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1 August 1978

THE DISPUTE OVER THE NORTHERN  
FRONTIER DISTRICT OF KENYA  
1963 - 1967

A study in strategies of  
conflict resolution

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Conflict

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"If one person wants a window in this room open and another person wants it shut, and if they keep phrasing their desires in terms of the window, one of them must win and the other must lose, or there will be some sort of only partially satisfactory compromise. But if it can be discovered that the first person really wants fresh air, and the second seeks only to avoid a draft, a creative solution may be possible; opening the door or a window in another room could provide fresh air without a draft."

Leonard W Doob. Resolving Conflict in Africa. (New Haven; Yale University Press; 1970)

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Conflict resolution may be defined as the attainment of a self-supporting settlement acceptable to both parties to a dispute. (It may occur at one conflict level or at several.) It is to be contrasted with conflict settlement, which may be imposed by a third party or by the stronger of the conflicting parties against the wishes of the opponent. Settlement will thus merely affect the overt conflict behaviour of one or both parties, but it may not affect the original conflict situation (one of incompatible goals), or the related attitudes and aspirations of one of the conflicting parties.

In multi-level conflicts involving national political authorities, resolution may depend upon:

- 1) Re-definition of the situation and the conflict in terms acceptable to both parties, which enable an innovative solution to be achieved. This may involve the abandonment of strongly held concepts and values, such as territorial integrity and sovereign independence.
- 2) Suitable conditions in other conflict levels which allow such a resolution to be reached. (A key element is the ability of national political authorities to be able to control the subsequent behaviour of other parties to "lower level" conflicts.)
- 3) Major environmental changes which re-order the goals of parties to the conflict, and force a re-evaluation of the costs of continuing violent conflict behaviour.

Or a combination of all three processes.

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PREFACE

The processes of de-colonisation in East Africa have left a number of serious problems for the political authorities in the new states of the area. One of the most intractable of these has been the dispute over the Northern Frontier District of Kenya, a problem that was passed on to the new Kenyan Government in December 1963, when the country became wholly independent. Newly independent states in sub-Saharan Africa have found themselves facing two fundamental tasks; economic development and national integration. The NFD problem is an aspect of the latter task. For the Kenyan Government, it has been a problem of how to integrate into the Kenyan social and political systems a heterogeneous nomadic community living in an area of barren savannah approximately one third the size of the whole of Kenya; a people, furthermore, that belonged to different ethnic and linguistic groups, that possessed a different religion and culture, and some of whom had made it plain before Kenyan independence that a substantial minority wished to become part of the Somali Republic, where their kinsmen ruled over a state that had gained its own independence in 1960. For the Somali Government, the problem has been one of the perpetuation of an arbitrary international boundary imposed by imperialist powers, which continues to separate large numbers of Somali nationals from their own country.

This study attempts to analyse the endeavours made between 1963 and 1968 by Kenyan and Somali Governments to settle their conflict over the land and people of the NFD, now part of Kenya's

Eastern and North-Eastern Provinces.

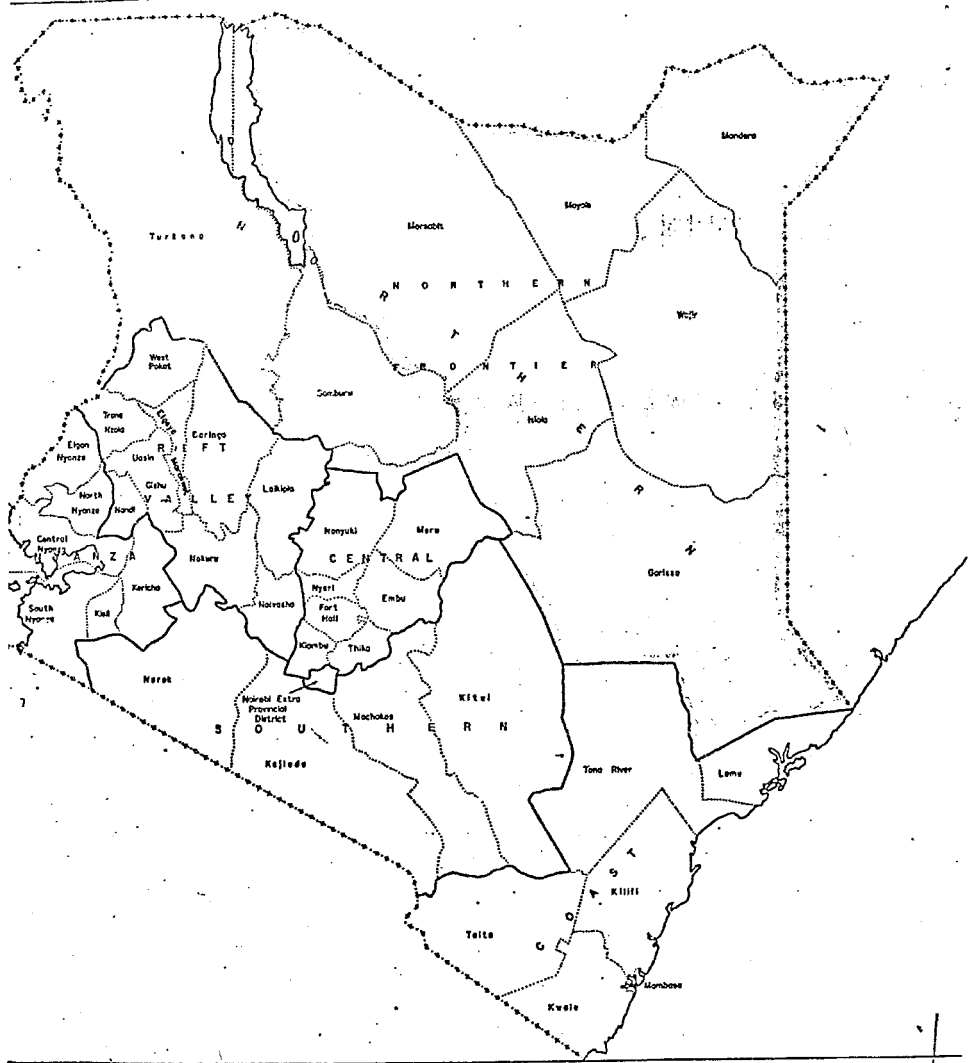
Kenyan-Somali interaction naturally involved other governments and organisations during the five year period under review. During this time, a variety of strategies were employed to settle the conflict, both by the two governments directly involved, and by international organisations and other third parties. Several techniques of conflict settlement may be discerned in operation, some used by both parties, others by only one. This is not to imply that the strategies are easily separable when the overall behaviour of both involved parties is considered, nor is it to argue that the parties themselves would have consciously described their behaviour in quite the analytical terms employed in this study. Similarly, it cannot be argued that the strategies followed one another in well defined stages, one being abandoned as unsuccessful when another was taken up. At certain stages in the conflict process several coercive or settlement strategies were in use simultaneously by both parties, so that all played some part in the overall pattern of interactions. However, all but one failed to resolve the conflict situation facing the two parties. It is the use of this final, resolution strategy that makes the dispute interesting, especially from the point of view of the methodology of resolving inter-state conflicts. Even if the technique ultimately fails in this particular dispute, it may present some lessons that may be valuable for others.

Finally, it should be emphasized that this is not a historical study, although the origins of this dispute, as well as those of any other international conflict, lie in the past, and are part of the history of the area. Previous events



must naturally serve as a vital background for subsequent developments, for these events decided the actual situation facing the two Governments in 1965, as well as helping to form the perceptions and attitudes of both parties and their expectations of one another's behaviour. However, it is too soon after the event for documents, memoirs, personal statements of participants, or government records to be widely available, and it could be argued that even with these in use it still would remain impossible to tell the "full" story of the dispute. I have, therefore, avoided any attempt to write a descriptive account of the five years during which the conflict was most active, and instead have tried to trace out the main stands of interaction, at the same time using concepts drawn from contemporary theoretical literature on comparative foreign policy and international relations to assist in an analysis. In one sense, then, this is a conceptual rather than a historical study, and may best be understood as an effort to use one real world situation to help to illuminate concepts and theories that have been developed in the course of studying other international conflicts and confrontations, and also from other areas of the social sciences sometimes regarded as having little to contribute to the study of international politics.

C.R. Mitchell.



Administrative divisions, as at 1962

from W.T.W. Murray and N. Manfred Steffen: Population of Kenya: Density and Distribution. Nairobi, University Press (Eastern Africa), 1966, p. 31.

INTRODUCTION - The Subject of the Dispute

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"... one half of Kenya about which the other half knows nothing and seems to care even less."

Negley Farson: Last Chance in Africa.  
1950

The Northern Frontier District of Kenya forms the southernmost tip of a long, arid plain that is bounded at its northern end by the Red Sea, to the north west by the uplands of Ethiopia, and to the south by the Highlands of Kenya. The region stretches for over a thousand miles parallel to the shores of the Indian Ocean, from Cape Guardafui to the Tana River. It is characterised by dust, heat, stony ground, and a lack of green vegetation, except for tough, stunted grass and the ubiquitous "wait-a-bit" thorn. Save for the areas around the four main rivers, the region is desperately short of water. (Rainfall in the north east of Kenya is less than ten inches a year on average.) Wells may be anything up to fifty miles apart, so that any settled form of cultivation is usually out of the question. The people of the region have therefore adapted themselves to this harsh environment by developing pattern of nomadic pastoralism which follow seasonal supplies of water and grazing.

The "NFD" itself lies in the extreme north east of the now independent African Republic of Kenya. The precise territorial limits of the District, and the meaning of the title itself, are sometimes difficult to discover, so confusion is implicit in the use of the term. Before the Second World War the NFD roughly comprised the area north of Isiolo (which lies

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below Mount Kenya), and was bounded on the west by Lake Rudolph, on the north by the Ethiopian frontier, and on the east by the frontier of the then Italian colony of Somalia (1). The area was divided into six administrative Districts (Garissa, Wajir, Mandera, Moyale, Marsabit and Isiolo), while in the mid-1920s Samburu and Turkana, on the southern and western shores respectively of Lake Rudolph, were added to make a seventh and eighth District. At the same time the official name for the area was changed to Northern Frontier Province, and finally to Northern Province. However, the term "NFD" continued to be used to describe the whole area, while to add to the confusion, Samburu District, though formally remaining part of the NFD, was eventually administered as part of the Rift Valley Province. Finally, on the attainment of Kenyan independence in 1963, the area was once more divided up among separate local authorities, Turkana and Samburu Districts becoming part of the Rift Valley Region, the extreme eastern part of the NFD becoming Kenya's North Eastern Region, while the remainder was formed into the Eastern Region.

Amid such complexity of local administrative arrangements and change in names the development of a working definition of the term "NFD" becomes difficult. I propose, therefore, to adhere to the area described in the Report of the Northern Frontier District Commission (2) which leaves out both Turkana and Samburu from the area defined as the NFD, and limits that area to the administrative Districts of Garissa, Wajir, Mandera, Marsabit, Moyale and Isiolo. This will entail ignoring areas which, after December 1963, were part of separate Kenyan administrative regions, but the suggested limitation may remove some ~~confusion.~~

the NFD. A study of the whole area based upon this census notes that the combined population of Kenya "Gallaland" (Marsabit, Moyale and Isiolo) and Kenya "Somaliland" (Mandera, Wajir and Garissa) - which approximate to the total area of the NFD as defined in this study - amounted in 1962 to 368,795 persons or 4.3% of the population of Kenya (4). The average population density per square mile was 3.6, though it was much lower in the western part of the NFD ("Gallaland") than in the eastern ("Somaliland"). There are also far more people in Kenya "Somaliland" (290,485) than in "Gallaland" (75,840), though it should be noted that the Orma inhabited areas south of the Tana River did not fall within the region designated as Kenya "Gallaland" in the study.

Though all ethnic groups in the NFD practice nomadic pastoralism and stock raising, the patterns differ slightly from district to district and according to variations in the environment. As a general rule, the further north and east one goes, the more camels replace cattle. Thus, while the Galla do keep numbers of camels, the proportion of camels to cattle is much lower than in the Somali-dominated areas of the NFD. (Both ethnic groups keep numbers of sheep and goats, the mixed flocks being known as "shoats".) The reason for this concentration upon camel raising among the Somali tribes is to be found in the smaller and more widely scattered water sources in the Somali areas of the NFD, which necessitate the raising of beasts that can be grazed a considerable distance from the main source of supply, the central wells traditionally used by the family or clan (5). Traditional Somali way of life is based upon the camel, which represents status as well as wealth, transport as well as shelter and utensils, but above all, food.

Allied to this were traditions of self-defence and defence of one's animals, shared by all peoples of the area, and the tradition of stock raiding and rustling which, in the NFD at least, had something of the status of a national sport, particularly among the younger men of certain tribal groups. Under British administration, stock theft remained a major activity in spite of the efforts of the District Commissioners, the Kenya Police and the Tribal Police. Major inter-tribal clashes still occurred from time to time, though British regulations about the possession of firearms tended to lessen the scope and fatality of such encounters, unless armed raiders (or "shifta") came across the border from Ethiopia, where arms and ammunition were more easily obtainable. A major problem was boundary violation and trespass, when the stock of one tribe was deliberately driven onto the scanty grazing of another to poach what little might be available. Such expeditions, and the more frequent rustling, usually resulted in violence when detected, followed by fines and the exchange of blood money or compensation for stolen cattle and injured dignity.

One final fact standing out among the complexity of group identities, rivalries and loyalties within the NFD is that the inhabitants of the area regarded themselves as being separate and distinct from the remainder of Kenya. The main centres of loyalty remained the tribe or clan, coupled in the case of the Somalis, with the sense of being part of a Somali race or "nation". Allied to this sense of separateness from "down-country" Kenyans (by which was meant the Bantu or the Nilotic tribes of the Highlands and the Coast), was a sense of superiority which led all of the northern tribes and clans to look down on Kikuyu, Luo, Kisi, Kamba and the other peoples that made up the

other 90% of the population of Kenya. This failure to identify themselves with their southern neighbours was shared by all the northern peoples, but was most pronounced among the Somalis, who employed the derisory term "Kyukes" for all Bantu peoples. This shared sense of separate identity was reflected in numerous expressions concerning a trip "down" to Kenya, as though the visit were to a distant and wholly foreign country.

#### Footnotes to Introduction

1. See the map in the Frontispiece.
2. Report of the Northern Frontier District Commission. Cmdd 1900 (London; HMSO; 1962). The Commission was appointed by the United Kingdom Government to enquire into the prevailing opinion within the NFD with regard to secession from or incorporation in an independent Kenya.
3. See the population figures in Appendix 1.
4. W.T.W. Morgan and N. Manfred Shaffer: Population of Kenya: Density and Distribution (Nairobi: Oxford University Press (Eastern Africa), 1966). For summary figures see Appendix 1.
5. See the livestock estimates in Appendix 1.

## CHAPTER 1 - The Nature of the Dispute

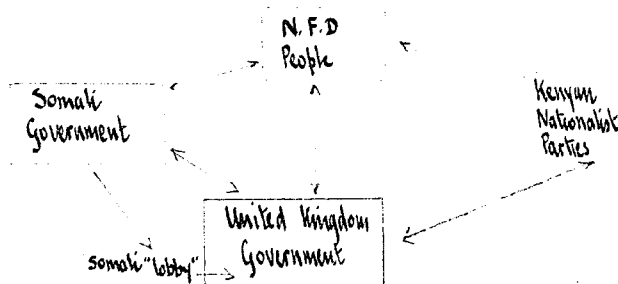
Upon gaining full independence in December 1963, the Kenyan Government, which was then firmly controlled by the Kenyan African National Union (KANU), found that it was faced with a major conflict situation, which involved both problems of internal stability and its relations with a neighbouring African state. The Government of the Somali Republic, for its part, found itself confronted with a radically altered situation, in that it was no longer negotiating for the self determination of a minority community and its territory with a European power on the verge of granting independence to one of its colonies; the other party to the dispute had become a newly independent, African-ruled state, intent upon emphasizing its new statehood in order to create a sense of unity among diverse ethnic and tribal groupings.

Analytically, three factors in the situation had changed radically. First, as outlined above, the major parties to the dispute had altered. Whereas the United Kingdom Government had been the centre-piece of the conflict over the Northern Frontier District up to the middle of 1963, by the beginning of January 1964 it had ceased to have any say in the dispute, and had passed the problem on to its successors in Kenya. This led to the second major change; the shifting of the main decision arenas to local rather than European centres. This switch had been foreshadowed by the

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the Somali Government's early attempts to have the dispute brought before the infant Organisation of African Unity in May 1963, and had been most clearly signalled at the end of the conference between Somalia and the United Kingdom held at Rome in August 1963. By the end of that year it was clear that any decision about the NFD would, with the withdrawal of the United Kingdom, be a purely African one, made as a result of African interaction and decision. Finally, both of these changes combined to restructure the interaction patterns which characterised the dispute, altering both the direction and nature of the influence attempts that arose from it. In many senses, the changes made the new influence patterns a great deal simpler. One could represent the situation prior to the granting of the Kenyan independence in this fashion:



However, by the beginning of 1964, the pattern of influence had become less complex, and though other parties became peripherally involved at various times during the period of the dispute (for example, the Chinese People's Republic in 1964, the Soviet Union in 1963, and Ethiopia on numerous occasions between 1963 and 1967), this basic pattern remained in being throughout the entire four years, from 1963 to 1967:

NFD  
People

Somali  
Government

Kenyan  
Government.

The major alterations in the situation that took place at the end of 1963 give force to the argument that the NFD dispute may be analysed as a new foreign policy "undertaking" for both the Somali and the Kenyan Governments, and regarded as a qualitatively different situation from that which had faced both sets of decision makers before 1963. (In the case of Kenya, the same set of KANU decision makers had been responsible for much of the internal policy of the country before December 1963. After that date a new set of problems posed themselves, among which was the problem of relations with the Somali Government over the NFD question.) Rosenau, who originally formulated the concept, has defined an "undertaking" as:

"..... a course of action that the duly constituted officials of a national society pursue in order to preserve or alter a situation in the international system in such a way that it is consistent with a goal or goals decided upon by them or their predecessors. An undertaking begins when a situation arises abroad that officials seek to maintain or change. It is sustained as long as the resources of the society, mobilized and directed by the officials, continue to be applied to the situation. It terminates either when the situation comes to an end and obviates the need for further action, or when officials conclude that their action cannot alter or preserve the situation and abandon their efforts...."(1)

It will be apparent from this definition that, for the Kenyan Government, the problem of Kenyan-Somali relations over the NFD was a new undertaking, in that, in 1963, all foreign policy problems were new undertakings. It can also be argued

that the altered situation brought about by United Kingdom withdrawal and by Kenyan independence made the situation a new undertaking for the Somali Government; although basic Somali goals may have remained the same, the structural situation in which those goals were being pursued had changed so significantly that a new behavioural pattern had to be evolved to cope with these changes in the Somali external environment. Rosenau himself stated that the boundaries of undertakings are "... defined in terms of the behaviour, decisional and implementive, associated with the pursuit of goals in concrete situations ..." (2), so that, in this sense, the dilemma of Somali-Kenyan relations and the NFD was as much a new undertaking for the Somalis as for the Kenyans. Thus, the beginning of the "NFD undertaking" is clearly marked, for the Kenyan decision makers, and for those in the Somali Republic, both by the altered nature of the dispute and by the altered behaviour and interaction engendered as a response to those alterations in the conflict situation.

The termination of an undertaking may also be recognised by any major changes in the situation the two actors seek to influence, or in the type of behaviour both indulge in to reach their goals (such as the ultimate abandonment of efforts to preserve or alter the situation by one or other party). It is a contention in this study that such a major alteration took place in the "NFD undertaking" at the end of 1967, so that the behaviour of the Kenyan and Somali Governments during the period from the end of 1963 to the end of 1967 may usefully be studied as a separate and distinct pattern of interaction resulting from the interlocking undertakings of two conflicting actors. The Somali-Kenyan interaction between 1963 and 1967

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may therefore be analytically distinguished from subsequent behaviour with respect to the NFD. Such analytical distinction will not do overmuch violence to the empirical facts of the dispute.

(A) The Issues in Conflict

Before exploring the strategies used by both sides to settle their conflict, it is necessary to re-emphasise three points about the initial dilemma facing both governments.

The first is that the colonial power had solved the problem for itself by simply washing its hands of the whole affair. Confronted by the problem of the NFD Somalis' demands for secession before independence, a period under British administration and, ultimately, union with the Somali Republic, the United Kingdom Government had temporized, and made the worse of both worlds. While admitting that most of the inhabitants of a sizeable section of the NFD did not wish to become part of an independent, African-ruled Kenya (this claim being given substance by the findings of the Commission of Enquiry sent to the NFD in 1962), the United Kingdom Government's final response had been to create a seventh administrative district out of that area, and add this to the six that were originally intended to make up the quasi-federal structure of the new, independent Kenya. By doing this, they incurred the enmity of both major political parties in Kenya, who were opposed to any possibility of the NFD breaking away from Kenya and joining Somalia; of the Somali NFD inhabitants, who promptly boycotted elections for the new Kenyan National Assembly; and of the Government of Somalia, who, since

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achieving their own independence in 1960, had been diplomatically active in support of their Somali kinsmen both in the NFD and the Somali inhabited areas of Ethiopia. It was at the inter-governmental conference held in Rome in August 1963, four months before Kenyan independence, that the Somali Government finally realized that the problem would have to be settled by subsequent bargaining with the leaders of an independent Kenya. In his opening address to the Conference, the United Kingdom Minister of State for Foreign Affairs announced that the United Kingdom felt that it would be wrong to take any unilateral decision about the frontiers of Kenya without reference to any present or future government of that country, and that agreement would have to be sought by the African governments concerned themselves. This announcement by the British that they would not act unilaterally was hailed by the Kenyan delegation to the Conference as a great victory, as it was the first time that such a formal declaration had been made. The door to direct talks was, however, left open, though Mr Mboya announced on his return to the Kenyan capital that the secession issue was now "closed" as Kenya would "never agree to part with an inch of her territory".

The second significant background factor in the early stages of the dispute was the attitude of the nationalist leaders in Kenya. There can be no doubt that both the major political parties negotiating the agreements for independence and a new constitution were opposed to any secession by any other group within the borders of colonial Kenya, in spite of subsequent rumours that Mr Kenyatta had been favourably disposed to such a scheme for the NFD Somalis when he visited Mogadishu

with a KANU delegation in July 1962 (3). The United Kingdom Government had been under tremendous and growing nationalist pressure from 1960 to 1963 as the negotiations over the details of Kenyan independence proceeded, not even to allow any discussion of the possibility of the break up of the Kenyan political system. This attitude is an understandable one when the internal divisions and conflicts inside Kenya are taken into account. These came more and more into the open as the prospect of the removal of colonial administration came closer, and problems of which ethnic or political groups should have most influence in the new political system were negotiated with the departing colonial power. The principle that secession of any one part of colonial Kenya would lead to a whole series of fissures, until the whole of Kenya became "balkanized", seems to have been accepted by most Kenyan nationalist leaders from the beginning, and this acceptance helps to explain their negative attitude to any action that might call into question the unity of the future state of Kenya.

An additional element in the unity v. secession problem was that the whole question of Kenyan unity became involved with that of centralization of political control, and the amount of autonomy to be granted to the six (later seven) provinces into which it was proposed to divide independent Kenya. Fears of over-centralization and domination by KANU's Kikuyu/Luo alliance ultimately drove the Kenyan African Democratic Union (KADU) into extremist attitudes and actions, which culminated, in October 1963, in the publication of a KADU plan for a separate Republic in areas dominated by KADU supporters. The KANU reaction was to turn towards a stronger insistence on firm central government control (a policy which President Kenyatta

put into effect almost as soon as he came to independent power in 1964), and a consequent hardening of the Kenyan nationalists' attitude towards the NFD secessionist movement, which was perceived as involving the surrender of two fifths of total Kenyan territory prior to independence, though, in fact, the secessionist-dominated area was much less. In this fashion, the whole question of the Somali minority became intimately associated with both the unity and integrity of the new Kenyan state, and of its administrative structure, so that any compromise was regarded as the initial step that would eventually result in the break up of the whole country. This theme runs continuously through Kenyan comments on the NFD problem, from the fears voiced by Senator Munoko in the National Assembly in July 1963 that if the Government were forced into the transfer of the area "... many other countries will claim parts of Kenya ..." (4) to a comment by Dr Mungai, the Minister of Defence, as late as April 1967 that "... if Kenya was to be divided further, there would arise a very serious situation that could lead to bloodshed..." (5).

Any subsequent actions of the independent Kenyan Government must be viewed in the light of this initial position, and of an attempt to create a unified and centralised state out of the diverse elements in the political community.

If the initial political commitment of the new independent Kenyan Government was to the unity of the Kenyan political system, then the Somali Government was equally committed by previous policies, and by public statements about ultimate goals. This Somali commitment is the third major background factor. The movement for Somali unification had begun in the 1940, when temporary administrative unity, first under Italian, then British

military rule, had given Somali leaders an experience of unitary administration to refresh their memories of Somali "cultural nationalism" (6) and of the imperialist division of the Somali people of the Horn of Africa at the end of the 19th Century. Somali commitment to the ultimate unification of the five divisions of the Somali people had been symbolized in 1960 by the choice of a five pointed star for the flag of the new Republic (7). It had been further emphasized by the inclusion of a commitment to peaceful unification of all Somali peoples in the writing of the constitution (8). This document had been drafted at a conference of the national Pan-Somali Movement held in Mogadishu in July 1959, which had been attended by representatives of the Somalis living in the NFD. At this time, the immediate problem for the Somali leadership was to try to ensure that the new republic would consist of both British and Italian Somaliland, and that these two colonies could unite upon achieving their separate independence. The government of Abdullah Issa in Italian Somalia was intent upon achieving a constitution that would facilitate such union. Hence, the inclusion of the unification commitment in the constitution may be regarded both as a long term goal, and as a tactical move to help ensure the unification of two parts of Somalia that were then under direct colonial administration.

This public and permanent commitment to a policy goal, not unnaturally, tied the hands of successive Somali governments, though in their public utterances all Somali political parties, both government and opposition, were committed to this ultimate aim, and differed <sup>only</sup> in the extremism of their approaches to the problem. Somali unity has always been in the forefront of Somali government policy, and popular feeling on the subject



within the Republic has always been intense (9). The salience of the problem has received additional impetus from the association of major clan-family (10) interests with the policy's success, as it directly involved their own kinsmen living outside the boundaries of the Republic. The policy has thus tended to generate a life of its own over a period of time, and modification of the goal, in view of both written commitment and internal pressures, has been difficult. However, the exact meaning of the goal of "Greater Somalia" has tended to be ambiguous, and at least two alternative interpretations of the term are possible, even according to official Somali Government utterances on the subject.

(B) Interlocking Conflict Levels

Although it is intended to concentrate attention upon the efforts of the formal political authorities in the Kenyan and Somali political systems to influence each other's actions and to settle a dispute, to do so in isolation from simultaneous disputes and conflicting issues at other levels would be misleading. These other conflict levels form both a background to and an integral part of the inter-state conflict. Adequate analysis of the dispute over the NFD must begin with the recognition that it involves not one but several conflict situations, and that these form an interlocking pattern, so that events at one level affect events, attitudes and outcomes at other levels. Like all "international" conflicts, the NFD dispute actually consists of a set of separate "layers" of conflict, each layer involving analytically separate parties, each possessing distinct sets of mutually incompatible goals (the definition, employed in this paper, of a situation of conflict),

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and each acting in a different fashion to achieve those goals which may or may not involve violence (the definition of conflict behaviour), thus forming a pattern of interaction between mutually opposed parties (the definition of a conflict process).

The introduction of this concept of "layered" conflict raises an acute form of definitional problem, firstly in the use of the term "party", and secondly in respect of the meaning of "conflict", though the two are inter-connected. A number of problems arise in considering the question of who are the parties to a particular dispute, especially when one or both parties possess no formal organisation or a recognisable leadership group to represent the individuals who are pursuing a specific objective (11).

It may be suggested that, if a conflict situation is defined as one in which two parties find themselves possessing mutually incompatible goals, then the parties themselves may be identified: (i) by their individual members' shared objectives, consciousness of existing goal-incompatibility with another set of individuals, and self-image of themselves as belonging to a particular grouping; (ii) by membership of a formal organisation which represents the interests of the individuals mentioned above; or (iii) by involvement in action in pursuit of objectives or of altering the opponents' objectives (or their willingness to pursue them) by means ranging from the expression of opinion to the use of violence.

The use of any one criterion, or all three in combination, will thus help to identify any party to an issue in dispute. The flexibility of the method of party identification assists in dealing with complex, multi-issue situations involving

conflicting goals and overlapping membership within different parties, with individuals and groups belonging to different parties according to the issue under consideration. The scheme is particularly useful when dealing with a situation involving a number of different types of issues and parties, whose behaviour, nonetheless, has a significant effect upon other levels of conflict, as was the case in the dispute over the NFD. At the "uppermost" level, the parties were the formal governmental representatives of Kenya and Somalia, and the issue was the one central to this study, the matter of the independence or incorporation of the people and territory of the NFD into the Kenyan or Somali political system. At another level, the parties involved were the formal political organisations within the two political systems, and the issue of the NFD was merely one among a wide variety of issues which caused domestic conflict between the formal political organisations within the Kenyan and Somali political systems and the sets of people within those national political systems whose interests and objectives these political organisations represented. Finally, there were the issues in conflict between the parties within the NFD itself, where the situation involved a conflict between representatives of the same Kenyan Government interacting with the Somali Government at another level, and the inchoate and often unorganised parties representing the Somali inhabitants of the area. The issue between these latter parties may be defined as one of secession, but this issue became entangled with a number of others relevant to the local level, so that conflicts between sub-parties within the NFD itself were also involved and had an effect upon the behaviour of the parties to the main secessionist struggle. It is possible to carry the analysis even further, and identify issues and conflicts within

the secessionist movement itself, both as to tactics and ultimate aims, so that any full analysis of the situation would involve consideration of these conflicts, their outcomes, and their effects upon conflicts at other levels. However, while admitting that it is possible to continue almost ad infinitum to distinguish fresh sub-parties in any complex conflict, according to slight differences in objectives and the consequent raising of analytically distinct conflict issues, such an exercise becomes less useful after a certain point. For this reason, only a certain number of conflict levels involving different parties and issues will be mentioned in this study, and analysis will then be concentrated upon those levels, issues and patterns of behaviour which seem to be most consistently relevant for the settlement of the jurisdictional dispute over the ultimate future of the NFD.

A second problem of definition lies in the meaning assigned to the term "conflict". A distinction has already been made between a situation of conflict and a pattern of conflict behaviour and interaction. It is intended to use a broad definition of conflict behaviour in this study, and include within its scope a wide range of methods of attempting to achieve certain goals, ranging from debates, persuasion and voting, to terrorism and, eventually, to organised warfare. (Conflict behaviour thus does not necessarily have to involve organised or unorganised violence, though it may do so.) Such a broad definition may be considered too vague and wide-ranging, but I would argue that it does help to explain the behaviour of groupings who are involved as parties in different types of conflict over different issues at separate analytical levels. Behaviour and interaction at one level do create problems which

affect a party's reactions at another level. Patterns of behaviour and consequent influences from the other interlocking levels cut down options available at the one level and affect behaviour at that level. The effects of the KANU-KADU dispute throughout 1962-3 over centralisation within Kenya upon the United Kingdom's options regarding its dispute with the Somali Government over the NFD have already been noted, and this provides an example of the limiting effects of interlocking conflict levels.

This study distinguishes five basic levels of conflict which interlocked and affected one another in the dispute over the NFD after the achievement of Kenyan independence in 1963. These will be briefly characterized and commented on.

(i) Internal Political Conflict in Kenya

The main lines of this conflict have been mentioned briefly in connexion with negotiations for independence. The principle issues largely concerned the degree of provincial autonomy or central control which would prevail within the new Kenyan political system when it became established as an independent entity, and the attitude and behaviour of KADU, representing the minority tribal groupings in Kenya. (In this connexion, too, mention should be made of Paul Ngei's short-lived African Peoples' Party, first set up in 1962 to represent both the Kamba desire for an autonomous region of their own and their deep-rooted distrust of other tribal groupings.) This particular set of issues did not die with the achievement of independence, though the dispute altered its form, and what had previously been a competitive process of attempting to influence the United Kingdom Government and its Colonial Office

became solely a matter of parliamentary procedure and inter-party bargaining within a new political system.

Two features stand out in the initial political conflict within the newly independent Kenya. The first is that the opposition to Kenyatta's KANU government was mainly based upon tribal grounds, and this continued to be true for the first year of independence, right up until November 1964, when KADU was dissolved and its leading members crossed the floor to join KANU. Kenya thus became a single party state until March 1966, when the formation of the KPU reintroduced an official opposition to the Government, though this time one that appeared to be based upon ideological differences as well as the less publicised local and tribal affiliations of the KPU leaders.

The second feature of this early period of Kenyan independence was that the main issues in conflict continued to centre around the problems of local autonomy, and that the main attempts at and resistance to change were in the direction of a centralised, federal system by means of constitutional amendment. The Independence Constitution of December 1963 had been fought over by those who wanted to centralise and control the Kenyan political system and by those who feared the results of such concentration of administrative power. The final formula, reluctantly agreed to by the KANU leaders, had been designed by the United Kingdom Government to allay the apprehensions of the minority tribal groups and "alien" communities within Kenya about the future government of the country, and about the safeguards that guaranteed their own autonomy. One observer has noted that the constitution "...endeavoured to accommodate existing fears of the likely course of future constitutional developments by making it extremely difficult

for these or any other developments to take place..."(12), so that, in view of KANU dissatisfaction with the degree of freedom left to the Regions, it was not surprising that much of the first twelve months of independent political activity should be devoted to altering those constitutional arrangements. This original inclination on the part of the KANU leadership must have been reinforced by the feeling that the "Independence" Constitution was, by the very way in which it distributed administrative powers, quite unworkable. Another comment on the Constitution was that its basic characteristic was a regionalism "...which divided the powers and functions of the state among a central and various regional governments. So meticulously were these allocated between them that if the intention was to prevent a planned economic and social development of the country, success could not have been more complete ..." (13).

Political conflict within Kenya in the first years of independence resulted in the triumph of the KANU doctrine of a centralised political system, with a federal civil service and police force and financial control firmly concentrated in Nairobi. By the end of 1964 regionalism had been abolished and all regional enactments repealed, while a change in the nature and powers of the Presidency was in the offing. The abolition of the Senate and its incorporation in an enlarged House of Representatives was still in the future, but executive power over both parliament and regional administration was already in the ascendant. The collapse of the tribal and regionally based opposition at the end of 1964 signified also the relative collapse of regional autonomy as a major political

issue (at least for a period), and a collapse, furthermore, which was caused by the success of Prime Minister Kenyatta's government in negating all the safeguards and obstacles that had been fought over and incorporated in the Constitution in the pre-independence bargaining.

However, this process of internal party conflict during the first year to eighteen months of Kenya's independence demanded the constant and continued re-emphasis of the principles of national integration and unity, as opposed to the provincial autonomy advocated by the opposition. (The slogan of "Majimbo" put forward by KADU had its counterpart in Mr Kenyatta's adoption of the rallying cry of "Harambee", which he made his own and his country's). This, in turn, played its part in emphasizing the Kenyan Government's commitment to the principle of sovereign inviolability, and hence in formulating its reactions to demands for separate treatment for the NFD. During this early period of building up and consolidating a federal state in Kenya (roughly from December 1963 to mid-1965), a commitment to such a policy of national unity pre-determined the Kenya Government's response to any form of separatism in the country. Hence, no other reaction but a blank refusal was possible when Somali political organisations within the NFD renewed their demands for secession after independence. The NFD (or, as it was officially called from independence onwards, the "North Eastern Region") had to be incorporated into the Kenyan political system, hence the attempts to hold national and regional elections in the area during March 1964, to make up for those boycotted by the inhabitants in May 1963.

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(ii) Domestic Political Conflict in the Somali Republic

Just as the internal political struggle inside Kenya had effects upon the international conflict over the NFD, so did the domestic political conflict (14) within the Somali Republic. This conflict continued to be intense throughout the entire period of the dispute, even though the struggle was, in the words of one observer of Somali politics, "... carried out within the medium of a common culture, with a shared framework of values and assumptions, and in terms of a political game whose rules were known and accepted by all..."(15). The conflict itself was a classic political one, involving various Somali factions struggling over the occupancy of political authority roles, together with the control of administration and governmental patronage which went with success. The social basis of the political groupings and factions was the system of clan and clan-family relationships which formed the basis of traditional Somali social and political conflict. The apparent unity and electoral success of the main political party, the Somali Youth League (SYL), concealed the fact that the organisation was a shifting set of temporary coalitions and alliances between leaders of the main clan-family and local groupings who exchanged the often uncertain support of their followers for political pay-offs, including placing their representatives in office.

Against such a background, the policies of Somali national political leaders were mainly concerned with the retention and development of national unity and integration, so that, though clan-factionalism and reliance on kinship ties had been all-pervasive within Somali political and administrative circles since independence, there was no single

administration which did publicly ~~not~~ condemn these tendencies and pledged itself to eradicate such prevalent features of national life. The tackling of the "problem of tribalism" and the creation of national unity have thus been issues over which much Somali domestic political conflict was waged, though the maintenance of sufficient support to stay in office (or to get back into office) were naturally also key issues. Up to the national elections of 1964, the main problem for the Republic was the successful integration of its two previously separate halves, north and south, which had come together at independence. This proved to be a serious integrative problem and much effort had to be expended in standardising administrative procedures, integrating legal and economic systems, and joining together financial and taxation systems, as well as ensuring that the integration of northern and southern administrative and military personnel, both trained to different systems and in different languages, went smoothly. Thus, there may seem to be a curious parallel between the problems facing the Kenyan political authorities in 1963 and those facing the Somali Republic in 1960, even though the Somali leadership possessed the huge advantage of a "...homogeneous common culture embodying the notion of Somali identity..."(16).

Within this framework of intense competition for political office by clan-based political factions, the function of the dispute over the NFD (together with the conflict with Ethiopia over Somali claims to the Ogaden) was a complex one. It is usually argued that the existence of such a highly salient external goal has provided a unifying factor upon which all Somalis, of whatever clan affiliation, may agree, and that this

has contributed to an increased sense of national unity and encouraged integrationist tendencies within the Republic. In one sense, the slogan of "Greater Somalia" provided a unifying objective for both north and south of the country, and, by directing the attention of all Somalis outwards to this problem, turned the whole political community into an "attention group" (17) for that particular issue. Dr Shermarke, the first National Prime Minister, acknowledged this as early as 1961, when he privately admitted, "Our problem is to unite this country and this makes the border problem critical. Our whole people are behind us on this..."(18). In addition to forming a superordinate goal which tended to encourage internal unity, the quest for "Greater Somalia" also created periodic and very real external threats, in the form of Kenyan and Ethiopian reactions to Somali claims, so that it could be argued that the existence of such external enemies also contributed to an increase of national unity, especially at times when the conflicts flared up into open violence, as occurred in the early months of 1964 with the border problem with Ethiopia developing into open warfare.

However, it could with justice be argued that the interaction of the twin external disputes and Somali domestic conflicts were also more complex than is suggested by the above argument. While agreeing that all Somalis were committed to the ultimate goal of unification of both the NFD and the Ogaden with the Republic, there were obvious internal differences among Somali leaders about the speed and means with which the issue should be tackled. (Under the pre-independence governments of Abdullahi Issa, for example, the militant Darod wing of the SYL, whose clan and lineage groups were more directly concerned

with the disputed areas as grazing grounds, had argued that a Hawiye dominated government could not be trusted to pursue the issue of unification with sufficient intensity.) Thus, the issue of the "missing Somali lands" tended to become entangled with the search for support in Somali domestic politics. Tactics for winning and maintaining this domestic political support often took the form of adherence to a more militant line on the single issue about which all Somalis could be expected to agree - Somali unification. The administration in power was thus constantly "...constrained to demonstrate its super-patriotism..."(19) by pursuing a militant domestic line over the NFD and the Ogaden, and this may account for the apparently contradictory statements about ultimate Somali goals that were issued from time to time by the government in Mogadishu, and for the fiery pronouncements that were constantly emanating from the Somali National Assembly and Radio Mogadishu. For opposition groups and factions, support could always be engendered and criticism of the government aroused by accusations that the current administration was failing to pursue the goal of unity sufficiently wholeheartedly.

The internal struggle for power within Somalia thus had two important effects on the course of the inter-governmental dispute over the NFD. First, it ensured that the Kenyan leaders perceived the Somali position as being one of constant and extreme militancy, a perception that was based both upon the statements made by domestic Somali opposition to help to discredit the existing Somali administration, and upon the statements made by Somali government spokesmen to show that the government was doing all that was possible to realize the ultimate Somali objective that had been enshrined in the

Constitution. Though both types of statement and accusation were primarily intended for domestic Somali consumption, they had significant effects externally. Secondly, the political struggle inside Somalia cut down the number of policy options open to Somali governments, even when the external environment and the dispute itself might have changed radically and permitted major policy changes. Any major alteration in strategy with respect to Somali-Kenyan relations and the NFD could always be branded as a "sell-out", both by those political groupings most closely associated with the Somali minorities in the NFD (as well as in the Ogaden), and by those whose primary aim was to discredit any existing government (2). The price that any Somali leader would have to pay for any significant change in policy thus made that option an extremely unattractive one. A Somali government could always enhance its popular support at home by pursuing a policy of increased help to the liberation movements in the NFD and the Ogaden, or by an increase in the level of vituperation in the propaganda broadcasts over Radio Mogadishu. Such options were always attractive and offered more immediate pay-offs than any reversal of policy, and these factors must be added to those which normally act as barriers to policy change, such as the development of groupings with a direct interest in the continuation of a particular line of policy: the public commitment of personal or party reputation, plus real resources, to the pursuit of a particular objective; and the consequent fear of loss of prestige and credibility should these be abandoned. In this fashion, domestic political conflict within the Somali political system exercised a severe restraint upon any Somali government's

conduct of the dispute over the NFD.

(iii) Factional Conflict within the NFD

The third salient level of conflict, which must be dealt with here at some length, is that involving the complex of parties and issues within the NFD itself. Events inside the NFD from 1963 to 1967 have been portrayed as either a popular uprising by 90% of the population against the oppressive and imperialistic rule of an alien government, or else as the disruption of normal social and political life by a handful of bandit-like malcontents, opposed by the loyal majority of the population, but aided and encouraged by a malevolent foreign government bent upon territorial aggrandisement. Underlying both of these extreme views, there is considerable evidence that, even apart from the customary and often violent clan-faction fighting, the paying off of old scores, and widespread stock theft, there was a considerable level of inter-tribal violence within the NFD which was exacerbated by the general and increasing atmosphere of lawlessness and the growing destitution and desperation of its inhabitants brought about by the four year emergency.

(a) Inter-community Conflict

Major divisions within the NFD population had made themselves manifest even before Kenya gained its complete independence, and were most strikingly shown in the report of the United Kingdom Commission of Enquiry, which revealed the marked split over the issue of secession between the Somali clans and the other, non-Somali people such as the Turkana, the Rendille and the pagan Boran tribes. Thus, a major conflict in the area was between the Somali clans, who supported secession and ultimate

union with Somalia, and the non-Somali or non-Muslim tribes that wished to remain part of Kenya, (or at least, did not want to become part of Somalia). This major cleavage is highlighted by the reports of rioting in the NFD, when Somali clansmen attempted to prevent Turkana and Meru tribesmen voting in the national elections of May 1963.

At this early stage of the dispute, the split between pro-secessionist Somalis and the anti-secessionists was evidenced in many ways. A major incident prior to independence was the murder in May 1963 of a Boran D.C., and a senior chief of the anti-secessionist Boran, Chief Galma Dido, by Somali secessionists, who thereupon drove over 170 miles to the safety of the Somali border. Events such as this in the summer of 1963 prompted the Galla Political Union, from the safety of Nairobi, to advise all Somalis in Kenya to pack up and go back to Somalia or remain in Kenya as citizens. This Boran inspired statement concluded that the Somalis in the NFD were all immigrants and new settlers, many of whom had entered the province only a few years ago to trade (21). As the struggle proceeded in the NFD and any kind of non-violent administrative control became more difficult to enforce, the enmity between anti-secessionist elements and the Somalis grew greater, and reinforced traditional inter-tribal rivalry. Incidents of Somali guerrillas raiding members of other tribes and killing Boran, Meru, Turkana, Samburu, Rendille and people from the Coastal Region became frequent, as did the protests of the elected representatives of these tribes in Nairobi.

However, it is by no means clear that all clashes in the NFD from November 1963 (according to Mr Kenyatta, the official beginning of the "shifta" campaign of terrorism) to

the end of 1967 automatically concerned secession, even when the participants were Somali. Two points must be made in this connexion. The first is that there is much evidence that suggests that many Somalis were able and willing to use the general breakdown of law in the NFD, the greater availability of arms and the cover of the secessionist movement to indulge in a little violence of their own if this could be profitable - or alternatively that some Somalis combined these two activities. Many of the "shifta" attacks were made directly upon military and administrative objectives like police posts, or convoys, or - in the later stages - bridges and culverts. It could also be argued that many of the raids on shops and encampments may have been calculated to disrupt the normal pattern of social life and make the task of the security forces more difficult, as were those raids on towns and major settlements. However, many raids were made in such circumstances as to suggest that the prime objects of the attack were either settling long-standing inter-tribal rivalry or taking the chance of seizing and driving off stock. In an early raid in Moyale District in January 1964, for example, a party of "shifta" raided a Boran manyatta and killed four Boran. They then left, taking with them a flock of 1,500 sheep and goats, which enabled security forces to catch up with both gang and herd, wound some of the gang, and recover all the stock (22). Nor was this an isolated incident.

The second point about the confused and widespread violence in the NFD during the emergency period is that not all conflicts involved Somalis or secessionists as participants (23). Even leaving aside those clashes which occurred when raiding parties from across the Ethiopian border descended



on tribes within the NFD (and on one occasion an indignant Member of the House of Representatives proposed the embarrassing motion that, as a result of one of these raids, diplomatic relations should be broken off between Kenya and her Ethiopian ally), there were frequent references to inter-tribal clashes which involved no Somalis. It is again probable that the incidence of such clashes went up with the general lowering of security and law and order in the area, with the opportunity for general mayhem offered by the secessionist emergency and, ultimately, with the desperate conditions prevailing in the area during the final stages of the struggle. In one clash between the Rendille and the Boran near Marsabit, when a group of Rendille made a reprisal raid on a nearby Boran manyatta and a total death roll of 15 was recorded, the Member for Rendille was forced to appeal for elements of the police General Service Unit to restore order in the District (24).

Hence, it may be that violence in the NFD which was completely independent of any secessionist motivation increased to a new level from the beginning of 1964, and became identified or confused with actual Somali guerrilla activity by the Kenyan administration, particularly when the complete breakdown of nomadic life forced desperate tribes-people into violence in pursuit of food and survival. The end result appears to have been that any violence in the NFD was classified as "shifta" violence in support of secession, on the grounds that if any people carried weapons, or refused to stop for security forces, then this behaviour obviously classified them as "shifta". Such identification brought an automatic response from the harrassed and uncertain security forces. This response was applied to both potential threats and actual violence, whether

the latter involved Somalis, Somali secessionists, or non-Somali tribes engaged in tribal raids, reprisals for "shifta" (or Somali) activity, or efforts to provide for their own survival or protection. At one point during a press conference held at the height of the emergency, Dr Mungai was asked whether the so-called "shifta" were nothing more or less than "sophisticated" cattle raiders. The Minister of Defence replied indignantly; "It is difficult to see how 'cattle raiders' can succeed in getting destructive land mines" (25), but the response cannot dispel the suspicion that some of the violence in the NFD over the period from 1963 to 1967 had more to do with survival than with the question of secession to Somalia.

The problem for the nomadic non-Somali tribes caught up in the emergency over the struggle for secession was made particularly acute by the admitted inability of the government's security forces to be everywhere at once, and to the consequence that tribes and herds were open to raiding by both their traditional tribal enemies and by the Somali guerrillas. Their attitudes were not unnaturally a desire to avoid becoming involved in the conflict, unless this could be to their own advantage in such matters as the acquisition of arms for their own protection (and others' discomfort), and they seem to have maintained a wary and self-interested neutrality throughout the struggle, no matter how much their leaders in Nairobi pledged them to the forefront of the struggle to preserve Kenyan integrity.

(b) Intra-Somali Conflict

Unfortunately, though a useful rule of thumb for practical action in the heat of anger and desire for revenge, this principle that Somali = "shifta" was probably another misleading

one, for there is evidence that not all the Somalis in the NFD were wholeheartedly behind either the goal of secession, or violence as a means of achieving this goal. In short, if there was conflict between Somalis and non-Somalis in the NFD over secession, exacerbated by old-established rivalries and disputes, equally there was conflict between elements within the Somali community itself, both over the ends and means of secession, and over clan disputes that had little to do with issues of secession or integration with Kenya.

As with non-Somalis in the NFD, the secession emergency appears to have had the effect of encouraging violent clashes between Somali clans and sub-clans over traditional differences, both by providing numerous examples of force and violence in use and thus possessing a "demonstration effect", and by ensuring that the main attention of the security forces in the area would be directed elsewhere. Whatever the details of the inter-clan fighting that occurred during the period of the emergency, there can be little doubt that the breakdown of law and order caused an intensification of the use of violence throughout the NFD so that it becomes progressively more and more difficult, as the dispute proceeds, to disentangle the issues over which violent conflict behaviour took place and the nature of the parties to those conflicts. It seems reasonably clear, for example, that the savage and widespread outbreak of fighting between the Gurre and the Degodia clans in the Mandera area during April 1965 had little to do with secession, but was mainly caused by the traditional rivalry of these two Somali groups, encouraged by the existence of the emergency, and by their ability to obtain weapons from across the Ethiopian border. (Both clans, the "half-Somali" Gurre

and the purer Darod Degodia, straddled the Kenyan/Ethiopian border, and used adjacent grazing lands in both Kenya and Ethiopia. Hence, clashes over grazing, water rights and stock thefts had been endemic between them for many years.) The ability to obtain arms in Ethiopia thus posed another vexatious problem for the Kenya government, and efforts were made to reach agreement with the Ethiopian government to disarm tribes on both sides of the border under the provisions of the mutual defence pact signed in 1963. However, the Ethiopians do not appear to have been very rapid in their policy of disarmament, and there may have been some truth in Senator Hassan's claim that the Gurre, who were regarded by the Ethiopians as more Galla than Somali, were being both encouraged to attack the Degodia and armed to do so effectively. Whatever the results of such Ethiopian action to stop the flow of firearms into the NFD (26), however, inter-clan fighting did not cease, and clashes between the Gurre and Degodia apparently lasting many months again took place in April 1966, while others took place in January between the Degodia and the Adjuran claiming many lives (27). Appeals for inter-clan peace made by the acting D.C. for Wajir at a baraza held in July 1967 suggest that trouble had again flared up during that year (28).

Even leaving aside traditional feuds and conflicts, it is obvious that the Somalis in the NFD were themselves divided upon the matter of secession, and became more divided in the period after independence. To characterise the situation in the NFD as one of pro-secessionist Somalis against anti-secessionist non-Somalis is an oversimplification, even acknowledging the findings of the United Kingdom Commission in 1962. Differences within the Somali clans in the NFD manifested

themselves both over the question of secession itself as a desirable goal, and over the activities of the Somali guerrillas once the violence had started. Divisions widened with the achievement of independence, and with the realisation that the post-independence alternatives were widespread, violent resistance to Kenya government forces, or acceptance of the status of a seventh region within Kenya, and cooperation with the Kenyan government in return for certain concrete rewards, such as promised development resources and a few administrative or political posts in Nairobi.

There are no clear indications of the lines of division within the Somali groups in the NFD, and, indeed, it seems most probable that many clan and political leaders spent a great deal of time trying to avoid the choice of coming out strongly and publicly for or against secession or the "shifita". Many government appointed chiefs who were classed in numerous National Assembly speeches as "loyal Somalis" doubtless kept in contact with the "shifita" and gave covert help to raiding parties which probably contained many of their kinsmen. To take a stand against secession or against the activities of the guerrillas was, particularly for Somalis living in the NFD, a dangerous business, and reports of kidnappings and killings of "loyalist" Somali leaders became frequent as the emergency proceeded and the guerrillas began to adopt traditional methods of dealing with "collaborators". (Again, it is quite possible that members of guerrilla groups and others took advantage of the situation to pay off old scores against clan enemies, and that these were perceived as attacks on local anti-secessionists by the authorities.) On one occasion early in the emergency, the former Somali member of Kenya

Legco, Mr Abdi Rashid Khalif, was kidnapped and taken to Mogadishu because it was suspected that he was cooperating with the Kenyan government, and he was only allowed to return to Kenya over a year later. Others were not so lucky.

Throughout the entire four year period of the emergency in the NFD there was a constant problem, shared by the Kenyan authorities, of discovering a number of imponderable factors within the NFD; the extent of support for the secessionists and their guerrilla forces; the extent of support for the "loyalist" local leaders who (at least overtly) supported the Government; the degree of representativeness of the Somali delegates in Nairobi, who insisted on the existence of a large, if not very enthusiastic, body of support for integration within the Somali inhabitants of the NFD; and the extent to which the mass of the Somali clansmen wished merely to be left undisturbed to pursue their own difficult life without being bothered by the larger and more remote political issues of the day. The key question was the relative amount of tacit or active support enjoyed by "loyalist" Somali leaders or by the guerrillas of the NFD Liberation Front (and the corollary of how much violence was the result of the actions of secessionists, starving clansmen or mere generalised banditry). Naturally, both sides claimed the majority of support from the NFD inhabitants, and accused the other of being the stooges in the pay of Nairobi or Mogadishu (a charge to which any Somali political representatives in Nairobi, waiting mostly in vain for KANU patronage, were especially vulnerable). To back up their claims, the Somali Government could always use Radio Mogadishu to point to the finding of the United Kingdom Commission that over 89% of the Somali inhabitants of the NFD

appeared firm in their wish to secede in 1962, and that as conditions in the area worsened through the "shifita" attacks and the retaliations of the frustrated security forces, this proportion was unlikely to decrease. However, it does not seem likely that the pro-Nairobi Somalis can have been totally without support in the NFD, particularly when the guerrillas began to take reprisals against individuals and groups whom they saw as collaborating actively or passively with the Kenyan authorities. Such actions can only have led to some falling off in the support enjoyed by the guerrillas and the Liberation Front, especially as the full costs of the secession movement began to be felt by the NFD and the inhabitants began to be the victims of guerrilla moves to undermine security and stability and government countermoves to track down and eliminate the "shifita".

One possibility is that a Somali "silent majority" existed throughout the secession struggle, neither violently pro- or anti-secessionist, but attempting to live its own independent life unless directly interfered with by government or guerrilla. It may be that the most widespread response to the secession issue when actual action was demanded resembled that described in the Nairobi Radio broadcast of 5 May 1967:

"... The propaganda (i.e. from Radio Mogadishu) appealed to the Kenya Somalis in the name of religion, and told them that they both belonged to the same ethnic group and that their language was common. Some were misled. They defected and crossed the border to Somalia. Some turned into fifth columnists ... directing shifita gangsters to vulnerable points on the border. Others stood firmly to defend their motherland, - Kenya. But the majority went their way and followed their herds from borehole to borehole, deaf to the call of duty and impervious to the needs of the land in which they lived ..." (29).

(c) Conflict and Political Organisations

The divisions within the Somali community itself made themselves plain in the splintering of the formal political organisations in the NFD as independence approached and then became a fact. In 1962, when the United Kingdom Commission had toured the area, it found that the Northern Province People's Progressive Party (NPPPP) received " ... unflinching support ... from practically all pure Somali ... and the Half-Somali of Wajir, Mandera and Moyale...", and furthermore that it was well organised and had branches in all six Districts of the NFD (30). In March 1963, the NPPPP had been sufficiently powerful and unified to arrange a movement among the local chiefs and leaders to hand in their resignations, to boycott the national elections that were then planned for May 1963, to send a delegation to the Somali Republic to appeal for support, and to refuse to meet the then Governor of Kenya, Mr Macdonald, to discuss future plans for the NFD as a seventh region of Kenya.

However, as independence came nearer and it became clear that political tactics such as electoral boycott or mass lobbying would not achieve secession, the Somali political leaders were faced with the choice of accepting that they had failed and making the best of their membership of a new Kenyan political community, or of adopting more extreme tactics. The latter option was not one from which many Somali leaders flinched. As early as April 1963 there had been rumours that elements in the NPPPP were preparing people in the NFD for armed revolt, and by the end of October of that year the Kenyan authorities were arresting certain key people in the party who were suspected of organising violence. On November 2nd Radio Mogadishu reported that the Secretary General, Degho Maalim Stambul, had been



arrested and deported from Wajir, and that two days later a large Somali crowd, gathered to protest at this arrest, had been dispersed by the police.

Signs that even the more extreme elements in the NPPPP were going too slowly for some Somalis became clear by the summer of 1963, and in spite of the joint announcement in August by the secretaries of the NPPPP and the Northern Frontier Democratic Party (NFDP) of their intention to amalgamate, internal dissension within the party continued. In July an attempt was made to form a new, more militant party, the NFD Liberation Party, by Somalis who felt that the NPPPP was not sufficiently militant in its pursuit of secession. The new party was "... prepared to act against anybody who stood in the way of secessionists ...", and its leader, Warsame Ilaye, attacked the activities of the NPPPP by saying, "... I feel some of the NPPPP leadership have not been sincere, and they have been engaged in double dealing with the Kenya Government..." (31).

One result of the splintering of the NPPPP which took place throughout 1963 and especially during the early months of 1964, was that the field of national and local political representation for the Somali areas of the NFD tended to be left wide open to a motley collection of independent, individual figures, whose one common attribute was an acceptance of integration in the Kenyan political system, and an expectation of being able to work that system to squeeze concessions out of Nairobi for the NFD and thus increase their own personal support. (This vacuum in political leadership was, of course, made worse by the arrest and detention of many leading Somali politicians.) The disarray of the NPPPP both as to organisation and commonly agreed tactics for dealing with the new situation, was revealed

in the national and regional elections held in the North East Region in March 1964 to make up for those so thoroughly boycotted in May of the previous year. (The seats in both the Senate and the House of Representatives had remained vacant during the intervening nine months.) In February 1964 it was announced that the NPPPP would not contest the national elections (it had refused to do so in May 1963 on the grounds that to do so would imply an acceptance of Kenya's right to regard the NFD as part of Kenya) but that it would put forward four candidates for seats in the North Eastern Regional Assembly. One result of the NPPPP's refusal to contest national seats was that a whole set of independents and members of the NFDP and the Northern Frontier United Congress Party were returned unopposed (32), and, in fact, a formal election took place in only one seat, Garissa (South), where the Independent candidate was able to muster a majority of the few votes cast to beat the local NFDP man. The actual number of people participating in these elections was minute. In the contest at Garissa for a national seat, only 469 people out of a total of 2,651 registered electors voted in the protected and guarded polling stations around Garissa, in spite of the fact that polling continued for three days. The low poll was attributed by the Kenyan authorities to a number of factors, including apathy, the distance to be travelled and the activities of guerrillas in the area. (The two candidates had to limit their electioneering to Garissa township and nearby manyattas as it was deemed unsafe to travel further afield except in armed convoys.) However, the low poll hardly seemed to warrant the enthusiastic comment by a New York Times correspondent that the election turn out meant that the Somali population "... was beginning to end a ten months boycott

of Kenya's leaders and was willing to take part in running the country ..." (33). Far more likely that clan and sectional interests had brought out a few people in support of an individual kinsman, and the absence of any organised opposition had resulted in success.

Whatever disarray the NPPPP and the other pro-secessionist parties were thrown into on Kenyan independence, the outcome of the cleavages and the tactical disagreements appears to have been to allow into the north east of the country the main Kenyan national party, which filled the organisational vacuum left by the break up of the NPPPP into extremist guerrillas or impotent clients of the government. By the beginning of 1966, KANU was firmly established as the recognised and legitimate political organisation throughout the NFD. It had replaced the NPUA which it had formerly been content to support, in the Eastern Province, and Senator Galgalo, NPUA's former President, was now a formal member of the ruling party. There was a KANU branch at Wajir, whose chairman in April 1966 was Abdirashid Khalif, and whose officers following the elections of that month included the Member for Wajir (South), Mr A.A. Ogle, as new chairman, and the Senator for Wajir, O.A. Abdullahi, as treasurer. Other KANU branches existed at the main urban centres, such as Marsabit.

