



PROJECT MUSE®

Kenya, the United States, and Counterterrorism

Jeremy Prestholdt

Africa Today, Volume 57, Number 4, Summer 2011, pp. 2-27 (Article)

Published by Indiana University Press



➔ For additional information about this article

<https://muse.jhu.edu/article/441537>

The global war on terrorism's dividends for the government of Kenya may prove minimal, or perhaps significant in the long run, but what has become clear is that ordinary Kenyans with no perceptible link to terrorists regularly bear the cost of counterterrorism.

Kenya, the United States, and Counterterrorism

Jeremy Prestholdt

This essay examines U.S. security aid to Kenya, the experiences of those affected by counterterrorism initiatives, and the ways in which Kenya's internal sociopolitical dynamics shape America's counterterrorism agenda. U.S. counterterrorism strategy on the African continent entails the coordination of diplomatic pressures and aid-related incentives. In response to multiple terrorist attacks and American stimulus, Kenyan authorities have expanded their efforts to apprehend violent extremists, yet these efforts have led to a variety of human rights abuses while exacerbating historical frictions between the Kenyan government and minority Muslim communities. Evidence from Kenya suggests that unless U.S. policymakers and their African allies address the social tensions upon which counterterrorism is being grafted, security aid may produce few results beyond the alienation of Muslim communities and the empowerment of domestic security forces with greater martial resources.

America's Overseas Contingency Operation, more commonly called the global war on terrorism, has significantly altered U.S. foreign policy in Africa. Since 2001, security concerns have created a new organizing principle for U.S. foreign relations on the African continent, one focused on addressing the perceived relationship between weak states and violent extremism (Kraxberger 2005; van de Walle 2009). Over the last decade, American strategists have developed a multipronged approach to counterterrorism that seeks to coordinate diplomatic pressure with security aid and U.S. military deployments under the guise of regional enterprises such as the Trans-Sahara Counterterrorism Initiative, Operation Enduring Freedom–Trans-Sahara, and the Combined Joint Task Force–Horn of Africa (Chau 2008; Davis 2007a; Lecocq and Schrijver 2007). These and other initiatives, now directed by the U.S. military's Africa Command, represent a departure from earlier U.S. engagements in Africa because they simultaneously focus on strengthening the security capacity of partner states and winning the “hearts and minds” of target populations through military-implemented development assistance

(Bradbury and Kleinman 2010; MacFade 2008; U.S. Africa Command Staff 2009). If the breadth of these measures is any indication, U.S. policymakers see the combination of hard and soft security strategies as central to America's long-term interests in Africa (Bachmann and Hönke 2009).

The terrorist threat on the African continent, the meaning of new policy directives for American diplomacy, and the parameters of U.S. military engagement in Africa have received notable scholarly attention (Berschinski 2007; Carmody 2005; LeVan 2010; Lymon and Morrison 2004; Rotberg 2005; Smith 2010). Another body of research, one more critical of U.S. foreign policy, has addressed the conflation of security concerns with development assistance and the convergence of counterterrorism with issues such as the demand for African oil and U.S. economic competition with China (Barnes 2005; Ghazvinian 2008; Gutelius 2007; Hallinan 2006; Keenan 2009). Despite the richness of these veins of inquiry, two aspects of the evolving diplomatic and security relationship between the United States and African nations have garnered less reflection: the experiences of those who have been most severely affected by counterterrorism initiatives, and how the realpolitik of allied African governments shapes America's war on terrorism.

Unlike in Afghanistan and Iraq, the United States generally pursues its interests by proxy in Africa, depending on aid to partner nations more than on direct American force. This strategy has created a conundrum reminiscent of America's cold war-era engagements. Though the United States provides funding, training, and military hardware to its allies, success in the war on terrorism is largely determined by the priorities and internal sociopolitical dynamics of African partner states. In many instances, American security aid has entailed a more intimate linking of geopolitics and contentious domestic relationships while instituting little or no oversight of African states' counterterrorism operations (Keenan 2009; Mills 2007). In Kenya, security training and assistance have empowered domestic antiterrorism forces to address the problem of violent extremism more aggressively, but Kenyan authorities regularly act on minimal evidence and violate domestic and international law. Thus, the government of Kenya's antiterrorism initiatives have compounded an already deep sense of alienation among those most severely affected by the new measures: Kenyan Muslims, particularly those of Arab and Somali ancestry.¹

Overview

This essay outlines the effects of U.S. policies toward Kenya in the context of the war on terrorism. It addresses how Kenya, a majority Christian nation, has responded to American pressure to intensify counterterrorism activities and how the actions of the state have both reflected and aggravated tensions between the central government and Muslim minority communities, particularly those at the coast. Kenya offers a valuable case study of U.S. foreign

policy in the age of counterterrorism because it is regarded as both a frontline state in the global war on terrorism and America's most important ally in the greater Horn of Africa (Davis 2007c; Wallis 2009). Moreover, it exemplifies the evolving multipronged U.S. security directive in Africa. It has been the focus of security funding, targeted aid to Muslim communities, and direct military engagement, particularly in the field of military-provided development assistance. The recent history of counterterrorism in Kenya thus presents a balance sheet to assess America's counterterrorism initiatives on the African continent.

Kenya has suffered two major al-Qaeda attacks, shares a porous border with Somalia, and has long been a close ally of the United States. These factors make it a logical and necessary focus for American counterterrorism aid. Since the 1998 embassy bombings, Kenyan authorities have apprehended a number of terrorists—including one of the embassy bombers—and thwarted at least two attacks. As an attempted bus bombing in December 2010 suggests, terrorism continues to pose a threat in Kenya. However, U.S. security-related assistance and pressure on the Kenyan government to identify and convict terrorists have produced a series of unintended effects. Most notably, the Kenyan government has pursued the domestic war on terrorism by means that are often heavy handed and ineffective. Instead of addressing the ease with which terrorists enter Kenya or the limitations of Kenya's intelligence apparatus, authorities have often articulated the problem of terrorism narrowly, as one nurtured by Kenya's Muslim minority. Kenya has convicted only one of its citizens on charges related to recent terrorist activities, but many Kenyans have been delivered to foreign security forces without due process. Thousands more Kenyan Muslims have been harassed and illegally detained. Kenyan authorities' disregard for domestic and international law is not a new development, but recent counterterrorism efforts are unique in that Kenyan forces receive training and direct funding from the United States to support these operations.

American emphasis on counterterrorism and the increasing volume and diversity of U.S. security aid to Kenya has engendered a correlation between American criticisms of Kenyan authorities, Kenyan leaders' high-profile meetings with American officials, and on-the-ground operations in Kenya. As evidence of the inorganic nature of many counterterrorism efforts in Kenya, below I demonstrate how operations and terrorism-related indictments in Kenya have coincided with American criticisms or promises of increased aid. I argue that U.S. diplomatic pressure and promises of aid have encouraged Kenyan authorities to fight a sometimes spurious war, which paints dramatic pictures of authorities' efforts, but does less to address tangible security threats. Though the problem of international terrorism was thrust upon Kenya, counterterrorism has become an economic instrument for Kenya's security forces and a tool that the Kenyan government uses to leverage its diplomatic relationship with the United States. At the same time, counterterrorism has alienated Muslim communities who for nearly three decades voiced feelings of economic and political marginalization.

The essay is divided into three sections. To address the social tensions onto which Kenya's domestic counterterrorism initiatives have been grafted, the first offers a historical outline of the relationship between Kenyan Muslim communities and the central government. I pay special attention to the question of why, despite the fact that few of those indicted for the 1998 U.S. embassy bombing were Kenyan citizens, Kenyan Muslims of Arab descent became the primary suspects in terrorism investigations. I then address U.S. security aid to Kenya and the counterterrorism tactics Kenyan authorities have employed since the embassy bombing. I end by considering the changing relationship between Kenya and the United States, one that evidences both the securitization of aid and a burgeoning U.S. military presence in Kenya (Lind and Howell 2008).

Histories of Alienation

For centuries, the coast of Kenya has absorbed migrants from across eastern Africa, Arabia, the Persian Gulf, and South Asia. This confluence of people and ideas created urban, coastal spheres of genealogical, cultural, and religious diversity. These in turn have confounded rigid modes of classification and complicated popular perceptions of Muslims of Arab and South Asian ancestry. Under British rule, Swahilis—coastal populations of mixed African, Arab, and Asian heritage—did not fit neatly into the racial hierarchies devised by the colonial administration. The official categories of “Native” and “Non-Native,” created to demarcate colonized subjects, contributed to social rifts that yet affect Kenyan society. Many of those classified as Arab took advantage of the benefits of Non-Native status. This privilege had detrimental long-term effects, since it fed postcolonial perceptions that Arabs were not truly Kenyan. Swahili communities occupied a more ambiguous position. During the colonial era, Swahilis were alternatively categorized as Native and Non-Native. Those who could qualify as Arab or Asian benefited from the advantages offered to Non-Natives, but most occupied the awkward position of having neither a recognized African “tribal” identity nor the higher legal status of Non-Native (Salim 1976; Willis 1993). By the end of the colonial era, this nebulous position contributed to perceptions of Swahilis as neither completely African nor, by extension, Kenyan.

