

## Newspaper Framing of The War on Terror and its Implications for Human Rights: The Case of Garissa Terrorist Attacks in Kenya

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### Abstract

*The study explores how the framing of the war on terror in Kenyan newspapers is re-shaping the human rights discourse. It principally explores how Kenya's counterterrorism responses since the late 1990s have impacted human rights enjoyment with a particular emphasis on the April 2015 Garissa terrorist attacks. The study examines media's portrayal of selected various human rights derogations such as the refoulement of refugees and asylum seekers, securitization and profiling of Muslim identities, and torture among others. The rights derogations are assessed within existing human rights provisions enshrined in both domestic and international law. The study adopts a qualitative content analysis approach to identify media frames of terrorism in print media. The study analyzed the contents of 105 news articles that were published in The Standard newspaper regarding the Garissa University College terrorist attack within four weeks of the attacks. The findings indicate an increased media tolerance towards the violation of the rights of civilians in the context of the war on terror. The study recommends that the media should not abandon championing for human rights in the context of the war on terror.*

**Keywords: Framing; Human Rights; Mainstream Media; War on Terror; Kenya**

## Introduction

Over the last years, Kenya has experienced a terrifying, exponential increase in the number of terrorist attacks which have received significant coverage in the news media. The coverage of the war on terror in the context of media studies is increasingly common in the first two decades of the 21st century. The global shift from the Cold War frame to the war on terror frame has offered media practitioners new ways to write diverse stories on global conflict, civil wars, and international security (Norris, Kern & Just, 2003). This new frame has simplified complex global security issues and helped journalists to communicate simple, clear and coherent narratives that potentially reshape perceptions of friends and enemies, as well as the human rights discourse (Norris *et al.*, 2003).

The current discourse on the war on terror presents a paradigm shift from the framing of terrorism in Kenya in the early post-independence period. During Kenya's nascent encounters with terrorism, acts of terror were presented as discrete incidences which were perpetrated by discrete groups who sought discrete goals, instead of a globally connected organised network seeking to destabilize the status quo. In 1975 and 1980, for instance, Kenya witnessed terrorist bombings in its capital, Nairobi. These terror attacks were, at the time, framed by newspapers as terrorists targeting foreign interests in Kenya. The acts weren't framed as part of an overarching war on terror.

Indeed, in the 1970s the concept of framing in the field of political communication was

just gaining root and it was not until a decade later that it gained widespread adoption. Its popularity stemmed from its use in media and communication studies by scholars such as Tuchman (1978) and Gitlin (1980). Scholars have increasingly researched the war on terror by basing their studies on the framing theory. Some of the common constructs which have been studied include editorials from newspapers after the 9/11 attack in the US (Ryan, 2004), comparative studies on coverage of newspapers in various countries (Danis & Stohl, 2008; Dimitrova & Stromback, 2005), the constructions of new models of relationships between the media and the state (Entman, 2003), analysis of invocation and contestation of 'securitization' (Vultee, 2007), and analysis of the war on terror by reporters who are assigned to cover it (Lewis & Reese, 2009).

The Kenyan state finds itself in a tough balancing act given the growing wave of terror attacks in the country including a recent attack in Garissa, in North Eastern Kenya, in April 2015 that left at least 150 students dead at a university campus. The attack was blamed on the Al-Shabaab terror network. Previous terror attacks in Kenya include the 2013 Westgate attacks that left at least 67 people dead, the 1998 bombing of the US embassy, and the 2002 bombing of the paradise hotel located in coastal Kenya. The state's counterterrorism actions in reacting to these attacks have had negative implications on human rights.

In Kenya's counterterrorism responses, President Moi and President Kibaki's regimes post 1998 and post-2002 respectively securitized the Arab and Coastal Muslim

communities as being responsible for terror attacks in a blanket manner. The Kibaki regime (post-2002) was a beneficiary of enhanced security aid, with one of the outcomes being the creation of the Anti-Terrorism Police (ATPU) in 2003. The ATPU has been on several occasions criticized for violating the rights of Muslims (Prestholdt, 2011; Whitaker, 2007). Discrimination occurs when there is a blanket condemnation of particular religious groups or communities. Civil society groups and local non-governmental organizations (NGOs) such as Muslim Human Rights Forum, and international advocacy groups such as Human Rights Watch have critiqued the Kenyan government for its violations of human rights (Lind & Howell, 2010).

