A Critique of State Level Implementation of African Union Counterterrorism Instruments

Isaac Mensah

School of Social Sciences, The University of Western Australia
Isaac.mensah@research.uwa.edu.au

Abstract
This article examines the implementation of the African Union counter-terrorism framework by member states. It argues that the state level governance involved in implementing AU policy provisions is often ineffective due largely to a lack of relevant capacity by many African states. This article first critiques terrorism and the military approach to counter terrorism by member states; then evaluates institutional capacity in a number of African states, showing that they often lack sufficient security governance to implement AU policies; and concludes with an evaluation of the inability of member states to contain Islamophobic tendencies within their jurisdictions.

Introduction
The purpose of this article is to critique the implementation by member states of the relevant provisions of the counterterrorism framework of the African Union (AU). The need to restructure and streamline the AU’s counterterrorism framework cannot be overemphasised, but its implementation is primarily entrusted to member states and sub-regional groups. Thus, the AU usually authorises (delegates responsibility to the affected region) instead of mandating (ownership) the fight against terrorism in Africa, with the exception of the African Union Mission in Somalia (AMISOM) which the AU mandated. The AU usually authorises in order to provide political legitimacy and coordination to the mission instead of mandating (direct command, control and financing the mission) (Okeke, 2019).

This article argues that the state level governance involved in implementing relevant AU counterterrorism provisions is often ineffective due largely to a lack of capacity by many African states to fight the scourge of terrorism. To advance this argument, the article is
organised as follows. First, state terrorism and the military approach to counter terrorism by member states is critiqued. Second, an evaluation of national institutional capacity in Africa is conducted. Third, the lack in member states of good security governance to ensure the effective implementation of AU counterterrorism provisions is documented. And fourth, member states’ inability to contain the Islamophobic tendencies within their jurisdictions is evaluated.

**Critique of State Level Implementation of AU Counterterrorism Instruments**

Member states of the AU place no emphasis on state sponsored terrorism or political violence in Africa - that is, “the intentional use or threat of violence by state agents or their proxies against individuals or groups for the purposes of intimidating or frightening a broader audience” (Jackson 2011, 177). The political elite in some African states (including Burundi, the Democratic Republic of Congo, Sudan, Uganda and the Central African Republic) often perceive political opponents as enemies and hence adopt intimidation, torturing and arbitrary execution in a quest to consolidate their regime. A 2016 report on the continental level trends in peace and security in Africa by the Institute for Peace and Security Studies (IPSS) indicated that 8,050 civilians were killed by political militias and state security forces across the continent of Africa (IPSS, 2016). In the case of Sudan, for example, Mickler (2010) believes that there has been a campaign of terror unleashed on the people of the Darfur region in Sudan since 2003. He explains that President Bashir, to maintain power and Arab interests in Sudan, deliberately employed local militias and the entire state apparatus to terrorise non-Arab Sudanese citizens. Such widespread impunities are pervasive, and the after-effect is an entrenched sub-culture of fear and panic among the populace of these countries.

This labelling of ‘terrorism’ is often targeted at non-state actors because of the pejorative and negative assumptions that are often associated with it (Jackson et al 2011). As Richardson (2006, 19) puts it, “terrorism is something the bad guys do”. Some experts, however, express misgivings about equating political violence with state terrorism. Peter Otim, a terrorism expert at the AU, suggests that ‘state brutality’ is more appropriate to use than ‘state terrorism’ when states turn violent against their citizens. His argument is that states usually apply minimal and proportionate force to enforce law and order and, therefore, the rare excesses which are often seen as brutalities cannot be said to be state terrorism (Dr. Peter Otim, Defense and Security Division at the African Union, Addis Ababa, Ethiopia, field interview, November 06, 2018).
Elias Benyu equally maintains that state sponsored terrorism in Africa is non-existent, even though there is widespread state suppression of civil dissent through violent means and impunity. He indicates that when the brutalities of states become rife, the AU has mechanisms to intervene, such as diplomacy, without labelling such states as terrorists. He further argues that state sponsored terrorism is not enshrined in the statutes of the AU and therefore, there is no legal backing either at the continental, regional or state levels to a claim of state sponsored terrorism in Africa (Mr. Elias Benyu, African Centre for the Study and Research on Terrorism, Algiers, Algeria, field interview, November 07, 2018). Emmanuel Kotia, at the Kofi Annan International Peacekeeping Training Centre (KAIPTC), further adds emphatically that political violence in all its forms in Africa is not terrorism. It is the responsibility of the state to ensure the security of all elements within its borders. Hence, member states of the AU usually apply minimal force to quell an insurrection within its borders to ensure peace and tranquillity for development. For him, such actions by states do not constitute terrorism (Dr. Emmanuel Kotia, Kofi Annan International Peacekeeping Training Centre, Accra, Ghana, field interview, November 28, 2018).