On the eve of independence, in the early 1960s, debates over the future of coastal Kenya strained relations between some coastal Muslim communities and the colony's emerging political leaders. In the 1890s the British colonial government leased a ten-mile strip of the coast from the Sultan of Zanzibar and held it under crown protection. This status was only a technicality, as the coast region was administered by Nairobi, but because of the legal variance offered by protectorate status, the drive toward independence raised the question of autonomy for the coastal strip. From early 1961, the issue of the strip's future unleashed myriad arguments for and against autonomy. Fearing domination by up-country Christian leaders, Arab and

Swahili activists were the most outspoken advocates for a fully autonomous coastal state. Ensuing debates greatly amplified social tensions along racial and religious lines (Brennan 2008; Salim 1970). The Colonial Office dispelled hopes for coastal autonomy, but the notion that Arabs and Swahilis were traitors to the cause of Kenyan independence lingered.

After independence, the postcolonial Kenyan state developed highly undemocratic power structures, which bore similarities to its colonial predecessor. This produced significant political disillusionment in the late 1970s and early 1980s. Kenya's first two presidents, Jomo Kenyatta and Daniel arap Moi, resisted the resulting political dissent. Muslim elected officials, a small minority on the national stage, did little to address their constituents' well-being. A muted voice at the national level had multiple repercussions for middle- and lower-class coastal Muslims. Many suffered acutely from a deteriorating state educational system (Mazrui 1993). Because of the ambiguous place of Islam in the national sphere, popular perceptions of Arabs and Swahili as not fully Kenyan, and the opportunism of corrupt functionaries, in the Moi era many coastal Muslims faced discrimination or steep bribes when applying for essential documents, such as national identity cards and passports. These and other indignities seeded dissatisfaction with the Moi administration, notably among urban Muslim youth (Kresse 2009).

By the early 1990s, nearly three decades of single-party rule had spurred a groundswell for reform across Kenya, ushering in multiparty elections in 1992 (Throup and Hornsby 1998). One opposition party with roots at the coast, the Islamic Party of Kenya (IPK), proved particularly attractive to young Muslims. Since many party supporters were Swahili, detractors claimed that the IPK was a party of wealthy "Arabs." The party staged large anti-Moi demonstrations, several of which led to clashes with the police and the destruction of property belonging to prominent members of the ruling party, the Kenya African National Union (KANU) (Cruise O'Brien 1995; Wolf 2000). In response, Moi accused the IPK of promoting Islamic fundamentalism. As a means of further discrediting the IPK, political opponents charged that the governments of Iran and Sudan were secretly funding the party.

The IPK depended on Muslim identity as a sociopolitical frame for mobilizing urban Muslim youth; its platform, however, was often indistinguishable from other opposition parties. IPK leaders added emphasis to citizenship issues, such as discrimination in obtaining passports and IDs, but their calls for social justice and condemnation of corruption echoed a common refrain across Kenya. The IPK posed a substantial challenge to KANU in the greater Mombasa area, and thus ahead of the 1992 elections the government denied the IPK party registration (Oded 1996). KANU officials continued to perceive the IPK as a significant threat after the elections, and so they employed anti-IPK youth groups—so-called "Black" Muslims because they were made up primarily of Mijikenda young men—to draw IPK supporters into violent, often racially charged clashes. This activity largely succeeded in silencing the IPK while reinforcing the image of young Swahilis and Arabs as prone to violence.

The belief that coastal Muslim communities supported violent fundamentalism gained new gravity after the bombing of the U.S. embassy in 1998. With the attack coming on the heels of IPK political activity, police suspected that the communities that had once supported the IPK were now embracing terrorism. For Kenyan and American authorities alike, the guiding presumption seems to have been that Swahili and Arab men from Mombasa were responsible for the embassy bombing. Investigators would later discover that almost all of the major players in the bomb plot were foreigners, but in the weeks after the blast, Kenyan security forces carried out investigations in Mombasa's majority Swahili neighborhoods, particularly Old Town and Majengo. President Moi invited FBI agents to work directly with Kenyan authorities, and many Muslims reported being detained and interrogated, sometimes by American investigators.

Though the Moi administration did not rank counterterrorism as a high priority, the embassy bombing offered Moi the opportunity to partner with the U.S. for the first time since the end of the cold war and thus mend diplomatic ties frayed in the early 1990s. In return for Kenya's support during the cold war, American leaders had rarely articulated displeasure with Moi's domestic policies. After the fall of the communist bloc, however, U.S. representatives criticized Moi for his heavy-handed dealings with opposition activists and his administration's rampant corruption. Though Moi remained sensitive to U.S. criticism throughout the 1990s, the embassy bombing allowed Kenya to rebuild its formerly close relationship with the United States. This partnership gained greater strength soon after 9/11, when Kenya's National Security Intelligence Service (NSIS) received a list from American authorities of two hundred suspects whom the FBI believed to be linked to al-Qaeda. In the following days, police ordered the arrest of more than fifty people; a handful of those swept up were soon released, but most were held for weeks without charge and interrogated (Thoya 2001). Some of the arrests, which included well-known businessmen and opposition-party activists, seemed to have been more political intimidation than attempts to fight terrorism. The most incredible example of the authorities' willingness to bend the law was the case of a fifty-seven-year-old Iraqi asylum-seeker—later a UNHCR-recognized refugee—taken into custody before 9/11 and detained for more than two years. Though he held refugee status and was never charged with a crime, Kenyan authorities attempted to repatriate him (Amnesty International 2005).

The NSIS offered more superficial showings of its counterterrorism diligence. As a harbinger of future attempts to gain publicity for their efforts, in late September 2001 the NSIS announced that it was investigating Osama bin Laden graffiti in Mombasa as a clue in the search for al-Qaeda operatives (Agence-France Presse 2001; BBC News 2001). The investigations of graffiti failed to turn up useful leads, but they were indicative of the new verve with which the Kenyan government was embracing counterterrorism. More significantly, in the weeks after 9/11 the Moi administration complied with U.S. requests to scrutinize the passport applications of Kenya's Asian and

Arab citizens. Kenyan authorities vigorously began to enforce regulations stipulating that citizens of Asian and Arab descent, including Swahili who could trace their ancestry on the coast back indefinitely, must present their grandfather's birth certificate before they could receive or renew their passports (Kalyegira 2001). Few Kenyans, of any religious or ethnic background, can produce their grandfather's birth certificate. Thus, the government of Kenya's enforcement of the passport regulation appeared to be an act of open discrimination against people of Arab and Asian descent at the behest of the United States.

Two years later, on 28 November 2002, al-Qaeda operatives staged simultaneous attacks on the Israeli-owned Paradise Hotel near Mombasa and an Israeli airliner departing Mombasa's Moi International Airport. The missiles fired at the airliner missed their target, but the car bomb at the Paradise Hotel killed fourteen people. Soon after the attacks, Kenyans chose a new president. The inauguration of President Mwai Kibaki in December of 2002 promised sweeping change. Many in the Muslim community believed that his administration would usher in a less repressive era. By the end of Kibaki's first year in office these hopes had been dashed (Barkan 2004). In the months following the 2002 attacks, his administration authorized the constitution of the Anti-Terrorism Police Unit (ATPU) and ordered the liquidation of several Muslim NGOs, while police in Mombasa embarked on a haphazard program of detaining and interrogating young Swahili and Arab men (Anonymous 2005a).

The 2002 attacks crippled Kenya's tourist industry, a vital sector of the national economy. Moreover, travel advisories issued by U.S. and other Western embassies had a further deleterious effect on the tourist sector just as its high season commenced. According to Kenyan leaders, warnings issued by the U.S. embassy cost the tourism industry one million dollars a day (Wax 2003b). President Kibaki soon found himself performing a delicate balancing act. He bowed to U.S. pressure to root out terrorists, but at the same time, he protested Western warnings about Kenya's insecurity. To salvage Kenya's image, identify the problem as one of manageable proportions, and appease its American critics, his administration defined the issue of terrorism narrowly, as one emanating from the small coastal Muslim community.