The Kenyan government has been variously accused by several commentators that it serves as a partner for western countries' security agenda and specifically in the US's counterterrorism responses (Whitaker, 2008). The Kenyan government has been accused of breaching several international conventions against human rights, arbitrary arrests and subsequent torture, and forceful deportation as provided for under the International Covenant on Civil and Political Rights (ICPR) (Bachmann, 2012).

Further, Kenya's response to counterterrorism which has constituted linking refugeeism and terrorism has been the dominant approach to its conflict with Somalia (Human Rights Watch, 2013; Birkett, 2013). Kenyan authorities have in this period securitized the Somali state and its citizens as constituting terror threats to the country and thus setting aside humanitarian

concerns. Specific governmental interventions have entailed preventing Somali asylum seekers' entry into the country and expelling those that have gained an 'illegal entry' (Jaji, 2013).

Kenya, in her refoulement stance, has contravened several international conventions it is a party to. For instance, Kenya has ratified the 1951 Geneva Convention relating to the Status of Refugees and its 1969 Protocol. Kenya is also party to the African's Union Convention Governing the Specific Aspects of Refugee Problems in Africa which it ratified in 1992 in addition to ratifying the African Charter on Human and Peoples Charter (Jaji, 2013; Verdirame, 1999).

These Conventions provide direction on how refugees and asylum seekers ought to be treated. Article 3 of the Geneva Convention prohibits discrimination based on religion, race, or country of origin. Article 31 of the same Convention provides that contracting states cannot place penalties on refugees for illegal entry into a country provided that the refugee (s) can show a clear reason for their illegal entry. Article 33 of the Geneva Convention provides a non-refoulement clause which prohibits member nations from expelling refugees or deporting them back to countries where their right to life cannot be guaranteed (Jaji, 2013).

Similarly, the AU Refugee Convention Article 2.3 provides for non-refoulement clause which condemns the wholesome expulsion of refugees and thus argues that fleeing populations have the right to enter an international border and enter a new country.

The Kenyan government has framed its refoulement of asylum seekers from Somalia and refugees as a pre-emptive security manoeuvre to prevent threats to its internal security and not as a violation of the fundamental rights of asylum seekers (Jaji, 2013).

It is against this backdrop that the study sought to examine how the framing of the war on terror in Kenyan newspapers is reshaping the human rights discourse. More specifically, the study examines how media's portrayal of selected various human rights derogations such as refoulement of refugees and asylum seekers, securitization and profiling of Muslim identities, and torture was framed in Kenyan newspapers and its implication for human rights.

### **Theoretical framework**

The study was based on the media framing theory by Erving Goffman (1974). The theory views framing as how information is selected and assembled to create stories which have meaning for media and their audiences (Ryan, 1991). The frames help us to understand information and negotiate meanings (Goffman, 1974). In this sense then, frames are more than phrases. They act as organising principles that are shared socially over time and are symbolic representations that structure our social world (Reese, 2001). When reporters use the information to create news stories on terrorism, they are influenced by their own biases and perceptions in the process of locating, understanding and presenting the information as news. The information contained in the stories could be factual,

however, the elements the reporters chose to include and emphasize have the potential of influencing the audiences' perceptions of human rights issues surrounding terrorism events.

Although there are many ways of describing events in our world, most journalists fall back on familiar frames in order to make sense of the events, communicate dominant meanings, focus the headings and structure the storyline. Reliance on conventional news frames serves to provide contextual cues, negotiate meaning and simplify complex issues, events and actions by casting them into familiar categories or storyline pegs. Frames of terrorism that are dominant and conventional help to furnish consistent, predictable, simple and powerful narratives that are embedded in the social construction of reality (Bennett, 1990).

