

# Suffering in silence: counter-productivity of Kenya's 'war on terror' at the Kenya coast

*Hussein Abdullahi Mahmoud*

*Abstract:* This article examines the detrimental effects of Kenya's wide-ranging policies, strategies and tactics of waging the war on terror at the Kenya coast. The 'war' is waged through police-related killings and enforced disappearances and is becoming counterproductive as it is contributing to a loss of citizenship rights for an increasing segment of the population. These grievances are rarely portrayed in the public sphere but continue to manifest in the suffering of families, livelihood losses, increased stigmatisation and, most importantly, through violation of the citizenship rights of widows and their orphaned children. Using interview data from the Kenya coast, the article attempts to shift beyond perceiving women and young people as perpetrators of violence to seeing them as silent victims of the war on terror. The article analyses these dynamics from community and civil society perspectives. It contributes to the emerging literature on women and violent extremism by examining the silent suffering of widows and their children, who often are neither seen nor heard.

*Keywords:* citizenship rights, widows, youth, violence, war on terror, Kenya coast

*Note on the author:* Hussein Abdullahi Mahmoud is Associate Professor in the Department of International Relations at the United States International University (USIU-Africa) in Nairobi, Kenya. Dr. Mahmoud is a development anthropologist and has been involved in research and training in the Horn of Africa since mid-1990s. He has conducted research in Ethiopia, Kenya and Somalia and among pastoral and agro-pastoral communities, marginalized populations and communities divided by borders focusing on pastoralism, pastoral livelihood systems, borderlands land politics and territoriality, conflict dynamics, migration and displacement, and citizenship and violent extremism.

<https://orcid.org/0000-0002-3333-9161> | [hamahmoud@usiu.ac.ke](mailto:hamahmoud@usiu.ac.ke); [hamahm2@yahoo.com](mailto:hamahm2@yahoo.com)

## Introduction

The East African region has been experiencing an outbreak of violence often linked to extremist violent organisations. In Kenya, these acts of violence are concentrated in the highly marginalised Muslim-dominated north-eastern and coastal regions and in the capital city of Nairobi. Several writers have noted the numerous attacks perpetrated against the state and civilians on Kenyan soil (e.g. [Kagwanja 2012](#); [Lind & Howell 2010](#); [Rosenau 2005](#); [Shinn 2004](#); [USIP 2004](#)). The most devastating recent attacks have been attributed to Somalia-based Al-Shabaab militants, including the Westgate shopping mall attacks of 2013, the Mpeketoni attacks of 2014, the multiple Mandera attacks of 2014, the Garissa University College attacks of 2015 and the DusitD2 hotel attacks of 2019. These violent incidents have had devastating impacts on lives and livelihoods, and on peace and national security; hundreds of people have died, property has been destroyed and livelihoods have been shattered. The attacks were highly publicised through local and international media outlets and the state's anti-terror resources were fully mobilised to respond to the aftermath of the attacks.

However, Kenya's response to terror threats posed from external as well as internal sources, particularly at the Kenya coast and in the north-eastern region, has been violent, haphazard, indiscriminate and counterproductive, and it continues to be a source of serious human rights violations. Describing the state's response to 'terror', [Al-Bulushi \(2021: 822\)](#) asserts that the Kenyan police 'increasingly rely on "pop-up" tactics (checkpoints, house raids, abductions, killings)'. Similarly, the state's anti-terror machinery has been blamed for several and ongoing extrajudicial killings and kidnappings in response to terror attacks (see [Buchanan-Clarke & Lekalake 2015](#); [Freedom House 2018](#); [Haki Africa 2021](#); [Human Rights Watch 2015, 2021](#); [Kagwanja 2006](#); [KNCHR 2015](#); [Mazrui \*et al.\* 2018](#); [MUHURI 2021](#)).

This article examines the detrimental effects of Kenya's wide-ranging policies, strategies and tactics in its war on terror at the Kenya coast. The article argues that the way this war is being fought by the state and its machinery is becoming unpopular and counterproductive as it is contributing to a loss of citizenship rights for an increasing segment of the population at the Kenya coast. This group of people includes widows and young men and women whose husbands, fathers and close relatives have been killed by state agencies or have been the victims of mysterious disappearances. These grievances are rarely portrayed in the public domain but continue to manifest in the suffering of families, livelihood losses, stigmatisation and most importantly through violation of the citizenship rights of widows, sons and daughters. The article attempts to go beyond answering the question of why women and young people join militant organisations and what roles they play to understand the grievances that are at the

core of their citizenship status and that continue to produce tensions between them and the state.

The article makes an important contribution to the emerging literature on women and young people and violent extremism by examining the silent suffering of widows and their children through the lens of citizenship rights. More broadly, the article addresses the citizenship and rights issues of communities that perceive themselves not only as disenfranchised, but also as living on the periphery of the state and slowly slipping into the status of *stateless citizenship*. The article introduces the term ‘stateless citizenship’ in this context to examine its production through covert state actions in the name of waging the war on terror on communities at the Kenya coast, with adverse consequences for women and young people. Al-Bulushi (2021) argues that the Kenyan security apparatus uses strategies that are producing ‘new uncertainties and insecurities’. Police power is manifested in different forms, impacting negatively on citizen safety and security at the Kenya coast. These covert police actions are producing stateless citizens whose only crime is belonging to the same families as those who have been killed or kidnapped by the state.