Counterterrorism Tactics and Timing

In the wake of the 2002 attacks, counterterrorism in Kenya took on an expansive new life. In large part this was the result of an increase in American security aid and corresponding pressure to arrest terrorists. Since the late 1990s, U.S. officials have presumed terrorism in Kenya to be a "home-grown" problem. A report by the U.S. Military Academy's Combating Terrorism Center (CTC) summed up the American perspective. In outlining the factors that make Kenya an attractive environment for al-Qaeda (factors that include lax security, somewhat open borders, and proximity to

conflict-ridden Somalia), the CTC report argued that another factor is the “small but significant Arab, Arab-Swahili and Somali minorities concentrated in coastal Kenya, Nairobi and several other urban centers.” Some of these, “especially those with Arab lines of descent,” the report continued, “maintain closer ties with their home countries” (Harmony Project 2007:50). Reflecting popular perceptions in Kenya, the report inferred that many Kenyans of Arab ancestry are foreigners. Likewise, it failed to note that counterterrorism investigations had uncovered few verifiable connections between Kenyan Muslims and domestic terrorist attacks. Though many analysts have argued that the potential for extremist recruitment in Kenya has been overdrawn, the presumption that Kenya is a “breeding ground” for terrorists seems to have guided U.S. counterterrorism policy since the end of the 1990s (Carson 2005; Rosenau 2005).²

The Moi administration took exception to the view that Kenya was a “breeding ground” for terrorism. The Kibaki administration took a different tack. While shying from the language of American analysts, Kibaki responded to American pressure by pursuing a vigorous counterterrorism agenda, which focused on coastal Muslim communities. The verve with which Kenyan authorities approached counterterrorism resulted in some successes—including the capture of a suspected terrorist and cache of weapons in 2003—but it led authorities to contravene and even attempt to alter domestic law. One example of the excesses of post-2002 Kenyan counterterrorism efforts was the Suppression of Terrorism Bill, legislation loosely modeled on the U.S. Patriot Act. Published a few months after the 2002 attacks and mirroring similar bills in Tanzania and Uganda, it proposed to create, in effect, an alternative criminal justice system for terrorism suspects (Hassan 2003; Tamim and Smith 2010; Whitaker 2007). The bill defined terrorism so vaguely that it encompassed virtually any act of political dissent. It allowed for incommunicado detention and denial of the right to legal representation during interrogation. It proposed to severely curtail many freedoms, ease restrictions on extradition, and do away with requirements for proof of intent or motive. The Suppression of Terrorism Bill even proposed that wearing Muslim clothing similar to that favored by known terrorists constituted grounds for suspicion of terrorist activities (Okumu 2007).

Though it is unclear what role, if any, U.S. representatives played in the bill’s drafting, American support was unambiguous: not only did the American ambassador urge Parliament to pass the legislation quickly, but soon after the bill appeared, President George W. Bush offered a \$100 million aid package to East African nations to fight terrorism in the region as part of the East African Counterterrorism Initiative (EACTI) (*Daily Nation* 2003a, 2003b). The initiative was unprecedented in U.S.–East African relations because it dedicated considerable resources toward a variety of counterterrorism measures, including the training and equipping of antiterrorism police and the expansion of judicial capabilities (Mills 2007). To push the Suppression of Terrorism Bill through Parliament, National Security Minister Chris Murungaru proclaimed that it was Parliament’s “moral duty” to support the

measure (Thoya 2003). Despite pressure from the U.S. embassy and Kenyan authorities, the bill faced overwhelming opposition in Parliament.

Kenya's parliament did not pass the terrorism bill, but the Bush administration continued to increase its security aid to Kenya. Kenya's military and law-enforcement agencies received assistance that facilitated a variety of new measures, notably the creation of the ATPU. Since late 2002, the United States has trained more than five hundred Kenyan security officials in the United States, many of whom are now part of the ATPU (Wax 2003a). The United States assisted in the creation of a Joint Counterterrorism Task Force, a National Counter-Terrorism Centre (a semiautonomous department of the NSIS), and the National Security Advisory Committee (Harmony Project 2007; Muhula 2007). In 2004, the Kenyan government announced plans to consolidate its investigation and prosecution branches to form a superagency, tasked solely with the "war on terrorism" (*East African Standard* 2004a). The following year, American officials distributed \$88 million in EACTI funds—almost 90 percent of the total for the region—to Kenya and requested an additional \$122 million toward counterterrorism projects for the next fiscal year (Harmony Project 2007; U.S. Department of State 2004). In 2006, the United States affirmed its commitment to assist the Kenyan military with a gift of six boats, part of a project totaling \$3 million (U.S. embassy, Nairobi 2006). The U.S. government approved an additional \$14 million in direct assistance to Kenyan counterterrorism authorities in 2007 (BBC News 2007). A year later, U.S. military-to-military assistance helped develop a new Kenyan army unit, the Ranger Strike Force, which U.S. government sources claimed would act as a frontline against "infiltrators and armed groups" (U.S. Department of State 2009). Similarly, the State Department's Antiterrorism Assistance program provided the Kenyan Maritime Police Unit with equipment and constructed a training facility at Manda Bay, where American trainers now offer courses in maritime security. Most recently, the Combined Joint Task Force–Horn of Africa has begun installing a Maritime Security and Safety Information System along Kenya's coast, presumably in areas identified as key to countering terrorist incursions (U.S. Department of State 2009).

American aid has allowed Kenyan authorities to expand their security infrastructure significantly; however, this infrastructure has yet been seen to affect authorities' ability to identify terrorists, foil terrorist plots, and bring criminals to justice. Counterterrorism efforts to date have generally hinged on a combination of limited intelligence gathering and racial profiling. Further, counterterrorism operations have often flouted domestic law. Detention without charge and bribery are common police practices, as are forced confessions and threats after release from detention (Human Rights Watch 2002, 2008; MUHURI 2007). The presence of foreign investigators has added yet other dimensions to counterterrorism in Kenya. The case of a Swahili man from Mombasa, Mohammed Ahmed Surur, offers an example of the convergence of poor intelligence, the abridgment of the rights of suspects, and the direct involvement of Western investigators in Kenyan counterterrorism operations.

In May of 2003, Surur was leaving a mosque in Mombasa after prayers. Four men approached him; one put a gun to his head, and they forced him into a car. They took him to a house and locked him in a room. They beat him and threw him into the trunk of another car. After five hours of driving, he was taken out of the trunk and met by eight foreign intelligence agents. They told him they knew he was involved in the 2002 bombings, and they put a confession in front of him to sign. He refused to sign it. They then placed a bag over his head and moved him into another room, where he stayed for hours. Later, they brought in a metal chair, attached cables, and bound his legs and torso to the chair. Again they put the confession in front of him and instructed him to sign. Each time he refused, he was given an electric shock. The torture continued until he lost consciousness. After four days in the hands of the interrogators, he was dumped in Mombasa. Since his release, the police have refused to take a statement from him, and he has received anonymous warnings not to tell his story (Amnesty International 2005). **Though torture is uncommon, extended detention and forced confessions to falsified charges have become regular practices for Kenya's ATPU at the coast** (Anonymous 2008a).

Given the paucity of evidence against Kenyan terror suspects, few have been charged with terrorism-related crimes. When Kenyan courts have tried terrorism cases, the trials have appeared to be perfunctory responses to American pressure. The trials of several men suspected of involvement in the 2002 bombings are exemplary in this regard. In June of 2003, Johnnie Carson, outgoing U.S. Ambassador to Kenya, publicly criticized the Moi and Kibaki administrations for not making a single conviction related to the 1998 embassy bombing. He pointed out that, in recent years, other nations that suffered attacks had arrested and convicted suspects. Kenya, he suggested, was the exception (BBC News 2003; Wax 2003b).³ Soon thereafter, police made several arrests, and Justice Minister Kiraitu Murungi reported that suspects linked to the 2002 attacks would be tried. If there was any question about the timing of the indictments, Minister Murungi explained that the U.S. ambassador's public criticism had forced his hand: "We have decided to go public to show that as a matter of fact we are taking action," Murungi told reporters (Wax 2003b).

The indictments in the 2002 bombing case drew praise from the United States and other Western nations (Kelley and Majtenyi 2003). Not long after the arrests, the public-affairs section of the American embassy circulated a memo addressing common concerns about the trial. The memo posed a question that many analysts were asking: were these arrests just a response to U.S. pressure? The embassy replied that the arrests were not "arbitrary or cosmetic." "We know that very convincing evidence of [the suspects'] involvement in terrorism will be presented in court," the memo suggested. It then reiterated U.S. presumptions about the role of Kenyan Muslims in the terrorist attack. The memo explained that part of the reason why Kenya had suffered two al-Qaeda attacks was a "disaffected and alienated Muslim community on the coast," which "has provided Kenyan citizens [to

al-Qaeda] willing to put a foreign ideology above the interests of their nation or fellow citizens" (U.S. embassy, Nairobi 2003). The following month, just as the 2002 bombing trial began, U.S. State Department spokesman Richard Boucher told reporters that Kenya would receive the largest share of the \$100 million EACTI funds (Kwena 2003). The embassy believed that the case against the 2002 bombing suspects was convincing and the U.S. government was willing to contribute significant aid to Kenya to encourage its counterterrorism efforts, but as the trial unfolded, evidence linking the defendants to the attacks failed to materialize.