When media present terrorist events as one-sided cases, members of a particular community may reach a consensus on how the event is to be interpreted. The one-sided news frame is usually quite so strong and pervasive that members of the community, sometimes including the journalists themselves, may be unaware of this process (Bennett, 1990). However, news frames that are two-sided provide more contrast which results in differences in perceptions and evaluations of acts of terrorism which are broadcasted on mass media. The discourse that emerges indicates contestations of the coverage of the terrorist events by news media in aspects such as the language used to describe events, the selection, depiction and meaning of iconic images, and the choice of experts and authorities for commentary.

## Methodology

The study adopted a qualitative content analysis approach to identify media frames of terrorism. The study focused on the articles published in *The Standard* newspaper between April 2, 2015, and May 2, 2015. The dates are blocs of one month period within which the Garissa University College attacks by Al-Shabaab occurred. The study analyzed the contents of 105 news articles that were published regarding the Garissa University College terrorist attack within this period. We used an emergent coding procedure where six coders read published news articles on terrorist events, with some overlap to test similarity in observations. We focused on the words and phrases that had been repeated in the news stories and which the coders had highlighted. We excluded letters to the editor and editorials in our sample. Each of the researchers read the texts systematically and recorded all frequent references. Afterwards, the researchers met and selected the most common set of themes from the data that was gathered. The data gathered was analysed qualitatively.

## Findings

### Salience of the articles on the terrorist attack

Salience refers to the importance placed on a news item in terms of frequency and prominence, which determines whether the audience will regard the issue as important (Littlejohn, 2010). Prominence refers to the page on which the articles were placed in the newspaper as well as the size they covered. This parameter is a significant indicator of the importance that the newspapers placed on the articles (Tuchman, 1978). Analysis showed that *The Standard* published 105 articles in the period under investigation regarding the Garissa University College terrorist attack. In terms of placement by page numbers, the study established that a majority of articles on the Garissa University College attack were placed between pages 1 and 5 as shown in Table 1. This shows that the articles on the Garissa University College attacks by Al Shabaab were considered salient and they enjoyed significant exposure to the consumers of the newspaper.

*Table 1: Placement of Articles by Page in The Standard*

Placement by page	Frequency	Percentage
1-5	58	54
6-10	24	22
11-15	15	13
16-20	4	3
21-25	4	3
26-30	6	5
<b>Total</b>	<b>105</b>	<b>100</b>

*Source: Research Data, 2016*

Articles perceived as salient usually receive wide coverage in terms of size of display. Articles that range from half-page to full-page are meant to have the highest visibility with the readers. On the other hand, articles judged by editors as less salient are reduced to news briefs. The majority of the articles on the Garissa University College attack covered quarter pages and full pages, in that

order as shown in Table 2. A majority of articles (44 per cent) covered a quarter page, followed by those covering a full page (26 per cent) and half a page (23 per cent). News briefs covered 7 per cent. This means that articles on the Garissa University College attacks by Al Shabaab enjoyed significant coverage in terms of size hence they were considered salient.

*Table 2: Placement of Articles by Size in The Standard*

Placement by Size	Frequency	Percentage
Full page	27	26
Half page	24	23
Quarter page	46	44
News brief	8	7
Total	105	100

*Source: Research Data, 2016*

## Binary Constructions

*The Standard* newspaper employed binary constructions in framing the Garissa attack. The attack was framed as a fight of good against evil. The militants were described using words like ‘enemy’, ‘dragon’ and ‘Islamist’ (*The Standard* April 3, 2015), ‘Radical Islamic groups’ (*The Standard* April 17, 2015) ‘Somali Islamist militants’ (*The Standard* April 17, 2015). ‘Jihadists’ (*The Standard* April 9, 2015) ‘Radical Jihad’ (*The Standard* April 6, 2015). A rallying call was issued to the international community to stand with Kenya in the fight against evil. According to Coe *et al.* (2004), binary discourses work best for media because it is easy for them to reproduce patterns to highlight conflict and also to appeal to audiences.

