

The Ungoverned Territories and Islamic Violent Extremism in North Eastern Kenya

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ABSTRACT

The ungoverned territories are the major breeding grounds for violent extremism in various parts of the world. These spaces provide conducive environment for violent extremists to thrive, posing serious security challenges in the international system. Though ungoverned territories are a major security threat in the international system, many governments especially in Africa have given little or no attention to those spaces in their security agenda. This paper therefore examines whether the North Eastern region in Kenya is an ungoverned territory, and if yes, how such a territory has emboldened radicalization into violent extremism. The study adopts qualitative research that underlines non-numerical aspects such as emotions, feelings and opinions. Primary data was used to corroborate the secondary sources so as to enrich the argument presented in this study. Interviews with experts among them security officials, local administrators and scholars who are versed with the subject matter was sought. The triangulation of both primary and secondary data was employed in the analysis. The findings of this study depict that the North Eastern region is an ungoverned territory. This is because the region lacks effective control by the central government, proper enforcement of the rule of law, adequate provision of basic services by the government, and has ineffective institutions. The study further demonstrates that the ungoverned territory of the North Eastern region has played a significant role in emboldening violent extremism in the region. Since this territory has weak social contract between the residents and the government, has created safe havens for violent extremists to operate, and has ineffective institutions that make the provision of basic services difficult, it has created a conducive environment for the spread of violent extremism. This study therefore underlines the need to combat violent extremism in the region by addressing the prevailing governance challenges.

Keywords: Ungoverned territories; Violent Extremism, Al Shabaab

INTRODUCTION

The ungoverned territories are major breeding grounds for insecurity in various parts of the world. These spaces provide conducive environment for organized crimes, terrorism and other criminal activities to thrive, posing serious security challenges in the international system. Terrorists have particularly taken advantage of these territories to advance their agenda possibly due to lack of or inadequate state institutions. The vulnerability of the ungoverned territories has explicitly given terrorist groups safe haven to recruit, radicalize, train and plan their logistics without being exposed to security agencies. These territories have thus become the breeding grounds for violent extremism, a phenomenon that has culminated in power-bases of sympathizers of terrorism in several parts of the world.

Areas that have been considered ungoverned territories are found in several parts of the world including Europe, Middle east, Asia-pacific and Africa among other regions. In Middle east, some parts of Iraq, Syria, Afghanistan and Pakistan among others, have been categorized as ungoverned territories, perhaps due to the influence Islamic State has had on such areas. The Hamrin Mountain range of Iraq that spreads across Salah al-Din, Diyala and Kirkuk provinces was particularly considered ungoverned territory after it was captured by the Islamic State of Iraq and the Levant (ISIL) and their allies in June, 2014. This enabled the ISIL and its allies to not only indoctrinate the locals, but also conduct successful operations especially at night (Ojo, 2020).

In Africa, ungoverned territories are frequently found in remote areas that often border failed states and/or countries with weak institutions of governance. This situation is often exacerbated when these territories are along porous borders. Such an environment makes the ungoverned territories quite vulnerable to violent extremism that targets the locals, especially the youth, for recruitment into terrorism. In West Africa for instance, the Sahara Desert area, which is considered ungoverned territory due to the government's inadequate control is prone to terrorism. This is also the case in Niger Delta and Northern Mali territories where terrorism is widespread.

Great lakes region has also suffered the effect of Ungoverned territories. The ungoverned territory in the Democratic Republic of Congo that borders Rwanda, Burundi and Uganda has exacerbated various criminal activities including illegal exploitation of mineral resources, weapon smuggling and terrorism. The ungoverned territories are also found in the northern part of Central Africa Republic (CAR), Gulf of Guinea and in East Africa. The lack of proper governance in Somali coast, Northern Uganda, Ogaden area and Southwestern Ethiopia have played a significant role in fueling terrorism in the region.

Some regions in Kenya could also be considered ungoverned territories due to the inability of the central government to exercise control and provide basic services in those areas. The North Eastern region of Kenya could be a classic example of such an area dubbed ungoverned space since the central government has been unable to effectively exercise authority in this area. In 1960s, this region was contested whether it was under Kenya or Somali jurisdiction. This contestation provoked intermittent conflicts, including shifta wars that were fought in 1960s. Though Kenyan government finally won, and the region now is under its jurisdiction, the central government lacks effective control over this region. This has culminated in a region that not only lags behind in terms of socio-economic and political developments, but also security wise, as characterized by cattle raids, highway attacks by banditry and terrorism (Okumu & Kioko, 2021).

Though policy makers and security experts perceive ungoverned territories as security threat, many governments especially in Africa have given little or no attention to those spaces in their security agenda. Instead, many governments in Africa have put up a concerted efforts to address insecurity, especially from terrorism, through military response. It is against this background, that this paper first seeks to demonstrate that North Eastern region in Kenya is an ungoverned territory. The paper then interrogate how the ungoverned territory in this area emboldens recruitment and radicalization of locals, especially the youth, into violent extremism. It examines violent extremism in this area from the perspective of the unmet human needs due to the poor provision of basic services by the government, weak and/or non-existent institutions of governance and the compromised rule of law in the region among other indicators.

The study specifically seeks to answer the following research questions: Could the North Eastern region in Kenya be classified as ungoverned? If yes, how has this ungoverned territory affected institutions of governance in the region? and how has the resulting environment impacted violent extremism? In what ways has the phenomenon of the ungoverned territories in the North Eastern affected the rule of law and other human needs in the region? What are the best strategies to combat the challenges of the ungoverned spaces in the North Eastern region?

