's north and east, planting seeds for future radicalisation. Refugee camps like Dadaab and Kakuma, created in the early 1990s, became fertile recruiting grounds over decades as disenfranchised youth endured poverty and learned militant narratives. Some early Al-Qaeda operatives were even apprehended in Kenya in the early 2000s (for example, an AQ financier was arrested in Nairobi in 2003).

A watershed moment came in 2006-2007, when the Somali Islamic Courts Union (ICU) briefly unified most of Somalia under a moderate Islamist administration. Kenya watched warily as the ICU gained influence, fearing that a fundamentalist government in Somalia could inspire its Somali population. When Ethiopia, supported by the U.S. and UN, intervened in Somalia in late 2006 to oust the ICU, radical elements splintered off under the banner of Harakat *al- Shabaab al-Mujahidin* ("The Youth Movement of the Holy Warriors"). *Al-Shabaab's* genesis was thus partly a reaction to foreign intervention. Analysts note that the Ethiopian occupation "radicalised" *Al-Shabaab*, quickly turning it into a hardline insurgency. During this period, Kenyan involvement was still limited, but foreign intelligence already linked Kenyan suspects to early *Al-Shabaab* networks.

Domestically, Kenya's government in the 1990s-2000s also nurtured a security environment conducive to extremism. Some reports indicate collaboration between Kenyan police and Al- Qaeda figures—for example, a notorious Kenyan police officer (Ibrahim Ismail Haji Omar) is alleged to have directed some of Al-Qaeda's Nairobi operatives in 1998 (CFR backgrounder). Such corrupt alliances, combined with failure to address Somali-Kenyans' grievances, arguably laid the groundwork for later radicalisation. Moreover, Kenya's porous border and mixed clans meant that sympathies and kinship ties allowed militants to transit with ease. Thus, by the early 2000s, although terror attacks in Kenya were sporadic, the structures for *Al-Shabaab* support (recruitment, fundraising, safe houses in Nairobi's Eastleigh or along the coast) were emerging.

By 2002-2006, a series of smaller attacks illustrated an evolving threat. In 2002, simultaneous bombings occurred in Mombasa (at a hotel and a missile attempt at an Israeli plane), linked to radical networks. These were pre-Al-Shabaab events but signalled the rise of jihadist cells in Kenya (later investigations tied them to Al-Qaeda). The Kenyan security response was to bolster anti-terror laws (a Counter-Terrorism Centre was formed in 2003) and strengthen policing in frontier regions. However, these measures were mostly paramilitary: no systematic deradicalisation or community programs have emerged yet. Kenyans born in the 1980s or early 90s—now in their early twenties by the 2000s—began drifting into mosques or madrasas influenced by conservative ideologues. Some took what they learned to Kenya's coastal cities and Islamic communities in Nairobi.

By 2007-2010, *Al-Shabaab* in Somalia began eyeing Kenya more directly. Kenyan troops had yet to enter Somalia, but Al-Shabaab started conducting cross-border kidnappings and attacks. For instance, there were kidnappings of tourists along Kenya's coast around 2007-2008. These acts were claimed by an *Al-Shabaab* splinter or associates, signalling the group's intent to punish perceived enemies (including Kenyans supporting the Somali government) even before an official military confrontation. Meanwhile, Kenyan police intensified operations in Muslim areas, sometimes acting on tips of terror cells. Yet this era still lacked the large-scale attacks that would define the next phase.

In sum, Phase I (1980s–2002) was one of incubation: global jihadist currents and Somalia's instability sent ripples into Kenya, but organisational structure remained loose. Islamist militancy was mostly external (ICU versus Ethiopia, *Al-Qaeda* networks plotting abroad). Kenya's role was as a strategic theatre (bombing target, safe transit zone) rather than a battleground. But by 2001, Kenyan lawmakers had already passed the Prevention of Terrorism

Act, reflecting growing alarm. In later sections, we will see how Kenya's harsh countermeasures during this phase—heavy-handed policing and ethnic profiling—contributed to distrust, setting the stage for more robust militancy.