*The Standard* quoted government officials and leaders who constructed the good vs. evil frame. One leader stated ‘they [Al-Shabaab] are telling us that they can do anything they want any time. We are also reminded that there [sic] are forces that are against Christianity’ (*The Standard* April 6). The Al-Shabaab were described as the enemy within. Al-Shabaab were described as being on a mass recruitment drive to recruit jobless youth aged 18-22 years. Some youth who had disappeared two years previously had reappeared to lead the rampage on Garissa University. One opposition leader stated that the government was free to use all available strategies to neutralize threats from Al Shabaab militants (*The Standard* April 4, 2015). Carpentier (2007) observes that such antagonistic discourses on the enemy tend to be hegemonic, hence excluding other discourses.

The terrorist attack in Garissa University College was framed in the broad context of attacks against Christians. *The Standard* highlighted Al-Shabaab's fundamentalist Muslim ideology, stressing the religious antagonism with Christians, who were singled out and killed in the attack. Further, the attack was framed as one in a spate of attacks against Christians in Africa and the Middle East (*The Standard* April 6, 2015). In one article, it was reported that Islamists targeted the college long before Al-Shabaab was formed. In 1997, some students were alleged to be members of the now defunct *Al Itihad Al Islam* (AIAI) group (*The Standard* April 3, 2015). Another article reported that Muslim religious figures were arrested over the funding of the Garissa University College attack.

Further, the attacks on Garissa University came to be defined as an assault less on civilians than on symbols of Westernization and Christianity. In one account, the assailants accused students of wasting their time studying as they opened fire on them (*The Standard* April 4, 2015). In the wake of the attacks, there were a number of withdrawals of professionals such as teachers and nurses from Garissa County. In another article, the teachers' unions called for the closure of all schools in the region (*The Standard* April 4, 2015). This kind of framing has a serious implication for the enjoyment of human rights for individuals with certain religious identities. Indeed the war on terror has been accused of discriminating against certain identities and rendering them guilty of association with terrorism. This is a derogation from the non-discrimination norm enshrined in human rights instruments.

## The Counter-Violence-Rationale

*The Standard* newspaper framed military intervention as inevitable in response to the war against terror. In one article, it was reported that citizens needed to unite and fight "the dragon" which in this case was the Al-Shabaab. It was also reported that it would be cowardly for Kenya to withdraw its troops from Somalia (*The Standard* April 7, 2015). The framing of the conflict as one of 'bravery' against 'cowardice' meant that using strategies of violence against the enemy was considered not only a right but a duty.

Carpentier (2007) observes that the idea of a binary discourse and subsequently a counter violence rationale is also linked to the notion of 'threat', as in the case of the Iraq war 2003, where a threat 'to world peace' was constructed. In a similar fashion after the Garissa University College attack, we had headlines that framed an imminent threat to the existence of Kenya as a state. One headline had it: 'CID boss confirms probe into secessionist threat' (*The Standard* April 11, 2015). To put the secessionist threat into perspective, there is a long history of grievances between Kenya and Somalia, and Kenya's Northern region, where Garissa is located. At independence in 1963, Britain granted Kenya the administration of the Northern Frontier District which was an almost all-Somali area. What followed was the emergence of opposition parties as well as a progressive armed struggle. This was met with severe military retribution from the government of Kenya. At present, Al-Shabaab justifies its terrorist activities by the act of the Kenyan government taking the war on terror to Somali soil in 2011 (Branch,

2011). Garissa, as a town, symbolizes the violence of the colonial government and the violence of the government of Kenya. This has made the town an ideal location for Al-Shabaab to spread its ideology and for its military operation and recruitment (Hidalgo, 2014).

Indeed, the Kenya Defence Forces' (KDF) response to the Garissa massacre was to bomb Al-Shabaab camps in Somalia. The camps that were bombed were Camp Shaykh Ismail, Camp Gondodwe, Camp Bardheere and a camp in Gedo Region which was home to over 800 militants. Although the Kenyan government claimed that all the bases were destroyed completely, Al-Shabaab claimed it is the farmlands which had been bombed (*The Standard* April 7, 2015). *The Standard* in its coverage of the Garissa attack often focused on the war strategy instead of discussing other anti-terror-measures. In a number of articles, it was reported that the Kenyan government should rethink its war strategy. In particular, the government was advised to re-organise the chain of command in the security forces for an effective force to fight Al-Shabaab (*The Standard* April 16, 2016). This uncritical reporting tends to minimize the discourse on human rights abuse since war is seen as justifiable.