Most of the defendants in the 2002 bombing trial were in-laws or neighbors of al-Qaeda operative Fazul Abdullah Muhammad, a young man from the Comoros Islands, who orchestrated the 1998 U.S. embassy bombing in Nairobi and the 2002 attacks near Mombasa. Immediately before the 2002 attacks, he lived under an alias in the remote Swahili town of Siyu, where he taught at a girls' *madrassa*. Just after the attacks, he married a local woman and then disappeared (Anonymous 2005b; Prestholdt 2009). When investigators discovered that he had lived in Siyu, they questioned his in-laws, yet it was only after American representatives pressured Kenyan authorities that Fazul's father-in-law Kubwa Muhammad, brother-in-law Muhammad Kubwa, neighbor Said Saggaf Ahmed, and fellow teacher Aboud Rogo were charged with thirteen counts of murder in connection with the bombing (Kubwa 2008; Maliti 2003b). The prosecution added a fifth defendant, Salmin Muhammed Khamis, in July. Since the suspects were charged with a capital offense, the case first went to the Chief Magistrate's Court where it was vetted to determine if it was strong enough to stand in the High Court, the only legal body in Kenya that hears capital offense cases. However, before the process was complete, the law was changed to require that all murder cases bypass the Chief Magistrate and go directly to the High Court. The timing of the legal change, just before the fifth anniversary of the bombing, was no coincidence. One day before the anniversary, state prosecutors filed new, more severe charges in the High Court (*East African Standard* 2003; Majtenyi 2003). Now the defendants were charged with murder, not only in connection with the Paradise Hotel bombing, but also in connection with the 1998 embassy bombing—an attack that had long preceded their acquaintance with Fazul. The prosecution likewise added three more defendants, including Omar Said Omar and seventeen-year-old Faiz Abdalla Shariff (*Daily Nation* 2003c).

As Kenya's first international terrorism trial began, the government gained new diplomatic dividends. In October 2003, President George W. Bush invited President Kibaki to the White House. Kibaki was the first African head of state recognized by the Bush administration with a state visit, and counterterrorism was at the top of the agenda. Bush billed the state dinner as a message to Kenya that "we like the cooperation . . . particularly on counterterrorism," and during the event, Kibaki confirmed Kenya's commitment to fighting terrorism (Bush 2003; Gedda 2003). Soon, however, the terrorism trial in Nairobi took a series of surprising turns. The prosecution

brought charges against one more defendant, Mohammed Ali Saleh Nabhan, while the High Court dropped capital charges against Kubwa Mohamed, Said Saggaf Ahmed, Salmin Mohammed Khamis, and Faiz Abdalla Shariff. Though Shariff went free, the remaining three were rearrested on the day of their release and charged with conspiracy—which put their case in a lower court. The trial had bifurcated, yet all the defendants were denied bail and interned in Nairobi's Kamiti Maximum Security Prison (Maliti 2003a).

The conspiracy trial got underway in January 2004, and the murder trial resumed in February, after a long hiatus. One week into the murder trial, no witness had emerged to tie the defendants to the attacks, and so the trial adjourned again, this time until January 2005. After fits and starts, the conspiracy trial took an extraordinary turn. In early 2005, the entire court traveled to Mombasa, holding unprecedented outdoor sessions at the Paradise Hotel and the site of the rocket attacks. Though the field visits added dramatic effect to the proceedings, the prosecution produced little to link the suspects to the bombings. As the conspiracy trial limped to a conclusion, the judge reprimanded the prosecution for introducing witness after witness who failed to connect the defendants to the attacks. By the conspiracy trial's end, the sole pieces of evidence offered by the prosecution were newspaper cuttings of Osama bin Laden found in a defendant's possession, as well as a picture of the defendant pasted back-to-back with one of bin Laden (*East African Standard* 2004b; Kadida 2005).

In the murder case, calls made to Mohamed Saleh Ali Nabhan's mobile phone were the only evidence connecting the defendants to the attacks; however, there was no proof that Mohamed had received these calls, since he shared the phone with his brother, Saleh Ali Saleh Nabhan, who is believed to have purchased the vehicle used in the 2002 attack. The greatest surprise in the trial came after it had dragged on for almost two years. The Criminal Investigations Department officer who had led the investigations, Joseph Mugwanja, announced in court that he may have "worked with the wrong facts and arrived at wrong conclusions." He told the judge that apart from the defendants' acquaintance with Fazul and the calls to Mohamed Saleh Ali Nabhan's phone, there was no evidence linking the defendants to the bombing (*Daily Nation* 2005). With this admission, the murder trial was over. In June 2005, the defendants in both trials were cleared of all charges.⁴

In the years since the trials Kenyan investigators have worked hard to draw positive domestic and international attention to counterterrorism operations. It appears that one of their strategies has been to time high-profile counterterrorism operations to coincide with events of significance to Kenya-U.S. relations. An egregious example came in 2007. In the face of further American criticism that the Kenyan government was not doing enough to identify terror suspects, during Kenyan Security Minister John Michuki's visit to Washington, and only a week after an American military delegation had visited Nairobi, counterterrorism police surrounded the home of Sheikh Ibrahim Mohammed Obeidilla. The sheikh was the imam of Kwa Shibu Mosque in Mombasa, one of the city's largest mosques and the site of many

IPK confrontations with the police in the early 1990s. After tear-gassing the neighborhood, security forces ransacked three houses and arrested eleven people, including Sheikh Obeidilla. The reason soon became clear. Sheikh Obeidilla had originally come from the Comoros Islands, birthplace of Fazul Abdullah Muhammad. Authorities told reporters that given the two men's shared nationality, they suspected that Obeidilla was harboring Fazul, or at least knew where to find him. Obeidilla denied any connection to the wanted terrorist, but the police instructed him to sign documents attesting to the contrary (*Daily Nation* 2007a, 2007b). Even though investigators could not establish a link between Obeidilla and Fazul, they arranged for his deportation (Milicent 2007). Before the imam could be deported, the High Court ruled that the Police Commissioner and the Attorney General could not legally expel him. Despite this ruling, Kenyan police escorted Obeidilla to the airport in handcuffs and placed him on a plane bound for the Comoros (BBC News 2007; *East African Standard* 2007). Though the government's suspicions were unfounded and Kenyan law enforcement agents had defied the High Court, the United States responded positively to the operation.

A year later, on the tenth anniversary of the U.S. embassy bombing, Kenyan authorities once again drew international attention to their counterterrorism efforts. In early August 2008, just four days before the anniversary, the ATPU claimed that Fazul Abdullah Muhammad, the primary suspect in the embassy bombing, was living in the coastal town of Malindi. Information leaked to the press suggested that he had come to Malindi for kidney dialysis and was hiding in a seaside villa. Police claimed that he had escaped their dragnet but assured the public that they were on his trail. In the meantime, the owner of the villa—initially described only as “an Arab”—and his family were charged with abetting Fazul. Over the following two weeks, Kenyan police reported several Fazul escapes.⁵ He was sighted in a van heading toward Mombasa, and police claimed to have just missed him in an upscale Nairobi neighborhood. Subsequent searches, however, failed to produce him. When evidence of his presence was exposed to public scrutiny, police claims proved dubious; for example, no healthcare facility in Malindi possessed a dialysis machine (Mburu 2008). More questionable was the only hard evidence the police could offer: Fazul's passports, confiscated during the Malindi raid. The passport photos showed a man who, perhaps close in age to Fazul, was certainly not the wanted terrorist. In addition to his very different facial features, the man pictured in the passports had a lighter complexion than Fazul. The day after the publication of the passport photos police responded to the discrepancy by suggesting that Fazul may have been using skin lighteners. While this conclusion passed without comment in the press, the apparent bungle of the Malindi ambush received significant attention. In the ATPU's defense, the Malindi branch's Elijah Karia shifted the blame to the Muslim community. He explained that what has made capturing Fazul such a challenge is the support he receives from coastal Kenyans. “It's only sympathizers who are keeping [Fazul] from being arrested,” Karia claimed (McCrummen 2008).

The search for Fazul reached a climax on the tenth anniversary of the U.S. embassy bombing. As the international media turned its attention to Kenya, police in Mombasa demonstrated their counterterrorism vigilance. In their search for Fazul, police, with the help of sniffer dogs, attempted to search every vehicle, person, and bag leaving the city. The world heard that the key figure in the embassy bombing was still active in Kenya and saw that Kenyan authorities were marshalling all of their resources to apprehend him. Their efforts drew praise from the U.S. ambassador and the Kenyan public. Editorials in Kenyan newspapers proclaimed that al-Qaeda's threat to Kenya was still great and called for the reintroduction of the 2003 Suppression of Terrorism Bill. One editorial even suggested that those acquitted in the 2002 bombing case (see above) likely would have been successfully prosecuted if an antiterrorism law had been in place (Gaitho 2008; Ndegwa 2008). Though Kenyan authorities produced no convincing evidence of Fazul's presence in August 2008, the U.S. pledged continued counterterrorism aid to the Kibaki administration.

Counterterrorism Cooperation and the U.S. Military in Kenya

Between 1998 and 2006, Kenyan authorities conducted counterterrorism operations with significant external aid but only minimal coordination with foreign security forces.⁶ Since 2006, the level of counterterrorism coordination among the United States, Kenya, and neighboring nations—notably Uganda and Ethiopia—has been significant. The most important factor in this shift has been circumstances in Somalia. In late 2006, the Ethiopian military invaded Somalia. Acting on behalf of the Somalia Transitional Federal Government, and with American support, Ethiopia quickly routed the recently established Islamic Courts Union government, elements of which the U.S. State Department branded “extremists to the core” under the control of al-Qaeda operatives (Menkaus 2007; Pflanz 2006). In the midst of the fighting, hundreds of refugees crossed the border into Kenya. Though most entered Kenya without incident, authorities detained roughly one hundred fifty people from more than eighteen different nations, some as young as seven months. Many were held simply because they could not pay the bribes demanded by the Kenyan police (Human Rights Watch 2008; Kimathi and Butt 2007). The extraordinary rendition of nearly one hundred of those who fled Somalia in early 2007, along with others apprehended elsewhere in Kenya, would be one of the most noteworthy incidents in the “war on terrorism” in Kenya. It would reveal the depth of Kenya-U.S. counterterrorism cooperation.