Phase II (2011–2015): Kenyan Intervention and *Al-Shabaab's* Militant Surge

In October 2011, Kenya launched Operation Linda Nchi, deploying troops into Somalia alongside the African Union Mission (AMISOM) to fight Al-Shabaab. This marked a dramatic turn: for the first time, Kenya's military directly engaged the group on foreign soil. The motive was partly defensive (after a

string of kidnappings of foreigners), but also political: The Kenyatta administration sought to assert control over its border. *Al-Shabaab* leaders responded to this incursion with an explicit threat: "We are sending a message to every country that is willing to send troops to Somalia that they will face attacks on their territory," said their spokesman. Thus began a tit-for-tat cycle of violence.

By 2012-2013, *Al-Shabaab* began targeting Kenya more intensively. The first significant *Al- Shabaab* terrorist attack occurred on 21 September 2013, when four gunmen attacked Nairobi's Westgate Mall. The siege lasted four days and killed 67 civilians, shocking Kenyans and the world. The Westgate massacre demonstrated *Al-Shabaab's* evolving capabilities: it showed planning sophistication (using siege tactics, controlling media narratives) and a willingness to target urban soft targets. Importantly, intelligence later indicated the plot was conceived in Somalia and partly organised from within Eastleigh, Nairobi—confirming that Kenyan-based militants were fully integrated into *Al-Shabaab's* network. The second *Al-Shabaab* terrorist attack was staged in 2014, through a raid in Mpeketoni village in Lamu County that resulted in the killing of about 60 people. The attackers were Somali, and Al-Shabaab claimed responsibility as vengeance for Kenya's military presence.

Kenya's immediate response to Westgate was heavy-handed. Security forces conducted mass raids in Somali-populated neighbourhoods (notably Eastleigh in Nairobi), arresting hundreds on terrorism suspicions. Such indiscriminate crackdowns were criticised by some analysts and communities. Crisis Group noted, *"Kenyan authorities' subsequent indiscriminate crackdowns fuelled Muslim anger and accelerated militant recruitment."* The interior minister at the time dismissed such critique, insisting on tough measures. Meanwhile, in Somalia, Kenyans backed AMISOM offensives that wrested Kismayo and later much of southern Somalia from Al- Shabaab. Ironically, as Shabaab lost territory in Somalia, it redirected resources into East African terrorism. Between 2013 and 2015, militant attacks in Kenya escalated sharply. This period saw numerous assaults on police, troop convoys, and ethnic skirmishes in the north.

The deadliest single episode in this phase was the April 2015 attack on Garissa University College. Gunmen (flagging themselves as ISIS-influenced "ISIS East Africa" but widely seen as *Al-Shabaab* operatives) killed 148 mostly Christian students and took hostages. This attack triggered national soul-searching. It revealed lapses in intelligence sharing: reportedly, warnings had been missed or ignored, partly due to distrust of local officials and a breakdown between national and county governments after devolution. Garissa's aftermath led the government to reorganise its security apparatus (moving from the old National Security Intelligence Service to a restructured National Intelligence Service) and to adopt more community-focused measures.

During this 2011–2015 phase, *Al-Shabaab* in Kenya demonstrated operational evolution: it moved from sporadic kidnappings to large-scale urban terrorism. The group's tactics diversified: in addition to mass-casualty attacks, it assassinated moderate Islamic clerics, attacked Christian gatherings, and launched rocket/mortar fire from Somalia across the border into northeastern villages. It also exploited social media for propaganda—Khalid al-Barnawi's ICE East Africa faction briefly tweeted promises, and *Al-Shabaab's* online propaganda intensified the appeal of jihad to disaffected youths. The cross-border element was critical: Kenyan towns like Garissa, Mandera, and Wajir saw both Kenyan Shabaab recruits training in Somalia and cross-border raids by Somalia-based cells.