### **A note on methodology**

The study utilised different methods of data collection and involved both primary and secondary data. Primary data was collected through key informant interviews with community members, human rights officials, civil society actors in Mombasa and Kwale counties at the Kenya coast as well as local and international print and online sources. A total of seven key informants were interviewed representing widows and organisations working in the field of human rights and violent extremism in Mombasa and Kwale counties. Interviewees were selected based on their knowledge and experience working with individuals and families that have been affected by the war on terror at the Kenya coast. The questions asked related to how the war on terror is affecting those families, in what ways, how they overcome those effects. The interviews were unstructured and aimed at gaining insights into the question of violent extremism at the Kenya coast, especially focusing on how the state’s tactics are becoming increasingly counterproductive and further alienating a community that was already alienated through the state’s unfair policies.

Data collection through interviews is hazardous in studies related to violent extremism at the Kenya coast due to safety, security and expectation issues. The risk of being tracked and attacked by the state, members of extremist groups, or individuals or groups sympathetic to violent extremism is extremely high in the region. In most cases one cannot know the true identity of one’s respondents. For example, your

respondent could be a woman whose husband, brother or close relative was a member of a violent organisation within or outside the country and she could be in close contact with other members of the organisation. Furthermore, the victims' expectations of material and psychological assistance are raised whenever they encounter relief organisations and researchers. For these reasons, it is useful to rely heavily on documented information and insights provided by organisations working in the field of violent extremism.

### **The Kenya coast context**

The Kenya coast is a diverse region with varied social, cultural, demographic, economic and ecological characteristics. The region consists of six counties, which were created following the promulgation of the new Kenya Constitution in 2010: Kilifi, Kwale, Lamu, Mombasa, Taita Taveta and Tana River. The region is vast and rich in minerals, wildlife, marine life and other natural resources found in the adjacent Indian Ocean and its vast hinterland. According to the 2019 National Population census, the six coastal counties had a combined population of about 4,329,388 people living in an area of about 82,382.5 square kilometres ([Government of Kenya 2019](#)).

The Kenya coast holds 9.1 per cent of the total national population, 14.2 per cent of the total national land area and 8.7 per cent of households in the country. These figures affirm the Kenya coast's importance and prominent position in the country's economic, political and social structure. It is widely held that the scramble for, and marginalisation from, economic and political resources and a wide range of other grievances in the region, such as land-related evictions, have contributed massively to unrest and violence over the past decades, including actions related to violent extremist organisations (VEOs) based both within and outside the region (e.g., see [Botha 2014](#); [Dowd 2017](#); [Meinema 2020](#); [Van Metre & Calder 2016](#)).

### **Who is violent and why?**

Kenya's security threats are increasing as much as efforts to address them are evolving. This section addresses a couple of significant questions – first, what is the genesis of violence; and second, what are the outcomes of violence in the Kenya coast context, particularly related to the broad field of enquiry related to Kenya's war on terror? Communities at the Kenya coast are caught between two forms of violence: (1) violence originating from the state in the name of fighting terror and decimation of violent groups from within the communities; and (2) violence by aggravated young

people who accuse the state and their own community of conspiring against them. The second category of violence represents two sources of youth aggravations: (a) young people having accumulated grievances against the state for a myriad of reasons, such as economic and political marginalisation; and (b) young people seeking revenge in the form of violence directed at the community for its perceived collaboration with the state. Consequently, violence at the Kenya coast is defined differently by those involved – if the state is talking about violence, the community is branded as violent against the state, and if the community is talking about violence, the state is branded as violent against the community. In this context, the community bears the brunt of violence, whether engendered by the state or by its own young people.

It is imperative to understand both perspectives, and the forms and sources of violence, to comprehend their evolution, their extent, the actors involved, and the security challenges faced in the Kenya coast. Only then will well-informed and focused policies and programmes implemented by the Kenyan government and non-state actors produce the desired results. However, due to lack of adequate understanding of the terrain in which the state is acting, and despite massive monetary and military deployment in the region, the so-called war on terror in Nairobi, north-eastern Kenya and at the Kenya coast has not produced the desired results (e.g., see [Bachmann & Hönke 2010](#); [Balakian 2016](#); [Buchanan-Clarke & Lekalake 2015](#); [KNCHR 2015](#); [Lind et al. 2017](#); [Žák 2020](#)).

### ***The violent state***

State violence against its own citizens and human rights violations committed as part of war on terror programmes have been documented, for example, in Northern Ireland ([Lowry 1976](#); [Macfarlane 1992](#); [Ramraj 2006](#)), in India ([Haragopal & Jagannatham 2009](#); [Prasad 2016](#)) and in Colombia ([Rudling & Dueñas 2021](#)).

In Kenya, the constitution, under the section on rights and fundamental freedoms, affirms the right to freedom and security of persons and prohibits, among many other things, subjection to any form of violence emanating from public or private sources; physical or psychological torture; and cruel, inhumane or degrading treatment or punishment ([Government of Kenya 2010](#)). Community sentiments and civil society perceptions at the Kenya coast are that, despite these constitutional provisions, the state continues to violate citizens' human rights, which is not only an infringement on citizenship rights but is also tantamount to denial of citizenship status to sections of the Kenyan population who are already marginalised by the state because of their regional origins and religious beliefs.