However, I argue that exacting violence by state agents whether minimal or proportionate to intimidate the larger society and individuals, as often occurs in Uganda for example, constitutes terrorism. Indeed, regime security and survival by ruling political actors is often prioritised and considered paramount over human security. Countering terrorism therefore has been more aggressively focused on non-state actors such as Boko Haram, Al Shabaab, Ansar Dine and Al Qaida in the Islamic Maghreb (AQIM). Countries such as Zimbabwe, Rwanda, Uganda and Burundi have used the rubric of counterterrorism to fight dissidents and political opposition. These actions undergird and solidify policies of suppression and anti-democratic practices. Elias Benyu maintains that the focus on non-state terrorism emanates from the definition of terrorism by the 1999 OAU Algiers Convention which serves as a guide to member states in conceptualising terrorism in their respective national anti-terrorism laws. He further intimates that the separate national anti-terrorism laws have indeed contributed to the entrenched focus on non-state actors as terrorists in Africa. Emmanuel Kotia, however, sees nothing wrong with member states of the AU having their own respective counter-terrorism frameworks or national anti-terrorism laws.

The emphasis on non-state terrorism in Africa, however, is problematic. This is because states have killed and caused more injuries to their own citizens outside of war than non-state terrorists. This is
ostensibly because states wield greater coercive power and resources than non-state terrorists (Jackson, 2011). The belief that states are victims of terrorist violence has a “distorting effect on knowledge and research on terrorism because it creates an impression that it is more important to understand and deal with non-state terrorism than with state terrorism” (Jackson 2011, 176). It is interesting to note that terrorism was originally a term used to describe a particular kind of state violence. It was not constructed to describe the actions of non-state actors such as al-Qaeda, Al Shabaab and Boko Haram (Jackson et al 2011). Instead, “it was created at the time of the French revolution to refer to the actions undertaken by the state against dissidents and dissenters in their own populations” (Halliday 2002, 72). It lacked the negative and pejorative connotations that are now inherent to the term. Over a period of time, the meaning, usage and perception of terrorism has changed. For Jackson et al (2011, 116), the mutating nature of the “concept of terrorism is due to the fact that the concept is socially constructed and labelled politically”. The meaning of terrorism changes frequently and dramatically, and so too does understanding of who terrorists are in any historical or political context.

As a result of the emphasis on non-state actors as terrorists, the military approach is often adopted to neutralise their activities. Usually, a war is declared on such terrorists operating in Africa by state actors. Jackson (2005, 147) intimates that “the war on terror is not value neutral, but deliberately constructed to make war appear as reasonable, responsible and inherently good”. The declaration of war on terror has “led to the rhetoric of us (states) and them (terrorists) since the ‘us’ is seen as being good, those opposed to ‘us’ are necessarily evil, which contributes to the notion of othering” (Jackson 2005, 149). A clear battle line, therefore, is usually drawn between African states and terrorists. Indeed, the zero-sum portrayal of the global war on terrorism has obscured chances of negotiations or political settlements. Buzan (as cited in Solomon 2015, 15) describes this as “either we defeat them, or they kill us” syndrome which does away with any possible creation of win-win scenarios or addressing disputes through diplomatic channels. Such a military approach only serves to undermine comprehensive approaches to counter terrorism in Africa. After all, a superficial understanding of terrorism results in superficial approaches to counter terrorism. The main aim of such a war approach is to deter, combat and neutralise terrorists. Whittaker (2012, 259) adds that “neutralisation in this context means rendering the threat benign by weakening terrorist organisations and their political appeal”. Biggio (2002) supports neutralisation of terrorists and argues
that acts of terrorism should be considered as acts of war and should be fought in similar fashion. Terrorist acts by non-state actors against victim nations should be seen as a declaration of war (Biggio, 2002). To achieve this combative counterterrorism approach, the military, police and intelligence apparatus play essential roles in this process. This approach oftentimes is adopted in order to eliminate leaders of terrorist groups. The idea is that without leadership these groups will flounder (Kenney, 2003).