After taking the suspects into custody, Kenyan and American investigators vetted the group in Nairobi (Mwagiru 2007). Most were detained without charge for weeks. Before their detentions could draw a concerted response, Kenyan authorities transferred at least ninety of them, including thirty-four women and children and at least nine Kenyan citizens, to

Mogadishu (Rice 2007). Once in Somalia the suspects were handed over to the Ethiopian military, which transported them to Addis Ababa, where they underwent several weeks, and in some cases more than a year, of confinement and interrogation. Most were denied access to any form of communication, and neither lawyers nor family members were allowed contact with them. Many were subjected to psychological and physical torture (Grey 2007; Human Rights Watch 2008). Over a roughly four-month period, the Ethiopian military delivered detainees to American interrogators every day. Once the interrogations were complete, most of the foreign nationals were released; the Kenyans, however, remained. An Ethiopian military tribunal cleared the Kenyan detainees of any wrongdoing, yet they languished in Ethiopian prisons for more than a year. In 2008, the executive director of Kenya's Muslim Human Rights Forum, Al Amin Kimathi, acquired copies of the rendition flight lists, which indicated the nationalities of the detainees. Even after the publication of the flight lists, Kenyan authorities denied rendering Kenyan citizens to foreign security agents. Soon, however, pressure from civil society mounted and this forced the government of Kenya to send representatives to visit the Kenyan detainees in Addis Ababa (Muyanga and Ndurya 2008). Two months later, after the release of a series of damning international reports on Ethiopia's "African Guantánamo," the Kenyan government retrieved eight of its citizens from Ethiopian detention. On the arrival of the detainees in Mombasa, the government issued a statement claiming that the eight had gone to seek military training in Somalia. Kenya's *Standard* newspaper referred to the freed detainees as "Osama agents" (Agina 2008). The renditions and their aftermath suggested that the United States was facilitating American-style extraordinary rendition in eastern Africa, and that Kenyan, U.S., and Ethiopian authorities were cooperating in new ways.

More recently, in the wake of the July 2010 bombings in Kampala, Kenyan security services assisted neighboring Uganda by extraditing several Kenyan suspects. Shortly after the attacks, the Uganda police identified thirteen Kenyans believed to have played a role in the bombings. Kenyan authorities arrested several of them and during habeas corpus proceedings transferred six to Uganda. Soon thereafter, Al Amin Kimathi, executive director of the Muslim Human Rights Forum, traveled to Uganda to observe the trial of the illegally extradited Kenyans. On his arrival, he, too, was arrested and charged with murder and conspiracy to commit acts of terrorism. The Ugandan authorities held the human rights activist incommunicado during which time Kenyan and American investigators interrogated him. This turn of events sparked outrage in the Kenyan human rights community (Abdullahi 2010; Candia 2010; Wanyeki 2010).

Kenya's most remarkable case of extraordinary rendition was that of Kenyan national Mohamed Abdulmalik, who is now detained by the U.S. military at Camp Delta, Guantánamo Bay. Kenyan authorities suspected that he had played a role in the 2002 Paradise Hotel bombing and was planning another terrorist attack during the 2007 World Cross-Country Championship in Mombasa (Ali 2007; Human Rights Watch 2008). In February 2007, Kenyan

security officers took Mohamed into custody. After extensive interrogation, no bomb was recovered and he was not charged with a crime (REDRESS and Reprieve 2009). Despite the fact that the ATPU did not find any evidence linking him to a terrorist plot, Kenyan authorities denied him the right to file a habeas corpus application and handed him over to the U.S. military (Reprieve and Muslim Human Rights Forum 2009). From Nairobi, American forces flew him to Djibouti, Bagram Air Base in Afghanistan, and finally to Guantánamo Bay. Though the Kenyan government has recently called for his release, Mohamed remains in U.S. military custody (Mwakio 2008, 2009).

It is clear that Kenyan and U.S. investigators now work closely on counterterrorism issues, but with the exception of cases such as that of Mohamed Abdulmalik, the precise American role in Kenya's rendition program remains murky. A more noticeable shift in Kenya-U.S. relations has been the increasing presence of American forces on the ground in Kenya. The American military presence is not an altogether new phenomenon in Kenya. Through a series of agreements during the cold war the United States regularly utilized Kenyan naval and air facilities. Then, U.S. geopolitical concerns were largely beyond Kenya's borders. Since 2001, however, U.S. military attention has taken an increasingly internal orientation, concentrating primarily on Kenya's Coast and North Eastern provinces. The U.S. military presence is now greatest in the Lamu Archipelago, a mostly Swahili and Bajun region, stretching along the northern coast to the Somalia border.

American forces in Kenya are under the command of the Combined Joint Task Force–Horn of Africa, often simply called HOA. Following the 2001 invasion of Afghanistan, American strategists were concerned about the possibility of jihadists fleeing southwest Asia for the Horn of Africa. In late 2002, not long before the Paradise Hotel bombing, the U.S. military's Central Command created the Djibouti-based HOA in an attempt to identify and pursue terrorists in eastern Africa. U.S. Marines under HOA arrived at the Kenyan Navy base in Manda Bay soon thereafter. When authorities discovered that al-Qaeda operatives had crossed from Somalia to Kenya by boat in 2002 and that Fazul Abdullah Muhammad had been living on an island in the Lamu Archipelago, the northern Kenyan coast became the primary focus of American military attention. As HOA expanded its operational capacity in the region, the small Marine contingent in Manda Bay was augmented with military advisors, civil-affairs units, and Special Forces teams. In military parlance, Manda Bay became a "contingency operating location."

When the feared mass movement of terrorists to eastern Africa did not take place, HOA broadened its strategic scope in the region. HOA soon began to focus its attention on aiding East African nations to exert greater control over "ungoverned" spaces, including coastlines and borders (West 2005). For instance, U.S. military advisors at Manda Bay initiated joint military exercises with the Kenyan navy in the northern coastal region (BBC News 2002). Dubbed "Noble Piper," the operations intensified after the release of the defendants in the 2002 bombing case (see above). Noble Piper's primary objective was to train Kenyan forces to conduct counterterrorism

operations. This training entailed joint U.S.-Kenyan searches of vessels traveling throughout the archipelago, exercises that drew the ire of local sailors and complaints from Lamu's parliamentarian. The Marines initiated similar joint operations on land, but the sight of U.S. soldiers in combat fatigues boarding and searching vehicles traveling between Malindi and Lamu caused such consternation that the American trainers were forced to wear civilian clothes and scale back the maneuvers.

Other American efforts have been less intimidating. For instance, HOA has augmented its military operations with development and humanitarian-assistance programs. HOA maintains the capacity to neutralize security threats by force, but it has sought to ensure long-term stability in the region by winning East African "hearts and minds." Soon after its inception, HOA began funding development projects designed to benefit local populations and affect the views of populations that in the military's estimation may be receptive to violent extremism (Berschinski 2007). The campaigns have thus targeted the most marginal and isolated of Muslim communities, such as those in majority-Somali North Eastern Province. The greatest recipient of HOA development assistance, however, has been the northern coast, particularly Lamu and Pate Island, where Fazul Abdullah Muhammad lived in 2002. These projects have ranged from digging wells and building water catchments to constructing or refurbishing schools and offering free medical and veterinary services to rural communities. Many of the civil-affairs soldiers I interviewed in 2008 were sincere and earnest in their efforts to assist marginalized communities. Most of their efforts have met with the approval of target populations, since the U.S. military brings critical services to areas neglected by the central and provincial governments. At the same time, local communities are suspicious of the American presence because many presume that less altruistic motives—intelligence gathering, for instance—lie behind the aid (Anonymous 2008b; *Indian Ocean Newsletter* 2004).

Civil-affairs units have traditionally operated within combat zones as a means of winning the trust of local populations. In Afghanistan and Iraq they have become a cornerstone of counterinsurgency practice. Thus, the deployment of civil-affairs units sheds light on how military strategists perceive majority-Muslim regions of Kenya. Development projects are aimed at winning the "hearts and minds" of residents in an effort to forestall terrorist activity and limit local support for terrorists. In this way, U.S. military policies in Kenya are analogous to those pursued in Afghanistan and Iraq, but winning the "hearts and minds" of Kenyans does not promise the same dividends. Since no war is being fought in coastal Kenya, the strategic logic of civil-affairs deployments is curious; it evidences either great foresight or undue suspicion. The U.S. military offers valuable aid to Kenyan communities long overlooked by regional and national authorities, but military strategists seem to imagine coastal Muslims to be of a greater security concern than the available evidence would suggest. Perhaps more important is the fact that military-implemented development assistance, and corresponding State Department scholarship and training programs designed to assist

Muslims, have had limited success in affecting Muslim opinions of U.S. foreign policy (Bradbury and Kleinman 2010; Nyassy 2010).