State provocation in Kenya has been noted in numerous studies. For example, as [Van Metre \(2016: 5\)](#) notes, 'the heavy-handed security response to growing levels

of violent extremism has antagonised Kenya's local communities and angered youth, increasing their vulnerability to radicalization and recruitment'. The Kenya National Commission on Human Rights (KNCHR) published an extensive report on how the state is missing the point in its war on terror. Using the captivating title 'The error of fighting terror with terror', the state was severely criticised for deploying thousands of security officers in 'Nairobi's Eastleigh neighbourhood to arrest foreign nationals who were in the country unlawfully and anyone suspected of terrorism'; the operation was later expanded to 'other parts of Nairobi and later to Mombasa, Nakuru, Thika, Eldoret, Lamu, Malindi, Garissa, Mandera and Kitale' (KNCHR 2015: 3–4). The Commission further states that it:

documented multiple human rights violations and breaches of the law committed by security agencies against innocent civilians particularly members of the Muslim Somali community. The violations included arbitrary arrests, extortion, theft and looting of businesses and homesteads, sexual harassment, arbitrary detentions, illegal deportations, torture, inhuman and degrading treatment. (KNCHR 2015: 4)

Further, the KNCHR continues to accuse Kenya's security agencies of gross violations of human rights and of conducting 'abusive operations against individuals and groups suspected to be associated with terror attacks in various parts of the country (KNCHR 2015: 6). The Commission reports that the state employs a combination of governmental units that include the Kenya Defence Forces, National Intelligence Service, the Kenya Wildlife Services, various county commissioners and their deputies and assistants, chiefs, and the National Police Service (NPS), including Anti-Terrorism Police Unit), Kenya Police Reservists, the Rapid Deployment Unit of the Administration Police, the Border Patrol Unit and the General Service Unit. This is a massive assemblage of power that is often unleashed on suspected individuals, leading to deaths and disappearances. In 2015, the KNCHR documented over 120 cases of human rights violations, which included 25 police-related deaths and 81 enforced disappearances (KNCHR 2015). This narrative coincides with the sentiments of civil society organisations working at the Kenya coast that extrajudicial killings and enforced disappearances started to occur in 2012 and have been increasing since 2017.<sup>1</sup> Estimates indicate about 60 police-related killings and 45 enforced disappearances to date in Kwale County alone.<sup>2</sup>

In its annual report regarding the status of human rights at the Kenya coast, *Haki Africa* (2021) documented several types of human rights violations between 2019 and 2020. The organisation documented nine types of human rights violations at the Kenya coast and provided an insight into escalations and de-escalations in these

<sup>1</sup> Author's interview with a local organisation in Kwale County (12 November 2021).

<sup>2</sup> Author's interview with a local organisation in Kwale County (12 November 2021).

violations. Notorious sources of human rights violations in 2020 in order of intensity were gender-based violence, labour-related cases, land evictions, torture/assault cases, a mix of ‘other cases’, killings by police, enforced disappearances, killings by mobs/civilians and killings by criminal/terror gangs.

All the deaths reported in the Haki Africa report were attributed to the police, but not all of them were terror-related killings. In fact, of the 32 deaths attributed to the police, 10 of them were linked to terror-related activities. The rest of the killings attributed to the police included gang activities, curfew violations, robbery cases, domestic deaths involving a police couple, death in a police cell, death while under arrest, suicide in a police cell and death due to suspicions of crime (Haki Africa 2021).

Haki Africa argues that cases of enforced disappearance at the Kenya coast are not only rampant but also occur in the presence of victims’ families. Affected families report seeing masked and armed men, often claiming to be part of the police force, abducting their relatives as they watch helplessly (Haki Africa 2021). This is a source of severe trauma as numerous families at the coast have been affected and it might take a long time before the survivors heal and get back to their normal lives, as will be demonstrated later. Cases of enforced disappearance increased from 11 to 18 persons between 2019 and 2020, an increase of 64 per cent. Haki Africa provided the name and age of each victim, the date and location where they were last seen, and the circumstances surrounding the enforced disappearances.

‘Missing Voices’ is a group of organisations established in August 2018 whose mission is to ‘shine light upon extrajudicial killings ... *and* to end enforced disappearances and extrajudicial executions in Kenya’. The group, with national coverage, states that it has ‘documented and verified data of police killings and enforced disappearances, [and] held several campaigns and events to increase public awareness on violent policing and to create platforms for dialogues with stakeholders’.<sup>3</sup> The main motivation for the documentation and the awareness campaign on enforced disappearances and police-related killings is the group’s assertion that ‘[t]he Kenyan government does not keep a formal record of police killings and enforced disappearances’.<sup>4</sup>

### ***The violent youth***

As mentioned earlier, subdued and frustrated young people at the coast direct their violence at two targets: firstly, the police, whom they consider the security arm of the state, mandated to ostracise and annihilate them; and secondly, community elders, whom they perceive as agents of the state whose job is to spy on them. The second

<sup>3</sup> <http://www.missingvoices.or.ke>.

<sup>4</sup> <http://www.missingvoices.or.ke>.

type of violence occurred in 2016/17 among a group of returnees from Somalia who had been involved with Al-Shabaab. Upon their arrival in the country, the youth were swiftly arrested by security forces in the south coast area. Suspecting that the local elders might have leaked the information about their return to the police, the youth attacked eight Nyumba Kumi elders in eight different villages in Kwale County at the Kenya coast.<sup>5</sup> The youth blamed the Nyumba Kumi chairmen for allegedly acting as informants for the police and asked, ‘how did the police know about our return from Somalia if not through the Nyumba Kumi network?’<sup>6</sup>

The concept of Nyumba Kumi ‘is a strategy of anchoring community policing at the household level or any other generic cluster’ ([National Police Service 2017: 4](#)). Under the section on the functions of the NPS, the Kenya Constitution ([Government of Kenya 2010](#)) under Article 244(e) states that the police will ‘foster and promote relationships with the broader society’. Under the functions of Community Policing, the NPS will undertake the following functions in conjunction with the community:

Establishing and maintaining partnership between the community and the Service, promoting communication between the Service and the community, promoting cooperation between the Service and the community in fulfilling the needs of the community regarding policing, improving the rendering of police services to the community at national, county and local levels, improving transparency in the Service and accountability of the Service to the community, and promoting policing problem identification and policing problem-solving by the Service and the community ([National Police Service 2017: 7–8](#)).