This article is organized in the following manner. The paper begins by presenting the methodology used in the collection and the analysis of the data, including the theoretical framework. The paper then conceptualizes the term ungoverned territories before examining whether North Eastern region is ungoverned territory, and if yes, how it has created a conducive environment for violent extremism. The paper further demonstrate that the North Eastern region is characterized by weak social contract which is evidenced by the poor provision of basic services by the government and the weak institutions of governance, a situation that creates favorable environment for violent extremism. Additionally, the paper underlines the long and porous Kenya-Somali border, which is an indicator of an ungoverned territory, and how that fuels violent extremism. The paper finally draws conclusion before giving some recommendations.

MATERIALS AND METHODS

Qualitative approach was utilized in this study to examine whether North Eastern region in Kenya is ungoverned territory, and if yes how it has emboldened recruitment and radicalization into violent extremism. Under this

approach, the study adopts a descriptive research design which is key in underscoring non-numerical data such as opinions, observations expressed in words, feelings and beliefs of a particular individual and or group (Salter, 2023). This design is thus the most appropriate for this study since it assures a complete description of the subject matter under investigation and has minimal bias in terms of the data collection (Siedlecki, 2020).

The target population for the study involved all stakeholders from both public and private sector who are engaged in security, development and governance in the North Eastern region. Besides, scholars in social sciences, especially experts in security, were also targeted to corroborate the views of the practitioners. A sample of twenty respondents was selected using purposive and snowball sampling techniques from the stakeholders targeted. While the secondary data was gathered through the critical analysis of scholarly articles, books and various reports, the primary data was collected through key informant interviews so as to get in-depth data from respondents. Expert opinions were sought from scholars, security officials, local community, development and governance experts as shown in table 1.1 below.

Table 1.1. The study sample size

Target group	Sample size	Percentage
Security officials	4	20%
Organization dealing with development (NEDI)	3	15%
Organization dealing with governance (WPDA)	4	20%
Scholars	4	20%
Opinion shapers (Host community)	5	25%
Total	20	100%

Source: Research Data, 2025

Qualitatively, data was transcribed, coded and thematically analyzed. The narratives from the interviews conducted were documented and triangulated with secondary data. Key themes were identified from the triangulation of the secondary sources and the respondent’s interview scripts. Trends and patterns observed and the emerging themes related to ungoverned territories and Islamic violent extremism were developed and explained. The emerging themes were used to explain how ungoverned territories embolden recruitment and radicalization into Islamic violent extremism. To uphold ethical standards, the primary data obtained was securely handled and made anonymous while the secondary sources were acknowledged through proper citation. This study being qualitative in nature, it faces the major limitation of a small sample size as indicated in table 1.1, thus unlikely to be generalized to the larger population.

In interpreting the findings of this study, frustration-aggression and social contract theories were used. The frustration-aggression theory is key in explaining aggression in societies. Dollard, et al, the main proponents of this theory argue that the existence of any form of frustrations begets some level of aggressive behavior in people within a society. They argue that frustration does not only produce aggression, but can lead to the development and/or exacerbate depression and prejudice. Their thesis also depicts that more aggression is produced when the frustration is unjustified than when it is justified. They observe that high levels of aggression is frequently directed to the perceived sources of frustration. However, they acknowledge that displaced aggression can sometimes be directed to those who are not responsible for causing frustration (Dollard, et al 1939).

While underscoring Dollard et al’s argument, Amsel observes that frustration ensues when people feel their anticipated rewards have been delayed, reduced or removed. He argues that frustration could also arise from anxiety, insults or even unpleasant environmental conditions. Amsel points out that aggression becomes inevitable when frustration sabotages the attainment of desired outcomes (Amsel, 1992). Gurr underlines this

argument by observing that prolonged frustrations can lead to the outbursts of aggression and violence at both individual and societal levels. He opines that at societal level, frustrations could emanate from economic recession, discrimination and lack of or the restricted access to resources (Gurr, 1970). The frustration-aggression theory further points out that the threat of being punished because of aggressive behavior can itself be a source of frustration that can ultimately lead to aggressive tendencies.

This theory is critical in analyzing the effects of ungoverned territories on violent extremism. The theory helps in interpreting why and how ungoverned territories in North Eastern region in Kenya has created dissent among the locals, culminating in favorable environment that promotes violent extremism. The North Eastern region, which is largely semi-arid and inhabited by the Muslim communities, has perhaps been exposed to misgovernance since independence, thus creating conducive environment for violent extremism as underscored in this paper.

On the other hand, the social contract theory whose main proponents include Hooker, Thomas Hobbes and John Locke among others, underlines the origin of the state. This theory argues that men did a contract with a sovereign authority in order to escape the state of nature where life was solitary, poor, nasty, brutish and short. Since man has inherent desire for security and order, he entered into a contract that would alleviate misery and pain and at the same time secure self-preservation and protection. This contract underscored two agreements, that is, Pactum Unionis and Pactum Subjectionis. Under the Pactum Unionis, state was to protect people's lives, their property and their liberty while in the Pactum Subjectionis, people pledged to obey authority and pay taxes (Laskar, 2013). When any of the actors in this contract fail to play their role, conflict becomes inevitable. This theory was used to depict whether the social contract has been working in North Eastern region and what it portends for violent extremism.

RESULTS AND DISCUSSION

Conceptualizing the term “Ungoverned territories”

Before delving into whether North Eastern region in Kenya is ungoverned or not, and if yes how such an ungoverned territory emboldens recruitment and radicalization into violent extremism, this section conceptualizes the term ungoverned territory. This is because the term ungoverned territory is highly contested in practice, and in its definition. Does ungoverned territory really exist? And if yes, how exactly does it look like? what does the term ungoverned territory mean? Several scholars have attempted to conceptualize the term ungoverned territory in different ways while at the same time using a variety of indicators.