This combative and deterrent approach, however, has not achieved its purpose in Africa. The current incessant attacks by Al Shabaab, Boko Haram and Al Qaida in the Islamic Maghreb (AQIM) on lives and properties are a testimony to the failure of the military approach. In September 2013, Al Shabaab attacked the Westgate Shopping mall in Nairobi, Kenya, and killed almost 70 people (Solomon, 2013). The fact that this attack took place at a time when the Somali-based militant group had ostensibly suffered military defeats on Somali soil – “at the hands of AMISOM supported by regional governments such as Ethiopia, and foreign governments, in particular the US, must raise serious questions about the utility of military-focused counterterrorism strategies” (Solomon 2015, 10). Also, in September 2013, four Islamist suicide bombers detonated their explosive vests in the historic town of Timbuktu in northern Mali. Although the French government had launched a successful military offensive together with regional states in January 2013, “which ousted the militants from the northern Mali towns of Gao, Kidal and Timbuktu, these groups have embarked on a campaign of asymmetric violence which has claimed even more lives” (Solomon, 2015, 10). The efficacy of military-centred counter-terrorism responses is questionable. Indeed, the use of the military has often been a push factor for further terrorism, rather than preventing it. The rhetoric of global war on terrorism in Africa further fuels instability.

To rely on the tactics of conventional warfare to counter terrorism in Africa is counterproductive. This is because conventional mechanisms in an unconventional conflict usually lead to massive casualties, particularly of innocent civilians (Botha, 2008). The need for African countries, therefore, to focus on the underlying structural conditions fuelling terrorism in Africa cannot be overemphasised. At best, the success of this militaristic counter-terrorism approach leads to the migration of terrorists to the territory of neighbouring states. Surely the spread of terrorism into a neighbouring state cannot be considered effective. Yet from a narrow nation-state perspective it can, since it has reduced the number of terrorist incidents on the territory of a particular state. This,
then, makes the case for adopting a wider lens with which to assess the effectiveness of existing counter-terrorism practices in Africa (Solomon, 2015). Thus, developing counter-terrorism strategy needs to shift from the short-term emphases on political suppression and military force, to a long-term formula that is based on institutions, development and social justice (Makinda, 2006). Philip Attuquafio agrees with Makinda and maintains that the sole dependence on a military approach to fight terrorism in Africa needs to be revised. In addition to the military option, stabilisation mechanism which is a human security-centered approach – that is, restarting livelihoods and addressing the root causes of terrorism in Africa, should be part of the approach to counter terrorism in Africa. He indicates that such initiatives are being embarked upon in the Lake Chad Basin Commission (LCBC), but this should be a continent-wide project financed by Africans themselves. This in turn illustrates the need for an effective continental counter-terrorism framework through the African Union.

**Weak Institutional Capacity to Implement the AU Counterterrorism Provisions**

With the advent of globalisation, terrorist organisations have become far more dispersed than their hierarchical predecessors and this requires a holistic approach to counter them. Referring to Al Qaeda, Kenney (2003, 192) states that it “is a loosely knitted network of cells and associates spread over many countries characterised by relatively flat decision-making regions”. These cells are each “compartmentalised and semi-autonomous” (Kenney 2003, 192). While Al Qaida’s central leadership provides “ideological inspiration and general guidelines for action, operational matters are left to individual cells and coordination occurs at the level of various cluster committees – for example, military operations, business and finance, and media” (Kenney 2003, 193). Indeed, the coordination work of the various cluster committees has become less important as information technology provides a mechanism to coordinate the disparate cells, resulting in an even more diffuse organisation (Tucker 2001). In such situations, a traditional approach to counter terrorism, such as neutralising and eliminating top leaders of terrorist groups such as AQIM, Boko Haram and al Shabaab is ineffective. Hence, the AU urges member states to use the Anti-terrorism Model Law (2010), which criminalises terrorism on digital platforms, as a basis for enacting new or revise their existing anti-terrorism laws and institutions to counter it. Member states, however, have not been able to adequately address this network / digital terrorism. This is apparently because they often lack the institutional and technological capacity
to implement the provisions of the AU Model Law in their respective jurisdictions (Benyu, “Field interview”).