While the idea of establishing the Nyumba Kumi structure within communities was to improve community security, the selection process of Nyumba Kumi members by the state caused contention among communities. For example, in the south coast case, the state established the appointment of mostly elders at the exclusion of young people to leadership positions in the Nyumba Kumi, which infuriated the youth and pitted them against their own community. The perception of the young people of the area is that they are excluded from the structure because its aim is to spy on them and hand them over to the state.

### **Living in limbo**

Police-related killings are often associated with loss of citizenship rights, loss of opportunities in education at different levels, trauma, stigma, alienation and a host

<sup>5</sup> See [National Police Service \(2017\)](#) for a detailed description of the concept.

<sup>6</sup> Author’s interview with a local organisation in Kwale County (12 November 2021).



of other undesirable outcomes. Unfortunately, some of these effects can be life-long, causing different degrees of damage to a family's prospects. It is important to explore how families affected by these incidences navigate through life, especially in a community setting. Uncertainty certainly creeps in slowly as the reality dawns on affected wives and children. In other words, what is being voiced by members of the communities, particularly widowed women and orphaned children? To the researcher, these local communities' experiences and stories come to the fore in social gatherings, such as at mosques and during burial ceremonies, that all members of the community are expected to attend. Community complaints and outrage about the state's involvement in mysterious deaths and disappearances are expressed in these community forums in an effort to find a lasting solution to the problem. Unless emic studies are carried out to understand the magnitude of the problem, recovery will be slow, and families will continue to suffer at the hands of the state, which appears too distant from the communities affected by the war on terror at the Kenya coast. The following section explores some of the ramifications to illustrate the lives in limbo of affected families.

### **Becoming stateless citizens**

Since the reintroduction of multi-party politics in Kenya in late 1991, society–state engagement on citizenship rights and obligations, particularly involving migratory and minority groups in northern Kenya, has become part of the public discourse (Mahmoud 2008). Although the Kenyan public sphere has increasingly become a place for discussing and negotiating citizenship (Mahmoud 2008), the current crisis involving citizenship rights for families affected by the war on terror in the coast of Kenya is seldom presented or discussed in public. The loss of citizenship rights has a couple of significant outcomes: firstly, the dead person in this war on terror loses their formal legal identity as a Kenyan citizen. Consequently, the state does not recognise and issue such a body with a death certificate. Secondly, the state does not issue any documentation or provide any form of acknowledgement of disappearance of an abducted person. In both cases, families of the dead and the disappeared are not entitled to any form of recognition because of the circumstances under which their relatives died or were forced into disappearance.

In losing their husbands at the hands of the police, widows lose the trust of the state, and that is where their prolonged uncertainty begins. Widows' lack of access to legal documents, such as the death certificate of the killed person, and their inability to access their bank accounts is a form of denial of rights. The following is a story of a widowed woman,<sup>7</sup> whose husband and brother were both killed in mysterious

<sup>7</sup> Author's interview with a widow in Mombasa (8 November 2021).

circumstances in Mombasa, and her struggle to access and exercise her citizenship rights as a Kenyan:

DS lost her husband and brother in 2013 when they were killed by unknown assailants north of Mombasa Island. The two were travelling in a car, with her brother driving and her husband in the passenger seat, when their lives were suddenly cut short. The family went through a period of intense mourning as they tried to come to terms with the loss of two main breadwinners in a large family with many dependents, including young and old people and unemployed adults. DS remained a widow for four years then remarried four years ago, meaning it has been eight years since she lost her first husband and brother. Immediately after the killings, her husband's bank accounts were frozen, and DS had no access to any funds to sustain her family. All efforts to enable her to access her husband's accounts failed and the family was in desperate straits. After seven months of being unable to access her own funds, she decided to go to the County Commissioner's (CC) office to seek his intervention. She was initially prevented from seeing the CC as she did not have an appointment and he was busy with many visitors that day. DS reported that she insisted on seeing the CC and asked his assistants to inform him that she was a widow of Kenya's anti-terror programme and desperately needed to see him. The information was relayed to the CC, and she was immediately ushered into the CC's office. The CC was surprised to see her and was nervous about possibly being harmed by the agitated widow. At this moment, the widow was not agitated due to the deaths of her husband and brother, but due to the violation of the rights of the surviving family members, who were on the verge of destitution and even starvation. She explained to the CC the dire situation the family was in and their inability to access funds to purchase food, pay for school fees and seek medical services. She explained that all she was seeking was the CC's authorisation for the release of her husband's death certificate, which was required for her to access the bank accounts. The CC instructed the police officer in the district in which the deaths occurred to sign the documents. Meanwhile, the CC instructed his officers to drive DS to the relevant police station. DS became very scared as she thought they would kill her as well. She reported that she was squeezed between two police officers as she was driven in the CC's car. It was the most frightening moment of her life, but it was worth the risk since her family was on the brink of starvation and facing intense suffering through no fault of their own. Upon arrival at the police station her articles were duly signed and in a matter of days, she secured the death certificates of her husband and brother.