Taylor considers a territory to be ungoverned if the state or the central government is unwilling or unable to effectively control, govern or even influence the local residents. He argues that an ungoverned territory exists when a government is unable to effectively govern perhaps due to the insufficient capacity to govern, lack of political good will or maybe the effects of conflicts (Taylor, 2016). He views a territory to be ungoverned when it is contested, ill-governed or under-governed, with the authority of the central government missing. Some of the key indicators of the ungoverned territories from this perspective include the absence of the law enforcement agencies, lack of basic facilities such as health-care, low adherence to the rule of law and generally lack of penetration of the area by the formal institutions of government (ibid).

Clunan & Trinkunas view ungoverned territory as spaces that are governed differently. They point out that these could range from clan-based government like that in Somalia to areas ruled by the insurgencies. However, they acknowledge that territories where state control is weak, contested or absent could be classified as ungoverned territory. They observe that a territory, either within or between states, becomes ungoverned when other types of actors other than the central government exercise control over it (Clunan & Trinkunas, 2010). Thus, ungoverned territory results when state control has been ceded voluntarily or involuntarily, in whole or in part to other actors rather than the legally recognized government authorities.

When a state does not exercise effective control on the social, economic and political aspects of the people under its jurisdiction, the resulting vacuum is a sign of ungoverned territory. Such a vacuum offers key benefits to extremists groups that includes the provision of safe havens where such groups can recruit, train, indoctrinate

and plan their criminal activities. Inadequate control by the state on the social, economic and political dimensions of the people under their jurisdiction culminate in uneven development, thus emboldening extremist groups to indoctrinate the locals through the message of state marginalization.

Whelan argues that ungoverned space could be both physical and non-physical area where the state lacks the capacity or political good will to exercise effective control. He observes that physical area could be a territory in form of land or maritime areas such as coastal waters that lacks effective state control. The non-physical space could be financial space where state has little or no control, a development that creates a vacuum that terrorists could utilize to raise and transfer monies in support of their criminal activities (Whelan, 2006).

The Foreign and Commonwealth office underscores Whelan's argument by pointing out that ungoverned territory constitutes both non-physical and physical spaces where effective state control is inadequate or lacking. It for instance considers cyberspace as a non-physical space that could be ungoverned if it lacks effective state control. The physical space could include territories where the rule of law and formal institutions play little or no function (Foreign & Commonwealth office, 2014).

The view by Whelan, and Foreign and Commonwealth office is largely state-centric in nature since it assumes that only state actors can effectively govern, therefore ignoring the critical role non-state actors play in good governance. Whelan and the Foreign and Commonwealth office create an illusion that when state authority is limited, the area automatically becomes ungoverned territory. In practice, this perception is not accurate since there are different systems of governance, including not only by state but also non-state actors.

Downey considers ungoverned territories to be peripheral, low income and resource poor spaces that the central government has little incentive to control. He observes that such space lags behind in development and creates safe havens for terrorists to conduct their activities. Ungoverned spaces lag behind since some degree of governance is needed to spur development and improve citizen welfare through the provision of basic services such as health care facilities, education institutions and credit market among others (Downey, 2021).

Keister on the other hand observes that ungoverned spaces are areas with limited or anomalous government control. He argues that these areas are not ungoverned per se, but they are governed in a different fashion that is inconsistent with the Westphalia state system. These areas are ruled by alternative authorities such as warlords, religious or traditional elites and community groups among others (Keister, 2014). Teo corroborates this argument by pointing out that ungoverned territories are not in a state of anarchy, but rather they are managed by non-state actors (Teo, 2018). These areas could be within a functional state and are likely to provide operational cover or shelter to criminal elements.

Ungoverned territories include spaces that are under governed. These territories are characterized by ineffective institutions, formal or informal. Frank observes that institutions of governance might be present in an ungoverned territory, but remain ineffective in shaping behavior (Frank, 2022). On the other hand, institutions of government might be present in ungoverned spaces but are often ignored and challenged by alternative institutions such as those of a terrorist organization. Lloyd underlines this argument by observing that ungoverned territory lacks effective government control due to the challenges posed by alternative authority. He thus opines that ungoverned territory lacks both the government and the replacement rule since all contenders lack the ability to enforce their rule (Lloyd, 2016).

Clark and Mansour advance this discourse by observing that ungoverned territories are areas of disputed governance and mis-governance. They maintain that ungoverned territories lack good governance or are completely disintegrated, thus are alternatively governed. They argue that the fundamental questions that should be answered when examining ungoverned territories should include: who is governing? How are they governing? What are the consequences of this type of governance? (Clark & Mansour, 2013). As underscored in this section, most scholars seeking to conceptualize the term ungoverned territory agree on some common indicators such as weak or ineffective state control, failure to enforce the rule of law, lack of basic social amenities, lack of law enforcement agencies and the presence of non-state actors such as warlords, clan-based or ethnic based authority among others. Using these indicators, the next section seeks to examine whether or not the North Eastern region is ungoverned territory. The next sections then depict how ungoverned territories could fan violent extremism.

Is North Eastern Kenya an ungoverned territory?

Since independence, arid and semi-arid areas in Kenya have lagged behind in development. This has been occasioned by the prevailing harsh climatic conditions, and the severe marginalization these regions have witnessed since independence. As a result, the areas suffer from poor provision of basic services. The marginalization of arid and semi-arid areas was largely due to the post-independence policies such as those advanced in sessional paper No. 10 of 1965 that justified the sidelining of these regions. Though sessional paper No. 10 of 1965 was meant to quicken development in the newly independent Kenya, the policy had adverse effects on the regions considered 'low potential areas (Sessional paper No. 10, 1965).

This is because Sessional paper No. 10 of 1965 underscored the need to invest money meant for development in areas with high potential, that is, the one that would give the highest output. This and other policies culminated in a deliberate effort to invest development money in high potential areas that would give the highest returns. Consequently, many arid and semi-arid areas ended up being poorly governed with little or no government services such as education, health care and even security among others. This culminated in large swathes of land such as North Eastern region of Kenya that lacks effective control by the central government and the essential basic services that are supposed to be provided by the state. (Mwangangi, 2021).