In sum, the 'counter-violence' paradigm issued from the government's framing of the terrorist in mass media as a war declaration by militants which necessitated a military response (Moeller, 2004). An alternative framing of the terrorist act was that it was a criminal act that necessitated an international law enforcement initiative (Jackson, 2005), or that the bombing had necessitated the

initiation of a limited hunt for Al-Shabaab operatives (Moeller, 2004).

### Human Rights Derogation in Counterterrorism

As a subcategory of counterterrorism we shall also include the limiting of civil and human rights in the legal war on terror. Terror suspects held in connection with the Garissa attack were reportedly mistreated before they were arraigned in court (*The Standard* April 23, 2015). The Kenyan law and international laws prohibit the torture or mistreatment of suspects before being arraigned in courts of law.

Additionally, the 'war on terror' frame is a 'discursive foundation' in order to justify and establish policies such as refoulment of refugees. Kenya's counterterrorism responses have been to establish linkages between refugeeism and terrorism in the country. Subsequently, this has intensified calls to close the Dadaab refugee camp which is situated in the North Eastern Province. The camp hosts between 350,000 to 500,000 Somali residents and is thought to harbour terrorists who disguise themselves as refugees. The terrorists are accused of using the camp to collect intelligent information about Kenyan institutions and relay it to their sympathizers in Somalia. Following the Garissa attack, government officials directed that the UNHCR close the Dadaab Camp within a period of three months (*The Standard*, April 12).

Although government officials in Kenya state that KDF operations in Somalia have established safe spaces for the return of the

refugees, UNHCR has cited a tripartite treaty with Kenya and Somalia that holds that any return by refugees to Somalia must be voluntary, otherwise it would constitute refoulement (BBC, 2015).

The newspaper articles reinforce the frame of the securitization of the Somali state and its citizens as constituting terror threats to the country and thus setting aside humanitarian concerns. Kenya in her refoulement stances contravenes several international conventions it is a party to such as the Geneva Convention relating to the Status of Refugees and the African Union Convention Governing the Specific Aspects of Refugee Problems in Africa.

The ‘war on terror’ frame is a ‘discursive foundation’ in order to justify police recruitment in unclear circumstances. Unsurprisingly, the Garissa terrorist attack lay grounds for legitimizing the corrupt hiring of 10,000 police officers in 2014. Despite a High Court ruling that cancelled the recruitment, a presidential directive reinstated the recruitment decision stating that the police officers were meant to protect Kenya’s border with Somalia (*The Standard* April 3, 2015). Against such a backdrop, a culture of impunity among the police force may ensue hence making human rights violations in response to terror plausible.

In sum, the ‘war on terror’ frame is used to justify and establish policies such as the refoulement of refugees and restriction of civil and human rights. Coe *et al.* (2004) convincingly argue that the government’s ability to sustain and renew single-sided interpretations and to pursue accompanying

practices almost uncontested illustrates the government’s framing power.

### Counterterrorism response as a media spectacle

The media employ spectacle as a means of promotion, reproduction, circulation and selling of commodities. The media spectacle also shapes political and social spheres of life, where political conflicts play out in the media (Kellner, 2003). Acts of terror are also part of this spectacle because they pit governments and terrorist groups (challengers) as they struggle for access to media (Wolfsfeld, 2003). The outcomes are usually predictable because governments have a structural advantage in gaining media attention.

From this point of view ‘challengers’ can overcome their structural disadvantage by pursuing spectacular activities. The account of the survivors reported in *The Standard* newspapers indicated that the terrorists performed an elaborate spectacle, which continued to be highlighted in the media for weeks. *The Standard* framed the terror attack in ways that benefited Al Shabaab’s extremist ploys for publicity as well as within frameworks of the war against terror and religion-based violence. The focus was on the fact that militants singled out Christian victims (*The Standard* April 3, 2015).