There do not seem to be any guidelines for the Kenyan security agencies mandated to deal with terror-related issues on how to deal with such situations, particularly regarding the needs and rights of surviving family members of those who have been killed or disappeared by the police. The above is a case of one determined woman seeking justice for her surviving family members, but there are many out there who do not know what to do or where to turn for the restoration of their citizenship rights.

### **Effects on the children of victims of police-related deaths and disappearances**

The children of persons killed or forced to disappear under the war on terror policies find it extremely difficult to access legal documents, such as birth certificates, national identity cards (IDs), passports, school/college bursaries and driving licences, and therefore the ability to hold a bank account or conduct monetary transactions, such as M-Pesa,<sup>8</sup> access to health facilities and health insurance, and an array of other crucial social services. In this way the state denies its own citizens entitlements and social rights and renders them stateless. Numerous cases have been documented. The following examples are illustrative of the brutal ways in which the state strips its own citizens of their fundamental human rights, including those who already face a myriad of challenges at the Kenya coast.

The national ID is a crucial document in Kenya that serves as proof of citizenship and is required to access various governmental and other services countrywide. New applications for IDs are done at the National Registration Bureau offices located in all counties across the country, particularly in the county commissioners' and chiefs' offices. There are several requirements for the application: one must be at least 18 years old and must fill out a form at the bureau's offices and have fingerprints and a passport-size photo taken. In addition, the applicant is required to submit the following documents: a birth certificate, a religious certificate, a school leaving certificate, an age assessment certificate from a medical officer of health, a child health card, a notification of birth card, a letter from the administrative officer or a chief or assistant chief of the village in which one was born, proof in support of citizenship and parents' ID cards.<sup>9</sup>

The main challenge for communities at the Kenya coast who have been touched by the war on terror is the nightmare of applying for an ID. As mentioned earlier, one of the requirements for the ID application is the provision of one's parents' IDs. But in cases where the father has been killed or forced into disappearance, it becomes an arduous task to complete the application. Moreover, it is difficult to provide the father's ID as the father cannot be registered by the state as killed or disappeared because the state does not recognise the death or disappearance of such a person. Among the communities at the Kenya coast, it is highly preferred and regarded as the norm to use the father's ID rather than the mother's in the application process. Not to present the father's documents in the application for an ID or other official documents

<sup>8</sup> M-Pesa is a popular mobile money transfer system operated by the Safaricom company in Kenya and widely used across the East African region. An ID or a passport is required to register and access an array of services that the telephone company provides.

<sup>9</sup> See <https://www.hudumakenya.go.ke> for detailed descriptions of the requirements for obtaining a Kenyan ID card.

is shameful as this points to the illegitimacy of the child. Hence, the death or disappearance of a father, and the subsequent denial of issuance of a death certificate by the state to acknowledge that death, complicates the children's citizenship status. According to a local non-governmental organisation, the residents of Kwale and Tana River counties at the coast and those of north-east Kenya face massive challenges in acquiring a Kenyan ID.<sup>10</sup> The following cases illustrate the frustrations with acquiring legal documents by people touched by the war on terror.

#### *Case I*

In Kenya's south coast, a young man faces difficulties securing an ID because he had to produce his father's death certificate, but his father has not been documented as dead because he is not known to have died.

#### *Case II*

In August 2021, a young woman wants to travel to the Middle East for work and commences the process of acquiring a Kenyan passport to facilitate her travels. She hits a snag because her father was a victim of enforced disappearance and this complicates the processing of the much-needed document, as she was required to produce her father's ID card, if alive, or his death certificate if dead. Neither case was applicable to this young woman's father. The father's life status could only be described as existing between the living and the dead.

#### *Case III*

A man who was forced into disappearance leaves behind four children and property. The children are unable to claim their father's property because of challenges around producing the father's documents. The family finds itself in a dilemma as it is difficult to produce the father's ID because he is not around and it is difficult to generate his death certificate because he is not known to have died. The property is in the hands of relatives whom they fear will plunder and misuse it.

#### *Case IV*

A young man, aged 24 years from Kwale County, secures funding to start a small business through a government employment assistance programme. He fails to acquire an

<sup>10</sup> Author's interview with a local organisation in Mombasa County (15 November 2021).

ID because of his status as the son of a victim of enforced disappearance. He loses the chance to become an entrepreneur because of his father's victimhood in the war on terror.

According to a local organisation working with communities, especially with widows and young men and women affected by the war on terror in Kwale County, about 500 young men and women have related stories similar to those described above, while many others are unwilling to share their stories and grievances due to fear of the state and of humiliation from the community.<sup>11</sup>

### **Fending for the family and increased parental roles for widows**

The role of these widows changes instantly from being homemakers to breadwinners and they do not hesitate to narrate the difficult paths they have to traverse to make ends meet in terms of raising their children, ensuring they attend school and the madrasa, and safeguarding their safety and welfare. As the burden of taking care of the family suddenly shifts to women, many widows find themselves completely unprepared as most have been homemakers with little education or no formal education or work experience.