To date, some parts of the North Eastern region lack effective law enforcement, provision of basic services and strong institutions of governance. This has intensified discontent among locals leading many of them fail to adhere to the rule of law. One respondent underscored this thought by pointing out that some parts of North Eastern region lack government presence and certainly basic social services often provided by the state. He observed that in areas such as Elram location in Mandera South sub-county, Arabia and Fino in Mandera East sub-county, and Bambo West and Ashabito in Mandera North sub-county, the only government officials present are the local chiefs who are forced to collaborate with Al Shabaab terrorist group. Other government officials have been attacked by the terrorists and forced to flee the area. Even the local chiefs who fail to collaborate with the terrorist organization are killed (Interview with a resident, 2025)

Khorof harar, Konton and Riba locations of Wajir East sub-county are characterized by high levels of insecurity. Communication masts have for instance been destroyed in these areas by terrorists, a development that has made communication very difficult even during security operations. Many local chiefs have been killed and other government officers forced to flee from these areas due to insecurity. These areas also have limited government services, a development that has forced many locals to rely on Al Shabaab for the provision of some services such as security, judicial services among others. Some schools in these areas have also been forced to close due to insecurity, thus denying children one of their fundamental rights of free education (Interview with officer working with NGO, 2025). This is an indicator that the social contract is perhaps not working in this region as expected since Pactum Unionis and Pactum Subjectionis is not guaranteed.

As highlighted by the World Bank, access to safe drinking water in the North Eastern region is at 57% compared to the national average of 72% (World Bank, 2018). The region largely performs below the national average on most of the development indicators. For instance, the average poverty rate is at 70% compared to national average of 36%, access to electricity is around 7% while only 36% of the population have improved sanitation. The region is also characterized by very poor road network (Haider, 2020). 90% of the respondents underscored that indeed, the region lags behind in every development indicator. They observed that in Takaba sub-county, there is no fresh water, while if those living in Malka Mali location get sick, they are forced to get medical care in Banisa or Rhamu around 55 and 80 kilometers respectively.

The Kenyan government-local residents' relationship has historically been unfriendly. As Lind et al observe, the Kenyan government had not only neglected the North Eastern region, but it has also committed various atrocities in the past as epitomized by the 1984 Wagalla massacre (Lind et al, 2017). This made the relationship between the state officials and the local residents, who are largely ethnic Somalis, quite problematic. The atrocities committed to the locals has significantly contributed to their disdain for the government. This is compounded by the strict vetting that locals are forced to go through when getting government services, including the issuance of Kenyan Identity Cards. This has made many citizens from the region to forfeit some basic rights, including that of getting a national Identity Card, which is key in enjoying other rights (Ibid, 2017).

It is more difficult to access any government office in the North Eastern region as compared to many other parts of the country. One respondent observed that there is no government office between Kiliweheri and Takaba locations, and Banisa and Takaba locations which is roughly 50 and 90 kilometers respectively. He further pointed out that many residents in the region are forced to walk for more than 100 kilometers to access judicial services. Thus, locals prefer clan elders as the alternative conflict resolution mechanism. He further noted that there is no police post or even fresh water points between Kiliweheri and Banisa, a distance of more than 60 kilometers. Thus, the locals not only contend with high levels of insecurity, but are also forced to get water from the neighboring country, Ethiopia (Interview with NGO staff, 2025).

Research further reveals that there is no school between Modogashe and Habaswein, and Guba and Olla a distance of more than 30 and 45 kilometers respectively. Moreover, even in areas where there are schools, the insecurity posed by Al Shabaab terrorist group has compelled many teaching staff, especially the non-local to free the area. The massacre of 28 teachers in November, 2014 coupled with many other intermittent cases of targeting non-locals has made many to free the area. Residents of Ashabito location are forced to travel to Rhamu, a distance of around 65 kilometers, to get medical laboratory test and other medical services. In Mandera county, there are only two places locals can get a scan: Elwak and Mandera county referral hospital. Generally, basic services often offered by the government are largely missing due to the historical marginalization and the security threat posed by the terrorist group (Interview with security official, 2025).

Locations such as Omarjillow, Garre hills and Sheik Barro in Lafey sub-county county, Arabia and Fino in Mandera east sub-county, Bambo West, Ashabito and Guticha in Mandera North sub-county in Mandera county, and Diff in Wajir South sub-county lack government presence. These and other areas in the three counties of the North Eastern region that lack adequate government presence is a testament that the region is poorly governed (Interview with NGO, staff, 2025). This automatically translates to poor provision of government services, thus weakening the social contract between the government and the local residents. The North Eastern region has poor access to education and health, low levels of political governance and weak rule of law. This is due to the perennial insecurity posed by cattle rustling and terrorism that compels education and health staff among others to free, culminating in dilapidated facilities and infrastructure (KNBS, 2018).

Though Kenya's 2010 constitution underlines the need for equitable distribution of resources, the increased levels of insecurity posed by Al Shabaab terrorists has made auditing of government projects quite difficult. Once resources are allocated to the region by the central government, the fear of being killed or kidnapped by terrorists has made auditors, especially the non-locals, unable to properly monitor how money is spent. This makes some corrupt individuals at the county level inflate government projects, making good governance difficult. Many of the national government employees working in the region are posted there on disciplinary grounds, hence they are highly disgruntled. As a result, most of these employees live within the towns, making the execution of good governance extremely difficult. The situation is exacerbated by the clan politics which often impedes good governance. Due to the inter-clan animosity in the region, when a leader comes from a certain clan, leaders from other clans often sabotage him/her and their projects, making development and subsequently good governance difficult (Interview, 2025).