The final opportunity for the government to destroy alternative or localised political parties in the north east of the country, and to ensure that as many representatives as possible were formally KANU men, came in the summer of 1966, with the formation of the KPU, and the holding of the "Little General Election" in Kenya. The revolt from KANU, led by Oginga Odinga, took place in the latter half of April, when 26 members of the National Assembly resigned from KANU with the avowed intention

of forming an official opposition in Kenya. The dissidents contained a high proportion of members from the former NFD, though only one Somali member, A.S. Khalif of Wajir (North), actually stated his intention to join the KPU. In the event, there were widespread protests from the political organisations in Wajir, and from fellow Somali members of both Houses, and Khalif eventually wrote an apology to President Kenyatta, asking to be received back into the party. There is a strong likelihood that he, like a number of others from the NFD, feared the results of the Bill insisting that dissidents should stand again for their seat on the new party ticket. However, though some members were received back into the KANU fold, others were forced to stand for re-election in June 1966. The three MPs from the NFD who were forced to do this were all defeated by officially sponsored KANU candidates, though the poll was again a low one, and the new KANU representatives could hardly be said to enjoy intense "popular" support from the nomadic peoples of the area. However, the Kenya government had at least managed to ensure loyalty of the representatives from the NFD, even if they could not guarantee this from the people the new members were said to represent.

It may be judged from the three foregoing sub-sections that conflict within the NFD itself, during the period 1963 to 1967, was complex and multi-faceted, and, furthermore, that by no means all the violence during that time was necessarily connected with the secessionist movement. However, the use of violence by the secessionist guerrillas as a means of forcing major concessions from the Kenyan authorities is one significant element in the general pattern of violence and counter-violence in the area, though it is as difficult to distinguish analytically

as it was for the Kenyan authorities with their practical problem of administering the area and providing security for its inhabitants. It is therefore important to remain conscious of these other conflicts in the NFD which form a background for, and became entangled with, the main secessionist struggle which forms the chief focus of this study and a fourth analytical conflict level.

(iv) The Kenyan Political Authorities and the Somali Guerrillas

The two final levels of conflict may be dealt with briefly, as they provide the main focus for this study. The fourth level is characterised by the highest degree of violence, used as a means of influencing the actions and attitudes of the opposing parties.

The conflict within the area of the NFD between the Kenyan authorities and their security forces, and the Somali guerrillas (supported, supplied and trained by elements of the Somali armed forces) may be viewed in two ways. The first is as the process by which the two parties most directly involved, government and guerrilla, attempted to achieve their own goals with respect to one another; that is, conformity with "law and order" and eventual political integration on the one hand, and secession on the other. However, the struggle may also be seen as being one arena in which the two governments attempted to manipulate one another and utilized certain of their chosen coercive strategies of influence, persuasion and tacit bargaining indirectly, and, in the case of the Somali Government, by proxy.

(v) The International Conflict

It is against the changing and shifting background of the previous four levels of conflict that the attempts of the Kenyan

and Somali governments to settle the dispute to their own satisfaction must be viewed. Events within the rest of Kenya, within the NFD, and within Somalia helped to decide the coercive and settlement strategies selected by the two governmental parties, the policy options each party perceived as open, the claims and propoganda statements each advanced in support of a "case", and the internal and international audiences to whom both appealed. Such events also affected each party's working assumptions and expectations about the motives and probable behaviour of the opposing party, and, ultimately, the success or failure of their own efforts to make that opposing party either change its goals, acknowledge defeat and abandon its objectives, or at least make some concession towards a provisional settlement.

In this study, this final level is treated as the crucial one for the resolution of inter-state conflict, but it should be recalled that even if an agreement might be reached at this level, this did not necessarily imply that such agreement would solve the issues at all other levels. The fact that the governments in Nairobi and Mogadishu were eventually able to reach agreement did not automatically mean that the reconciliation of their conflicting aims affected beneficially, or was approved by, parties to internal conflicts within the NFD or within Somalia. These might require a separate resolution before the entire interlocking conflict could be regarded as 'settled'.

What does seem to be generally true, however, for this and other disputes, is that all conflict levels have to have reached some critical stage if any settlement is to be satisfactory, and self-supporting. It is possible that, in the NFD dispute, the participants in the conflicts at the different

levels were unaware of or initially indifferent to: (i) the other conflict levels involving their opponents, and (ii) the consequent problems facing those parties that were involved at multiple levels. For example, the Somali political authorities may have been unaware of the crucial importance attached to tribal problems and the centrifugal tendencies by the Kenyan nationalists at the time of Kenyan independence, and themselves perceived only an inexplicably selfish and unjustified Kenyan refusal to countenance the just aspirations of the Somali inhabitants of the NFD. When such difficulties at other conflict levels come to be thoroughly appreciated by opposing parties, then resolution becomes simpler, for those parties may also learn to avoid taking action that would create unnecessary difficulties and embarrassments for their opponents who may be engaged in other conflicts at a different level (34).

It is worth anticipating the conclusion of this study to note that the final, and most successful resolution strategy was embodied in the Arusha Memorandum of 28 October 1967, and that this agreement, by carefully avoiding any mention of territorial claims or border disputes, and any formal classification of the problem, made it possible for the agreement not to prejudice the position of the parties at some other conflict levels.

Footnotes to Chapter 1

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1. James N. Rosenau: "Moral Fervour, Systematic Analysis and Scientific Conscientiousness in Foreign Policy Research". Chapter 9 in Austin Ranney (ed.): Political Science and Public Policy. (Chicago: Markham, 1968), p. 222.
2. Rosenau, op. cit. p. 222.
3. It seems probable that these were only unfounded rumours. President Osman subsequently admitted in private that the Somali-KANU discussions had made no progress, and that Mr Kenyatta had been unable to agree on any principle of self-determination for the NFD Somalis without "... signalling the end of a unified Kenya ...". See the account of a conversation with the Somali President given by E.A. Bayne in "Brinkmanship on the Horn". AUFS Reports. North East Africa Series X (1) March 1963 p. 16.
4. Senator Munoko in the emergency debate on the murder of the DC (Isiolo): Kenya National Assembly Debates (Senate Reports) Vol I, Col 321. 11 July 1963.
5. Report in the Daily Nation (Nairobi) 15 April 1967 p. 1.
6. The term was originally that of I.M. Lewis, whose social and anthropological studies have centred upon the Somali populated areas of the Horn of Africa.
7. The five "points" of the star were the Somali peoples in Italian Somalia, British Somaliland (which united in 1960 to form the Somali Republic), the Northern Frontier District of Kenya, the Ethiopian Ogaden, and French Somaliland.
8. The relevant sections of the Somali constitution read as follows:

"Article 6: The Republic in the International Order

- (2) The Republic repudiates war as a means of settling international disputes.
- (3) It accepts, on conditions of parity with other states, limitations on its sovereignty necessary for the establishment of a system to ensure peace among nations.
- (4) The Somali Republic shall promote, by legal and peaceful means, the union of Somali territories and encourage solidarity among the peoples of the world and particularly among African and Islamic peoples..."

Somali Republic: The Constitution (As amended to 31 December 1963) )Stempero de Stato: Mogadishu).



9. One observer of Somali domestic politics has noted the operation of these constraints on foreign policy options, and remarked that "... in a state where ideology is summarized in the concept of nationalism, and a political programme is judged only by its effectiveness in achieving "Greater Somalia"... a prime minister, in order to survive must be supernaturalistic. He has no alternative ...". E.A. Bayne: "Brinkmanship on the Horn", op. cit. p. 6.
10. The prevalence of branches of two major clan-families in the NFD (the Darod, who also have major groups in the Ogaden, and the Hawiye) led both Kenya and Ethiopia to accuse the Somali Government of being dominated by those Somali elements with the most direct interest in Somali unification. However, such accusations (for example, reference to the "Darod war" by Radio Addis Ababa) tend to ignore the cleavages which exist between Darod and Hawiye and within the various lineages of the Darod clan-family itself. For example, Prime Minister Hussein's support in the 1967 Presidential Elections went not to Dr Shermarke, a fellow Darod, but to ex-President Osman, a Hawiye whose own support had initially gained and subsequently kept the premiership for Hussein.
11. This problem occurs particularly in conflicts below the international level, and where domestic political conflict has not yet been ritualized into a patterned system of non-violent behaviour.
12. J.P.W.B. McAuslan: "Constitutional Change in Kenya, 1963-68". In Collected Seminar Papers on Post-Independence Constitutional Change. London University Institute of Commonwealth Studies, March 1968, p. 83.
13. Yash P. Ghai: "Government and Constitution in Kenya", East African Journal, December 1967, pp. 9-16.
14. For an account of Somali political processes see: A.A. Castagno, "The Somali Republic" in J.S. Coleman and C.G. Rosberg (eds.) Political Parties and National Integration in Tropical Africa (Los Angeles: California University Press, 1964). I.M. Lewis: "Integration in the Somali Republic" in A. Hazlewood (ed.) African Integration and Disintegration (London: Oxford University Press, 1967) and "Nationalism and Particularism in Somalia". in P.H. Gulliver (ed.): Tradition and Transition in East Africa. (London: Routledge and Kegan Paul, 1969.)
15. I.M. Lewis, "Nationalism and Particularism in Somalia", op. cit. p. 181.
16. I.M. Lewis argues that the existence of lineage affiliations, backed up by others based upon local north-south loyalties, and upon economic interests, serve as an integrating factor by breaking up such major cleavages as the "... stark dichotomy between north and south" and contribute to overall national stability by setting up overlapping ties which served to sew Somali society together. However, he also notes that an essential element in this continued integration and stability caused by numerous levels of "common interests"

is the pervading Somali culture, and the sense of all Somalis that "... they cannot escape the fact that they are also Somali, and that the way in which they order their behaviour is dictated by the moral assumptions and institutional procedures which are part and parcel of Somali identity..." See Lewis: "Nationalism and Particularism in Somalia" op. cit. pp. 193-4.

17. For a review of this concept by its originator, see Gabriel Almond: "Public Opinion and National Security Policy", Public Opinion Quarterly XX Summer 1956, p. 376.
18. An interview reported in E.A. Bayne: "Birthday for Somalia" A.U.F.S. Reports North East Africa Series VIII (1) August 1961 p. 14.
19. E.A. Bayne, "Brinkmanship on the Horn", op. cit. p. 15.
20. It seems plausible to argue that the establishment of the "Supreme Council of the NFD Liberation Movement" in the Somali capital early in 1966 added another element to the internal conflict within Somalia. No matter how much these leaders were dominated by the government of Prime Minister Hussein (and they were naturally branded as the stooges of a Somali Government front organisation by the Kenyan government), their views on the conduct and continuance of the struggle within the NFD would obviously differ, on occasions, from those of the Somali government. The Council's answer would obviously be to try to win support and sympathy for their position from their close kinsmen located at strategic points within the Somali political regime, and also more general sympathy within the Somali political community at large.
21. Report on Nairobi Radio: 8 August 1963 (BBC Monitoring Reports ME/1320/B/4).
22. Report in the East African Standard Saturday January 18, 1964.
23. Labels, in any situation of civil strife as confused as that within the NFD, tend to become misleading. Not all Somalis were secessionists, and not all guerrillas were necessarily Somali. In July 1965, in reply to a supplementary question in the Senate, Senator Mathenge stated that most "shifita" identified through arrest or capture had turned out to be Somali, though "... there have been a few 'shifita' from the Boran...". Kenya National Assembly Debates. Senate Reports Vol. IV (2) col. 610.
24. Report in the East African Standard, Thursday, 12 May 1966, p. 1.
25. A press conference reported in the East African Standard, 25 August 1967.
26. Kenya National Assembly Debates, Senate Reports, Vol IV (1) col. 570-71. 7 April 1965. In a supplementary answer, Senator Mathenge stated that the agreement by the Ethiopians to disarm tribesmen on their side of the border had taken

place "only recently", and that the Kenyan government were awaiting results. However, the original defence agreement had been announced as early as November 1963, and as this statement was made in April 1965 the Ethiopians appear to have been a trifle dilatory in their pursuit of the problem.

27. A baraza at Wajir reported in the East African Standard on Wednesday, 2 February 1966, p. 4.
28. News broadcast over Nairobi Radio on 3 May 1966 (BBC Monitoring Reports ME/2153/B/3), and the report in the East African Stanrard, Monday 24 July 1967, p. 2.
29. BBC Monitoring Reports (ME/2459/B/7.)
30. Report of the NFD Commission, op. cit. p. 9.
31. A report in the Daily Nation, quoted in a Senate debate: Kenya National Assembly Debates. Senate Reports, Vol. 1. col. 232. 11 July 1963.
32. For details of nominations to seats in this "election", see Appendix 1.
33. Report on the elections in the New York Times, Sunday, 8 March 1964, p. 18.
34. The Kenyan political authorities came to appreciate the problems facing their opponents which had their source in internal Somali political conflict, much better after the signing of the Arusha Memorandum, when the then Somali Prime Minister had to fight to regain control of his own party, elements of which rebelled over his handling of the NFD dispute.

## CHAPTER II - Definition of the Situation

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"... One way to account for an individual's social behaviour is to describe his definition of the social situation. By this is meant his image of the people around him - their capabilities, intentions, traits - and his view of how these people relate to his goals and codes of behaviour. Likewise, the decisions made by a policy-maker or the proposals, goals and limits communicated to him by another citizen may be derived from a definition of the international situation. By this is meant a set of images possessed by an individual, representing his view of what other nations are like, what relevance they have for the goals of his own nation, and what behaviour towards them would be appropriate for his own nation..."

Dean G. Pruitt: "Definition of the Situation as a Determinant of International Action". Chapter 11 in H.C. Kelman(ed.), International Behavior. New York: Holt, Rinehart, 1965. p. 394.

Before indicating the various strategies that were employed by the parties at the inter-state level of the NFD dispute, and the way in which such strategies interacted and affected one another, I must discuss a preliminary question. This is the manner in which the two national leaderships first approached the conflict situation, the issues and parties involved, and one another; for upon this initial, definitional stage depended much of the interaction that followed. In this, as in many conflicts, the initial definition of the situation of both parties limited the coercive strategies chosen, and influenced the range of acceptable outcomes contemplated, the interpretations of the behaviour of the opposing party and the settlement strategies perceived as relevant.

In any international dispute there is a high probability that the two main parties involved will approach the conflict from quite distinct points of view, so that their assessments of the nature and causes of the conflict are likely to differ markedly from one another. Often the parties' separate "definitions of the situation" are so different that the two sides do not appear merely to be looking at the same conflict in different terms, but to be looking at two entirely different conflicts (1). For example, the two parties to the conflict over Sabah perceived that dispute in quite distinct terms, and argued the merits of each other's claims on different assumptions; the Philippine political authorities took the view that the dispute was over the legal title to a piece of territory, while the Malaysian Government regarded the problem as one of self-determination for the people living within the territory.

For the purposes of this study, the term definition of the situation may be taken to mean the way in which the previously acquired values and cognitive frameworks of national decision-makers affect the manner in which a situation is first perceived, and evaluated. The form in which decision-makers initially perceive, then classify and evaluate a problem with which they are confronted is clearly a major influence in deciding, finally, upon appropriate responses, and this, in turn, influences both the means used to pursue the ultimate objectives and efforts made to influence the behaviour of both opponents and third parties. To give a simple example, an official response to a secret peace-feeler will depend upon whether the recipients view it as reflecting a genuine wish for a settlement, or merely as a device to weaken their own

national resolve. The way in which they define this situation will depend upon a number of factors, including previous experience of interaction with the party initiating the peace move, and general beliefs about the nature of inter-state conflict and expectations respecting feasible attempts to bring about a peaceful solution.

#### A. The Definition of Conflict Situations

The problem of an elite group's initial definition of the situation is not one which is unique to international politics. Many features of organisational problem-solving appear to offer useful parallels for international political decision making, not least in the way in which some problems depend for their solution upon a total redefinition of the nature of the issues, as they are insoluble given the manner in which they were originally defined.

Again, there is a useful analogy between political problems and those confronting complex business organisations, in that both types of problem seem to be approached from within two definitional frameworks by relevant decision makers. The first of these may be termed the general framework, setting the background context against which decisions have to be made and likely types of problem anticipated. The second relates to the immediate problem confronting decision-makers, and assists in the decision-maker's search for reference points which help in the classification of the particular problem with which he has to deal now. Both of these definitional frameworks are important in deciding the nature of the problem, and the appropriate response (2).

(a) Common Perceptual Frameworks

The "general framework" used by decision makers to define problems in international politics has often been mentioned by scholars, but seldom analysed in any rigorous manner. Presumably this is because of the complexity of delineating a framework which is shared by national decision making elites, and by their attentive publics, and which deals with common assumptions about the nature of world society, and the behaviour they expect from other actors within their international environment. To say that such a framework is "general" is not to imply that one set of assumptions and beliefs about the nature and processes of world society is held either by all individuals within a national political system, or by all decision making elites in the total international system, irrespective of national origin. However, there is evidence to show that the inhabiting of what Musesafer Sherif has called "social space" limits the values and frames of references of the sub-groups within that space. The result is that individuals and groups begin to share frames of reference to a greater and greater degree, and to suffer from what Katz and Kahn term "system centrism", which can affect class, communal, national or organisational groups with a strong tendency to "... evaluate everything from the frame of reference of their own milieu..."(3). Thus an executive in a large firm will become isolated within a form of "business parochialism". More significantly, a member of a group of national political decision makers will constantly have his own assumptions and general frame of reference reinforced by contact with others who share his beliefs and assumptions about the world, about decision makers from other national groups, about the "normal" behaviour of other actors,

and about a specific international issue concerning his own national political system.

In the dispute over the NFD, both Kenyan and Somali decision makers would begin by sharing two distinct definitions of the nature of the dispute, the issues involved, the goals and motivations of the opposing party as national decision makers, and their likely tactics and available range of responses, given that the dispute was of a certain type, and the nature of the international system as it was. Each initial definition would be reinforced and confirmed by the fact that most other Kenyan (or Somali) decision makers shared all or most of each others' common assumptions, definitions and expectations, so that the initial definition would be steadily reinforced through processes bringing about group conformity. Anyone in the national decision making elite who defined the situation in any markedly alternative fashion would be either ignored, as eccentric or ignorant, or branded as a traitor to his national group. As the pressures making for conformity are strongest in any dispute between national groups, and the chances of any contrary information likely to bring about a radical redefinition of situations, issues or motives and goals being available to or accepted by a group of national decision makers are small, a circular and self-reinforcing process of initial definition and subsequent confirmation and reinforcement of that definition takes place in disputes involving parties from different national systems.

One finds initially, for example, an almost universal Kenyan belief that the violence in the NFD was wholly caused by the activities of groups of Somali raiders who were based over the border in the Somali Republic and who slipped over the



border on hit and run raids, only to return when chased by security forces (4). This conviction remained unshaken in official (and distant) Kenyan government circles throughout the emergency, and evidence to the effect that the "shifta" were at least partly made up from local nomads was rejected or ignored. In the Kenyan perception of the NFD conflict, the "shifta" came from Somalia, while the local inhabitants were, at worst, "shifta" sympathisers who would give aid and support to the raiders, and conceal their movements from security forces. On the other side, the Somali leadership was equally convinced that the "freedom fighters" in the NFD were mainly the local nomads, aided to a minor degree by the Somali Government. The point here is not that either side was correct in its perception, but that both views were held tenaciously and for so long by the political elites involved in the dispute.

(b) General Background Assumptions

It is helpful to attempt to differentiate some of the common strands of this general "image" of the international system which appear to be shared by Western, and Western-educated political elites (5). Three main elements may be distinguished. The first concerns the underlying nature of world society, the second assumptions about the nature of "normal" state behaviour, and the third beliefs about human motivations, and the reasons underlying human ambition, aggression, and any other quality manifesting itself in behaviour on the international scene.

It appears that many of the assumptions about the nature of world society form a composite image in the form of a Hobbesian world, where there is constant competition for

constantly scarce resources, with conflict endemic and the accumulation of protective power the only ultimate way of ensuring survival of one's state, and one's position in it as a member of the ruling political elite. In such a system, temporary accommodation with other sets of national decision makers may be possible, especially when a common threat to both occurs, but ultimately the only way in which general peace can be assured is through some central authority with the power and ability to enforce peaceful behaviour on the state units in the system. A derivation of this same set of assumptions is that some of the states in the system are less likely to indulge in aggression than others because of their political structure or ideology, so that the system may be divided according to a variety of criteria, into two types of entity; aggressive states and peaceful states. Once all states become peaceful, then the system will become one without violence and aggression (6).

Given such a set of background assumptions, it is only a short step to another set which help to "explain" the way in which state actors (through their national decision makers) behave, and also what constitutes "normal" or expected behaviour from a state actor under different sets of circumstances. These expectations often spring from assumptions about the condition in which the other state is perceived to operate. States, whenever possible, seek to be in a position of strength, vis a vis any opponent, for only then will they negotiate or compromise. Similarly, they are also assumed to be trying to achieve a favourable distribution of "power" in areas where they are involved, so that no other state will be in a position to deter them from action deemed to be in the "national interest".

Again, national decision makers facing serious problems of internal disunity will be expected to attempt to achieve internal support and unity by engaging in external adventures, or by conjuring up external threats for similar purposes.

The final dimension in the "general" image of international behaviour loosely concerns assumptions about human motivation, and the reasons national leaders are acting (or are expected to act) in a particular manner. A basic element in this appears to be the belief that other leaders act, while "our own" leaders are forced to react. The implication is that other national leaders behave in a particular way because this is the way they wish to behave; their "control" of the situation is perceived to be greater, while their range of options is perceived as being much wider than that of "our own" national decision makers. While "they" chose to act in this (hostile) manner, "we" are forced into a reaction by confining circumstances, competing influences and a narrow range of options.

A major element in this final dimension of the general set of background assumptions involves much over-simplified assumptions about causation. These assumptions are often reflected in the facile explanations offered about why international political events occur. Such explanations are usually monocausal, in that they take a single significant action or actor as the reason for a specific outcome, and they are often "system centrist" in that the cause of a satisfactory outcome is usually attributed to the effectiveness of a move or decision made by one's own group, organisation or national state.

(c) Specific Experiences

Within this general framework of assumptions about the nature of the international system and the anticipated behaviour of units within it, another, more specific set of expectations works to help decision makers define and react to any situation they find themselves facing. These other assumptions, which help to draw up a definition of a specific concurrent situation, tend to be formulated out of recent or salient experiences concerning other situations which are perceived as being similar. The analogy is made either because the two situations initially appear to have immediately similar characteristics or because they involve the same actors. The sources of such reference points are often specific historical experiences, particular to each national set of decision makers, and involving an unconscious process of comparison, whereby the new situation is compared to previous experience of the national decision makers (either direct or mediated), and the point reached where it is possible to state that the current situation resembles past situations x or y.

It is possible to suggest a number of categories in this more specific, national-historical framework. The first consists of those situations that are drawn from the direct historical experience of one's own country, and which thereafter serve as "benchmarks" to help to define other, later situations. It seems clear that all national decision makers possess a number of dominant images of past national events, of decisions taken and policies followed to cope with such events, and of the success or failure of these reactions. For example, two dominant national images in British and United States thinking about external affairs have been Munich, which taught the lesson

that it is always necessary to avoid appeasement or giving in to military threats in the hope of avoiding future violent conflict, and Pearl Harbour, which taught the lesson that one should never be militarily unprepared against sudden sneak attack. It is hardly necessary to enlarge on the salience and effect of these two events on the way in which British and US decision makers defined problems in the 1950s and early 1960s. Similar events dominate the cognitive structures of all national decision makers, so that incoming information about concurrent events is always interpreted in the light of these dominant images from the past. This process may be seen in operation in the reaction of the Ethiopian political elites to Somali claims for boundary readjustment or self-determination for the Somali inhabitants of the Ogaden. The general Ethiopian reaction was along the lines of: "We will not surrender one inch of our territory to this demand, which is (a) exactly like that made 30 years ago by the Italians under Mussolini, in that it is equally unjust, illegal and arbitrary, and (b) another attempt by the forces of Islam to surround and gradually take over the territory of the Christian Empire of Ethiopia ..."(7). The lessons learned from these historical situations involved the necessity of increasing armed preparedness in the area in dispute, harsher suppression of movements perceived as subversive, and a refusal to discuss the problem with the other party (the Somali Government) for fear that this would imply that there was some small justice in their claim. In fact, this was the reaction of the Ethiopian Government in the Ogaden dispute.

If the first element in this more specific frame of reference may be termed the "analogy with previously experienced

situations", the second applies to those situation where there is no national historical experience of a directly analogous situation, and where the analogy has to be drawn from the experience of other states and decision makers in situations initially classed as being analogous. In such cases the implicit statement becomes that: "This is very nearly the same situation as experienced by the Ys; what can we learn from their reactions about the most beneficial way to behave when confronted with this type of problem?" Both Munich and Pearl Harbour, the German attack on the Soviet Union in 1941, and similar salient events have had an important subsequent impact on later events and decisions where they have been used as a yardstick to compare contemporary events, and the analogy mistaken for the substance. In Africa in the 1960s the dominant event seems to have been the long drawn out Congo "crisis" (8), which cast a shadow over all African states and governments, and raised the constant fear that any breath of public disunity would lead to a similar disintegration of existing political units. The thought constantly uppermost in the minds of African leaders, especially in the early 1960s was, at all costs, to avoid bringing about another Congo situation. Another dominant African image of the 1960s sprang from numerous anti-colonial independence struggles and these served as reference points for defining subsequent situations affecting many other countries and as a basis for assumptions that these were analogous (9). In the dispute over the NFD, the Somali political authorities and elites defined their kinsmen in the NFD as a nation (or part of a nation) fighting for its right of self-determination, and constructed an implicit analogy between the NFD or Ogaden Somalis and all other African nationalist movements that had

fought against colonial rule. The Kenyans, in contrast, failed to accept the initial definition of the NFD Somalis as a "nation". A constant theme in Kenyan Government statements was that the people of the area constituted a number of heterogeneous and conflicting tribes who had no basis for or claim to "national" unity. Hence there could be no talk of "national" self-determination but merely of generalised banditry or rebellion by a few dissidents, fighting against their lawful government. To the Kenyan authorities the analogous situations used as comparisons in defining the behaviour of the NFD Somalis involved other cases of civil war and rebellion against lawfully constituted authority.

The third and final element in this more specific, national frame of reference may be even more definite than the first or second. This springs from direct historic experience of the other actor or actors involved in the current situation and the expectation of behaviour, intention, and appropriate reaction that this previous experience establishes in the minds of the current set of national decision makers. This element is closely parallel to that mentioned by Pruitt, when he talks about expectations about the basic characteristics and anticipated behaviour of other states, though in this case the anticipations are directed towards other specific states, rather than "states" as generalised entities. The implicit statement underlying the use of this frame of reference for defining a current situation is: "This is yet another example of the hostility/friendship/ambition/untrustworthiness of the Xs, and will have to be treated as such and responded to in the light of our previous experience of them". Thus, at its most specific level the main determinant in any definition of the nature of a

problem will often be the identity of the other actor engaged in the specific interaction, the image of that actor's attributes, and the expectations held as a result of previous interactions and the conclusions drawn from analysing them.

This last element in the perceptual framework which national decision makers use to help define a current problem is of key importance in situations of international conflict, where one party's goals and responses are usually decided by their interpretations of the other party's ultimate motives and intentions, which may be perceived as quite different from those stated publicly. In many conflict situations, the reactions of one party are dependent not so much upon the actions or actual statements of intent of their opponents, but upon the perceptions of their underlying and unstated motivations and intentions. For example, Israeli explanations of many actions by the Arab Governments depend upon the Israeli perception that anything the Arab Governments do is linked to their basic motivation of wishing to destroy the State of Israel, even though specific acts by Arab Governments may be forced upon them for reasons which have little to do with this ultimate goal. In this sense, the goals of two parties in any conflict are often closely interdependent, in that the goals and reactions of party A depend, to a large degree, on their evaluations of the "real" motivations and attitudes underlying the stated goals of the other party, B. These evaluations will, in turn, depend upon the perceptual framework of national decision makers, and this will be based upon shared assumptions about the nature of the international system and international behaviour, about analogous situations which have faced other decision makers, and about actual historical situations which



have confronted the country concerned in its immediate or distant past.

This point merely underlines the fact that, in any inter-state or inter-communal conflict, each party's view of the other's underlying motivations and attitudes will give quite distinct definitions of the situation, depending upon the two parties' different assumptions about the other's "real" goals. As any stated goal may be pursued for a number of different reasons, it is these underlying motivations and ambitions, as perceived and evaluated by the opposing party, that structure the latter's responses and eventually their own goals and behaviour. Thus, two parties will each have their own definitions of a conflict situation, involving:

- 1) Differences over the classification of the general nature of the conflict.
- 2) Differences over the nature of the issues in dispute (that is, which goals are incompatible, and why are they so?).
- 3) Differences (i) about each other's motives and intentions which underlie articulated goals, and (ii) about mutual attitudes towards each other. ("The Somalis say they want x for reasons A and B, but we know what they really want, and the real reasons for their wanting it.")
- 4) Differences about the nature of a feasible and acceptable settlement, or about relevant techniques of conflict management.

(d) "Programmed" Reactions

The effects of the initial definition of the situation

facing the national decision makers upon the selection of an appropriate response must be finally mentioned. I have argued that the whole process of defining a situation consists of three stages: (i) perceiving a current situation that is about to affect one's position; (ii) comparing that situation with others in a perceptual framework formed to assist in identifying likely problems within a relevant area, and classifying the new problem according to that framework; and (iii) selecting a response which experience (direct or mediated) has shown to be appropriate. Pruitt implies that arriving at any definition involves scanning a set of standard situations, learned about through direct experience or mediated information and which serve as a yardstick to classify current situations, and finding a suitable standard for the present problem. As a second process, once the problem has been successfully classified, certain responses will suggest themselves as being appropriate for dealing with this type of situation. The whole process is thus further simplified on a three stage one of (i) perceiving; (ii) comparing and classifying; and (iii) selecting a response which past "experience" has shown to be appropriate. The response or strategy chosen therefore depends to a large degree on this initial classification, and the chances of success depend, needless to say, upon the accuracy of the process of comparison and classification. If a decision maker has learned that he is likely to meet certain types of situations in international politics (for example, claims to territory, aggressive actions from certain classes of states or certain types of national elite, crises, bluffs, threats, calls for action, the breaking of relations, friendly gestures, or offers of third party intervention), then any new situations

will be interpreted within this classification system, and along with every class of situation will go a repertoire of accepted and appropriate strategies to deal with each problem type.

B. The Selection of a Favourable Definition as a Strategy

Given a conflict situation where two parties do define the situation differently for themselves (10), and adopt a radically different set of assumptions about a dispute, it follows that the means of resolving the problem proposed by each side are normally completely unacceptable to the other. There begins a process of offer, misunderstanding and counter-offer, refusal and reiteration of the first offer with minor modification, refusal and growing exasperation with the other party's "intransigence", and final disinclination to negotiate or even communicate further. The end of such a process is a situation where no solution ever appears likely, given the two frameworks within which the opposing parties are operating. In other types of conflict within national societies there often exists a common framework of values and norms, key groups whose shared definitions are salient, and numerous communication channels through which perceptions may be altered and the opposing definitions of the nature of the conflict brought closer together. By contrast, in most international disputes these corrective factors are lacking, so that no alteration of views on the nature of the conflict is possible. Both parties are left with a feeling of mutual exasperation over the failure of the other side to comprehend their own point of view, or to respond to their own concessions, which they perceive as being generous and substantial, though the other party might perceive

them as wholly irrelevant.

In such a situation, one method of bringing about a settlement of the dispute is to have one party accept the other's definition of the situation. Once this has been achieved, the party accepting the other's definition is at a marked disadvantage, and must seek justification of its behaviour and ultimate goals in terms of the other's assumptions and underlying values. This is usually very difficult to do, so that any ultimate settlement will be greatly to the advantage of the "defining" party. In terms of one definition of the situation a satisfactory solution tends to be possible, if one-sided. However, the strategy does illustrate the relevance of Herbert Simon's dictum that "... influence is exercised through control over the premises of decision..."(11).

As a settlement strategy, this process of ending a conflict appears much more relevant to intra-national disputes taking place within the national political system, where facilities for "converting" the opposing party are more readily available(12). In international disputes, the means for forcing one's definition upon the opposing party are meagre or non-existent, and attempts to do so are usually rejected with ease by the other party, so that it does not become necessary for that party to alter either its underlying assumptions about the dispute or its stated goals and policy commitments that result from these assumptions. Once a conflict situation has begun to involve violence and a high level of mutual hostility, attempts by one party to alter the perceptions and attitudes of its opponents' leadership or followers by subjecting them to contrary information drawn from their own definition of the situation are not very successful. Because of the need for cognitive consistency,

and national and group pressures working towards conformity of outlook among national decision makers, it is most unlikely that the assumptions and definitions of the latter will alter merely because they are presented with their opponent's assumptions and definitions about their common problem. This does not, naturally, prevent opposing parties in an international conflict from engaging in propaganda and attempts to "change the national mind" of their opponents. One feature of the Somali-Kenya dispute was the ferocious propaganda campaign waged at times through diplomatic, pamphlet and press channels, particularly via Radio Mogadishu and the Voice of Kenya. As might be expected, as far as altering the perceptions, assumptions and definitions of the rival elites, both campaigns were almost total failures.

However, an alternative strategy is open to either party, and this is to attempt to convince third parties of the "correctness" of their own definition of the nature of, and issues within, the conflict. This strategy is often used by a party to try to obtain international support for its own position, and to try to bring indirect influence to bear upon the opposing party. If one party can ensure that its own definition of the situation is accepted by numerous third parties in an international "audience", then this may, in turn, influence the opposing party's behaviour by forcing its leaders ultimately to accept a particular, if damaging, definition, either because of resultant behaviour of the third parties in the audience, or merely by the latter's acceptance of one set of assumptions and definitions rather than the other.

The opposing definitions of the situation employed in

the NFD dispute are set out in the following two sections, and I intend to return briefly to this final aspect of the process in a later section on the strategy of "Making a Case". This deals with the efforts of both parties to make some sort of a public justification for their goals and behaviour in the light of their own policies and the approved norms and rules of both national and international system. This process will be treated basically as an exercise in gaining general approval for one's own aims and actions at the expense of support for the opponent.

It is important to underline the differences between the two processes of "defining the situation" and "making a case". As indicated above, the former is basically an individual, psychological phenomenon, an inner-directed process whereby incoming information about a (conflict) situation is identified, assessed and classified so that an appropriate response to the situation may be selected and advocated for action. Though essentially a personal process, it is one which may be very similar among a number of individuals making up a decision making group, a political elite or even a whole national community, all of whom may share the same incoming information and measure it against the same structure of expectations and assumptions. Similarly, and especially within small, tightly knit groups or elites, differences in definitions will be subject to group processes which eventually have the effect of rendering them more uniform. Finally, apart from pointing to an appropriate class of response to a conflict situation, the definition eventually adopted by a national decision making elite will also help to lay down the broad strategic lines within which the tactics of making a case may

be pursued. In other words, the initial definition largely decides the manner in which the conflict will be fought.

In contrast, the process of making a case is very much a public one, which is essentially outer directed, usually towards the audience of uncommitted or semi-committed third parties to the conflict, but sometimes towards the opposing party in the dispute. (In inter-state disputes, the two national "parties" are actually divided into a number of sub-parties, so that a propaganda campaign may have some effect on national opposition groups even if it does nothing but irritate the national political authorities.) The details of the case put forward are often more explicit and concrete than the implicit assumptions and attitudes underlying the original definition, for the implications of the original stand on the issues in dispute have to be carefully considered, both from the point of view of public consistency and for their likely effects upon third parties. It should be recalled that the function of publicly making a case is to win support from the uncommitted audience, and by this process or by later sanctioning behaviour from these supporters, bring about a satisfactory settlement of the dispute. For this reason, the case which both parties put forward in public will be calculated to present national attitudes, goals and actions in the "best" possible light, and at times may bear little resemblance to the actual perceptions, assumptions, aims, expectations or intentions of either party.

However, it is important to emphasize that this process of searching for support does help to reveal the way in which the members of one party actually define the problem to themselves, and not merely how they would like their case to

appear to outsiders. There may be large elements of manipulative self-interest in the public propaganda tactics that one or both parties adopt, and the public stand they choose to make, but there is also a good deal of each party's own values, beliefs and general assumptions about the nature of international society contained in its case presented for public consumption, as well as many implications about the manner in which that party views the issues in dispute, its own goals and intentions, and its expectations about the likely attitudes and behaviour of its opponent. To regard such efforts at making a case merely as window-dressing, concealing a cynical real-politik, is to miss much that is important.

C. The NFD Dispute: The Somali Definition

For the Somali political authorities the NFD dispute was primarily about people, and the problem was to try to ensure the final unification of a divided national, and culturally similar, group. There were two major factors underlying the use of this framework. The first was that Somali culture is largely based on nomadic pastoralism and upon kinship ties, the latter extending from extended kinship groups (or clans), through larger clan-families to the national Somali group consisting of six major clan-families. The importance of kinship ties and of obligation to one's kin group cannot be overemphasized in Somali culture. Hence, the problem of the Somalis in the NFD could easily be viewed in the light of the obligation of all Somalis, but especially those of the same clan family, towards the NFD Somalis. One finds, for example, the first President of the Somali Republic, Aden Osman, on



his retirement from the Presidency in June 1967, reminding Somalis "... living in the free part of their country not to forget the assistance they were duty bound to give their brothers living in colonialist controlled lands..." (12)(a).

In a similar sense, the pastoralist background of Somali life aided this concentration upon people rather than land, for the underlying values of a people whose way of life is based upon livestock, pasture, water and movement differ from the values engendered within a settled, farming community where there is a strong sense of territorial allegiance.<sup>(13)</sup> It may, of course, be argued that the formal Somali Government case regarding the NFD could, more realistically, be regarded merely as a political strategy, carefully calculated, and consciously employed by political leaders. However, even if this is the case, the Somali political authorities had to select an appeal that they knew would be congruent with existing and widely held Somali values. Obligation and duty to assist kinfolk are salient virtues in Somali political culture.

A second major factor appears to have been the recent historical experience of the Somali political elite. In recent years, the major achievement for the Somali people has been the successful unification of two separate, colonially-administered areas, the Italian ex-colony of Somalia, and ~~of~~ British Somaliland (14). This was carried out under the slogans of Somali unity and self determination, which served both as a rallying cry for Somali nationalists and a weapon to overcome the fierce clan divisions within the total Somali community. The success of the processes of self determination and subsequent national unity in the case of two of the five divisions of the Somali peoples could therefore be seen as providing two major

benefits: first as a weapon against foreign rule, whether European or African; and second, as a means of symbolising the essential unity of the Somali peoples and of playing down the divisions in Somali society, between Sab and Samaale, between "northerners" and "southerners", and between the various competing clans and clan families. In their quest for a unifying factor, the problem of the "missing" Somali peoples served as a symbol of agreement, and provided a purpose and objective with which all Somalis could agree. In Musafer Sherif's term, the recovery of the other Somalis living under colonial rule provided an "overarching goal" which could be used to create unity and national integration. The Somali view of the NFD situation was thus effected by a recent experience of uniting a people under the rule of two separate colonial powers by using the principle of self determination. Experience of one case, as well as natural inclinations, values and perceptions, must have prompted the Somali elites to try the same strategy in the dispute over the NFD.

Within this general background framework of the Somali perception of the nature of the NFD (and related Ogaden) problems, several separate dimensions may be clearly discerned. The first of these was an essential element of difference from other situations that might have been considered analogous, of the uniqueness of the Somali problem. Far from being typical of a class of problems common to many African countries, the Somalis saw their particular dispute as totally unlike all others, so that a different set of principles would have to be applied in reaching any just and satisfactory solution. The Somali Minister of Information, as early as 1963, was declaring that "... the Somali problem is a case entirely apart; the

racial, linguistic and ethical (sic) unit formed by the Somalis is so typical that it must be considered as one with the territory occupied by them." (15). While this particular statement was mainly addressed to the Ogaden question, it applied equally to the dispute over the NFD. The Somali leaders were, to some extent, aware of the problems faced by their opposite numbers in Kenya, and of the Kenyan fear that any concessions to the NFD Somalis' demand for secession would result in a "balkanisation" of the colony, as one tribal area after another split away to form its own separate entity in a form of chain reaction. However, given the Somali perception that their own case was a unique one, it was possible for them to deny that concessions to the Kenyan Somalis (the unique case) would mean that similar concessions had to be granted to other groups in Kenya (16).

The uniqueness which the Somalis attributed to their problem of unification was based on a number of factors. One of these was that the formal division had been carried out by colonial powers and had ultimately resulted in Somalia being cut off from its own people along the whole length of its border. Another unique feature, claimed the Somalis, was that these colonially imposed boundaries cut across the traditional pastures and water supplies used by the nomadic Somali population, and forced them to engage in international patterns of transhumance while following their traditional patterns of long-range grazing. However, the most unique feature of the problem claimed by the Somalis was that only in this particular case was an African nation - as opposed to tribe - divided by an arbitrary colonialist boundary, so that only in the Somali case was there any question of the right of national self

determination. This theme of the Somali nation is a major element in the Somali definition of the situation, and a constantly reiterated theme in Somali statements. One of the Somali Government's official pronouncements on the whole question was contained in a document entitled: "Somalia: A Divided Nation Seeking Reunification", (17) and the implication that the Somali goal was a restoration of a previously existing unity could not be lost by any reader.

Given the Somali perception of the existence of a Somali nation, it followed from the fact of division that large parts of that nation were under alien rule and domination, and this placed those parts of the Somali <sup>community</sup> ~~unity~~ in a situation parallel to that suffered by all of black Africa under white imperialism. Thus, part of the Somali definition of both the NFD and the Ogaden situations was that they involved a continuation of a colonialist situation of alien dominance of a captive, indigenous population. Such a perception was most easily held about the Ethiopian Empire, but as the struggle in the NFD proceeded, references to "~~colonialism~~ colonialism" began to be made alongside the more familiar charges of "Amhara imperialism". It was a short step from this perception to that which saw the granting of self-determination and freedom to the Somali minorities as the final stage in the general process of decolonisation which had been continuing throughout eastern Africa since 1960. Refusal to grant such self determination could only be interpreted, from the Somali viewpoint, as an example of black imperialism refusing to give up advantages gained for it by white imperialism, and, in the process, oppressing the Somali minority.

This element of oppression became more salient as the

struggle inside the NFD intensified, and violence and counter-violence grew in scope and effects. As this occurred, so did a simultaneous Somali perception of parallels between Kenyan oppression in the NFD and Portuguese actions in Angola or Mozambique, and a further determination to liberate "... the Somali people still under enslavement...". This element of "liberation" became stronger and more important in Somali eyes as the conflict continued (19).

Other factors ensured that anti-colonialist elements played a considerable, though not a dominating, part in the Somali definition of the NFD problem. To Somalis, it was obvious that the actual boundaries which had been drawn to separate the Kenyan Somalis from those in the Republic were purely the creation of the colonial powers, Italy and Britain, and had been drawn solely in the latter's interests, with no attention being paid to the rights or wishes of the populations affected by the division. (Indeed, one Somali point was that Kenya itself was a wholly artificial, colonial creation.) At an early stage in the dispute, one Somali argument put forward the point that the creation of the NFD had originally been part of a "shady" deal by British and Italian colonialists in the 1920s, and that the area had originally been part of the Somali-held-lands. In an exchange of letters with the Prime Minister of Uganda, Dr Obote, the first Prime Minister of the Somali Republic, Dr Shermarke, alleged that Britain had frequently used Somali territory as a bargaining counter in the past. He further stated that the NFD was the outcome of such a colonial deal, being included in the bargain by which Britain transferred Jubaland to Italy in 1925.

With shared initial assumptions regarding the existence of a Somali nation that had been sundered by the actions of non-African powers, and the consequent existence of Somali minorities under alien and often oppressive rule, it was logical that the Somali definition of what the NFD dispute was about should have centred about the two concepts of people and their rights to national self determination (which later became "liberation" as the degree of perceived (and real) oppression suffered by the NFD Somalis grew and was emphasized by broadcasts from Radio Mogadishu). For this reason, the fundamental Somali perception of the dispute was that it also concerned a people's right to control their own future; it was by no means a dispute about territory as such, and ought not to be defined as a border dispute, a conflict over territory, or a claim to land by the Government of the Somali Republic. "Territory has no value except as a means of supporting the people who live on it," declared President Osman at the inaugural summit meeting of the OAU in May, 1963, "so that in the last resort the only real question is that is in the best interests of the people. And that question ... is a question we are bound to let the people decide for themselves..." (20).

Nevertheless, it was realised by the Somali leadership that the definition they had adopted was, logically, a matter of emphasis rather than a qualitatively different demand. People and land were seen, at least privately, as being inextricably connected, and the Somali President, when asked directly as to whether the Somali Republic was interested in people or land, replied that "People mean land in Africa." On the same occasion, President Osman stated quite categorically that "We want, we must want, the land and the people... Somalis in

Ethiopia are a subject people, and black colonialism is no better than white."(21) Hence, while in private the Somali leadership admitted that land was inevitably connected with Somali claims, in public, official Somali pronouncements tended to concentrate upon their case of self determination for Somali people living under foreign domination, and on their right to pursue the search for unity of the Somali nation.

The Kenyan leaders were, of course, well aware of the logical implications of granting self determination to a minority community that had already made its aims and intentions quite clear. The only alternative possibilities were that the Kenyan Somali population should be transferred without its territory, or that, once that population had been granted genuine self determination, its choice would fall on some course other than joining the Somali Republic. - The latter possibility was obviously considered, if discounted as highly unlikely, by the Somali political leaders. However, it was a possibility which had to be allowed for, given the uncertainty that had attended the initial union of the two newly independent parts of Somalia in 1960. In July 1966, President Osman mentioned the possibility when, in a Republic Day message, he talked of the difficult problem of "... the freedom of ultimate choice for all our Somali brothers to come under our beloved flag; unless those same brothers, as the result of peaceful and properly conducted self determination, have chosen to remain separate from us, in which case we shall consider ourselves satisfied in respect of their free choice..."(22).

The other possibility, self determination without territory, and by transfer of population, was hardly an acceptable option, given the nature of Somali nomadic life and the

shortage of pasture and water that had originally driven the NFD clans south in search of fresh supplies. This type of "self determination" was obviously not acceptable to the Somali Government, even in the unlikely event that it would have been accepted by the Kenyan Somalis themselves. The attitude of nomadic pastoralists to land may differ greatly from that of sedentary farming peoples, but any decision that forced pastoral peoples away from their traditional wells and grazing would obviously be resisted with the same vigour as an attempt to dispossess a sedentary farmer of his land. In fact, the Kenyan leaders were quite willing to allow this form of "self determination" to be exercised by their Somali population. As early as 1962 Mr Kenyatta had invited them to "pack up your camels and go to Somalia" if they really wanted self determination, and in the Kenya delegation's Memorandum submitted to the preliminary sessions of the OAU Summit Conference in May 1963 the same invitation was set out:

"If they do not want to live with us in Kenya, they are perfectly free to leave us and our territory, and cross the border to the Republic of Somalia. This is the only way they can legally exercise their right of self determination...".

However, this could hardly have been regarded as a feasible solution by any Somalis, let alone those in the Government at Mogadishu, one of whose members branded the Kenyan suggestion as unthinkable and unthinking. It seems highly unlikely that the Somali Government ever really contemplated the unification of the Somali people without the territory that was necessary to support their nomadic way of life.

D. The NFD Dispute: The Kenyan Definition

If the Somali definition of the NFD dispute was that it



was primarily about people, and their rights of self determination, the Kenyan view was that the dispute basically concerned territory, and its two corollaries, sovereignty and national integrity. In spite of the constant Somali reiteration of its basic aim of achieving self determination for its exiled brothers, the Kenyan Government defined Somali claims (to themselves) as a threat to the territorial integrity of their country. This was accepted by them as that established with the granting of Kenyan independence, so that no future revision of Kenyan territorial unity could be contemplated. The Kenyan leaders saw Somali policy as blatant pursuit of the concept of "Greater Somalia" and their suspicions of Somali intentions were naturally reinforced by contradictory Somali statements about the nature of Somali goals. This policy was interpreted to mean that the Somali Republic would seek "... by every means short of formal hostility to secure the physical and political seizure, and absorption within the Somali Republic, of six of the administrative districts of Kenya.." (23). The Kenyan response was to uphold the principle of the inviolability of the country's recently inherited national unity, and to ensure that the six districts remained "... integrally a part of the Kenya nation..." (24).

Like the Somali definition of the situation, the general framework within which the Kenyans viewed the dispute contained a number of distinct dimensions. The first of these involved an adherence to the principle of the territorial status quo, and to the assumption that once this had been fixed (by some unspecified means) any attempt to alter it must, by definition, involve some form of aggression or attempt at territorial aggrandisement. Hence the Somali Government were classed as

"aggressors by definition", in that they were attempting to alter an existing situation.

The second main element in the Kenyan perceptual framework was a curious reverse image of one held strongly by the Somalis. Whereas the Somalis were able to view their problem as a unique one, to the Kenyans the attempt of the Somali minority in the NFD to secede was an only too familiar problem, so that what struck them about the Somali question was not its uniqueness but its typicality. For the Kenyan Government, the Somalis in the NFD were merely another discontented minority wishing to leave the Kenyan political system. The key factor in granting self determination to such a group would be the likely demonstration effect this would have upon others, so that the secession of one group would lead to claims for similar treatment from others (25). It was clear to the Kenyan leaders that other tribal and regional groups in Kenya - and, indeed, in other African states - would fail to recognise the "uniqueness" of the Somali case, and would take any concessions to them as a precedent that could be applied in their own case. From Nairobi, the claims of the Somalis looked thoroughly familiar and were merely one of a class of such problems which could all, according to the expectations of the Kenyan leaders, become acute once any weakness was shown.

In shaping this expectation, as in the Somali case, the recent experience of the Kenyan leaders played a major part. The threat to form a KADU breakaway state, in 1963, and the struggle over the "Majimbo" Constitution have already been mentioned. Other problems confronting the Kenyan Government, apart from the major one of integrating diverse tribal and regional groupings into a Kenyan national community, included

the possibility of similar aspirations on the part of the Masai, who straddle the Kenyan/Tanzanian border, and the breakaway activities of certain groupings in the coastal regions, who at one stage in the pre-independence period, had proposed joining with Zanzibar rather than become part of an African-dominated Kenya. With this type of experience as a background, a dominating theme in the minds of the Kenyan leadership was the necessity of avoiding any encouragement for breakaway groups of any description, so that, to them, the Somali problem was merely the most pressing in a series of potential divisive movements.

The Kenyan ability to classify their Somali problem along with a number of other potential problems sprang, essentially, from their inability to perceive the Somali grouping as anything unique or deserving of special treatment. To the Kenyan leaders, the NFD Somalis were merely one of Kenya's 48 tribal groupings, and not a very large group at that. They were certainly not perceived by the Kenyans as anything like a national group, any more than were the Masai or the Meru, so that with this fundamental perception, any talk of the Somali right to national self determination was, in Kenyan eyes, so much nonsense. The official Kenyan account of the dispute denies flatly that the Somalis in the NFD ever constituted a nation (26); they had never been settled in any one area for any length of time, they were in continual conflict with one another, and they had no history of national unity. At best, the Somalis were merely another Kenyan tribe, whose sense of separateness and distinction had been encouraged by British colonialists in pursuit of their cunning policy of divide and rule, and who had used "pseudo-anthropology" in order to "... magnify tribal differences in language and culture..."(27). The Kenyans could thus argue that

"Pan-Somalism is essentially a tribalistic doctrine based on the ethnic homogeneity of the Somalis..." and that the Somali Republic wished to annex a large proportion of Kenya "...basing her claims on purely tribalistic arguments..."(28). In answer to Somali Government claims for rights of national self determination, then, the Kenyan leaders denied first of all that the Somalis constituted a nation, but were merely a tribe that had been deluded into grandiose ambitions by the colonialists. Secondly, they argued that such sentiments went against the principles of African solidarity and the movement for pan-African unity:

"...seeking to create new African nations on the basis of tribal or religious identities is a sin against Pan-Africa and a most dangerous weapon for destroying African solidarity. The Somalis are Africans. Those who live in Kenya are Kenya Africans..."(29).

Finally, they clinched the argument by stating that the Somalis were a tribe which had arrived in Kenya very recently and were in no sense indigenous to the country (30).

This again led to a direct reversal of Somali perceptions, for whereas the Somalis saw their compatriots in the NFD as under alien rule and domination, the Kenyan leadership saw the Somalis as being essentially an alien and recently arrived minority within Kenya. However, they were perceived, again, as one minority group among many, and, like the other groupings, were perceived as Kenyan citizens who were part of the Kenyan political community. This meant that any idea of self determination for the Somalis could not be entertained (leaving aside the consideration of whether they were a national group or not), any more than such a concept could be entertained for the Kamba, the Turkana or the Luo. In Kenyan eyes, all these peoples were now part of the Kenyan political community, were citizens of

Kenya and owed a duty of loyalty and obedience to the Kenyan state. Talk of self determination in such circumstances was to apply inappropriate concepts to the situation, and for the Kenyan Government to grant it would lead to a situation where every tribal grouping would become a potential Somali "nation", and where the whole political system could disintegrate into a number of small, tribally based states. With this background, the Kenyans came to view the dispute as essentially concerned with the preservation of the integrity of Kenya, partially against an internal secessionist movement, aided and encouraged by a foreign government intent on disrupting Kenyan internal affairs, but mainly against an externally inspired attempt to annex part of Kenya's territory. Talk of self determination by the opposing party was at best misguided, and at worst a tactic to gain Somalia's aims of territorial aggrandisement. The principle could not be applied in this situation:

"... If anyone wishes to exercise his right of self determination let him exercise that right by moving out of the country if necessary but not seek to balkanise Africa any further under the guise of so-called self determination. The principle of self determination has relevance where FOREIGN DOMINATION is the issue. It has no relevance where the issue is territorial disintegration by dissident citizens ..."(31)

Thus, while the Somali framework emphasized people and self determination, the salient features of the Kenyan framework were the preservation of territorial integrity to hold together a multi-racial state, and the belief that the occupation of an area by a tribal grouping did not automatically confer sovereign control over that area to that group's "tribal brothers".

If the concept of self determination as an issue in the dispute was felt to be wholly inappropriate by the Kenyan

leadership, it followed that Somali goals must involve something else, and to the Kenyans this could only be territorial annexation, with talk of self determination as a tactical move in the overall Somali strategy. The ultimate result was that the Kenyans defined the Somali demands for self determination as a cover for a policy of territorial aggrandisement, and as a result defined the dispute as being not merely over territory but being over Kenyan territory. As a response, the territory and boundaries inherited from the colonial past were defined as "Kenyan", and the formal Kenya Government reaction was firstly to refuse to acknowledge that any real basis for a dispute existed (save the unjustified Somali Government claim), and then to follow a policy based upon a blank refusal to consider any possibility of allowing its territory to be dismembered in favour of an expansionist neighbouring state. Frequent statements were made condemning Somali's "... aggressive, expansionist intentions...", and the fact that the Kenyan Government had no intention of surrendering a foot of its territory was constantly reiterated. As the conflict developed, so did Kenyan determination to refuse to discuss even the possibility of any territorial readjustment, which was defined as a division of Kenya itself (which was perceived almost as an organic entity). Offers of discussions with the Somali Government were often predicated on the precondition that there could be no mention of any territorial change.

Occasionally, Kenyan statements made references to a "boundary" dispute with Somalia, instead of a territorial conflict caused by Somali efforts at territorial expansion, but such statements usually involved a refusal to recognise that any boundary dispute existed. In the later stages of the conflict

the Kenyan Government extended its argument about territorial integrity and legal sovereignty to cope with the mounting guerrilla activities within the NFD and the supply of arms, bases and refuge by the Somali Government. The constant Kenyan demand throughout the period 1966 and 1967 was that the Somali Government should stop interfering with the internal affairs of Kenya: Somali actions violated Kenyan sovereignty, and were contrary to numerous UN and OAU declarations about non-interference.

It is interesting to note that the Somali Government never quite managed to combat this particular argument, particularly as it tended itself to share the same vital element in a perceptual framework. This element leads decision makers to perceive the "real world" as consisting of fundamentally separate, sovereign state entities. Once such a definition of the nature of the international system is adopted, certain consequences follow, one of which is that only a single set of political authorities - in this case the Kenyan - is able to control and influence behaviour and events directly within a given territorial area. The direct control of actions and policies within the NFD could therefore only be exercised by one set of political authorities. It was exclusive to either Nairobi or Mogadishu, and the only way the Somali Government could hope to influence events in the NFD was indirectly through influence upon the Kenyan political authorities in Nairobi, or by altering the source of sovereignty and taking over direct control of the area from the Kenyan Government, which would then, in its turn, be excluded from any direct influence.

With this key element of the definition shared by both parties, and the resultant acceptance of the logical necessity

for a single, exclusive sovereignty over a territorial area, then one further feature of both definitions of the NFD dispute was that it was a zero-sum conflict. In other words, no resolution of the conflict between the Kenyan Government and the Somali Government was possible which did not involve the sacrifice of one party becoming the gain of the other. Given this shared assumption that the dispute was of a zero-sum, win-lose type, then it followed that only mutually exclusive demands could be made by the two involved parties. Similarly, coercive strategies designed to force a settlement and used by one or the other party could only be of the type where one party bargains with the other and attempt to influence the calculations or behaviour of its leaders to induce them to abandon their own goals (32) and sustain the inevitable loss. Basically, this may be achieved: (i) by behaving in such a way as to make the costs of achieving such goals so high that the opposing party reassesses their comparative value (that is, the "opportunity costs", or costs in terms of other desired goals that must be foregone) or (ii) by behaving in such a way as to make the opposite party reassess his perceived probability of success in achieving his goal, or finally, (iii) by offering alternative benefits in other areas to offset the loss sustained by the opposing party's abandonment of his goal in the disputed area (i.e. the NFD). It is to such strategies I will now turn, for both parties' initial definitions of the dispute ensured that they pursued this type of win-lose settlement of the NFD dispute for over three years.



## Footnotes to Chapter II

1. Naturally enough, quite different views of what the conflict is "really" about are not peculiar to international conflict situations, though the feature does appear most markedly in such disputes. This may be the result of the two parties possessing separate and distinct values and assumptions, as well as different attitudes and memories developed through different historical experience and from different cultures. While many intra-national conflicts take place between parties sharing a common framework of values and assumptions, such a framework is usually lacking in inter-national disputes. In addition, facility of communication is usually greater in domestic conflicts (this is usually bad in inter-state conflicts, and tends to grow worse as the conflict proceeds) while formalised mechanisms for resolving conflict often exist within national societies.
2. Deutsch has referred to both frameworks in his thinking about international problem solving: "... in political analysis, the first task is to form some reasonably coherent idea of the context of international politics. The second is to define the problem. It makes a great deal of difference whether we define an international confrontation as a conflict of good versus evil, or as a failure in communication between two countries...". Karl W. Deutsch: "Problem Solving: The Behavioural Approach" Chapter V in A.S. Hoffman (ed.) International Communication and the New Diplomacy (Bloomington, Indiana: Indiana University Press, 1968) p. 64.
3. See, D. Katz, and R.L. Kahn, The Social Psychology of Organisations (New York: John Wiley & Sons, 1966), p. 285.
4. "... A universal misconception among both the Kenyan and Ethiopian participants related to the causes of violence in the Somali-inhabited parts of their present countries. They all believed that the trouble-makers or the "shifta" came from the present Somalia, crossed the border, attacked the local security forces, and returned to their bases in Somalia. Nothing could be further from the truth. Almost all the major clashes occurred not anywhere near the de facto border, but deep within the occupied territories, often hundreds of kilometres away. They invariably were between the local nomads and Ethiopian and Kenyan forces. It is probably true that Somalia has assisted the resistance groups of armed men described in Somalia as "freedom fighters" and as "shifta" in Ethiopia and Kenya. Put these, too, were local Somalis and normally never crossed into the present Somalia..." L.W. Doob (ed.) Resolving Conflict in Africa: The Fermeda Workshop. (Yale University Press; New Haven; 1970) Chap. 3, p.49.

5. The extent to which Western educated elites in Africa have adopted European concepts and definitions of the nature of the international system, as well as expectations about normal behaviour in that system will be further discussed in the concluding Chapter.
6. Pruitt has suggested that there are three broad dimensions which deal with the nature of other actors in the international system, and which are used to define and classify "normal" forms of behaviour within that system: (i) perceptions about the basic characteristics of other states; (ii) predictions about the probable future behaviour of other states; and (iii) conceptions about the appropriate means of dealing with the behaviour of other states. However, he makes no attempt to explain what the specific details of these dimensions are likely to be, nor from where such details come. Pruitt, op. cit. pp. 394-5.
7. At the back of these more specific assumptions involving actual historic experience with Fascist Italy and the forces of Islam, it is possible to discern a general, basic assumption involving the types of state that strive to expand and take over the territory of their (more peaceful) neighbours.
8. In the Kenya delegation's submission to the OAU Summit Conference at Addis Ababa in May 1963, the dominance of the Congo image was quite evident: "We have seen the tragedies and the shedding of blood resulting from Moïse Tshombe's secessionist attempts in Katanga. Somali secessionists in the NFD are following the same Tshombe footsteps and we shall not tolerate a Tshombe in independent Kenya. But, looking at the matter from a legal point of view we note that the Basic Law of the Republic of Congo ... included Katanga as an integral part of Congo. It was, therefore, an unconstitutional act for Tshombe to seek the secession of Katanga from the rest of Congo. The same case applies as regards the NFD of Kenya..." "Pan-African Unity and the NFD Question in Kenya". op. cit.
 