Kenyan society during this time was polarised. Many citizens rallied behind tough responses, seeing no choice but force. However, human rights observers noted that the counterterror operation—especially by the new Anti-Terrorism Police Unit (ATPU)—often targeted Muslim civilians with brutality. Complaints of illegal detentions, "mock executions," and extrajudicial killings surfaced. For example, Somali-Kenyan communities felt particularly besieged. The 2015 Advocates for Human Rights report documented that Somalis were forcibly disappeared by the ATPU. These actions sometimes backfired:

some young Kenyans who felt unjustly victimised by police crackdowns cited revenge in enlisting with Shabaab.

By late 2015, Kenyan authorities recognised the unsustainability of pure force. The Crisis Group observed that *"Kenya's shift in tack after 2015"*—emphasising community engagement—began to slow attacks. Nairobi initiated campaigns to counter extremist narratives, including collaborations with moderate imams and educational programs in vulnerable regions. Civil society groups also started dialogue forums between Muslim youth and security agencies. International partners (UNODC, UNDP) funded deradicalisation and livelihoods projects on the coast and in the Northeast.

In sum, Phase II was a period of escalation and adaptation. Kenya's military foray into Somalia made it a primary target of a now-broader *Al-Shabaab*. Large-scale attacks (Westgate, Garissa) and frequent skirmishes defined this era. *Al-Shabaab's* operations grew more sophisticated, and Kenya's initial heavy-handed tactics evolved toward incorporating community resilience strategies. Yet the human cost and rights tensions rose sharply: thousands of Somalis felt themselves under siege by Kenyan state power, feeding the securitisation dynamic noted earlier. This complex interaction—*Al-Shabaab's* outward attacks fuelling Kenyan securitisation, which in turn contributed to *Al-Shabaab's* narrative of oppression—characterises the second phase of *Al-Shabaab's* Kenya campaign (2011–2015).

Phase III (2016–2024): Retrenchment, New Tactics, and Digital Frontiers

From 2016 onward, the landscape shifted again. Kenyan security reforms, coupled with *Al- Shabaab's* losses in Somalia, somewhat reduced the frequency of mass-casualty attacks on Kenyan soil. Security forces improved intelligence sharing and police-community relations (especially along the coast and northeast). Local Kenyan-led initiatives (e.g., the *Nyumba Kumi* community policing concept and the revived devolution of local policing powers) helped build trust. By some accounts, this has made rapid large-scale attacks harder to carry out. Yet Al- Shabaab remained active in Kenya through subtler and more dispersed methods.

One notable change is the targeting of education and ideology. We have seen how non-Muslim teachers and students were specifically targeted as propaganda by Al-Shabaab. Attacks on schools and religious sites, though not as headline-grabbing as Garissa, have persisted in border areas. For example, attacks on church gatherings and Christian schools in 2018–2020 have been reported, intending to drive "outsider" teachers away and assert control over Muslim majority regions. The broader tactic is to instil fear in communities that Kenyans view as aligned with the government and to portray the Kenyan state as illegitimate or discriminatory. This aligns with *Al-Shabaab's* pronouncements post-Garissa, which framed all measures of non- reconciliation with Muslims (including policing and devolution choices) as genocide of Islam.

Another trend is digital mobilisation and propaganda. *Al-Shabaab* fighters (including Kenyans in their ranks) have adapted to the information age by spreading messages on social media, encrypted apps, and video-sharing platforms. While Kenya has blocked some extremist websites, militants find ways to exploit diaspora networks. A few Kenyan youths have publicly returned from Somalia via Twitter videos, and encrypted messaging still circulates instructions. The Kenyan state, in turn, has monitored social media, blocked some content, and begun experimenting with online counter-narratives. Civil society has chipped in: initiatives like *"Jenga* Kenya" (a UNDP/UNESCO-supported platform) encourage peaceful dialogue online, and mosque committees engage followers about extremist propaganda. Nevertheless, digital radicalisation remains a critical front. Extremist influencers on Twitter, Telegram, or YouTube (often from Somalia, but sometimes self-radicalised Kenyans) push content in Swahili and Somali, which resonates with rural and urban Muslim youths.