Indeed, several countries in Africa are institutionally and administratively weak. To build such institutions in Africa is complex and remains a challenge for many governments and states. This challenge is compounded by “the volatile conditions found in fragile and conflict-affected settings (FCS), where human security, social cohesion, political stability, and economic activity have been dislocated” (Lorena et al 2014, 1). Examples abound across Africa of such protracted conflict situations. Since the 1960s, there have been series of civil wars in several countries such as Sudan, Chad, Angola, Liberia, Nigeria, Somalia, Burundi, Rwanda and Sierra Leone, DRC, and CAR.

The DRC, CAR and Somalia for example are the epitome of states with weak institutional capacity in Africa. There have been protracted conflicts in these countries for years between government forces on one hand and armed groups such as Allied Democratic Forces (ADF), and al-Shabaab on the other. The chronic in-fighting and factional strife has created a state of anarchy in these countries. Larger parts of the DRC and Somalia remain under the de facto control of various warlords and al-Shabaab respectively. The DRC in particular has represented “the full range of African maladies, from colonial domination and exploitation through corruption, rebellions, vicious circle of coups and counter coups, mutinies, unconstitutional regimes, authoritarian rules and ethnic conflicts, to military regimes and mismanagement” (Mbata 2003, 236). These conflicts also have regional dimensions particularly in the DRC, where six African countries have been involved militarily either on the side of the rebels or the government forces. Countries such as Rwanda, Uganda, and Burundi have joined their forces with the rebels while Angola, Zimbabwe, and Namibia are on the side of the government forces.

This has indeed proven to be one of the complex conflicts in the post-Cold war era Africa. The effects of this conflict on human lives and properties are insurmountable across the sub-Saharan region and the entire continent. The humanitarian crisis in the DRC is among the most complex, deadly and prolonged as the numbers of displaced persons, sexual crimes, mutilations and summary executions have been of a staggering magnitude. The number of recorded deaths far exceed four million people and Mbata (2003) notes that this figure is much higher than the national population of many African countries and several times superior to the number of victims of the Rwandan, Yugoslav and Sierra Leonean conflicts that attracted and warranted the setting up of
international tribunals for prosecution. In the words of Howard Wolpe (as cited in Mbata 2003, 237), the US Special Envoy to Africa’s Great Lakes region, “the DRC war was the most widespread interstate war in modern African history”. It was also considered by some analysts “the African equivalent of World War I and labelled African World War” (Naidoo 1999 cited Mbata 2003, 237). The conflict resulted in the violation of virtually all the rights in the African Charter. Over four million people reportedly died during the conflict. The conflict in CAR between the ex-Seleka and anti-balaka militias also remains unabated. Indeed, these militias along with hundreds of other localised groups operate openly and control as much as two-thirds of CAR’s territory (Global Conflict Tracker, 2019).

And the current protracted conflict in Somalia also deserves mention. This breakdown of peace is rooted in several factors including the colonial legacy, the cold war legacy, unhealthy competition among the various clans in Somalia, competition for limited economic resources, and bad governance etc. Elmi and Barise (2006) particularly emphasise on the politicised clan identity which in their view, is one of the main causal factors for the conflict conundrum in Somalia. They explain that in 1991, armed rebel groups which consisted of the various clans in Somalia including the Da-rood, Hawiye, Rahanwyeen, Dir and Isaak, were dissatisfied with the Barre government in Somalia and consequently, overthrew it. These armed rebel groups later morphed into the Islamic Courts Union (ICU) which became a movement that had a socio-politico-religious agenda in Somalia. This tumultuous environment eventually provided a safe haven for terrorists including al Qaeda and al Shabaab, (the military wing of ICU) in Somalia (Fergusson as cited in Agbiboia, 2014). This unstable situation in Somalia has been a contributing factor to the spread of violent radicalism in the entire East Africa region. Indeed, the presence of al Qaeda in East Africa has resulted in several terrorist attacks against the interest and entities of the United States of America (US) in the region particularly the US embassies in Kenya and Tanzania in 1998. In 2002, al Qaeda conducted coordinated terrorist attacks in Mombassa, Kenya that caused many casualties including human lives and the destruction of property. In addition to these, al Qaeda collaborates with al Shabaab and provides the latter with ideological direction and technical assistance in terrorism (Abbink, 2009).