(It is worth emphasising that one of the great fears of secessionist movements sprang from the African belief that such situations gave an unrivalled opportunity for the forces of European (and non-European) neo-colonialism to interfere in internal African affairs, and that this belief sprang again from the Katangan experience with Belgian intervention and the later activities of the UN forces.)
9. Subsequent behaviour based upon the belief that situations are analogous may help to make them so; there is a large element of self-fulfilling prophecy in this process.
10. It should need no emphasis by this point that the "definition of the situation" refers to that privately (even unconsciously) adopted by decision making elites, and the basic assumptions underlying such a definition. This is not necessarily the same definition presented privately to the

opposing party or publicly in any propaganda programme (though of course all three may be identical).

11. Herbert A. Simon: Administrative Behaviour (2nd edn). (Macmillan, New York, 1957). p. 233.
12. A good example of this strategy in operation may be found in the dispute over the passing of the United States "Trade Expansion Bill" (1962) during the Kennedy Administration. The conflict took place within US government circles and inside Congress, and the solution eventually came to depend upon which definition of the nature of the tariff instrument prevailed and was accepted by the majority of Congress-men; protectionists defined a tariff as an aid to domestic business, while the anti-protectionists defined it as a vital instrument of foreign policy.  
See the account given in Raymond A. Bauer, Ithiel de Sola Pool, and Lewis A. Dexter, American Business and Public Policy: The Politics of Foreign Trade. (Atherton Press, New York, 1963).
- 12a. Report of speech broadcast by Radio Mogadishu, 28 June 1967 (Writer's italics.)
13. In this respect, I.M. Lewis comments that the "concept of property rights entailed by nomadism applies to the exploitation of land, and not simply to land qua land...  
... "The only limit to the free extension of pasture land is that the herdsman may find himself grazing his beasts on land where his presence is considered an infringement of territorial rights...".  
I.M. Lewis: Peoples of the Horn of Africa. Ethnographic Survey of Africa N.E. Africa 1. (London: International African Institute: 1955) p. 43.  
Leonard Doob has characterised the struggle in the Horn area as being an example of "... the classic conflict between the cattleman and the farmer..." Resolving Conflict in Africa: The Fermeda Workshop. L.W. Doob (ed.) op. cit. p. 6.
14. Note that part of Prime Minister Egal's programme, presented to the Somali National Assembly on 4 July 1967 included the following provision:  
"... The Union of Somali territories envisaged in the Constitution of the Republic are by no means "annexations", but unions to be negotiated after the attainment of Independence and Sovereignty by Somali territories at present under foreign domination. A classical instance of this was the union between ex-British Somaliland Protectorate and the ex-Italian Trust Territory of Somalia in 1960..."  
The importance of the precedent formed through recent experience on the Somali way of perceiving a situation and relevant policy options is obvious.

15. Statement made by the Somali Minister of Information on 30 April 1963. Quoted in: British Public Opinion on the Northern Frontier District. (Mogadishu: Ministry of Information, May 1963), p. 8.
16. Tactically speaking, the Somali insistence that theirs was a unique case, served another very useful function in that it enabled the Somali Government to argue that the grant of self determination to the Somali peoples would not constitute a damaging precedent for the rest of Africa. As the Somali case was unique, it was quite different from - say - Biafra, or the Ewe conflicts between Togo and Ghana. As the Somali case was unique, nobody could quote it as a justification for secession in future.
17. Published by the Ministry of Information, Mogadishu (in collaboration with the Somali Embassy, West Germany) April 1965.
18. Prime Minister Hussein's reply to Premier Krushchev's National Day message. Broadcast on Radio Mogadishu, 2 July 1964 (BBC Monitoring Reports ME/1596/B/2).
19. By the end of 1965, a Somali member of the Ministry of Information was declaring that it had become impossible for the Somali Government to abandon the work they had undertaken" ... which is that of liberating the Somali territories which are occupied forcibly by the aliens, and restoring their dignity and freedom to the inhabitants of these Somali lands..." Report on Radio Mogadishu, 2 November 1965.
20. The President's speech is quoted in: "Somalia: A Divided Nation Seeking Re-unification". op. cit. pp. 7-8.
21. E.A. Bayne, "Birthday for Somalia", op. cit. p. 12 and p.15.
22. The President's statement was reported in the Somali News, 1 July 1966.
23. "Kenya-Somalia Relations". (May; 1967; Nairobi) p. 1.
24. Ibid.
25. As John Okumu, a Kenyan academic, summarised the point: "... The principle involved is that once you allow any particular section of a sovereign state that has not achieved a measure of internal institutional consistency to secede, it becomes difficult to refuse similar privileges to other ethnic groups in the same country who may wish to declare their own autonomy..." John J. Okumu. In Chapter 4 of L.W. Dobb (ed.) Resolving Conflict in Africa, op. cit. p. 70.
26. "Kenya-Somalia Relations", op. cit.
27. "Pan-African Unity and the NFD Question in Kenya", op. cit.

28. Ibid.
29. Ibid.
30. "... The Kenya-Somalis ... do not make their claims on the basis of any right to the land as such, or any historical evidence that the NFD was once part of Somalia ... they know that the Somalis in Kenya are not indigenous to Kenya in any sense of the words, and have actually been migrating to Kenya since the early part of this century..."  
"Pan-African Unity and the NFD Question in Kenya". op. cit.
31. "Pan-African Unity and the NFD Question in Kenya". op. cit.
32. These "goals" may either be of the type bringing about a new situation with a redistribution of available benefits (e.g. control over the NFD passing from the Kenyan Government to the NFD Somalis) or of the "status quo" type, which aims at the retention of an existing situation and the maintenance of the current distribution of benefits, or rewards (e.g. Kenyan retention of control over the NFD and repulsion of Somali expansionism.)

### CHAPTER III - Patterns of Influence

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"... A variety of tactics is available for coping with a perceived threat. It may be possible to improve the capability of one's own nation, as in the military sphere, by equipping an army or courting allies. Or an attempt may be made to reduce the other nation's capability by interrupting its supply lines or by preventive attack. It may also be possible to alter the intentions of the other nation's leaders by arguing persuasively, making contingent threats and promises or altering conditions that they see as frustrating..."

Dean G. Pruitt "Definition of the Situation as a Determinant of International Action". Chapter 11 in H.C. Kelman (ed.) International Behavior. New York: Holt, Rinehart and Winston, 1965. p. 395.

The following two chapters will discuss the various coercive strategies used by the two governmental parties to settle the NFD dispute in their favour, or to "win". After this I will examine settlement strategies and third party interventions into the dispute, and finally deal with the tactic which resulted ultimately in a resolution of the conflict from which both governmental parties gained, as opposed to a conventional win/lose settlement of the issues in dispute.

As has been mentioned previously, it is a fundamental mistake to regard the type of dispute represented by the NFD as purely an international conflict, and to concentrate solely upon the interactions and influence attempts between the two governments, or upon the inter-state level of the conflict. There are other conflict levels which are relevant. This is especially so in the NFD dispute, and in similar conflicts in which internal violence takes place within the political and jurisdictional area controlled by one governmental party. In

effect, many attempts to force the opposing party to alter its attitudes and goals, and agree to a compromise solution took place actually within the NFD itself, and involved a third party to the dispute, the Somalis in the NFD who were seeking "national liberation". For this reason alone it is necessary to widen the analysis to include interaction between the Kenyan Government and the guerrillas in the NFD (whom the Kenyans regarded, with some justification, as the proxies of the political authorities in Mogadishu). For the Kenyans, any attempts to influence the Somalia political authorities to abandon the latter's perceived attempts to take over the NFD could be made at two levels. They could try to influence the Somali Government directly, or they could try to influence the Somali inhabitants of the NFD and break their linkages with the Somali political authorities (or their agents) within the Republic. A similar, though slightly more complicated (1), choice of influence strategies confronted the Somali Government. They could act directly at the international level, by suggesting bases for negotiation to the Kenyans or using other means of influence. Alternatively, they could choose to put pressure on the Kenyan Government by raising the level of violence within the NFD, either by supplying more sophisticated arms or military advisers to train and lead, or take the ultimate choice, and commit units of their own army. With any of these tactics, the result would be to make the maintenance of law and order in the NFD more difficult for the Kenyan Government, and to raise the costs to the Kenyans of their policy of blank refusal to discuss the dispute, or to consider ultimate self determination for the area.

#### A. The Initial Bargaining Position

Analytically, it is clear that the ultimate problem in the NFD was whether a Somali population would be permitted to change its status as Kenyan citizens and secede, with all or some of its living area, to the Republic of Somalia. (As argued earlier, the Kenyan Government saw the dispute in terms of a direct transfer of territory, while an underlying expectation of the Somali Government was that the NFD Somalis would eventually choose to become part of the Republic.) Taking the situation as it was in December 1963 when Kenya finally gained independence, the party to the conflict wishing to change the status quo and putting forward the revisionist claim was the Somali Government. In Ikle's terms (2), the dispute was over redistribution and the "offensive party" was the Somali Government, formally representing the inhabitants of the NFD, who wished to secede (3). To the "defensive party", the Kenyan Government, the most obvious strategy was to attempt to maintain their satisfactory status quo, by making any Somali attempts at alteration both unlikely to succeed and costly to contemplate. As Ikle makes clear, in redistribution situations there is often a common interest for both parties in the avoidance of violence, which can become highly costly to both. The offensive party usually contents itself with non-violent methods in trying to have its demands for change met. However, in the NFD dispute, the offensive side was also closely linked to a discontented minority and was able to use this involvement as a means of employing violence at a lower level, by proxy, to put pressure on the defensive party to meet its demands. In this way, the Somali Government was able to bring significant



pressure in support of its demand on the Kenyan Government at a low cost to itself, through the encouragement and support of violence within Kenya itself. Furthermore, it could back this pressure up at the international level, even if it did not have to indulge in open threats of military violence.

In the initial stages of the conflict it is difficult to see what other feasible options the Somali Government, as the "offensive party", saw itself as possessing, once Kenyan independence had become a fact. Militarily and economically the Somali Republic of President Osman and Prime Minister Shermarke was in no condition to make credible direct threats against the Kenyan government. Its Government had spent much time and effort in trying to persuade the United Kingdom Government to allow the NFD to secede. That Government had committed its own domestic prestige to success in these endeavours. Furthermore, it had created strong links and a high degree of public commitment to Somali political groupings within the NFD, and it could hardly abandon these groups completely, merely because the United Kingdom Government had refused to take any positive action over the area in dispute. Further efforts to achieve the goal of self determination and secession were obviously the most attractive choices in the Somali Government's perceived range of options.

At this point in time, the conflict must have appeared a highly asymmetric one to the Somali political leaders (4). Few of them would be directly harmed by the continuation of the NFD dispute, so that the direct costs of continuation were low. On the other hand, the costs of abandoning the dispute, and "surrendering" Somali claims to the Kenyans would have appeared to involve no substantial rewards, either financial,

military or economic, or in terms of increased domestic political support. Indeed, the political costs of giving up ideas of Somali unification and self determination for the missing Somali peoples would have been astronomical, given the Government's public commitment to these goals, and the expectation aroused in both the population of the NFD and the "attentive public" inside the Somali Republic. Thus, the costs of continuing and intensifying the campaign for self determination must, at the beginning of the dispute, have seemed low, while the costs of changing the policy and giving up the concept of a "Greater Somalia" must have seemed high. The choice, even if it was consciously considered, must almost inevitably have been for continued pressure on the Kenyan Government, if necessary by utilising the energies and ambitions of the Somalis in the NFD.

As in many "redistribution" situations, especially those perceived as concerning transfer of territory, the offensive party in the NFD dispute was handicapped by possessing no bargaining counter which could be used as a quid pro quo in exchange for its goal. The Somali Government perceived itself as possessing nothing desired by the Kenyans which could be exchanged for self determination for the NFD. In such a situation, a basic strategy is often to acquire such a bargaining counter; (a) through behaviour which obtains some object which is highly valued by the opposing party so that this can be exchanged for the goal desired by the offensive party (a parallel situation is the one in which the Israeli Government first acquired and then attempted to use Sinai, the West Bank of the Jordan and the Gaza Strip as bargaining counters with her neighbouring Arab states), or; (b) through

behaviour which becomes so costly in itself to the defensive party that the latter will accede to the original demands of the offensive party as these have, over time, become relatively less damaging than that party's present behaviour in pursuit of a redistribution of values.

In redistribution situations, the initial response of the defensive party is: What is in this for us? In the NFD dispute, the Kenyans might well ask, at least privately, what they gained by granting self determination to the people of the NFD, and how this could offset their perceived losses. As the Somali Government perceived the NFD situation as one of a return of what was rightfully Somali to the Republic, it never considered itself to be in any position where it was necessary to offer any inducement to the Kenyan Government to grant self determination (which it saw as a fundamental right), and, indeed, it would have been very hard put to find any suitable bargaining counter that would have induced the Kenyans to agree to the demand. Thus the Somalis were thrown back upon the second basic alternative, which involved making the situation so costly for the Kenyans through Somali actions that the Kenyan Government would be forced to agree to self determination in the NFD. The quid pro quo in such a case becomes the cessation of the costly behaviour by the offensive party, and this is exchanged for the latter's objective.

Not unnaturally, in situations where one party is attempting to alter an existing and generally accepted status quo, that party normally appears as a disturber of the peace and as an "aggressor". The dispute over the NFD bears out this point. The Somali Government found it lacked support for its

demand, particularly throughout Africa, and at one period found itself in almost total isolation at the OAU. This presented an additional handicap for the Somalis, when it came to backing up their coercive strategies by making a public case for their goals and actions.

#### B. Making a Case

Most international and inter-communal conflict situations are accompanied by attempts by both parties to justify their own behaviour in pursuit of their goals, as well as to show that, while their own claims and objectives are wholly reasonable and just, those of their opponents are contrary to law, equity and morality, and are motivated by self-seeking malice. The basic strategy is one of presenting the opposing party in the worst possible light to an "audience" of third parties, and to show that the party is morally wrong as to the goals pursued and as to the methods used in pursuing them. This process may be described as "making a case".

An initial consideration in situations where one party to a conflict is engaged in "making a case", is against whom the case is being made. A second, linked consideration is the nature of the audience - or, to whom the case is being made.

In general, the cases in the NFD dispute were made against the respective leaderships of the parties concerned, that is to say the Kenya Government and their official agents within the NFD, and the Somali Government in Mogadishu, together with their "stooges" within the NFD who were abusing their positions as leaders and conducting a campaign against the lawful Kenyan Government. The main emphasis in each case was laid on the formal, governmental leadership, especially as both

cases were mainly directed towards an international audience rather than any other. In international disputes, political leaders find themselves confronted with a multiple audience problem, and are forced to make at least two distinct cases, one intended to impress an international audience of other governments whose support these leaders may be trying to win. The other is intended to present the case to a domestic audience, which may be highly critical of the way in which its leadership is conducting the conflict, so that explanations of decisions and strategies may be necessary in order to maintain domestic support and to ward off criticism. However, in disputes directly touching national territory and integrity, such as the conflict over the NFD, the necessity for justifying Government actions in defence of national territory, or in "pursuit of just claims for the completion of national unity", is that much smaller and domestic support for national action much more certain. Therefore, emphasis is usually placed upon making a case to the external audience, and attempting to win support from other governments who may then be of some help in furthering the national strategy (5).

A case put forward internationally is usually tailored to the known attitudes of the audience, so as to win the maximum approval for national stance and objectives, and the maximum disapproval for those of the opponent. However, within the basic framework of both cases it is normally possible to emphasize or play down various aspects according to the nature and interests of individual members of the international audience. Thus, the Kenyan argument about the necessity for maintaining the colonial status quo as regards inherited

boundaries was always carefully emphasized in such arenas as meetings of the OAU, and the Somali connection with the Soviet Union and the CPR was always underlined and made into potential dependence for the benefit of Western members of the international audience. Similarly, the Somali insistence upon the basic morality of the right to self determination was always emphasized in dealing with such situations as Vietnam and Kashmir, while affinities with the situations in Korea and the two Germanies were discovered in the Somali views on the problems confronting nations that had been divided through the activities of outside powers. Such emphasis helped to set up an informal set of alignments on various common issues between the participants in the NFD disputes and other, similarly placed, countries. This is further dealt with below.

In inter-state disputes, justification of one's own case and condemnation of the opposing party's is usually sought on the basis of three criteria: (i) historical situations which form the basis of contemporary claims; (ii) legal principles and precedents which give support to current claims through the argument of analogy; and (iii) moral arguments to show that one's own claims are in some sense "right", even if they are not supported by historical experience or formal legal precedent. A fourth criterion, which is usually played down to some extent, is that of expediency and realism, though the argument that one's stand is the only "reasonable one" on practical grounds is often used as a supporting argument, once one's case has been established as valid and justifiable on other grounds.

In the NFD dispute, historical arguments were comparatively little in evidence. The Somalis justified their case for the

transfer of the NFD and its population on the ground (disputed by the Kenyans) that historically the land had been occupied by Somali peoples "from time immemorial", and that the division of Kenya from Somalia, as well as the incomplete transfer of Jubaland in 1925, had been carried out by colonial powers who had no legal or moral right to make such a division. The Kenyans countered this argument by holding that the area was not, historically speaking, a Somali one, and that, if anyone had suffered from the colonial divisions in East Africa it was they, through the loss of the land south of the Juba River to the Italian colonialists (6). The Kenyan argument was that, historically speaking, the NFD area had been infiltrated by Somalis during the period of British rule in the area, and that this infiltration had only ceased in 1934. Before that, the area had been occupied by non-Somali tribes who had subsequently been driven out, so that if anybody had a claim to the NFD through the justification of historical occupation, it must be somebody such as the Galla or the Masai.

While historical arguments played a comparatively minor role in both cases, moral arguments backed up by legal principles were much in evidence. The Somalis based their case upon the presumed general rights of peoples of similar ethnic origins to belong to the same political system, and argued that, on grounds of ethnic identity, all Somalis should be united. The Kenyans countered this by denying ethnic identity to the Somalis, and thus avoiding the necessity of pronouncing on the principle that ethnic identity implied the right to political unity:

"... There is no such homogeneous entity in Northern Kenya as "the Somali". All these clans and sections are different and are jealously preserved, often (when impelled by some traditional controversy) bitterly and actively antagonistic to each other..." (7).

Proceeding with their own argument, the Somalis went on to invoke a further moral right, that of self determination for all peoples. As noted previously, the Kenyan counter to this strategy was to deny that the principle applied in free, multi-racial societies, while their other argument, used to counter the Somalis' "ethnic identity" principle, was to affirm that the mere presence of Somalis in their North Eastern Province no more made that area Somali than the occupation of the White Highlands by European farmers made that particular area British. The Somali riposte to this line of thought was to argue that, while self determination might not apply in a free multi-racial society, such a description could hardly be applied to Kenya; the Somalis there, at least, were not a free, willing part of that society, and their participation had to be enforced by the continued presence of troops. Similarly, the principle of self determination either was a principle, or it was nothing, and its acceptance as a principle of international behaviour behove national leaders to apply it consistently, and not merely in cases involving European rule, or when it suited someone's national interest. The principle of self determination:

"... is true for all people, in all circumstances, whether these are Somali people, the German people, or any other people. We must beware of adopting double standards whereby we follow certain precepts of action for the purpose of rejecting the colonialist powers and yet refuse to follow them when our own conduct is in question..." (8).

Against the Somali moral justifications based on principles of self determination, the Kenyans affirmed the principle of territorial integrity and the immorality of claiming the land of another sovereign state and of attempting to interfere with Kenyan internal affairs. The Kenyan case rested on the argument that the NFD formed an integral part of the



state of Kenya, whether it was inhabited by Somali clans, Luo tribes, or camels, and that the over-riding principle in the dispute was this preservation of territorial integrity, a principle which had formed the basis of international order and stability since the state system first came into being.

Both parties were able to produce arguments based upon legal principles to back up their other claims, and to show that the moral principles on which they had made their respective cases were recognised and respectable, as well as being the fundamental bases on which the international system worked. In support of their claims to the right of self determination, the Somalis affirmed:

"... To those who would deny that there exists such a right we would point out that the UN Charter, the OAU Charter, the Declaration of the Non-aligned Conferences, the whole practice of the UN and, in particular, the resolutions of the General Assembly, all affirm such a right. In Europe in the nineteenth and twentieth centuries, in Africa and Asia in the twentieth century, in Algeria, Morocco, Togoland, the Cameroons, West Irian - and in many other places - this right of the people has become the basis for transition to independence. Why is it denied to the Somali people?..." (9)

Against this, the Kenyans could produce Article 111 of the OAU Charter, which had been signed by both countries, and which stated that:

"... All OAU Member States solemnly affirmed and declared their adherence to the principles of: (a) noninterference in the internal affairs of States; (b) respect for the sovereignty and territorial integrity of each State, and for its inalienable right to independent existence..."

They could also point out that both principles were enshrined in the UN Charter, though the principle of non-interference with states' internal affairs had suffered some change since it was originally included in the document in 1945.

Another element in the moral aspects in making a case is the strategy of presenting the opposing party in the most unfavourable light possible, so that he appears inconsistent, immoral, untrustworthy, intransigent and capable of any crime or duplicity to gain his totally unjustifiable ends. The customary strategy in international disputes is to use emotive labels for the behaviour or goals of the opposing party, and to use notorious historical situations as analogies in order to throw similar discredit upon the opponents. Thus, the Somalis' campaign included charges of "black colonialism" against the Kenyans, and the latter responded by charges that Somalia was disturbing the peace of the whole area through her policy of aggrandisement and her advocacy of force. A constant theme in the propaganda of both sides throughout the dispute was the bad faith and untrustworthiness of the other party, as evinced by the public Somali denials of complicity of the activities of the NFD guerrillas, by the KANU Government's withdrawal of regional powers from the seven Kenyan Provinces at the end of 1964, and by the Somali resumption of propaganda attacks even after their Foreign Minister had agreed to have these stopped in the summer of 1965. The use of this "labelling" strategy was often very successful during the dispute, though the labels used by the Kenyans were the most effective, given the African context in which they were received, with its fears about secessionist movements or claims for boundary revision by neighbouring states (10). However, the Somalis were able to strike one responsive chord in African minds by accusing the Kenyan Government of remaining in close association with their colonialist masters, and of depending upon colonial support for both political survival and the maintenance of

their colonial-style dominance over the NFD. There were constant, if exaggerated, Somali charges that the whole Kenyan defence and internal security system was dependent upon British support, and that the campaign in the NFD would collapse without British aid. The Kenyans, not unnaturally, denied the size and eventually the existence of the "British military presence" in the NFD, but the accusation of KANU dependence upon United Kingdom support was given some credence by the employment of British troops to put down the mutiny in the Kenyan Army almost immediately after Kenyan independence had been achieved. The Somali charges that Kenyatta was being guarded by colonialist troops obviously hurt the Kenyan Government, as did the subsequent accusations that the KANU leadership had "sold out" to the settlers.

Viewed over the whole period of the dispute, it is evident that the Somali Government made more strenuous efforts to present a favourable view of the Somali case, and to win influential friends to its cause. Radio Mogadishu conducted a sustained, if erratic, propaganda campaign, designed (a) to encourage the Somalis in the NFD; (b) to try to convince the Kenyan authorities and people of the justice of their claim and, if that failed, of the seriousness of their intentions to win self determination for the NFD Somalis; and (c) to try to convince an audience, primarily in Africa but also in the rest of the world, that the Somali claims were just and their intentions could not be labelled as mere aggression. At the same time, a stream of Somali propaganda pamphlets followed one another from Mogadishu, while Somali Ministers engaged in tours and visits of other countries to attempt to raise support for Somali claims (11). All this activity on the part of the Somali

Government indicates the effort that the Somalis were making to have their case understood and, it was hoped, favourably viewed by the international audience, but its very intensity indicates the weakness of the Somali position. Again, this weakness seems to be inherent in any conflict situation calling for redistribution where the status quo is regarded favourably by most political authorities in the international system. The party seeking change always has to make strenuous efforts to justify its goals, and runs the constant risk of being labelled a mere disturber of the peace, or an international troublemaker. The fact that the Kenyans were able to expend less time and effort in countering Somali charges and accusations, or in justifying their own case, indicates that they perceived that their own case was generally accepted and appreciated by that international audience which mattered to them. They were the status quo party in a status quo that was accepted as being justified by the majority of the relevant international audience, hence their need to spend less time and effort in making a case.

It will be recognised that the strategy of "making a case" is neither intended to be a means of directly influencing the behaviour of the opposing party, nor any form of direct settlement strategy. In fact, its normal effect is to exacerbate a conflict, by increasing the hostility and lack of trust between the parties, especially in the more violent stages when accusation and counter-accusation of brutality and bad faith become commonplace. Instead, it may be regarded as a supporting rather than a directly coercive strategy, aimed initially at justifying one's own goals, attitudes and behaviour to some potentially influential audience. Normally, the objective is to win support and approval, especially from those

in the audience whose values and attitudes are congruent with one's own. However, the strategy is also an attempt to win support eventually from neutrals, or even those whose initial sympathies lie with the other party to the dispute, by convincing them of the essential justice - in their own terms - of one's case. In this sense it may be seen as a strategy of putting indirect pressure on the opposing party by weakening its sources of support, and by winning over third parties. These third parties may then be expected to try to persuade the opponent to abandon both objectives and defensive behaviour and to accede to one's own demands. This is a more active role for the third parties in the audience, but the mere removal of approval and visible support may also have a marked effect upon the opponent. Thus, the successful winning over of an audience can be a powerful, if indirect, strategy in any bargaining situation, and another way of putting pressure on one's opponent. The technique may be even more effective if acceptance of one party's case leads third parties in the audience to employ some form of sanction against the opposing party in the dispute to make him abandon his position. In this extreme situation of success, third parties are instrumental in increasing the costs to the opponent of continuing to pursue his goals, with a minimal expenditure on the part of the first party.

However, such extreme success does not usually attend what is basically a propaganda or public relations exercise. One common result is that the process of making a public case generates a life of its own, and it becomes indistinguishably bound up with other conflict processes aimed at the opposing party. In many cases, all sense of purpose and over-riding

strategic use goes out of the process of presenting one's goals and behaviour in the best possible public light. The process begins to generate its own momentum and it becomes merely an automatic, action-reaction process of escalating claims, accusations and insults possessing its own pattern and dynamic. The feeling becomes one of: "We must counter these charges", without enquiring the overall objective in answering them, or the effects of so doing. Response becomes almost a reflex.

C. Tacit Bargaining: The Process of Inter-Governmental Influence

A key in the dispute between the Governments of Kenya and Somalia was the complementary use of strategies of inter-governmental influence by both parties. This involved the use of force, violence and other sanctions to coerce the opposing party into conceding that the costs of the dispute had become too high rationally to contemplate the continued pursuit of that party's original goals. In other words, both parties tried to make the perceived costs of success too high for one another, and the perceived probability of success too low.

With the ultimate objective of forcing the Kenyan Government to grant self determination to the Somalis in the NFD, the Somali Government followed an indirect strategy of the use of violence within the NFD, through the activities of the guerrilla forces, backed up by a supplementary one of direct influence at the international level. Both of these strategies were designed to involve high costs to the Kenyan Government in terms of international status, political stability, economic resources and military effort, with the underlying Somali assumption that the higher these costs became, the more

likely it would be for the Kenyan Government to abandon its attempt to retain the status quo of a Kenyan NFD. Kenyan strategy was more simple in aim, but more complex in execution. The Kenyan Government was forced, by the nature of the conflict, to direct its influence attempts at two distinct sets of people; the distant Somali Government in Mogadishu, and the less remote but equally intractable secessionists of the NFD. Thus, while the ultimate Kenyan goal was to preserve its territorial status quo, and its basic strategy one of making the costs of the Somali Government's attempt to support the secession movement too high for that support to continue, the Kenyan Government found it had to operate on two levels to achieve this aim.

The first of these levels was that within the NFD itself, where the costs of guerrilla activity had to be made prohibitive to the Somali "nationalists", while the perceived probability of their eventual success had, through the very firmness and determination of Government reactions and statements, to be made too low to justify continued guerrilla action in support of secession. The guerrillas had to be made to value secession less and the cessation of Kenya Government counter-measures more. As a counter, the Somali Government had to convince the guerrilla movements of the high probability of imminent success, and the substantial costs of a failure to continue the struggle in terms of final loss of freedom, immediate Kenyan reprisals and the probable discriminatory treatment of Somalis in the future Kenya. To do the former, the Somali Government had to keep the guerrillas supplied with what practical support in arms, training and bases they needed to carry on their campaign, while not becoming sufficiently

obviously involved to provoke some serious counter-measure on the part of the Kenyans. To do the latter, the facilities of Radio Mogadishu had to be pressed into action to provide a propaganda service to inflame and to encourage the guerrillas fighting in the NFD. The Somali Government had also, through its indirect control of events in the NFD, to convince the Kenyan Government of the Somalis determination to continue the struggle, in spite of every counter-move made against them, or against the "liberation movement" by the Kenyan security forces. The level at which the actual violence occurred thus tended to remain within the NFD itself, and, at least for the Somali Government, the process could be regarded as the use of force by proxy. This "local" level of influence will be dealt with in the next Chapter.

The second level of action for the Kenyan Government was international, and Kenyan strategy at this level consisted of raising the costs of Somali Government support for the "shifta" by imposing sanctions directly upon the Somali Republic, and making it clear that the costs of these were a direct consequence of Somali interference in the NFD (12). In theory, this course was also open to the Somali Government, but during the dispute the Somalis were somewhat handicapped in using such international sanctions by their own stated position that the violence in the NFD was fundamentally a reaction by the NFD Somalis, and that all the Somali Government was doing was to offer encouragement and diplomatic support to the latter's just aspirations: the Somali Republic was committed to unification, but by peaceful means. The initiative at the international level thus tended to remain with the Kenyans.



(1) Somali Strategy at the inter-state level

Hence, in contrast to the options open to the Kenyan Government, the Somali leaders were mainly limited to the strategy of attempting to coerce the Kenyans indirectly by helping to increase the level of violence within the NFD. Their positive actions at the international level, apart from the strategy of presenting a sympathetic case for their claims to an international audience, and trying to use third party opinion to put pressure on the Kenyans, were very few, and their international policy was reactive rather than initiatory. Somali actions fall loosely into two classes; (1) the building up of Somali military capacity to present a potential threat or a bargaining counter to regional rivals, firstly in support of Somali claims on Kenya and Ethiopia, and secondly as a deterrent to any military reactions by those rival parties aimed directly at the Somali Republic; and (2) the seeking of formal allies or external assistance in their conflict with Kenya and Ethiopia.

(a) Developing national military capability

The major step in the Somali strategy of developing their own military capability occurred at an early stage of the conflict. On 12 November 1963 the Somali Foreign Minister, Mr Issa, announced publicly that the Somali Government had taken the decision to accept 30 million dollars worth of military aid from the USSR (13), instead of the lesser amount that had been under negotiation from the USA, Italy and West Germany for over three and a half years. (Apart from the increased amount of aid, the Somali Government also announced that the USA has attempted to impose unacceptable conditions on

promise in order to discomfort the United States in the area (15). The question of who began the arms build up in the area is therefore still an open one.

Whatever the starting point for the increase in military forces in the area, there can be no doubt that all parties to the conflict possessed both an exaggerated conception of their rival's military strength, and an almost paranoid fear of the willingness of the leaders to use it. Somali perception of the military threat posed by a combination of Ethiopian and Kenyan military force was a constant factor in any decisions regarding the campaign for "Greater Somalia", and the belief that swift attack might come at any time, may have contributed to Somali circumspection in support of the NFD and Ogaden guerrilla movements, in spite of the inactivity of the Kenyan army during the crisis of January and February 1964 along the Ethiopian-Somali border. A Somali Government pamphlet summed up the Somali attitude when it stated that everybody "... is aware that today our country is under the constant menace of our well armed neighbours..." and though the writer went on to describe what a hard nut to crack the Somalis fighting in defence of their homeland would be, he concluded with the comforting thought that "... We are gradually arming our forces to provide our country with a valid defence..." (16).

The Somali nervousness about the combined military strength of Kenya and Ethiopia was paralleled by a similar Kenyan concern over the Somali military build up, and over the involvement of the Soviet Union in the Horn of Africa. The Somalis seem to have been oblivious of the effects that their reliance upon Soviet military assistance had upon the attitudes and levels of alarm in other East African countries, but there

is no doubt that the fact that Mogadishu was receiving Soviet rather than Western arms made the level of threat seem even higher. Nor did the Somalis realise that the Kenyans saw them as the bridge which the Russians were using to enter into the area (17). The Somali Minister of Defence might say blandly that the Soviet instructors inside Somalia "... serve under us and train our army in the use of arms we receive from the Soviet Union. They follow our orders and do nothing on their own..." (18), but nonetheless the sense of potential threat remained high. Dr Mungai, in an interview broadcast on the Nairobi Home Service, said that he understood that the Somalis were "... getting a lot of weapons, guns, planes and tanks, from the Soviet Union and that they are building up a very huge army. This I consider to be very unfortunate because we people in the eastern part of Africa we do not want to build up arms..." (19). The Minister of Defence concluded by saying that he considered the Somali military build up far in excess of what would normally be required for internal security in Somalia (20).

However much the Kenyan Minister of Defence might have wished to prevent an arms race in the Horn of Africa, it was obvious that, given the Somali arms increase and the generally high level of tension in that area, the Kenyan Government would perceive that an increase in its own armed forces was imperative. As a response to the perceived threat posed by the Soviet-equipped Somali forces (itself a response to the perceived threat posed by the Kenyan-Ethiopian alliance), the Kenyans were forced to pay the costs of increasing their own forces beyond what might otherwise have been necessary. By February 1964, Prime Minister Kenyatta announced that, by the

time all British forces had left Kenya, a Kenyan army of 3,000 troops would have been recruited by two stages. At the same time, supplementary estimates for the then financial year were announced, and included an item of £1,216,200 to cover the costs of armed forces expansion and activity over the period from December 1963 to June 1964 (21), in spite of the fact that a United Kingdom grant had been made covering the normal costs of the Kenya Rifles up to the end of March 1964. At the same time, the Kenyan Government began "shopping" for arms, and in the spring of 1964 there was an official Kenyan approach to the Soviet Union about their supply. An agreement was formally concluded, but was later unilaterally abrogated by the Kenyans, in spite of a Soviet claim that the arms were up to specification and were to be sent free of transport costs (22). In the end, the Kenyans found themselves forced to rely upon the United Kingdom for arms supply as well as some logistic support in the operations within the NFD.

The end result of this complex interaction of perceived threat from one party, response of the other by increasing military preparedness, and reaction by the first by increasing its own military capability, was that a halting but potentially dangerous "mini-arms race" developed in the Horn of Africa. Concepts like the need for "arms parity" or "military superiority" were imported into the area, along with fears about "weapons gaps" and similar myths of super-Power confrontation. The effect of this process was to give the members of each country what has been described by one observer as a "... pervasive fear ... of the other's military power...", so that the perceived probability of a military move by the other party became high, and the nervousness of both Kenyan and Somali

Governments about the actual use of a military attack (the Kenyans in concert with the Ethiopians, the Somalis using their new Soviet weapons) became pronounced. In objective military terms, both parties were, and remain, militarily weak, and in effect incapable of launching any sustained attack on a portion of one another's territory and holding it. However, this was not the way the military situation was perceived by either party; the same observer has commented that the situation was "... as if each side recognises its own military weakness, but does not attribute this to the state of military ineffectiveness of the region as a whole..." (23).

With this in mind, it is difficult to see that the Somali Government began its arms increase in November 1963 with the intention of using its strengthened forces to conquer (or reconquer) the NFD or the Ogaden, and if any Somali political leaders had such intentions they must have been quickly dispelled as a result of the brief border war with Ethiopia in the spring of 1964. If the newly acquired forces were not intended for direct military action to achieve "Greater Somalia", then two other possible functions may have been intended. The first is that the force was intended to deter what the Somalis perceived as a very real danger of concerted attack from Kenya and Ethiopia, and to provide a form of security as well as some sense of national dignity. As already noted, the external effects of both the Somali action in increasing their military force and the manner in which they did this were significant and possibly unforeseen by the Somali Government, so that the eventual result may have been to put the Somalis in a worse defensive position than originally existed, but this obviously had not been anticipated. The second possible function of the

increased Somali forces was as a positive threat against the Ethiopians and the Kenyans, both to make them give way over the question of self determination or to make the costs of not doing so much higher. In other words, the Somali forces were intended to act as a constant menace to the intransigent; that is, as both a form of potentially high cost for eventual refusal to accede to Somali demands, for this might result in the actual use of these forces, and as a form of immediate cost in that the Kenyans (or Ethiopians) would be forced to expend their own resources on preparing to defend themselves against the potential threat posed by Somali forces. (A threat which would naturally be removed should self determination be granted to the NFD (or Ogaden) Somalis and friendly relations be established.) In the words of the then Somali Prime Minister, Dr Shermarke, a strong Somali army would "... enhance our capacity to negotiate ..." (24), a statement which showed that the Somali political leaders shared the view of the Kenyans, the Ethiopians and many others, that one only negotiates (or should only negotiate) from a position of superior strength.

(b) Alliances and Alignments

If the enhancing of her own military capacity with the help of the Soviet Union brought about unforeseen results for Somalia, use of the second strategy of seeking allies in the struggle against Kenya presented no simpler problem. The search for allies and assistance could only realistically be made in certain directions, and even there, the price of assistance could be high. Certain options were definitely closed. Moreover, the United Kingdom was already tied to the Kenyan Government through a series of bilateral agreements arranged in 1964, whereby, in exchange for the use of base and training facilities

in Kenya the British Government handed over some £3.5 million in arms, equipment, vehicles and aircraft (plus £6 million of fixed assets) to the Kenyan armed forces along with a gift of £1 million for the training of Kenyan personnel to help in the expansion of Kenyan armed forces.

The Kenyan military link with the United Kingdom caused a good deal of concern to the Somali Government, who realised that, as long as the Kenyans could rely upon external military support to bolster their own military efforts, the chances of forcing concessions from them through international action, or manipulation of the guerrilla war in the NFD, were considerably less than if the Kenyans had borne the brunt of the fighting and the resultant heavy expenditure themselves. Somali suspicions had been roused even before independence, when British military manoeuvres in the NFD had raised the possibility that the colonial forces were being trained in anti-guerrilla tactics by their British mentors, but the real indignation was aroused in Somali Government circles when it became evident that British military support was being used to fight the guerrillas in the NFD itself (25). The Somali answer to this retention of British military support for the campaign in the north east was to make as loud and as public a protest as possible. On 14 May 1964, the Somali Minister of Information, Mr Mirave, stated that the stationing of British troops on African soil was a complete violation of the principles of the OAU and the UN, and the Somali Government was prepared to bring the question before both organisations (26) - though, in fact, nothing of the sort occurred. Such accusations were normally branded as misleading or merely untrue by the Kenyan Government, who at one stage in 1964 announced that "It is utterly malicious to suggest that British troops are used in

any offensive action..." (27). However, there can be no doubt that the eventual withdrawal of British units from Kenya in December 1964 was greeted with relief in Somalia, even though less political capital could be made out of the 300 or so British officers and technicians on secondment to the Kenyan forces.

The minor but enduring military association between the British and the Kenyans, plus the Somali disenchantment with United Kingdom policy over the NFD leading to the breaking of diplomatic relations, helped to ensure that the general orientation of Somali alignments would not be towards the United Kingdom and her allies or associates. In effect, this established one pattern of alignments for the Somalis, but cutting down the number of potential allies and aides available, and this, in turn, ensured that the options for alignment open to the Kenyans would be limited to those governments that were not too closely aligned with those aligning themselves with Somalia. It is by such cutting down of options for diplomatic alignments that major divisions between the formal actors in the international system become perpetuated.

In the NFD case, the only formal military alignment that came about as a direct result of the dispute over the NFD was the military pact between Kenya and Ethiopia (the Kenyan military agreement with the United Kingdom was more in the nature of a customary residual gesture of general support and continued interest by the retiring colonial power, and was not aimed specifically at the Somali Government, as was the Kenyan pact with Ethiopia). Other types of association linked to the Somali and Kenyan search for support tended to be diplomatic alignments, possibly backed by economic agreements, in which



the policies, public statements or attitudes of two or more governments were either coincidental or coordinated. Such alignments may normally be of two types; those where the policies and attitudes of two (or more) governments happen to coincide on a single (possibly shared) issue, so that both governments independently come to share the same view of and position on that single issue; and those where there is some tacit or even explicit attempt to adopt similar stances across a range of issues, and for each government to accommodate some of its own attitudes and policies to those of the other, provided the costs do not become too great.

Attempts by successive Somali Governments to establish the second type of multiple issue diplomatic alignment were not very successful, and were not pursued far by the Somalis, who recognised that, given the options open to them in the international system, the price of any more formal alignment was likely to be high compared with the benefits Somalia might receive. Thus, in spite of the alarm caused by Soviet arms deliveries, and the feeling that Somalia was introducing Soviet and Chinese Communist influence into East Africa, the Somalis were content to obtain what support they could on an informal and untied basis as possible. Somalia's main trading partner remained Italy, while a trade and economic agreement with the Federal German Republic, signed in 1962, continued in force throughout the dispute. At the same time, there can be no doubt that the substantial Soviet aid sought and gained at the beginning of the NFD dispute was intended by the Somalis to impress both Kenyans and Ethiopians with the fact that Somalia possessed powerful friends, while, for their part, the Soviet leaders wished to take advantage of the anti-western

climate caused by the Ogaden and NFD disputes. The same may be said of Somali attempts to gain support from the Chinese People's Republic. These reached their peak during the winter of 1963/4 (28), just as Kenya was finally gaining complete independence, with a Somali-CPR Trade and Economic Assistance Agreement concluded in September 1963, and the visit to Mogadishu by the Chinese Prime Minister, Chou-en-lai, in February 1964. It was during his stay in Mogadishu that Chou made his famous remark that "... revolutionary prospects are excellent throughout Africa..." and a subsequently less publicised, but equally alarming, statement containing the implication that certain African countries (including Ethiopia) were still under colonialist domination.

However, the fact that Somalia gained some advantage and comfort through appearing to have powerful friends did not mean that relations between Somalia and China or the Soviet Union continued at the same high level as they seemed to have reached in 1964, nor that the Republic was becoming thoroughly dependent upon either of the two Communist countries. In general, Somalia's voting pattern in international organisations followed the general Afro-Asian line, with which the Soviet Union and China were frequently associated, but that was all. Other, formal gestures by the Somali Government made inexpensive acknowledgement of the assistance from the Soviet Union and the CPR, and the support that had been given to the Somalis. In July 1964, for example, the Somali Prime Minister paid tribute to the CPR's help at a crucial juncture for Somalia and said that the Somali Government and people would "... never forget the Chinese Government's much needed aid...". Just over a year later a Somali-Soviet Friendship

Association was formed in Mogadishu. But in spite of these gestures, the general impression remains of a decline in relations during the period of the dispute. The most marked falling off was in relations with the CPR, and a formal visit to Peking by President Osman in July 1965 only revealed the wide divergences in interest between the Somali Government, whose main interests lay in solving its own African problems (which included removing the vestiges of French Imperialism), and the Chinese Government, who at that time were favourably viewing France as an element in the struggle against the United States (29). Thus, in spite of possessing a residual element of gratitude for Chinese assistance at a difficult time, Chinese-Somali solidarity did not extend far.

However low-keyed the Somali Government managed to keep its reliance upon its communist supporters, and however much the Somalis endeavoured to retain their position of non-alignment in Great Power rivalries, the fact remained that they were inevitably drawn into these in some degree, and that they were also perceived as having "sold out" to the communists by their western supported rivals in the Horn. This pattern of informal alignment fitted in with Kenya's growing internal anti-communist stance during the latter stages of the dispute, and with the developing witch hunt against the KPU as a communist oriented and supported organisation. At a more practical level, Soviet military aid for Somalia was a definite blow to both Kenyans and Ethiopians, who perceived that it was only this source of supply that enabled the Somalis to pose any military threat in support of the expansionist policy of "Greater Somalia", and also to pass on older weapons to the "shifita" in the NFD and the Ogaden. When Mr Malik, the Soviet

Deputy Foreign Minister, visited East Africa during May 1966, he found himself confronted by an irate Ethiopian Emperor, who pointed out that, by supplying arms to the Somali Republic, the Soviet Union was directly aiding in an expansionist policy aimed at both Kenya and Ethiopia. Mr Malik was warned that continued shipments of Soviet arms was likely to harm "... the cordial relations that had hitherto existed between Ethiopia and the Soviet Union..." (30). Like the Somali Government, both the Kenyans and the Ethiopians pursued a strategy aimed at cutting off their opponent's supply of arms in the belief that this would force them to abandon their goals. This may, in some degree, account for a growth in Soviet circumspection in the Horn, and a decline in their willingness to become too publicly involved in their support of the Somali policy in that area.

Attempts by the Somali Government to emphasise their alignments with powerful communist supporters were, for the reasons outlined above, made in only a desultory fashion, and were mainly used as an influence strategy at the beginning of the dispute over the NFD, during 1963 and 1964. The only informal alignment that Somali Governments pursued consistently during the whole period of the dispute was that with their Islamic brothers, and a notable theme of Somali external policy during this period was the attempt to project themselves as a member of the informal alignment consisting of Arab and other Islamic states. The attitude underlying this policy was summed up in a remark of President Osman's when he said that "... in the final analysis we can depend only on our co-religionists." (31). This religious element played some part in the wariness with which Somali Governments handled relations with its communist and

atheist supporters, the Soviet Union and China.

A religious element also obtruded directly into both inter-state disputes, particularly that between Somalia and Ethiopia, which a large proportion of both political communities in the two countries perceived as merely being another round in the traditional struggle between Islam and Christianity. This Somali perception of the centrality of the religious elements spilled over into the conflict with Kenya, and the result was a feeling inside Somalia that the Christian, colonialist and western worlds were combining to help deprive the Muslim Somali of his just rights. Given such assumptions, it was an easy step to perceiving that "... Christianity was the religious mark of the colonialist, black or white, and the spiritual ally of the Muslim Arab's enemy..."(32). It was this feeling that pushed the Somali Government away from certain international alignments and into others, rendering almost inevitable the Somali condemnation of Israel's actions in the 1967 Middle East War, and helping to explain the Somali people's feeling that, in the light of Israeli aid to Ethiopia (and UAR propaganda claims that Israeli troops were active in the Ogaden), the Jews as well as the Christian colonialists had joined in an unholy alliance to block Somalia's national aspirations. All in all, Somalia's policy of embracing the Arab states further cut down her options for alignment, and limited her selection of potential allies in her disputes with Kenya and Ethiopia, so that the Republic found itself virtually isolated as regards these disputes. Her Government's stands and attitudes in other issues such as boundary revision, nonalignment and Islamic unity had tended to stultify any attempts to build up other alignments as a strategy to bring

influence to bear upon the Kenyans.

(2) Kenyan Strategy at the inter-state level.

While the number of strategies open to the Somali Government at the international level may have been limited by their low military capability and by Somali political stands on salient international issues, the Kenyans possessed a wider range of options. Given their perception that the guerrilla campaign in the NFD was merely cover for the ambitions and activities of the Somali Government in Mogadishu, and that it was the intentions and behaviour of this latter group of people that had to be altered, four major strategies appeared open to the Kenyans in the dispute. The first involved imposing indirect costs on the Somali Government via their agents in the NFD. This will be dealt with in the next Chapter. The second involved raising the costs of carrying on that campaign in the NFD by imposing direct, negative sanctions upon the Somali Government and making it clear that these would only be removed once Somali "interference" in the NFD ceased. The third strategy lay in avoiding or lessening the costs that the Somali Government attempted to impose on the Kenyan Government by its own strategies of commencing a military build up and the formation of a pattern of diplomatic alignments to support its claims. The final strategy was to offer positive sanctions to the Somali Government in the form of benefits to compensate for the abandonment of their goals in the NFD. These would be conferred through the behaviour of the Kenyan Government, once violence there had ceased.

In one sense, the Kenyans were in a better position than the Somalis to initiate action at this international level.

While the Somali case was based upon the principle that the trouble in the NFD was basically caused by the actions and aspirations of the NFD inhabitants themselves, the Somali Government could hardly take serious steps to impose sanctions on the Kenyan Government, even had the means been available. On the other hand, the Kenyans could always use the justification that the Somali Government was really the moving force behind the unrest in the NFD, which, if left alone, would soon reconcile itself to becoming an integral part of Kenya. Thus, the Kenyan Government felt itself quite justified in any international action it might take to punish the Somali Government directly for its covert interference in the NFD.

(a) Alliances and Alignments

The initial Kenyan move, however, was one designed to offset the potentially high costs of security posed by the perceived Somali Government threat. This strategy involved concluding a defensive alliance with the more powerfully armed Ethiopians, who also perceived themselves as facing a similar threat from the Somali policy of national unification. In these circumstances, an alliance may be seen as fulfilling two functions. One functional element is deterrent, in that the alliance is a device for imposing high costs on any potential attacker should he engage in certain specified types of behaviour such as, in the Somali-Kenyan case, an attempt to seize the NFD by military force. In other words, a defensive alliance with another party is a form of insurance or security against major loss (the NFD) due to action by the opposing party. However, an alliance is also a comparatively cheaper form of security, so that it may also be regarded as a strategy for

lowering the costs that the threatening party is attempting to impose on the defender by his threat. The costs of countering a threat may involve achieving security through expanding one's military forces, but this is normally an expensive business. It is possible to reduce these costs by sharing them, through the conclusion of an alliance with another party, so that the combined capability of the allies offsets the perceived capability of the threatener. This will lessen the chance of the threat having its desired effect (without actually having to be carried out by the threatener) through a marked reduction in an otherwise large cost burden. In effect, this is what the conclusion of the Kenyan-Ethiopian Defence Pact meant for the Kenyan Government. It lessened the costs likely to be incurred by the increase in Somali armed force by adopting the strategy of alliance in the hope that this would enable Kenya to avoid the alternative option - a costly and major expansion of the Kenyan armed forces to meet the apparent Somali threat.

The original provisions of the "Agreement of Co-operation and Mutual Defence Assistance" which were announced by Mr Kenyatta at a press conference on 22 November 1963, fulfilled both these functions (33). The agreement was for Kenya and Ethiopia to come to one another's aid if attacked by a third party, which, though unnamed, could only be Somalia. Significantly, the Kenyan Prime Minister made the announcement while the Somali Foreign Minister was in Nairobi for talks on future diplomatic relations between the two countries. The point could not have been lost on the Somali Government, nor, eventually on the Somali public. In the following January a Mogadishu newspaper commented that the pact had been signed



"... with the sole purpose of harming Somalia..." (34). In fact, the agreement was more likely to have been intended to deter or minimise any harm that the Kenyans and Ethiopians anticipated that the Somali Government wished to inflict on them. As the joint Kenyan-Ethiopian Memorandum on the pact pointed out (35), the agreement was solely a defensive treaty, and would only become operative in the event of the territorial integrity or political independence of either contracting party being threatened by external forces.

However, the agreement was obviously intended to serve additional functions. Later in January, Mr Murumbi, the Kenyan Minister with special responsibility for the problem of the North Eastern Region, stated that the military agreement was really a two tier one. The first tier involved joint action by both countries in the event of an external attack on either one, but the second stage involved practical co-operation, including "... the exchange of experts for maintaining law and order along the Somali border." (36). In a later statement to the Kenyan National Assembly, Mr Kenyatta added the information that the Ethiopian Government was providing training facilities for the country's armed forces (37).

Leaving aside the extension of the functions of the mutual defence pact into a joint operation for controlling guerrilla forces, the Kenyan Government could easily argue that the military agreement had fulfilled both of its intended functions. It had minimized the increase deemed necessary in the Kenyan armed forces, and for the Kenyans (as well as the Ethiopians) kept down the costs of achieving security against what both perceived as a massive Somali military build up. Equally, it could be argued, the pact had deterred the Somali

Government from embarking on a direct military assault to gain control of the NFD, so that in this sense, the defence pact had been successful as a deterrent against an all-out military attack and had confined the Somalis to their policy of limited, covert support for their guerrilla forces within the NFD. Whether, of course, the Somali Government ever saw itself as capable of making such a move, or indeed considered using Somali forces for anything other than their country's own defence or as a bargaining counter, was another matter.

(b) Direct, Negative Sanctions

The second "international" strategy open to the Kenyans was to impose direct costs upon the Somali Government through imposing some form of negative sanction. In one sense, the confrontation in the Horn over the NFD had already imposed its own costs upon the Somali Government and the Somali national economy, for the Somalis had taken an early decision to expand their armed forces as a bargaining counter in the struggle, though this had immediately been perceived by the two opposing parties as a preliminary to pressing Somali claims by actual force of arms. The burden this had imposed upon the country was emphasized by Prime Minister Hussein in May 1967, in a national broadcast to mark the 24th anniversary of the founding of the country's ruling political party. The Prime Minister noted that colonial rule had left the newly independent Republic with almost nothing on which to build, and that "... there was no other country that had been left, like the Somali Republic, with nothing to inherit on the attainment of independence.."(38). He then spoke of the increase in Government expenditure, stating that "... there has been a large increase in expenditure on social and defence matters... In 1963 the Somali Government

used to spend used to spend 32,000,000... But this year, 1967, the proposed expenditure on defence is 64,000,000 Somali shillings." (39) The costs of maintaining their military "bargaining counter" were thus fairly high for the Somalis, amounting to an estimated 20% of their budget expenditure by 1967, which was a large proportion, considering the unstable condition of both Somali Government finances (40) and of the Somali economy. In spite of continuing to receive considerable assistance from Italy, and a somewhat lessening flow of aid from other sources, Somali economic problems had grown during the 1960's so that the comparative burden of supporting a relatively large military establishment was becoming greater. The Somali stand over the NFD had also cost the country 21 million shillings of direct subsidy from the United Kingdom, which had stopped with the breaking of diplomatic relations between the two countries, and which had to be made up from other sources of Government revenue. Finally, a series of droughts, especially the very severe one in 1964/5, had plunged the whole country into major economic difficulties, and had, remarked Mr Hussein in his broadcast, brought about a radical change in the economy of the country (41).

With the vulnerable state of Somali Government finances, and the weak state of the Somali economy, it may seem strange that the Kenyan Government did not make a greater effort to apply economic sanctions directly on to the Somali Government in order to force it to withdraw its control of, or support for, the guerrillas in the NFD. In fact, the Kenyans only made one significant attempt to bring pressure directly onto the Somali Government, and then this was only made in the summer of 1966, when the guerrilla war had been in progress for over

two and a half years. At this point, the Kenyan Government abruptly severed all trade with Somalia, having two days previously cancelled landing rights for Somali aircraft (42). Mr Kibaki, the Kenyan Minister for Commerce and Industry, banned direct import into Kenya of any goods from Somalia, goods in transit, and all goods ultimately destined for the Republic.

The ban on aircraft landing cannot have brought much pressure to bear upon the Somali Government, for the Somali airlines were hardly a vital element in the Somali economy, or even the communications systems. Similarly, this sudden imposition of economic sanctions did reveal some of the dubious, and two edged nature of this particular strategy. There is always, for a start, the question of who bears the main costs of the sanctions in the country against which they are imposed, and which groups within that country are hardest hit by the imposition. (In other words, the costs are usually asymmetrically distributed.) Secondly, there is the problem of costs to the imposing country, and whether any specific groups within that country are made to bear a major proportion of those costs. This introduces two policy considerations when the imposition of sanctions are being envisaged. (If, indeed they are considered beforehand, which seems unlikely in the Kenyan case.) The first is whether the costs of imposing the sanctions are higher overall to the country imposing the sanctioning measures than to the country on the receiving end. The second aspect is whether the groups directly affected by the sanctions in both countries (i.e. those actually paying the costs) are in a position to protest about these costs with equal effectiveness, of whether one grouping represents a major set of powerful interests while the other is able to wield very little influence

within its own political system (43). This "balance of influence" may be important, for if the imposing government thereby harms the interests of one of its major economic, ethnic or religious groupings, it may find itself under considerable domestic pressure to remove the sanctions, or to permit major evasions. Alternatively, the groups within the country facing the sanctions may be very badly affected by them, and find the costs unbearably high, but their ability to influence their own government's policy in response to such sanctions may be very low or non-existent, so that the sanctions, while costly to some groups within the sanctioned country, may be ineffective in altering the behaviour of the actual political authorities.

The economic effects of the Kenyan sanctions are difficult to gauge. The immediate Somali response to the Kenyan move was to deny that it would have any serious effect, other than harming the Kenyans themselves, on the grounds that Kenya enjoyed a favourable balance of trade with Somalia amounting to some 18 million Somali shillings. "... This proved that the Government of Kenya did not think very clearly about the decision," said a Radio Mogadishu commentator. "The Somali Republic will benefit greatly since this large sum of money going to Kenya will now remain in the country..." (44). The Kenyan riposte to this curious economic argument was couched in rather more practical terms, and concentrated upon the real implications for transfer of goods. Nairobi Radio commented on 24 June that severance of trade "... means that it (i.e. the Somali Republic) can never buy foodstuffs, goods and fuel from Kenya. Goodness knows how they will obtain these commodities and how much they will cost the Somali people..."

The eventual, overall effects of the Kenyan sanctions may easily be seen in the trade figures between the two countries for the years from 1964 to 1969. Somali exports to Kenya, for example, remained at roughly the same level for the first three years of the dispute, then dropped abruptly to zero in 1967:

Kenya: Imports from Somalia (45)

<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	(in £,000 K.)
9	9	10	0	57	18	

Similarly, there is a marked decline in Kenyan exports to Somalia at the same time, though this must also be seen against a general decline in Kenyan exports to East African countries:

Kenya: Exports to African Countries

	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	(in £,000 K.)
Zambia	191	457	1735	2623	2913	4294	
Ethiopia	209	180	224	279	473	501	
<u>Somalia</u>	<u>966</u>	<u>658</u>	<u>324</u>	<u>7</u>	<u>636</u>	<u>881</u>	
Sudan	1396	1446	947	435	752	204	
UAR	80	92	88	130	539	334	

While there is some theoretical and practical evidence to show that the imposition of economic sanctions by an external party is best withstood by countries whose economy consists of a small market sector and a larger domestic subsistence sector, the limited groups engaged in the market and trading sector in such economies are especially vulnerable to the imposition of trade sanctions. There can be little doubt that the Kenyan sanctions had some effects upon the market and trading sectors of the Somali economy, most especially upon those traders engaged in the exporting of cattle from southern Somalia for

slaughter and canning within Kenya by the Kenya Meat Commission (KMC). (The disturbed conditions with the NFD and especially the Kenyan imposition of prohibited zones along the Kenya-Somalia border had already interfered with this trade and considerably reduced its volume.) However, the main orientation of the small Somali market sector was in the direction of Europe (and to a lesser degree, Aden and the north), hence the effect of the Kenyan sanctions was mainly felt by a small part of the small Somali market sector. The main Somali export market was Italy, which was the chief importer of Somali fruit, so that a far more serious blow to the Somali economy, and one which affected the most influential economic interests, came in the summer of 1967 with the closure of the Suez Canal following the June War. This interfered seriously with both the northern export of livestock and the fruit trade.

(c) The Use of Positive Sanctions

The final course open to the Kenyan Government in their efforts to induce the Somali political authorities to abandon their goal of "Greater Somalia", was to offer some positive inducements as a reward for compliance with Kenyan demands. (The Kenyans could, of course, offer to withdraw economic sanctions once they had imposed them, but this type of positive inducement is usually negated by the resentment aroused by their first having been imposed.) The difficulties awaiting any government proposing such a strategy of positive sanctions for compliance lie in the probable objections to rewarding the other party merely for not causing some harm it might otherwise have created, or for ceasing to cause the harm it is already causing. The argument, summed up, would amount to the view that a strategy of positive sanction would be either rewarding

sin, or giving in to blackmail and thus increasing the possibility that others will see that they might be rewarded merely for making a nuisance of themselves in future. In a conflict situation which is redistributive, such as that between the Kenyan and Somali Government over the NFD, the tendency within the status quo party will be to perceive the party seeking the re-arrangement as behaving in an aggressive, ambitious and hostile manner in pursuit of its quite illegitimate and immoral goals. Here there will exist a widely shared attitude which militates against any possibility of actually rewarding the party attempting to disturb the peace and destroy the status quo, even if the rewards do not involve that party reaching its original goal but, instead, bring about its compliance with the aims of the status quo party. The result of this attitude will be a related feeling that the strategy towards the "aggressor" must fulfil two functions; the first involves forcing him to abandon his aims and his behaviour in pursuit of those aims; the second is that there should be an element of punishment, or cost imposition, in the strategy, both in order to demonstrate to him and to future aggressors that such behaviour does not pay, and also to bring some form of gratification to the members of the injured status quo party, in that the aggressor is being punished for his misdeeds. Primarily for this reason, in international conflict situations such as that over the fate of the NFD, patterns of influence are predominantly coercive, and any idea of offering positive inducements to bring about compliance is out of the question, especially on the part of the aggrieved status quo party, and especially when the opponent has been publicly denounced as aggressive, because of his original goals, and immoral and



untrustworthy, because of his behaviour in pursuit of them (46).