Troubling the efforts of civil-affairs operations is public outrage over human rights violations by Kenyan security forces, as well as U.S. military interventions in Afghanistan, Iraq, and Somalia. According to recent reports, since January 2007 American Special Forces units have used Manda Bay as a base for cross-border operations in Somalia (Barnett 2007). Soon after the Ethiopian invasion of Somalia, American gunships targeted suspected militant training camps at Ras Kamboni, near the Kenyan border. U.S. Special Forces Task Force 88, the largest U.S. combat unit to be based in Kenya since 1993, was then dispatched to Manda Bay. From Kenya, it conducted covert combat operations ("black ops") in southern Somalia. These operations, as well as American missile and drone attacks in southern Somalia, have angered a great many Kenyans, Muslims in particular. As the insurgency in Somalia intensifies, and the Obama administration pledges increased military aid to Somalia's transitional government, the number of American troops in Kenya and the importance of Kenyan bases as launching pads for operations in Somalia will likely increase (BBC News 2009; United Press International 2010a). When combined with sustained funding to Kenyan security forces and popular indignation over the American occupations of Afghanistan and Iraq, such a circumstance offers little hope for winning Kenyan Muslims' "hearts and minds."

Conclusion

U.S. counterterrorism initiatives in Africa have been hailed as successes in the global war on terrorism (Davis 2007b). The evidence from Kenya challenges such an unqualified conclusion. With American training, aid, and encouragement, Kenyan authorities have stepped up efforts to identify and apprehend terrorists. While achieving some successes, counterterrorism operations have regularly contravened domestic law and focused narrowly on Muslim men of at least partial Arab and Somali descent. Thus, post-1998 counterterrorism efforts in Kenya should be understood in the context of a longer history of contentious relations between Muslim communities and the central government. The global war on terrorism's fusion with the historic policies of the Kenyan state has exacerbated deep social and political tensions. The geopolitics of counterterrorism has reinforced and expanded discriminatory policies, to the point that many Kenyan Muslims may now feel more marginalized than ever before (Kresse 2009; Seesemann 2007).

The global war on terrorism's dividends for the government of Kenya may prove minimal, or perhaps significant in the long run, but what has become clear is that ordinary Kenyans with no perceptible link to terrorists regularly bear the cost of counterterrorism. This is the case, at least in part, because the political and economic risks in targeting middle- and lower-class Kenyan Muslims have seemed negligible, while American pressure to

capture and convict terrorists has been great. Though Muslim leaders have regularly drawn attention to popular grievances, such as discrimination and harassment, Kenyan and U.S. authorities rarely acknowledge these indignities. When they have, instead of addressing such charges as valid complaints, representatives of both governments have often framed Muslim grievances as contributing to the “homegrown” terrorist problem. The American and Kenyan governments’ indictment of Kenyan Muslim communities has produced a contradiction in American policy toward Kenya. The U.S. military and State Department wish to win the “hearts and minds” of Kenyan Muslims, but they contend with the fact that while American resources have helped Kenya build a more robust security infrastructure, such aid effectively rewards Kenyan authorities for abridging the rights of Muslim citizens.

The most troubling development in the post-9/11 Kenya-U.S. counterterrorism partnership is the fact that Kenya’s leaders may now stand to gain from the prospect of terrorist attacks. A U.S. Military Academy Combating Terrorism Center study recently argued that since U.S. aid to Kenya is largely pegged to the *perceived* risk of terrorism, rather than to Kenyan authorities’ effectiveness in addressing terrorist activity, the Kenyan government has an incentive to tolerate infrequent attacks (Harmony Project 2007:61–62). This problem is compounded by the fact that the Kenyan public does not place counterterrorism high on its list of national priorities, since acts of terrorism generally target non-Kenyans and affect far fewer Kenyans than does severe poverty or HIV/AIDS (MUHURI 2007). There is thus little internal pressure on the Kenyan government to search for terrorists. At the same time, the threat of future attacks and sporadic efforts at foiling terrorist plots yield dividends in foreign aid. This calculus offers few prospects for stemming terrorism or allaying Muslims’ fears that they will continue to suffer human rights violations.

Jeremy Keenan recently argued that U.S. military aid to Sahelian nations has emboldened regional authorities to act with impunity (Keenan 2008). Daniel Volman and William Minter (2009) have warned that security aid to African governments and the U.S. military’s lack of oversight of its partners may more closely align the U.S. with repressive governments and draw American forces into regional conflicts. As I have demonstrated in this essay, the emphasis on counterterrorism in Kenya-U.S. relations has already produced many of these effects. In Kenya, America’s post-9/11 reengagement has reproduced a familiar cold war pattern of direct military aid, now augmented by military-provided development assistance. Much as in the Sahel, counterterrorism funding and assistance to Kenya has yielded little in the way of terrorist interdiction while contributing, at least indirectly, to human rights abuses and the greater alienation of Kenya’s Muslim citizens. If Kenya is any guide, unless U.S. counterterrorism policies in Africa become more attuned to the social tensions upon which the Overseas Contingency Operation is being grafted, as well as the counterproductive ends to which American resources have been put, security aid may produce few results beyond empowering partner security forces with greater martial resources.

ACKNOWLEDGMENTS

Research for this project was made possible with support from the Harry Frank Guggenheim Foundation and the University of California, San Diego Faculty Senate. Additional funding was provided by the Norwegian Research Council. Special thanks to the three anonymous reviewers for *Africa Today* for their insight and suggestions.

NOTES

1. Investigators have released the names of at least ten Kenyans thought to have links to al-Qaeda, excluding suspects indicted in Kenya on terrorism charges. Among those suspected of working with al-Qaeda are Fahid Mohammed Ali Msalam, Ahmed Salim Swedan, and Saleh Ali Saleh Nabhan, who were indicted by New York's Southern District Court in 1998 for their roles in the embassy bombings. U.S. military sources claimed to have killed all three in 2009. Other Kenyan terrorism suspects include Issa Osman Issa, who allegedly fired a surface-to-air missile at an Israeli airliner in 2002, and Fumo Mohamed Fumo and Haruni Bamusa, who authorities believe were killed in the suicide bombing of the Paradise Hotel. It is highly unlikely, however, that Kenyan nationals Fumo and Bamusa were the suicide bombers, since the last person to speak with the attackers claimed that neither had a good command of Swahili (Crisis Group Africa 2005; Filkins and Lacey 2002). Feisal Ali, a young Mombasan man who killed himself after being taken into custody by the Kenyan police in 2003, was most likely associated with al-Qaeda. Finally, authorities suspect that Kenyan national Omar Awadh Omar was involved in the July 2010 Kampala bombings and assisted by an unidentified Kenyan suicide bomber (United Press International 2010b).
2. Another indication of the depth of American authorities' suspicion of Muslim Kenyans is the fact that the whole of Mombasa's Old Town—the predominantly Swahili and Arab neighborhood in the heart of the city—has been deemed a no-go zone for American military personnel because of the perceived threat posed by its residents (Anonymous U.S. Military Source 2008). For the protection of my informants, throughout this article I have noted them as "anonymous."
3. Kenyan authorities apprehended one of the embassy bombers, Mohamed Al-Owhali, immediately after the attacks, but he was quickly extradited to the United States. Al-Owhali was convicted by a New York court in 2001 and is now serving a life sentence.
4. The ordeal was not yet over for Omar Said Omar. After being released from prison, he was rearrested and convicted on firearms charges. Though his was the first conviction related to al-Qaeda attacks in Kenya, because of inconsistencies in the police investigation—notably, there was no evidence Omar lived in the flat where the weapons were found—the conviction was overturned on appeal (Kwamboka 2008).
5. The Malindi raid demonstrates that Kenya-U.S. cooperation is not always seamless. An American official claimed that just before the ATPU raid, the FBI had been monitoring several cybercafés in Malindi. The FBI had narrowed its focus to one young man, who they believed was communicating with Fazul. Hearing of this, and without alerting the FBI or local authorities to their plans, the ATPU raided the cybercafé (*Daily Nation* 2008).

6. The 1999 joint U.S.-Kenyan-Turkish abduction of Kurdish Worker's Party leader Abdullah Öcalan in Nairobi is a notable exception (Chacha and Marwa 2010).