Regionally, *Al-Shabaab* has diversified. By the late 2010s, the group formed alliances with extremist cells in Tanzania (ISIS-affiliated cells in Tanzania's coastal regions worked with Shabaab networks) and

attempted to recruit on social media across borders. Though these Tanzanian linkages are beyond Kenya proper, they illustrate that the Kenyan context cannot be isolated; porous borders mean a militant victory in one East African country can spill into others. Equally, some rebels have faded. Kenya's vigorous crackdown may have limited a domestic offshoot of ISIS in Kenya, which was rumoured to exist after Garissa but never fully materialised. Kenyan nationalists and Islamist dissidents operating online seem less organised than *Al-Shabaab* itself. Instead, after 2016, Kenya's terrorism threat is almost singularly dominated by the long-term *Al-Shabaab* campaign with roots in Somalia.

Throughout Phase III, security versus rights tensions remained contentious. The Anti-Terrorism (Amendment) Act of 2018 and further amendments (e.g., in 2021) tightened Kenyan laws, expanding the power to surveil online communications, to freeze assets, and to designate individuals as terrorists without trial. The government argued these were needed to counter new tactics (like recruitment through social media or financing via cryptocurrency). Critics (among them Amnesty International and local NGOs) warned these measures risked political abuse. In practice, we have seen some instances of activists or journalists accused under new provisions, which echo patterns from earlier: the same broad definition that caught community elders or charity workers in the early 2010s might now ensnare dissidents or human rights defenders. On the other hand, Kenya has also invested in cyber counterterrorism: its government launched a Cybersecurity Strategy (2018), and the Cabinet Administrative Secretary for Interior announced initiatives to track online extremist content. A positive example is the Digital Forensics Unit within the Directorate of Criminal Investigations, which has identified online propaganda and blocked foreign extremist livestreams from Kenya-based servers.

By 2024, Al-Shabaab's campaign in Kenya is arguably more attritional and low-profile than during its 2011–2015 peak. Attacks still occur (for example, grenade attacks in markets or ambushes on the Kenya Forces in border areas), but no Westgate-level incident has recurred. Militant ideology persists, however, and sporadic recruitment continues. Indeed, reports indicate that between 2016 and 2020, some Kenyan nationals joined *Al-Shabaab* or ISIS via online channels. The Covid-19 pandemic brought concerns of resurgence; however, the concurrent economic crisis and security pressures in Somalia limited *Al-Shabaab's* offensive capacity. Thus, as of 2024, we see a residual but ongoing *Al-Shabaab* threat characterised by community-level intimidation (as in northeastern villages), occasional terror plots foiled by vigilant police, and a focus on keeping Kenyan forces occupied with security duties.

In evaluating these phases, one sees a cycle: Kenyan militarisation spurred Al-Shabaab's rise; heavy-handed security spurred recruits; community engagement and better intelligence then dampened attacks. Today, terrorism in Kenya remains a fluid mix: residual *Al-Shabaab* networks continue small-scale terror for propaganda, even as the state and local leaders work to deescalate conflict. In sum, Phase III illustrates a strategic shift by both sides—militants becoming more clandestine and ideological, and Kenya adapting laws and tech—setting the stage for how future counterterrorism must combine methods from across domains.

Security vs Human Rights: Kenya's Counterterrorism Policies under Scrutiny

Kenya's vigorous fight against terrorism has repeatedly sparked debate over the balance between national security and civil liberties. On one hand, the government insists that robust measures are essential in the face of a determined, cross-border foe. On the other hand, human rights advocates point to documented abuses by security agencies, particularly when they target individuals of certain ethnic or religious backgrounds. This tension has deep roots and wide implications for legitimacy and the rule of law in Kenya.