Apart from these considerations, which appear generally applicable to situations of international conflict, the Kenyans would have found a policy of offering positive sanctions difficult to apply, had they even wanted to begin one. The rewards they could have offered the Somali Government were strictly limited, owing to Kenya's own level of development and political position in the international system. Furthermore, even economic rewards such as trade concessions, large-scale aid, or even economic union, have no fixed value, and mean different things to the party offering and to the party receiving. Whatever the Kenyans had to offer would have had to offset the Somali's abandonment of their cherished goal of ultimate unification for all Somalis, while to the Somali political leaders the positive sanction would have had to compensate them for the potential loss of support or even office which would almost inevitably have followed their acceptance of Kenyan offers. It is difficult to imagine what the Kenyan Government could offer as a positive inducement to the Somali Government to persuade them to abandon a national goal of such salience to both political authorities and national political community.

It is possible that the Kenyan Government realised this fact, and, that together with the attitudes working against the offer of positive sanctions mentioned above, this prevented them from really attempting to utilize this third, positive strategy with any determination or consistency. In the early stage of the dispute, some attempt was made by the Kenyan Government to use the possibility of future Somali participation

in an East African Federation (or some form of economic community), to persuade the Somali Government of the advantages of achieving friendly relations with Kenya through the abandonment of their "irredentist claims", and of the possibility that the problem would solve itself within such a federal framework. The Minister chiefly associated with public pronouncements on such a possibility was Mr Murumbi, who had been given special responsibility for the problem in the North East, so that it was he who held out this possibility while the tortuous negotiations towards such a union or federation proceeded. However, even Mr Murumbi had to admit that the possibility of enlarging the proposed union to include other countries, including Somalia, was not seriously discussed at any of these preliminary negotiations - which rather took away some of the potential value of the offer - but he was always careful to add that it was "... certainly feasible that these countries (i.e. Somalia and Ethiopia) should one day join the proposed Federation..." (47). The Somali response to this prospect of Kenyan support for their entry into a not yet formed, and still highly uncertain, union was publicly rather cool, and as their entry was usually made conditional on the prior settlement of the dispute, obviously showed that the value of membership to them in no way compensated for the abandonment of their goal of self determination for Somalis. Typical of the public responses to such rare Kenyan initiatives was that of Prime Minister Hussein in April 1966, when he told AFP correspondents that Somalia had no objection in principle to any form of closer association with other East African countries, whether this were to be full scale federation or some form of economic union. However, went on the Prime Minister, such association would have

to depend entirely upon the member states having previously settled their differences and disputes with one another, "... especially those countries which have contiguous frontiers...". It was the Somali Government's view that even closer economic cooperation would not be effective unless political differences were settled first (48). In other words, the Somali Government was standing the Kenyan policy on its head and making the price of their own entry (perceived as a reward to Kenya and the other members of the federation, rather than as a reward to the Somalis) the prior achievement of their aims of self determination and a satisfactory political settlement within the NFD.

Apart from this attempt to use potential Kenyan support for and approval of Somali membership of a yet-to-be-formed East African union, Kenyan attempts to use positive sanctions on the Somali Government were almost non-existent. One minor tactic of the Kenyans was to hold out the possibility of the re-establishment of diplomatic relations with the Somalis once Somali Government "interference" in the North Eastern Region ceased. Again Mr Murumbi was largely at the centre of this attempt, and it was he who made statements to the effect that the Kenyan Government desired better relations with Somalia, or that there would be benefits to the Somalis from the re-establishment of diplomatic relations. This contention was again rejected by the Somali leadership, who could not see the logic of the argument which equated benefits from establishing diplomatic relations with Kenya with the cost of abandoning their eventual aim of Somali unity. Prime Minister Hussein made this point to reporters from the Daily Nation in April 1966, when he agreed that the re-establishment of relations would be "... of

mutual benefit...", but objected to what he perceived was the Kenyan Government's assumption that "... the Somali Republic might gain more by re-establishing relations than Kenya will..." (49). Kenya must drop this idea, said the Prime Minister, that such a move would only bring "... unilateral benefits...". It was apparent that the Somali leaders did not see this particular positive sanction offered by the Kenyans as a positive sanction at all.

Apart from these moves, the Kenyan Government's activities during the three and a half year period of conflict were limited to attempts (often successful) to obtain general condemnation for the Somali Government's activities in the NFD, and for its territorial aggression against a fellow African state and member of the OAU. The Kenyan line of argument was that the only problem in the NFD was caused by the intrusive activities of external Somali elements, encouraged by the Somali Government. The solution to this problem was for the Somali Government to cease its activities and nothing further would be needed. At an international level, this led to a policy of calling upon the Somali Government to cease its interventionary behaviour in the NFD, and, as a corollary, of denying that anything further was required. To the Somali Government's contention that some form of negotiations or discussions were needed, the Kenyan response was that this was unnecessary, given that the Somalis followed principles of good neighbourliness, and that, anyway, the Somali Government had no right to demand intergovernmental negotiation over matters that were entirely within the jurisdiction of the Kenya Government (50).

Reviewing the patterns of intergovernmental influence at this international level, an observer is forced to the

conclusion that these were peripheral to the main effort, and played a subsidiary part in the course of the conflict. The strategies available to both parties were not such as to be at all decisive in altering the goals of the other party, or their behaviour in pursuit of those goals. The main arena of conflict behaviour must therefore be sought within the NFD itself, for it was at this level that the direct use of violence occurred, and where the costs of the dispute were most apparent. The following Chapter will deal with the interaction resulting from coercive strategies employed at this level.

#### Footnotes to Chapter III

1. For the Somali Government, the process was more complex in that they were acting through a proxy, with interests that must, on occasions, have diverged from their own. Thus the authorities in Mogadishu had first to influence the guerrilla groupings to act as they wanted (and, naturally, be subject to reverse influence) and this may have proved extremely difficult on many occasions. For instance, there is evidence to show that the guerrillas were, by the end of 1966, becoming disenchanted with the Somali Government's policy of allowing them to do all the fighting, and not backing them up with a full-scale military assault on the NFD, using units of the Somali Army. (See, in this instance, "Kenya-Somali Relations", op. cit. pp. 4 and 60). For a further discussion of the relations between the NFD guerrillas and the Government in Mogadishu see Chapter IV.
2. See F C Ikle: How Nations Negotiate. (New York; Praeger; 1964). Chapter III.
3. From the Somali point of view, their demand was probably perceived as being more in the nature of a proposal for "normalisation". In such bargaining situations, one party tries to persuade the other to make concessions so that a return to a "normal" status quo may be achieved - for example, the signing of a peace treaty to end a state of hostilities. However, in the NFD dispute, both parties wished to "return" to a different status quo, which might have been satisfactory to them, but not to the other party. The Kenyans defined the "normal" situation in the Horn as

that existing in December 1963, with the colonial boundaries confirmed and respected, and the three separate, sovereign states of Kenyan, Ethiopia and Somali in unquestioned existence. For the Somalis, the normality to which they were trying to "return" involved the situation whereby all Somalis were within one political system. This involved going back to the situation before the imperial division of the area, when no formal colonial boundaries existed. If the Kenyan desire was for confirmation of a situation that should have existed at the end of 1963, then the Somali wish was for some nebulous situation which existed at an unspecified time before European powers interfered with the Horn of Africa.

Unfortunately, there was no real historic precedent for the Somalis' "normal" situation (at least within reasonable memory), so that the Somali claims were everywhere perceived as something new and unprecedented, which would alter an existing situation, namely Kenyan sovereignty over the NFD. The actual existence of this situation was a great source of strength for the Kenyan case, as in many similar conflicts involving questions of change or status.

4. In a similar fashion, the initial Kenyan perception of the conflict must have been that it was a highly asymmetric situation, the difference being that the comparatively low costs of resisting demands from the NFD inhabitants and the Somali Government were set against the costs of acceding to such demands - which would have been seen as involving the high loss of prestige and real resources involved in the transfer of a considerable area of "national" territory. Doob, Folz and Stevens comment that "... few politically important persons in Kenya or Ethiopia seem to have been directly injured by the continuation of the border dispute; and the same is true, if to a lesser degree, of their Somali counterparts. It is unlikely, therefore, that the leaders will make major sacrifices of other deeply cherished values to settle the conflict, particularly since no instant and overwhelmingly important political reward will probably be accorded to the peacemakers...". "Towards a Solution", Chapter 9 in L.W. Doob (ed.) Resolving Conflict in Africa. op. cit. p. 163.
5. In the case of the NFD, both the Kenyan and the Somali Governments were also concerned to influence the behaviour of the people within the NFD itself, so some effort was expended in trying to make a case in the NFD, either to encourage the resistance movements or to try to enlist support for the policies of the Kenyan Government. Both the VOK and Radio Mogadishu expended much time and effort in propaganda broadcasts in Somali to the NFD. (Part of Soviet aid to the Somalis had been a powerful radio transmitter situated above the harbour in Mogadishu.) The Somali broadcasts, as might be expected, were highly effective; so much so that by the end of 1966 the Kenyan authorities were attempting to confiscate all private radio receivers in the North Eastern Province - an indication that the Somali Government had been successful in at least that aspect of the radio war. (See the question on this put by

Mr Shikuku in the Kenyan National Assembly on 15 December 1966. Kenya National Assembly (House of Representatives) Reports Vol. X(2) cols 2827-2828).

6. One possible option for the Kenyans was to demand the return of this land to Kenya, but they were really prevented from adopting this strategy by their espousal of the "no boundary revision" principle adopted by the OAU in 1964 at the Cairo Conference.
7. Kenya-Somalia Relations, op. cit. p. 4.
8. Extracts from a speech by President A.A. Osman made to the Conference of Non-aligned Nations held in Cairo in 1964. Quoted in: Somalia: A divided nation seeking re-unification. op. cit. pp. 7-8.
9. From: The Somali People's Quest for Unity. (Mogadishu; Ministry of Information; 1966) p. 14.
10. One aspect of this process of "labelling" the situation was the complementary process by which the Somalis minimised the potential loss to the Kenyans of the granting of self determination, while the Kenyans maximised their loss should the Somalis succeed in their territorial claim. While they insisted that the transfer of the NFD to Somalia would involve them losing two thirds of their territory, Somali tactics involved pointing to the poverty of the area, which was so arid as to have difficulty in supporting its indigenous tribes.
11. For a list of Somali Government publications in the period of the dispute, see Appendix 3.
12. One problem in imposing any sanctions is to convince the opposing party that the costs of the sanctions are greater to him than they are to the party imposing the sanctions. It is not enough for the imposing party to know that the balance of loss is in his favour; the important step is to convince the opposing party of this fact, and, as a next step, to convince him by altering his own subjective evaluations of the costs that his losses are more serious than he had originally anticipated.
13. The Republic had already concluded one trade and economic cooperation agreement with the USSR in June 1961, involving an expansion of trade and a long-term, easy credit grant of 40 million roubles.
14. At the OAU, both Kenya and Ethiopia denied that their alliance was aimed at the sovereignty or integrity of Somalia, claiming that the pact was purely defensive and not bilateral, as it provided for the inclusion of other neighbouring states. At the same time, the joint statement that they presented pointed out that the pact was fully in accordance with Article 51 of the UN Charter, and with the Charter of the OAU. (See the statement by the Government of Kenya and Ethiopia submitted to the OAU, 16 January 1964) However, the pact remained bilateral.

15. Prior to this Soviet agreement there had been strong rumours of the possibility that the CPR would supply arms to Somalia. On his return from a tour ending at Peking in September 1963, Prime Minister Shermarke announced a Chinese loan plus technical assistance "... and some other aid I cannot reveal at present...". At his Nairobi press conference two months later, Foreign Minister Issa emphasized that the Prime Minister had discussed economic cooperation in general and not merely military aid during his Peking visit. However, rumours persisted, fanned by allegations that the "shifta" had been found to be using Chinese arms, and as late as March 1965 the Somali Defence Minister, Mr Ahmad, was still denying that there were Chinese instructors in the Somali Army, and emphasizing that the Somali Republic had received no military arms from the CPR. (Broadcast on Radio Mogadishu, 10 March 1965.) In view of the state of Sino-Soviet relations at this time, this absence of Chinese arms is hardly remarkable.
16. NFD Frontier Problem Planted by Britain between Kenya and Somali Republic. (Mogadishu, Ministry of Information; 1964.) p. 28.
17. On this point, a Kenyan participant of the Fermeda Workshop notes that both the Ethiopians and Kenyans present "... concurred on the point that, if the Russians had given no arms to Somalia, the fighting could not have intensified. The Kenyans therefore stressed the significance of the point by stating that: "Somalia was being looked at by Russia as a stepping stone to Eastern Africa, and therefore being substantially armed. Our Somali colleagues did not expect us to say this about their country, and became sensitive...". John J. Okumu: "Appraisal by a Kenyan". Chapter 4 in L.W. Doob (ed.) Resolving Conflict in Africa, op. cit. p. 78.
18. Broadcast by Defence Minister Aden Isaak Ahmad, op. cit.
19. Broadcast over Nairobi Radio: 11 July 1966 (BBC Monitoring Reports ME/2211/B/7).
20. It may, of course, have been that the Somali Government did not deny rumours of the Soviet transfer of major weapons systems to the Somali armed forces in the hope that this would both encourage the guerrillas in the NFD and put further pressure on the Kenyans. It might also have helped to offset the known military superiority of the Ethiopians in the area. However, Somali-flown MIGs did make their appearance over Mogadishu during President Kaunda's state visit in the early part of 1968, so that was obviously some cause for concern on the part of the Kenyans.
21. Reports in the East African Standard for 24 February 1964 and 26 February 1964.
22. A comment by the Soviet Ambassador to Kenya, reported over Radio Mogadishu on 30 May 1965.



23. From L.W. Doob, W.J. Polz and R. Stevens: "Towards a Solution?" Chapter 9 in Resolving Conflict in Africa, op. cit. p. 166.
24. The remark by Dr Shermarke is quoted in E.A. Bayne: "A Religious Nationalist in Somalia", A.U.F.S. Reports. North East Africa Series XlII (3). October 1966. pp. 1-2.
25. According to the East African Standard, the British air lift to supply the Kenyan forces in the north east alone amounted to £1,000 per day. (Report in the East African Standard, 4 June 1964.)
26. The accusation was made at a press conference in Mogadishu. Report Radio Mogadishu, 14 May 1964.
27. Report in the East African Standard, 14 May 1964. The Kenya Government spokesman had obviously forgotten Mr Kenyatta's tart rejoinder to a press question about the possibility of a combat role for British and RAF units in the NFD, made two months previously: "What do you think they are doing - dancing?" (Report in the East African Standard, 7 March 1964.)
28. Up to the end of 1963, Somalia had received, or been promised, £18.6 in non-military aid from the Soviet Union, £8 million from the CPR and £13.6 from the United States. Somalia's chief source of aid up to this date, and throughout the 1960's continued to be Italy, while, through breaking diplomatic relations with the United Kingdom in 1963, the Somali Government had lost £1m. aid per annum set aside by the United Kingdom Government, for the Somali Republic. However, the Somali loss of assistance was not complete. Though no formal relations existed between the two countries, the Crown Agents extended informal credits worth 3 million dollars to the Somali Government between 1963 and 1966. These credits were, of course, loans rather than the original aid, which had taken the form of an annual grant.
29. See the account of the President's visit to Peking and his conversation with Chou-en-lai in E.A. Bayne: "The Issue of Greater Somalia: Chinese Dialogue". AUFS Reports. North Africa Series XlIII (1) February 1966.
30. A report of the Emperor's protest is contained in the East African Standard, 12 May 1966, p. 1.
31. See E.A. Bayne: "Chiaroscuro on the Horn: Origins of Detente", AUFS Reports: North East Africa Series XV (2) December 1968 p. 7. In the same interview, the President had emphasized this Somali conviction by stating that "... we do feel in our hearts that, in the last analysis, the friends of Somalia will be in the Arab world..." and had ended by declaring that "... the Arab countries are the rock on which our outside friendships rest...". (Quoted in E.A. Bayne: "A Religious Nationalist in Somalia", op. cit. p. 6.)

32. E.A. Bayne: "A Religions Nationalist in Somalia", op. cit. p. 6.
33. At his press conference, Mr Kenyatta announced that the agreement had actually been signed in July at Addis Ababa, but could not be ratified until Kenya had gained its full independence. (See the report in the Times, 22 November 1963.) In fact, the treaty was very rapidly ratified on December 27th, following the declaration of the state of emergency in the NFD and on 17 January 1964 high level military talks began in Addis Ababa to work out details of the mutual defence plan.
34. The comment was made in an article in Il Corriere della Somalia on 28 January 1964.
35. This Memorandum was submitted to the Provisional Secretariat of the OAU for circulation to all members. It denied Somali allegations concerning the offensive nature of the pact, and its illegality in the light of the OAU Charter.
36. Report in the Uganda Argus for 17 January 1964.
37. Report in the East African Standard, 10 June 1964.
38. Report of the Prime Minister's speech on Radio Mogadishu, 16 May 1967. (BBC Monitoring Reports ME/2468/B/3.)
39. This may be compared with an increase of expenditure over the same period of 12-19 million shillings on education, and 4 to 10 million shillings for the development of animal husbandry and veterinary services.
40. The comparative expense of a Somali military establishment must always be seen against a chronic Somali budget deficit, and the constant Government struggle to ensure that taxes and excise duties were successfully collected.
41. It was a sign of the slowly changing Somali attitude towards outside assistance that the famine conditions were being met by a Red Cross aid programme, distributing wheat and maize from the USA, the Soviet Union and CPR.
42. There is no indication that there had been any prior notice of Kenya's intention to the Somali Government nor of any attempt to use the threat of this action to alter Somali policy. The costs to the Somalis appear to have been imposed as a Kenyan reaction to some stimulus, rather than as a thought out strategy. The East African Standard commented that the move "... followed a deterioration in the political atmosphere caused by repeated attacks on Kenya by Mogadishu Radio..." but this seems too slight a reason for such a response. Report in the East African Standard, Wednesday 22 June 1966, p. 1.

43. The chances of such a situation coming about appear to be less in advanced industrial countries, where a plurality of interest groups exists, than in developing countries, where a few powerful groupings may be involved in both economic life and political processes.
44. News commentary on Radio Mogadishu, which stated that Kenyan exports to Somalia amounted to 23 million Somali shillings in value, while Somali exports to Kenya were only 5 million shillings. (BBC Monitoring Report ME/2195/B/8.)  
The Kenyans agreed that such a massive imbalance did, in fact, exist. Quoting the "East African Customs and Excise Trade Report for 1965", the East African Standard noted that Kenya had exported goods worth £600,000 in 1964 and £462,000 in 1965, and in both years received in return goods worth only about £9,000. The bulk of the exports consisted of motor fuel and diesel oil, asphalt, bitumen and coconut oil.  
Report in the East African Standard, Wednesday, 22 June 1966, p. 1.
45. Figures are taken from Kenya Economic Survey for 1968 and 1970 (Ministry of Economic Planning and Development Nairobi, June 1968 and June 1970.)
46. A further problem with proffering rewards or concessions to an opponent is that there seems to be considerable evidence (especially from social psychology) to the effect that the opposing party has to perceive that an offer involves the rewarding party in some sacrifice or loss before the offer is counted as a reward. See T.W. Milburn; "The Concept of Deterrence", Journal of Social Issues XVII(3), 1961.
47. Report of a broadcast by Mr Murumbi in The Nationalist (Dar-es-Salaam) 5 February 1965.
48. Report of the Prime Minister's press interview with correspondence from AFP given in Somali News, 22 April 1966.
49. See the comments over Radio Mogadishu on 13 September 1965, for Mr Murumbi's statement and the report in the Somali News, 5 April 1966, for Mr Hussein's comments on resuming diplomatic relations.
50. Hence, in the later stages of the dispute, one problem for the Somali Government was to get the Kenyans to admit that there was some form of dispute between the two governments, as a preliminary step before some form of face-to-face discussion of the problem. Once such face-to-face discussions had begun, then it was possible that these might develop into a form of negotiation, though this was precisely what the Kenyan Government was trying to avoid on the grounds that there was nothing to negotiate about. For a fuller discussion of this problem see Chapter V.

Chapter IV - The Armed Struggle

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"... I do not know whether our Government is prepared to tell me, or tell any hon. Senator, as to the method of identification of who is a Shifta and who is not a Shifta..."

Senator Daliti; Senate debate on the seizure of shifta property. 1 July 1965.

"... One of the difficulties, Mr Speaker, is to be able to detect a Shifta. He is just like any other civilian, and if you are going to shoot at sight any Somali, you are going to shoot innocent people..."

Senator Mathenge; Leader of Government Business; Senate debate on the adjournment. 14 May 1964.

Before going on to consider the nature of the two fundamental strategies employed within the NFD itself by the two governmental parties, it is necessary to mention a preliminary problem. This is the relationship between the Somali Government in Mogadishu, and the Somali guerrillas in the NFD and around Somalia's southern borders, and of whether it is justifiable to talk of a single, overall Somali "strategy" employed by the Somali Government "party" to obtain its goals in the NFD. Fortunately, a similar problem does not arise in the case of the Kenyan "party". The Kenyan strategy carried out in the NFD was undoubtedly that of the same party that had to deal with the Somali Government at the international level, even though the actual execution of the strategy may have been left to local agents in the field, and the actual intentions of the political authorities in Nairobi somewhat altered in the process, especially where violence was being used upon the local population. However, the same cannot necessarily be said about the Somalis, and

...  
...  
some question does arise about the nature of the "control" exercised over the NFD guerrillas by the political authorities in the Somali Republic, and whether it can accurately be said that the guerrillas were "used" by the Somali Government as a "strategy" or whether the guerrillas dragged the Government after them in their own search for a solution satisfactory to them. Thus, we are dealing not merely with differences over tactics or means, but possibly also with differences of fundamental goals.

The main difficulty in trying to discover the precise nature of the relationship between Somali Government and guerrillas, the type and level of support supplied by the one to the other, and the extent to which the Government controlled the operations and policy of the guerrillas, is that most of the available information is either in the form of statements by the Somali political authorities intended for public consumption, or of accusations by the Kenyan Government, often backed up by information drawn from the "confessions" of surrendered or defecting ex-"shifita". (The last naturally have to be treated with the greatest caution; "confessions" are notoriously tailored to suit the ear of the captor.) However, it is possible to discern some kind of pattern in the relations between the two groupings, and in some respects they do appear to be sufficiently close to talk of a single Somali "strategy" in operation within the NFD.

In the opening stages of the guerrilla struggle, the main initiative seems to have come from the guerrillas themselves, with the Somali government supplying various forms of support, on the grounds that guerrilla actions were helping to raise the costs of holding on to the NFD for the Kenyans,

and that this was an additional influence on them which would aid Somali diplomatic efforts once these had begun to take effect. This policy also had the advantage that it enabled the Somali Government formally to deny any connection with, or responsibility for, the events in the NFD (1), which were put down to the NFD Somalis' natural and laudable reaction to British betrayal and Kenyan rule. There can be little doubt that the Somali Government was pressed hard for more vigorous action in support of the secessionists in the NFD, and found itself faced with the awkward choice of closer involvement with the guerrilla movement, and a greater risk of exposure, or of maintaining only a limited commitment and running the risk of being accused, both by the guerrillas and by the opposition inside the Republic, of failing to back up the Somali secessionists in their just claims. It appears that a delegation from the NFD, consisting of Somali political leaders and others, had crossed the border in September 1963 and held talks in Mogadishu with members of the Somali Government, including the then Prime Minister, Dr Shermarke. At these meetings, the NFD leaders tabled a demand that the Somali Government should help train and equip with light arms an organisation of 10,000 guerrillas, and that this organisation should also be given necessary financial aid (2). Given the existing state of the Republic's armed forces and finances, it is not surprising that this demand was rejected. However, some effort obviously had to be made to forestall potential criticism, and to use Somalia's limited resources to help the secessionists, especially in view of the fact that their activities would obviously be a method of putting pressure on the Kenyan Government to grant self-determination. The eventual decision by the Shermarke Government (3) seems to

have been that it would supply limited quantities of weapons and money to the NFD guerrillas, and also provide training to the guerrillas in camps just over the border in Somalia, using Somali army personnel as instructors. The number and quality of the weapons supplied could obviously not be very high, and the weapons captured by the Kenyan security forces in the first two years of the struggle were usually old Italian or British weapons from the Second World War. It seems plausible to conclude that the guerrillas regarded the arms supplied by the Somali Government as inadequate and insufficient, and in spite of the arms obtained from other sources (such as those captured from the Kenyans, those brought in by Somali defectors from the Kenyan security forces, and those bought on the open arms market and smuggled into the area) many reports of "shifita" raids indicate that very few in the guerrillas groups possessed fire arms, at least in the initial stages of the struggle.

The support given to the guerrillas, at least up until the summer of 1966, seems to have been of a limited nature, and to consist mainly of: (i) provision of a small supply of arms; (ii) provision of organised camps just over the Kenya-Somalia border as bases for operations; (iii) provision of instructors from the Somali armed forces, and (iv) use of the Radio Mogadishu transmitters to encourage the guerrillas and inhabitants within the NFD, and to provide a channel of communication between guerrilla "leaders" and their followers. This policy presumably represented a compromise of forces within the Somali Republic, and steered a middle course between those who wished to see a negotiated end to the dispute, pursued by legal or diplomatic means, and those who advocated

all-out support for the guerrillas, possibly involving units of the Somali armed forces. In this particular disagreement over the relative militancy with which the policy of "Greater Somalia" should be pursued, President Osman appears to have advocated the strategy of attempting to find a solution by peaceful means, while his first Prime Minister, Dr Shermarke, and his second Abdirazik Haji Hussein, appeared to take a somewhat more belligerent line.

With the comparatively low level of assistance reaching the guerrilla organisations, it is open to doubt whether the Somali political authorities in Mogadishu were able to issue anything more than the most general directives about the conduct of the guerrilla campaign, and there is no real evidence to show that these had very much effect on either the shifta organisations based in Somalia, or those which operated within the NFD itself. (Again, it is not at all clear what the relationship was between the training camps in Somalia, the public leadership in Mogadishu, and the Somali inhabitants within the NFD.) The Somali Government could obviously control the amount and level of propaganda broadcast over Radio Mogadishu, for this varied on a number of occasions in response to Kenyan protests and Somali Government perceptions that something might be gained by a lowering of the level of attacks on Kenyan leaders. Similarly, there were signs that the Somali Government could at least attempt to control guerrilla activities in the NFD for its own tactical purposes (4). Furthermore, even in these early stages, the Somali Government could influence the guerrillas through its control of weapons supplies, training camps and the provision of refugees within Somalia. However, it would not be true to agree with the Kenyan



perception that the whole guerrilla effort was controlled down to the last detail by the Mogadishu Government, who thus used it as a weapon to attack Kenya because no other was available. The guerrillas were not an extension of the Government in Mogadishu, and while they were amenable to Somali Government influence, this did not mean that they were totally helpless before it, nor that the Somali Government was not susceptible to a reverse flow of influence.

In the first two years of the struggle, however, guerrilla influence and appeals for further aid seem to have been less than completely successful, and Somali Government assistance continued to be at a rather low level. One result of this seems to have been an increasing disillusion with the Somali Government by some of the guerrillas and their commanders, and a feeling that, while the guerrillas were fighting and being killed, the Somali Government was sitting on its collective hands, and failing to back them up. Something of this feeling, together with the lack of success of the initial stages of the struggle once the security forces had begun to become better organised, may have accounted for the comparative success of the first amnesty organised by the Kenyan Government, which was set up to enable both old Mau Mau forest fighters and newer Somali "shifta" to come out of hiding and surrender. One Somali guerrilla leader who took advantage of the Kenya Government's offer stated subsequently that many "shifta" felt justified in surrendering "... because the Somali Government had let them down by failing to offer adequate military aid in the struggle for secession...". The Somali guerrilla, Warsame Ilaye, emphasized that he would not have surrendered had he been given the power to continue the fight with any hope

of success, but that with "... the poor military help they got from Somalia, the shifta could achieve nothing like secession, and further resistance would only lead to death and destruction of property in the affected regions..." (5).

This situation of limited Somali Government support for the NFD guerrillas appears to have changed markedly in mid-1966. It may have been that the Somali Government was worried by the complaints of the NFD leaders about the lack of assistance they were receiving. It may have been that the Government began to feel that a bigger effort was needed to convince the Kenyan leaders of the inflexibility of the ultimate Somali intentions. It may have been, as one observer has suggested, that the Somali leadership, and particularly Prime Minister Hussein, became increasingly frustrated by the intransigence and determination of the Kenyans (6). Whatever the reason, there can be no doubt that both the scale of aid and the level of guerrilla activity were stepped up in the summer of that year. For the first time, the guerrillas began to use explosives, initially to demolish static targets such as bridges, and then to mine the roads. Between July 1966 and March 1967 there were 67 incidents involving the use of land mines in the North Eastern and Eastern Regions, and some attacks occurred only 120 miles away from Nairobi. The Kenyan Government, with some justification, could ask where the mines were obtained (7), and note that they were of a pattern supplied by the UAR to the Somali armed forces. In the same period, attacks on police posts and convoys began to mount again, while reported engagements of security forces and guerrilla bands began to grow in number.

The whole trend in this period from about May 1966

onwards seemed to be for a greater and more open involvement of the Somali Government in operations within the NFD. Special training in the use of mines and explosives had obviously been provided by somebody, and the Somali army seemed the most likely candidates as instructors in the arts of demolition and the handling of Egyptian land mines. The higher level of "shifta" activity also called for increased supplies of arms and ammunition, while the attempt to use the foreign press to publicise the guerrilla struggle indicated that the Somali Government was no longer worried about certain kinds of links with the guerrilla forces becoming general knowledge (8). In spite of this increase of assistance and public gestures of support, there can be little doubt that the guerrillas remained critical of the Somali Government's - to them - too cautious policy. A Kenyan report claimed that, at the end of all this increase in activity, there had been a near mutiny in one of the training camps (9). While this story has to be treated with some caution, there is a strong likelihood that the feeling among the guerrillas that they were doing all the fighting and dying while the Somali Government was merely supplying inadequate weapons and ammunition must have persisted and grown right up until the end of the struggle in October 1967. Such stories also highlight the continued cleavage between the guerrilla forces and leaders, and the Somali Government, and return us to the question with which the section began: given the differences between the Somali Government and the guerrillas, is one justified in viewing the activities of those guerrilla organisations as forming part of the overall strategy of the Somali Government in the pursuit of its goals over the NFD? Can one talk of "Somali strategy in the NFD"?

It is possible to advance three reasons in justification for treating Somali strategy in the NFD as a single phenomenon, no matter that it was actually carried out by one set of people, who acted as a proxy group for another. The first of these is that the policy aims of the Somali Government and the secessionist forces from the NFD coincided. Both groups were agreed in their ultimate goal of achieving self determination for the people of the NFD, and ultimately the unification of an independent NFD with the Somali Republic. In this sense, the goals of both parties were virtually identical.

Secondly, both parties agreed that the inhabitants of the NFD were right to use subversion and violence to put pressure on the Kenyan authorities and try to force them to grant self determination on the grounds that the costs of failing to do so would be worse. In other words, both parties were agreed on the means of bringing about their identical goals, and perceived that the only common strategy open to them both was that of creating disruption in the NFD by the use of violence, and using the effects of that to force the Kenyans to abandon the Kenyan goal of integration of the NFD into Kenya. Hence they were agreed about the general strategy to be adopted against their common opponents in the dispute, though the NFD guerrillas obviously felt that a policy of violent coercion would succeed more quickly if it involved the formal participation of the Somali Government and their armed forces, while the fact that the costs imposed by the Kenyan Government's reactions fell asymmetrically, and mainly on them, did not escape their notice.

Finally, it can be argued that the ultimate choice of the policy of subversion and violence as a coercive strategy in

the NFD lay with the Somali Government, so that in this final sense that particular party controlled the policy. Even with the limitations imposed upon the choice of the Somali political authorities, both by the structure of Somali domestic politics and by the influence of the NFD secessionist organisations, the decision to adopt, reject, or ultimately to bring to an end a strategy of coercion through subversion lay with the political authorities in Mogadishu. This much was borne out when, in October 1967, a new Somali Government reversed the decisions of its predecessors and decided upon another policy option: a peaceful, cooperative approach to solving the problems of the NFD. When this occurred, in spite of desultory NFD efforts to carry on the strategy of coercion, the lack of support from the Somali Government meant the virtual end of any major violence in the NFD. To this degree - that the ultimate ability to veto this option lay with the Somali Government - the actions and tactics used by the Somalis in the NFD from 1963 to 1967 may analytically be regarded as part of the overall strategy adopted by the Somali Government to "win" the dispute over the NFD.

(A) Somali Strategy in the NFD

The chief focus for Somali Government efforts to bring coercion to bear upon the Kenyan political authorities was therefore within the NFD, and it was in the area itself that the most intense efforts of both parties to frustrate the actions and ultimate goals of their opponents were made. Here, the general discontent of the Somali population was used by local leaders, backed by the Somali Government, to attack government property and then government agents, in the hope that the disruption of normal life in the area would lead the

Kenyan Government to yield to demands for self determination.

The Somali strategy was two-fold, in that it was anticipated that the rising level of violence would demonstrate to the political authorities in Nairobi the intensity of opposition to Kenyan rule, while the costs of policing the area to maintain law and order, and the costs in damage to Government property and loss of life would prove greater than any benefits to be obtained through continuing to hold on to the area. The strategy was thus similar to that being conducted by the Somali Government at the international level; imposing unacceptable costs on the Kenyan Government through Somali action, so that the costs would outweigh the value to the Kenyans of maintaining their desired status quo, and they would agree to the Somali goal of self determination and a change of status for the NFD. The general pattern of action involved the gradual increase of the scope and nature of violent resistance, and in the degree of organisation and number of guerrillas associated with what in the later stages of the dispute became known as the "NFD Liberation Movement".

Initially, guerrilla attacks were made upon isolated Tribal Police posts by small groups arms with a few rifles. Later, convoys were ambushed as further security forces, including Kenya Police, a battalion of the Kenya Rifles, and police General Service Units, were moved into the area, and vehicles began to be escorted along the vulnerable roads. By the beginning of 1964 automatic weapons, including Bren guns, were being used in these attacks and ambushes. In addition, throughout these early stages, as well as in later years, kidnapping and murder of Somalis and others suspected of collaboration with the Kenyan authorities took place, as well

as general terrorism and intimidation. Actual organised and systematic guerrilla attacks upon civilian targets such as trading posts and stores (dukas), herdsmen's encampments (manyattas), and villages did not begin in the very early stages of the conflict in 1963, but in January 1964 a pattern of attacks upon civilian targets in the region began to be discernible, presumably, as Prime Minister Kenyatta said in February 1964 to the National Assembly, "... to instil fear into the local population and to promote a policy of non-cooperation with the Kenya Government and security forces...".

As the range of targets attacked by guerrillas groups increased, so did the area affected by their activities. Originally, attacks had taken place mainly in the North Eastern Region, near to the Kenya-Somalia border, but by early 1964 several organised groups were operating deep inside the Region, attacking police posts and security forces patrols. By September 1964 attacks had been made on posts and civilians well into the Eastern Region, while at the end of August 1964 it was reported that a gang of over 300 "shifta" equipped with 3 light machine guns and a number of sub-machine guns, had attacked a Samburu manyatta in the Rift Valley Region, over 300 miles from the Somali border (10). By mid-March of that year, it was reported that half of Kenya's armed forces were operating within the NFD, while the supporting role said to be played by British troops included escort duties for convoys and the building of a strategic road direct from Garissa to Wajir.

The costs of combating the guerrillas rose as the area affected by the disorders spread, and the size and efficiency of the guerrilla groups increased. Security forces, now

engaged in "search and destroy" operations, found that their task was made easier during the dry seasons, when it was possible to establish control over wells and other water sources, but that it became more difficult during the rainy seasons, when the "shifta" could roam at will through a country they knew "... like the backs of their hands..." as one British ex-administrator phrased it. By January 1965 Dr Mungai, the Minister for Internal Security and Defence, who was responsible for dealing with the "shifta" menace, stated that there were something less than 1,000 guerrillas operating in scattered groups in an area stretching from the Rift Valley through the areas adjoining the Ethiopian and Somali borders as far as the Indian Ocean. (The Minister also commented that these bands operated without the support of the Somali Government, so it appears that the Minister at least had realised that only a minority of the "shifta" raids came directly from across the border, and that many of the guerrilla groups operated and remained within Kenya's borders.) Just what Dr Mungai meant by "areas adjoining the Ethiopian and Somali borders" is not too clear, but an indication of the extent of the area affected by the guerrillas was given later in the year by President Kenyatta, when he declared in November that the Kenyan Government "... can and will no longer tolerate a position where almost a third of Kenya's land area exists virtually under a state of seige. We can no longer permit the complete frustration of economic and social development in this huge area..." (11). Eight months later it appeared that the same "huge area" was still being disrupted by Somali guerrilla activities, for in new, "anti-shifta" measures introduced in July 1966, provisions for the concentration and administrative



control of all pastoral peoples in the NFD affected the Districts of Marsabit, Isiolo, Lamu and Tana River, as well as the whole of the North Eastern Region.

A further indication of the degree of disruption caused by the guerrilla activities in the NFD was the size and nature of the guerrilla groups reported in action, and the number of casualties claimed by both sides (though the latter figures must be used with caution owing to the inflated claims used for propaganda purposes), and the general conditions of conflict in the area. The latter, involving the guerrillas' virtually instant ability to change into civilian herdsmen, led almost inevitably to the security forces' failure to distinguish between guerrilla bands and pastoralists protecting their herds. At one point in a House of Representatives debate over an alleged massacre by security forces, the whole issue turned on whether those attacked by security patrols had been "shifta" or merely "Somalis" going about their lawful business. An observer is forced to the conclusion that on many occasions it must have been impossible for the security forces to distinguish the two, especially if stock rustling and raiding continued to be carried on by rival clan groups (12).

However, most of the evidence available tends to point in the same direction, and to lead to the conclusion that the size and level of armament of the guerrilla groups continued to increase throughout the four year period of unrest. This probably became increasingly the case as normal nomadic life became impossible as a result of guerrilla activity and Kenyan security measures, and previously indifferent pastoralists were actively forced to take sides. By the end of 1966 and the beginning of 1967, larger and larger groups of guerrillas

were being reported by Kenyan security forces, and in September 1966 one group of over 150 had been engaged. Similarly, the number of casualties from major engagements began to increase (13), especially from the spring of 1966, and claims of such figures as 35 or 42 "shifta" killed after a single engagement began to be fairly common.

A further indication of the comparative success of the guerrillas are the counter-measures which the Kenyan authorities were forced to take in order to combat Somali activities. These measures increased in scope and severity as the emergency proceeded, a sure sign that they were failing to have the desired effect, and that the security forces were not being sufficiently successful in coping with an enemy which appears to have possessed at least the tacit approval of a large proportion of the population of the areas in which it operated in its struggle against the alien administration of "down country" Africans.

There can be small doubt that the costs caused by the mounting campaign of violence and destruction within the NFD were high, and became higher, both in terms of the disruption of normal life and in terms of the costs of maintaining some form of security and stability. Economically speaking, the NFD had always been a burden on the rest of Kenya, even during the most peaceful and comparatively productive years of colonial rule; the costs of administration and what slight development took place had always outweighed any revenue that could be collected. Similarly, livestock exports to other regions in Kenya may have been vital to the inhabitants of the NFD, but were of marginal importance to the agricultural production of the colony as a whole. Now, with the costs of

administration and law and order soaring, the imbalance between the administrative costs of the NFD and the economic benefits from the area became even more marked. With the emergency in full swing in both Eastern and North Eastern Regions, it became difficult to collect taxes, especially as these depended, to a large extent, upon regular auctions of stock, purchased by the Government from the pastoralists. With the restrictions on movement imposed by the authorities, it was impossible for the Somali and Galla herdsmen to move their beasts south, either to the holding grounds and auction centres, or to the slaughterhouses and processing plants in Mombassa and central Kenya. The result was that few or no sales were held during the period of the emergency, so that there was little ready cash available to pay taxes, imposts and cesses. An indication of this decline in revenue available to the administration is the figure for Graduated Personal Tax collected in Isiolo County for the three years 1965-67. This district lay at the extreme south west of the old NFD, and thus, according to the Kenya theory that the "shifta" raids mainly came from across the border with Somalia, should have been little affected by the emergency. However, taxes collected in 1965 amounted to 137,561 shillings, those in 1966 increased to 191,778 shillings, but those in 1967 only amounted to 34,451 shillings. This drop, according to the Kenyan Minister for Local Government, Mr Sagini, was mainly... "attributable to the shifta menace..." (14). A similar story could be told for the other affected Districts.

However, the costs of guerrilla activity and consequent disruption of normal patterns of life were not solely born by the Kenyan authorities or their agents. In many cases,

the actions of the guerrillas and the counter actions of the Kenyan security forces adversely affected other groupings within the NFD, who thus had to pay the cost of Somali strategy. The Samburu, for example found that they and their herds had been driven further and further west by "shifta" raids which the security forces had been unable to contain or deter. Those in Wamba Division found themselves "... too congested in one third of the Division and about half the people ... have moved into Maralal Division because there is too much overstocking and not enough grazing ...". The result of this congestion because of "shifta" activity was that in the former inhabited areas there was good pasture and water "... now lying idle, with no proper security arrangements against the prevalent shifta menace..." (15). The effects of such situations, and they must have been numerous in many areas, on the inhabitants' attitudes towards the "shifta" is not difficult to imagine, and though it is probable that their hostility was directed also towards the Government for failing to protect them (or to allow them to protect themselves), one result of such costs falling heavily on non-Somali groups within the NFD must have been to increase their resentment against the Somalis, and against the latter's demands for secession.

Although, at times, the Somali strategy of making continued Kenyan administration in the NFD a costly business fell on others apart from the Kenyan Government, there can be little doubt that the trend of the direct costs on the Kenyan authorities was generally upwards throughout the emergency. However, the efforts inspired actively or tacitly by the Somali Government naturally brought about strong reactions from

the Kenyan Government. These actions, in turn, imposed a burden of counter costs upon the Somalis so that the price paid was by no means unambiguously one sided. However, as noted above, these costs imposed by the Kenyans on the Somalis were not evenly distributed, and fell mainly upon the guerrillas and their active or passive supporters within the NFD. As far as the Somali Government was concerned, the price they had to pay for continuing the strategy of coercion within the NFD was minimal, even if the ultimate goal of self determination was not immediately achieved. These costs may be summarised as:

- a) Costs of Kenyan counteraction at the international level: (dealt with in the previous Chapter).
- b) Direct military costs of training and supplying the guerrilla bands, and setting up refuges, bases and supply lines inside Somalia. This could not have imposed an unbearable strain upon even the limited Somali military capacity, even if the Kenyan estimate of the level of direct military assistance is taken as accurate.
- c) Costs of military action by the Somali army itself, either (i) to pose a potential "back-up" threat or "bargaining counter" with Kenya should the guerrilla campaign not succeed, (ii) to counter any Kenyan military action intended to coerce the Somali Government into abandoning its support of the NFD guerrillas, or (iii) to counter any Kenyan attempt to pursue the "shifita" into Somalia with a view to destroying their base camps. (In actual fact, the Somali armed forces seem likely to have taken direct part in the NFD conflict on only two occasions in February and March 1967, when the Kenyans

claimed that mortar shells were fired at Mandera, and when the Mandera airstrip came under fire. A newspaper article at this time also reported that the local Somali D.C. had stated that there were no Somali troops stationed in the actual border area (16), the actual boundary being patrolled by Somali Police, so that any immediate use of the Somali army in the NFD was apparently not contemplated.)

- d) Costs in the creation of hostile attitudes among other tribal groups within the NFD through the side effects of operations against security forces, and the general disruption of normal patterns of behaviour.
- e) Costs caused by potential Kenyan counter action inside Somalia. It is usually possible in any situation where guerrilla activity is being used to coerce a set of political authorities, for those authorities to employ similar tactics, provided that they can set up links with dissident groups within the political community of the coercing government. (For example, the US use of the hill tribes against the Pathet Lao in Laos.) This particular strategy was not one that was open to the Kenyan Government, however.
- f) The costs of successful Kenyan counter claims. In any situation where a demand for redistribution is being put forward by one party, it is always open to this opposing party to reverse the process, abandon its own stand in defence of the existing distribution of values, and employ the counter-strategy of making a different redistribution claim in its own favour. This option was open to the Kenyan Government in the NFD dispute, for, as the Kenyan delegate to the OAU Foreign Ministers Meeting at Dar-es-

Salaam in February 1964 pointed out, the Kenyans also had claims to Jubaland, ceded to Italian Somalia in 1925, which were at least as legitimate as the Somali claims to the NFD. However, the Kenyans effectively closed this option for themselves by their adherence to the sanctity of the existing boundaries in Africa (though the suggestion of such a claim as a counter-strategy was made in a KANU policy statement issued from party headquarters in May 1966), and such a public, oft repeated commitment prevented them from pursuing this policy which, had it proved successful, would potentially have imposed heavy costs on the Somali Government, or negated their own claims.

It need not be stressed by this stage that the three Somali governments of the period 1963 to October 1967 were forced to contend with few of these potential costs. It seems almost axiomatic that, in this type of guerrilla conflict, where one set of political authorities is trying to coerce another through its support or manipulation of an indigenous "liberation" movement, most of the immediate costs of the conflict will be borne by those directly involved in the violence. The external "patron" will be able to cause the maximum amount of damage to the opposing party while suffering the minimum of loss (though the effectiveness of this strategy in achieving the patron's own goals even when they coincide with those of the client faction, is another matter). This general rule for "proxy" conflicts only holds good, however, if the party being coerced by this strategy of subversion and guerrilla attack refrains from directing costly sanctions at the patron government rather than the client faction. Direct counter measures may be taken (i) at the guerrilla bases

in the patron's "safe" area (for example, Israeli airstrikes at Al Fatah bases in Jordan, or punitive raids on similar camps in the Lebanon in the period 1968-70), or (ii) at other targets within the patron's own jurisdictional area, thus causing him direct loss for continuing to support the guerrilla movement (the United States' bombing of North Vietnamese industry and economic infrastructure).

Neither of these two options was adopted by the Kenyan Government during the course of the dispute, however. Neither reprisals nor direct military sanctions were seriously considered, so the direct costs of the campaign in the NFD to the Somali Government remained comparatively low. The effects of the bulk of Kenyan counter measures fell directly upon the guerrillas and upon the inhabitants of the NFD.

(A) Kenyan Strategy in the NFD

For the Kenyan Government there were two possible ways to frustrate the perceived goals and strategies of the Somali Government over the NFD and maintain their desired status quo. The first, dealt with in Chapter III, was by applying negative sanctions directly to the Somali Republic; the second was by making the guerrilla operations within the NFD too costly and too unsuccessful. Within the NFD itself, Kenyan strategy possessed two further elements. One was to offer positive inducements to the Somali clans to abandon any thoughts of secession, and accept final membership of the Kenyan political community. The other was to enforce negative sanctions upon those who persisted in their refusal to abandon their secessionist aspirations, and who insisted upon using violence to disrupt the normal pattern of life and administration within the area.



As the conflict evolved, other intermediate objectives arose, and Kenyan strategies had to be modified to meet new demands, including the need to provide security for the administration and the inhabitants, as well as the purely tactical problem of seeking out and destroying the guerrillas before, as it was initially assumed, they had a chance to retreat over the Somali border to safety. These important, but nevertheless secondary, strategies frequently adversely affected the pursuit of the long term goals of persuading the NFD Somalis that the benefits of becoming part of the Kenyan political system would be high, while the utility of (i) continuing the fruitless struggle for self determination and secession, or even (ii) actually gaining their ultimate goal of union with the Somali Republic, would both be very low (17). Similarly, by their acts and declarations, the Kenyan political authorities had also to persuade their guerrilla opponents, both leadership and rank and file, that in the face of Kenyan determination and capability, the likelihood of gaining their goals was - and would remain - very low.

In summary, then, Kenyan strategy in the NFD was one aimed at frustrating the actions of the Somali guerrillas intended to force the Kenyan political authorities to grant self determination, and at making these actions too costly to be continued. The strategy was three-pronged, consisting of simultaneously employed tactics of (i) offering positive inducements, (ii) deterrence, and (iii) defence.

One result of the Government's defensive reactions against the guerrilla campaign was that, as many of the counter strategies were often ill-conceived or unplanned, they had

serious and disruptive side effects on the lives of the NFD inhabitants. Thus many defence measures created the additional cost of further alienating groups of people in the region who before had been either pro-Kenyan or, at least, indifferent. It is likely that many security measures tended to be introduced without adequate consideration or specialised knowledge of the area. Speaking, for example, of the plan to concentrate all pastoralists in special areas where they could be "protected by Kenyan security forces", the Kenyan Member for Wajir (South), Mr A.A. Ogle, complained that "... those who express satisfaction over this action by the government are greatly mistaken. They must understand that the Ministers very rarely visit the NFD and have little knowledge of the NFD... It should not be thought that the methods used to put down Mau Mau can be used to eliminate the shifta..." (18).

In reply, the Kenyan authorities argued that their main problem was always one of identification - of distinguishing between Somali pastoralists going about their business, and gangs of "shifta" - and that this plan for concentration, and other measures mentioned below, helped them in this problem. However, it seems likely that this and many other of the security measures adopted had the side effect of turning many "Somalis" into "shifta", and were thus self defeating. The problems faced by the Kenyan Government appear again to be inherent in the nature of guerrilla warfare, and few political incumbents appear to have developed a satisfactory strategy for dealing with them.

(i) Positive Sanctions

The main positive strategy of the Kenyan Government in the MFD was one of offering inducements to its inhabitants to persuade them to accept Kenyan administration and eventual integration. Apart from the fact that the exigencies of the security situation tended to interfere with this policy of winning over the people by showing them the actual and potential benefits of remaining Kenyan citizens, the authorities in Nairobi from the beginning operated under a serious handicap in their policy of winning allegiance. Kelman (19) has demonstrated that there are two fundamental methods of developing individual loyalty to a political system. One is through that system itself being the symbol of the aspirations of the national group, so that the individual members of the group feel that, through their membership of that national group, they are also members of the representative political system and owe it loyalty. Such people are thus affectively committed to the national political system because it is perceived as representing them, and the system is thus legitimised and supported because of its coincidence with the national group. The alternative method of developing commitment to a political system is an instrumental rather than an affective one. Individuals feel no sense of loyalty or commitment to the state because it represents them or their communal group. Instead, they are prepared to support that system because it provides them with rewards of material goods, status, or security and because of other demands which it fulfils. Continued support, active or passive, is thus conditional upon the individual's continued approval of the manner in which the political system allocates rewards among

its various groupings, which may receive no affective rewards from membership of the system. Once the feeling of satisfaction over reward allocation is lost (for example, should the system fail to provide the law and order necessary for the security of its citizens), then the individual's feelings of loyalty and commitment are likely to be withdrawn, and if this happens in a sufficient number of individuals, anything from mass emigration to a secessionist movement may occur.

In the case of the inhabitants of the NFD, the Kenyan political authorities were given no choice about the kinds of rewards they could offer in exchange for a commitment to the Kenyan political system. It was evident from the very beginning of Kenyan independence that the Somalis' affective commitment lay outside the Kenyan political system, with their kinsmen and co-religionists in the Somali Republic (20). The Kenyan Government, therefore, was forced to appeal to the economic and social self-interest of the NFD Somalis, and try to create a widespread sense of commitment through emphasizing the concrete benefits they could enjoy by virtue of their membership of the Kenyan political system. Unfortunately, as the Kenyans were quick to point out in the propaganda broadcasts aimed at the NFD, the area had been sadly neglected under British administration, and "development" had been almost non-existent. From the very start, then, the Kenyan Government was forced to refer to future benefits that they intended to bring to the area, rather than to those already enjoyed by the inhabitants as a result of Kenyan Government action.

Ministerial statements and press conferences therefore hammered away at the argument that the Kenyan Government could provide immense benefits for the people of the NFD, if only

they were permitted to do so. However, a constant theme in this strategy of wooing the NFD secessionists away from their aims, was that the Government was being prevented from doing all it wished by the activities of a few extremists who were unwilling to accept what the Government was offering. In effect, therefore, the situation always tended to remain one of exchanging promises of potential welfare benefits for present loyalty and law and order (21). As problems of defence and security against the guerrillas became more and more acute, the Government began to use the effects of "shifta" activity as a weapon to divide the NFD inhabitants, arguing that the Government had been prevented from fulfilling their beneficent plans for the Region solely because of the "shifta" violence. It followed, went the official argument, that the people on whom the costs of the secessionist campaign were truly falling, and who were being hurt the most by the guerrilla activity, were those who would have received and enjoyed the benefits of Government sponsored welfare and development schemes. The Kenyan case was that the true costs of the conflict were being borne by the NFD people, who were being forced to pay in foregone opportunities.

The Kenyan authorities used a number of arguments to back up this case, and try to drive a wedge between those who might lose these proffered advantages and those who wished to continue to pursue the elusive goal of self determination or secession. One of the more curious was that "potential investors" were being frightened off by the guerrilla campaign (22). However, the two most common official arguments were: (i) that the inhabitants of the NFD were being harmed indirectly by the "shifta" because money that should have been

spent on development was being diverted to pay for security operations, and (ii) they were being doubly harmed as development projects were being held up, or simply not begun, because of the sheer physical disruption of normal life in the Region, especially regional transport and communications.

In a confused and decentralised struggle of the guerrilla type, it is always difficult to decide whether attacks on government development projects (or even attacks which have the indirect effect of slowing down or preventing work on such projects) are merely an automatic part of the guerrilla campaign of disruption, or are a consciously planned counter-strategy to prevent the success of a government policy of creating regional loyalty through economic development and channelling benefits to a previously alienated population. Whatever the conscious intention, the result is usually the same; the curtailment of the government's development policy, and the frustration of its plans to buy loyalty with material benefits. In the NFD conflict, the fact that the Kenyan Government had no "capital" of past achievement on which to draw, meant that the authorities in Nairobi were having to rely upon promises of future actions based upon present declarations of intention, rather than upon a record of accomplished improvement. This made their strategy an easy one to discredit by using the argument that, once resistance had ceased and aspirations for secession had been abandoned, there was a strong likelihood that the promised benefits would not arrive. This line of argument was adopted in propaganda broadcasts from Mogadishu, and the argument made more telling by reference to the Kenyan abandonment, throughout 1964-5, of the principle of regional autonomy. This may have ~~been~~

been necessary for administrative efficiency but had an adverse effect on expectations of future Government trustworthiness.

(ii) Deterrence and Defence

The other side of the Kenyan Government strategy within the NFD contained both a defence and a deterrent factor, though these were often so intermingled and complementary that it is difficult to distinguish them, even analytically. The deterrent strategy may be said to involve the goal of making the use of violence by the guerrillas too costly to continue, by the threat or use of punishment. The defence component of the policy involved ensuring that the guerrilla attacks failed in their objective, so that the "shifta" experienced as little success as possible.

The measures outlined in the initial proclamation of a "State of Emergency" in the NFD demonstrate the complementary manner in which defensive and deterrent factors operated in Kenya Government strategy. This attempted to deter local cooperation with the "shifta" (who were, at this stage, perceived as alien invaders from Somalia), by putting sanctions on such behaviour. People suspected of assisting the guerrilla groups in any way could be detained by the authorities. At the same time, it attempted to make the defensive task of the security forces simpler by establishing a five mile wide "prohibited zone" along the Kenya-Somalia border, excluding the townships of El Wak and Mandera. This action, said Mr Kenyatta, in a speech in the House of Representatives supporting the declaration of the state of emergency for the area, "... is intended to head off the source of the trouble by providing the security forces with the powers they need to

deprive the shifta of the surprise of attack...". Two years later, under new regulations brought in to counteract guerrilla successes, this prohibited zone was extended to a depth of 15 miles, and all human habitation forbidden in an effort to facilitate intensive patrolling and to stop infiltration (23).

The deterrent strand in Kenyan strategy continued both explicitly and tacitly throughout the following four years, aimed mainly at the actual "shifta" groups themselves, but also, increasingly, at actual or potential "shifta" supporters. Much tacit deterrence was directed at the mass of the Somali population in the NFD, most of whom were suspected, with some justice, of giving aid to the "shifta". Such deterrence was exemplified by the security measures, such as individual registration and general control of movement, which were also designed to prevent this aid and assistance being provided (24). More explicit provisions were aimed at the guerrillas themselves, and sanctions for terrorist activity and eventually for direct or indirect assistance for such activity, were made progressively more severe. In February 1964 (25), a regulation was published to the effect that any person found in the five mile prohibited zone who failed even to stop when challenged by security forces, was liable to six months imprisonment, while the same regulations gave the police powers to arrest on suspicion and without a warrant. Even stricter regulations were put into force in September 1964, with the powers of arbitrary arrest and search previously applicable only to the prohibited zone being applied to the whole of the North Eastern Region, plus the Districts of Isiolo and Marsabit in the Eastern Region, and Tana River and Lamu



Districts further south in the Coast Region. In addition, no person was to be allowed into the prohibited zone without permission (which seems to indicate that the Somalis had been ignoring the prohibition up to that time) and failure to obtain permission could lead to a fine of £500 or two years imprisonment - or both. Police were given permission to use firearms to effect "lawful" arrests (which, given the new regulations governing lack of necessity for a warrant, covered a wide range of behaviour), while officers in the security forces could order the destruction of any building if this was considered necessary for public safety and the building was abandoned or belonged to any person acting in a manner "... prejudicial to public safety ...". Furthermore, anyone arrested could be detained for 28 days without a charge being brought, and after that for a further 28 days on an order made by the Regional Commissioner of Police (26). This growth of emergency security regulations during 1964 ended with further extensions of these last provisions in October, when legislation permitting the detention of any person in the North Eastern Region, "if it was necessary for the preservation of public security" was passed through the National Assembly together with provisions for setting up and administering detention camps (27).

The necessity for these increasingly stringent sanctions and security measures during 1964 appears to indicate that the Kenyan Government was finding that its initial measures were inadequate to stem the rising tide of guerrilla activity, and it was felt that increasingly severe measures were called for as a counter to this lawlessness in the north east. The comparative decline in the intensity of the "shifta" campaign

in 1965 may be indicated by the lack of any new deterrent moves on the part of the authorities in Nairobi, but the stepping up of the guerrilla campaign again in 1966 must have made the old security regulations passed in 1964 seem inadequate in view of the increase in guerrilla attacks and their use of explosives to blow up bridges and to mine the roads. Hence, new measures were announced on 8 July 1966 and included the provisions for severing trade and all other contacts with Somalia mentioned in Chapter III. However, the main effect of the new regulations was directed internally, at the NFD. The prohibited border zone was extended to a depth of fifteen miles, while all tribesmen of Somali clans within the NFD as well as in other parts of Kenya had to report to registration centres for registration and the issue of pass-books for identity. This move, said a Nairobi Radio commentary on the new measures, would provide evidence that all people who registered were Kenyan citizens, and that they had renounced all loyalty to any other country. "... The Government will then be in a position to protect its own citizens and will not harbour any non-citizens who remain in Kenya for the purpose of subversion and espionage..." (28).

The final measure was the most revolutionary. The Government ordered that all tribes living in the North East Region and in the Districts of Isiolo, Marsabit, Lamu and Tana River would be required to give up their customary nomadic movements and to live in specified manyattas (nomadic homes or camps) under the control of the local administration and the security forces. This regulation was calculated to cause maximum disruption to the normal life of the NFD, and probably had the result of finally turning more of the area's inhabitants

violently against the Kenyan Government than any other single action. Ostensibly, the reason for the move was to give maximum protection to these tribes "... whose lives had been constantly threatened by shifta attacks, terrorism, looting and arson..." (29), but the underlying purpose seems to have been to isolate the guerrillas from the rest of the inhabitants who would no longer be able to supply them with shelter, food, water and other support that the "shifta" had a right to expect from their kinsmen. It was a strategy the British had used in the closing stages of the Boer War, and, in Mao-tse-tung's phraseology, it was an attempt to remove the sea in which the guerrilla fish were swimming. However, discussion of this policy of "villagisation" must be left until a later section.

By the end of the summer of 1966 it appeared to the Kenyan Government that even these new measures were not having the desired effect, and a new set of security regulations was signed by President Kenyatta at the beginning of September in a final effort to provide an adequate deterrent to both guerrilla activity and to aid in carrying out this activity. The provisions consisted of three main measures: (i) an automatic death penalty for anyone found guilty of carrying arms, ammunition or explosives in the North Eastern Region without authority, and for anyone consorting with such a person in circumstances endangering security; (ii) mandatory life imprisonment for anyone harbouring or consorting with people who might be a danger to security; and (iii) wider powers of entry and search for security forces, with permission to "shoot to kill" in certain (unspecified) circumstances (30). The severity of these measures,

particularly that dealing with harbouring persons who might be a danger to security, indicates the scale of the guerrillas' campaign of 1966, the concern they were causing to the Kenyan authorities, and the degree of help they continued to receive from the inhabitants at large. Nor were the punishments threatened by the new measures intended to act as the deterrent themselves. Action was taken on them during late 1966 and 1967, and three men were sentenced to death under the security regulations in April 1967, on the grounds that they had been caught by security forces "... consorting with an armed person ...". This was a far cry from the early days of 1964 when Senator Mathenge could ensure hon. members of the Senate that "... No shifta has been executed as a result of being found in possession of illegal firearms... It is not an offence for which capital punishment may be inflicted... (31).