Again, most African countries have also witnessed a number of border and inter-state conflicts. Notable among these conflicts are; “the Nigeria-Cameroon dispute over Bakassi peninsular; Algeria-Morocco
conflict over the Atlas Mountains area; Eritrea-Ethiopian crisis; Somalia-Ethiopia dispute over the Ugandan desert region; Chad-Libya crisis of 1980-82; Kenya-Somalia border war; Tanzania-Uganda crisis in 1978-79" (Barkindo et al 1994, 279). As Ajayi (cited Aremu, 2010, 550) has rightly observed, “the regularity of conflicts in Africa has become one of the distinct characteristics of the continent”. In the view of Alabi (2006), the history of Africa as a continent is replete with conflict and wars.

These conflicts have had significant negative impacts on the overall development of the countries involved and the sub-region at large. Besides death and destruction of property and infrastructure, there have been large scale displacements of people including vulnerable women and children. The economic costs of these conflicts are overwhelming and indeed, these violent conflicts have discouraged private investment and pushed the economies of these countries towards stagnation. But, one key negative effect on these conflict-ridden countries is that their institutions have been rendered extremely weak. The central authority in CAR as well as law and order have practically disintegrated. Hence, the government in Bangui, the capital city of CAR, is unable to extend control outside the capital. In other words, the national government exercises only tenuous control over the people, organisations, and activities within the territorial jurisdiction of CAR. The case of Somalia is no different as there is virtual absence of government contrary to the organised and centralised manner in which states are commonly organised. The absence of government in Somalia has led to a general inability to maintain law and order. Countries such as Zimbabwe, Liberia, Mali, Burkina Faso, Libya, Sudan, South Sudan, Guinea, and Congo-Brazzaville lack the institutional capacity to provide order and security, social services and delivering of public and political goods. Where institutions appear to be relatively strong in countries such as Ghana, South Africa, Senegal, Lesotho, Cape Verde and Rwanda, the executive usually wield excessive powers such that all other institutions including the legislature, judiciary, bureaucracy and the military are subservient to it (Rotberg, 2011).

Moreover, the nature and design of constitutions in some African countries have affected the effectiveness of political institutions. The constitution of the Republic of Ghana for example, has vested enormous powers of appointment to the executive particularly appointment of judges, ministers of state, members of cabinet, officers of the public services, boards of directors of all public commissions, institutions and corporations, managers, ambassadors, and a significant number of the membership of the Council of State. More importantly, the majority of the appointments of ministers of state by the president must be done from
the legislature (Asante, 2002), and legislation with financial implications for the consolidated fund must be initiated by the president’s cabinet. Ironically, these bodies were established to serve as checks against the potential abuse of powers by various state institutions, but, executive hegemony over these commissions has significantly undermined their independence. As a result, these institutions usually owe allegiance to the appointing authority instead of the citizenry (Abdulai, 2009). Indeed, strong states (sustainable and stable) and effective institutions (tractable, durable and legitimate) in Africa are a sine qua non for implementing the provisions of the AU counterterrorism framework including the Anti-Terrorism Model Law (2010).

Lack of Good Security Governance in African States

There is a lack of good security governance in many states in the developing world. Indeed, the importance of civil society participation in security governance within any polity cannot be overemphasised as it is the “third sector” of society, along with government and the market. Most African states, however, rarely offer civil society actors and individuals the opportunity to participate in the discourse on terrorism or counter-terrorism policymaking. Elias Benyu at the African Centre for the Study and Research on Terrorism asserts that there is limited or no scope for civilian input in most of the security-oriented mechanisms in Africa. The AU’s Citizens and Diaspora Directorate (CIDO) and Economic, Social and Cultural Council (ECOSOCC) are platforms for non-governmental organisations and inter-faith groups to interact on various themes bordering on the continent of Africa. However, CIDO and ECOSOCC remain dysfunctional and there is no evidence of their offices either at the sub-regional levels or in any of the member states of the AU. The AU’s counterterrorism instruments cannot be effectively implemented without broad and active participation of the larger society.