REFERENCES CITED

- Abdullahi, Ahmednasir. 2010. Uganda is Kenya's Guantanamo Bay. *Daily Nation*. 25 September.
- Agence-France Presse. 2001. Investigators Probe Pro-Bin Laden Graffiti in Kenyan City. 25 September.
- Agina, Ben. 2008. Osama Agents back in Kenya. *East African Standard*. 4 October.
- Ali, Abdulsamad. 2007. Kenya: Arrest Averted Terror Attack. *Daily Nation*. 16 June.
- Amnesty International. 2005. Kenya: The Impact of "Anti-Terrorism" Operations on Human Rights. 23 March. <http://web.amnesty.org/library/Index/ENGAFR320022005?open&of=ENG-2AF>.
- Anonymous. 2005a. Group interview by author. 16 June. Mombasa, Kenya.
- . 2005b. Interview by author. 24 July. Siyu, Kenya.
- . 2008a. Interviews by author. 2 and 21 March. Lamu, Kenya.
- . 2008b. Interview by author. 10 April. Lamu, Kenya.
- Anonymous U.S. military source. 2008. Interview by author, 2 July. Mombasa, Kenya.
- Bachmann, Jan, and Jana Hönke. 2009. "Peace and Security" as Counterterrorism? The Political Effects of Liberal Interventions in Kenya. *African Affairs* 109(434):97–114.
- Barkan, Joel D. 2004. Kenya after Moi. *Foreign Affairs* 83(1):87–100.
- Barnes, Sandra. 2005. Global Flows: Terror, Oil, and Strategic Philanthropy. *African Studies Review* 48(1):1–22.
- Barnett, Thomas P.M. 2007. The Americans Have Landed. *Esquire*. 27 June.
- BBC News. 2001. Hunt for Bin Laden Links in Kenya. 25 September. <http://news.bbc.co.uk/2/hi/africa/1560952.stm>.
- . 2002. Kenya Joins U.S. in Terror War Games. 5 December. <http://news.bbc.co.uk/2/hi/africa/2547013.stm>.
- . 2003. Four Charged with Kenya Hotel Blast. 24 June. <http://news.bbc.co.uk/2/hi/africa/3013590.stm>.
- . 2007. Kenya Gets U.S. Anti-Terror Funds. 4 May. <http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/6623635.stm>.
- . 2009. Clinton Threatens Eritrea Action. 6 August. <http://news.bbc.co.uk/2/hi/africa/8186781.stm>.
- Berschinski, Robert G. 2007. *Africom's Dilemma: The "Global War on Terrorism," "Capacity Building," Humanitarianism, and the Future of U.S. Security Policy in Africa*. Carlisle, Penn.: U.S. Strategic Studies Insititute, U.S. Army War College.
- Bradbury, Mark, and Michael Kleinman. 2010. *Winning Hearts and Minds? Examining the Relationship between Aid and Security in Kenya*. Medford, Mass.: Feinstein International Center, Tufts University.
- Brennan, James R. 2008. Lowering the Sultan's Flag: Sovereignty and Decolonization in Coastal Kenya. *Comparatives Studies in Society and History* 50(4):831–861.
- Bush, George W. 2003. Transcript: President George W. Bush Interview with African Journalists. 2 October. <http://www.whitehouse.gov>.
- Candia, Steven. 2010. Uganda Detains Top Al Shabaab Commander. *New Vision*, 23 September.

- Carmody, Pádraig. 2005. Transforming Globalization and Security: Africa and America post-9/11. *Africa Today* 52(1):97–120.
- Carson, Johnnie. 2005. Kenya: The Struggle against Terrorism. In *Battling Terrorism in the Horn of Africa*, edited by Robert I. Rotberg, 173–192. Washington, D.C.: Brookings Institution.
- Chacha, Babere Kerata, and Munio Zephaniah Marwa. 2010. Kenya's Foreign Policy and Challenges of Terrorism in the Post-Cold War. In *Securing Africa: Post-9/11 Discourses on Terrorism*, edited by Malinda Smith, 161–172. Burlington, Vt.: Ashgate.
- Chau, Donovan C. 2008. *U.S. Counter-terrorism in Sub-Saharan Africa: Understanding Costs, Cultures, and Conflicts*. Carlisle, Penn.: Strategic Studies Institute, U.S. Army War College.
- Crisis Group Africa. 2005. *Counter-Terrorism in Somalia: Losing Hearts and Minds?* Report no. 95, 11 July.
- Cruise O'Brien, Donal B. 1995. Coping with the Christians: The Muslim Predicament in Kenya. In *Religion and Politics in East Africa*, edited by H. Hansen and Michael Twaddle. London: James Currey.
- Daily Nation. 2003a. Letter: Terrorism: Ambassador spelled out U.S. demands. 19 June.
- . 2003b. Ninth Suspect Charged with Hotel Bomb Deaths. 22 November.
- . 2003c. Suspected Terrorist, 24, Is Arrested. 30 June.
- . 2005. Terror: Phone Call Sole Clue in Case. 21 April.
- . 2007a. Police Defend Raid On Three Muslim Houses. 28 April.
- . 2007b. Uproar As Imam Still Held. 27 April.
- . 2008. Fazul Escapes Arrest Again. 18 August.
- Davis, John, ed. 2007a. *Africa and the War on Terrorism*. Burlington, Vt.: Ashgate.
- . 2007b. The Bush Model: U.S. Special Forces, Africa, and the War on Terror. In *African and the War on Terrorism*, edited by John Davis, 143–162. Burlington, Vt.: Ashgate.
- . 2007c. Introduction: Africa's Road to the War on Terror. In *African and the War on Terrorism*, edited by John Davis, 1–16. Burlington, Vt.: Ashgate.
- East African Standard. 2003. Magistrates to Cease Hearing Murder Cases. 6 August.
- . 2004a. How Terrorist Attack was Planned and Executed, 27 November.
- . 2004b. Bomb Suspect "Had Osama Cuttings." 28 July.
- . 2007. State Deports Muslim Cleric. 7 May.
- Filkins, Dexter, and Marc Lacey. 2002. Survivor Saw Bombers' Race to Death. *New York Times*. 30 November.
- Gaitho, Macharia. 2008. We Need to Take a Fresh Look at Anti-Terror Bill. *Daily Nation*. 8 August.
- Gedda, George. 2003. Terrorism on the Agenda as Bush Meets with Kenyan President. *San Diego Union-Tribune*. 6 October.
- Ghazvinian, John. 2008. *Untapped: The Scramble for Africa's Oil*. Orlando: Harcourt.
- Grey, Stephen. 2007. The Ghosts Lost in the Rendition Machine. *Le Monde diplomatique*. 8 October.
- Gutelius, David. 2007. Islam in Northern Mali and the War on Terror. *Journal of Contemporary African Studies* 25(1):59–76.
- Hallinan, Conn. 2006. Desert Faux: The Sahara's Mirage of Terrorism. *Foreign Policy in Focus*. 22 March. <http://www.fpif.org/fpiftxt/3136>.
- Harmony Project. 2007. *Al-Qaida's (Mis)Adventures in the Horn of Africa*. West Point, N.Y.: Combating Terrorism Center at the U.S. Military Academy.
- Hassan, Ahmed Issak. 2003. Pitfalls of the Anti-Terrorism Bill. *Daily Nation*. 27 June.
- Human Rights Watch. 2002. *Playing with Fire: Weapons Proliferation, Political Violence, and Human Rights in Kenya*. New York: Human Rights Watch.
- . 2008. *Why Am I Still Here? The 2007 Horn of Africa Renditions and the Fate of Those Still Missing*. New York: Human Rights Watch.