The spectacular attacks on Garissa University made international headlines, yet there is also a daily war of attrition going on in the border counties of North Eastern Kenya which go unnoticed because it is not as spectacular. According to Kenyan anti-terrorism police,

there has been a terrorist attack every ten days (135 in total) since the KDF deployment in Somalia began in 2011 (Wafula, 2015).

But the launch of the retaliatory attacks by the KDF was spectacular as well. It was reported that KDF had destroyed two terror camps five days after the Garissa attack. It was also reported that Kenyan jets pounded the camps in the Gedo region (*The Standard* April 7, 2015).

The framing of the spectacle masks the violations meted out by organs of the Kenyan state in their counterterrorism stances. Globally, states have been accused of infringing on the rights to life, liberty, human dignity, and privacy, including procedural rights for those thought to be involved in terrorism activities.

### Rally around the flag-effect

In one article, we had the headline ‘Kenya Unbowed’. The article went ahead to state that the president rallied the nation to come together after the Al Shabaab attack on Garissa University. This is seen as a call to rally behind the flag. Norris *et al.* (2004) posit that domestic media always push the rally around the flag narrative during war times. Carpentier (2007) posits that journalistic dependency on official sources is thought to be increased. Indeed, most of the articles quote government sources with little mention of divergent opinions. Based on Chomsky’s and Herman’s propaganda model (2002), framing can be seen as stemming from propaganda. Propaganda is commonly understood as a way of using rhetoric to influence members of the public. However,

this term is used in the sense that propaganda is a set of unexpressed media production rules that publications are in line with the socio-political and economic interests of the elite and media conglomerates.

Articles revealed that leaders were divided over calls to pull KDF out of Somalia (*The Standard* April 16, 2015). The opposition led by CORD cited that the war was costly in terms of lives and material resources and urged the government to review its military strategy (*The Standard* April 16, 2015). Calls were made for the government to put in place an exit plan (*The Standard* April 22, 2016). The response to the Garissa terror attack was also criticized. The Coalition for Reforms and Democracy (CORD) leader queried, ‘Why was it taking six hours to send the contingent of Recce’s squad to Garissa? Somebody must have failed,’ (*The Standard* April 22, 2015).

On the other hand, the government supporters stated that pulling out of Somalia would not halt terror attacks in Kenya and would in essence undermine national security. Government officials claimed that the opposition sided with Al-Shabaab, saying that security should not be politicised (*The Standard* April 16, 2015). Critical assessments of Kenya’s response to terrorist threats posed by Al-Shabaab and its Kenyan allies tended to be treated as unpatriotic outbursts that identify the holder of such sentiments as potential terrorist sympathizers. Indeed this is true in one-sided contexts, where conventional frames become so widespread within a society that they are often regarded as natural and inevitable, with contradictory information or interpretations

discounted as failing to fit pre-existing views. In essence then, one-sided framing and uncritical response by the media provide a fertile ground for human rights violations in the guise of counterterrorism.

## Conclusion

This study has isolated selected instances where Kenya's counterterrorism responses have derogated from conventions on human rights practice. Binary constructions and the counter-violence rationale propagated by the state and imbibed by the media are core contributors to the emergence of the single-sided "war on terror" frame. In this view, the frame was almost unique in its ability to suppress counter-narratives in the media, among elites and in the public. As hegemony theorists would predict, the media patrol the boundaries of culture and keep discord within conventional bounds. Whereas states can suspend or depart from human rights during instances of terrorist attacks, the media cannot afford to be complacent. Even when the government is promoting 'war', media

should not be entirely passive receptacles for government propaganda if diffusing conflict among the communities involved is the overall good that should emerge out of the coverage of counterterrorism response. The media should uphold the rights of refugees as guaranteed by the Kenya's constitution, the Refugee Act 2021, and international human rights law. There is an intrinsic link between media and democracy hence vibrant and responsive media are crucial for Kenya to survive as a democratic state that upholds the rule of law for all (Ndavula 2020). Therefore, the media in Kenya need to directly address the attitudes that foster the culture of impunity among state agents and the political class. Otherwise, the media would be construed as reinforcing the 'one sided' case interpretation of terrorist events, adding to the long list of grievances felt by the communities involved.

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