The lack of participation by civil society actors in terrorism and counterterrorism policies is ostensibly due to the poor democratic culture of many African states. According to the 2020 Ibrahim Index of African Governance (IIAG), participation, rights and inclusion in governance related activities in Africa have deteriorated over the past decade, at twice the speed since 2015. With an African average score of 46.2 in 2019, participation, rights and inclusion are the lowest-scoring category among security and rule of law; human development; and foundations for economic opportunity. Participation, rights and inclusion have also experienced the largest deterioration both between 2010 and 2019 (-1.4) and between 2015 and 2019 (-1.3). The pace of deterioration has more than doubled since 2015, with an annual average trend of -0.33 compared
to -0.16 over the decade (2010-2019). The figure below summarises the 2020 IIAG on participation, rights and inclusion in governance in Africa.

**Figure 1. 2020 IIAG: Index Report**

Kenya, for example, recorded a negative change of -0.6 regarding participation, rights and inclusion between 2010 and 2019 in the 2020 IIAG report. Ouche (2009) intimated that the relationship between the government and civil society in Kenya is largely characterised by
mutual distrust, misunderstanding and suspicion. Whereas the civil society perceives the public security sector regime as secretive and as a representation of an often-unresponsive government, the government regards the civil society as representing foreign security interests in Kenya. Security governance issues in Africa are largely the preserve of the state and the civil society has no or little opportunity to contribute to the overall security aspiration of the larger society (Oxche, 2009). Indeed, in authoritarian regimes such as Eritrea and Swaziland (Eswathi) which recorded adverse changes of -4.1 and -2.0 respectively in participation, rights and inclusion in the IIAG report, have political participation and pluralism in their respective countries totally circumscribed. The ruling regimes of these countries censure the media and excessively limit civil liberties. Consequently, the kind of social interaction between a dense, diverse and pluralistic network of ordinary citizens and organisations such as religious bodies, trade and professional associations, non-commercial organisations, community-based entities and the state in countering terrorism is repudiated.

As a result, terrorism and counterterrorism / security policies in Africa appear alien to the very masses these policies seek to govern and protect. In other words, there is a disconnect between counterterrorism policies of member states and their citizens. Since the AU’s conception of terrorism is overly ambiguous, African states have relied on Western models and philosophy in categorising and fighting terrorism in Africa. Lumina (2008) explains that many African countries have been pressured to introduce anti-terrorism legislation by powerful countries, without due regard to their local circumstances. This situation not only heightens the likelihood that these countries have not paid much attention to the human rights implications of such legislation, but it also increases the risk of abuse by the governments concerned. Mogire and Mkutu Agade (2011) indicate that the measures, rationale, assumptions and motivations behind counterterrorism measures in Kenya for example, do not have the support of the citizens of Kenya. The measures adopted to fight the scourge of terrorism in Kenya are externally imposed primarily by the United States of America (USA). These measures are indeed usually seen as a tool of US imperialism in Africa. Olsen (2014) even sees it as proxy war in Africa by the Western powers using African natives to fight while they provide logistics, funds and training for African troops. Botha (2008) therefore advises that African countries must rethink and focus on the need to address the underlying factors that drive individuals to resort to terrorism and develop counterterrorism strategy and definition that is conducive to human security and protection. He is emphatic
about Somalia, Egypt and Zimbabwe that their socio-politico-economic conditions pose huge threats to their societies. He further asserts that marginalisation particularly on religious, ethnic and cultural lines leads to isolation which provides fertile grounds for radicalisation.

**Essentialisation of Islam and its effects on Counterterrorism in Africa**

Member states have done little to control a narrative that essentialises the Islamic faith in Africa. Specifically, the discourse on religious extremism in most African states is often associated with Islam. This is usually the case in Nigeria because of Boko Haram’s declaration of the Islamic Caliphate in Bama local government area of Borno State and the several terrorist acts committed in Nigeria and neighbouring countries Cameroon, Chad and Niger. Boko Haram has successfully interpreted jihad as a rationale for violence and aggression. Little (2007, p. 4) explains that “religious teachings have been used to legitimise wars and all forms of brutality and violence.” Peter Otim avers that this perverted interpretation of Islam by Boko Haram is for purposes of politics.\(^4\) In fact, the meaning of jihad is subjective, and its interpretation is at the behest of a particular teacher, speaker, scholar or preacher at a particular point in time. Often times, the interpretation ranges from subtle and moderate to intense and violent connotations. Indeed, whenever jihad is mentioned in Nigeria, most non-Muslims assume it is synonymous with violence against non-Muslims. In the words of Hill (2013, 334), to non-Muslims, jihad “denotes danger, violence, suicide bombers and fear.” This wrong notion has heightened the prospects of full-blown Islamophobia especially among non-Muslims in Nigeria. This has led to stigmatisation, marginalisation and stereotyping of all Nigerian Muslims as terrorists. Especially, Muslims in south-eastern cities such as Onitsha and Aba live in constant fear because of the perceived animosity from non-Muslims.\(^5\)