- Indian Ocean Newsletter*. 2004. The USA wants to win over the Muslims. 13 April.
- Kadida, Jillo. 2005. Lawyer Calls Case "Ploy to get Cash for Terror Squad." *Daily Nation*. 26 May.
- Kalyegira, Timothy. 2001. Kenya's Muslims Protest New Passport Laws. *United Press International*. 26 November.
- Keenan, Jeremy. 2008. Demystifying Africa's Security. *Review of African Political Economy* 35(118): 634–644.
- . 2009. *The Dark Sahara: America's War on Terror in Africa*. New York: Pluto Press.
- Kelley, Kevin J., and Cathy Majtenyi. 2003. East African Countries Fail Anti-Terror Test. *East African Standard*. 11 August.
- Kimathi, Al-Amin, and Alan Butt, eds. 2007. *Horn of Terror: Report of US-Led Mass Extra-ordinary Renditions from Kenya to Somalia, Ethiopia and Guantanamo Bay, January-June*. Nairobi: Muslim Human Rights Forum.
- Kraxberger, Brennan M. 2005. The United States and Africa: Shifting Geopolitics in an "Age of Terror." *Africa Today* 52(1):47–68.
- Kresse, Kai. 2009. Muslim Politics in Postcolonial Kenya: Negotiating Knowledge on the Double-Periphery. *Journal of the Royal Anthropological Institute* 15(1):76–94.
- Kubwa, Muhammad. 2008. Interview by author, 22 June. Mombasa, Kenya.
- Kwamboka, Evelyn. 2008. Man Jailed over Kikambala Attack Freed. *East African Standard*. 17 September.
- Kwena, Edmund. 2003. Kenya to Get Most of U.S. Funds for War on Terrorism. *Daily Nation*. 8 August.
- Lecocq, Baz, and Paul Schrijver. 2007. The War on Terror in a Haze of Dust: Potholes and Pitfalls on the Saharan Front. *Journal of Contemporary African Studies* 25(1):141–166.
- LeVan, A. Carl. 2010. The Political Economy of African Responses to the U.S. Africa Command. *Africa Today* 57(1):2–23.
- Lind, Jeremy, and Jude Howell. 2008. Aid, Civil Society and the State in Kenya since 9/11. Non-Governmental Public Action Programme Working Paper Series, 21. London: London School of Economics and Political Science.
- Lymon, Princeton N., and J. Stephen Morrison. 2004. The Terrorist Threat in Africa. *Foreign Affairs* 83(1):75–86.
- MacFade, Sean. 2008. U.S. Africa Command: A New Strategic Paradigm? *Military Review* January–February, 10–21.
- Majtenyi, Cathy. 2003. Kenya to Announce Status of Mombasa Bombing Suspects. *Voice of America News* 5 August. <http://www.voanews.com>.
- Maliti, Tom. 2003a. Charges against Three Kenyan Terror Suspects Reduced from Murder to Conspiracy to Commit a Felony. Associated Press. 28 November.
- . 2003b. Kenyan Court Charges 4 With 13 Murders. *Washington Post*. 24 June.
- Mazrui, Ali A. 1993. The Black Intifadah? Religion and Rage at the Kenyan Coast. *Journal of Asian and African Affairs* 4:87–93.
- Mburu, Stephen. 2008. Malindi Hospitals Not Equipped for Dialysis. *Sunday Nation*. 10 November.
- McCrummen, Stephanie. 2008. Hunt for Suspects In Embassy Bombings Elicits Anger in Kenya. *Washington Post Foreign Service*. 15 August.
- Menkhaus, Ken. 2007. The Crisis in Somalia: Tragedy in Five Acts. *African Affairs* 106(204):357–390.
- Milicent, Jason. 2007. Ibrahim Mohamed Faces Deportation. *Kenya Broadcasting Corporation News On-line*. 28 April. <http://www.kbc.co.ke>.
- Mills, Greg. 2007. Africa's New Strategic Significance. In *Africa and the War on Terrorism*, edited by John Davis, 17–30. Burlington, Vt.: Ashgate.

- Muhula, Raymond. 2007. Kenya and the Global War on Terrorism: Searching for a New Role in a New War. In *African and the War on Terrorism*, edited by John Davis, 43–60. Burlington, Vt.: Ashgate.
- MUHURI. 2007. *Impact of Insecurity on Human Rights at the Coast*. Mombasa, Kenya: Muslims for Human Rights.
- Muyanga, Philip, and Mazera Ndurya. 2008. "They Tortured Us in Ethiopian 'Guantanamo': Freed Kenyans. *Daily Nation*. 4 October.
- Mwagiru, Ciugu. 2007. Country Faces International Outcry over Mass Transfer of "Terrorists" to Ethiopia. *Daily Nation*. 15 April.
- Mwakio, Philip. 2008. Detained in Guantanamo Bay. *East African Standard*. 29 October.
- . 2009. Mutula Asks U.S. to Return Detained Kenyan. *East African Standard*. 12 November.
- Ndegwa, Alex. 2008. Law Must Be Enacted to Curb Terrorism. *East African Standard*. 9 August.
- Nyassy, Daniel. 2010. U.S. Envoys Speaks [sic] Out against Religious Extremism. *Daily Nation*. 5 September.
- Oded, Ayre. 1996. Islamic Extremism in Kenya: The Rise and Fall of Sheikh Khalid Balala. *Journal of Religion in Africa* 26(4):406–415.
- Okumu, Wafula. 2007. Counterterrorism Measures in the East African Community. In *African Counterterrorism Cooperation: Assessing Regional and Subregional Initiatives*, edited by Andre Le Sage, 77–98. Washington, D.C.: Potomac Books.
- Pflanz, Mike. 2006. Al-Qaeda Taking over Mogadishu, Says US. *Daily Telegraph*. 16 August.
- Prestholdt, Jeremy. 2009. Phantom of the Forever War: Fazul Abdullah Muhammad and the Terrorist Imaginary. *Public Culture* 21(3):451–464.
- REDRESS and Reprieve. 2009. *Kenya and Counterterrorism: A Time for Change*. London: REDRESS. <http://www.redress.org/smartweb/africa/kenya>.
- Reprieve and the Muslim Human Rights Forum. 2009. *Bringing Home Kenya's Abdulmalik Mohamed from Guantánamo Bay*. Issue 419, 12 February.
- Rice, Xan. 2007. Africa's Secret—The Men, Women and Children "Vanished" in the War on Terror. *Guardian*. 23 April.
- Rosenau, William. 2005. Al Qaida Recruitment Trends in Kenyan and Tanzania. *Studies in Conflict and Terrorism* 28:1–10.
- Rotberg, Robert I., ed. 2005. *Battling Terrorism in the Horn of Africa*. Washington, D.C.: Brookings Institution Press.
- Salim, A. I. 1970. The Movement for "Mwambao," or Coast Autonomy in Kenya, 1956–1963. *Hadith* 2. Nairobi: East African Publishing House, 212–28.
- . 1976. Native or Non-Native? The Problem of Identity and the Social Stratification of the Arab-Swahili of Kenya. *Hadith* 6. Nairobi: East African Publishing House, 65–85.
- Seesemann, Rüdiger. 2007. Kenyan Muslims, the Aftermath of 9/11, and the "War on Terror." In *Islam and Muslim Politics in Africa*, edited by Benjamin F. Soares and Rene Otayek, 157–176. London: Palgrave.
- Smith, Malinda, ed. 2010. *Securing Africa: Post-9/11 Discourses on Terrorism*. Burlington, Vt.: Ashgate.
- Tamim, Faraj Abdullah, and Malinda Smith. 2010. Muslims in Post-9/11 East Africa. In *Securing Africa: Post-9/11 Discourses on Terrorism*, edited by Malinda Smith, 99–125. Burlington, Vt.: Ashgate.
- Thoya, Francis. 2001. Suspects Go to Court to Halt FBI Extradition Bid. *Daily Nation*. 13 November.
- . 2003. Imam's Fury over New Anti-Terror Bill. *Coast Express*. 20 June.
- Throup, David, and Charles Hornsby. 1998. *Multi-Party Politics in Kenya*. Athens, Ohio: Ohio University Press.
- United Press International. 2010a. Mystery Airstrike as Somalia Collapses. 28 September.

- . 2010b. Uganda Holds Two Key Al-Qaida Operatives. 29 September.
- U.S. Africa Command Staff. 2009. *United States Africa Command 2009 Posture Statement*. Stuttgart: United States Africa Command.
- U.S. Department of State. 2004. Non-Proliferation, Demining, Anti-Terrorism, and Related Programs. <http://www.state.gov/documents/organization/60647.pdf>
- U.S. Department of State. 2009. *Country Reports on Terrorism 2008*. Washington, D.C.: Publication Office of the Coordinator for Counterterrorism.
- U.S. Embassy, Nairobi. 2003. Q&A Guidance for American Community Members, Embassy of the United States of America, Nairobi, Kenya. E-mail sent to the author. 3 July.
- . 2006. Border Security: U.S. Ambassador Michael E. Ranneberger to Dedicate Boats for Kenyan Navy. 5 October. <http://usembassy.state.gov/nairobi/www/kenavb.html>.
- van de Walle, Nicholas. 2009. U.S. Policy towards Africa: The Bush Legacy and the Obama Administration. *African Affairs* 109(434):1–21.
- Volman, Daniel, and William Minter. 2009. Making Peace or Fueling War in Africa. *Foreign Policy in Focus*. 13 March.
- Wallis, Daniel. 2009. U.S. “Deeply Concerned” by Kenya Coalition Wrangles. *Reuters*. 12 May. <http://www.reuters.com/article/idUSTRE54B4CK20090512>.
- Wanyeki, Muthoni. 2010. Kimathi’s Arrest Renders Kampala Trials a Farce. *The East African*. 7 September.
- Wax, Emily. 2003a. Fearing Attack, Kenya Searches for Al Qaeda Suspect. *Washington Post*. 16 May.
- . 2003b. Kenya to Charge Four in Mombasa Bombing Move Follows Criticism by U.S. Envoy, Warning of Planned Al Qaeda Raids. *Washington Post Foreign Service*. 24 June. <http://www.washingtonpost.com/wp-dyn/articles/A24241-2003Jun23.html>.
- West, Deborah L. 2005. *Combating Terrorism in the Horn of Africa and Yemen*. Cambridge, Mass.: John F. Kennedy School of Government.
- Whitaker, Beth Elise. 2007. Exporting the Patriot Act? Democracy and the “War on Terror” in the Third World. *Third World Quarterly* 28:1017–1032.
- Willis, Justin. 1993. *Mombasa, the Swahili, and the Making of the Mijikenda*. Oxford: Oxford University Press.
- Wolf, Thomas P. 2000. Contemporary Politics. In *Kenya Coast Handbook: Culture, Resources and Development in the East African Littoral*, edited by Jan Hoorweg, Dick Foeken, and R.A. Obudho, 102–155. New Brunswick, N.J.: Transaction Publishers.