### **Dim prospects for remarriage**

Women whose husbands have been killed and those whose husbands have been forcefully disappeared experience similar forms of stigma among society as they suffer from three forms of accusations. Firstly, they are accused of being members of the Al-Shabaab militant group; secondly, they are branded as *jasusi*,<sup>12</sup> or police informants, and are often accused of handing their husbands over to the police; and thirdly, society discourages the remarriage of such widows because they already have children from their previous husbands who might become a burden for the new husbands.<sup>13</sup> For example, despite DS having remarried four years after becoming a widow, her new sister-in-law still does not approve of the new marriage.<sup>14</sup> The wives of men forced into disappearance by the police face different prospects for remarriage from those who have been killed. Firstly, men are afraid of marrying a woman whose husband died in a police-related killing for fear of facing the same kind of death and for agreeing

<sup>11</sup> Author's interview with a local organisation in Kwale County (12 November 2021).

<sup>12</sup> *Jasusi* is a Kiswahili term for an informant. It is not uncommon for a person to be branded as a *jasusi* when the community sees them frequently interacting with the police, other security agencies or senior government officials.

<sup>13</sup> Author's interview with a widow in Mombasa (8 November 2021).

<sup>14</sup> Author's interview with a widow in Mombasa (8 November 2021).

to marry the wife of a ‘suspected terrorist’. However, a woman whose husband was forced into disappearance tends to wait for the safe return of her disappeared husband. Secondly, society does not approve of the woman marrying another man when the marriage to the first man has not been terminated. Thirdly, the act of remarrying is seen as a betrayal of the husband,<sup>15</sup> so they hang on to the hope of seeing their disappeared husbands again one day.

### **Sina jirani, sina mizani – traumatising, stigmatising and exclusion**

Widows often live with unbearable trauma, as many men were shot dead or abducted in the presence of families and close relatives.<sup>16</sup> According to an official of a civil society organisation in Mombasa, widows often become overwhelmed with grief and sorrow when remembering the events that occurred during the killing or disappearance of their husbands.<sup>17</sup> The war on terror widows often shy away from people outside their circles or networks because of the severe traumatic experiences they have undergone.<sup>18</sup>

The community is often shocked to learn that their neighbours are implicated in acts of terror through police actions of killings or kidnapping. More serious still are the repercussions that victimised families face from the rest of the society in terms of stigma and isolation. A widow in northern Mombasa reported that her children were unable to acquire IDs because of the stigma they faced. She was quoted as saying ‘*sina jirani, sina mizani*’, that is, ‘I have no neighbour, no honour’.<sup>19</sup>

Members of the community also commonly avoid businesses operated by the widows of victims of the anti-terror programmes for fear of being suspected of association with a terror suspect, causing serious disruption to the families’ livelihoods. In other words, society shuns them because what befell the victimised family is perceived as a sign of admonishment of a ‘radical’ family by the state and so they avoid associating with them.

<sup>15</sup> Author’s interview with a local organisation in Kwale County (12 November 2021).

<sup>16</sup> Author’s interview with a local organisation in Kwale County (12 November 2021).

<sup>17</sup> Author’s interview with a local organisation in Mombasa County (15 November 2021).

<sup>18</sup> Author’s interview with an official of an international organisation working at the coast (22 November 2021).

<sup>19</sup> Author’s interview with a widow in Mombasa (8 November 2021). This is a Kiswahili poetic sentence meaning ‘I have no Neighbour, no honour’, implying not only the loneliness that widows of this kind face, but also being shunned by neighbours, relatives and society at large. It depicts the daily struggles of terror-related widows at the Kenya coast.

## **Disruptions and stigma at school**

Cases of disruption and stigma at school directed at children whose fathers have been killed or abducted are numerous at the Kenya coast. Below is a case recorded in the south coast:

A man was abducted, leaving behind two children. One of them was about to be admitted to a nursery school, but the child did not have a birth certificate and therefore could not join the school as the document is a requirement for admission to Kenyan schools. The father is not known to have died so the mother could not produce his death certificate or his ID. The child missed the crucial opportunity of joining a school and missed the chance of accessing bursaries that are available to orphaned children.<sup>20</sup>

According to an official of a Mombasa-based civil society organisation, there is a lot of fear around making payments for school fees for children of individuals killed in police-related operations and victims of enforced disappearance, as stated below:

No one wants to offer a cheque to a widow or an orphan because upon clearing the cheque the source of the money must be revealed, and no member of parliament, politician or donor wants to be associated with ‘terror suspects’.<sup>21</sup>

Further, it has been observed in schools that children whose fathers were killed in police-related raids or are not available due to enforced disappearance are branded by their schoolmates as ‘children whose fathers were killed for belonging to Al-Shabaab’. Thus, these children come home and ask their mothers, ‘was our dad killed because he was a member of the Al-Shabaab?’ Mothers are confronted with questions beyond their own capacity to provide an adequate explanation surrounding the circumstances in which their fathers were killed or disappeared.<sup>22</sup>

Due to deaths and disappearances attributed to the state, the population of widows and orphaned children at the Kenya coast is increasing. It is difficult to contact many widows to offer them livelihood and psychosocial support for reasons of trust and inaccessibility, as some of them have been reported to be hesitant to speak with anyone outside their family circles. While there are programmes that provide support with regard to extremism at the Kenya coast, their focus is on preventing and countering violent activities rather than addressing the needs of victims of the war on terror, especially widows and orphaned children. For example, Mercy Corps’ Collective Resilience Against Extremism (CREATE) programme addresses two issues – ‘what matters for reducing vulnerability to VEO recruitment and what activities and

<sup>20</sup> Author’s interview with a local organisation in Kwale County (12 November 2021).

<sup>21</sup> Author’s interview with a local organisation in Mombasa County (15 November 2021).