The cardinal pillars of good governance such as accountability, inclusivity, transparency and equity have largely been compromised in North Eastern (Njagi, 2023). The prevailing insecurity, the clan-based politics and the harsh environmental conditions in the region have created a vacuum that allows other actors to interfere with good governance in the region. The relief agencies that provide alternative governance have been forced to withdraw staff from the region due to the deteriorating levels of insecurity. This has culminated in inadequate professionals, hence causing serious humanitarian gaps (Humanitarian Foresight, 2015). Nolasco underscores this thought by observing that North Eastern region suffers from heightened insecurity, underdevelopment and poverty, a development that provoke residents, especially the youth, to engage in acts of violence and other forms of criminality (Nolasco, 2017).

Based on diverse indicators of ungoverned territories conceptualized in this study, the discourse presented in this section clearly depicts that the North Eastern region is an ungoverned territory in Kenya. As underlined by Taylor's conceptualization of ungoverned space, the central government is either unwilling or unable to effectively control, govern or influence residents of North Eastern. There is also the absence of law enforcement

agencies, basic facilities and low adherence to the rule of law in North Eastern Kenya. Taylor's description of an ungoverned territory clearly mirrors many parts of North Eastern Kenya.

Whelan, Downey and Frank depict ungoverned territory as lacking government presence as is the case in some parts of North Eastern. Clark and Mansour conceptualize an ungoverned territory as misgoverned or having disputed governance. All these indicators of an ungoverned territory are very common in North Eastern region. Thus, this study concludes that North Eastern region is an ungoverned territory in Kenya due to its ineffective control by the central government, failure by the government to provide basic services in the region, failure by the central government to effectively enforce the rule of law and the fact that the area has been contested since independence.

Weak social contract and violent extremism in the North Eastern Region

The social contract between the government and the residents of the North Eastern Kenya seems to be significantly weak. As observed by the main proponents of this theory, when Pactum Unionis and/or Pactum Subjectionis is not respected, the social contract becomes weak, provoking rebellion. In North Eastern region, the government has been unable to provide essential basic services like health care, education and welfare, creating dissent that has culminated in a desire to join violent extremism. The persistent insecurity in the region has made it difficult for the government to keep their part of agreement, that is, Pactum Unionis, where state is expected to protect people's lives, their property and their liberty. This has in turn heightened discord among residents provoking many of them fail to keep their agreement, that is, Pactum Subjectionis, where people are expected to obey authority and pay taxes. Simply put, in the North Eastern region, the social contract is not working as expected.

Nearly 70% of the residents of the North Eastern region live in poverty and have very poor access to basic services. This is exacerbated by the frequent droughts which poses serious threat to the livestock, which is the main source of food for the locals. The region is further characterized by significant infrastructural deficits such as lack of access to good roads, water, electricity among other social services (Haider, 2020). As already underscored, the area also suffers from high levels of food insecurity, low college enrolment and few job opportunities, especially among the youth. The ensuing environment, as underlined by the frustration-aggression theory, has culminated in a lot of discord among the locals, hence giving ammunition used by the radical groups in spreading their ideologies.

Kenya has been targeted by Al-Shabaab in the wider agenda of establishing an East African caliphate. The Al-Shabaab terrorists thus seek to attain this agenda by ensuring a continuous supply of militants through recruitment and subsequently the radicalization of vulnerable people specially the youth. This group continues to achieve the vision of radicalization through their networks, which are well established especially in ungoverned territory of the North Eastern region. To make their dream attainable, Al Shabaab has heightened insecurity, largely targeting non-locals, a move that has compelled many government officials flee the area. This has not only made the provision of basic services extremely difficult, but has also created a vacuum that terrorists maximize while propagating their agenda.

Residents of the North Eastern region rarely trust security agencies. This is due to police corruption and heavy-handed security operations that has led to increased discontent and poor provision of security in the region (NCIC & Interpeace, 2017). The rampant corruption in the National Police Service (NPS) and its history of heavy-handed operations has made residents unwilling to provide crucial security information, thus further enabling terrorists to advance their violent extremist ideologies (Mongare, 2019). Such an environment has made the enforcement of the rule of law extremely difficult. Justice in this region is often attained through "Maslah system" which uses the traditional system of conflict resolution (Interview with a resident, 2025). This is a clear indication that the social contract is not working as expected, thus creating frustrations that incite aggressive tendencies including the high propensity of joining violent extremism.

Inadequate government presence in the North Eastern region has significantly contributed to the weak social contract. One of the respondents observed that the absence of government officials in some areas has given room for the sympathizers to act as facilitators, couriers and logisticians for the terror group. Since locals feel

vulnerable due to the inadequate government presence, they easily fall prey to the Al Shabaab terrorist group. Inadequate government presence to monitor the kind of teachings going on in the madrasas or even regulate the teachings in the mosques, which frequently serves as the breeding grounds for terrorism has exacerbated the situation. He further pointed out that the central government is perceived by many locals to be unjust and unfair, thus locals are easily recruited into terrorism. (Interview with security official, 2025).

When doing radicalization, violent extremist groups use flexible strategy by tailoring their message depending on the recipient. To the poor or unemployed, these groups will offer money or paid jobs while to those who consider themselves marginalized, a promise to redress the injustice through violence. The message of Islamic violent extremism has gained latitude among the North Eastern residents who are largely Muslim ethnic Somalis with a lot of socio-economic grievances due to high levels of poverty, unemployment and the harsh climatic conditions. The historical social and political marginalization the region has suffered, coupled with the repressive responses by security agencies has further complicated the situation, giving terrorists groups more ammunition for the recruitment into violent extremism. Poor provision of government services in the region has been used by the terrorist to appeal to the locals (Interview with security official, 2025).