While the formal regulations approved in Nairobi provided the general framework for Kenya's policy of deterrence in the NFD, there was still a great deal of latitude left for local administrators at the provincial and district level to implement schemes of their own in order to deter the local inhabitants from joining or aiding the "shifta". Rewards of 500 shillings were offered for reports that led to the discovery of mines in the Eastern Region, for example. However, most of the local moves took the form of imposing some form of negative sanction for active aid to the guerrillas, or such passive assistance as failing to inform the authorities of local "shifta" activities that, in the eyes of those authorities, must have been known by at least some of the local inhabitants. Many of these measures were aimed at the local inhabitants, and often took the form of collective punishment for failing

to warn security forces of shifta actions. For example a ruling of the Provincial Commissioner in the North Eastern Region, made in April 1967, imposed a sanction on the residents of any area in which a vehicle was blown up by a land mine (32); the whole area would, in future, said Mr Mburu, have to pay for the vehicle, plus compensation to the personnel.

A more traditional form of collective punishment, and one which had been practised extensively under colonial rule, was the seizure and sale of cattle and other livestock as a punishment for clan or community misdeeds. This practice continued on an increased scale as the level of violence rose in the NFD, and the definition of illegal acts expanded to cover a wide range of behaviour. The seizure of cattle was particularly evident when the security forces felt that the local inhabitants had been aiding the "shifta" or failing to supply them with information. The rationale behind this form of collective punishment was initially that it worked as a deterrent, apart from the fact that it was a customary form of punishment under the old Special Districts (Administration) Act.

A final deterrent element in Kenyan Government policy was the behaviour of the security forces as they attempted to cope with the guerrilla attacks, for this obviously impinged both upon the guerrillas and upon the general population of the NFD, who, to the army, police and General Service Units, were usually indistinguishable from the "shifta" whether the latter were, in fact, aiding the guerrillas or not. Hence, the actions of the security forces units were often based upon the not unjustified assumption that they were in hostile territory, amid a population that was at best unsympathetic

and at worst actively working against them. Furthermore, it was a population within which it was virtually impossible to distinguish neutral from hostile, and where professions of friendship and offers of support and help could be trusted as much as protestations of sobriety from a confirmed alcoholic. In such an atmosphere, it would have been hardly surprising if the actions of the security forces increasingly began to bear little relation to the formal powers they had been given by the legislation passed in distant Nairobi, and that much of their violence began to be directed against a population that was formally civilian, but which was perceived as being totally hostile, largely alien, and potentially very dangerous. The effect was to present a further implicit negative sanction upon the people of the NFD, through the assumption that the uncontrolled violence and attacks on civilians by security forces, as well as the "normal" security actions in pursuit of destroying the guerrillas and defending the area, would continue and might even grow worse if the population did not help to bring the emergency to an end and make it possible for the troops to be withdrawn, through themselves refusing to aid the "shifta" and instead assisting the security forces to the best of their power. In brief, the implicit argument ran that life was being made unpleasant by both the official and the spontaneously violent actions of the troops, and this unpleasantness would continue until local support for the "shifta" ceased and the latter were defeated.

The most telling actions in support of this implicit argument were often those which took place as a result of the wide powers given to the security forces and their resultant abuse of those powers under the pressures of the fear of shifta attack and the temptations provided by the

perception that the NFD population were all part of a hostile, semi-alien conspiracy, and could all be treated as actual or potential enemies. Hence, there was no need for the forces to be particular in their behaviour towards the Somalis. This attitude was exemplified by the behaviour of the security forces when one of their vehicles was mined one mile outside Garissa in May 1967 and they were led to believe that those responsible were taking refuge inside the town. The response of the security forces was to put all the inhabitants of Garissa into an open camp for "screening", where, it was alleged, they were kept for "an inordinate length of time", while some of their number were beaten up and their property looted. (This accusation was made in the House of Representatives by Mr Ahmed (33), who stated that he had actually flown up to Garissa and witnessed the behaviour of the security forces with his own eyes.) There was enough truth in the complaints brought by NFD MPs to worry the authorities in Nairobi, and a Government spokesman stated that a C.I.D. team had been ordered to investigate the complaints and take legal action against anybody who could be proved to have committed an offence.

On other occasions, however, Government spokesmen expressed irritation about local MPs efforts to bring complaints about the conduct of the security forces, and the fact that they were maltreating "loyal Somalis". On one occasion, such accusations were dismissed as "quite ridiculous" by Dr Mungai, who stated that it helped nobody "... when politicians shout aimlessly and pointlessly, accusing the security forces without any basis whatsoever..." (34). However, as the evidence accumulated, it became apparent that the story in Nairobi often

did not tally with the actual events in the North Eastern Region, and that the behaviour of security forces often went beyond the bounds set by the regulations passed in the capital. The Somali Government, for its part, had no hesitation in claiming that the Kenyan security forces were using the emergency powers granted them in the NFD "... with the clearest possible disregard of elementary human rights...".

While one need not accept all the charges of genocide and killing advanced by the Somali Government, there can be no doubt that, on many occasions, the security forces tended to behave much as they chose, while on other occasions they found it expedient or even a useful method of releasing tension, fear and frustration, to shoot first and ask questions afterwards. Accusations of this type of behaviour appeared to be levelled mainly at the police General Service Units, the most feared and hated of Government security forces. It was the GSU who were accused of shooting eight "... innocent, loyal citizens of this Republic..." in a mosque at Isolo during March 1967, and even the explanation of the event given by Vice-President Moi paints a picture of the GSU becoming intensely trigger happy when under a high degree of tension; those who were shot failed to stop when challenged "... but ran away and wanted to hide in the mosque...". Other charges were levelled at the GSU over the period of the emergency, including looting, rape, beatings of Somali men and women, and indiscriminate slaughter of livestock and their herdsmen.

With incidents such as this, there can be little doubt about the attitudes of the NFD people to the security forces who were there, ostensibly, to protect them from the menaces of the "shifta". For their part, the security forces must



have felt like an occupying army, surrounded by an enemy they could not distinguish from the remainder of a passively hostile population. Again, the whole problem for the security forces came around to the one of identity: how could one tell a Somali from a "shifita"? In the end, it should not be surprising that the security forces often gave up any effort to make the distinction, or at least assumed that somebody was a "shifita" or potential guerrilla until he had conclusively proved otherwise.

(iii) Defence and Security

Though the presence of security forces and the distinct possibility of their violent behaviour (plus their heightening of the probability that any guerrilla action would be detected and punished) might have acted as an implicit deterrent to the Somali population of the NFD, the chief function of these forces was the frustration of the "shifita" efforts to impose costs on the Kenyan political authorities.

The basic problem for the security forces was to ensure that guerrilla efforts were frustrated when they were launched, or, alternatively, that the activities of the security forces hampered the pre-attack stages of proposed guerrilla actions, so that they could not take place. In terms of tactics, this meant that some form of defence had to be provided for both static points and for moving targets in the NFD, so that the guerrillas would realise that the chances of a successful attack without high casualties would be low. Secondly, defensive strategy implied that efforts had to be made to remove the chances of a guerrilla strike at source, by removing the guerrillas themselves or at least hampering their freedom

of action through the use of offensive, search and destroy patrols, or through the strict control of all movement in the area. In this way, guerrilla groups would find it impossible to move into an attacking position, or, if they did move, would be easy for the security forces to identify.

Part of the original pattern of static defence was the institution of the five (later fifteen) mile prohibited zone along the Somali border, and for a time much of the Kenyan defence effort was posited on the assumption that, if a reasonably impenetrable defensive zone could be established between the Somali border and the rest of the NFD, then "shifta" activities would be curtailed almost to nothing (35). However, it became clear at an early stage that other types of static defence were needed, and a process of constructing defensive perimeters around key points, and later around whole towns and settlements, began. Police posts were fortified, and troops and GSU began to be posted into towns and barracked in public buildings. Around the towns defence perimeters were constructed, consisting in most cases of a wire fence that could be patrolled at night and which would help to keep "shifta" out, and potential "shifta" sympathisers in. Later, more permanent and impenetrable defence arrangements were made for certain towns that had proved to be subject to "shifta" raids, or particularly active in giving refuge and assistance to local guerrillas. Not all these defence works seem to have been put up in the best possible circumstances and there were frequent protests from MPs of the towns involved that the local inhabitants were being forced to pay for, or work on, these defence measures, when they neither wanted them, nor had the time or money to spend on them.

Whatever the origins, or the economics, of these defence perimeters, there can be little doubt about the adverse effect they had upon the normal movement of people into and out of towns, and of the disruption that they added to the overall disintegration of economic life in the area. All towns in the north east of Kenya were trading centres for the nomadic population, who depended upon them for essential supplies. The Kenya Government's measures in enclosing them within a defensive perimeter with only one entrance and a zone which was forbidden to Somalis after dusk, meant that pastoralists attempting to enter the main centres for supplies had to wait and queue, obtain permits and passes, and eventually, if they were lucky, enter one of the fenced-off towns and obtain their supplies. The whole procedure and its disruptive effects, was described eloquently in the House of Representatives in February 1966 by Mr Ogle, the Member for Wajir -

"... Now, Sir, in order that these people can go from one place to another, they have to get a permit. They are required first of all to produce their poll tax receipt, secondly, they are required to produce their identity card, and thirdly, Sir, he is required to get a pass which is provided at the gate. This is because all the townships are surrounded with barbed wire, and are heavily fenced in and there is only one way in which one may get into the township. The gate is guarded by policemen and they check on the people going through. Once you have been able to produce all the required documents, all the people are put into a long queue, which may amount to 700 people a day, but, Sir, the number of cards which are being given may perhaps amount to 150 a day, which means that out of 700 people waiting to go inside only 150 can get in, which means that they are forced to form a very long queue day after day in order that they can get into the township and get their requirements...

... there is also an area where people are not allowed to go at night otherwise if they are caught they are shot, and many people have been shot because they have been desperate and tried to get into the township, and if they have come into that... five

miles radius, then they have been shot because they are not allowed there after dark...  
 ... a person can wait three days or even a week waiting to get into that township, but once he has obtained permission to go into the township, he is only allowed to take one pound of sugar..." (36).

As with many other moves by the security forces, often forced on them by the logic of attempting to combat a guerrilla war in a semi-hostile environment, this policy of keeping people out of towns, and of screening those who wished to enter, resulted in an even higher level of general hostility towards the security forces and towards their political masters in Nairobi. Unfortunately, given the large area these forces had to police, and the scarcity of manpower in police and military (in spite of helpful suggestions from the National Assembly for sending a heterogeneous collection of "aides" up to help the regular forces, ranging from the ex-Mau Mau, through KANU Youth Wingers to the Masai moran), some such concentration on key points was essential. Other, less important points had to be left comparatively unprotected, save for irregular patrols. The fact that security forces were stretched "thin on the ground" meant that they could not offer any consistent protection to the largely nomadic population of the area, and that their sporadic visits to herds and manyattas were really only likely to encourage "shifta" reprisals on those pastoralists they would suspect of aiding the police and soldiers. As one of the Members from Samburu mentioned in a debate on "shifta" raids, when a Minister had commented that the area was being well policed:

"... I want the Minister to think whether about 100 policemen in the district are enough to protect the people in an area of almost 10,000 square miles. That, Sir, shows that there is about one policeman every 1000 square miles. How can one policeman be enough to cover an area of 1000 square miles in such a district where communications are so difficult...?" (37)

Eventually, one result of the lack of numbers in the security forces was that the Government should accede to pressure from the non-Somali inhabitants of the area, and establish "Home Guard" units to offer some further form of defence for static targets, as well as releasing security forces for roving patrols and the defence of more mobile targets from potential guerrilla attacks. The first intimation that the Government had given in to the considerable local agitation (38) for the establishment of "Home Guard" units came in June 1965, when it was announced in the Senate that the matter had been placed in the hands of regional authorities by the National Security Council which had approved, in principle, the establishment of 200 "Special Police" or "Kenya Police Reserve Officers" in the Marsabit and Isiolo Districts (39). The decision was hailed as a wise one by the East African Standard, which pointed out that the men to enrolled "... will know their home areas intimately, and can be expected to give useful and stout hearted service...", and which expressed the hope that similar arrangements could be made for districts in the Eastern and Coast Regions, where the inhabitants were likewise "... exposed to danger." (40) However, the Government appeared to have embarked on the establishment of Home Guard units with great reluctance, and was in no particular hurry to extent the scheme. For one thing, there was the obvious difficulty that Home Guard units in the North Eastern Region might become filled with the very people that they were supposed to be guarding the area against, so that the Government would end up with a locally recruited defence force consisting mainly of "shifita" sympathisers. This fact was obviously behind the Government's steadfast

refusal to establish a Home Guard unit at Isiolo, and when pressed again about this matter as late as March 1967, Mr Moi stated that it was not considered that the time was ripe for such a unit to be established there "... If the inhabitants have the loyalty to Kenya which is necessary to enable the Government confidently to enrol them as part of the security forces," declared the Vice-President, "then they must first show this loyalty by bringing information of shifta movement in their areas..." (41).

One of the obvious problems from the Government's point of view stemmed from the fact that if they supplied weapons to their home guard (whom they obviously, and with some justice, felt were unreliable), this would have two undesirable effects. The first would be to put arms in the hands of people who might be "shifta" sympathisers, and thus, inadvertently provide the guerrillas with another source of weapons or armed recruits. (The Government had had many cases in the early days of the emergency of Somali members of the security forces, both army and police, defecting with the weapons and equipment.) This problem was obviously in Mr Moi's mind when he commented in the House of Representatives that if "... we happen to give firearms to an unreliable person, he could well be the more dangerous than if he had no arms..." (42). The second undesirable result would have been to increase the number of weapons in an area where it was the Government's policy to keep the number of firearms available as few as possible - or at least, those firearms not safely in the hands of Government security forces. This was again the continuation of a policy begun under colonial administration, and it was summarized by Senator Mathenge's declaration to the Senate that

".. The policy of the Government is not to arm tribesmen in order to fight, but to disarm them in order to prevent them from fighting. It is an illegal act to possess a firearm or any other arm specified within the laws of Kenya for the purpose of aggression..." (43). In pursuit of this policy of general and complete disarmament in the NFD, the Government was not merely wary about supplying untrustworthy Home Guard units with firearms. As already noted, it attempted to persuade the Ethiopian Government to disarm the tribes on the Ethiopian side of the common border, thus cutting off this source of weapons. Furthermore, even in the early stages of the conflict, the Kenyan Government tended to look with disfavour on individual applications for firearms for "defensive purposes".

If the problem of safeguarding static targets such as towns, trading centres, wells, and manyattas from "shifta" attacks proved difficult for the security forces, the same was true, to an even greater degree, for such potential targets as stock routes, roving herds and moving encampments. It was, of course, essential that the latter should be protected if the "normal" economic life of the area was to continue, and the guerrilla objective of disrupting government administration in the NFD was to be frustrated. This was particularly the case with the cattle trade. As the East African Standard commented at the beginning of the period of the emergency, "... The economy of the North Eastern Region hinges on the livestock trade, and the fact that it has been revived is regarded as being of considerable political importance. If the shifta had been successful in bringing this trade to a halt it would have stopped the influx of money into the region,

with a consequent damaging effect to the morale of its people..." (44). This report followed a successful attempt by the Kenyan army to "convoy" a cattle drive through Isiolo down to the canneries and holding grounds, during which 5,000 head were moved along the vulnerable stock routes. However, by the end of the emergency, a different picture had emerged, showing the comparative difficulty of moving anything about the NFD, let alone large numbers of cattle for market. The extent of the disruption caused by the guerrillas was, perhaps, unwittingly, revealed by Dr Mungai in his New Year's message to the armed forces, in which he said that "... The Government in Mogadishu can take pride in the fact that most of the Somali dukas in the area are empty because there are no trade goods as the lorries will not risk the mines. They can also rejoice that Kenya Somalis cannot get to and from hospitals, schools and mosques..." (45).

In the period between the optimistic statement of the newspaper, and the pessimistic picture painted by the Minister, the security forces in the area had obviously attempted, but failed, to maintain the normal movement of people and herds within and out of the NFD. In part, the breakdown was the result of the defensive measures taken by the security forces themselves, and in many ways the two objectives of providing maximum security while at the same time maintaining normal economic conditions throughout the area were mutually incompatible.

Whatever the reasons for the breakdowns in the livestock trade, as well as in the general economic structure of the NFD, whether it was the effect of "shifta" raids, the more rapid spread of diseases through the difficulties of obtaining rapid



veterinary attention, or the consequences of Government restrictions on movement and eventual policy of "villagisation", nobody denied the eventual results: that the export of livestock from the NFD to the rest of Kenya had dropped to less than a fifth of its pre-emergency total. In this sense, the guerrilla campaign was most effective, and the efforts of the hard pressed security forces proved, in the end, to be inadequate to maintain the economic life of the NFD at its customary level. However, once again the direct costs of this "success", if indeed it could be counted a success in the light of the guerrillas' own goals, were borne mainly by the people in the NFD (46), and not by the political authorities in Nairobi, who only felt the pressure spasmodically and indirectly through the comparative failure of their counter measures, the loss in time and effort of the security forces, and the frustration of their own goals for the NFD.

(iv) Control of Movement

The final set of tactics available to the Kenyan security forces was to attempt to prevent guerrilla attacks before they could be prepared or organised. This preventive strategy could be conducted, firstly by removing potential guerrillas and their leaders from the area, rather as the British had removed African nationalists from central Kenya to remote areas (such as the NFD); and, secondly, by hampering the guerrilla freedom of action by restricting movement throughout the whole area. The strategy of arresting and removing potential trouble makers had been used in the NFD from the start of the conflict, and many leading personalities in the militant sections of the NPPPP had found themselves detained by the Government even before the first "shifta" operations

had taken place. However, the strategy was institutionalised at the end of 1964, when the National Assembly passed legislation authorising "... the detention of any person in the North-Eastern Region, if it is necessary for the preservation of public security..." (47). It is difficult even to estimate the number of people from the NFD detained under these regulations, but it appears to have been considerable, judging by the number of questions asked about the detention camps in the Kenyan National Assembly. In reply to a Parliamentary question, Mr Moi declined "for reasons of security..." to reveal the number of people in detention to the House of Representatives, and this refusal was made as late as April 1968, six months after the emergency had officially ended. Furthermore, the Minister declined to state when the Government intended to release these detainees, but merely stated that the time was not opportune at that point. The cases, said the Minister, were "under constant review..." and the detainees would be released when it was considered appropriate (48).

The whole strategy of attempting to control movement within the NFD was a complex and far reaching one, affecting local areas as well as the whole region. It involved such measures as temporary or permanent curfews after dark; restricted entry into urban areas and trading posts; control of movement between District and District; the registration of the local inhabitants and attempts to control their movements by a series of passes and permits additional to those originally instituted by the British for people wishing to pass into and out of the NFD; and the final, comprehensive measures attempting to restrict movement by concentrating pastoralists in central "villages", and limiting the movements of their stock.

In addition to these measures designed to prevent all movements in the total area within a certain time span, other security regulations attempted to control movement within and between selected areas. An initial step in this process was to attempt to register all the inhabitants of the various Districts in the area of their respective District, and then to issue them with identity papers which the security forces could check to see whether their carriers were moving outside their designated areas. Efforts to carry out such a policy of registration were confronted with the intractable situation of a vast area and a wandering population, and appear, at first, to have been sporadic (49). However, the process of registration gathered momentum in mid-1966, with the introduction of severer security measures to combat increased "shifita" activity. On 29 June all members of a large number of tribes "... of Somali origin..." in Lamu, Tana River, Isiolo and Marsabit Districts, as well as the whole of the North Eastern Province, were ordered to report for registration before 31 July, or risk prosecution (50). Even this fresh initiative did not appear to have been immediately successful, however, for in May 1967 the D.C. at Wajir was having to remind all residents in his District who had not yet registered themselves under "the new orders" to do so without fail, so that the government registration team could move from Wajir to the outstations as soon as possible (51).

The final set of security measures which administered the coup de grace to the livestock trade as well as finally clamping down on the nomads' remaining freedom of movement and demanding radical change in their way of life, was the introduction of the policy of "villagisation" by the Government

in the summer of 1966. This policy may be seen as the final stage in a long process by which the pastoralists' freedom of movement had been gradually curtailed with the objective of facilitating the task of the security forces in protecting herds and their owners, and also the task of identifying the guerrillas and differentiating them from "normal" pastoralists. The strategy of concentrating nomadic communities in settled areas for better policing was not based upon any new idea. At the very beginning of the emergency, the suggestion had been made in the Senate by Senator Tsalwa that "... all the people in the North Eastern Region who are suspected of causing this unnecessary trouble should be collected together and kept in one place so that we do not have any more movement of people whom we do not know..." (52). A similar suggestion was made in the House of Representatives during a debate in June 1965. However, the actual Government decision to carry out a policy of concentration and settlement could not have been made until 1966, when the intensified guerrilla campaign began to rise to a crescendo of minings and demolition attacks.

The initiation of the new "villagisation" policy was announced publicly by President Kenyatta on 8 July 1966. In the whole of the North Eastern Province, as well as the Districts of Isiolo, Marsabit, Tana River and Lamu, tribesmen would have to live in designated and permanent manyattas. This policy, declared the President, was designed to give maximum protection to a people who had been constantly threatened by "shifta" attacks, violence, terrorism, arson and lootings. At the same time, tribesmen would have to register, while those wanting to travel in future on lawful business would be able to obtain travel passes. These measures would

create conditions which would help police operations (53). The official Government "line" on the villagisation policy was, therefore, at this stage, that it was intended as a protective measure for the inhabitants of the NFD. However, another justification for the policy soon began to be heard, though it was never given as much prominence as the one emphasizing the defensive aspects. This was the argument that development would be easier if it was accompanied by the concentration of a nomadic population. These two justifications may be seen underlying a Nairobi Radio commentary of 7 July, which attempted to put the best possible interpretation upon the initiation of the policy by pointing out that the Government did not intend "... to force anybody to settle in a place he does not like... The villages are simply villages and not concentration camps..." (54). The broadcast continued on a note of optimistic naivete that: "... the people will live a good life if they are stopped from roaming; they will cooperate and will benefit from each other if they are put in villages. They will get not only peace but economic progress... people can work together better when they are together, and this is better than roaming about and working alone...".

The immediate reactions within the NFD itself are difficult to judge in detail, but fairly definite in outline. A Mogadishu Radio report of 5 July stated that many NFD Somalis had fled with their stock over the Kenyan-Somali border, as they realised that their livestock would be exterminated if the order to concentrate and settle was obeyed (55).

Another indication of the effects of these new measures came through the reaction of the official political represent-

atives of the nomadic population of the NFD, whom the Somali guerrillas would undoubtedly have classed as traitors for their collaboration with the Kenyan authorities. One MP, Ahmad Abdi Ogle, Member for Wajir (S), delivered a violent attack upon the new measures over Nairobi Radio, three days after they had been formally announced by the President. Protesting that none of the local Members had been consulted prior to the Government's decision to concentrate the nomads in camps, Mr Ogle went on to say that the whole concept of "villagisation" was impossible, and that MPs from the NFD had subsequently told the Government this.

"... Circumstances force the people to move because of the lack of rain - there are no rivers and not enough water wells. The people are therefore forced to roam in search of grazing and water for their livestock...

... I have heard that the people of Wajir District are to be grouped in camps at Tarbaj, Girisu and Habaswein. We know that the Habaswein stream has dried up, and there are no water wells or tanks. All the Ogaden tribesmen have been told to gather and live there... Tarbaj has no wells or streams... All the Degodia tribesmen are also to live there. In our opinion, this proposal is unsatisfactory, because the Government should have thought of water supplies for the people at least..." (56).

However, Ogle argued, the correct response for the NFD pastoralists was to wait and negotiate over the camps, not to flee to Somalia or Ethiopia; discussions with the Government in distant Nairobi were continuing (57).

Whatever the nature of these "discussions" there is little evidence that they resulted in any major change in the Government's intentions, or any postponement of the declared policy of villagisation. Government spokesmen at all levels kept to the arguments that the policy was intended to offer protection to the nomads and to accelerate development by concentration of effort. Thus, the Mandera D.C. stated

publicly at the beginning of December that the main reason for the villagisation policy was to develop the forgotten areas of the North Eastern Province (58), while the Attorney General stated a few days later in the House of Representatives that the Government's action was intended to "... protect the people of those areas against the hostile activities of the Shifta. The Security Forces have hitherto found it difficult to protect the innocent population in scattered manyattas against the Shifta and, to facilitate effective security operations against the Shifta, the Government decided to make the people live in specified manyattas, where their protection would be easier..." (59). Finally, the Minister of Defence made a formal statement in the National Assembly to the effect that:

"... about five months ago we started villagisation, and now these people have been collected into villages. We realise that they are nomadic people, but it is not that we would like to punish them. We would like to deny the Shifta the chance of their going to these places and terrorising loyal Somalis; we are doing this for the security of loyal Somalis because the money the Shifta were getting when they terrorized these people, the food, water supply and the milk, all this will be denied to them..." (60).

In other words, the Government had been virtually driven to this policy of concentration and ultimate "villagisation" by its inability to cope satisfactorily with the guerrilla menace in any other way. Dr Mungai must have realised, however, the effects of such a scheme upon the nomads in the NFD, in spite of the fact that it was later claimed at a joint press conference involving both himself and Mr Moi that, far from the "village" scheme being forced upon the people of the north east, 80% of the people had "agreed" to live in the "villages" designated by the Government. The villages, it was stated, were necessary

so that maximum protection would be provided, and so that people could have access to clinics, nurseries and schools (61). Such arguments about the benefits to be gained from living in "villages" were not accepted by politicians who came from the area, however. In one comment upon the effects of this final set of security measures introduced during 1966, Mr Ogle, speaking in the House of Representatives, stated that:

"... some of the measures that are being taken by the present Government bear comparison with those that were taken by the Colonial Government during the time of the Mau Mau..." (62).

It seems likely that, while actual implementation of the "villagisation" policy was slow, the difficulties of putting into effect the details of the policy became more evident as the movement towards concentration reached its conclusion. For one thing, there can have been only a limited amount of grazing in the immediate vicinity of the permanent encampments, so that some relaxation of the strict rule regarding non-movement of stock must have been imperative. That this was done is evidenced by an announcement by the North Eastern Provincial Commissioner in June 1967, at the expiry of President Kenyatta's amnesty, that all grazing permits would be abolished at the end of that month, and that anyone found outside one mile radius of his village would be regarded as "shifta". Later, this announcement was modified with the extension of the amnesty, and the P.C. warned that the continued validity of grazing permits in the North Eastern Region would depend very much upon the nomads' success in persuading their shifta relations to surrender (63). Similarly, the difficulties of actually keeping the "villages" supplied with necessary commodities for their continued viability as units supporting large numbers of



nomadic peoples were obviously considerable, and there are some indications that Kenyan administrative organisations were inadequate to cope with the problems of feeding and providing water and amenities for such large numbers. In April 1967, it was revealed that the D.C. for Wajir, in his Report for the first two months of that year, had stated that milk - a major part of the nomads' staple diet - was diminishing owing to drought, and that famine relief food continued to be supplied by the authorities. However, food supplies were also reported to be short, owing to the difficulty of road movement brought about by guerrilla activity (64). Later in the year, Nairobi Radio stated that Government officials were continuing to transport foodstuffs to the needy of Wajir and Mandera Districts so that the problem of food supplies in the new "villages" had obviously not been solved (65).

There can be very little doubt that the effects of the Kenyan decision to embark upon a policy of concentration of the NFD's nomadic population into "villages" on permanent sites were far-reaching<sup>and</sup> adverse for the local population. The Government was attempting, at short notice and with inadequate resources, to break up a complete pattern of social and economic life over an incredibly short time. In spite of claims by the Ministry of Health in Nairobi that medical services in the new "villages" were more than adequate, thanks to the efforts of mobile health teams (66), and from the Ministry of Agriculture to the effect that marketing facilities continued to be satisfactory, it is difficult to imagine that such a major disruption of nomadic life - even allowing for the significant disruption caused previously by the guerrilla struggle - could have been anything short of disastrous for the nomads, whose well-being

had been based upon delicately maintained balance between water, grazing and stock mobility. Reports of declining conditions of stock through lack of water and grazing around the new villages were accompanied by complaints that the concentration of stock in small areas made the transmission of disease much simpler, so that outbreaks soon assumed epidemic proportions, especially in view of the lack of veterinary facilities. The overall effect of the villagisation policy on the livestock industry in the north east was almost completely negative, and there was some justice in the enquiry made in February 1967 by an MP from the North Eastern Region: "... could (the Minister for Lands and Settlement) tell us what the Government has done for the people who have been villagised, since their source of livelihood has almost been eliminated...?"

The other seriously adverse effect of "villagisation" was that inflicted upon the nomads themselves, who, apart from losing the freedom of movement to which they had been accustomed, found themselves facing concentration, in large numbers, in places where there were inadequate provisions to sustain even their customary simple standard of living. Occasional public indications of the hardships faced by the nomads concentrated in their encampments may have been exaggerated in order to arouse sympathy, but there can be little doubt that great hardship did exist. For example, the Eastern Provincial Council Member for Isiolo, Mr Guya Wasa, stated in October 1966 that the coming of villagisation to his own district had brought nothing less than famine. Many people were suffering from this, claimed Mr Wasa, and many more would soon be on the verge of starvation (67). Other indications mentioned above seem to show that hardships within the "villages" continued during 1967,

and the strong desire (expressed after the signing of the Arusha Memorandum and the informal ending of the dispute) to leave the villages and resume a normal nomadic life, is also an indicator of the dislike of the encampments among the nomads (68).

The hardships caused by the sudden and hastily prepared adoption of the policy by the Kenyan authorities seem, therefore, undeniable, and once again the costs to the Kenyan Government in the final, thorough alienation of all the Somali inhabitants of the NFD were probably high. The ultimate effects of the villagisation policy tended to negate completely any of the other Kenyan efforts to underline the potential material benefits of remaining a Kenyan citizen. The bitter views of the then Somali Foreign Minister, Mr Sheygo, probably reflect not merely the public attitude of the Somali Government, but also the feelings of the bulk of the nomadic people of the NFD themselves:

"... The so-called policy of re-settlement, which the Government of Kenya is attempting to introduce throughout this nomadic region, is a euphemism for a policy of systematic de-population. It involves the compulsory herding of nomads and their livestock into centres of homicide, shaming dignity and life, and without the basic necessities for sustaining life. The result: misery, hunger and death..." (69).

It seems unlikely that the main objective of the Kenya Government's policy was, in fact, systematic de-population, even though this may have been an ultimate effect of the process of villagisation unforeseen by the authorities in Nairobi who were confronted with the immediate necessity of finding some way of countering the increasingly costly guerrilla campaign in the north east. It seems that the Kenyan Government did make some rather belated efforts to alleviate the problems it had itself created in disrupting a complete social and economic

system based on stock mobility and pastoralism. In September 1967, over one year after the villagisation scheme had been initiated, it was announced publicly that the Government had allocated special funds to assist villagisation schemes in the north east, including £55,000 to improve housing conditions in the new villages. However, given the complexity of the resettlement task, any subsequent efforts made by the Kenyan Government were bound to be insufficient for the tribesmen affected, and the end result was such that, at least as regards effects as opposed to intentions, there may be some justification in Sir Gerald Reece's characterisation of Kenya Government policy towards the tribes in the NFD:

"... the impression given in Somalia is that the Kenya Government's 'final solution' of the problem is the extermination of the tribespeople..." (70).

#### Footnotes to Chapter IV

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1. Publicly, the Somali Government always denied anything beyond verbal support and moral encouragement and approval for the NFD guerrillas in their "liberation struggle". As late as March 1967, Radio Mogadishu was broadcasting official Somali Government denials that they were giving material support to the NFD Somalis. In supporting the NFD freedom fighters "... The Somali Republic does not give them arms or assist them in other ways..." said a statement of 1 March, in reply to Kenyan charges that the guerrillas were receiving arms, training and other forms of logistic support.  
Report broadcast over Radio Mogadishu, 1 March 1967.
2. Statement given to the press in Nairobi by Warsame Ilaye, one of those who claimed to have been present at this meeting and who had subsequently become a guerrilla leader in the field before surrendering under President Kenyatta's amnesty at the end of 1964. Ilaye's statement was made at the behest of the Kenyan Government, and so must be treated with caution, but there is other evidence to the effect that some such meeting did take place at this period,

and his account has a ring of plausibility to it. Report in the East African Standard, 20 January 1965.

3. The official Kenya version of the origins of Somali support for the "shifta" contains an account of a meeting in October 1963 between a chief of the Gurre, Mohammed Jarri, and Captain Abdullahi Mohammed of the "Somali Special Branch" at Bur Hache camp in Somalia. There the chief was told "... that the Somalia Government was prepared to give weapons and money and to provide military training for young men of the MFD..." See Kenya-Somalia Relations. op. cit. p. 12.
4. A report in Kenya-Somalia Relations claims that the Somalia Government had attempted to control the level of guerrilla activity in 1964 as part of its overall strategy against Kenya. One of the "shifta" who surrendered in June of that year reported that the Somali Governor of Upper Juba Province had instructed the guerrilla leaders "... that attacks on El Wak, Mandera and Dolo should be discontinued during the period of the forthcoming OAU meeting...". It would be interesting to find out whether the Governor's statement had been couched in the form of an instruction or a request, or something in between the two! See Kenya-Somalia Relations, op. cit. p. 25.
5. Report of the press conference held by Warsame Ilaye in Nairobi following his surrender to Government forces. East African Standard, 20 January 1966.
6. According to E.A. Bayne, "... it seemed as if the Prime Minister's own frustrations at the intransigence of Kenya had reached a breaking point and short of an outright and indubitably disastrous war with Kenya, the guerrilla activity would be pressed to the utmost in 1966...". See "Chiaroscuro on the Horn", op. cit. p. 8.
7. By this time, many "shifta" weapons captured by Kenyan security forces were of Czech or Egyptian origin, which was adduced by the Kenyans to be additional evidence that these weapons were supplied by Mogadishu. However, Bayne, while noting that it was privately admitted in Mogadishu that the Government was supplying arms and training to the "shifta", remarks that this evidence was somewhat suspect, "... since arms have been a trade of coastal Arabs for centuries, and the possession of weapons is a mark of manhood for most people in the area...". Bayne, *ibid*, p. 8.
8. At the same time/as an article on the guerrilla camps appeared in the East African Standard (1 February 1967) a five page feature article on the MFD guerrilla struggle appeared in Drum magazine, showing pictures of both the "desert fighters" and the High Command. Drum remarked that such shots, taken on the Somali side of the border, "... show the truth of Kenya's claim that the shifta operate from the security of Somalia soil...", while the whole article meant that, for the Somali Government, "... turning a blind eye to shifta comings and goings across its border can no longer be disputed...". However, there remained the doubt that,

while the passive connivance of the Somali Government could not be disputed, its actual close control of the NFD guerrilla movement was much more difficult to establish.

9. The report, again from another guerrilla who surrendered to the Kenyan security forces at the end of March 1967, stated that, towards the middle of March, "... 1,000 shifta had paraded at the Lugh training centre. They presented a petition saying that if Somalia was not prepared to attack Kenya openly, then the Somali Government should hold discussions with the Kenya Government peacefully, so that all shifta could go back to their homes. When General Syat arrived, the shifta were angry and Somalia Police were called to control them. There was a fight in which two Somalia Police and one shifta were killed, and six shifta were arrested and taken to Mogadishu ...".  
See: Kenya-Somalia Relations, op. cit. p. 60.
10. Report in the East African Standard, 26 August 1964.
11. Kenya National Assembly Debates (House of Representatives), Vol. VII Col. 12. The President's address marked the opening of the third session of the Kenyan parliament, and the inauguration of a new parliament building in Nairobi. (2 November 1965).
12. On one occasion, two suspected shifta were found in the five mile prohibited zone near the Somali border and were shot dead when they failed to obey a security force's order to stop. When examined, they turned out to be two Merille tribesmen engaged in smuggling sugar into Somalia. See the report in the East African Standard, Tuesday, 6 October 1964 p. 1.
13. See figures given in Appendix 1.
14. Minister's reply to an oral question from Mr H Wario, Member for Isiolo, 11 March 1968. Kenya National Assembly Debates. (House of Representatives) Reports Vol. XIV col. 464.
15. The remarks were made by Mr Lenayiarra, Member for Samburu East, in an adjournment debate on the continued "shifta" attacks on the Samburu District. See Kenya National Assembly Debates (House of Representatives) Reports. Vol. XII (2) 1967, col. 1842.
16. The article on the guerrilla camps in Somalia contained in the East African Standard, 1 February 1967.
17. Commenting on the potential benefits that the NFD Somalis might obtain from joining Somalia, President Kenyatta asked: "... How can a poor and dry country like Somalia, which is unable to provide its own people with the day to day requirements of a person, be able to make you better off than you are already, despite their interference with Kenya's development plans?..." The President's

conclusion was that Somalia had misled people with false promises that they would be well off in the Republic. See the report of the President's speech extending the amnesty for a further fifteen days beyond 30 June 1967, Nairobi Radio broadcast. (BBC Monitoring Reports ME/2497/E/4).

The attempt to exchange the value of economic development and a higher standard of living for the values of national independence and self determination is a constant theme in Kenyan attempts to persuade the Somalis to abandon the use of violence in the NFD. It was unsuccessful strategy, and it seems a curious one to be employed by a group of men who had recently been faced with a similar choice with regard to the continuance of colonial rule.

18. Mr Ogle's broadcast on 11 July 1966. (BBC Monitoring Reports ME/2211/E/7-8). Early in the dispute, there were frequent accusations in the Kenyan National Assembly that no Minister had ever visited the NFD, and while this could no longer be true by the summer of 1966 (many visits had been paid by junior Ministers, and by such people directly concerned with the "shifta" problem as Dr Mungai and Mr Kurumbi) it is unlikely that any Minister was able to obtain any detailed or first hand information about the life and attitudes of the NFD people in view of the length of their visits and the nature of the security problem.
19. Herbert C. Kelman: "Patterns of Personal Involvement in the National System". Chapter 26 in James J. Rosenau (ed.) International Politics and Foreign Policy (2nd edn.) New York: Free Press, 1969.
20. Some members of the Kenyan Government were obviously keenly aware of the necessity for trying to create this sense of involvement in and commitment to the idea of the Kenyan polity. Mr Mboya, the Minister for Economic Affairs, addressing a meeting in Lamu District, emphasized that the Somali people living in Kenya should "... identify themselves with the aspirations of the Kenyan people, and should not consider themselves foreigners..." (Report on Nairobi Radio, 14 February 1966). However, the Minister gave no clue as to how this feeling of identity was to be achieved.
21. Again, there is the problem of which sections of the Somali community in the NFD would have benefited most - or at all - from the Kenyan Government's actions; and the related problem, which does not appear to have occurred to the political leaders in Nairobi, of whether the offered benefits would be regarded as having a high worth - or even as benefits - in the light of alien Somali value systems.
22. Speeches made by the Minister for Home Affairs at public barazas in Wajir and Garissa during July 1964. Quoted in Kenya-Somalia Relations, op. cit. p. 26.

23. Nothing could reveal more clearly than these initial measures the basic Kenyan assumption that the guerrilla attacks were launched from across the Somali border, so that, if this could successfully be sealed off, the attacks within the IED would cease. Apart from assisting security forces in their task of policing the border, these initial measures must also have been intended to assist them in separating pastoralists from genuine "shifta" (i.e. anyone in the prohibited zone must be a guerrilla and could be treated accordingly). However, the effects of imposing such a barrier to free transit across an area where nomads had been used to free movement in search of pasture and water may be imagined. It seems likely that many of those nomads that were actually aware of the new regulations ignored them initially.
24. The implicit argument underlying these measures being that if the Somali population really wished to see conditions return to "normal", they would cooperate with the Government, and cease aiding the shifta; if the present measures failed to evoke such a cooperative response, worse could inevitably follow.
25. Report of the new security regulations in the East African Standard, Wednesday, 5 February 1964, p. 1.
26. The regulations brought out under the Preservation of Public Security Act (1963) were reviewed in the East African Standard, Wednesday, 2 September 1964, p. 1. The provisions for arrest without a warrant now extended to any persons committing an offence against security regulations, or any person "... abetting, harbouring, feeding or associating with such persons...". A few days later the authorities in Nairobi announced that rewards would be paid for information that led to the capture of guerrillas, or the discovery of illegal arms. East African Standard, Saturday, 26 September 1964.
27. Report in the East African Standard, 15 October 1964.
28. Broadcast over Nairobi Radio, 8 July 1966 (BBC Monitoring Report ME/2209/B/5).
29. Ibid.
30. Report of the new emergency measures contained in the East African Standard, 8 September 1966.
31. For Senator Mathenge's reply, see Kenya National Assembly Debates (Senate) Reports Vol. III(1) col. 585.
32. Report of the P.C.s baraza held at Garissa in the East African Standard, Monday 19th April 1967, p. 6.
33. See the question brought by Mr Ahmed, Member for Garissa (Central) on 6 June 1967. Kenya National Assembly (House of Representatives Reports) Vol. XIII(1) cols. 571-4.



34. The Minister's reaction is reported in the East African Standard, Wednesday, 20th April 1966, p. 8. The accusations were brought at a press conference held by Mr A R Khalif, the Member for Wajir (N), to announce his resignation from KANU and to attack the Government and security forces for "atrocious crimes against Somalis: hence the Minister may be forgiven some of the sharpness of his response.
35. As mentioned in Section (ii), this assumption was posited on the further assumption that the main source of the "shifta" attacks lay inside Somalia. This initial belief is reflected clearly in Government statements in the early months of the dispute. Senator Mathenge, for example, told the Senate during the debate on the declaration of the state of emergency in the north east, that "... Figures in the Government's possession show that about 2,000 shifta have been based mainly in Somalia, and about 700 are now operating within the North Eastern Region...". Kenya National Assembly Debates (Senate Report) Vol. II (2) col. 8.
36. Mr Ogle went on to compare the NFD to "... the Berlin Wall, the Nazi concentration camps and the day in Sharpville, and therefore I think that the Minister for Tourism should be told about this as it is almost like a human zoo. A friend of mine, Sir, wrote me a letter from Rhodesia the other day, and he told me how Africans were living under the White minority Government, and when I compare their situation with that of the North Eastern Region I find that the Africans in Rhodesia are better off than we are here...". See Kenya National Assembly Debates (House of Representatives Reports), Vol. VIII cols. 1213-4, 18 February 1966.
37. See Mr Lenayiarra's comments in the debate on guerrilla attacks on the Samburu in Wamba Division; 5 July 1967. Kenya National Assembly Debates (House of Representatives Reports) Vol. XII (2) cols 1841-2.
38. One of the first suggestions for the official formation of local defence forces was made in March 1964 by Senator Gikunju, who said: "... it is high time ... that the Government realised that this situation in the Northern Frontier District cannot be controlled by even increasing the military forces, it is for the Government to employ home guards to work together with the military forces, police and all these forces. It is high time the Government employed Home guards, Pokomo, loyal Somalis..." Kenya National Assembly Debates (Senate Reports) Vol. II (2) col. 368.
39. Senator Mathenge's reply in the Senate on 24 June 1964. Kenya National Assembly Debates (Senate Reports) Vol. III (1) col. 208.
40. Editorial in the East African Standard, Thursday, 25 June 1964, p. 4.

41. Debate on the provision of a Home Guard unit for Isiolo, 21 March 1967. Kenya National Assembly Debates (House of Representatives Reports), Vol. XI cols. 1341-2.
42. See Kenyan National Assembly Debates (House of Representatives Reports), Vol. XI, col. 1342, 21 March 1967.
43. Senator Mathenge's answer to a question raised in the Senate, 7 April 1965. Kenya National Assembly Debates (Senate Reports) Vol. IV (1) col. 571.
44. Report in the East African Standard: "Kenya Scores in 'Nerve War' against Shifta", Saturday, 28 March 1964.
45. Report of the Minister's message in the East African Standard, Monday, 2 January 1967, p. 5.
46. The effects of guerrilla activities in reducing the efficiency of local veterinary services was noted in the debate mentioned above by Mr Lawi, when speaking about the way in which the increase in livestock diseases had led to the restriction of cattle movements and the impossibility of holding stock auctions:  
 "... in the past - I know this through experience - veterinary officers who were posted to Isiolo and used to go round the old Northern Frontier District also bought stock for the Kenya Meat Commission... Today I do not even see veterinary scouts going around to see to the wellbeing of animals...".  
 See Kenya National Assembly Debates (House of Representatives Reports) Vol. XII (2) op. cit.
47. The effects of the passing of the Public Security (North Eastern Region) (Detention Camps) Regulations 1964 were reviewed in the East African Standard, Thursday, 15 October 1964, p. 1.
48. Mr Moi's written answer to a question from Mr Wario, Member for Isiolo(S). Kenya National Assembly Debates (House of Representatives Reports), Vol. XIV 19 April 1968, col. 2248.
49. In November 1965 a question from Senator Galgallo revealed that all males over the age of 16 in Isiolo and Marsabit Districts had been required since 17 August 1965 to report for registration and receive a Kenya identity card (Kenya Gazette Notice No. 3051). However, the process of both registration and issue must have been very slow. Up to the time of the Senator's question only 1,490 people had presented themselves for registration, while non-possession of an identity card was being used as an excuse for arrest by security forces: "... most of the Rendille, Doran and Somalis who have been arrested during operations by our security forces have in most cases not been found in possession of an identity pass." (Presumably the same registration provisions applied to the North Eastern Province also.) Kenya National Assembly Debates (Senate Reports) Vol. VI col. 384, 18 November 1965.

50. Announcement on Nairobi Radio on 1 July 1966 (BBC Monitoring Reports ME/2205/E/4) and the report of President Kenyatta's announcement in the East African Standard, 9 July 1966.
51. Report in the East African Standard, Tuesday, 30 May 1967 p. 6. Apparently, the registration team had only reached Wajir some three weeks before the D.C.'s appeal, so that it seems that Government measures to enforce registration regulations were proceeding very slowly in the more remote areas.
52. Senate debate on the extension of the state of emergency in the North East Region. Kenya National Assembly Debates (Senate Reports) Vol. II (2) col. 87, 28 February, 1964.
53. Report in the East African Standard, 9 July 1966. There had been earlier intimations of the imminence of such a policy. On 5 July, Radio Mogadishu reported that the D.C. at Mandera had begun setting up three camps within which it was proposed to confine all the local people and their stock. Anyone found outside these camps was threatened with shooting. The Somali report continued that the elders of the clans affected had protested, but were immediately put in jail. See the Radio Mogadishu broadcast of 5 July 1966. (BBC Monitoring Report ME/2206/B/4.)
54. Nairobi Radio broadcast of 7 July 1966 (BBC Monitoring Reports ME/2208/B/5.) This remark seemed to miss the point that, for nomadic pastoralists, the fact of settlement is objectionable rather than the exact location.
55. Umar Muhammed Addeh, one of the "leaders" of the NFD Liberation Movement", claimed over Radio Mogadishu that "... The Kenyan Government has prepared camps in which to keep people and livestock, and has ordered every person to obtain a pass book... Houses have been burned and people have fled to the Somali Republic. Many people were killed during the confusion. Between 60,000 and 70,000 persons fled from Kenyatta into the Somali Republic...". (BBC Monitoring Reports ME/2218/B/2.)
56. The comparative lack of considered planning and preparation for implementing the Government's villagisation decision was commented on frequently in the National Assembly: "... there are so many measures that are taken by the Government that will never help the people in that province as the nation as a whole. One of them is villagisation, the impounding of all the nomads in villages. Mr Speaker, Sir, the Government did not even take into consideration, the fact that in some of the centres where the people were asked to live, there was not even water..."  
Comment by Mr Ogle during the debate on the Presidential address, 23 February 1967. Kenya National Assembly Debates (House of Representatives Reports) Vol. XI col. 364.

57. Nairobi Radio broadcast in Somali on 11 July 1966 (BBC Monitoring Report ME/2211/B/7.) Later in the same month Senator Galgallo of Marsabit issued a statement which seemed to confirm Mr Ogle's broadcast regarding the suddenness of the Government decision and the effects on the pastoralists of Marsabit and Moyale in the Eastern Region. The policy was described as a "great blow" to the nomads by the Senator, who made the point that it would be almost impossible for many nomads to register before the required date (particularly those who had only recently moved into Ethiopia), "... The government should have consulted local leaders before deciding upon the site of the villages..." declared the Senator, who went on to demand an increase of the number of villages from 3 to 5 and to urge the Government to provide adequate facilities for the sites, such as water supplies, hospitals, clinics and schools. Statement in the East African Standard, Thursday 28th July 1966, p. 5.
58. Report in the East African Standard, Saturday, 3 December 1966, p. 10.
59. Attorney General's reply to Mr Wario's question as to the purpose of the villagisation policy, 15 December 1966. Kenya National Assembly Debates (House of Representatives Reports), Vol. X(2), col. 2829.
60. Dr Mungai's statement in adjournment debate of 1 December 1966. Kenya National Assembly Debates (House of Representatives Reports) Vol. X(2), col. 2301.
61. Report of the press conference in the East African Standard, 25 August 1967. The remaining 20%, said the Vice-President, "... who had refused to live in the villages were mainly shifta who feared they would be captured..." Mr Moi's assumption appeared to be that anyone who refused to enter a village settlement must, by definition, be a shifta.
62. Kenya National Assembly Debates (House of Representatives Reports), Vol. XI, col. 365, 23 February 1967.
63. Reports in the East African Standard for Wednesday, 14 June 1967 and Wednesday, 5 July 1967, p. 12.
64. Report over Nairobi Radio. (BBC Monitoring Reports, ME/2443/B/5.)
65. Nairobi Radio broadcast. (BBC Monitoring Reports ME/2548/B/7.)
66. In reply to an enquiry from Mr Galgallo (Marsabit), the Minister of Health indicated that his Ministry "... has plans to provide the people living in newly built villages with health and medical services... There are mobile health teams which provide health services for this area. Each village will be provided with a dispensary to treat the sick and advise the village people on village sanitation as soon as the Government

provides money which has already been applied for..."  
As this reply was given in July 1967, one year after the initial plan for villagisation, it appears that adequate medical facilities in the new "villages" had yet to materialise.  
Kenya National Assembly Debates (House of Representatives Reports), Vol. XII (2). 13 July 1967.

67. Report in the East African Standard, Saturday, 22 October 1966, p. 7.
68. The Somali desire to revert to normal conditions at once met with little response in Nairobi. As late as March 1968, Members from the MFD were complaining that tribesmen were still confined to their "villages", in spite of public statements by the Minister of Defence after the Arusha agreement to the effect that Somalis were free to move all over the Region.  
See Mr Ogle's complaint in the National Assembly during the debate in the Presidential address, 5 March 1968.  
Kenya National Assembly Debates (House of Representatives Reports), Vol. XIV, col. 380.
69. Statement made by the Foreign Minister, and reported over Radio Mogadishu on 31 August 1967. (EEC Monitoring Reports MB/2559/B/8.)
70. Letter to the "Times", 14 May 1967. Sir Gerald Keece was a District Commissioner in the MFD for many years during the British administration, and is therefore familiar with the social and economic problems of the area.

## Chapter V - Settlement Strategies

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The previous two chapters have dealt with coercive strategies employed in the NFD dispute, in which each party to the conflict attempted to force the other to abandon its goals by imposing unacceptable costs on goal-seeking behaviour. Settlement strategies, in contrast, involve behaviour aimed at reaching some compromise solution to the dispute, one which may not completely fulfil the opposing goals of either party, but which may distribute outcomes in such a way as to ensure that both parties achieve some, if not all, of their own goals. The fact that other goals remain unfulfilled is offset by neither party continuing to suffer the burdens imposed by the behaviour of its opponent, or to pay the overall costs of continuing the conflict. Settlement strategies are usually aimed at a "split the difference" outcome, which, in turn, assumes that the dispute is defined as a constant sum situation, where the gain of one party logically prevent any similar gain by the opponents.

Two basic forms of settlement strategy exist. Those involving the two parties in intensive, usually short-term, face-to-face efforts to negotiate a compromise solution; and those involving some third party in a mediating role, with the functions; (i) of initially bringing the parties together, and subsequently easing communication, and (ii) of suggesting alternative outcomes when no suitable compromises are forthcoming from the parties themselves. This chapter deals with both these settlement strategies as they were used by the two

parties to the dispute over the NFD.

(A) Face-to-Face Negotiation

One process for reaching a settlement in an international dispute is for the representatives of both governmental parties to engage in face-to-face, bilateral bargaining over a negotiating table, and to try to make one another abandon goals in exchange for concessions. This situation is often difficult to arrange. The very fact that both parties are in conflict - and hence do not communicate with one another with any ease - makes it hard even to set up a suitable meeting. Again, a conflict involves an on-going process of action and reaction as both parties try to achieve their respective goals, and at any given point in that process one or both parties may perceive that they are more likely to achieve their ultimate objectives through their chosen coercive strategies than through a process of negotiation. Alternatively, one party may be willing to consider a negotiated settlement, but will only consider negotiation when its own coercive strategies have placed it in a perceived position of superiority vis-a-vis its opponent; that is, the party will only "negotiate from strength". If such is the case, and both parties will only negotiate when they perceive that they have the advantage in the dispute, then negotiation will never take place - unless there is marked and compensatory misperception of relative advantages on the part of one or both of the parties. In general, then, genuine negotiation, in which both parties seek for a compromise settlement of their dispute via concession of some goals, will not take place unless both parties perceive that the costs of continuing their coercive strategies are

becoming too high in terms of resources expended or in terms of alternative goals that they are being forced to sacrifice in other fields.

In the course of the four year conflict over the NFD there were a number of attempts to arrange both formal and informal meetings between representatives of the Kenyan and the Somali Governments, where the exchange of conditional offers and commitments could take place on a bilateral basis. Some of these meetings occurred before Kenya had gained full independence, such as the triangular negotiation in Rome during August 1963 involving Somalia, United Kingdom and Kenyan representatives, the last officially present as "observers". Two party negotiations between Kenyan and Somali representatives commenced after the British abandonment of the NFD problem at the Rome Conference but before the formal achievement of Kenyan independence. During November 1963 the Somali Foreign Minister, Mr Issa, paid a number of visits to Nairobi to confer with Mr Kenyatta, then Prime Minister. The initial visit seems to have been merely an opportunity for an exchange of views, though it cannot be doubted that the Foreign Minister continued to press the matter of self-determination for the NFD Somalis. However, discussions were soon resumed for, on leaving Nairobi, the Somali Foreign Minister had held a press conference at which he had announced the Somali Government's acceptance of £11 million in Soviet military aid, and the development of a Somali army of 20,000 "... for internal security purposes..." (1). From the Kenyan point of view, this new information obviously altered the situation, and necessitated a review of the Somali bargaining position and intention. Further talks between Mr Issa and the Kenyan Prime



Minister were held on November 16th, which must have been inconclusive, for all that was announced once these talks had ended was that the two Governments intended to establish diplomatic relations when Kenya achieved full independence. Still further meetings between the two leaders took place a few days later, but whatever proposals were put forward by the Somalis, the eventual outcome seemed to result in gains for the Kenyans without any apparent compensating losses. The Somalis had apparently abandoned any strategy of threatening to withhold diplomatic recognition from the new Kenyan state, so that when the final series of consultations ended on November 22nd no real change in the attitudes of either party could be found. It was announced that the Somali Government had given an undertaking to stop the hostile propaganda broadcasts over Radio Mogadishu, though Mr Issa maintained that these were not directed against the people of Kenya but against "... British Imperialism in the area...". However, the Somali representative had given no undertakings with regard to the minor guerrilla acts then taking place within the NFD, which were, according to Mr Kenyatta, regarded as hostile acts directed against the Kenyan Government. Mr Issa denied any official knowledge about organised attacks, or about the military training of guerrillas alleged to be taking place inside Somalia. Furthermore, the Somali Foreign Minister also issued a reassuring statement intended to "play down" the nature and significance of the Somali arms build up, saying that the reports of an intention to develop an army of 20,000 men were greatly exaggerated, and the aim was a gradual increase up to 6,000. Mr Issa concluded the press conference with the hopeful sentiment that "... African leaders can always meet together to discuss their differences.."

(1) Pre-Negotiation Manoeuvres

In spite of the belief that a shared consciousness of being African would facilitate future discussions between the two parties to the dispute, the establishment of a framework for such meetings proved to be much more difficult than Mr Issa anticipated at the end of 1963. One problem lay in the fact that diplomatic relations between the two Governments were never formally established. No normal channel of diplomatic communication existed for the duration of the dispute, and while such channels may often be laborious and seldom conducive to a thorough exchange of views and information, their absence does little to help resolve a conflict situation. Opportunities for contact naturally existed at the various conferences and permanent international agencies attended by delegations from both Governments, such as the UN and the OAU. However, both informal discussion and formal negotiation were made progressively more difficult by the increasing violence within the NFD itself, by the rapidly worsening relations between the two Governments after January 1964, by the stand taken by the OAU on the question of respect for ex-colonial boundaries within Africa, and by the problems facing the Kenyans of conducting a complementary policy with the Ethiopian Government, with whom they had concluded a defensive alliance and with whom they were later to pursue a policy of military co-operation for internal security.

These problems were compounded by the Kenyan fear that the very action of discussion or negotiation, or even the acceptance in principle of the idea that these were needed, would put them at a marked disadvantage to the Somalis. For much of the three and a half year period preceding the meetings

culminating in the signing of the Arusha Memorandum, the Kenyan Government followed a policy of avoiding discussion of the dispute, on the grounds that no real conflict of interests between Kenya and Somalia existed, hence negotiations were not merely useless, they were completely meaningless. One could not negotiate about a problem that did not exist. To do so might imply that there was a conflict, and that there might be some justification in Somali claims. The Kenyan argument was that all the violence in the NFD was caused by Somali Government interference in Kenyan internal affairs; once this interference ceased, the violence would end and conditions return to normal. It was obvious, stated Nairobi Radio at the beginning of July, 1966, that "... Kenya cannot hold talks on borders, for it would involve discussing a purely mythical problem...". It is true that the Kenyans did alter this line of argument as the dispute continued and the violence increased, but one of the main obstacles to any useful formal negotiations was the Somalia constant failure to have the Kenyans admit that there was any dispute between the two countries that necessitated such negotiation.

In spite of these obstacles to any real consideration of the dispute, there were a number of occasions on which formal negotiations took place at Governmental level, without any significant success. The first opportunity occurred at the OAU meeting of Heads of States and Governments, held at Cairo in July 1964, where there was an obvious chance to respond to the call, made six months previously by the OAU Council of Ministers at Lagos, to "... open as soon as possible direct negotiations ... with a view to finding a peaceful and lasting solution..." (3).

As events transpired, any changes of real negotiations in this setting were ruined by internal Somali political conflicts. The recently selected Hussein Government in Mogadishu was narrowly defeated on its first vote of confidence three days before the Cairo Conference was due to begin on July 17th, so that Somalia was only represented at Cairo by the Foreign Minister of a caretaker Government asked to remain in office by President Osman. A meeting between Kenyan, Ethiopian and Somali representatives did take place on July 15th (President Osman had, at the suggestion of his resigning Prime Minister, appointed Foreign Minister Duale his personal representative at Cairo, and asked that he might be allowed to address the heads of states). However, this was merely to inform the other Governments that Somalia could not formally continue with the arranged talks, and the only outcome of the meeting was the removal of the problem from the agenda of the main meeting of the conference, and an Aide-Memoire, which agreed that "bilateral talks ... would be resumed in accordance with the Lagos Resolution of the Council of Ministers as soon as it could be arranged, preferably in September 1964..." (4). Cairo Radio later reported Mr Mboya, who had been present at the abortive meeting, as saying that the Kenyan Government was ready to discuss the border dispute as soon as a new Somali Government was formed.

The matter was duly removed from the agenda of the main meeting of the Conference, but later actions by the Assembly did have considerable relevance for the NFD dispute and a profound effect on the attitudes and subsequent behaviour of the parties to that dispute, especially their attitudes towards the OAU itself. During the Conference, the Assembly passed a

"General Resolution on Border Disputes in Africa", with a final paragraph stating that the Assembly solemnly declared that "... all member states pledge themselves to respect the borders existing on their achievement of national independence..." (6). Naturally, this latter provision was unacceptable to the unfortunate Somali delegation, who declared that Somalia was in no way bound by the resolution or its final undertaking. Foreign Minister Duale, when he returned to Mogadishu on July 27th, commented that the Somali delegation had strongly opposed the resolution and had had their dissent noted. The resolution "... in no way affects the Somali issue, nor will it cause harm to the missing Somali lands..." went on the Foreign Minister, and he concluded by stating that the whole subject had, in effect, been left, and that it had been made clear that "... no such resolution was binding upon the Somali Government until the delegations concerned met for talks in September, or at some other future date..." (6). Had the Foreign Minister known of the use which the Kenyan Government was to make of the OAU resolution in painting the Somali Government as lawbreakers and aggressors, he might not have been quite so blithe about the consequences of the resolution.