Critics argue that, especially in the post-2011 period, Kenyan counterterrorism practices frequently trampled fundamental rights. There is substantial evidence of law enforcement misconduct: unlawful detentions without charge under anti-terror laws, police brutality, and even extrajudicial killings. For

example, the U.S. State Department and NGOs reported numerous instances where police rounded up ethnic Somalis or Muslims en masse, with little regard for actual evidence. An illustrative case is that of Abdirahman Ahmed Dakane—he was assisting human rights researchers when abducted in Garissa on August 22, 2015, by personnel believed to be from the Anti-Terrorism Police Unit. The Advocates for Human Rights documented this and other incidents, showing that the ATPU carried out "extrajudicial executions and enforced disappearances" of Kenyans of Somali origin. Such cases suggest that counterterrorism operations sometimes conflated ethnicity with terror affiliation.

Torture and coercion have also been reported. Detainees (often held incommunicado) later recount being beaten or suffocated to extract information. In 2014-2016, local NGOs highlighted a pattern: suspects from vulnerable communities were kept in underground cells, had no access to lawyers, and "confessed" under duress. Moreover, in some notorious instances, security forces allegedly killed suspects without trial, claiming they were "armed terrorists" even when evidence was scant. This is reminiscent of Kenya's past (e.g., post-election chaos in 2008), but here it was done under the guise of anti-extremism.

Legally, Kenya's counterterror framework has attracted criticism too. The Prevention of Terrorism Act and subsequent amendments give police and prosecutors wide leeway. For instance, the Act originally included minimal due process protections and allowed prolonged pre-charge detention. The 2018 Anti-Terrorism Act further expanded surveillance powers (including online communications interception without a judicial warrant in some cases). While these laws criminalise genuine terrorism, their broad wording and enforcement practices have ensnared dissidents and the media. Human rights organisations warn that reporters who covered government corruption, or activists who argued for refugee rights, sometimes faced terrorism charges—because under Kenyan law, "terrorism" can include acts beyond violence (such as glorification of terrorism) if interpreted expansively.

Not all observers see only a dark picture. Some international reports (e.g., recent U.S. State Department human rights reports) note progress. They acknowledge that after 2015, Kenya took steps to train police in human rights during counterterror operations and, in some cases, punished officers for misconduct. The reorganisation of intelligence services aimed partly to end corruption. As of 2022-23, Kenya also improved coordination with Somalia's government, focusing on joint efforts against cross-border raids, which promised to reduce the need for emergency domestic measures. Nonetheless, both Kenyan civil society and UN human rights experts continue to highlight unresolved issues, particularly racial profiling. Many Muslim Kenyans remain wary: one imam interviewed in 2018 claimed his mosque had beacons that could be turned on to mark Somalis for police raids.

In summary, Kenya's counterterror strategy has often been described as a tug-of-war between an urgent need for security and the imperative to respect rights. Policy documents (e.g., Kenya's National Counter Terrorism Centre guidelines) do mention human rights, but implementation is mixed. The CTS lens suggests that when the Kenyan state labels certain groups as threats (securitisation), it also de-prioritises their rights. Unfortunately, many Kenyans have experienced both state and non-state violence. Getting the balance right is seen as crucial: overly broad or abusive security tactics can alienate communities and potentially fuel radicalisation, whereas too much laxity may create conditions that favour contemporary terrorism.

Thus, contemporary Kenyan discourse on terrorism includes frequent calls for a *rights- respecting counterterrorism*. For example, after Garissa, some Muslim leaders demanded a review of the ATPU and accountability for abuses. On the other side, some legislators have resisted these calls, arguing that national security should override complaints from suspects. International bodies like the UN and the African Commission have urged Kenya to beef up oversight of its security agencies and to ensure detainees have legal access. Tensions remain highly salient in Kenya's policy space. Ultimately, any definition or strategy of terrorism in Kenya must reckon with these tensions: acknowledging that the

very act of defining and combating terrorism can inadvertently infringe rights, and that sustainable security likely requires trust-building rather than repression alone.