The perceived social injustice and the inequitable distribution of state resources has played an important role in exacerbating violent extremism in the North Eastern region in Kenya. As already underlined, the region lacks adequate health facilities, schools, infrastructure among other basic services. The Kenya National Bureau of Statistics (KNBS) for instance indicates that on average, residents are forced to walk for at least 35 kilometers to the nearest dispensary. The report further depicts that 64% of the people in the region live below poverty line compared to the national average of 53%. The report shows that the region has the lowest level of access to basic services, as indicated by the road network which is in dire conditions (KNBS, 2018).

The weakened socio-economic situation in North Eastern region has provoked competition among different clans over the control of political and economic resources. This competition together with unequal access to basic services have heightened clan conflicts in the region. The situation is also worsened by political competition where elected leaders are expected to serve the interests of their clan once in office. Clans contribute to get their own into leadership so that they can in turn get development. This is because development is attached to individuals, depending on which clan one comes from.

The political competition has sometimes culminated in the displacement of the members of minority clans and influx of majority clans from other regions. Elections/campaigns often take regional angle since the three clans, that is Garre, Degodia and Ogaden, that dominate the North Eastern region are also found in Ethiopia and Somalia (Interview with NGO staff, 2025). This kind of politics has created a vacuum in governance, which terrorists have often maximized to spread their radical ideologies.

Clan politics in North Eastern region, which is a symptom of misgovernance, promote violent extremism in many other ways. A respondent noted that clan politics play a big role in promoting violent extremism in the region since when one clan is seen to be cooperating with the government, the other automatically support terrorism. This is due to the animosity and suspicion that exists among different clans. The clan cooperating is deemed to be giving information to the government while sidelining the other clans. This provokes the other clans to rebel against the government, as a result supporting terrorism (Interview with security personnel, 2025).

The clans supporting terrorism sometimes procure security services from the Al Shabaab. These include protection services from Al Shabaab, provision of weapons during inter-clan disputes, protecting and safeguarding their business interests such as smuggling routes along Kenya-Somali border. Prominent businessmen and politicians facilitate recruitment of youth into Al Shabaab, while the terrorist give them their personal security and those of their businesses (Sahgal, 2019). This kind of arrangement works since the region is an ungoverned territory, hence the terrorists are able to move freely and access any place, sometimes kidnapping youth and forcefully recruiting and radicalizing them into Islamic violent extremism. This depicts the extent to which the social contract has been dysfunctional in the North Eastern region in Kenya.

The inadequate presence of government agencies in many parts of the North Eastern region has made it difficult for the enforcement of the rule of law. The rule of law is rarely enforced; thus no one is held accountable for

joining the terror group or being radicalized. Many residents live by the dictates of their traditions or religion since proper sensitization of the Kenyan rule of law has not been done. Al Shabaab has taken advantage of this vacuum to stamp their authority. For instance, failure of the residents to get justice from Kenyan government has forced some residents to get justice from Al Shabaab. There have been cases of Al Shabaab summoning people in dispute and administering instant justice, unlike in Kenyan courts where justice takes time and money. In return, some residents pay taxes in form of 'Zakat' to the terrorist group (Interview with a resident, 2025).

Institutions of governance in the North Eastern Region

Institutions of governance in the North Eastern region are largely ineffective or inadequate. This may be attributed to the widespread insecurity, the harsh climatic conditions and the vastness of the North Eastern region. Insecurity in the region has made institutions ineffective since most civil servants, especially those from other parts of the country, have been reluctant to work in the area. This is because they are often targeted by the Al Shabaab terrorist group for abductions and killing. Those who reluctantly work there, mainly on disciplinary, are not motivated to work, making the available institutions quite ineffective. This has created a vacuum, considered ungoverned territory that the terrorists often use to radicalize the locals into violent extremism. Ineffective institutions of governance lead to poor delivery of government services, a development that culminate into frustrations as underlined by the theoretical foundation of this study.

The vastness of the North Eastern region has made it difficult to have government institutions within reach. Residents are sometimes forced to walk long distances to access basic government services. For instance, Garissa and Mandera counties have only one law court each, making access to justice through the judiciary extremely difficult. Besides, some residents are forced to walk for more than 70 kilometers to access the nearest police post, National Government Administrative office and/or Deputy County commissioner's office among other offices that provide vital services (Interview with NGO staff, 2025). This scenario has made government institutions appear rare and inaccessible by many residents, making access to basic government services difficult. When the government is unable or unwilling to provide basic services, the social contract does not only fade, but the environment culminates into frustrations among residents, making them vulnerable to radicalization into violent extremism.

The weak or inadequate governance institutions in many parts of the North Eastern region have sabotaged development in the area. This is because the weak or inadequate governance structures have hindered effective implementation of policies meant to enhance or maintain development. Unlike in the North Eastern region, successful implementation of development policies requires good working environment where civil servants are motivated to deliver on their mandate. Good working environment promotes coordination within government, an important ingredient for sustainable development (Hillman, 2009). This is largely lacking in the region due to ineffective and/or inadequate institutions of governance.

Strong institutions promote accountability, which is a veritable ingredient in good governance. However, the ungoverned territory of the North Eastern region lacks such institutions and thus accountability, posing serious governance challenges. The region further lacks institutions for the monitoring and evaluating good governance, which is key in promoting development and good service delivery (Ibid). The absence of such institutions in the region has created a lot of discontent among the residents, thus making them vulnerable to all forms of aggression including violent extremism. This study underscores that many vital government institutions are lacking or scarce in the North Eastern region. These institutions include but not limited to Ethics and Anticorruption commission that fights corruption, Kenya bureau of standards that guarantees quality standards and communication commission of Kenya that protects consumer rights within the communication environment among other institutions. This culminates in poor service delivery and subsequently frustrations that leads to radicalization into violent extremism.