As events turned out, the OAU Conference at Cairo can hardly be included as an example of face-to-face negotiation between the two Governments concerned over the NFD problem. No formal discussion of the issues actually took place, and no offers or counter offers were made by either party. Subsequent to this abortive meeting, efforts to negotiate a settlement of the dispute became more sporadic and increasingly difficult to arrange, in spite of the formal agreement to indulge in bilateral talks concluded at Cairo, and subsequent encouragement

from the OAU. With the worsening of the situation in the NFD itself, especially during 1966, relations between the two governments became even more strained, evidence of this being the increasing violence of the radio war in which both sides indulged. Contact between representatives of the two Governments became minimal, especially after Kenya had severed all trade and communications in the summer of 1966 (7). Only two other serious attempts to indulge in formal discussions of the issues by bringing the other party to the conference table were made after the Cairo Conference. The first of these took place in December 1965, when a Presidential delegation from both countries met at Arusha under the auspices of President Nyerere of Tanzania. The other opportunity occurred at the Nairobi Conference of East African States, which took place in April 1966, and which provided a chance for the two parties to discuss and negotiate, though this was not the prime reason for the Conference.

Reviewing the offers and counter-offers made at Arusha in 1965 and at Nairobi in 1966, it immediately becomes apparent, with only a cursory glance, that the bargaining ranges of both sides (that is, the spectrum of concessions that both were prepared to make to and demand from one another) never overlapped sufficiently to make any agreement possible. In plain language, the Somalis always demanded far more than the Kenyans were prepared to concede, and themselves were prepared to concede far less than the Kenyans were to demand; and vice versa.

Before going into details of these meetings, it is necessary to comment upon two other strategies associated with preparations for face-to-face negotiations which occur in

many conflict situations involving governments, and which may be looked upon as being both associated with coercive strategies, tacit bargaining and with "making a case", as well as with substantive negotiations. The first of these Ikle (8) has characterised as "negotiating for side effects", while the other may be described as "limiting the bargaining range".

(a) Negotiation for side effects

It has been noted that one possible strategy in an international conflict situation is that of "making a case" to a general or a selected audience, in the hope that: (i) third parties within that audience will be convinced of the justice of one's own goals, and will attempt to influence the opposing party to abandon its pursuit of its own goals, or that; (ii) in the best of circumstances, it will prove possible to force one's own definition of the situation in dispute on the opposing party, in which case the chances of "winning" the dispute increase significantly. In connection with this strategy of "making a case", any party to a conflict may be confronted with the feasible option of arriving at a settlement through negotiation, though the ultimate outcome may be perceived as less satisfactory than any that could be gained through the continued use of coercive strategies. In considering this option, the party will have to take into account the likely effects on third parties of agreement or refusal to negotiate, and the way in which this acceptance or refusal will affect the audience's evaluation of party goals and goal-seeking behaviour. Thus the decision to negotiate or to continue utilizing coercive strategies may be a difficult one to make.

It is true, as Ikle points out (9), that at the beginning of any conflict concerned with the "redistribution" of values, the "offensive" party appears to be the disturber of the peace and the "aggressor" - which, indeed, is the case if "peace" is equated with "status quo". However, as the conflict interaction proceeds, and the level of attendant violent behaviour increases, third party pressure for negotiations to take place will normally increase, as will third party expectations of a willingness to negotiate on the part of the conflicting parties. Basically, this appears to be the result of a generally shared "norm" of international behaviour that negotiation is a "good thing", and that the party refusing to negotiate is deliberately choosing to prolong violent and destructive behaviour in the conflict interaction (10). For this reason, international prestige seems to accrue to the party offering to negotiate the dispute, and considerable discredit attaches to the party which declines to accept an initiative towards negotiation, or to launch one of its own. This generally shared predisposition to support a side offering to begin negotiations is particularly active in redistribution conflicts and can be used as a means of bringing pressure on one's opposing party. The situation often develops in the following fashion. Redistribution conflicts in the international system tend to be asymmetrical as regards negotiations, in the sense that the party defending any given situation (in this case, the Kenyan Government) has no reason to open negotiations; the benefits of such an exchange are perceived as nil, while the costs may be heavy. Furthermore, there is always the danger that, by accepting the idea of negotiations in principle, the defensive side begins



to demolish its own case, which is based upon the fact that no dispute exists (11), only a selfish and aggressive initiative by the opposing party. For the defensive party, the costs of not reaching any compromise agreement through negotiation are zero, for a "no-agreement" solution means a return to the status quo, which has been their objective all along. Again, it appears that most national political authorities like to build up a reputation for refusing to negotiate under any explicit (or even implicit) threat. This stems from a fear that this will affect their opponent's view of their firmness of purpose in any future bargaining between the two countries. (In Ikle's terms, they are concerned with their "bargaining reputation".)

This strategy of refusing to consider negotiation places the defensive side in a dilemma, given the general expectation among the international audience that, once a serious level of violence has been achieved in the conflict, some concessions should be made, and discussions ought to take place. The Kenyan Government found itself in this particular dilemma, where the desire to show flexibility and assist in making its case to the international audience clashed with the desire not to abandon a firm initial stand and thus run the risk of making small concessions or even altering its own image of the status quo to bring it nearer to that of the Somali Government. On the one hand, the Kenyan Government did not want to negotiate with the Somalis over the future of the NFD, which was regarded as settled, even though they did want to persuade their opponents in Mogadishu to stop their aid to the guerrilla fighters; on the other hand, they did not wish to appear unreasonable and unwilling to discuss the violence in the area,

thus losing both prestige and goodwill among the African "audience" at the OAU and other international audiences. Hence, there were numerous Kenyan declarations throughout the latter two years of the dispute to the effect that there was nothing to discuss in relation to territory or borders, but that they were perfectly willing to meet the Somali Government to discuss the establishment of friendly relations and the ending of Somali Government aid to the "shifta". As early as July 1966 Dr Mungai was stating that:

"... The Kenya Government does not recognise that there are any border disputes between Kenya and Somalia, and we are not going to meet Somalia to discuss the border between Kenya and Somalia... But if Somalia is interested in discussing the problem that exists between Kenya and Somalia in terms of good neighbourliness and good relationships, Kenya is quite willing to meet Somalia anywhere and anytime, as I said last week. We are interested - we in Kenya - in maintaining law and order in this area of the North Eastern Province ..." (12).

For the Somalis, as the "offensive" party seeking a redistribution of values and an alteration of an existing status quo, the problems of negotiation were less complex, for they could only gain from negotiations or discussions, and could thus employ the strategy of calling for negotiation to enhance their prestige and their reputation for "reasonableness" with the international audience. Many of the initiatives for face-to-face discussions emanated from Mogadishu, though there were Kenyan initiatives at the beginning of the dispute. In the event, the proposals only led to the abortive meeting at Cairo, and later initiatives, this time from the Somali Government, apparently met with no response from the Kenyans, who were obviously beginning to realise the dilemma into which the acceptance of such negotiations might land them, especially

as a public willingness to negotiate might be construed as an admission that there was something in the Somali claims, and thus weaken the Kenyan's own bargaining position (13).

The difficulties of treading the thin line between negotiations about the border and the NFD, and talks about good neighbourliness and the maintenance of law and order, led the Kenya Government into another strategy for ensuring that they were not forced into making concessions, while appearing flexible and reasonable in that they were willing to negotiate. This is the process of engaging in bargaining about the prior conditions for negotiation.

(b) Limiting the bargaining range

For any party faced with the dilemma of needing to hold talks because of third party expectations, while not wishing to make any concessions, a common strategy in international conflict is to attempt to strike a pre-negotiation bargain about the agenda to be covered by formal negotiations. This strategy may be employed with two complementary objectives in view. The first is to force the other party publicly to reject negotiations on such prior conditions, which are designed to make the package agreement to hold talks unacceptable to them (14). The second is to ensure that certain key issues are not discussed in the (often unlikely) event of negotiations actually taking place. Thus, a prior process of bargaining takes place immediately before any face-to-face negotiations occur, on the principle that whichever party manages to control what is discussed in the negotiations is also likely to be able to control the outcome of those negotiations to its own satisfaction.

In some negotiating situations, a prior process of bargaining may take place over the relative status of the two parties at the negotiations. The definition of the parties at a negotiation can often set the framework within which discussions take place, and exclude certain topics from those discussions. In an inter-communal conflict, for example, it would make a substantial difference to a negotiation if the two parties came as equals, representing two communities in dispute, or as representatives of a "legal" government and of a "rebellious" minority. Similarly, any discussion between the Israeli Government and the Arab states has been bedevilled by the fact that much of the Arab case would be demolished once they had even agreed to negotiate with the representatives of a government they had constantly refused to recognise.

Had there been any chance of the Kenyan Government negotiating with the guerrillas from the NFD, this problem of the respective representational status and prerogatives of the two negotiating parties would certainly have arisen in an acute form. However, at no time was there any serious suggestion that such discussions should take place, and there were no "bridge-building" initiatives either from the Kenyan Government or from the guerrilla "High Command" in Mogadishu. Indeed, the only occasion upon which such a proposal was publicly put forward was at the end of 1966, when a KPU motion was put to the Kenyan House of Representatives, calling on the Government to "... initiate talks with the Shifta leaders, Somali elders, M.P.'s, and other leading personalities of the Somali tribe, with a purpose of ending this dirty war, which is costing this country large sums of money and many lives ..." (15). However, the KPU motion was defeated, and the

Government attitude towards the suggestion highlighted by Dr Mungai's statement that:

"... the only person the Shifta are going to negotiate with are the Kenya soldiers holding rifles in their hands and spitting bullets from the mouth of the rifles. No other person in Kenya will negotiate with the Shifta..." (16).

With the suggestion of direct negotiations with the party most intimately involved in the NFD dispute - that is, the Somali community in the NFD itself - foundering upon the rock of KANU Government outrage, there could be no chance of asymmetric discussions between Government representatives and community leaders. Thus, any negotiations in the dispute had to be between the representatives of two formal recognized governments, and the strategy of controlling the nature of the discussions by assigning a given status to the other party could only be used in a limited fashion (17). Both parties were therefore reduced to attempting to control what was to be discussed by limiting the range of issues, and hence potential outcomes, that could be introduced into any discussion.

Often, calls for negotiation were made with prior conditions attached, especially by the Kenyans, ranging from vague demands for some "outward sign of good faith" (18) and willingness to abide by agreements on the part of the government in Mogadishu to the most specific demands for prior action. The most blatant examples of such tactics are to be found in the period from May 1967 to the signing of the Arusha Memorandum, when the new Somali government under Prime Minister Egal had come to power, and negotiations were "in the air". However, similar examples did occur earlier, in 1966, immediately following an offer of mediation by the Sudanese Prime Minister,

Kenyas's decision to break trade relations and "... weeks of abuse and distorted reports on her internal affairs by Radio Mogadishu...". At this point, Dr Mungai, Kenyan Minister of Defence, commenting on the reported willingness of the Somali Government to take part in discussions, attempted first to set limits to the scope of the talks. Stating that Kenya was willing to talk to Somalia "... anytime, anywhere..." he then proceeded to limit the range of those potential discussions by adding the proviso that such talks would have to be on good relations, and not border disputes (19). A few days later, the Minister added the hint that talks might depend upon the Somali government's prior action in withdrawing its support, approval and arms from the guerrillas operating within the NFD (20). Only then could any good relations develop between the two countries. This prior condition of stopping assistance to the guerrillas in the NFD before any negotiations could take place, gradually became a consistent element in any Kenyan offers of negotiation made during the following twelve months, while the parallel proviso that the Somalis should agree not to talk about the border or transfer of territory was also stated explicitly on a number of occasions. By mid-1967, both sides were calling for negotiations because of the rising costs of continuing their coercive strategies in the dispute and at one stage it appeared that the only obstacle in the way of such negotiations were the prior conditions that were set up before these could take place. The Kenyans still attempted to prevent discussion of territorial transfer or "the line of the border", though as late as August 1967 Dr Mungai was still stating specifically that the Kenyan Government did not recognise that it had any boundary dispute with Somalia.

On other occasions Nairobi Radio appeared to accept the idea of talks on the Kenyan-Somali borders suggested by the Somali Government, and saw hope in the Somali realization that only negotiations could bring lasting peace between the two countries. However, the initial conditions for such negotiations were a Somali realisation that Kenya could not be expected to agree to a division of her territories, plus a "... cessation of the heinous acts perpetrated inside Kenya by Somalia..." (21).

Exact spelling out of Kenya's conditions for negotiations occurred on at least two separate occasions in the first half of 1967. On April 14th Dr Mungai stated that the Kenyan government would be ready for negotiation on the disputed issues of the North-Eastern Province if the Somalis:

- (i) agreed to stop subversive activities against Kenya;
- (ii) agreed to withdraw mines and other "sophisticated weaponry" from shifta hands; and (iii) stopped giving military training to the guerrillas (22).

As might have been expected, the official Somali response to this statement was cool. On May 1st, Foreign Minister Duale rebutted charges of Somali non-conformity with OAU resolutions by emphasizing the call made at the meeting at Lagos in February 1964 that both countries should hold talks on the differences between them. He also stated that the conditions attached to the Kenyan initiative were totally unacceptable, as they were in no way related to the issues in dispute. "... The Somali Government," continued the Foreign Minister, "has previously made known its willingness ... to hold talks with the Kenya Government in conformity with the agreement reached between the two countries in Cairo on July

15th 1964. However, the Somali Government will not in any circumstances accept that pre-conditions should be laid down before talks between the two governments are held..." (23).

Whatever the intention that lay behind the establishment of Kenyan pre-conditions for negotiation, the ultimate effect was to make any face-to-face negotiation between the two governments virtually impossible. The Kenyans were certainly not going to enter into unlimited negotiations about the NFD, for this would destroy their integral case that no dispute about the status of the NFD territory or the position of the Kenya-Somalia boundary existed; unlimited negotiations would have involved both these matters. Similarly, the Somali Government would not enter into negotiations where the subjects to be discussed had already been delimited by the opposing party, thus cutting out most of the Somali demands and making their stated goal - the granting of an opportunity for self determination to the NFD Somalis - impossible to achieve. Given these prior conditions, by the summer of 1967 any conventional bilateral negotiation seemed to have been rendered out of the question - provided both sides adhered to their stated pre-conditions.

## (2) Substantive Negotiations

Though informal and often unscheduled discussions of the issues between the two Governments did sometimes take place (24), there was only one major attempt at direct bilateral negotiation over the NFD question before the period of sparring to establish pre-conditions for such negotiations began in the summer of 1966. This meeting took place between the Kenyan and the Somali Presidents and their delegations at Arusha in Tanzania, and was held under the benevolent auspices



of President Nyerere. Discussions lasted over a period of four days, from the 9th to the 13th December 1965, but the outcome appears to have been a completely negative one, while the behaviour of each party, at least in the eyes of the other, was both intransigent and provocative. This failure obviously contributed to the future wariness displayed by both sides when face-to-face "summit" conferences, or other bilateral meetings, were proposed at later dates.

The ostensible purpose of the meeting was to help to bring about a "normalization of relations" between the two Governments, as it was held in accordance with OAU resolutions passed at the Lagos meeting of the Council of Ministers. This in itself must have pre-judged certain key issues as far as the Somali Government were concerned. A mere return to "normal" inter-governmental relations would do nothing to affect the basic problem as they had defined it. At all events, the only concrete proposal that the Somali delegation appears to have made to bring about "normalization" in the strict sense of that term, was one which involved a mutual agreement to control press and radio propaganda. Both sides indulged in the strategy of using the Arusha meetings as a "sounding board" to broadcast their own case and point up the shortcomings of their opponent's, in spite of the fact that actual discussions took place in secret. The Kenyans accused the Somalis of supplying aid to the "shifita", and of attempting to seize land that did not belong to them. The Somalis denied the latter charge and countered with the accusation that the Kenyans were denying self determination to the Kenyan Somalis, and were attempting to suppress the legitimate aspirations of the NFD inhabitants by force.

The Kenyan delegation, led by Mr Murumbi, did, on the other hand, bring a list of specific proposals to the conference, though how genuinely hopeful they were about their likely acceptance must remain a matter for speculation (25). The list of Somali actions demanded by the Kenyan Government was long. It included not only a cessation of all aid and propaganda encouragement, but also a public condemnation of the "shifta" by the Somali Government and the co-operation of the Somali authorities, including army and police units, in suppressing guerrilla activity on both sides of the border. The only inducement offered by the Kenya Government for these actions - which amounted to the total abandonment of Somali goals, involving certain and high domestic political costs to any Somali Government - was that, after a period for the implementation of the other conditions, and "... unless there was more evidence of shifta activity...", the Kenya Government would consider establishing diplomatic relations between the two countries (26). This offer could hardly be said to counterbalance the sacrifices called for from the Somali Government, should it agree to fulfil the other conditions of the agreement, and the imbalance would have been obvious to the Somali public. It was not surprising, therefore, to find the Somali Foreign Minister, who attended the conference with President Osman and Prime Minister Hussein, stating on his return that the Somali Republic had not attached any conditions to normalising relations between the two countries. Furthermore, it was a mistake "... to assume that the Somali Republic alone can benefit from the establishment of diplomatic relations, which is the current view of Kenya in this respect ..." (27).

The gap between the bargaining ranges of both parties at the conference thus seems to have been huge, and to have overlapped at no point. The maximum that the Kenyans were prepared to offer fell far below the minimum that the Somalis were prepared even to consider. The result appears to have been that both parties found no common ground for bargaining, and became progressively more frustrated at the apparent intransigence of the other. Both delegations, from the statements they subsequently made in public about the meetings, appear to have come away from Arusha with the impression that the other side was deliberately trying to wreck the conference - or was perhaps talking about a totally different problem (28). To the Kenyan delegation, after a period of fruitless discussion and the lack of any agreed frame of reference, it eventually became plain that the intention of the Somali Government was to revive "... old arguments for territorial expansion by incorporating certain areas of Kenya in Somalia..." (29). The Kenya delegation had not come to Arusha prepared to discuss transfer of territory, which was "... in clear conflict with the OAU resolution on boundaries..." so they felt that it was fruitless to continue. The Somali delegation found themselves facing a shared assumption that they "wanted land that does not belong to them and are attempting to grab it...", and took Kenya statements to the effect that no money could be spent on anything but military forces in the NFD while the emergency lasted as an attempt to bring pressure on them (30). Hence the meeting ended in confusion and mutual recrimination, in spite of a reported last minute attempt by the Somali delegation to draft a soothing declaration re-affirming the Somali Government's respect for the principle of the territorial

integrity of states, stating categorically that the Somali Government did not profess any policy of territorial expansionism, and pledging co-operation to bring about peace and order in the area in question (31). By this stage it was too late for such declarations to be credible, and the meetings ended in mutual incomprehension, with both parties having had their stereotypes about the goals and motivations of the opposing party confirmed, and now possessing the conviction that bilateral negotiations with such an untrustworthy, intransigent opponent would yield no worthwhile results. The meeting, said the East African Standard, had "... foundered on Somali obduracy..." (32). The blame for the breakdown of the Arusha talks, stated the Somali Foreign Minister, "... now rests solely with the Kenyan leaders..." (33).

This meeting was the last formal negotiation to take place before the summer of 1967, when diplomatic preparations began for the full scale bilateral negotiation that both sides began to perceive was desperately needed. In actual fact, such a formal negotiation never actually took place, and a new approach was tried. However, the Kenyans did put forward a set of prior conditions in their White Paper on the dispute, and these might have served as the basis for a Kenyan set of proposals to such a negotiation. It is worth closing this section by reviewing these proposals, and seeing the benefits being offered by the Kenyans, and the costs they were asking their opponents to bear.

The Kenyans demands set out in May, 1967 still involved more or less the complete abandonment of the Somali goal of self determination for the NFD. Nothing was said about a survey or a referendum in the area, or consulting the NFD

inhabitants about their future. The Somali Government was to recognise publicly that the NFD was de jure a part of the Kenyan Republic and to join the Kenya government in broadcasts condemning violence in the NFD. The Somalis were to abandon the organised liberation movements in the NFD, disband its High Command (at that time in Mogadishu), stop supplying arms to the guerrilla bands, and close down a list of named training camps. The Somali Government was to recognise the NFD Somalis as Kenyan citizens, and conform to OAU resolutions regarding the inviolability of all boundaries at independence and the impropriety of such activities as subversion and hostile propaganda likely to disrupt relationships between free and equal member states. In return for this, the Kenyan Government was prepared to discuss the re-opening of diplomatic relations with Somalia, and consider the immediate removal of the ban of trade between the two countries. A joint report to the OAU stating that the dispute had been solved by peaceful means would be drafted. Finally, the Kenyan government would be prepared to nominate representatives "at any level" to discuss means of co-operation on economic and social development on both sides of the border.

With such a set of draft proposals or prior conditions, it is hard to see how the Somalis could have agreed even to contemplate bilateral negotiation, in the normal sense of that word. The Somali Republic was being asked to state publicly that its policy had been both mistaken and morally wrong for the past four years, and, furthermore, that its own definition of what the dispute was about had been equally incorrect. It was being asked to abandon its goals, with

no thought of the political costs inside the Somali Republic, or to its supporters within the NFD. In return, it was being offered "normal" inter-state relations, which can hardly have been considered a significant gain.

It is easy to be critical of apparent Kenyan intransigence over the basis for a negotiated settlement, and indeed of Kenya's apparent unwillingness to make any concessions at all over the entire issue of the NFD. However, as I have already remarked, this is often the case in redistribution conflicts, and the defensive side is usually in a difficult position as regards bargaining. As the status quo party it can offer very little to its opponents without radically altering the situation to which it is committed. Concessions of any significance represent a retreat from what is, to the defensive party, a satisfactory state of affairs. Thus, bargaining counters are scarcer for the defensive side unless it, in its turn, begins to make claims or enforce sanctions on its opponent and this strategy is usually difficult because of the original stand taken up at the start of the conflict. The Kenyans were therefore caught in a structural situation which left them little option but to put forward proposals which appeared wholly inadequate to the Somalis, who saw themselves as at least possessing something to give up in return for potential Kenyan concessions.

(B) Settlement Initiatives by Third Parties

In inter-state disputes, especially those involving coercive strategies and the use of violence, a frequent settlement strategy is through the mediatory behaviour of

"disinterested" third parties, who act either on their own initiative, or in response to cues from participants to the dispute. Such third parties may be classified into two groups: those that are capable of requesting the participants to use their facilities as a channel of communication, a forum for discussion, or a source of new information ~~or and~~ suggestions for compromise at some form of triangular negotiation; or those that are merely available to assist, should the opposing parties choose to make use of their facilities.

For both types of mediatory third party, the use or avoidance of their services by the conflicting parties will depend upon a number of factors, including the nature of the issues in dispute, the intensity of the violence, the perceived relative positions of advantage and disadvantage enjoyed by the two parties to the dispute - which will tend to alter over time - and the nature of the third party available to intervene in the conflict. The last factor appears especially important in inter-state disputes. It often appears impossible to find a third party that both participants regard equally as "disinterested", for both the normal diplomatic activities of any third party, as well as the known goals and attitudes of that party, will often appear to prejudice the interests of one, if not both, of the participants. This argument seems to be supported by the general reluctance of national political authorities to allow any third party action to try to settle a dispute, by "fact-finding", by making suggestions for compromise outcomes, or by actively coercing the participants into accepting

an imposed settlement of their dispute (34). This principle was certainly confirmed in the dispute over the NFD, in which there were very few positive attempts to employ third parties in helping to settle the conflict.

It is significant that at no stage in the dispute was there any public suggestion that the participants should take the problem to the International Court of Justice for adjudication, or to some other body for arbitration. There are two possible explanations for this avoidance of international courts. The first is that, at one level, the dispute was basically one between the legal political authorities of the Kenyan political system, and a community within that system which wished to secede. This was the manner in which the dispute was publicly presented, especially by the Somali Government. In this, as in other similar cases, the dispute is legally an "internal" or "domestic" one, and thus falls outside the competence of existing international judicial machinery.

However, there was a second, and more fundamental, reason underlying the refusal of both parties to allow any form of third party judgement of the dispute, or the imposition of a settlement by such a third party. In any dispute, the introduction of a third party who may be perceived as being better disposed towards one side in the dispute to adjudicate or to arbitrate involves allowing this third party to impose its own definition of the situation on the dispute, and to make an initial judgement as to what the conflict is about. In turn, this initial judgement will lead to the imposition of a particular framework of rules and norms, as criteria against which the merits of competing cases will be judged.



In many instances, neither conflicting party will be prepared to allow this initial and vital definitional step to be taken out of their own hands. Indeed, an essential part of each party's own strategy in the conflict, chosen either consciously or dictated by circumstances, involves treating the dispute within a selected framework, which offers them tactical advantages, and which differs from that chosen by their opponents and from that used by any onlookers. Hence the new framework chosen by the adjudicating third party may be one which immediately puts one party at a disadvantage, or it may even be the one selected by their opponents and later adopted by the third party. Once the third party charged with adjudicating the dispute has selected the basic frame of reference and attendant criteria, either arbitrarily or according to known but complex and uncertain rules, it will then be necessary for both conflicting parties, having accepted the third party's right to impose the framework, to work within it, and to establish their best case according to the limits set by that definition.

Given the nature of the conflict, the widely differing definitions of the situation held by both parties, and the problem attendant upon third party adjudication, or arbitration, it is not really surprising that this strategy for settling the NFD dispute was not used (35). However, there are other mediatory techniques by which certain members of the international "audience" may influence the course of a dispute or bring it nearer a settlement. It might, therefore, appear somewhat surprising that neither side in the dispute made more use of the techniques of third party mediation, conciliation, or "good offices", particularly

during the latter stages of the conflict, when the high costs of continuing were becoming more apparent, and the probability of achieving initial goals appeared to be declining.

All these techniques, however, have disadvantages. They all, for example, suffer from the basic drawback that their use by some third party will usually be perceived as being of advantage to one of the participants while damaging the position and interests of the other. This problem exists no matter how impartially (according to the values of the third party or the international audience), these techniques are used. Which party a particular mediatory activity favours depends upon the situation within the conflict process. It is rare that a third party initiative will occur when both parties' perceptions of the likelihood of achieving their goals through a continuation of coercive strategies are equally low. Hence, a factor similar to the desire to "negotiate from strength" will come into operation. One or other of the two contending parties will perceive that it possesses some marked advantage in the struggle (32), and will wish to press this home in order to achieve a more satisfactory settlement. This will mean that the other party, provided it perceived the imbalance similarly, will not wish to agree to any settlement attempt until it has worked itself into a position of perceived advantage, and the respective positions are reversed. And so on.

In spite of this, the fact that the dispute over the NFD did not prove more amenable to offers of mediation or conciliation from third parties may be slightly surprising

at first glance. For one thing, the dispute was between two not very powerful Governments, and for another there was a regional organisation, the OAU, with obvious competence and some willingness to act in a mediatory role. Furthermore, the process of mediation, as opposed to that of adjudication, is not one in which the third party attempts to impose some compromise settlement on the participants by the application of some "objective" criteria, backed by the possibility of subsequent sanctions for non-conformity with the eventual award. Instead, the task of the mediating third party is to formulate and suggest possible compromise solutions for the approval or rejection of the conflicting parties. A further role is to act as a channel through which both parties may communicate with one another, although this process does seem to be one structured so that the mediator eventually gains the distrust of both parties, each of whom comes to perceive him as being partial to the other side.

However, there were two difficulties in applying this particular settlement strategy in the NFD dispute, the first being one peculiar to that dispute, while the second is an example of a more general problem in the use of the techniques of mediation and conciliation. The specific problem related, once again, to the particular manner in which the two parties had publicly defined the dispute. As the Somali Government had argued that the dispute was about self determination, then the conflict, logically, was essentially an internal, Kenyan dispute, and not one susceptible to action by such political organisations as the OAU or the UN, both of whom possess a horror of being accused of interference in the

internal affairs of member states. On the other hand, the Kenyan Government refused to acknowledge the argument that there was any kind of territorial or boundary dispute with the Somali Government, so that the dispute was not an interstate one, susceptible to third party mediatory action by any of the organisations that normally undertake such work. Finally, if any third party action was taken on the basis of the Kenyan charge that the Somali Government was interfering in the internal affairs of Kenya, such mediatory action would hardly have been welcomed in Mogadishu. In this manner, the way in which the conflicting parties defined the situation appeared to have removed it from the normally recognised jurisdiction of most potential mediatory organisations. The very fact that there was no commonly accepted definition of the nature of the dispute posed intricate initial difficulties for potential mediators, and this must, in turn, raise a more general problem of the relevance of mediation attempts in this class of situation. It may be that such attempts are foredoomed to failure, unless there is a minimum level of agreement between the participants to the dispute about the type of conflict in which they are engaged, the nature of the issues involved and the status of each party in relation to the other.

This specific problem is also related to the second, more general, one which affects the likely success of third party offers of mediation. This may be defined as the problem of the acceptability of the mediator to both parties. In order to be equally acceptable to both parties at the beginning of a mediation attempt, the third party so involved must possess a certain degree of "legitimacy" with both parties.

This will be based upon the mediator's perceived values and attitudes, recent international behaviour, and obvious lack of direct interest in the dispute under mediation. Quite often, a potential mediator or mediating body will have been rendered unacceptable to one party or the other by virtue of certain prior actions, statements, or stands taken on other issues which had little direct relevance for the dispute to be mediated. Thus, the mediator may be frustrated by his failure to win the necessary level of acceptability of his role as mediator from both parties, because he fails to appear sufficiently impartial to one or both of them.

This is not an unreasonable attitude from either party. An offer of mediation from another Government is not an event in isolation, and the attitudes of the conflicting parties to that offer will be coloured by their perception of the nature of the government making the offer, and of their perceptions of the motivations which underly it. Similarly, any organisation offering to mediate, whether international, regional or functional, will have its own interests and attitudes, as well as representing those of its members. Either party to a dispute may perceive that these interests are detrimental to its own, so that the mediation effort may turn out to be prejudicial to the issues in dispute. It would be very hard to imagine, for example, a South African offer of mediation being accepted by the Zambian Government in any dispute with the current Rhodesian regime. Similarly, the United Kingdom and France were <sup>simply</sup> rejected as potential mediators in the Middle East by

the Israelis Prime Minister in December, 1969, on the grounds that "... neither was objective..." (36). In the phrase of Mr Krushchev, in mediation, "There are no neutral men", although impartiality over a limited range of issues may be possible for some mediators, who thus achieve a temporary level of acceptability for both parties. In other words, to be accepted as a mediator, the third party must be seen by both parties to possess values, attitudes and goals which do not run directly contrary to those the parties themselves possess. The only circumstances where the values and attitudes of the third party will count for very little is in a situation where both parties are finding the costs of continued coercive behaviour to be too high, and are looking for a face-saving device for abandoning their goals. In such a case, both parties will be already willing to conclude some compromise agreement, and abandon their more extreme demands on one another, so that the role of a mediating third party is then essentially as a catalyst to bring the two parties together; an agreement between the two principles might in any case be reached without a mediator's help.

If a government's or international political organisation's known attitudes on other issues may render it unacceptable in the role of mediator in any dispute, any public stand on the issues actually in dispute will do this even more swiftly. In most cases, to adopt a clear position on an on-going dispute, which will, almost inevitably, be perceived as favouring the opposing side by at least one party to the dispute, is to abandon any chance of having mediatory offers accepted. To a large degree this factor

explains the impotence of the OAU in the NFD dispute, for the Organisation's stand on the principle of the sanctity of African boundaries at the time of independence pre-determined its attitude, and the attitudes of the majority of its member governments, towards the goals of the Somali Government (37). The Organisation's attitude was an understandable reaction to its member governments' fears about the complexities and dangers of attempting to re-draw political boundaries in Africa. As one observer has remarked: "... The Somali case was not just unpopular, it also contained a precedent too dangerous for most African countries to contemplate. The irredentist goal seemed ... to be a political anachronism..." (38). At the time the dispute was before the OAU nearly every African state south of the Sahara had a potential secessionist movement, some of them potential Biafras, others potential Ogadens or NFDs. Hence, from the earliest days of the OAU, the Somali Government found both the organisation and the bulk of its members ranged against their demands, both on the grounds that they would be disruptive to Africa as a whole, and that they would be disruptive to the establishment of the Organisation. The Somali Government apparently had a quite different conception of the scope and functions of the new organisation from those of other African members, and the question of "misdrawn boundaries" and "self determination for the Somali minorities" were raised both at the preliminary meeting of OAU Foreign Ministers and at the inaugural Summit Conference held at Addis Ababa in May 1963. On both occasions these questions were put aside firmly, with the obvious approval of other

members who apparently felt that nothing should be allowed to mar the outward show of African unity after which the Organisation was named (39). This led to a large measure of Somali disillusionment with the Organisation, even in its earliest years, and to Somali charges that the Organisation was failing to deal with real African problems for fear that this would break up the tenuous unity that was falsely based upon a refusal to recognise genuine conflicts where they existed. The Somali attitude was that "... the problems which hinder the development of relations between African States must be attended to without delay; for if they are left unresolved they could well harm relations and consequently imperil the foundation of African Unity...". Furthermore, "... it would be a political myopia and lack of moral courage to assume that African Unity could be attained by side-tracking contentious issues..." (40). Following the abortive discussions at the Cairo Conference of July 1964, and the passing of the OAU resolution on the necessity for maintaining existing boundaries (in spite of the private agreement reached between Kenya, Ethiopia and Somalia, that "... no action will be taken ... which would prejudice ... bilateral talks, or the positions which the parties might assume in those bilateral talks...") (41), the Organisation's attitude towards any claim based upon principles of self determination or calling for territorial re-adjustment became more or less predetermined, and the claim made by the Kenyan Foreign Minister following the Lagos meetings of the OAU Council to the effect that "... Somalia stood alone..." (42) became virtually an accomplished fact. By the end of 1964, both the Organisation



and the large majority of its member governments had taken a public stand on the general principle of no territorial re-adjustment, and either directly or implicitly on the Somali case.

The result of this political isolation was that the Somali Government's private attitude towards the OAU became one of extreme distrust and eventual hostility, initially for the Organisation's refusal to act, and then for its public attitudes on the dispute. This meant that the OAU itself never became acceptable as a mediator to the Somali Government, as it was felt in Mogadishu that the Organisation had prejudged the issues by its adherence to the principles of territorial integrity. The Organisation's values and attitudes were known, and were incompatible with those of the Somali Government. Hence the OAU's suitability and level of acceptability as a mediator was low to one of the parties to the NFD dispute.

The OAU was thus reduced to a peripheral role in attempts to settle the NFD problem, though it did, in fact, play a much greater part in the dispute between Somalia and Ethiopia. In effect, the OAU performed three functions in attempting to settle the dispute between its Kenyan and Somali members. First it provided a forum in which the dispute could be raised and discussed, though this function quickly became less important once the Somali Government realised that most OAU members were hostile to Somali aims, and that little action was to be expected from the Organisation. Secondly, the OAU fulfilled the function of providing encouragement and incentive to the two parties to engage in bilateral discussion to bring about a settlement of the

problem. The resolution of the OAU Council of Ministers, passed at the Lagos meeting in February 1964, stood as a permanent reminder to both Governments that the Organisation had passed the initiative back to them and was expecting some form of action. At both Cairo and Arusha meetings between the two Governments, reference was made to the fact that discussions took place in accordance with OAU resolutions calling for negotiations, and while two meetings over a period of 22 months does not suggest that either Government was succumbing to a sense of extreme urgency over discussions, the fact that such a reference was made does indicate that both Governments wished to give the public impression that they were acting in accordance with the wishes of their regional political organisation.

Finally, and perhaps most important of all, the OAU also provided a channel of communication and contact for the participants to the dispute, where informal meetings and agreement could occur. It was at the Heads of States meeting at Accra in October 1965, for example, that the Ethiopian and Somali representatives were able to conclude an informal agreement defining and agreeing to cease "hostile propaganda" which strengthened the Khartoum agreement of March 1964. Unfortunately, the absence of President Kenyatta from this conference precluded similar contacts between Kenyan and Somali leaders. This "channel of communication" role may appear a little disappointing to those who advocate the effectiveness of international political organisations in the prevention, management and resolution of inter-state conflicts, but its importance should not be under-estimated, particularly in situations, such as the one involving the

Kenyan and Somali Governments, in which normal diplomatic communications do not exist, the informal pattern of communications between governments and heads of states has been broken off, and both parties are reduced to making statements at, rather than to, one another. Such a communications breakdown had occurred by the summer of 1967, and it was the availability of OAU meetings that enabled both Government to resume contact and to begin the preliminary discussions leading up to face-to-face bilateral negotiations.

In view of the failure of the regional political organisation to act as a mediating third party in the NFD dispute, it cannot be surprising that there were few formal third party initiatives from other sources. The UN was only too happy to transfer the responsibility for this and any other African dispute, to the OAU, while other African leaders who might have intervened were either too busy elsewhere, or would have been totally unacceptable to one party or the other in the dispute (43). In view of previous statements and mediatory activities stemming from the same source, it was not surprising that the only public offer of mediation between Kenya and Somalia came from the Sudanese Prime Minister, Mr Mahommed Ahmed Mahgoub, who announced on May 17th 1966 that his country had decided to mediate in "... the border disputes..." between Somalia and Kenya and Somalia and Ethiopia (44). This initiative was immediately welcomed by the leader of the visiting Somali delegation, who happened to be the Minister of State for Somali Affairs, but the fact that it was suddenly and publicly announced in such circumstances, plus the acknowledged close and friendly

relations between Somalia and Sudan (45), as well as Mr Mahgoub's references to "border disputes", must have ensured that this Sudanese action had a cool reception in Nairobi. While the Ethiopian Government went ahead and accepted the Sudanese offer, Foreign Minister Yifru announcing that his Government was pleased with Sudan's continued goodwill to mediate, the Kenyans hung back. It was not until July 4th that any public Kenyan response was forthcoming. On that day, Dr Mungai announced that the Kenyan Government was willing to talk to their Somali equivalents "... anytime, anywhere...", but that Kenya would not surrender one inch of her territory, and the talks must be centred upon good relations, good neighbourliness and an end to "shifita" activities, not upon fictitious border disputes (46). The official Kenyan response was that there was no need for Sudanese mediation on border disputes between Kenya and Somalia, as none existed. On the same day, a talk over Nairobi Radio speculated on the coincidence of Somalia's acceptance of the Sudanese mediation effort and the recent Kenyan decision to break off all trading relations between the two countries. The Kenyans were obviously suspicious and required some kind of gesture from the Somalis before discussions could begin. The broadcast ended: "... An outward sign of good faith is needed, Mogadishu-wise, before the Kenya Government can be expected to take the Sudanese Prime Minister's mediation offer, or Prime Minister Hussein's acceptance, seriously..." (47).

In actual fact, there must be some doubt about the seriousness of the Sudanese offer, and it would be most unfair to credit the failure of the initiative solely to

Kenyan caution and mistrust of the Somali Government's intentions. Six months after the initial report of the offer of mediation, a question in the Kenyan House of Representatives demanded whether there had been any official request from the Sudanese Premier for "... reconciliatory intervention..." in the NFD dispute. Mr Koinange, for the Government, replied that there had been no official offer of good offices from the Sudanese Premier:

"... It would be recalled, however, that a claim was made in the press to this effect. Upon investigation, with the assistance of the Sudanese Embassy in Nairobi, it was found the press report had no official backing..." (48).

By this time it was, of course, too late to encourage a further official initiative from Prime Minister Mahgoub, for he was out of office. His successor, Sadik al-Mahdi, actually announced in November 1966 that his Government was thinking of resuming Sudanese diplomatic activity by launching an initiative to "... maintain peace in the Horn of Africa..." but, once again, nothing concrete resulted from this announcement (49).

It was on this communications failure and Kenyan caution that the only remotely official attempt to mediate in the NFD dispute came to an abrupt end. During the following year there were a variety of attempts by both parties to the dispute to establish their own negotiating framework, both with and without the presence of a mediatory third party. Both opponents were finding the continuation of the conflict by coercive strategies to be a costly business, and had begun to search for a way out of their respective dilemmas, even before the successful Somali

initiative of Prime Minister Egal. In all of these attempts, third parties, whether international organisations, government, or individuals, played some part, but only became active principals towards the end of the dispute. The OAU might have rendered itself impotent as an active mediator, but its constant pressure for a solution to be arrived at by the two parties themselves had some effect. Furthermore, by the summer of 1967, both parties had ceased to use the OAU as a forum of appeal, or as an audience before which the justice of their case could be publicly demonstrated, and had begun to utilize the Organisation as a channel for communication, and as an excuse for informal contact. OAU meetings, as any regular meetings of an international organisation, provided a justifiable excuse for contact, facilities for meetings and private, third party initiatives, but, above all, an atmosphere conducive to private discussion. Thus, the OAU meeting at Kinshasa in September 1967 provided Prime Minister Egal with ample opportunity for contacting both Kenyan and Ethiopian leaders and indulging in informal preliminary discussions. However, it was noticeable that when it was publicly announced that formal discussions on the Kenyan-Somali problem were to be held, the third party who had been persuaded to provide his good offices was the Zambian President, Dr Kaunda. It was under his auspices, and those of President Nyerere who played host, that a second series of Arusha meetings finally took place in October 1967.

## Footnotes to Chapter V

1. See above, Chapter III. The Report of the Foreign Minister's press conference was broadcast over Radio Mogadishu on 12.11.1963 (BBC Monitoring Reports M/71404/B/1.) Mr Issa also announced that the Prime Minister had also raised the question of the two men wanted for the murder of the ISIOLO D.C. and a Boran chief earlier in the year, who had taken refuge in Somalia. However, the Foreign Minister had pointed out that it was impossible to return them to Kenya, as no extradition treaty existed between the two countries.
2. Report of the joint press conference broadcast over Nairobi Radio, 22.11.1963. (BBC Monitoring Reports ME/1413/B/2.)
3. OAU Provisional Secretariat; Resolutions and Recommendations of the Second Session of the Council of Ministers. (Addis Ababa; 1964.)
4. Aide-memoire quoted in: "The Somali Republic and the Organisation of African Unity". (Mogadishu; Ministry of Foreign Affairs; 1964.) pp. 39-40. It was also agreed in this document that "... during the session of the Assembly of Heads of States and Government, no action would be taken by any of the three parties which would prejudice such bilateral talks or the positions which the parties might assume during those bilateral talks...". This is an interesting agreement in view of what later transpired at the conference with regard to respect for existing borders.
5. OAU Documents AHG/Res. 16 (I). Reports on the voting state that the resolution was passed by an overwhelming majority, but that Morocco voted against, and the Somali Republic was absent (in the sense that it did not have a vote).
6. The Foreign Minister's press conference was reported over Radio Mogadishu on 27.7.1964 (BBC Monitoring Reports ME/1617/B/2.) At a meeting of the Somali National Assembly later that year, a resolution declaring that the OAU resolution "should not bind the Somali Government ..." was passed unanimously, though Prime Minister Hussein did warn deputies that such a motion was unnecessary in any event, "... since this question did not concern our negotiations with Kenya or ... with Ethiopia...". Radio Mogadishu report, 30.9.1964.

7. As noted in Chapter III, the ultimate aim of coercive strategies is to bring the opposing party to the negotiating table, but usually in such a situation that he has few bargaining strategies left to him, a limited range of less costly options open, and is in a position of weakness vis-a-vis one's own party. The extreme case is the conclusion of a peace treaty at the end of a successful war.
8. F C Ikle: How Nations Negotiate. op. cit. Chap. IV
9. Ibid, p. 33.
10. Possibly, as Ikle suggests, this predisposition in favour of the party which is willing to negotiate springs from the implicit assumption that negotiation may provide a substitute for violence, as both parties will feel some hope of achieving their goals by this less costly method.
11. The non-existence of any real dispute between the two Governments was a constant theme of official Kenyan statements throughout the dispute. For example, Dr Mungai told a Nairobi press conference in July 1966 that "... we know the truth about the boundaries. We hold that the present border dispute between Kenya and Somalia is not valid at all. No such dispute exists except in the fertile imagination of Radio Mogadishu...". East African Standard, 5.7.1966.
12. Report of the Minister's statement broadcast over Nairobi Radio (BBC Monitoring Reports ME/2211/B/7) and the report in the East African Standard, 5.7.1966. Both statements were in response to the reports that the Prime Minister of Sudan, Mr Mahgoub, who was attempting to mediate in the dispute, had said in Khartoum that Somalia was ready to negotiate with Kenya.
13. See the Somali claim that the Somali Prime Minister, Mr Hussein, wrote personally to Mr Kenyatta in November 1964 suggesting a meeting between representatives of the two countries, but that no reply had been received by the summer of 1965. "The Somali People's Quest for Unity" (Mogadishu; Ministry of Foreign Affairs; September 1965) pp. 12-13.
14. A common form of such tactics is to put forward a set of proposals upon which negotiation can take place as an initiative, but to include in the list of proposals an unacceptable "joker" provision, which is included with the sole purpose of making the overall initiative unacceptable to the opponent, and ensure the rejection of the proposals. This tactic has an almost honourable history of usage in disarmament negotiations between great powers.
15. Report of this debate; Kenya National Assembly Debates (House of Representatives Reports) Vol. X (2) 4.11.1966. cols. 1720-1752.



16. Ibid. col. 1740.
17. The Kenyan Government did try to assign to the Somali political authorities the status of an aggressive government, interfering in the internal affairs of a neighbour, and to establish the principle that only discussions that recognised Kenya as the injured party could take place.
18. The Kenyan Government made particular play of Somali "bad faith" and the untrustworthiness of the Somali Government, especially after the Somali agreement, in November 1963, to stop propaganda broadcasts, which thereupon rose to new heights of virulence following a short break during the celebration of Kenya's independence.
19. Reports of the press conference in the East African Standard, 5.7.1966 and broadcast over Nairobi Radio, 4.7.1966 (BBC Monitoring Report ME/2205/B/2).
20. Report of the Minister's reiteration of Kenya's willingness to talk - once certain conditions had been met - in the Nairobi Radio broadcasts of 7.7.1966 (BBC Monitoring Report ME/2208/B/6) and the later interview Dr Mungai gave to Pat Gray of Nairobi Radio's "News Desk" programme, 11.7.1966 (BBC Monitoring Reports ME/2211/B/6).
21. Commentary on Nairobi Radio, 19.5.1967. (BBC Monitoring Reports ME/2471/B/7). The broadcast ended with the appeal: "... What more is needed from Kenya other than her willingness for talks with the Somali Republic in an effort to extend assistance to Kenya's Somali population in the troubled affected areas as an outcome of cordial co-operation between the two countries? Let Somalia immediately fix the date and place where the talks can be held - the place should be a neutral one...".
22. Report in the Daily Nation, 15.4.1967. The Minister's statement added that Kenya did not want war, "... but it seems war is being imposed upon us by a neighbouring African state with influence from external forces ...". As the public stand of the Somali Government was that the Kenyan authorities were confronted with an indigenous resistance movement merely encouraged by official Somali support, acceptance of negotiations upon such conditions would have been difficult for the Somalis; it would have been a tacit admission of their participation in many actions they had been publicly denying for some time.
23. Following his re-election as Secretary-General of the S.Y.L. on March 1st, 1967, Prime Minister Hussein had emphasized to the Somali National Assembly the Government's willingness to hold talks with its neighbours to try to bring about a settlement by peaceful means, and had mentioned the possibility of UN or OAU intervention.

24. For example, the Somali Foreign Minister, Mr Duale, paid a visit to Nairobi in January 1965 on his way back from the UN, and was met at the airport for talks by Mr Murumbi. See: East African Standard. 11.1.65.
25. See the report of the conference given by Mr Murumbi and broadcast over Nairobi Radio, 14.12.1965 (BBC Monitoring Reports ME/2039/B/7).
26. It should be recalled that this meeting took place before Kenya had severed all links with Somalia, so that the establishment of diplomatic relations did not involve the restoration of any broken economic links.
27. Press conference given on the Arusha meetings by Foreign Minister Duale on his return to Mogadishu. News report on Radio Mogadishu; 15.12.1965. (BBC Monitoring Reports ME/2040/B/10.)
28. Again, this seems to be a common phenomenon in international conflicts, where it becomes extremely difficult to empathise with the perceptions, expectations and aspirations of members of the opposing party.
29. Report by Mr Murumbi on 14th December, op. cit.
30. Press conference by Foreign Minister Duale. op. cit.
31. Account of the meeting given by J.G.S. Drysdale, then an adviser to the Somali Government, in: Catherine Hoskyns (ed.); Case Studies in African Diplomacy (2) The Ethiopia-Kenya-Somali Dispute 1963-1967. (Institute of Public Administration; Dar es Salaam.) 1969 p. 84.
32. Editorial in the East African Standard, Wednesday, 15.12.1965, p. 8.
33. Press conference by Foreign Minister Duale. op. cit.
34. For a discussion of the shortcomings of third party initiatives in settling inter-state disputes, see J.W. Burton; Conflict and Communication (London; Macmillan; 1969) Chapter 10.
35. The circumspection with which the Somalis, at least, regarded the prospect of international adjudication of their claims is revealed in a remark by President Osman, who was afraid that the "... International Court would base its findings upon treaties made on our behalf before we were independent. This is a political affair, and can only be solved by political measures..." See the interview reported in E.A. Bayne: "Birthday for Somalia". A.U.F.S. Reports (North East Africa Series) Vol. VIII (1). August 1961, p. 12.
36. See the article in the Times, 16.12.1969; "Mrs Meir Rejects Britain". p. 5.

37. The same feature of OAU helplessness as a mediator was noticeable in the case of the Nigerian-Biafran conflict, and for the same reason. As the OAU was publicly committed to the maintenance of colonial frontiers both against external aggrandisement and internal secession, on the grounds that "Balkanisation" would be the ruin of the continent, the Organisation was once again unacceptable as a mediator to one of the parties - in this case Biafra - on the grounds of proven partiality.
38. E.A. Bayne: "The Issue of Greater Somalia (II) Ethiopian Dialogue." A.U.F.S. Reports (North East Africa Series) Vol. XIII (2) February 1966, p. 4.
39. For an account of these formative meetings of the OAU see Norman J. Padelford; "The Organisation of African Unity". International Organisation XVIII (3) Summer 1964 pp. 521-542.
40. From: "The Somali Republic and the Organisation of African Unity". (Mogadishu; Ministry of Foreign Affairs; 1964) p. 6.
41. From the Aide-Memoire signed by the three Foreign Ministers following their discussions in Cairo. Quoted in "The Somali Republic and the Organisation of African Unity". op. cit. pp. 39-40.
42. This claim that Somalia "... had no support from other African countries for its claim to Kenya's NFD ..." was made by the Minister on his return from the Lagos meetings. See the report of Mr Koinange's statement in the East African Standard, Tuesday 3.3.1964. By the following July, this impression had been reinforced ~~42.~~ by the virtually unanimous support for the OAU boundary resolution passed at Cairo. The only other OAU member to stand against the principle was Morocco, which itself had a boundary dispute with Algeria as well as vast claims to Mauritania and Spanish Sahara.
43. One of the most successful international mediators in Africa disputes has been the Emperor of Ethiopia himself.
44. Report broadcast over Radio Dar-es-Salaam, 17.5.1966 (BBC Monitoring Reports ME/2165/B/8).
45. As with regional political organisations, and perhaps even more so, the known policies and positions of national governments affects their level of acceptability as mediators. In the dispute between Algeria and Morocco, for example, an initiative from Tunisia's President to act as a mediator was rejected by both parties; Tunisia was unacceptable to Algeria because of Tunisian claims to portions of Algerian Sahara, while the same country was unacceptable to Morocco because of Tunisian recognition of Mauritania.

In the Sudanese case, there were close links between the two Governments of Sudan and Somalia, based upon common ties of religion as well as a community of many interests. A Sudanese announcement, made on July 3rd, to the effect that Sudan was prepared to offer military training to Somali N.C.O.'s (even though this was merely for the signal and engineering corps) cannot have helped to make her mediation effort acceptable to the Kenyans, and, significantly, it was only nine days later that the Sudanese President of the Supreme Council announced that Sudan was anxious to restore good relations with African countries, and especially with Kenya and the C.A.R., whose Presidents apparently regarded relations with the Sudan as unsatisfactory.

46. Report of the Minister's statement in the East African Standard, 5.7.1966.
47. Commentary on Nairobi Radio, 4.7.1966 (BBC Monitoring Reports ME/2205/E/2).
48. Kenyan National Assembly Debates (House of Representatives Reports) Vol. X (1) 27.12.1966 cols. 77-78.
49. Announcement made over Radio Addis Ababa, 10.11.1966, following OAU Summit Conference at the Ethiopian capital.

CHAPTER VI - The Altering Environment

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"... Seven years after independence, Somalia seems to be moving towards such a grim confrontation between nationalistic dreams and socio-economic reality, although it has not yet arrived at the crucial point..."

E.A. Bayne: Somalia and the United States.  
AUFS Reports. (North East Africa Series)  
Vol. XIV (1) April 1967. p. 1.

The interactions and policies analysed in the foregoing chapters constitute an ongoing process of conflict which occurred over a period of three and a half years, from the end of 1963 to the middle of 1967. They represent the efforts of the two governmental parties to the dispute to achieve their own goals by coercive strategies, by tacit bargaining, or by face-to-face negotiations, as well as the efforts of interested third parties to bring about some form of compromise settlement of the dispute. These interactions, and resultant changes in behaviour, goals and related attitudes, did not take place in a vacuum. The political, social and economic factors within both national political systems and in the international and regional environments also altered during that period, and some of these changes had an effect upon the participants' views of the dispute, and upon the alternative options perceived as open by the conflicting political authorities. This process of environmental change may be dealt with under three headings. The first will cover a brief attempt to outline some of the major internal changes in political

structure within both Kenya and Somalia, especially those which had effects in widening the number of options open to the political authorities in each system with regard to the dispute. The second section will analyse such environmental changes in terms of utility, opportunity cost and probability, and will present a simple decision-making model to help to analyse the effects of the rising costs of maintaining coercive strategies upon the willingness of the leadership, in both parties, to continue the pursuit of their ultimate goals by such means. The third will attempt to apply this model to the decisions that both parties made in regard to the NFD dispute.

(A) Changed Domestic Environments

The key change in the internal situations within both countries involved in the NFD dispute lay in the passage of time following independence, and in the fact that, by the summer of 1967, both Kenya and the Somali Republic could plausibly be perceived as "going concerns" by their political leaders, as well as by the majority of their respective political communities. Both countries had survived a number of threats to their integrity and independence; both had had time to establish their administrative machinery and to ensure that it was capable of performing the functions necessary for controlling political, social and economic systems; both had had some time to become the established status quo in the eyes of their respective political communities, and to establish some minimum level of legitimacy for the political system at least if not for the particular political regime or set

of political authorities controlling that system. In short, both national political systems had reached the stage by which even a short previous existence had generated an expectation of continuity for the system, plus a number of significant sub-groups within the overall political community that received benefits from the operations of the system and who were, for this reason, committed to working for its preservation.

One result of this growth of legitimacy for the system and its authorities was that certain issues that had seemed so vital just a few years previously, at the time immediately preceding or following independence, had become less salient, as had the symbolic meanings connected with these issues. For both political systems, Kenyan and Somali, certain goals appeared to have been safely achieved by 1967, and certain disasters, which had appeared quite possible only four years earlier, had been avoided. Questions of the preservation of unity and integrity of the political system, as well as issues of citizenship, local and regional government powers, and a low level of commitment to the new political systems, were no longer such key problems by 1967, either in Nairobi or Mogadishu. New issues were beginning to preoccupy political authorities in both capitals, and certain of these new issues became highly salient in the summer of 1967.

This general change in the focus of domestic political activity is well illustrated by the shifting political emphases within Kenya, where the issues of regionalism, and the centralisation of government functions no longer seemed pressing. Before the achievement of independence, the question of

the degree of independence to be enjoyed by the Regions within Kenya had been one of the major areas of contention between the African nationalists, and this had dated from the time, in 1961, when KADU first presented its plan for "Majimbo" aimed at keeping power away from the central government. Quarrels over the question of regionalism versus a strong central government had thereafter formed one of the main issues in the campaign for independence, and the type of independence that would be granted. At certain periods the strategies used by both protagonists had been extreme, and had threatened to wreck any new Kenyan political system. The inflexible stand against local autonomy adopted by the Kenyatta Government, and by the dominating KANU party, was a result of this general danger that many areas might break away from Kenya either before or after independence, and for a period this was a crucial issue in Kenyan politics. In effect, the significant victory in the dispute had been achieved in London in October 1963, though the British Government accepted KANU assurances that, even though the Regional Constitution could not be implemented before December 12th, it would be put into operation after independence. In fact, once Kenya had gained independence, a very rapid alteration in constitutional and political structures occurred. Within a year, many of the administrative arrangements for regional independence had been dismantled or - more usually - simply not put into effect, and a firmly centralised government machine built up. Further constitutional changes were to follow, including the lowering of the size of majority needed to amend the Constitution, and culminating in 1966 in the amalgamation of the Senate - where minority



group representation had always been fairly strong - and the House of Representatives into a single-chamber National Assembly. This process of change was assisted by the recognition, on the part of KADU members, that they had "lost the war", and by the steady trickle of such members across to join the Government. By November 1964 so many of the party had changed sides that it could no longer even hope to block Constitutional amendments, and the party which had represented those coastal and pastoral peoples who had remained remote and less involved in Kenya's modern sector (and who were fearful of the Kikuyu-Luo alliance which had provided the mainspring of KANU's party strength) was voluntarily disbanded.

In a very real sense, the issue of centralisation versus regional autonomy was dead in Kenya by the end of 1966, when the Senate joined the House of Representatives to make a single-chamber Assembly. In a less complete and satisfactory sense, the problem of tribalism in national politics had also substantially altered, though it could be argued that the problem had merely been pushed temporarily into the background, and its effects papered over by the incorporation of KADU into the Government. It is true that in April 1966 the KPU had been formed under the leadership of Mr Odinga, whose Luo origins ensured that he drew much personal support from his own people, while his public espousal of a populist, quasi-Marxist ideology earned him the enmity of those who had gained most since independence, including a large proportion of the KANU leadership. However, this split in KANU did not follow clear-cut tribal lines, for many Luo continued to support Mr Mboya, while the KPU began to gather some support, even in

Kikuyu country, from those who felt that they had been excluded from the economic and social benefits that had been expected to follow independence.

The main point, however, was that, by the end of 1966, there had been an essential change in the salient issues of Kenyan domestic politics, and that this had a significant effect upon the background within which the problem of secession in the NFD could be viewed. The main issues in Kenyan politics were no longer the integrity and viability of the Kenyan political system, nor the details of the constitutional framework for the independent state, but rising unemployment, redistribution of land, the position of those of the Asian minority that had refused to become Kenyan citizens, and the degree of "Communist penetration" revealed by the KPU's advocacy of "African socialism", which, its leaders claimed, had been promised by KANU at independence, but now abandoned. By the beginning of 1967, political behaviour within Kenya was directed towards influencing or dominating the central Kenyan political system, which was established as an accepted fact and a relevant framework for action by all the major national political groupings. There was no longer any serious effort directed towards establishing autonomous or semi-independent regional political systems, and retaining local power by dominating these units. In 1967 even Mr Odinga would not have thought of talking in terms of secession, decentralisation or regional autonomy. Hence, in such a changed framework and atmosphere, with the independent Kenyan Republic a going concern and in little apparent danger of disintegration, the Kenyan Government's attitudes towards the problem of the

Somalis in the north east of the country had an opportunity to undergo some modification. The problem appeared pressing, but at least it was not one small facet of a major movement that appeared likely to threaten the very fabric of the political system. By the beginning of 1967, it was possible for questions of decentralisation, autonomy, secession or separate development for the NFD to be looked at in isolation, rather than as one more aspect of a complex and highly disruptive problem calling into question the very future of an independent Kenya.

If the internal political situation in Kenya had undergone a considerable change by the beginning of 1967, the same was true of the domestic political situation in the Somali Republic. It was true that the old clan rivalries still dominated national political behaviour, that many of the political groupings which tended to split off from the dominant Somali Youth League were based solely on lineage factions, and that, while these tended to coalesce at times of national elections or when a new government was being formed, this added a large element of instability to the Somali political system. It was also still true that, in order to retain the support of various factions in political life, the Government in power had to see that all important factions were represented within its ranks (1), as well as operating a form of spoils system with administrative appointments. Even as late as 1967 an observer of the Somali political scene could comment that the Somali type of social participation and clan factionalism might, at the local level, be regarded as a "pastoral democracy", but that "... when transformed into a nation state, this native

system tends to reveal itself not as democracy but as parochialism, a variety of anarchy". (2)

However, in spite of the persistence of these features of traditional Somali political processes, some general trends had brought about similar results to those which had also occurred in Kenya. The passage of time had ensured that the Somali political system had become much more firmly established, and was generally accepted as being a permanent political framework for the country. Again, there was evidence of a growing public and private commitment among at least the modernising elites from both the ex-British and the ex-Italian colonies to the supremacy of national over clan loyalty, and this set of attitudes was also beginning to percolate down into other layers of Somali society. Finally, the administrative, economic and social integration of the two halves of the country was well advanced by the end of 1966, so that the concept of "Somali Unity" was well on the way to becoming something of a reality in at least two parts of the sundered Somali territories. In one sense, then, it was becoming less necessary to emphasize national unity as a means of overcoming difficulties brought about by the need to integrate two areas at rather different stages of development, ruled previously by two separate colonial powers, and confronting slightly different problems.