Responding to Digital Radicalisation and Tech-based Extremism

The rise of the internet and social media has posed new challenges for counterterrorism worldwide, and Kenya is no exception. Over the past decade, jihadist groups have increasingly used online platforms to recruit, indoctrinate, and organise—often reaching far-flung sympathisers. Kenya's security analysts warn that while *Al-Shabaab* has physical bases in Somalia, it also nurtures a virtual presence. Young Kenyans, especially diaspora or marginalised youth, may view radical messages online without ever physically crossing the border.

Al-Shabaab's digital strategy includes producing videos in Swahili and Somali, posting on encrypted apps, and subtly promoting its ideology through social media. Indeed, the 2018 Garissa attack's perpetrators were said to have been inspired by online sermons. Recognising this, Kenyan authorities have taken several steps. Officially, the government established a Digital Forensics Laboratory (through the National Crime Research Centre) to track extremist messaging. The ICT Authority collaborates with telecoms to trace suspicious communications. In 2018, the Computer Misuse and Cybercrimes Act was enacted (though parts were later struck down), which criminalised sharing extremist content online. Furthermore, training programs for cyber-police units now include modules on countering online radicalisation.

Beyond enforcement, Kenya has invested in counter-messaging initiatives. For example, the National Counter Terrorism Centre (NCTC) and NPS have engaged Muslim clerics to produce counternarrative videos, emphasising peaceful Islam. NGO-led projects (often funded by US, EU or UN bodies) have launched radio and SMS campaigns to dissuade youth from extremist sites. The "*Uaminifu*" (Swahili for "integrity") campaign is one such program, encouraging critical thinking about disinformation. Social media platforms have occasionally been asked to remove pro-*Al-Shabaab* content, and some accounts linked to recruitment have been reported.

These efforts mirror global practices, but Kenyan civil society suggests more can be done. One innovative idea is to work with Kenyan tech firms and diaspora communities. For instance, Kenyan software developers have created apps that map safe houses and report incidents via smartphones (an early prototype by a university team). Social media influencers have been engaged to subtly counter jihadist narratives (e.g. Muslim comedians sharing messages of tolerance on Twitter). There is also attention on "digital literacy" in schools: teaching youth how to spot extremist propaganda, similar to fraud-prevention training.

Nevertheless, challenges remain. Kenya's recent revision of an Anti-Terrorism Act (2023) sparked debate over its clauses on online content: activists fear it could be used to chill free speech or target peaceful critics as "extremist." Additionally, while ICT skills are growing, large swaths of Kenya's population (especially in rural areas and camps) lack broadband access; word-of-mouth and local radio still carry weight, meaning online strategies must be combined with ground outreach. During the COVID-19 lockdown, the government used television and local networks to broadcast messages countering Al-Shabaab's disinformation about the pandemic, which shows an integrated approach.

Regionally, Kenya is part of broader tech-centric initiatives. IGAD and the African Union have pushed for harmonised online Countering Violent Extremism (CVE) strategies. Kenya participates in East African task forces that share intelligence on online extremist cells. For example, after arrests of suspects operating across the Somalia-Kenya border, information on digital footprints was exchanged with Tanzania's cybercrime units. Mobile money platforms (M-Pesa) have their own compliance rules to flag terror financing. In 2022, a United Nations Office on Drugs and Crime prevention (UNODC) report on

East Africa cited Kenya's relatively advanced legal regime (cyber laws, data protection acts) as helpful for tracking digital extremism.

In sum, Kenya's response to digital radicalization is multi-pronged but evolving. Authorities and partners recognize that suppressing terrorism now requires also managing the ideological war online. The country has beefed up cyber capabilities (e.g., digital forensics, cybercrime laws) and launched counter-narratives involving tech tools (SMS, social media). At the same time, Kenyan analysts emphasize that offline community efforts must complement digital tactics: you cannot fully counter a tweet without offering in-person support and alternative networks in vulnerable communities. In this sense, Kenya's approach to tech-based extremism still reflects the earlier lesson: *effective counterterrorism integrates both high-tech surveillance and low-tech human engagement*. We see this intertwining most clearly in the next section on a proposed hybrid counterterrorism model.