Heightened terrorism activities in the North Eastern region have played a key role in weakening the existing institutions of governance. In February 2025, five chiefs were for instance ambushed and abducted by Al Shabaab while travelling from Wargadud to Elwak. The attack happened between Bamba Owla and Ires Suki, just days before the head of state visited the area. This is not an isolated case targeting government officials and/or institutions. There have been many attacks, especially in the last one decade, that have targeted security

officers in the region. In October 2024 alone, more than ten attacks were launched targeting security officers and/or security installations in Lafey and Fino in Mandera county. As underlined by one respondent, many police posts and stations have been attacked in the region in the last decade (Interview with a resident, 2025). In Wajir, at least 25 attacks that targeted government officials, security officers and their installations were reported between November and December, 2024. This deliberate targeting of security officers and key government installations is an attempt to render the area ungovernable, hence creating a vacuum to be used for violent extremism.

Institutions expected to deliver on the promises of human rights are also weak or inadequate in the North Eastern region. Human right dimensions touching on cultural, economic and social rights and civil and political rights as underlined in the International Covenant on Economic, Social and Cultural rights and the International Covenant on Civil and Political rights respectively, have been ignored in the region (Njagi, 2024). This is because of the absence of the institutions mandated to promote the observance of various human rights. When human rights are not observed, people become rebellious as espoused by frustration-aggression theory, a development that sometimes makes people become receptive to radical ideas. One respondent underlined this argument by pointing a case where a young man from Wajir was arrested and forced to sell his Camel to pay bribe. Upon release, the young man crossed over to Somalia and joined Al Shabaab (Interview with staff working with NGO, 2025).

The heightened incidences of radicalization into violent extremism is both a symptom and a cause of poor governance (Njagi, 2023). Violent extremism causes poor governance when it undermines the cardinal pillars of democracy and the security of key government installations and/or personnel. It becomes a symptom since it thrives where government institutions are either in-existent or extremely weak, a development that creates a vacuum that can be used for criminal activities. Whether a symptom or a cause of poor governance, violent extremism and the strength of government institutions are correlated. When institutions are weak or inadequate, violent extremism is widespread, particularly where radical ideology is present. Strong institutions on the other hand help in curbing violent extremism even when the radical ideology is present. Thus, deficiency in the strength of the institutions of governance gives violent extremists a lacuna that they exploit to propagate their radical ideologies.

Weak institutions of governance in the North Eastern region, as evidenced by the limited or ineffective state power and/or presence has led to power vacuum or alternative structures of authority in the region. Al Shabaab has for instance served the role of judiciary and the police by arbitrating on disputes among residents and providing security respectively. Al Shabaab has not only provided these services, but they have also demanded levies in some regions, while at the same time discouraging locals from paying taxes to the county or national government. This terrorist group has been seeking to create a power vacuum or an alternative structure of authority, so that the area remains ungoverned. An ungoverned territory would continue serving the interest of Al Shabaab by acting as a safe haven for the extremist group.

The limited surveillance by security agencies due to the weak or non-existence state institutions in the North Eastern region has created an enabling environment for violent extremism. This kind of limited surveillance by state agencies creates a conducive environment for extremists groups to propagate their radical ideas. This is because limited surveillance due to institutional weakness allows extremist groups to move freely, conduct their radicalization exercises and transport their weapons without being detected. This kind of environment has boosted the morale of the violent extremist groups, thus emboldening them to continue propagating their radical ideologies among the residents of North Eastern region. This paper therefore argues that weak or non-existent institutions of governance in North Eastern region has acted as an enabler for violent extremism by weakening the social contract between the government of Kenya and the residents of the North Eastern region.

Cross-border movements in the North Eastern Region

The Kenya-Somalia long porous border has made it easy for people to cross from Somalia to Kenya and the vice versa without being detected. The situation has been aggravated by the ungoverned territories of the North Eastern region, where criminals cross from Somalia to Kenya and operate freely without the risk of encountering security agencies. These criminals particularly those with radical or extreme ideologies have enjoyed the vacuum

created to spread the radical ideology among the residents. The inadequate border control in the era of globalization where the entire world has become a village is a serious threat to national security in Kenya and the region.

The porous Kenya-Somalia border has played a significant role in heightening insecurity in the North Eastern region. The ensuing security situation in the region has thus culminated in a complex security dynamic that affects the entire Horn of Africa region. This is because it has significantly led to the proliferation of small arms and light weapons, illicit cattle trade, smuggling of various goods such as sugar and cross-border kidnappings. The porous border has also been an enabler of the terrorists in advancing their activities in the region, including recruiting and radicalization into violent extremism (Nolasco, 2017). The increased infiltration in Kenya by Al Shabaab from Somalia has made it easy for them to influence the local residents and spread their radical ideology of creating an East African caliphate.

The failure to effectively monitor and prevent the movement of suspicious individuals along the Kenya-Somali border in the North Eastern region has made it easy for criminal elements including terrorists to operate freely, thus significantly compromising security and development projects in the North Eastern region. Ineffective monitoring of this border is due to the inadequate resources, both human and technological, that have been allocated to this endeavor, a development that has led to the manifold security challenges in the area. The ineffective monitoring of the border has exacerbated the dire security situation occasioned by the ungoverned territory of the North Eastern region, a condition that has played a key role in fueling radicalization into violent extremism. This has in turn complicated the security dynamics in the region.

Corruption among police officers manning the Kenya-Somalia border has facilitated Al Shabaab in gaining entry into Kenya, and has promoted the smuggling in illegal goods such as sugar. Such corruption coupled with inadequate capacity of various security agencies and the poor coordination between them has significantly intensified insecurity in the region. Corruption within the border police unit is a major enabler for violent extremism since it allows terror suspects and smuggled goods enter the country (Mongare, 2019). The smuggled goods are in turn used to entice vulnerable youth into violent extremism.