<sup>22</sup> Author’s interview with a local organisation in Kwale County (12 November 2021).

approaches are most effective in increasing resilience among the highest-risk individuals' (Mercy Corps 2022). The programme also deals with 'how to identify and engage with at-risk individuals and how interventions that provide holistic packages of personal guidance, knowledge, and access to opportunities can be an effective means of reducing their vulnerability to radicalization and recruitment' (Mercy Corps 2022).

Meanwhile, MUHURI, Haki Africa, Kenya Muslim Youth Alliance and Coast Education Centre have been at the forefront in dealing directly with victims of the war on terror to provide livelihood and psychosocial support and engage widows in their work. For example, they offer group meetings to widows and orphans so that they can have a feeling of belonging. However, there are challenges involved when talking to widows of anti-terror programmes, as explained by civil society organisations working at the Kenya coast:

1. When discussing livelihood and psychosocial support with widows, their expectations rise as they look forward to receiving assistance from the organisations.
2. Widows easily become overwhelmed with grief and sorrow when remembering the events that occurred during the killing or disappearance of their husbands.
3. Some women who participate in support programmes have husbands who are currently living in Somalia and are still in touch with them. Thus, they might pass on information about meetings, assistance or other events that concern them to their husbands.
4. Sometimes victims of the war on terror shy away from people outside their circles or networks because of the severe traumatic experiences they have undergone.

### **Conclusion and the way forward**

To effectively counter violence and create a conducive environment for improved governance and achievement of the various development goals in the region, the state, especially its security wing, must be sensitive to a collaborative engagement with the community and its young people. According to [Schwartz & Yalbir \(2019\)](#), a partnership between the state and its young population is critical in designing policies and institutions that will take care of the needs of the burgeoning youth population in the country generally and particularly in the coastal counties. [Sommers \(2019: 6\)](#) argues that 'government behaviour has been found to regularly side-line youthful populations and boost VEO efforts unintentionally. State repression is counterproductive in the extreme because it separates youth from governments and undercuts the viability of alternatives to joining a VEO ... Some youth may respond by forming their



own communities.’ Similarly, I argue here that the relationship between the police and young people at the coast is toxic and often leads to unnecessary confrontation, with long-term adverse implications.

As demonstrated in the article, violence related to extremism originates from two sources – the state, specifically the police, and aggravated young men and women. Violence from both sides produces suffering, most of which is silent and is borne by widows and their orphaned children. The article has shown that citizenship rights are eroded in times of violence and that violence has produced hidden victimhood and stateless citizenship among communities at the Kenya coast. The article has not only shed light on two types of violence exhibited at the Kenya coast but also unpacked them to demonstrate the grave consequences being meted out to communities by the state security machinery. The Kenyan state and communities at the Kenya coast are in a toxic relationship, although that may not be covert. Although the action of the state has caused grave suffering to families touched by the war on terror, the logic and reasons behind those atrocities against the population are hidden from the public sphere. The state is to blame for driving the community into compounded marginalisation and continuing to create an atmosphere of fear and intimidation.

The introduction of the concept of stateless citizenship in this article is not only timely but also has immense significance in the evolution of violence by young people who find themselves born and growing into this citizenship status. It is very possible that these young people will create networks based on state-created grievances in the future to commit violence against the state and their own communities. There is no doubt that Kenya is experiencing an explosion of its youth population, and if not well managed, this might work against the long-term security of the state and society.

The attitude and actions of the state are driving the community away from its own government as people are intimidated by the presence of the police and security services in their neighbourhoods. Fear of approaching the ‘government’ is widespread as residents of the Kenya coast face ongoing harassment by the state, to the extent that seeking services entailed in the bill of rights is a herculean task for many.

Building on the ongoing efforts of civil society organisations is critical to create an atmosphere of harmonious co-existence between the state and society and to arrive at a win–win situation. Possibilities do exist to end the impasse, but that must involve measures that the state deliberately initiates to stop young people’s exclusion from national and county-level political, social, economic and cultural development. Until the security machinery and administration structure, especially at the community level, is seen to be talking to the people and listening to them, state–society relations will remain poor and the police will continue to be regarded as a force that is there to harass rather than protect, and to arrest rather than correct.