Elias Benyu argues that even though terrorism has no direct connection with a particular religion in Africa, the attempt to negate the Islamic narratives and practices imposed by Islamists such as Boko Haram, appear as essentialising the Islamic faith. He however concedes that this has greatly affected the Islamic religion.\(^6\)

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\(^4\) In Otim, Defense, “Field interview.”

\(^5\) Mr. Mustapha Abdallah, Kofi Annan International Peacekeeping Training Centre, Accra, Ghana, field interview, November 23, 2018.

\(^6\) Benyu, “Field interview.”
For example, Islam in regions such as southern Africa is received with so much scepticism as it remains akin to welcoming a religion of terrorists. The fight against terrorism in Africa indeed has been likened to fighting Islam and its influence. Aziz Nurudeen, at the United Nations Economic Commission for Africa, strongly maintains that Islam in most African countries, including Nigeria, has been essentialised and that has gravely affected the fight against Boko Haram. Mustapha Abdallah shares a similar view and argues that the Islamic faith in Nigeria is targeted, framed and labelled. Philip Attuquaefio argues that the whole Islamic religion is sometimes essentialised because of reported cases of indoctrination in some ‘madaris’ (religious institutions). In view of this, African Muslims elsewhere may feel targeted and marginalised as far as countering terrorism in Africa is concerned.

Some terrorists such as Boko Haram, Al Shabaab, and Ansar Dine usually capitalise on this neglect and isolation and appeal to the conscience of these marginalised groups, and particularly the youth, for possible recruitment. They often offer alternative avenues for these disgruntled Muslim youth where promises are given to redress any social and religious concerns deemed to have been exacted by the larger society. In the process of this purported inclusiveness, these youth are radicalised to commit terror. Schaefer and Black (2011) explain that Al Shabaab in Somalia has adopted this strategy as they seek to galvanise the Somali population behind them for a united and greater Somalia. Abdisaid (2016) intimates that while Islamist extremism in East Africa is always associated with Al Shabaab, the scourge has indeed expanded to varying degrees throughout the sub-region of East Africa. Discussions on terrorism in the Sahel region and the Horn of Africa for example, have focused mainly on Islamic militancy and in the view of Ostebo (2012), Islamic militancy poses a monumental threat to regional stability. However, to over-emphasise an Islamic connection to terrorism in Africa is counterproductive to the fight against terrorism. This is because most countries in Africa largely affected by terrorism including Somalia, Niger, Nigeria, Mali, Libya, Chad and Algeria are more than 50 per cent Muslim. According to DeSilver and Masci (2017) at the Pew Research Centre, there is a population of about 250 million Muslims in sub-Saharan Africa alone.

7 Dr. Aziz Nurudeen, the United Nations Economic Commission for Africa, Addis Ababa, Ethiopia, field interview, November 05, 2018
8 Mr. Mustapha Abdallah, Kofi Annan International Peacekeeping Training Centre, Accra, Ghana, field interview, November 23, 2018
9 Attuquaefio, “Field interview.”
Certainly, all Muslims cannot be classified as terrorists and hence, member states’ inability to control the essentialisation of the Islamic faith undermines their efforts to counter terrorism.

**Conclusion**

The mode of implementation of the relevant provisions of the AU counterterrorism instruments is problematic. This article has argued that the state level governance which is required to implement the provisions of the AU counterterrorism provisions is ineffective. This is because, first, member states have limited the scope of terrorism and counterterrorism to the actions of only non-state actors such as Boko Haram and have placed excessive focus on military approaches to combat terrorists. This labelling by member states excludes state terrorism committed by themselves. Second, member states of the AU often lack the institutional capacity to effectively implement the relevant provisions of the AU counterterrorism framework. Third, member states often lack good security governance for the implementation of the AU counterterrorism provisions. Civil society actors are often excluded from the discourse on terrorism and counterterrorism policymaking and this is largely due to the poor democratic culture of many African states. And fourth, member states’ inability to contain and control Islamophobia is counterproductive to the fight against terrorism in Africa.

**References**