Toward a Hybrid Counterterrorism Model: Community, Technology, and Intelligence

The complexity of Kenya's terrorism threat—local grievances, regional insurgencies, and digital propaganda—suggests that no single approach will suffice. Building on the evidence and theories above, we propose a hybrid counterterrorism model for Kenya that combines four pillars: (1) community-led and bottom-up initiatives; (2) advanced technological tools and social media strategies; (3) robust regional intelligence cooperation; and (iv) collaboration with civil society and oversight groups to improve on the effectiveness of the current approach of combating contemporary terrorism in Kenya.

There is growing consensus that counterterrorism must engage communities as partners, not just subjects. In Kenya, this means empowering local elders, religious leaders, teachers, and youth groups to recognize and intervene in radicalization before it manifests violently. Policies like *Nyumba Kumi* (Neighbourhood Watch)—where small clusters of households vet newcomers—reflect this ethos, as does increased funding for the National Cohesion and

Integration Commission to mediate ethnic tensions. Practical examples include county-level security committees, where local administrators, police, and community reps coordinate on tips about suspicious activity. Coastal and northeastern counties have piloted projects where tribal chiefs lead conflict-resolution dialogue, or mosque imams preach against extremism during Friday sermons.

Academia and NGOs also play a role: universities have developed curricula on peacebuilding and prevention of violent extremism (PVE), training teachers to spot early warning signs. For instance, a recent CVE workshop in Mombasa trained 200 school counsellors to handle at-risk youth cases. Kenyan NGOs like HAKI Africa work with former detainees to resocialize them and collect intelligence on networks. Importantly, this model emphasizes addressing *root causes*: local development projects are funded in marginalized areas (like Kandara County) specifically to reduce economic grievances. By giving at-risk populations a stake in society, recruitment by extremist recruiters is undercut.

To complement human efforts, Kenya should harness technology for both detection and prevention. On the intelligence-gathering side, this includes continued investment in cyber- monitoring: The Digital Forensics Lab should be expanded with AI-driven software to flag potential extremist messaging in multiple Kenyan languages (Swahili, Somali, and English). Telecommunications companies should deepen their collaboration with NCTC, using big-data analytics (with proper legal oversight) to detect suspicious networks of communication and financial transactions. Also, mobile applications can be made for community reporting: for example, a secure app where citizens anonymously report concerns (analogous to consumer fraud hotlines, but for terror tips).

On the counter-messaging front, technological innovation can amplify narratives of peace. The government could partner with Kenyan tech firms to create viral content – e.g. short dramas or music videos featuring local artists telling stories of disillusionment with extremism. Crowdsourced digital

campaigns (hashtags, microblogging challenges) can highlight national unity and the success of former radicals who reintegrated (positive role models). Moreover, leveraging AI, social media platforms operating in Kenya could be urged to improve takedown of violent extremist material – Kenya already participates in the Global Internet Forum to Counter Terrorism (GIFCT), but should push for more localized content review centres.

Kenya cannot fight terrorism in isolation. The final pillar of our hybrid model is robust collaboration with neighbours and international partners. Already, Kenya participates in the African Union's ATMIS (successor to AMISOM) and IGAD's terrorism framework. Intelligence-sharing should go beyond ad hoc, confidential exchange to formal joint structures. For example, establishing an East African Fusion Centre for Terrorism Analysis—modelled on similar Western initiatives—could aggregate data from Kenya, Somalia, Ethiopia, Uganda, and Tanzania. This centre would analyze trends (militant movements, finances, travel) and issue regular threat assessments.

On the ground, cross-border operations should be coordinated: Kenyan and Somali forces have had joint patrols along Wajir/Mandera borders to chase militants; this should be institutionalized with legal agreements for pursuit and extradition. In the diplomatic sphere, Kenya should push for harmonized border security policies within the EAC/IGAD region— ensuring that displaced communities are safely repatriated and that refugee camps have strict counter-radicalization programs (with UNHCR cooperation). Intelligence cooperation also means engaging diaspora communities. Many Al-Shabaab operatives are Kenyan diaspora (in the UK, US or Middle East). Through INTERPOL and bilateral ties, Kenya's National Intelligence Service can work with foreign police to monitor charismatic recruiters abroad. Likewise, Kenya's banking regulators and FinCrime units should continue working with international partners to cut off cross-border terror financing, including new avenues like cryptocurrency.