## References

- Al-Bulushi, S. (2021), 'Citizen-suspect: navigating surveillance and policing in urban Kenya', *American Anthropologist*, 123(4), 819–32. <https://doi.org/10.1111/aman.13644>
- Bachmann, J. & Hönke, J. (2010), "'Peace and security" as counterterrorism? The political effects of liberal interventions in Kenya', *African Affairs*, 109(434): 97–114. <https://doi.org/10.1093/afraf/adp069>
- Balakian, S. (2016), 'Money is your government': refugees, mobility, and unstable documents in Kenya's Operation Usalama Watch', *African Studies Review*, 59(2): 87–111. <https://doi.org/10.1017/asr.2016.36>
- Botha, A. (2014), 'Radicalisation in Kenya: recruitment to Al-Shabaab and the Mombasa Republican Council', ISS Article 265.
- Buchanan-Clarke, S. & Lekalake, R. (2015), 'Is Kenya's anti-terrorist crackdown exacerbating drivers of violent extremism?', *Afrobarometer*, Dispatch No. 37.
- Dowd, C. (2017), 'How does work feature in literature on youth participation in violence?', IDS Working Article, No. 485.
- Freedom House (2018), 'Kenya's antiterrorism strategy should prioritize human rights, rule of law', Freedom House Policy Brief, Washington DC.
- Government of Kenya (2010), *Constitution of Kenya*.
- Government of Kenya (2019), *Kenya Population and Housing Census: Volume I* (Nairobi, Kenya National Bureau of Statistics).
- Haki Africa (2021), 'Pandemic pandemonium: state of human rights at the coast of Kenya', 2020 report.
- Haragopal, G. & Jagannatham, B. (2009), 'Terrorism and human rights: Indian experience with repressive laws', *Economic and Political Weekly*, 44(28): 76–85.
- Human Rights Watch (2015), *World Report* (New York, Human Rights Watch). <https://doi.org/10.46692/9781447325512>
- Human Rights Watch (2021), *World Report* (New York, Human Rights Watch). <https://doi.org/10.46692/9781447318491>
- Kagwanja, C. (2012), 'Religious pockets of conflict: dealing with resurgence of radical Islamism and terrorism in Kenya', *Horn of Africa Bulletin*, 24(4), Life & Peace Institute.
- Kagwanja, P. (2006), 'Counter-terrorism in the Horn of Africa: new security frontiers, old strategies', *African Security Review*, 15(3): 72–86. <http://doi.org/10.1080/10246029.2006.9627608>
- KNCHR (Kenya National Commission on Human Rights) (2015), 'The error of fighting terror with terror'.
- Lind, J. & Howell, J. (2010), 'Counter-terrorism and the politics of aid: civil society responses in Kenya', *Development and Change*, 41(2): 335–53. <https://doi.org/10.1111/j.1467-7660.2010.01637.x>
- Lind, J., Mutahi, P. & Oosterom, M. (2017), "'Killing a mosquito with a hammer": Al-Shabaab violence and state security responses in Kenya', *Peacebuilding*, 5(2): 118–35. <http://doi.org/10.1080/21647259.2016.1277010>
- Lowry, D.R. (1976), 'Detention without trial in Northern Ireland', *Human Rights*, 5(3): 261–331.
- Macfarlane, L. (1992), 'Human rights and the fight against terrorism in Northern Ireland', *Terrorism and Political Violence*: 89–99. <https://doi.org/10.1080/09546559208427139>
- Mahmoud, H.A. (2008), 'Seeking citizenship on the border: Kenya Somalis, the uncertainty of belonging, and public sphere interactions', CODESRIA 12th General Assembly, Yaoundé, Cameroon.

- Mazrui, A., Njogu, K. & Goldsmith, P. (2018), 'Introduction: Global and local contexts of terrorism and counterterrorism in Kenya', in Mazrui, A., Njogu, K. & Goldsmith, P. (eds), *Countering Violent Extremism in Kenya: Between the Rule of Law and the Quest for Security* (Nairobi, Twaweza Communications), 13–38.
- Meinema, E. (2020), "'Idle minds" and "empty stomachs": youth, violence, and religious diversity in coastal Kenya', *Africa* 90(5): 890–913. <https://doi.org/10.1017/S0001972020000637>
- Mercy Corps (2022), 'From high-risk to resilient: reducing vulnerability to violent extremism in Kenya through social and economic interventions'.
- Missing Voices (2021), *The Brutal Pandemic, 2020*, Annual report.
- MUHURI (Muslims for Human Rights) (2021), *Quarterly Report, April–June 2021*.
- National Police Service (2017), *Community Policing Information Booklet* (Nairobi, National Police Service).
- Prasad, P.D. (2016), 'Concerns for human rights in the fight against terrorism: challenges and options before India', *Journal of the Indian Law Institute*, 58(4): 457–80.
- Ramraj, V.V. (2006), 'Counter-terrorism policy and minority alienation: some lessons from Northern Ireland', *Singapore Journal of Legal Studies*: 385–404.
- Rosenau, W. (2005), 'Al Qaida recruitment trends in Kenya and Tanzania', *Studies in Conflict & Terrorism*, 28(1): 1–10. <http://dx.doi.org/10.1080/10576100590524357>
- Rudling, A. & Dueñas, L.V. (2021), 'Liquid graves and meaning activism in the Colombian armed conflict: the 'bottom-up' recovery and memorialisation of victims of forced disappearance', *Journal of the British Academy*, 9(s3): 121–37. DOI <https://doi.org/10.5871/jba/009s3.121>
- Schwartz, M. & Yalbir, N. (2019), 'Desecuritizing Kenyan youth: young people's perspectives on community priorities in Mombasa', Global Center on Cooperative Security.
- Shinn, D.H. (2004), 'Fighting terrorism in East Africa and the Horn', *Foreign Service Journal*, September: 36–42.
- Sommers, M. (2019), 'Youth and the field of countering violent extremism', Promundo–US, Washington, DC.
- USIP (United States Institute of Peace) (2004), *Terrorism in the Horn of Africa*, Special report 113 (Washington, DC, USIP).
- Van Metre, L. (2016), *Community Resilience to Violent Extremism in Kenya* (Washington, DC, United States Institute of Peace).
- Van Metre, L., & Calder, J. (2016), *Peacebuilding and Resilience: How Society Responds to Violence* (Washington, DC, United States Institute of Peace).
- Žák, T.F. (2020), 'Building a culture of resistance: securitising and de-securitising Eastleigh during the Kenyan government's Operation Usalama Watch', *Journal of Eastern African Studies*, 14(4): 743–62. <https://doi.org/10.1080/17531055.2020.1831848>

To cite the article: Mahmoud, H.A. (2023), 'Suffering in silence: counter-productivity of Kenya's 'war on terror' at the Kenya Coast', *Journal of the British Academy*, 11(s1): 63–82.

<https://doi.org/10.5871/jba/011s1.063>