The inadequate number of officers from the Kenya Revenue Authority (KRA) along the Kenya-Somalia porous border does not only depict the porosity of the border, but it is also a confirmation that the region is poorly governed. This has negatively affected security situation in the region in many ways, including fueling clan hostilities as they seek to control smuggling routes. This is the case in Boru-Hache town, a transit points for goods smuggled from Somalia into Kenya. Marehan clan in Mandera County have been considered to be controlling trade along this smuggling route. This has created discontent as noted by respondent who observed that Marehan clan are controlling trade in our land, marginalizing our people in their own land (Interview with a resident, 2025). The porous border and the presence of large swaths of land that is poorly governed has made it easy for youth to be recruited and get trained in Somalia and later get deployed back to Kenya to radicalize others or for a terrorist attack.

The high level of insecurity in the North Eastern region has been exacerbated by not only the home-grown terrorists, but also cross-border insurgency by the Al Shabaab terrorist group from Somalia. The porous border has allowed Al Shabaab to easily cross the Kenya-Somali border, a development that has heightened radicalization and negatively affected humanitarian situation. The instability in Somalia has significant spillover effect on Kenya's security situation and particularly the North Eastern region. As already underlined, Al Shabaab often crosses the border and sometimes fuel the inter-clan animosity which culminate into clan fighting. This is a major source of insecurity in the region, a condition that has significantly compromised the humanitarian situation in the area due to the massive displacements it has caused.

The conflict in Somali coupled with the clan dynamics and shared identities across Kenya-Somali border has played a vital role in security spillover effect in Kenya. This has affected the security situation in Kenya, and especially in the North Eastern region. The cross-border insurgency has been emboldened by the ungoverned territory in the North Eastern region, a development that has negatively affected the security dynamics in Garissa, Mandera and Wajir counties.

The inadequate Kenya-Somalia security coordination and the weak social contract between the Kenyan government and the residents of the North Eastern region has significantly affected security situation in the region (NCIC & Interpeace, 2017). The Al Shabaab has exploited the weak social contract, the porous borders and the regional cleavages to enforce their variant of Islamic law and extremist ideas in both Somalia and Kenya's North Eastern region. Al Shabaab has tailored their message according to the needs of the people of North Eastern region. This has made violent extremist groups like Al Shabaab become so attractive to the residents of the North Eastern region since they are seen as an alternative source of governance.

Akenga et al consider terrorism along the Kenya-Somalia border to be a major security threat in the region. He attributes the security situation in the region to the poor exchange of information among the intelligence agencies of the two states. This is because Kenya-Somalia relation has been riddled by mistrust, poor coordination and contrariness, a development that makes sharing of intelligence extremely difficult (Akenga et al, 2021). The inadequate cross-border sharing of intelligence has hindered effective security collaboration between the two states, thus affecting security in North Eastern region of Kenya.

The security threat posed by Al Shabaab, especially in the North Eastern region, is worsened by the cross-border activities, the inter-communal rivalries and the ungoverned nature of the region. The unchecked cross-border activities and the inter-communal rivalries that also often cross Kenya-Somali border has culminated in a vacuum that the Al Shabaab use to expand and further their agenda of making the North Eastern region ungovernable. This study depicts that the porous Kenya-Somalia border, which is an indicator of poor governance, has given violent extremists a vacuum that enables them propagate their radical ideologies without the fear of being detected by the security agencies. This in essence depicts that porous border like the one found in the North Eastern Kenya is a sign that the region is ungoverned territory. This heightens radicalization into violent extremism in the North Eastern region and Kenya at large.

CONCLUSION

Based on how the term 'ungoverned territory' has been conceptualized by various scholars, this study concludes that the North Eastern region of Kenya is an ungoverned territory. This is because the region lacks effective control by the national government as is evidenced by the prevailing poor social contract between the government and the residents, weak or inadequate institutions of governance and the government's inability to control the long and porous Kenya-Somalia border. The ensuing environment of weak social contract, ineffective and/or inadequate institutions of governance and the porous border that is poorly managed has culminated in an environment that is conducive for violent extremism.

This is because the weak social contract between the government and the residents of the North Eastern region has culminated in poor provision of basic services by the government and the abuse of human rights, thus fueling dissent among the locals. This in turn plays a key role in promoting violent extremism since disgruntled people are likely to be more receptive to the radical ideologies as argued by frustration-aggression theory. In addition, ineffective or inadequate institutions of governance as is the case in Northern Kenya allows the extremist groups to operate freely without the risk of being detected, thus giving them a safe haven to recruit and radicalize residents into extremism.

The ungoverned territory evidenced by the porous Kenya-Somalia border allows undetected cross-border activities. The locals often cross border to Somalia where they are trained and deployed back to advance the terrorist activities in Kenya. Further, violent extremists from Somalia cross over to Kenya to further their agenda of radicalization into violent extremism. This study therefore argues that the ungoverned territory of the North Eastern region in Kenya has resulted in weak social contract, porous border and inadequate institutions of governance. When the social contract is weak or non-existent, people revert to the state of nature as underscored by Thomas Hobbes, creating a conducive environment for violent extremism. Ungoverned territory also leads to poor provision of basic services, a development that heightens dissatisfaction among people. This makes people vulnerable to violent extremism as underlined by frustration-aggression theory.

RECOMMENDATIONS

Based on the key findings of this study, this paper recommends the need to fight violent extremism from a governance perspective. The Kenyan government needs to pay special attention to its ungoverned territories, particularly the North Eastern region where radical Islamic ideology is present, for it to counter violent extremism in the country. Failure to combat violent extremism from a governance perspective will prove difficult to address this malady. This is because the ungoverned territories not only act as a safe haven for terrorist to advance their agenda of violent extremism, but also culminate into dissent among the locals which create conducive environment for violent extremism.

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