A critical aspect of the hybrid model is civil society collaboration and oversight. Kenya's government should not implement this approach alone. Independent bodies—ombudspersons, parliamentary committees, and NGO watchdogs—must review CT policies to safeguard rights. For example, a semi-annual "Counterterrorism Review Board" could include members from academia, law enforcement, and human rights organisations to assess whether CT measures (e.g., digital surveillance laws) are proportionate. Such transparency builds public trust and mitigates claims of abuse, which in turn strengthens community cooperation.

Empirically, elements of this hybrid approach have shown promise. Crisis Group's 2018 report specifically lauded Kenya's later strategy of combining *grassroots engagement with targeted security operations*. Kenyan success in dramatically reducing overseas-directed attacks (e.g., none of Westgate's scale since 2013) suggests that combining intelligence improvements with local dialogue can work. Similarly, the decline in teacher-targeted attacks when many Christian schools were closed in 2020 (and replaced with more local hires) shows a tech-free but community-rooted . Where technology has been integrated—such as using mobile cash transfer programs to fund social support for at-risk families— there have also been positive outcomes.

In conclusion, combating contemporary terrorism in Kenya today requires a multi-layered strategy. Effective community-led initiatives address motivations and grievances; cutting-edge tech helps detect and counteract extremist networks; and regional intelligence-sharing tackles the transnational dimensions. No pillar alone is sufficient: harsh security without hearts-and- minds efforts risks alienating citizens (as seen in 2011–2015), while pure soft power leaves gaps for terrorists to exploit. The hybrid model is a synthesis of these realities. It also aligns with current thinking in counterterrorism scholarship, which emphasises whole-of-society approaches. Ultimately, Kenya's path forward will likely rely on learning from its past: sustaining the gains from community engagement, rectifying human rights abuses, and innovating continuously to stay ahead of evolving extremist tactics.

Conclusion

This paper has traced the evolution of Kenya's counterterrorism efforts, beginning with legal and discursive definitions of terrorism. While the Prevention of Terrorism Act (2012) adopts a broad, UN-aligned framework, critical scholars highlight how securitisation practices in Kenya have disproportionately targeted Somali and Muslim communities. Drawing from both perspectives, we defined terrorism in Kenya as ideologically driven violence aimed at civilians

or institutions to instil fear and influence policy—a definition grounded in Kenya's socio- political realities. We outlined *Al-Shabaab's* trajectory in three phases: initial ideological seeding (1980s–2002); backlash to Kenya's Somalia intervention (2011–2015), marked by major attacks like Westgate and Garissa; and a shift to asymmetric tactics (2016–2024), including ambushes and digital propaganda. Kenyan policies, from military incursions to community outreach, have continually shaped and been shaped by militant adaptations. Throughout, tensions between security and civil liberties emerged. While Kenya has enhanced public safety, concerns over extrajudicial killings and profiling persist. Legal reforms and rights-based training have been introduced, but implementation gaps remain.

To confront current threats—especially digital radicalisation—Kenya is investing in cyber tools and private-sector partnerships. Yet, technology alone cannot substitute for local engagement. We therefore propose a hybrid model integrating community-driven prevention, technological augmentation, and regional cooperation. Anchored in human rights and local ownership, this approach mirrors Kenya's recent policy shifts and offers a sustainable pathway forward. Kenya's terrorism landscape is rapidly evolving. Future threats may stem from regional spillovers, online ideologies, or reactivated militants. Policymakers must remain adaptive, and further research is needed on underexplored areas like CVE programs in schools or regional intelligence-sharing frameworks. Ultimately, Kenya's resilience will depend not just on security measures but on fostering inclusive development, reclaiming political narratives, and ensuring justice—turning fear into civic strength.

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