Even by June 1966, the process of successful integration had gone far enough, for a student of Somali political affairs to write that the Republic, "... had come a long way in welding together its two constituent territories in a much more thorough and pervasive union than was achieved at the time of independence...". The elections for the National Assembly held

in 1964 had, apparently, marked something of a turning point, and revealed "... the accommodation of northern and southern political interests in both the government and opposition parties on a truly national basis, corresponding to the developing economic links ... and the increasing uniformity of legislation in all spheres throughout the state. When due account is taken of the lack of any formal preparation, especially in the north, for integration before independence, this seems a notable achievement..." (3).

It is possible to overemphasize both the degree to which a sense of national unity and system legitimacy had penetrated the total political community of the Republic, and the degree to which a decreased emphasis on Somalia's external claims was a feasible political possibility. As late as April 1967 it was possible for E.A. Bayne to note that:

"... In administrative terms, the state is held together by a layer of modern national institutions - police, government bureaucracy, a parliamentary frame - but psychologically and militantly by an irredentism that has an old-fashioned ring in mid-twentieth century African political dynamics..." (4).

Similarly, it is worth noting that the platform upon which Dr Shermarke achieved the Presidency in 1967 may have included such features as investing government with a new dynamism, bringing about an increased level of national unity, and dealing with new political and economic issues, such as urban unemployment and perennial budget deficits, that were beginning to loom larger in Somali national politics; but that a major factor was the promise of a more forthright stance on Somalia's policy of liberation for the Somali peoples outside the Republic. In short, as Bayne has remarked, the new President was elected upon a campaign that was against the existing government's

domestic policy, but for a more vigorous pursuit of the same external aims, and that this combination was successful in gaining him office. It may be possible, therefore, to argue that the peaceful replacement of one government by another in May 1967 was a sign of stability and maturity in the Somali political system, as well as a sign that Somalia had, like Kenya, become a "going concern" with a high level of legitimacy, but it is also necessary to add that this state of affairs continued to be highly dependent upon the national pursuit of one commonly held external goal. (Or, at least, that this was the way in which the situation was perceived by Somali political leaders.) Even Lewis is careful to acknowledge that, while the sense of internal integration and national unity was largely based upon the common commitment to Islam and upon traditional sentiments of Somali nationhood, it had undoubtedly "been further reinforced by the Republic's external difficulties with her neighbours over the question of further Somali unification..." (5). In this sense, therefore, commonly accepted policies of the search for the "missing Somali lands" had provided both a set of superordinate goals upon which all the diverse groupings in Somali political life could agree, as well as a set of external enemies whose reactions could be perceived as a threat to the Somali Republic and its people as a whole, thus serving as a further unifying factor helping to overcome the structural disunity in the Somali political system. Somali "tribalism", regionalism and general disunity could only be de-emphasized by stressing Somali nationalism, and this led almost inevitably to a situation of conflict with the Republic's neighbouring governments in the Horn.

In one way, the dispute with Kenya over the NFD could partly be regarded as a function of the level of disunity within the Somali Republic, and its continuance thus depended partly upon whether Somali political incumbents felt that a satisfactory level of national unity had been achieved and could be maintained without the need for this common external goal as a further unifying factor. More immediately, the problem was how any modification of this goal, or the means of achieving it, would affect the political fortunes of leaders initiating such a change.

Thus, at the beginning of 1967, one question facing Somali elites was whether the continued existence of the Republic and its growing level of unity and integration, would provide alternative, acceptable goals, for the Somali political authorities to adopt. The complementary question was whether the new economic problems and issues facing the Republic would become sufficiently salient to devalue the issue of "Greater Somalia" in comparison with more immediate problems facing the country. Finally, there was the problem of whether the oft-reiterated long term goal of the unification of all Somali peoples could be modified or amended, when so many leading political figures had committed themselves to its achievement, and so much personal and national prestige had been invested in its pursuit.

Normally, as I will argue in the following section, it takes a major change in political leadership to bring about any fundamental alteration in policy goals or means, particularly if the incumbent political authorities have staked their own political reputations and national status upon success over that particular line of policy. Even with such a change

in leadership, it may be that domestic factions and groupings within the general political community have themselves become so committed to a set of oft repeated "immutable" policy goals that they will present a formidable barrier to any attempt by a new administration to alter these "essential" goals and commitments. The situation in Somalia following the election of President Shermarke in the summer of 1967, and his selection of Mr Egal as Prime Minister, may have allowed some restructuring of Somali policy and goals. The changed domestic and international environments may also have appeared to demand some modification of Somali aims and behaviour. The expectations of neighbouring governments may have further established a diplomatic environment conducive to such an effort. However, the key problems were to decide the exact nature of the effort and the means of breaking the deadlock in the dispute, for any initiative, if clumsily handled, could merely have confirmed both Kenyan and Ethiopian Governments in their perceptions of Somali intransigence of purpose and basic aggressive expansionism. A further difficulty was the probable reactions of factional groupings, elites and followers within the Somali political community, who had come to believe in the policy of Somali unification almost as an article of faith. This, at least, did not appear to have changed by the summer of 1967.

(B) The Continued Pursuit of Political Goals

By the beginning of 1967, the situation in the Horn of Africa had changed markedly in one other sense. It is always possible to analyse any conflict interaction as a series of interlocking strategies put into effect by the various parties



to the conflict situation in order to influence the goals, attitudes and behaviour of other, rival parties, and this has been the basic framework adopted in this study. However, alternative analytical approaches do exist. One of these involves regarding the same conflict interaction as a series of decisions, taken over time by the leadership of involved parties, either to continue or to abandon the undertaking in pursuit of the particular political goal which underlies the conflict. Using this framework, it is possible to trace out the course of the conflict, and the results of the various strategies employed by the conflicting parties, as a set of contingent decisions, regarding the continuation or abandonment of the pursuit of an objective. The effects of both the strategies of the involved parties and of extraneous, environmental factors, on one party's willingness to continue the undertaking may thus be seen in a series of decisions in which various factors are weighed against one another by groups of political leaders.

A decision to pursue or continue to pursue any political goal or objective in a foreign policy undertaking may be analysed in terms of the expected benefits the political leadership hopes to achieve by attaining the desired goal, the costs involved in the particular strategy employed to attain the goal, and the probability of eventually arriving at the objective within a "reasonable" length of time. All these three elements, benefits, costs and probability, are interconnected in what may be termed a political decision maker's "cost evaluation", and decisions about the initial pursuit, the continued seeking by the same or other means, or the final

and complete abandonment of any policy objective are all made upon the basis of this evaluation (6).

The dispute over the NFD may be seen, from the point of view of the Kenyan political authorities, as being an undertaking with the basic goal of retaining political and legal control of the NFD and its population, the attainment of which goal would bring in certain benefits. These benefits may be termed the utility of successfully achieving the desired goal. In order to attain this goal in the face of the opposition of some of the NFD inhabitants and a perceived threat from the Government of the Somali Republic, the Kenyan Government found itself involved in a number of costs, which included those resources expended in trying to defend the area itself from guerrilla attack and those expended in an attempt to influence the inhabitants of the NFD and the Somali Government to refrain from using such coercive strategies. As a result of the expenditure of these resources and of the reactions of both groups of Somalis, the Kenyan Government faced a given probability that it would be successful in repelling Somali claims and achieving its own goal of an integrated and peaceful NFD. The situation may be analysed in a similar fashion from the point of view of the Somali political authorities, using the same three concepts.

(i) Subjective Assessments

Two points about the related concepts of utility, costs and probability must be emphasized. The first is that, as all three are evaluated by political decision makers themselves, they are all essentially subjective variables. In this way, all three may alter owing either to structural changes in the

"real world" environment, or to internal psychological factors that affect the way structural factors are perceived or interpreted by the decision maker. For example, there is no such thing as an objective valuation of costs, even when dealing with such factors as monetary expenditure in supplying a national liberation movement with arms and ammunition, which can, after all, be measured in such "objective" units as dollars or numbers of rifles. With such decisions, the value assigned by individual decision makers to a particular expenditure of resources in pursuit of an objective is never merely the "objective" measure of the monetary sacrifice of resources (7); also included are subjective evaluations of such factors as potential loss of international prestige, loss of domestic support, expenditure of organizational and personal effort, and effects on personal status within the elite group. Similarly, the utility of achieving a given goal is also a matter of subjective evaluation. At one stage in the NFD dispute it was estimated that if the Somali Government achieved its goals of self-determination for the Somalis in the NFD and the Ogaden, and the latter decided to secede to the Somali Republic, the additional administrative costs alone would add another 40% onto the Somali budget. Furthermore, there would be no increase in revenue to offset this. However, the subjective utility of success to the Somali Government still remained high enough for them to continue to pursue their goals. Similar remarks may be made about the probability factor in the model. In short, subjective assessment affects all three elements in any decision maker's cost evaluation. Any one political decision taken at a single point of time to pursue a particular goal will be based upon subjective and personal

evaluations of (i) the probability of success, (ii) the likely costs and (iii) the estimated utility to be gained from success in achieving the desired goal.

(ii) Individual Versus Group Evaluations

The second major feature about any decisional model involving subjectively assessed concepts of utility, probability and costs is that the model deals with the decisions or choices of an individual, so that there are difficulties in its application to political decisions. For one thing, decisions to undertake or abandon the pursuit of a particular political goal are often the work of a group of political decision makers rather than of a single individual, so that all or any of the three elements in the cost evaluation may be assessed differently by different members of a decision making group. It is possible to avoid this problem by positing the concept of a "group evaluation" which underlies a decision to pursue or abandon a goal, and thus allow for minor variations in estimates of the worth of the proposed objective, the likely sacrifices involved in its pursuit, and the probability of successful attainment. However, this only raises other problems. While one might be justified in speaking of a relevant group evaluation when speaking of a small, close knit group of political decision makers such as a Cabinet, or a parliamentary faction, it is unlikely that all members of a national political community possess even roughly the same cost evaluation regarding a particular political goal. Even with such goals as "Greater Somalia" or "the preservation of Kenya's territorial integrity", differing assessments of the benefits to be gained from success, the likelihood of achieving

that success, and the burden of costs that will have to be borne, will exist within the respective political elites of the two countries, as well as among groups within the two political communities.

The importance of this phenomenon of a group evaluation is especially high when it comes to any alterations in that evaluation over time. It is a commonplace observation that individuals "change their minds" about the desirability of continuing to pursue certain courses of action with a view to attaining particular objectives, and that similar changes also affect groups of national decision makers with regard to national goals. When such changes occur, undertakings and goals are modified or abandoned and a process of "cutting losses" over particular policy objectives may take place. There seem to be two major processes by which such a change in policies can occur. The first is for one set of national decision makers to be replaced by another, who possess different evaluations regarding the pursuit of a particular goal. Either the latter group place a lower value on the attainment of the goal, or regard the costs of achieving it as too high (especially in terms of desirable alternatives being sacrificed) or <sup>may</sup> perceive the probability of successfully achieving the goal as too low. If a political grouping possessing a common, favourable cost evaluation regarding a particular policy objective is thus suddenly replaced in office by another group possessing an opposed valuation, then a reversal of policy may be anticipated. Alternatively, the process may be a much slower one, with individual members of the original group being replaced gradually by newcomers, who possess a different,

more negative evaluation of the particular policy goal. Thus, these newcomers may alter the group evaluation from positive to negative, and eventually bring about a similar decision to cut national losses and abandon the undertaking.

The second, and more complex, process by which a policy goal is altered or abandoned is for a change to take place over time in the cost evaluations of the original group of political decision makers, so that their initial assessment of the pursuit being essentially a worthwhile undertaking is altered and it becomes possible to consider abandoning the goal. This is a far more complex process than the swift replacement of one set of political decision makers by another set with opposite evaluations and a consequent unwillingness to continue an undertaking. This second process may be seen as one involving alterations in the group evaluation of probable costs, expected benefits and estimated probability of success. These alterations take place over a period of time following the initial decision to pursue the actual goal, and may be brought about by the interaction of a variety of factors, mainly stemming from the way in which changes in the situation affecting the goal are perceived and interpreted by the decision-making group. This process may be subjected to lags and distortions, so that the process of "group mind-changing" is usually a more difficult one than that in which only a single individual is involved (8). However, the ultimate result may be the same as that which occurs when the original group of decision makers is suddenly replaced: national change of policy, involving the abandonment or modification of one or several policy undertakings.

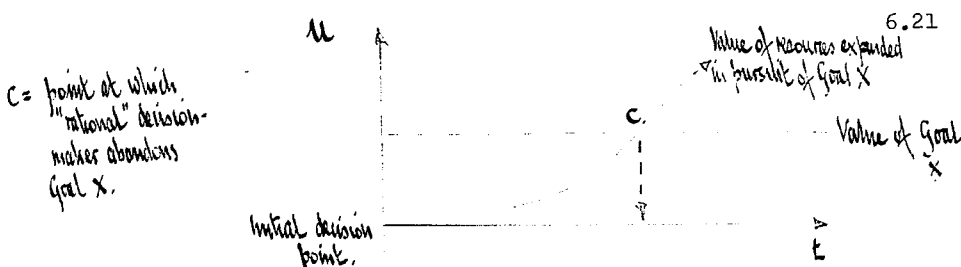
The dispute over the NFD may provide an illustration of both processes in operation. In the Kenyan case, roughly the same group of elite decision makers were in office from the beginning of the dispute in 1963 to the end in 1967. Hence, the only way in which a modification of goals could take place from the Kenyan side was for the cost evaluations of the KANU political leaders to alter, over time, under the impact of events. In other words, a learning process had to occur which affected enough of the Kenyan leadership to bring about a willingness to modify national goals. In contrast, a number of different groups of Somali political leaders became the political incumbents of the Somali system during the same period (though there was some overlap in the membership of these political groupings). The last major change occurred in the summer of 1967, with the election of President Shermarke and the beginning of the Egal administration. When this occurred, the cost evaluations regarding the NFD undertaking held by the Hussein group of political incumbents (which may, itself, have been subject to a similar process of modification over time as had that of the KANU leadership in Kenya) was replaced by another in which the configuration of utility, cost and probability was markedly different and which seemed to show the futility of continuing to pursue the goal of "Greater Somalia" by violent, coercive means. Hence, there appeared to be an abrupt "change of mind" by the Somali Government at this stage of the dispute, and a willingness to try to use different means to pursue policy objectives or even to modify these objectives in the light of alternative goals perceived as more worthwhile, less costly, and having a higher probability of success.

(iii) Changing Evaluations over Time within a Single Group

The modification of a decision-making group's evaluation of utility, costs and probability of success may occur over a period of time as a result of a number of changing factors in the real world situation itself, which act upon the perception of the decision makers and modify their overall view of that cost evaluation. Further decisions as to the continuance or abandonment of the pursuit of the particular goal will thus depend upon the way in which individual and group assessments of cost, utility and probability alter over time, and the way in which these three variables interact upon the overall willingness of a group of political leaders to continue any particular undertaking. For example, the utility of a particular objective may increase over time, so that, in spite of an increase in actual or anticipated costs or a decrease in the perceived probability of success, it may still be considered worthwhile to continue to try to attain that particular goal. In contrast, the subjective assessment of the utility of a goal may remain constant, but anticipated costs increase to such a degree that it no longer appears worthwhile to continue efforts to attain that objective.

In a wholly "rational" world, the utility of any political goal to the same group of political leaders, would remain constant over time, so that it would be simple to hypothesize the point at which that goal would be abandoned. In this rational world, the goal would be given up once the value of the total costs exceeded the utility of attaining the goal:

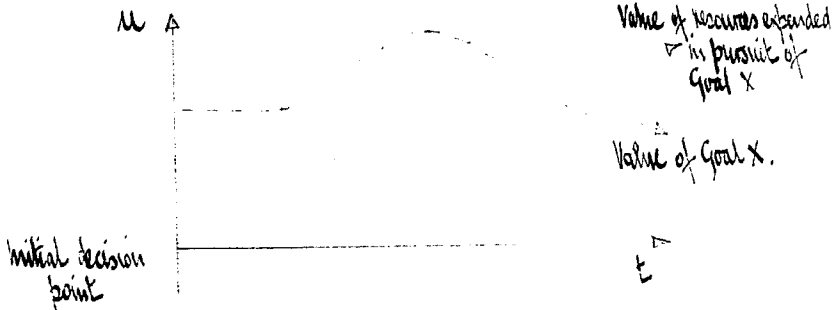




However, a policy modification might occur even before this cut-off point, for it at the same time the perceived probability of success declined significantly so that there no longer seemed any significant chance of attaining the goal, then the pursuit might be abandoned sooner; the willingness to continue a policy thus depends at least as much upon the perceived probability of success as upon the relationship between potential utility and the anticipated total costs of continuing the pursuit.

Even in simple real life situations, the process of altering goals and policies is more complex than the bare "rationalist" outline suggested above. Not only do perceived environmental factors tend to affect the three variables in the cost evaluation, but the three variables themselves may interact and bring about changes in one another. For one thing, the utility of the goal may not remain constant over time. Once the goal has been publicly set and openly supported by the national political incumbents, other values may gradually become involved in the situation, so that the final attainment of that goal appears even more worthwhile than it did when the initial decision to pursue the goal was taken. For one thing, there may be the desire not to lose credibility or status in front of the international "audience", and the argument may be made that: "If we fail in this case, our future commitments and statements on other issues will become

less credible." Similarly, the focusing of national attention on a policy goal may make its attainment worth more than the political incumbents in terms of increased domestic support for themselves. Finally, a fundamental alteration in the nature and value of the goal may take place, so that the symbolic act of "winning", or humiliating the opposing party, may become more important than any instrumental benefits from attaining the original objective. All these factors may have an effect in increasing the utility of the original goal over time (9), so that its continued pursuit appears worthwhile, even though expended costs are rising while probabilities remain the same. This may be represented by a rising curve for utility; though at a later stage this may again decline owing to the influence of other factors.



As an alternative explanation, Frank Edmead has argued that the utility of a goal may actually increase as a function of the amount of resources expended in its pursuit; in other words, at certain stages in the pursuit of a goal, its utility becomes, at least partly, a function of cost (10). This is because of the development of a perception among political incumbents, that once large scale resources have been invested in attempting to attain a goal, the costs of "writing off" such

expenditure would involve large losses to them in terms of decreased public support, loss of domestic prestige and loss of external credibility in that they had squandered valuable resources trying to reach an unattainable or unattained goal. In such a situation, the more resources already expended upon attempting to reach the goal, the higher the perceived penalties of a public failure, and the more valuable the attainment of the original goal becomes to the political authorities who initiated the pursuit. Hence this group of political leaders will become progressively less willing to "give up", as the policy becomes more and more costly (11).

The key element in the cost evaluation often appears to be the perceived probability that success will follow the expenditure of a certain level of resources. Casual observation, backed up by some indications from experimental psychology, indicates that individual decision makers tend to over-estimate the probability of desirable outcomes occurring, and hence there may be a general propensity to over-estimate the probability of success in achieving a desired political goal. It is only under the impact of massive inputs of contrary information that the perceived probability of success becomes less, though this in itself may be a long term process in which the persistent delusion that "one more increase of effort" will bring about the success that has long been sought.

In this connection, Edmead has also noted that, to some extent, the perceived probability of success is often connected with the previous expenditure of resources rather than any remotely realistic assessment of structural factors that will affect the likelihood of success. He refers to this as the "dernier quart d'heure" phenomenon, noting many examples

of situations when a massive expenditure of resources engenders a frame of mind in which the subjective probability of success becomes high because of this last effort, not because of any realistic evaluation of other variables in the situation, such as the capability or willingness of the opposing party to accept the costs imposed by the first party's efforts, and continue the conflict. Eventually, however, lack of apparent progress must bring about some re-assessment of the probability of success, and, in time, this will have a telling effect upon a party's willingness to continue to pursue a particular policy goal, and hence to remain in a situation of conflict with another party. This will occur no matter how high the utility of the objective, for a party with no hope of achieving even the most highly valued goal will eventually become disillusioned with expending resources in pursuit when it is becoming obvious that this undertaking is completely fruitless. Something of this situation had come about in the NFD dispute by the beginning of 1966, when the increase in guerrilla activity within the area, encouraged and supported by the Hussein administration in Mogadishu, had apparently had no effect upon the Kenyan resolve not to make any concessions, especially to an opposing party that was using violence and subversion in an attempt to bring them about. By the beginning of 1967 it was apparent that the Somali political authorities were beginning to realise that the Kenyans were not going to grant self determination, even as a result of the latest efforts, so that their perceptions of the probability of Somali success must have declined sharply (12).

Finally, in asking why the same group of political

decision makers might abandon the pursuit of a goal, it is necessary to have some regard to the resources available to those political incumbents with which they may pursue the range of goals that they deem desirable. If, for some reason, there is a sudden, marked drop in the overall available resources, then a re-assessment of policies and goals may occur, and some be abandoned. This sudden decline in available resources may occur for a number of reasons. It may be brought about by the defection of an alliance partner, by an adverse balance of payments, by the loss of a vital source of supply or market or even simply by a series of natural disasters such as bad harvests. The sudden loss on national "capital" which political authorities may expend in pursuit of national goals may result in some of the less preferred goals being abandoned, either temporarily or even permanently, so that the point at which, say, a fifth preference goal is abandoned because it involves the sacrifice of a fourth preference goal will be advanced in time. Alternatively, it may be that the shock of having one's capital resources reduced so drastically may compel a re-assessment of the relative utilities of all national goals, so that a change takes place in preference orderings, utilities of some goals being lowered vis-a-vis others, and those of lower utility then abandoned. Whatever the actual process of re-evaluation, one result of a sudden loss of resources may be a decision to cut one's losses and abandon the pursuit of a particular policy goal because it has become less desirable or because it now involves too great a sacrifice.

(C) Cutting Losses Over the NFD

The discussion in the previous section may be of some help in attempting to assess the manner in which the situation in the Horn of Africa had altered from the end of 1963 to the beginning of 1967 with regard to the NFD dispute. There can be no doubt that, for both parties, the utility of eventually achieving their goals in the dispute had remained high (particularly in Somalia, where the salience of the "Greater Somalia" issue never lessened), though, as will be implied below, preference orderings may have changed over time, both for political incumbents or opposition groups, and for the general political community and those local groups most directly affected by the conflict. In contrast, costs had risen steeply for both parties, both as regards resources already expended or anticipated, and as regards alternative opportunities foregone.

In terms of actually expended costs, the NFD dispute was continuing to use up an increasing amount of resources from the two main parties, both in direct expenditure and in indirect costs. For the Kenyan Government, the struggle within the NFD itself, though a remote and comparatively distant problem, was becoming increasingly irritating and expensive. In spite of all the Government's previous efforts at influencing the inhabitants to support the Government and to control and coerce the "shifta", casualties in the NFD continued to mount from the summer of 1966 through to 1967, as did damage to property. Reports of serious clashes, and increasingly large groups of guerrillas continued to be made. On September 6th 1967 there was a Ministry of Defence report that

over 230 "shifita" had been killed in the previous month alone, bringing the total of "shifita" killed over the previous four years to well over 2,000 (13).

Similar statements were forthcoming from the NFD Liberation Front in Mogadishu, and during the middle months of 1967 both sides became involved in a rising crescendo of claims of success, denials and counter-claims. Even allowing for wild exaggeration in most of these public announcements, the indications are that fighting was becoming more widespread, savage and costly as the year progressed. Reports of clashes between "shifita" and combined Kenyan-Ethiopian forces indicated that both these Governments were putting into practice their agreements for combined or co-ordinated patrols. The visit of Dr Mungai to the United Kingdom in May 1967 was apparently an attempt to obtain some additional help from that source, under the residual defence agreement between the two Governments. There were rumours at this time that the Minister had made a request for helicopters to be supplied, and, while the effort appeared to bring no concrete results, the 16 day "unofficial" visit may be indicative of the growing strain on the Kenyan security forces imposed by the guerrilla campaign.

There can be little doubt that, by the middle of 1967, the "shifita" war in the north east was imposing what the Economist described as "... a cruel burden on Kenya's economy ..." (14), while the Times shortly afterwards estimated that the struggle was costing the Kenyans £5 million per year. The actual monetary costs of the war may be judged by the increase in Kenyan expenditure on defence and security in the years following the granting of independence. These must, naturally, be set against a general trend of rising Government expenditure,

but the proportional rise in expenditure for "Defence" and "Law and Order" is far greater than those in almost any other branch of Kenya Government expenditure:

Kenya Government Accounts : Expenditure by Function

<u>General Services</u>	<u>62/3</u>	<u>63/4</u>	<u>64/5</u>	<u>65/6</u>	<u>66/7e</u>	<u>67/8e</u>
Law and Order	8.2	8.1	8.1	8.8	10.0	10.4
Defence	.16	1.16	3.03	4.03	5.78	6.2
Roads	3.3	3.4	2.9	5.1	6.5	7.3
Education	7.9	7.3	6.8	6.8	9.6	11.3
<b>TOTAL</b>	<b>57.73</b>	<b>68.13</b>	<b>70.54</b>	<b>77.52</b>	<b>84.88</b>	<b>96.05</b>

(Figures in £m K. Sources; Kenya Statistical Abstract 1967 and Kenya Economic Survey 1968; Nairobi; Ministry of Development).

In addition to these costs, while there may have been elements of persuasion and implicit bargaining in the Kenya Government's strategy of stating that its inability to develop the "neglected" north east of the country was solely due to shifta activity, there can be little doubt that part of the price of holding down a disaffected population supported by an external patron was paid in terms of development opportunities foregone, especially in view of the limited resources of the Kenya Government (15).

This is not to argue that the costs within the NFD were ~~not~~ entirely one sided, nor that the Kenyan Government and their agents were the only ones to begin to experience the full costs of an extended guerrilla war by first hand participation. The people most directly affected by the conflict were the inhabitants of the NFD themselves, whether they were



pro- or anti-secessionist, Government or guerrilla sympathizers, village-dwelling or nomadic. By the summer of 1967 all had been subjected to the efforts of one or the other side in the dispute to achieve its own particular goals, and experienced fierce Government regulation, plus the death, destruction and uncertainty of a widespread guerrilla war. The pro-secessionists, and pro-"shifita" had seen the costs of trying to achieve their objectives of self determination and eventual unity with the Somali Republic progressively increase, until those costs involved the almost total disruption of the traditional nomadic way of life. For some of the inhabitants, the costs involved in pursuing their goal of freedom from Kenyan rule were heavy, and they undoubtedly experienced the effect point<sup>ed</sup> out by Edmead, whereby the value and worth of this ultimate goal actually increased because of the sacrifices they had made in pursuing it. For others, as the sacrifices and burdens imposed by the logic of guerrilla insurgency and the Kenyan Government's reaction began to increase, the value of freedom for the NFD peoples may have altered in the opposite direction, as preference orderings changed and other goals became paramount. A return to the pastoralist "status quo" must have seemed, at least to the nomads confined to their Government "villages" with their livestock dying, an objective more immediately valuable than ultimate political union with their distant kin in Mogadishu. Eventually, a large number of these people must have reached a stage of being unwilling to bear any more costs, and sacrifice any more of their alternative goals in order to achieve an increasingly unlikely independence. It seems plausible to argue that, for many Somalis in the NFD, this

stage had been reached by the middle of 1967, if not before.

For the Government of the Somali Republic, the direct costs of supporting their kin in the NFD may not have been so immediately obvious nor so damaging as those sustained by the Government in Nairobi, but there were, nevertheless, direct costs to be born. The Somali defence budget doubled in the period 1963 to 1967, reaching a total of £3.2 million in the latter year. This figure represented 20% of the Somali Government expenditure for this financial year, the nearest comparable figures being the expenditure of the Ministry of the Interior (17.7%) and that of the Ministry of Public Works (9.5%) (16). Expenditure on defence was at this level in spite of the fact that much of the capital outlay on basic equipment and armament for the army and air force had been met by a generous Soviet credit arrangement, while, by 1968, almost one thousand Somali officers and technicians were being trained in the Soviet Union (17).

It can be argued that the possession of such a sizeable military force did possess some positive pay-off in itself, both for the Somali government and political community. For one thing, there can be little doubt of the seriousness with which Somalis regarded the apparent military threat from Ethiopia, and the fact that the expanding army provided some increased sense of security. Again, as one observer has commented, the army did help to symbolise both independence and national unity, as well as providing a mechanism by which a non-tribal institution could be created, and the clan loyalty structure broken down into a wider, national loyalty (18). Finally, the army expansion did appear to give domestic credibility to the Somali Government's militant stance in external

affairs over the problems of the Somali minorities, and this in itself was guaranteed to increase internal support for those political authorities pursuing such a militant strategy, as well as lending an enhanced sense of national dignity to the infant Republic.

However, there can be no getting away from the fact that by 1967 the Somali army had become disproportionately expensive, and there can be little disagreement with the view that the "... cost of military preparedness on the Horn ... has become increasingly high, in proportion to available resources for economic and social development ..." (19). In the Somali case, the most serious costs appear to have been of the "foregone alternatives" type, and major casualties of Somalia's perceived necessity to concentrate its limited resources in arms were national economic development and financial stability. The financial burden imposed by the arms increase, coupled with the effects of a series of widespread droughts in the area, contributed substantially to the abandonment in 1965 of Somalia's first Five Year Plan and substitution two years later of a more sober emergency development scheme. An indication of the way in which Somalia's limited resources were increasingly concentrated on defence and military spending are given in the following figures showing the annual expenditure of the Ministries concerned respectively with development, modernization and national security from independence to 1967:

<u>Ministry</u>	<u>1961</u>	<u>1964</u>	<u>1966</u>	<u>1967</u>
	(Thousands of Somali shillings)			
Defence	22,557	38,656	49,594	53,774
Education	10,139	13,367	15,173	19,429
Health, Labour & Veterinary Services	18,414	19,520	15,332	18,847
Public Works	31,953	21,729	21,174	25,593
Agriculture & Animal Husbandry	3,645	3,806	7,032	10,388

(Figures of ordinary budget expenditure taken from: Somali National Bank Bulletin No. 12. Mogadishu. December 1967.

Table 4.21. pp. 56-57.) The whole trend of policy in Somalia from 1963 to 1967 thus reflected the political authorities' need to concentrate upon the building up of forces for security purposes, and their consequent sacrifice of development objectives because of lack of economic resources and budget imbalances (20).

The unsatisfactory state of Somali Government finances and the economy appears to have reached something of a crisis by the beginning of 1967, when Premier Hussein's Finance Minister, Mr Avil Haji Abdullahi, announced in his budget speech to the National Assembly that Government revenues had not reached their target, so that it might be necessary to take "... Urgent steps..." to meet government expenses. Many development plans that were to have been financed by friendly countries would have to be delayed, and still others brought to a complete standstill. A new Government policy was announced, which concentrated upon "... urgent short term measures..." aimed at self-sufficiency in food, the competitive sale of Somali bananas (the main export crop) and the balancing of Government income and expenditure (21).

The signs of a crisis in economic matters had been evident even before this announcement, however, Early in September 1966, Prime Minister Hussein had held a colloquium of diplomats, civil servants and leading Somali citizens, at which he had delivered a remarkably frank assessment of the economic and financial problems facing the Republic (22). Included in this three hour review were the following points: that in spite of the fact that Somali exports had increased in value by 45% since independence, they were still almost wholly made up of cattle and bananas; that there was a constant budget deficit, in spite of the fact that Government revenues had increased by almost two thirds by 1966; that the constant balance of trade deficit presented a double problem, as over half Government revenue came from customs receipts and duties; and that the balance of payments for the country had steadily declined (23) from the high point at independence (in spite of the increase in exports), mainly because foreign aid had been declining in volume and showed no prospect of increase.

The whole outlook painted by the Prime Minister was gloomy in the extreme, and he laid down four areas of development as informal priorities rather than any rigid plan, beginning with the expansion of agriculture and livestock production, followed by industrial development (24), education, and local community development projects, to be embarked upon with Government assistance and encouragement. The whole key to Somalia's economic future was to lie in the strategy of creating resources for development before other needs were met.

It was against this background of a general realization in elite Somali circles of an immediate need for retrenchment

and economic reform that the budget provisions introduced in January 1967 had to be set. The nature of these measures shows something of the predicament in which the Somali administration found itself at the start of 1967, the fourth year of its conflict with Kenya and the seventh of its dispute with Ethiopia over the Ogaden and the Haud. While the struggle for "Greater Somalia" may have been, and might continue to be, an integrating factor in the symbolic sense, it was a costly factor, so that, in the more practical sense that it involved the sacrifice of many desired options, it was becoming a potentially divisive force among Somali decision makers. Furthermore, recognition of other problems not only brought these into salience for both political authorities and elite groups, as well as the Somali people; it also reinforced the hard fact that the solving of such problems as population concentration and the resultant growth of urban unemployment depended upon available resources, and these, in turn, depended upon the other undertakings in which the Government of the day was involved. The very fact that new problems were brought into greater salience and seemed to demand pressing action may have helped to downgrade other objectives and re-order the priorities of Government policies. In other terms, with the new salience of economic problems, amounting almost to a crisis, a general shift in the utility of competing Somali goals may have occurred, with an adverse effect upon the goal of eventual success in the undertakings connected with "Greater Somalia".

At the same time as a fresh reappraisal of the rising actual and potential costs of pursuing their conflicting goals over the NFD was being carried out by both the Kenyan and

Somali leaderships, and the Somali Government was finding other types of problems becoming more salient, another factor in the respective cost calculations of both parties to the dispute was altering. For both parties, the perceived likelihood that they would achieve their respective goals at any kind of "reasonable" sacrifice of alternatives or expenditure of effort had been declining over the previous three years, as the strategies of one had been frustrated by the reactions and counter-strategies of the other. Given that the goals of the Kenyans were basically concerned with retaining legal "ownership" and sovereign control over the NFD, and of successfully integrating the area into the Kenyan social, economic and political system, and that the goals of the Somali political authorities were to coerce their opponents into granting self determination and eventual secession to the Somali minority in Kenya, both parties, by the start of 1967, must have experienced a decline in the probability that they would successfully (that is, quickly and cheaply) be able to attain those goals.

It does not seem too much to argue that, after three years of violent guerrilla insurgency, equally violent reactions by security forces, propaganda exchanges, and fumbling attempts at face-to-face negotiations, both parties had come to some understanding about each other's determination to prevent the achievement of the other side's goals, which were seen as wholly incompatible with their own. By the beginning of 1967, the Somali political authorities can have had no illusions about the Kenyan determination to hold on to the NFD, nor about the general support for this stand which existed among other African states. Over the three years of effort and

tactical manoeuvring a significant learning process had taken place, and the perceived probability that the Somalis would achieve their objectives by violent methods within a short period of time must have been considerably lower within policy making circles in Mogadishu in 1967 than it had been in 1963, particularly as the intensified guerrilla campaign beginning in 1966 had yielded few results, and the situation had not moved from the frustrating impasse that had existed since the end of 1963 (25).

The lesson of this appeared to be that the Somali Government, and the Somalis in the NFD seeking secession, could not win their case by the use of violence. They were regularly being defeated in the use of that strategy, and the Kenyan authorities were showing no signs of cracking in their resolve that there should be no possibility even of discussions of a transfer of people or territory. If the Somali estimate of the probability of success had risen in the summer of 1966 with their increase in effort and resources in backing the new guerrilla campaign, then the failure of this campaign must inevitably have resulted in the chances of success seeming further and further away.

Similarly, the Kenyan authorities possessed ample evidence of the sacrifices that both the NFD Somalis and the Somali Government were prepared to make to bring about some form of self determination, or to alter the legal status quo in the NFD. Again, it seems unlikely that no learning process had taken place in Nairobi, and so the Kenyan perceived likelihood of success in being able to retain their own unfettered sovereign control over the area, with no external influence or interference, must have similarly declined by the



beginning of 1967. Both sides, however, found themselves "locked in" to a set of strategies in the pursuit of a set of constantly reiterated public objectives. What was required was some way out of this blind alley, and some means, for both parties, of cutting losses over the NFD.

One final set of changes in the environment which radically, if temporarily, affected the cost evaluations of the Somali political leadership and altered Somali willingness to continue the pursuit of their goal was the closure of the Suez Canal as a result of the June War in 1967. This major alteration in the regional environment within which the NFD conflict was taking place only served to hasten the re-evaluation of the costs of the "Greater Somalia" undertaking which was then occurring as a result of a change of leadership groups within Somalia. The effect of the Suez closure worked in the same general direction as the change of leadership, and acted as both an accelerator of, and further justification for, a re-assessment or modification of the undertaking. In short, the June War added impetus to Prime Minister Egal's "new approach" to the problem, as well as supplying additional arguments against his opponents in favour of a change. It has already been stressed that, by the beginning of 1967, the Somali authorities were stretching their limited national resources to the full, and that they had already been forced to abandon some of the economic goals that had been established at the beginning of independence. With the Somali economy and Government finances in such a precarious state at the start of 1967, it was apparent that the range of feasible undertakings open to Somali governments, of whatever composition, was fairly limited, so that any event which appeared likely to further cut

down the resources available to pursue any range of desirable objectives would have a serious impact and might necessitate the abandonment of some undertakings and the postponement of others. The closure of the Suez Canal in the summer of 1967 appeared to be just such an event; one which made a major cut in the overall national resources available to the Somali Government.

For a brief but crucial time it appeared that the closure of the Canal would be a major disaster for Somali trade, especially exports of bananas and livestock. On June 9th an alarmed National Assembly approved a law to control the prices of essential commodities in the event of any shortages, and during the following months Somali trade faced a serious crisis (26). The Somali National Bank Report for 1968 refers to the Middle East crisis, which "... led to the closing of the Suez Canal and consequently brought economic activity to a standstill...". The key problem was the suspension of banana shipments, but other effects might have made themselves felt on the whole economy had not the Government arranged financial measures and international credit - an IMF stand-by loan of 5 million dollars - to cope with the difficulties. However, with trade even temporarily at a stand-still, the main source of Government revenue had also vanished, so that any lengthy suspension of trade would have had a seriously adverse effect upon Government finances as well as upon the economy of the plantation area in the south of the country (27).

An indication of the effects of the closure of the Canal on Somali trade can be gained from the quarterly trade figures of the year dealing with trade between Somalia and Italy, the former's main market for fruit exports. The crucial figures

are those for the third quarter, from the end of June to the end of September, though much of the main impact of the closure made itself felt immediately after the Six Day War, during the last two weeks of June itself:

Italy-Somalia Trade : By Quarters 1967

	<u>1st Q</u>	<u>2nd Q</u>	<u>3rd Q</u>	<u>4th Q</u>	<u>Total</u>
Italy imports from Somalia by quarters	5,815	3,960	1,659	3,758	15,192
Italy, exports to Somalia by quarters	2,713	2,750	2,183	3,908	11,654

(Source: UN Commodity Trade Statistics. Series D. Vol. XVII)

By the end of September, trade had recovered substantially, and the initial alarm was over, thanks to the employment of faster, bigger banana boats using the Cape route which reaction enabled exports to return to normal. Though the crisis thus turned out to be only temporary, there can be little doubt that it caused serious alarm in Government and trading circles, who faced what could have been a major blow to the already rocky financial and economic conditions of the country, cutting down both exports, indicating an even more adverse balance of trade, and Government revenue, indicating an even bigger budget deficit (28). In short, there appeared a strong likelihood of a significant reduction in overall Government resources, available for the pursuit of national goals. It is not argued here that other countries in East Africa and the area of the Horn were not also adversely affected by the closure of the Canal (though indications are that both Ethiopia and Kenya were less significantly affected), nor that the Somali political leadership suddenly found itself permanently impoverished by a

cut in its available resources. However, for a crucial time-period, the outlook was remarkably unfavourable and uncertain for the Somali Government, and there appeared a substantial probability that the adverse effects of the Canal closure would be long-lasting. Furthermore, this period of time - roughly from June to September 1967 - was a crucial one for the Somali leadership, coinciding with changes in President, political leadership and also of policy towards the Republic's neighbours. It does not seem too far-reaching to argue that the sudden, if temporary, decline in Somalia's economic fortune had some effect in re-emphasising the need for a re-assessment of the costs of many basic undertakings (including that of "Greater Somalia"), and was of some assistance in publicly and privately justifying the modification of certain strategies, and the abandonment of others as being too costly for the resources available to the country. This should not be a surprising conclusion. The political authorities in Somalia as a party to the NFD dispute among other undertakings, suddenly found themselves, through the action of external and uncontrollable variables, with less overall resources available than had previously been the case, and with the prospect of having to readjust their undertakings, strategies and behaviour to cope with what might have been a long-term closure of one of their main arteries of trade. The situation inevitably called for some re-evaluation of undertakings and goals, and a re-ordering of the utilities of various preferred outcomes.

The final change in the situation with regard to the NFD dispute which took place in 1967 was the replacement of one set of political leaders by another set within one of the opposing parties to the dispute, thus bringing about a revision of the

cost evaluation held in Mogadishu regarding the NFD undertaking. In this respect, the Somali Government, as a party to the conflict, differed significantly from the political authorities in Kenya. Whereas for a change of Kenyan objectives and goals to take place, basically the same decision makers had to undergo a major alteration to the group cost evaluation, the Somalis, through the comparatively rapid change over in their administrations, could have markedly different groups and individuals occupying political authority roles within their political system. As noted above, this meant that one set of decision makers with a particular evaluation of costs, probabilities, and utilities from success, could be replaced by another group with differing evaluations. Furthermore, not only might the group evaluation of the incoming administration be different from those of its predecessors, but so might their previous public commitment to a particular undertaking or line of policy pursued by those predecessors.

At the early stages in any new administration there often appears to be a great deal more freedom for change, modification and cutting losses which stems particularly from the fact that the newcomers are able to repudiate previous decisions, actions and goals for which they will not be held responsible. For these reasons, any new administration is expected to possess a wider range of options than the incumbents they replace, as well as a different set of priorities, and this very expectation of imminent change may actually assist a new regime to bring about substantial policy alterations (29). Such an opportunity is not normally open to political incumbents who remain in office over a long period of time while an under-

taking is being pursued. In such a case, as in Kenya from 1963 to 1967, the change in evaluation must occur through the members of the same group of decision makers undergoing some major restructuring of their individual and group cost evaluations over a period of time (30), either regarding the goal and its utility, or the cost and probability of achieving it at a "reasonable" sacrifice.

The new Somali administration that came into office in the summer of 1967, amid the long and short term environmental changes mentioned in the foregoing chapter, was that headed by Mohammed Ibrahim Egal, a northerner who had been leader of the old Somali National Congress in British Somaliland before independence, and the first Minister of Defence of the united and independent Republic. The new Premier had been appointed by the newly elected President, Abdirashid Ali Shermarke, and completed a new team of Somali leaders whose different views and evaluations of the problems facing the Republic formed the final "environmental" change affecting the conflict situation involving the NFD. The question, therefore, in the summer of 1967, was whether the changed environment of the conflict, with its different effects upon the relevant cost evaluations of the political incumbents of both parties regarding the NFD undertaking, would bring about: (i) a modification of strategies used to attain the same goals (for example, cheaper but less rapid means to bring down the costs), or (ii) an abandonment of the goals themselves and of the entire undertaking by one or other party, or (iii) some new approach to the conflict which might result in its resolution rather than a temporary settlement involving perceived losses to one side and perceived gains to the other.

Footnotes to Chapter VI

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1. One of the reasons for the fall of the first Hussein Cabinet at the time of the OAU Cairo Conference in 1964 was that it failed to take clan interests fully into account. E.A. Bayne comments that the Cabinet:

"... was composed of a group of Somali elite who represented competence more than the traditional and delicate balance of clan or regional loyalties, and not long after taking office this first Cabinet was indeed challenged by Parliament as being too insensitive to clan loyalties. The Prime Minister deftly compromised, granting two (of twelve) ministries to figures in the Somali Youth League whose political strength derived chiefly from sectional support. From that time on, the government has attempted to deal with the nation's multiple problems as a whole, however much these efforts have been blunted by the internal economic realities of underdevelopment and the political necessity for continuing irredentist fervour...".  
E.A. Bayne: "Somalia and the United States". AUFS Reports (North East Africa Series) Vol. XIV (1) April 1967, p.11.

2. Ibid. p. 2.
3. I.M. Lewis: "Integration in the Somali Republic", in A. Hazlewood (ed.) African Integration and Disintegration. (London: OUP, 1967), p. 281.
4. E.A. Bayne: "Somalia and the United States", op. cit. p. 3.
5. I.M. Lewis: op. cit. p. 281.
6. To propose the analytical usefulness of a "cost evaluation" is not to argue that "real life" political decision makers consciously use the concepts of cost, probability or beneficial outcomes to make their choices from among alternative courses of action. Nor does it mean that I think that there exists any decision process by which numerical values and weights may be assigned to the three factors and fed into a computer for a positive or negative assessment. However, in all political decisions, leaders and their advisers do, in fact, weigh alternatives and possible outcomes, and implicitly if not consciously assign values to desired outcomes. They also attempt to assess the probability that the most preferred outcome will follow from any course of action. In this informal sense, political leaders use an implicit cost evaluation, whether the decision is taken singly or by a group. The concept therefore appears to be a useful ordering device and guide for empirical work, though its operationalisation presents almost insurmountable difficulties.

7. However costs are reckoned, the fact remains that any set of political incumbents have only a certain limited amount of resources at their disposal, so that they are always faced with problems of choice among competing goals. To make a choice to pursue Goal X and Goal Y as opposed to Goal A implies that, at least at the time of the initial decision, the subjective evaluation of X and Y was higher than A, or in other words, that X and Y gave a higher utility than A. (It may also have been that the pursuit of X and Y appeared to demand a lower expenditure of resources and seemed to offer a higher probability of success.)
8. Even when an opposition grouping takes over the political authority roles in a national system, radical policy changes need not necessarily occur immediately. There may be a certain "stickiness" in policies, and it may prove difficult to abandon them. This may be because the group of incoming political incumbents finds itself subjected to new information regarding the restraints of situations it wishes to alter, so that its own cost evaluations tend to be modified nearer to those of its predecessors on taking office.
9. A number of different influences may affect perceptions of utility at different stages of an undertaking. It may be that, over an initial range of expenditure, the evaluation of the objective rises as a direct function of that expenditure, but that after a certain point, decision makers become more "rational" so that the evaluation of the goal remains at a constant level of utility for a time. Finally, decision makers may progressively reduce their own evaluation of the goal, preparatory to abandoning its pursuit with the lowest possible psychological strain to themselves. In such cases, the subjective utility curve would follow some inverted u shape when plotted over time. (See above.)
10. "Mediators' Use of Environmental Factors." Paper presented to a special UNITAR Working Group. New York. December 1969.
11. Edmead also notes that there exists another important psychological process at work which results in the gradual acceptance of higher and higher increments of cost in pursuit of the goal. This acceptance is based upon the fact that each new increase in expenditure is only marginally greater than that made previously. However, compared with the initial sacrifice in pursuit of the goal, current cost, additions may be huge.
12. On the increase of Somali efforts to coerce the Kenyan authorities into making concessions over the NFD, E.A. Bayne states that "... short of an outright and undoubtedly disastrous war with Kenya, the guerrilla activity would be pressed to the utmost in 1966...".  
However, the results of this expenditure of effort and resources was merely a stronger reaction from the opposing party:



"... The Kenyan government responded by successfully rounding up Somalis in concentration areas. The Ethiopian government took measures to strengthen its military presence in the Ogaden ... These responses in turn enhanced Somali resentment, but they established the fact anew that Somalia could not win its case by violence...".

E.A. Bayne: "Chiaroscuro on the Horn: (II) Origins of Detente." op. cit. pp. 8-9.

13. Report in the Daily Nation, 6.9.1967.
14. The Economist, 27.5.1967.
15. It is easy to deride the Kenya Government initial (1963) offer of £300,000 to develop the North Eastern Region, especially when this is set against overall Kenyan Development Expenditure for this period. (1963-4; £14m. 1964-5; £13.6m. 1965-6; £14.25m. 1966-7; £19.58mm.) However, it should be recalled that the opportunities for economically productive development investment in NED were very limited.
16. Figures are from: Somalia Statistical Abstract 1966 (No. 3); Ministry of Planning and Co-ordination (Statistical Department); Mogadishu; March 1967.
17. E.A. Bayne: "Chiaroscuro on the Horn (II): Origins of Detente". op. cit. p. 9.
18. E.A. Bayne's comments in: Birthday for Somalia, AUFS Reports (North East Africa Series) Vol. VIII (I) August 1961 p. 8.
19. See E.A. Bayne: "Chiaroscuro on the Horn: (1) A Theatre of Development". A.U.F.S. Reports (North East Africa Series (Vol. XV (1) Oct. 1968. p. 8.
20. See Appendix 2.
21. Report of the Minister's speech broadcast over Radio Mogadishu, 3.1.1967. (BBC Monitoring Reports ME/2359/ii).
22. The Prime Minister's review is contained in: Message to the Nation. by H.E. Abdirizak Haji Hussein. (Mogadishu, Office of the Prime Minister; September 1966.)
23. See Appendix 2.
24. The Prime Minister was realistic about industrial progress in Somalia: "... We should not be led away by the glamour of industrialisation" he stated in his address. "We must realize that we cannot be a big industrial power - at any rate in the near future...". "Address to the Nation". op.cit.

25. On the realisation that coercive strategies were not achieving their ends, and the frustration this engendered, Bayne comments that "... The previous Somali policy of Abdirizak Haji Hussein, and indeed of Shermarke before him, had been to maintain a reactionary guerrilla stance, if only to keep the problem noisily before the world, despite the knowledge that they had no chance of ultimate military success. (The Somalis, in fact, were regularly defeated) ....". The results of this policy were summarized that, on balance, "... There was some satisfaction to be noted in the development of outside economic aid, but short of putting the issue before the world, little progress was revealed towards resolving its irredentist claims ... The record was one of frustration that not only distorted and impeded the essential steps toward internal economic and social development in the society, but might also have encouraged political adventuring by chauvinistic leaders...".
- E.A. Bayne; Chiaroscuro on the Horn (II) Origins of Detente. op. cit. p. 11.
26. News broadcast over Radio Mogadishu, 9.6.1967. (BBC Monitoring Reports ME/2488/B/5.)
27. Reports and comments on the effects of the Middle East crisis in; The Somali National Bank; Report and Balance Sheet. 1968 (Financial Year 1 January - 31 December, 1967) esp. pp. 13-14. For comments on the threatened loss of revenue see the Report and Balance Sheet op. cit. pp. 43-44.
28. It is worth noting that the total receipts of the Somali treasury from all sources (including import and export duty) for June 1967 was 850,000 Somali shillings, when the monthly average for the year was 20,800,000. Somali National Bank; Report and Balance Sheet. op. cit. pp. 43-44.
29. The expectation that "a new government brings change" is reflected in the Ethiopian reaction to the appointment of Mr Egal in July 1967. A tentative feeler was put out by the Ethiopian Foreign Minister, who said that he hoped that the formation of a new Government in Somalia would lead to improved relations, and "... We shall spare no efforts in this direction...".
- News broadcast over Radio Addis Ababa, (BBC Monitoring Reports ME/2512/B/9.)
30. In spite of the coming to power of a "new" Somali leadership in July 1967, some of the remarks applied to the Kenyan leadership must also be relevant to the Somali situation. While it is true that Prime Minister Hussein's cost evaluation regarding the NFD and the Ogaden undertakings was markedly different from that of his successor, the northerner Mr Egal, the same cannot necessarily be said of the new Somali President. Dr Shermarke had been vigorous in his attempts to unify the Somali peoples when he had been prime Minister in 1964, but in 1967 he was instrumental in beginning and encouraging the new, peaceful initiatives from his role as President. It must have been that his own orderings of

desirable objectives had undergone considerable modification in the intervening period, so that his views of both goals and undertaking, as well as strategies, had altered. On his election as President in 1967 there was certainly an expectation, both in Nairobi and in Addis Ababa, that the Somali "unification" policy would be pursued with much greater vigour (and violence) from that time on, and considerable surprise was subsequently expressed at the President's apparent change of heart.

CHAPTER VII - The Arusha Agreement :  
Cooperative Problem Solving

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"To the extent that a society or group is rent into rival camps so that there is no community of ends between the parties, if one party is not willing to accept the definition of the situation that the other proposes, the making of peace becomes an almost impossible enterprise..."

Lewis A. Coser: "The Termination of Conflict".  
Journal of Conflict Resolution. V (4) December 1961  
p. 351.

In any international dispute there are periods during which neither party can see any strong likelihood of gaining its objectives in the near future, when the additional and overall costs of the dispute are mounting, but when any abandonment of the initial goal of the undertaking will appear to be impossible, owing to other costs of abandonment, which include losses of domestic political support, and personal and national prestige, as well as of the resources already "wasted" in pursuit of an elusive success. In such periods, if neither side perceives that there is any relative advantage to be gained in continuing the dispute through coercive strategies, efforts will sporadically be made to reach some sort of compromise solution. These efforts may either involve attempt to formulate some solution whereby the values under dispute are shared (provided they are defined by both parties in roughly the same manner, and are capable of division), or they may involve attempts to find some wholly new way of resolving the conflict,

which often involves totally redefining the nature of that conflict and the issues in dispute. The latter process is always the more difficult to accomplish, for it involves altering the perceptions of both parties away from any framework which the gains of one party must necessarily be perceived as the losses of the other.

This perception of the conflict as a fixed sum or zero sum situation is the one normally held by elites and national political communities in both parties at the end of any period of conflict behaviour involving violence and destruction resulting from the employment of coercive strategies. The dispute is seen as a situation, or a "contest", in which "our" loss is necessarily "their" gain, and it is normally presented in such terms. Hence, in any inter-state conflict situation it is difficult to find leaders who are willing to regard conflict situations as problems to be solved rather than as contests to be won. It is even more difficult for such leaders, should they exist, to present their views to their supporters and to the country at large in such a manner that their approach is not regarded as a betrayal or an outright abandonment of the national objectives in the dispute.

A further difficulty confronting any leader who wishes to try a new approach to settling a dispute, is that the opposing party will usually fail to perceive any initial moves as being conciliatory, or may merely regard them as some form of trap or a strategy to achieve the initiator's original objective by other means once their own guard has been lowered. The hostility and suspicion between parties to any inter-state conflict, plus the usual breakdown in normal communication patterns, ensure that

all moves by the opposing side are interpreted as insincere, threatening or made to win third party approval. The customary response will be to ignore or reject all such "false" overtures. The result is often that any conciliatory leader in one party is initially rebuffed. He will need to be persistent if his first conciliatory signals are rejected, but initial rejection usually merely reinforces the general impression that the opponents are untrustworthy and intransigent, and have no wish for any form of peaceful compromise settlement. As a result, the second move is not made, and the conflict behaviour continues as before. This problem applies both to attempt to arrange compromise solutions and to efforts to find a new approach to the conflict, either by increasing the benefits available to both parties from cooperation, or by abandoning both parties' definitions of the situation and adopting a third definition that may enable a resolution satisfactory to both sides to be achieved.

The problem is further compounded by the fact that, in most international conflict situations, the leaders of both parties are always hemmed in by a public that has learned a rigid and oversimplified definition of the dispute, its issues, and the national goals. Political leaders also normally face an opposition group of potential leaders, who are always ready to point out to the public how the shortcomings of the present incumbents are leading to an abandonment of essential national objectives after they have publicly committed themselves to their attainment, and furthermore, expended large amounts of national resources in their pursuit. This situation always ensures that the first conciliatory move will be minor, and made cautiously, so that the chances that it will be overlooked or

misinterpreted by the other party are much increased. The dilemma facing a leadership group that wishes to initiate a conciliatory change of policy is how to make this gesture noticeable to the opposing leaders, but either invisible or non-compromising to their public and to rival leadership groups.

(A) Somalia's "New Approach"

These more general dilemmas are specifically illustrated by the Somali Government's attempts to initiate a "new approach" during the summer of 1967. The election in June of a new President of the Republic led up to the formation of a fresh Cabinet under Mohammed Ibrahim Egal, who had supported the candidature of President Shermarke against ex-President Osman on the former's promise of the premiership once he had successfully been elected. This pledge was redeemed in the first week in July, when Egal was appointed. By this time, the two Somali leaders had decided upon a marked change of policy towards their neighbours and towards the achievement of their goals of ultimate Somali unification. This change was later described by one of its originators as a deliberate, calculated choice "... to alter the policy of confrontation and to seek accommodation for a detente with our neighbours as a preliminary to creating a suitable atmosphere, without abandoning the context of our political aspirations and objectives..." (1). There can be little doubt that the change in emphasis was accelerated by the economic straits in which the incoming Government found itself, as well as the apparent failure of the previous policy of militant confrontation.

One of the immediate and continuing signs of the new administration's change of policy emphasis was the persistent

down-grading of external Somali goals in all official statements and public policy pronouncements, and the up-grading of, and constant references to, economic and developmental goals. The switch was thus away from external affairs and towards domestic problems and goals for the struggling Republic. In Mr Egal's programme for his new administration, presented to the National Assembly in early August, the question of the Somali territories was left to the very last item, as a minor part of the section of "Foreign Affairs", which followed lengthy sections on internal policy, the development of Somali social services, and economic and financial policy. In the 37 page publication setting out this new programme, the policy regarding the Somali territories occupied just under two pages (2). This may be contrasted with the salience given to external affairs in previous official documents: the first two major sections, some 25 pages, of a review of Government activity published in 1964 are devoted to foreign affairs and the "Greater Somalia" problem, coming well before any review of internal achievements (3). The change in emphasis had, however, been signalled even before any concrete proposals had been placed before the National Assembly in Mogadishu. That the new watchwords were to be development, efficiency and the obligatory reference to abolition of corruption was plain by the beginning of July. The President's Republic Day Message to the Nation dealt with the immediate crisis in the Middle East and Somali's basic policy of nonalignment; national unity, in very general terms; the consolidation of democratic institutions; economic development; and the problem of French Somaliland. Thus, by the end of August, the political elites and the political community within Somalia can have had no doubts as to where the



new Government's priorities lay (4).

However, while people in Somalia can have been certain that some new approach to external affairs was "in the air", this did not mean that the change would be equally obvious to the political authorities in neighbouring Ethiopia or Kenya, whose information regarding the political manoeuvrings in Mogadishu was probably insufficient and, at all events, interpreted in the light of a previous experience about the Somalis' attitudes towards their "aggressive" territorial claims. For these reasons, the problem of how the Somali leaders should begin this "new approach" in any credible fashion was a serious one, in spite of the assumption, apparently almost universally shared, that any new set of political incumbents is likely to introduce changes in policy goals, range of undertakings pursued or strategies employed. In one sense, the actual "start" of the Somali initiative was a rather negative one, and concerned the conduct of the "propaganda war" which had been waged by the two parties to the NFD dispute since before Kenyan independence. For one thing, Somali propaganda broadcasts over Radio Mogadishu gradually stopped, following an order from Mr Egal. Secondly, the Somalis deliberately failed to reply to the charges made by the Kenyan Government in their document "Kenya-Somali Relations", which was published in May 1967 and circulated to all UN member governments. At one stage, the Somali Government was contemplating an official counter to this catalogue, but in the event the idea was abandoned as it was felt in Mogadishu that this would interfere with other moves. In a sense, therefore, the tit-for-tat of the propaganda contest had been stopped by the Somalis.

The next move was more positive. In Prime Minister Egal's subsequent words: "... From the outset, we made it clear on every possible occasion that, as the Somali Republic, we have no policy of aggrandisement against our neighbours neither do we want to obtain territory that is not our own. We are, however, irretrievably bound by unbreakable ties to our Somali brethren who still have not had the opportunity to freely choose their own political destiny..." (5). The difficulty with such statements was that the subtleties of emphasis forced upon the new Government by previous Somali policies and commitments made it very difficult for the Kenyan Government to discern anything new in this so-called "new approach". To the Kenyans, the initial policy outlined by the Egal administration looked like a reiteration of Somali aims to gain new territory in the end. The Kenyans had heard this before and could, with some justice, argue that, whatever the processes, the end result was a loss for them of a substantial part of Kenya.

The explanation was that the Somali leadership had to move cautiously to avoid appearing too conciliatory to the Somali public, to the MFD Liberation Front leaders, and to potential domestic opposition groups. The problem for the Prime Minister was to try to signal to the Kenyans that he was willing to try a new conciliatory line, while maintaining to his domestic audience that he was by no means neglecting the Somali goal of self-determination and unification. Thus, his early pronouncements on the problem tended to be somewhat ambiguous, and people could read into them a variety of meanings. For example, his press statement of 20 July 1967 emphasized that he intended to seek a peaceful solution to the border disputes with Kenya and Ethiopia, and that he felt there was no

problem in the world that could not be solved if the interested parties would recognise its existence and sincerely wished to solve it (a jibe at the Kenyan argument that there were no issues in dispute between the two governments). On the other hand, the Prime Minister reiterated that the unification of the Somali populated areas remained "a sacred aim" of the new Government (6).

The dilemma of speaking to a multiple audience is well illustrated in the new Prime Minister's foreign policy speech which he made while introducing his Government's programme to the National Assembly in Mogadishu on 8 August. Commenting upon Kenyan and Ethiopian "... obdurate refusal to allow that self-determination which is their natural right...", Mr Egal stated unequivocally that his Government "proposed to continue the policy of earlier Governments ... in exerting every effort to induce those countries to grant self-determination to the Somali territories...", though he was careful to add that this would be by "... every possible legal and peaceful means..."(7). Having emphasised the essential continuity of Somali policy, for the benefit of his Somali listeners, the Prime Minister went on to indicate some changes of emphasis. A major task, he implied, was to remove any misapprehensions about Somali Government intentions from the minds of Kenyans and Ethiopians, and to counter the false image of the Somali Republic that both rival parties had succeeded only too well in putting before the world. This image would have to be corrected by the efforts of the new Somali Government.

Similarly, argued the Prime Minister, it was false to perceive the independence movements in the Ogaden and the NFD as being inspired and encouraged solely from Mogadishu. The

impetus for these movements came from the Somali peoples "under colonial domination..." and from nowhere else.

In the light of all this, the new Somali Government could naturally not ignore these struggles for just aspirations. The Prime Minister emphasized that he intended to champion the cause of the Somali minorities at any time, and at any place. However, he was careful to add that this would be by "... all legal means at our disposal...", while the only concrete moves he had mentioned earlier in his speech had been to use "pressure" through diplomatic channels, and through international bodies such as the UN and the OAU.

One could ask what was new in this. The speech contained no new proposals for startlingly different strategies or goals, and Mr Egal was at pains to emphasize the essential continuity of his external policy for the benefit of his domestic audiences. However, there were, even in this speech, some signals to the effect that changes were possible and were being sought by the Somalis, though the hints were very slight and well concealed among a background of familiar and reassuring Somali symbols and phrases, such as the "... colonial dismemberment of the Somali nation..." and the "natural right" to self determination. Unfortunately for the success of any new initiative, with the Prime Minister wavering between previous public Somali Government commitments and the need to try a fresh, realistic approach which avoided the "exchanges of bitter accusations between the neighbouring counties" that had produced no result to date, it was not surprising that this policy statement was open to a number of interpretations, especially in view of the basic ambiguities in the Somali position itself. Nor is it surprising that, to Kenyan observers, the Somali intentions should have

seemed like "more of the same", and the shifts of emphasis carefully worked into this or other Somali statements be ignored or not even noticed (8).

Initial Kenyan reaction was to regard the new Prime Minister's policy statement as yet another declaration of aggressive and expansionist Somali tendencies, and prior notice that the new Somali administration had no intention of changing its policies. The V.O.K. described Mr Egal's speech as "... a heated statement ..." and, commenting on the ambiguities in the statement, noted that the Somali Premier had "... laboured hard and found it difficult to differentiate between territorial expansion, which means aggression, and what he chose to describe as independence for the Somali people living in Kenya and Ethiopia. We Kenyans do not want this policy, which we prefer to describe as a policy of aggression..." (9). At this point, the Kenyans still defined the conflict as involving a transfer of their territory, and this was out of the question; "...Somalia is confused if it imagines that Kenya will give away a foot of Kenyan territory. Such thoughts are out of date and will not work...".

The formal Kenyan response was given at a press conference on 21 August, when Dr Mungai again stated that the Kenyan Government was willing to meet and discuss the shifta menace and the issue of the North Eastern Province "... anywhere, any time...", but that the Kenyan Government still did not recognise the existence of a boundary dispute with Somalia. On this occasion, the Kenyans did not impose any prior conditions on their offer to discuss the issues, and it is noticeable that they took care not to define the nature of 'these issues (except that they did include the shifta activities, and they did not

include a boundary dispute). As mentioned previously, this might have been a serious barrier to any meeting as it would, once again, have been seen by the other party as an attempt to gain a bargaining advantage by controlling the range of issues to be discussed (10).

However, by 30 August, there had been a consultation between the Kenyan Government and an Ethiopian delegation led by Foreign Minister Yifru, and the communique issued at the end of these discussions, while reaffirming both Governments' willingness to discuss existing differences with Somalia, again set the prior conditions that the Somali Government should both renounce its expansionist policies and stop encouraging, assisting and organising the "shifta" in their "subversive activities" (11). The Ethiopians were, apparently, determined to pursue a much tougher line with the Somalis.

On the same day as this communique was issued, the Somali Foreign Minister made a statement intended to clarify his Government's position on the NFD issue, and upon possible discussions. The Somali Republic's policy, stated Mr Sheygo, was in conformity with the OAU principles which uphold "... the right of other peoples who have been forcibly placed under the rule of other governments, and permits these peoples to decide their future destinies for themselves..." (12). The Minister went on to imply that the Somali Government had been disappointed in the Kenyan response to their overtures, which seemed to them to involve an intensification of the oppression of the NFD Somalis "... in the form of genocide". His statement concluded with another call for negotiations without prior conditions.

(E) Two Stage Discussions: The Kinshasa Agreement

Actual face-to-face meeting between the two conflicting parties in the NFD dispute came about by two stages, the initial meeting at Kinshasa (13) preparing the way for the second, more formal, occasion at Arusha, in Tanzania. However, both meetings and their respective agreements contributed to the final form of settlement, so it will be necessary to treat them as a single attempt at conflict resolution, and unify the implications of both meetings for the settlement of the dispute.

The fourth regular Heads of States and Governments Conference of the OAU held at Kinshasa in the Republic of the Congo from 14 September to 17 September 1967, provided a fitting opportunity for face-to-face discussions of the NFD problem between the Kenyan and Somali delegations. Prime Minister Egal had previously approached President Kaunda of Zambia with the request that he should act as a mediator, so that the meetings between the two delegations took place outside the formal framework of the OAU itself, but under the chairmanship of Dr Kapwepwe, the Zambian Vice-President. Right up until the meetings, the basic Kenyan position had remained that, before official negotiations could take place, the Somali Government would have to formally renounce any territorial claims, and publicly accept the OAU resolution on respect for boundaries, but neither of these preconditions were unduly pressed by the leader of the Kenyan delegation, Mr Moi, in the Kinshasa meetings. The personality and views of Mr Egal probably played no small part in bringing this about, and also in impressing both President Kaunda and President Obote of Uganda that there existed a real chance of ending a conflict between two African countries that was seriously weakening African unity.

After some discussion, both parties at Kinshasa were able to reach agreement on a preliminary statement, which was then recorded as an official Resolution of the Assembly. Its provisions were:

- 1) Both Governments have expressed their desire to respect each other's sovereignty and territorial integrity in the spirit of paragraph 3 of Article 111 of the OAU Charter.
- 2) The two Governments have further undertaken to resolve any outstanding differences between them in the spirit of paragraph 4 of Article 111 of the OAU Charter.
- 3) The two Governments have pledged to ensure maintenance of peace and security on both sides of the border by preventing destruction of human life and property.
- 4) Furthermore, the two Governments have agreed to refrain from conducting hostile propaganda through the mass media, such as radio and the press, against each other.

The fifth and final provision set the stage for further discussions of the problem, for in it both Governments agreed to meet in Lusaka in the latter part of October "... in order to improve, intensify and consolidate all forms of cooperation ...".

Two points should be noted in this declaration. The first is that, to some degree, the Somali Government had departed from the position of its predecessors by its acceptance, in the initial provision, of a mutual desire by both sides to respect one another's territorial integrity and sovereignty. This was, of course, ambiguously worded in the sense that a Government might desire to respect another territorial integrity, but feel itself unable to do so until satisfactory boundary



rectification had first taken place, but even this was a new departure for the Somalis, and it may account for the fact that the actual details of the Kinshasa formula were not formally released by the Somali Government in the Republic until after the signing of the Arusha Memorandum over a month later.

The second point to be emphasized is that the Kenyan-Somali discussions were taking place outside the formal framework of the OAU. The Zambians were, in fact, mediating at the request of one of the parties to the dispute (14), and it says much for both the personal prestige of President Kaunda and the level of acceptability of the Zambian Government that the Kenyans were willing to accept Zambian efforts, even though the latter had been "chosen" as mediators by the opposing party to the dispute. The OAU, having reduced its own acceptability to the Somalis through its stand on boundary maintenance, was reduced to the role of endorsing any agreements reached or arrangements made, and of encouraging all the parties involved in the mediation attempt. At the Kinshasa Conference, the OAU even found itself requesting that the two conflicting Governments and the Zambian Government as convener and host for the later meeting, should "... submit a progress report on the proposed meetings at Lusaka to the Secretary-General of the OAU..." (15).

(C) Interim Moves to Ease Tension

During the period between the initial agreement at Kinshasa and the later meetings under President Kaunda's chairmanship, a series of preparatory moves were taken by both sides to attempt to ensure the success of the Lusaka discussions.

As early as 18 September, Dr Mungai was informing the press that tension was decreasing, and that Mogadishu Radio had "retracted all its propaganda" (16). The news of the preliminary agreement had been welcomed by two Kenyan MPs from the north-east, who were quoted in the East African Standard as saying that the Kenyan Government had relaxed security measures along the border, and that they hoped that the Somali authorities would ensure that no more shifta could cross the border, but that the nomads who had migrated to Somalia would quickly return (17). Similar sentiments of approval were expressed by the seven man delegation from the North Eastern Province sponsored by the Kenyan Government to the Kinshasa Conference. Describing the Kinshasa resolution as a "historic step", the delegation was certain that "... nothing could please the people living in the affected areas more than regaining the opportunity to live and work in peace..." (18).

Throughout this period, official Somali spokesmen were quick to emphasize the uniqueness and difference of this new Somali approach to settling the NFD dispute. The Director of SONNA, the official Somali News Agency, was challenged about his optimism in the light of the previous failure of the Arusha meetings in 1965, and rapidly pointed out that there was now a new President and Prime Minister, and that the present Government's policy was "totally different" from that of its predecessor (19).

An editorial in the East African Standard on the necessity of the Somalis realising that "... Kenya can only go to the conference table on the understanding that ... she cannot be expected to agree to this cession of her territory to appease demands for a 'Greater Somalia'..." brought a sharp retort from

the Somali News, the official Government newspaper in Mogadishu. Pointing out first that the issues between Kenya and Somalia "are not ... in the first instance concerned with territory at all..." but with "... the right of the people of the NFD to a political future in accordance with the principles of self-determination..." the News went on to hope that the "fragile flame of goodwill" lit at Kinshasa would be kept going by a refusal to anticipate what would have to be obtained by painstaking discussion, and also "... by doing our best to abandon the unhelpful old attitudes we left behind - or should have left behind - at Kinshasa..." (20).

In spite of occasional exchanges of this type, strategies to reduce tension both within the NFD and between Kenya and Somalia, and to prepare the way for the discussions were generally followed by both parties. It was announced on 10 October that trade with Somalia was starting up again, and that the arrival of four shipments of cattle at Mombasa augured well for the outcome of the peace talks (21). It was later officially stated that the Kenya Meat Commission only had been given special permission to import cattle from Somalia, and that the embargo was still in force; however, consideration was being given to reopening trade with Somalia (23). (This may have been a gentle reminder to the Somalis of the benefits of being "reasonable" at Lusaka.) In the final ten days leading up to the conference, Kenyan moves to ensure the right atmosphere increased. On 20 October President Kenyatta announced a further one month's amnesty for all shifita who surrendered, "... regardless of what crimes they have committed..." (23). Five days later the Kenyan Minister of Defence announced that there would be a relaxation of the curfew over the areas in the NFD affected by shifita

activities, and that Somalis would now be allowed to graze livestock outside the formally prescribed areas. On the same day, Dr Mungai and Mr Arwings-Kodhek, both on a lightning tour of the NFD, announced further plans for developing the North Eastern Province. Dr Mungai announced that a number of free scholarships for secondary education from the Kenyatta Foundation would shortly be granted to students from the NFD. At Garissa, the Minister for Natural Resources (24) said that his Ministry was about to spend over £1 million on constructing water boreholes in the NFD, and that purchase of cattle by the Kenya Meat Commission would shortly begin in the area.

At the diplomatic level, a Zambian delegation had visited Nairobi on 22 September, and after talks with Dr Mungai, flew on to Mogadishu to convey the results of their discussions with the Kenyan leaders, and reiterate the continued willingness of the Kenyans to establish friendly relations. At Mr Egal's request, President Kenyatta decided to attend the scheduled discussions, though he was unwilling, at first, to take part in what might turn out to be another disaster such as had occurred at Arusha in 1965. However, in the end Mr Egal's request prevailed, though the President asked that the site of the proposed meeting be changed from Lusaka to Arusha. This was agreed to, in spite of the obvious regret of the Zambian officials in charge of the arrangements for the discussions, and the delegations from the two parties met under Zambian and Tanzanian auspices on 28 October 1967.

(D) Inter-government Accord: The Arusha Memorandum

The two delegations that finally confronted one another at the town hall in Arusha under the chairmanship of President

Kaunda were thus led respectively by President Kenyatta and Prime Minister Egal (25). Also present as observers, but adding considerable prestige to the occasion and not a little pressure on the participants to achieve a successful agreement, were President Nyerere and President Obote of Uganda. A great deal of personal prestige had thus been staked upon the achievement of a successful outcome of the meetings and, in addition, both parties appeared to have arrived anxious to reach agreement. One observer described the atmosphere as "... little short of euphoric...". In fact the final memorandum setting out points of agreement was produced in just over seven hours, a little over half the actual time that had been allotted for meetings, so that even the time limit set for the duration of the meetings by President Kenyatta's impending departure on a state visit to Addis Ababa can have had little effect in speeding up discussions.

The final document was produced, as President Kaunda said subsequently, without resorting to the use of those international institutions influenced by the very Powers "... who are to blame for the mess in Africa today...". It was entitled a "Memorandum of Understanding", thus avoiding the formality and inflexibility of any official agreement or treaty, negotiated clause by clause on specific issues. It was basically intended, as one adviser on the Somali delegation later put it, to assist in and symbolise "... the creation of an atmosphere of confidence in which future negotiations could take place, and an organisational framework for those negotiations..." (26). The actual provisions, made in recognition of "... the need to restore normal and peaceful relations between Kenya and Somalia..." were as follows:

- (1) Both Governments will exert all efforts and do the utmost to maintain good neighbourly relations between Somalia and Kenya in accordance with the OAU Charter.
- (2) The two Governments agree that the interests of the people of Kenya and Somalia were not served by the continuance of tension between the two countries.
- (3) They therefore, reaffirm their adherence to the declaration of the OAU conference at Kinshasa, a copy of which is attached to this memorandum of understanding.
- (4) In order to facilitate a speedy solution to the development and to ensure maintenance of continued good relations, both Governments have agreed to:
  - a) the maintenance of peace and security on both sides of the border by preventing the destruction of human life and property;
  - b) refrain from conducting hostile propaganda through mass media such as radio and press against each other, and encourage propaganda which promote the development and continuance of friendly relations between the two countries;
  - c) the gradual suspension of any emergency regulations imposed on either side of the border;
  - d) the reopening of diplomatic relations between the two countries;
  - e) a consideration of measures encouraging the development of economic and trade relations;
  - f) the appointment of a working committee consisting of Somalia, Kenya and Zambia, which will meet periodically to review the implementation by Kenya and Somalia of points agreed in this document, and also to examine ways and means of bringing about a satisfactory solution to major and minor differences between Somalia and Kenya.

To an outside observer, this agreement appears to be a somewhat vague document, although it might be argued that its vagueness and lack of specific commitment were part of the agreement's strength and flexibility. At the time, it was

hailed as a great victory for peace, and as marking an end to the dispute between the Somali and Kenyan Governments over the NFD. All the parties directly affected seemed to feel that this agreement gave a chance for a future settlement of the problem in a peaceful fashion, and that its signature gave both Kenya and Somalia a chance to work out some kind of final resolution agreeable to all parties. Abdisirad Khalif, a former MP from Wajir, who was, by 1967, living in Mogadishu, said in a broadcast that "... the only thing that matters is that a brotherly and peaceful solution is being sought to the issue". (27). The idea that the agreement gave both parties an opportunity to attempt cooperatively and jointly to solve the on the ground problems of the border area was echoed by President Obote, when he said that he thought that certain points in the memorandum "... form the basis of resolving the dispute, first by allowing it to cool down; second by bringing the people of Kenya and Somalia together, and thirdly by allowing the two governments to work together ..." (28). The whole emphasis was thus on (i) lessening of tension at government level, leading to (ii) a chance of a cooperative effort to deal with the lower level issues within the disputed area itself, and (iii) a later return to the symbolic and legal issues such as the question of "sovereign" control, which were a reflection of the lower level issues in dispute. Whether this approach constituted a new strategy of resolving the conflict as opposed to settling the dispute is a question to which I will return in the final chapter.

(E) The Aftermath of Arusha

No matter how carefully the Somali delegation and the Prime Minister had prepared for the Arusha settlement, nor with what sophistication the new situation was presented to the Somali public, it was inevitable that trouble awaited the Somali Premier on his return from Arusha, notwithstanding the firm backing he might expect from the President. With the agreement as it stood, it was all too easy for it to be represented as a retreat from fundamental Somali principles and an abandonment of fundamental Somali goals. The provision in the Kinshasa agreement regarding respect for sovereignty and territorial integrity would be particularly hard to explain away, and could easily be presented as an abandonment of the rights of the Somali people still within the Kenyan political system. Even the Kenyan Government's restraint in not attempting to claim a huge diplomatic victory was not enough to head off domestic charges of a "sell-out" in Mogadishu, or the use of the "surrender" at Arusha as a political weapon to beat the Egal administration.

On 30 October, as news of agreements spread, there were disturbances in Mogadishu, and both popular and political opposition to the settlement seemed to grow. However, the Prime Minister made a long public broadcast the following day at ten o'clock in the morning, explaining that the Arusha agreement represented a preliminary part of his Government's attempt to find a solution to the problem of the "missing Somali territories", and pouring scorn on critics of the agreement, "... whom we know have cheap motives..." for attempting to make the Somali people believe that Somali aspirations



and principles were negotiated at Kinshasa and Arusha, or that Somali territories were sold out.

The Memorandum, the Prime Minister emphasised, "... dealt with minor obstacles in the way to a solution of major differences..." while ensuring that these major differences were a constant focus for discussion and negotiation in a working committee specifically charged with the task of recommending the best ways of finding a solution for the major problem. Criticising his own critics as merely serving their own selfish personal interests, Mr Egal was obviously aiming at his predecessors in government who were about to launch a major attack upon the agreement (29). In order to help to forestall this, the Prime Minister's own broadcast was followed by interviews with the leaders of the NFD Liberation Front, all of whom expressed warmest approval of the Government's "success" at Arusha, and their own full support for the signing of the Memorandum (30). This broadcast was supplemented four days later by a press conference at which a spokesman for the Supreme Council of the National Liberation Front expressed further support for the results of the Arusha talks, and condemned those "political agitators" who were trying to prove that there had been a sell-out that "... went against the interests of the population of the NFD..." (31).

However, none of these tactics, cleverly conceived though they might be, were able to stop the development of a dangerous movement to censure the Prime Minister and his Government, and to force him to abandon the compromise position worked out at Kinshasa and Arusha. Opposition centred upon the former Prime Minister, Abdirizak Haji Hussein, who had continued to hold the post of Secretary-General of the ruling party, the Somali

Youth League. Mr Hussein, though open to the criticism that he himself had recommended a similar provision for respecting sovereignty and territorial integrity in his own draft communique at the first Arusha meeting in 1965, made a highly critical speech just before the crucial National Assembly debate on the signing of the Memorandum (32). The Prime Minister responded by closing SYL Party headquarters on 14 November, only to find himself expelled from the Party by a Central Committee meeting called by the Secretary-General (33). The crisis within the Somali political system had, at this point, become acute and was affecting both the National Assembly and the ruling party. In the former, a critical debate was taking place which could decide the fate of the Egal Government and its "new approach" to external problems. Two motions had been tabled in the National Assembly, one sponsored by Government supporters, calling for the implementation of the Arusha Memorandum, and the other, tabled by eight Members including five who had been in the previous Government, calling upon the Government to declare the agreement null and void. Complex intra-Party manoeuvres took place, with both sides seeking support from deputies, but with the advantage lying with the Government through its control of both communications network and potential patronage. The confidence debate continued until 23 November and ended in a massive vote of confidence for the Government, on an amended motion presented by Abdullahi Issa, which included instructions to "... take further positive steps for the satisfactory settlement of outstanding disputes, safeguarding the rights of people directly interested...". However, the resolution also, significantly, called upon the Government

to submit to the National Assembly "... for the approval and ratification the agreements reached with Ethiopia and Kenya...". An editorial comment by the Somali News felt that this provision was to be interpreted that all such agreements made in future would also have to be ratified by the National Assembly (34).

Meanwhile, a nineteen man "reconciliation" committee for the SYL had been formed, including former President Osman, with the task of settling the conflicts and anomalies within the party (35). The committee first met on 19 November, and by the 24th it was able to report that it had succeeded in bringing about "... a cordial agreement between the two groups..." in the SYL Central Committee (36). Just what was meant by "cordial agreement" is not clear, but only a fortnight later Mr Hussein resigned his post as Secretary-General, and the expulsion of Mr Egal was formally nullified - though not his counter-expulsion, on 14 November, of four of his opponents on the Central Committee. On the same day, 7 December, the SYL party headquarters in Mogadishu were reopened (37). The Prime Minister's final success in extending his own control over the Party came in February the following year, when he managed to have the constitution of the Party amended to incorporate the new post of "Leader", with power to appoint and dismiss the Secretary-General and to dissolve the Central Committee. A Minister of State, Mr Mohammed Ali Hirabe, was appointed to be the new Secretary-General, while the post of Leader of the Party was taken by Mr Egal himself (38).

Paradoxically, this marked domestic opposition to Mr Egal's "new look" policy of detente, both within the SYL and the National Assembly, as well as the country as a whole, may have

helped to make his own Government's commitment to that policy more credible outside the Somali Republic. The very fact that the Prime Minister was prepared to risk loss of office and disgrace in pursuit of his external policies was, in itself, impressive, and the implications were not lost on President Kaunda as mediator. At the height of Somalia's domestic political upheaval the President despatched Mr Chona, the Zambian Minister Without Portfolio, to Mogadishu, formally to "assess the situation there", but also to ensure the Somali Prime Minister of Zambian support and to throw the weight of his own considerable prestige behind the beleaguered Somali Premier (39). When it became clear that Mr Egal had ridden the political storm, the President sent a personal message of congratulation to him with the comment that "... the realism of the Somali Parliament is to be commended as an act of faith, not only in the Government of the Republic of Somalia, but also in African Unity as a whole..." (40).

The effects of the internal Somali struggle for political power, and Mr Egal's obvious determination to stick to his "new look" foreign policy must equally have impressed itself on the Kenyans, and added credibility to Egal's commitments made at Arusha. The day to day events in the Somali power struggle were given full and prominent coverage in the Kenyan press, and there was obvious relief when the Somali National Assembly finally gave the Prime Minister his vote of confidence (41). In a commentary on that final vote of confidence in the Somali National Assembly, Nairobi Radio stated that already "... the constructive statesmanship of Prime Minister Egal has begun to be felt, and to many people's minds he

promises to rank high among the leaders of Somalia who will steer their country to memorable developments and achievements. He rises above the evils of petty tribal politics..." (42). In one sense, it is not too much to claim that Mr Egal's behaviour in his internal political conflict increased the probability that his bid to end the inter-state conflict between Kenya and Somalia would be successful.

#### Footnotes to Chapter VII

1. From: "Somalia: Nomadic Individualism and the Rule of Law". Address to the Royal African Society by His Excellency M.H.I. Egal. London, March 22, 1968.
2. "Statement of Programme on the Occasion of the Presentation of the New Cabinet" by H.E. Mohammed Ibrahim Egal (President of the Council of Ministers) (Mogadishu: Government Printers, August 1967). pp. 36-37.
3. "Government Activities from Independence until Today (July 1, 1960 to December 31, 1963)." Presidency of the Council of Ministers (Mogadishu: Government Printers, 1964).
4. "The National Review", No. 8. (Mogadishu: Ministry of Information, August 1967) pp. 4, 5 and 9.
5. Egal: Address to the Royal African Society, op. cit. p. 13.
6. Report in the Daily Nation, 21 July 1967.
7. This, and the following quotations, are taken from the official account of the Prime Minister's speech: "Statement of the Programme", by H.E. Mohammed Ibrahim Egal (President of the Council of Ministers) (Mogadishu: Government Printer, August 1967) pp. 36-7.

8. There is a substantial amount of evidence from experimental psychology that new information which conflicts with strongly held images and expectations is either ignored or suppressed, so that actual changes in attitudes or goals by another party to a conflict can be unnoticed for a considerable time after they have actually taken place and are being signalled by that party. See, for example, Leon Festinger's work on the theory of cognitive dissonance contained in (i) A Theory of Cognitive Dissonance (London: Tavistock, 1957) and (ii) Conflict Decision and Dissonance (London: Tavistock, 1964).
9. Commentary broadcast over Nairobi Radio in Somali, 9 August 1967 (BBC Monitoring Reports, ME/2540/B/4.)
10. It was also noticeable that, on this occasion, the Defence Minister spoke of "discussions" rather than "negotiations"; I will argue later that informal discussions, such as those held at Arusha, may have more chance of reaching a solution than formal bargaining over issues set by an agenda.
11. Radio Nairobi news broadcast, 30 August 1967 (BBC Monitoring Reports ME/2557/B/2).
12. Report of the Minister's statement broadcast over Radio Mogadishu, 30 August 1967 (BBC Monitoring Reports ME/2557/B/3).
13. It should be recalled that the OAU Conference at Kinshasa also saw the beginning of an equally important, if less publicised, process of achieving a detente between Somalia and Ethiopia over their dispute involving the Ogaden and the Haud.
14. In July, when he had first been appointed, Mr Egal had commented that he had once hoped that the OAU would face the NFD problem courageously, but that, up until then "... it had fallen short of expectations, avoiding African problems and sheltering behind trivialities...". See the news report in the Daily Nation, 21 July 1967.
15. Report of the OAU Conference in the Daily Nation, 18 September 1967.
16. Report broadcast over Nairobi Radio, 18 Sept. 1967 (BBC Monitoring Reports ME/2573/ii.)
17. News report in the East African Standard, 18 September 1967. a
18. News report in the Daily Nation, 19 September 1967.
19. Interview broadcast over Radio Mogadishu, 26 September 1967 (BBC Monitoring Reports ME/2580/ii).
20. Somali News, 22 September 1967.
21. Announcement over Nairobi Radio, 11 October 1967. (BBC Monitoring Reports ME/2593/ii.)

22. Announcement over Nairobi Radio, 13 October 1967. (BBC Monitoring Reports ME/2595/B/4.)
23. Report of the President's Kenyatta Day speech broadcast over Nairobi Radio, 20 October 1967. (BBC Monitoring Reports ME/2601/B/2.)
24. At the same meeting, Mr Arwings-Khodek urged the Somalis in the north east to persuade any of their friends still in hiding to take advantage of the third Government amnesty then in force. (See the news broadcast on Nairobi Radio 25 October 1967. (BBC Monitoring Reports ME/2605/B/4.)
25. The Somali Prime Minister had astutely taken the precaution of bringing with him a delegation that represented all the main groupings in Somali domestic politics, thus attempting to ensure that any agreement should appear to be the work of a united Somali national delegation, and also that it would commit all Somali political groups to its fulfilment.
26. See J.G.S. Drysdale's comments on the meetings and agreement at Arusha in Catherine Hoskyns (ed.) Case Studies in African Diplomacy (2) The Ethiopia-Kenya-Somalia Dispute 1960-67. (East Africa: OUP, 1969), p. 86.
27. Talk broadcast over Radio Mogadishu, 31 October 1967. (BBC Monitoring Reports ME/2610/B/4.)
28. Report in the Uganda Argus, 30 October 1967.
29. Account of the Prime Minister's broadcast over Radio Mogadishu. (BBC Monitoring Reports ME/2610/B/1-3.) 31 October 1967.
30. Report of the broadcast interviews over Radio Mogadishu (BBC Monitoring Reports, ME/2610/B/4.) 31 October 1967.
31. Reports of the press conference broadcast over Radio Mogadishu, 4 November 1967.
32. Report of Mr Hussein's speech broadcast over Radio Dar-es-Salaam, 14 November 1967.
33. The first outside news of this event is contained in a news broadcast over Radio Addis Ababa on 17 November, which stated that Mr Egal had been expelled following a statement issued by the Secretary-General. This accused the Prime Minister of "... creating tension within the party...". The broadcast noted that the Government would have to seek a vote of confidence in the National Assembly, but that without the support of the Party it was likely to be defeated. (BBC Monitoring Reports ME/2625/B/4.)
34. For an account of these events, see J.G.S. Drysdale's analysis in Catherine Hoskyns, op. cit. p. 87.

35. Report on Radio Mogadishu, 20 November 1967.
36. Report on Radio Mogadishu, 24 November 1967. (BBC Monitoring Reports ME/2631/E/5.)
37. Report on Radio Mogadishu, 7 December 1967.
38. Report of these reforms on Radio Dar-es-Salaam, 28 February 1968.
39. See the report in the Times of Zambia, 20 November 1967.
40. See the report of the President's message broadcast over Radio Lusaka, 24 November 1964. On the same day, the Soviet Union intervened to demonstrate its own support for the settlement and for Mr Egal's Government. A formal note of congratulation from President Podgorny was handed to President Kenyatta, while Moscow Radio broadcast expressed full support for the Somali Prime Minister's new policy and expressed scorn for the former Premier's "... dead-end policy...".
41. See the front page stories in the East African Standard for November 19th and 24th, entitled: "No 'sell-out' of Somalia at Arusha says Mr Egal"; "Somalia Head to Justify Policy Today"; and "Somali Assembly Backs Premier".
42. See the commentary on Nairobi Radio, 24 November 1967 (BBC Monitoring Reports ME/2631/B/4.)



## Chapter VIII - Towards a Resolution

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"... How, for example, can we prevent the people of Western Somalia, whose whole livelihood is cattle grazing, from continuing to look for fresh fields for grazing by travelling beyond traditional barriers without bringing them into clashes with their compatriots in Ethiopia? And yet, in a united Africa, Ethiopian land and Somalian land, even though they may be separately sovereign within the framework of a union government of Africa, will belong to a common pool which would assist the general development of cattle rearing in that part of our continent, because there would be no artificial barriers to such development. The benefit of the development will be for the benefit of both Ethiopia and Somalia..."

President Kwameh Nkrumah. Speech at the first session of the Assembly of Heads of States and Governments of the OAU. Cairo. 17 July 1964.

"... If we approach a puzzle with all our customary preconceptions about the nature of the problem, we can never solve it. We must abandon our habitual set, and find a new way of looking at the puzzle..."

D. Katz and R.L. Kahn: The Social Psychology of Organisations. (New York: John Wiley, 1966), p. 276.

The achievement of a settlement in any international dispute involving territory is an unusual event. Even rarer is the termination of a conflict process by action which involves innovation, or the creation of an unprecedented solution, for this in itself involves a preliminary decision by one or both parties to explore outside the conventional range of strategies for ending conflict interactions, and to search for new types of solution to the issues in dispute. This initial decision to innovate and to widen the range of search is, particularly in international conflicts, a major

breakthrough.

The reluctance of decision makers to think creatively and to search for innovative solutions is not, of course, confined to the sphere of international politics, though it is at this level that such activity appears most difficult to undertake. For one thing, as I argued in Chapter II, a certain range of solutions and appropriate strategies tend to follow from an initial definitional step. It then becomes progressively more difficult for decision makers to think outside that range of strategies and solutions, and even if they are able to do so at a later stage, it remains even more difficult to impose new definitions, implement new strategies, or seek different types of solution because the majority of the national political community retains the definition of the conflict situation originally propounded by its political elite. It is also extremely difficult for national decision makers to accept, either privately or publicly, the failure of a particular range of strategies in pursuit of a national goal. Political leaders, as any individual, find it hard to admit to themselves that they are wrong. In addition, the transfer of accurate information about the conflict situation between the conflicting parties as well as within each of the parties is always inadequate and subject to large scale distortion. Thus, it is difficult for the decision makers of one or other party to learn unequivocally about the frustration of their own strategies, though it is this recognition of failure that often produces the search for alternative strategies and solutions.

For these reasons alone, it seems likely that a set of circumstances that both calls for, and permits, the consideration

of alternative strategies, innovative solutions, and - ultimately - redefinition or reformulation of the basic problem, can only come about through the recognition by national decision makers of the failure of their initial efforts to solve the problem by familiar strategies. If any national decision-making elite consistently chooses a pattern of responses which results in a failure to achieve its goals, and in an increasing level of costs in pursuit of those goals, then the frustration eventually engendered will force that elite to widen the search for alternative responses which might result in success. This, in turn, may lead to an eventual re-examination of the initial definition of the problem, and the range of solutions potentially available to one or both parties. Even if it is true, as March and Simon hold, that decision makers accept the most immediate and "painless" solution to a problem, constant lack of success will make such solutions and strategies very painful, and a search for more successful alternatives will eventually commence though there may be lags in this process (1). This search may involve either: (i) the acceptance of some other, less costly, but still conventional solution, or; (ii) efforts to create new types of solution which appear appropriate in the light of the redefined problem.

The final contention of this study is that such a process of frustration, search for alternatives, eventual redefinition of the conflict situation, and the creation of an innovative solution did take place in the dispute over the NFD at the end of 1967. This does not appear immediately obvious from the simple outline agreement signed at Arusha in September of that year. Nonetheless, this Memorandum

represented publicly a marked change in approach to the dispute, involving the political leaders of both parties, Kenyan and Somali, in a major reformulation of the nature of the conflict situation; in the abandonment of conventional strategies for arriving at a settlement of the dispute; in a major effort to devise a solution to a common problem, offering satisfactory benefits to both sides, on the basis of a new definition of the nature of that problem; and in a pioneering effort at resolving rather than settling an international dispute over territory - a class of intergovernmental dispute for which it is notoriously difficult to find any solution, of even a short term nature.

I must first review some preliminary aspects of the problem in dispute in order to emphasize the sort of definitional changes that were called for in any attempts at an innovative solution. The starting point must be some discussion of the basic distinction (to be used throughout this final chapter) between conflict settlement and conflict resolution, and of the contention that the solution to the NFD dispute represented an attempt (and a successful attempt, at least for a short period of time) at the resolution of the NFD dispute rather than merely at its settlement. I will then consider the difficulties involved in redefining the dispute, given that it was initially defined as a conflict situation between two sovereign national political authorities concerning rights over a piece of territory. Finally, I will attempt to analyse the nature of the Arusha settlement and show how its initial success was based upon a genuine effort to redefine the problem so that a cooperative, self supporting solution became a feasible possibility.

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#### A. Conflict Settlement and Conflict Resolution

The difference between the two processes of conflict resolution and conflict settlement is not merely a semantic one. In effect, the settlement of a conflict involves any agreement or institutional arrangement which reduces the intensity of or curtails conflict behaviour, involving violence or other coercive strategies aimed at the opposing party. The conflict behaviour of one party in the inter-action is an attempt to reach a position where the dispute can be settled in a satisfactory manner - at least to that party - so that coercive strategies can, in themselves be regarded as means of bringing about an ultimate settlement of the dispute. The conclusion of a peace treaty at the end of a successful military campaign may achieve a cessation of military activity and hence a "settlement". However, this example underlines a second essential element about conflict settlements, namely, that they are often imposed solutions to a problem made in the interests of one party (whose coercive strategies have proved successful) at the expense of its opponent.

Similar remarks may be made with regard to solutions which are imposed by some third party not directly involved in the dispute, such as a major power, an international court, or a regional organization. Such settlement may merely be a determination by third parties which neither of the opposing parties has the resources to oppose - at least at the time when the imposition occurs. It may be a compromise solution, couched in the terms by which one or both of the opposing parties has defined the dispute, and by which both parties perceive that they have had to sacrifice important goals and values for

insufficient rewards. At its very worst, a conflict settlement in international politics merely reduces the intensity of the conflict behaviour, but leaves untouched the basic issues in the conflict situation as well as the parties' definitions of those issues, and their attitudes towards one another. There is thus a constant danger that conflict behaviour will resume with renewed violence at a later date, once the respective positions of the two conflicting parties, or of those parties and any third party imposing a settlement, have changed.

In contrast, a resolution of the conflict aims at removing the basis for conflict behaviour by transforming (or, at best, eliminating) the conflict situation. (If settlement works on behaviour, resolution works on situations, and decision makers' perceptions and evaluations of those situations.) Techniques of conflict resolution possess common elements such as the absence of coercion and enforcement, either by one of the opposing parties or by a powerful third party, as well as the encouragement of processes of re-definition of the problem and of self-adjustment by the two parties once the situation has been re-perceived. Ideally, conflict resolution should imply the achievement of a new relationship which is acceptable to the two conflicting parties, and which does not sacrifice any basic interest or value, so that neither party will wish to repudiate the arrangement at some future date, both being satisfied with the pay-offs they receive from this new situation. When a conflict is resolved as opposed to settled, the outcome should be self-supporting through the voluntary adherence of both parties, and not be



dependent upon the threat of further coercive measures by one party to the conflict or by some powerful third party.

The achievement of the second type of solution for any class of international dispute is a difficult matter, for a true resolution of conflict must, by definition, exclude all compromise agreements in which some form of "split the difference" outcome is agreed between the parties and where both achieve some of their goals, but by no means all. Essentially, such conflict situations are treated as though they were "constant-sum"; that is, as though there were only a given amount of a certain value to be obtained, so that gains by one party necessarily involve an equivalent loss by the other. If a dispute is initially defined as being of this constant sum nature, then only some such compromise settlement is possible, unless one or both of the parties redefines the problem in another fashion so that it becomes a variable sum. However, if both parties have been using coercive strategies against one another for any length of time, such a process of redefinition is difficult to achieve.

(i) Conflict resolution techniques; perception of opponents

It is possible to suggest two basic methods by which parties to a conflict may be able to indulge in creative thinking to produce innovative solutions which will lead to a resolution of the dispute. Both methods involve the reconceptualization of certain aspects of the problem. The first involves one or both sides indulging in a re-perception of the opposing party; the second a re-perception of the whole nature of the conflict. The two methods are not wholly separate, and they may be used sequentially or in combination.

In most conflict inter-actions involving long-drawn out violence, they are interdependent, in the sense that the ability to redefine the nature of the conflict problem depends upon the prior step of re-perceiving the nature, motives and behaviour of the opposing party. Until this step is carried out, re-perception of the conflict itself is difficult, though not wholly impossible, as the solution to the NFD problem shows.

The first technique, namely re-perception of the opponents, is simple in principle, but difficult in practice, and involves exposing leading members of the two conflicting parties to the actual goals, motivations and intentions of one another, so that inaccurate perceptions and assumptions about both the intentions and the behaviour of the other side may be corrected. There are two aspects to this process. The first concerns the distortions and incomplete information that inevitably attend conflict situations at any social level, but particularly at the international. During any conflict interaction, it becomes progressively more difficult for the political leaders of one side to assess the long-term ambitions, basic fears, perceptions of the environment, interpretation of the events leading up to the employment of violent coercive strategies, and current level of hostility, of their opponents. It is equally hard to detect changes in these factors, and it seems to be a general psychological rule to anticipate and prepare for the worst under conditions of extreme uncertainty (2). The second aspect concerns the gathering intensity of hostility and fear in any conflict process, which owes a great deal to the behaviour of the

opposing party and manner in which the behaviour is interpreted by the party at the receiving end. In many cases, the conflict behaviour of the opponents becomes, after a time, sufficient reason in itself for continuing the struggle, particularly if this behaviour involves large scale violence. Many people have suffered and wish to retaliate; many people have made sacrifices and wish to see some results for them; many people have directed their own fear, uncertainty and hostility onto the "enemy", and perceive him as some monstrous figure, dehumanised and driven solely by greed and ambition. The result is that any settlement with such an opponent without at least some form of compensation for injuries sustained, or even any attempt at resolving the issues originally in conflict, becomes impossible to contemplate.

As a preliminary stage to any attempt at conflict resolution, then, it becomes important that the leaders of both parties should have some opportunity to redefine the nature of the opposing party, as well as redefining that party's intentions and goals, and the reasons for particular forms of conflict behaviour which have occurred.

(b) Conflict resolution techniques; perception of the problem

Re-perception of the nature of the opposing party in a conflict is only an essential preliminary to any resolution of that conflict; a necessary but not a sufficient condition, in normal circumstances. Once this process has been carried out, a second technique may also be necessary; namely, that of redefining the conflict situation itself. The two techniques must usually be used interdependently, for the ability of one party (or both) to re-perceive the nature of the conflict

situation often depends upon that party having first reviewed its assumptions about its opponent. Using either technique in isolation decreases the chances of a successful resolution.

There are three elements in this second resolution technique. The first involves transforming the perceived problem from one involving a constant sum outcome to one involving a variable sum, in which future gains by one party will not necessarily be at the expense of the other. By indulging in co-operative rather than conflictful behaviour, both parties may be able to produce an outcome where the total benefits to be shared are increased through that cooperation. In ideal circumstances, the increase in available benefits may reach a point where each party may (in the long term) gain more than would have been possible, even if the conflict process (with its attendant losses) had continued, and that party been completely successful. A simple example of this would be a situation where two governments were in dispute over the right to exploit a piece of territory for its economic benefits. The dispute might be expressed in terms of legal ownership of the territory, and conflict behaviour ensue from competing claims and fears that failure would involve the loss of valuable economic pay-offs. However, it is possible to redefine the problem as one of economic investment in an underdeveloped territory, and arrive at some form of economic cost-benefit analysis which showed that joint investment into the area by the combined resources of both countries would result in a long term pay off to both proportionately greater than the probable economic return should either of the countries be able to develop the area single-handed.

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in the international system, which is assumed to be one in which zero-sum situations abound. However, whether or not a dispute is defined as a zero-sum conflict often depends upon the initial perceptual framework used. Conflict over a particular piece of territory may appear to be completely fixed sum, until it is realised that to one party the territory symbolises security, while to the others its behaviour symbolises a determination not to have its international status diminished. Many international conflicts, if analysed within a different framework from that publicly proclaimed by the parties concerned, involve values such as security, wealth or status which are not in limited supply. Often, quite the opposite is true; it is frequently the case, for example, that the security of one party increases directly with the level of security enjoyed by others, for in such a situation no party perceives the necessity for behaving in such a way as to appear to threaten the security of any other party.

The second element in the technique for bringing about a re-definition of the conflict itself is a variation of that dealt with above. It may be utilized in situations that do not permit fundamentally re-interpreting the nature of a problem. However, it still involves an attempt to transform a situation that is perceived as essentially zero- or constant-sum into one which involves an increase in benefits for both parties. By this method, resolution is sought by widening the range of issues involved in the common problem, and attempting to involve other areas of common interest to both parties where co-operative behaviour is possible. In this way, while the issues originally in dispute may remain perceived as being constant-sum, so that one party can only gain at the expense

of the other, further issue areas may be brought into the eventual solution to provide gains to the losing party to offset what it has lost. In other words, the party which gains at the other's expense in the issue-area already in dispute, compensates the opponent by assisting the latter to achieve other goals in alternative areas.

One practical example of this technique in action is the offer made by the Kenyan Government to assist Somali entry into the East African Economic Union once Somali claims to the NFD had been abandoned. However, this case does illustrate the practical difficulties of implementing this type of resolution technique. In actual conflict situations, the chief difficulty lies in finding some recognised gain to offer to the opposing party in exchange for losses sustained through the abandonment of the original goals in the conflict situation.

This difficulty is compounded by a number of factors, which tend; to enhance the value of "success" in the conflict and make "victory" a value in itself; to make it difficult for political leaders to abandon salient national goals; and, particularly, to clash with political leaders' wish to avoid being perceived as taking "sordid international bribes" by their supporters or opponents within the national political community. Again, it is often difficult to redefine a conflict situation from a constant sum, win/lose problem into a variable-sum conflict by the introduction of additional elements, because the leaders of one party will not perceive that any new gain can offset the costs sustained by the abandonment of their original goal. Entry into an as yet non-existent East African

Economic Community as a future gain intended to offset the loss for abandoning a policy of seeking self determination for external Somali communities cannot have been regarded seriously by the Government in Mogadishu, and it is a common experience that economic compensation through schemes for functional co-operation are seldom perceived as offsetting "political" losses, which are usually described as being matters "of principle".

In situations where none of the foregoing techniques is feasible, or they fail to bring about any resolvable situation, it may be possible to employ the third method of conflict resolution. This is the most difficult of all to apply, for it involves a total redefinition of the nature of the problem, which, in turn, often requires the abandonment of common assumptions not merely about the specific conflict situation itself, but about the nature of political problems generally, about the intentions and motivations of parties caught within conflict situations, and about the most useful concepts to be employed in confronting different types of social problem. The question has to be asked: which concepts are most useful for investigating potential solutions to this particular problem? At any social level, this is difficult to answer, and calls for a major effort of creative thinking, for one's manner of thinking about problems depends upon basic concepts and assumptions commonly accepted with regard to that particular range of social problems. It is a difficult step to recognise that these concepts may, themselves, be hindrances to clear thinking about a problem, and about ways of resolving it. This is nowhere more clearly illustrated than in attempts to resolve conflict at the international level, for at this



social level, conventional conceptual frameworks often tend, as Rapoport remarks, to pose problems in a manner which renders them basically insoluble. This makes the problem of re-definition of certain classes of international conflict situations a particularly difficult one, as many of the basic concepts used in thinking about international relations preclude the consideration of co-operative solutions both by practitioners and observers. The conceptual framework conventionally adopted prevents anyone ever from considering a different range of resolution alternatives, and confines innovative thinking within a theoretical straight-jacket. Before going on to consider innovative features in the NFD solution, certain key concepts which form background assumptions to the thinking of students and practitioners of international politics, and which thus tend to hamper innovative thinking in the area, must be discussed. I will emphasize particularly those aspects which appear to have had major relevance for the NFD problem.

#### B. International Politics in the European Conceptual Framework

I have argued previously that the thought, expectations and actions of political decision makers in the international system take place within a background framework of assumptions about the nature of that system itself, as well as its basic processes and drives. This set of assumptions has been referred to as the widely shared general framework, within which decision makers classify and interpret specific situations confronting them in their day to day conduct of policy undertakings, and attempt to find solutions to specific problems which arise for their own national political system.

Earlier, I attempted to outline certain of the major behavioural elements constituting this general framework, but at this point I wish to concentrate upon one structural aspect. This concerns the extent to which 19th Century European legal constructs tend to have been adopted as political concepts, and the extent to which these still form a background in the minds of decision makers, both in Europe and the rest of the world. In doing this, it should not be thought that I deny the usefulness of such a conceptual framework for its original setting - that of international law. However, I do argue that some essentially legal concepts have been transferred bodily into a political setting, in order to help to describe, simplify, or "model" the complex reality of the international system. Furthermore, this transfer of concepts has led, over time, to a dominant set of assumptions about the structure of that system which serves as a background to, and major influence upon, the perceptions, expectations and decisions of national political leaders. Indeed, the "image" has become so dominant that it takes a major effort of imagination to think outside its constraints and be able to redefine problems in an alternative manner, or to seek innovative solutions to complex disputes.

(i) The dominance of legalist concepts

The argument that international law has a far-reaching effect upon international behaviour through the impact of its conceptual framework upon the perceptions and expectations of national leaders is not a new one. Coplin has argued strenuously that all law performs one major function in the socialization of individuals through its implicit expression

of commonly held assumptions about the social system in which it is embedded. He notes that the legal system "... functions on the level of the individual's perceptions and attitudes by presenting him an image of the social system - an image which has both factual and normative aspects, and which contributes to social order by building a consensus on procedural as well as substantive matters...". Furthermore, international law "... functions in a similar manner: namely, as an institutional device for communicating to the policy makers of various states a consensus on the nature of the international system..." (3).

A number of essential elements in this "consensus" or "general framework" of percepts regarding the international system have already been briefly mentioned (4), such as the background assumptions that international politics consists essentially of a struggle for security through the possession of power, and that there are a number of mechanisms, such as countervailing or distributed power, for maintaining both the security of the members of the system as well as a minimal level of order within the system. However, for this present study, the most vital element in this "conceptual consensus" relates to the structure of the system, and the intellectual constructs that have been devised to model the units making up that system. The basic assumption, with regard to this point, is that the essential entities making up international society are the "sovereign states", which have become, over time, an absolute institutional value, and whose security "... is the one immutable imperative for state action ..." (5).

The international system has thus come to be perceived essentially as consisting of state units, with a further

background assumption that these entities are analogous, in some senses, to free and unfettered individuals who are nonetheless able to make and maintain binding agreements between one another in order to mitigate the state of anarchy which "naturally" exists when individuals have no single dominating authority to keep them in order. This framework mirrors the thinking of the time and place in which it was first evolved, which in turn mirrored the political reality developing in 16th Century Europe. However, since that time, international legal practices and assumptions have tended to reinforce and perpetuate this set of concepts, and ensured that the idea of a system of separate states should form part of the percepts and assumptions of political decision makers from Louis XIV to President Kenyatta.

Certain corollaries which follow from this "billiard ball" image of the structure of the international system are also of crucial importance in affecting not merely the way decision makers seek solutions to problems within the system, but the very way in which the problems first present themselves to leaders and are initially perceived and defined. Many of these political concepts are again rooted in the original legal counterparts which have become altered through usage, and adapted to other, political circumstances. Thus transformed from their original meaning they have had far-reaching effects upon decisions by their presence as background assumptions about the nature of the surrounding international system.

In legalist terms, the state units making up the international system are regarded as separate, equal, independent (and even, in some cases, impermeable) but above all they are sovereign. It was logical and necessary that these constructs

should be separate. If a legal system is to be based upon the existence of a number of units, and upon agreements between those units, then such a system can only exist if the units are differentiated from one another in some fashion. From the existence of such separate entities, it followed that there was logically some distinction between phenomena within the unit and those without; the very making of such a distinction, symbolized usually by a formal boundary round the state unit, implied common attributes within the unit (making for unity) compared with attributes outside. Hence, it was only a short conceptual step from positing separate state units to implications and expectations of unity and conformity within those separate states. Whether such uniformity existed was another matter. However, the tendency to treat states as a given unity and thence to regard preservation of unity as a supreme value is still a distinct characteristic of the contemporary international system.

Similarly, the idea that states were equal and independent originally possessed only legal connotations. The former merely implied that all state units were equal in the rights and obligations within the system of international law, and specifically that all state units possessed the same legal ability to conclude agreements imposing further obligations on themselves limiting their otherwise unfettered right to behave as their leaders saw fit, in the state's best interest. Again, all state units making up the international system were independent in the sense that each possessed its own central governing authority, which alone had the recognised legal right to control internal affairs. Parallel to this was the concept that no other central governing authority possessed any right

to interfere in, or to influence, the internal affairs of another state, so that complete rights of domestic jurisdiction were vested in one authority alone. The implications of this doctrine were that each central governing authority possessed an established jurisdictional area, where it alone had the legal right to affect or control the behaviour of individual citizens of the state. This naturally pre-supposed that the area of jurisdiction was coincident with an area of distinct territory, separated from the jurisdictional area of another central governing authority by some clearly delineated boundary. This last assumption introduced the two concepts of national territory (and the doctrine of respect for territorial integrity) and sovereignty into the finished image of the structural features of the international system. The most discernible criteria of the existence of a state unit as part of international society was its territory. Within this territory the state was "sovereign", and no other state authorities had any legal right to exercise any degree of influence or control. The essence of the legalist image of the international system, developed to facilitate the construction of a workable legal system for international society, was thus of a system of self-contained entities, based upon the right to exclusive territorial control, and with complete external legal equality and individual freedom, plus the corollary of an internal right of total sovereign control within their own jurisdictional area.

(ii) The adoption of legalist concepts by non-European elites

The main effects on political behaviour of the development of this framework of legal concepts to establish an international

legal system have lain in the transfer of concepts and assumptions from the legal to the general perceptual framework used for ordering and understanding the international system. In time, political decisions and actions became based upon the image of international society consisting of states as units of territory, with the preservation of "national integrity" the supreme institutional value of the overall system. The adoption of this basic set of images and assumptions by the leaders of newly independent states (6) - and, indeed, of their followers in the newly independent political communities - appears to have been the result of socialisation carried out by Western educational processes, both formal and informal, and by experience and contact with other leaders and decision makers holding the same basic image. The result has been a wide adoption of the sovereign nation-state model, both over time, and throughout the continents as they became subjected to European thinking about political structures and organisation. Since 1945, the pervasiveness of the Western legalist conceptual framework for viewing the international system has been assisted by the triumph of the "independent sovereign state" model in the international system, with the breaking up of colonial empires and the modelling of the rest of the non-western world on the nation-state pattern, first established in Western Europe and then in North and South America.

There can be little doubt that this conceptual framework played a major part in defining the conflict over the NFD and in making it difficult to envisage any alternative way of defining that situation which allowed any kind of satisfactory solution to the dispute. As one member of the Somali elite

expressed the problem, following a conference on the dispute held in 1969:

"... I learned that we - the African participants - had imbibed uncritically so much of Whiteman's concepts of social and political organisation that we spend all our time parroting outdated and mischievous nineteenth century European fictions like sovereignty, without being original or even intelligent about them...

... It is a European-educated group that extends the original African concept of one's land to all the political entity which is described as "Ethiopia". An African would approach the problem from the point of view of traditional occupation and use of land, and not from the unprincipled principle of state sovereignty...

... I had never realised the strength of the hold of un-African notions of state and sovereignty among the highly educated elites of these countries... (7).

The essential point is the way in which assumptions about state sovereignty and independence and non-interference with internal affairs, together with assumptions about an exclusive right to control a territorial area which could be possessed by only one governing authority (and if by that one, by no other), all combined to ensure that the NFD problem was initially defined in zero-sum terms. Subsequently, these initial assumptions ensured that a resolution of the conflict by a major redefinition of the problem was both difficult to envisage, and difficult to have accepted by both the opposing party and their respective domestic audiences. As argued previously, this is largely because of the pervasiveness of this "general image" of the international system, and its insistence upon assumptions about exclusive control, independence, territorial integrity, and above all, about national sovereignty.



### C. The Nature of Territorial Sovereignty

The dispute over the NFD and the Ogaden have been described as a "... clash between the immovable object, representing the unwillingness of the Somali Government to discuss the problem in terms other than ultimate self determination, and the irresistible force, representing the unwillingness of the Kenyan and Ethiopian government to think and talk in terms other than those based on the preservation of existing boundaries..." (8).

Both parties to the NFD conflict operated within the assumption that the conflict fundamentally concerned Kenya's right to retain sovereign control over a piece of territory, and the further assumption that sovereignty is an exclusive attribute, that can be held only by one body and not by more than one. The dispute was therefore perceived in the last resort as being over which body - Kenyan Government, Somali Government, or Somali community within the NFD - would eventually become unchallengeably and exclusively "sovereign" over the territory of the NFD.

It is easy to wonder that the dispute was, in the last analysis, merely rooted in a concept such as the legal right to exercise exclusive control over the behaviour of a set of people within a given territorial area - even supposing that the latter were amenable to control, or that the resources and machinery for controlling their behaviour existed, across even a limited range of issues. However, one problem with the concept of sovereignty is that it has, for practical purposes, become confused and contradictory as a result of its transfer from a legal to a political context. The result is

that it has come to mean a number of different things, depending upon the setting in which the term is used and with a common failure to make the distinction, insisted upon by Schwarzenberger between "... the political and legal doctrines of sovereignty..." (9).

An initial distinction must be made between the meanings of international and internal sovereignty. The former concept was originally developed to justify the independence of the separate state units and their rulers from any over-riding international authority, such as Pope or Emperor, and to give such independence a legal basis. The use of the term "sovereign independence" when applied to the entities making up the post-17th Century European international system merely signified that each of these entities had a right to its independence in the sense that no other body had any legal claim to control that entity's behaviour (10).

However, the concept of sovereignty did not originate as one intended to be applied to international society, and from the point of view of the dispute over the NFD, doctrines connected with the concept of internal sovereignty are important. Again, it is necessary to make a clear distinction between the original philosophical and legal use of the concept, and its later political meaning which forms part of the conceptual framework of national political decision makers, especially those concerned with external affairs. As Hinsley points out, the original meaning of the term was that there existed within any community a single source of authority which enabled that community to possess or construct some mechanism to govern itself "legally". In this sense, internal sovereignty is merely "... a principle which maintains no more than that

there must be a supreme authority within the political community if the community is to exist at all..." (11). Essentially, then, the concept began as an assumption about authority within a community and as a philosophical justification for its exercise. Hinsley warns that sovereignty should not be treated as a concrete phenomenon that can be acquired, increased, or lost; it is "a concept men have applied in certain circumstances to the political power that they or other men were exercising..." (12). Add to this the concept that every state or community possesses the legal right to determine what goes on within its own jurisdictional space (even if it does not possess the necessary resources to exercise any control over many aspects of life within its territorial area). These principles summarize briefly the original legal and philosophical usage of the concept of sovereignty. It may be regarded as an explanation for the source of authority in a community (and a justification for its use), or as a legal attribute of the individual, group or organization exercising that authority - that they possess the exclusive legal right to do so.

Later accretions to the original concept of internal sovereignty altered the emphasis of the term, until it became difficult to tell whether the concept dealt with the exclusive right of a sovereign body to exercise control (however defined) over a given territory, or whether it could be extended to cover an existing situation where sole and supreme control was being constantly exercised by the legally sovereign body. Leaving aside mere questions of exclusive legal rights, Marshall has argued that sovereignty "... denotes capacity to make and give effect to public decisions. Sovereignty is the situation

of being in charge of a domain..." (13). Similarly, Hans Morgenthau swings between the position that the concept of sovereignty merely confers legal rights upon a sovereign body, to one which implies the reality of an existing political situation expressed in legal terms. He holds that the doctrine of internal sovereignty originally implied that, while no ruling body had any power (perhaps defined as legal authority) over the territory of another ruler, "... they had exclusive power in their own territory..." (14). Along with actual ability of the sovereign body to enforce its decisions, Morgenthau posits two further attributes of political sovereignty; exclusivity and independence. He presumably means that these exist also de facto and not merely as legal rights. Exclusivity means that the "sovereignty of a nation... manifests itself in what is called the "impenetrability" of a nation. This another way of saying that on a given territory only one nation can have sovereignty - supreme authority - and no other state has the right to perform governmental acts on its territory without its consent...". Again, independence involves "... the exclusion of the authority of any other nation..." from the national territorial area, so that "... each nation is free to manage its internal and external affairs according to its discretion.." (15).

Finally, Morgenthau returns to the original basis of the concept to argue that sovereignty, defined as a legal right to exercise supreme authority, is, in essence, indivisible, and hence can only reside in one sovereign body. "... If sovereignty means supreme authority (presumably legal authority CRM) it stands to reason that two or more entities - persons, groups of persons or agencies - cannot be sovereign within the same

time and space. He who is supreme is, by logical necessity, superior to everybody else. He can have no superior above him, or equals beside him..." (16). Leaving aside the problem of whether Morgenthau refers to a legally supreme authority or a de facto supreme authority, this version of the concept of internal sovereignty has another corollary; that any conflict over sovereign control of territory must inevitably be defined as a zero-sum conflict. If one party gains sovereignty over an area, it can only be at the expense of the opposing party. Furthermore, as long as the conflict continues to be defined as a matter of competing claims to sovereignty, no resolution is possible save one which deprives at least one party of its goals.

Again, while the "dispute over sovereignty" definition continues to dominate the perceptions of the leaders of two involved parties, chances of innovative solutions being created, or even sought, remain low. Both parties will stay "locked in" to a definition of the situation and a resultant set of behaviour involving coercion that can only result in an eventual settlement of the dispute in which at least one party perceives itself as having suffered losses.

This was the situation which undoubtedly existed for the major part of the dispute over the NFD. The concept of an exclusive internal sovereignty, whether defined as a legal right to sole control of behaviour in the disputed area, or as actual exclusive ability to make rules about behaviour and see that they were carried out, tended to dominate the perceptual framework employed by the decision makers in both the Somali and the Kenyan Governments. The dispute was ultimately over who was to exercise sovereign control over the

NFD and this could only be seen in an exclusivist, zero-sum framework. If the Somali strategies were successful and sovereignty re-distributed, then the Kenyans lost their rights to sovereign control over the NFD either to the Somali community, or, eventually to the Government in Mogadishu. If the Kenyan party was successful, and the status quo prevailed, then Kenya retained sovereign control over the NFD. If a compromise settlement was arranged, the sovereign control could be divided and each party gain sovereign rights over different parts of the area in dispute. Within such assumptions no other type of solution was possible. The parallel with private ownership of land is complete.

There is considerable evidence that the dispute over both the NFD and the Ogaden was defined by all parties within this zero-sum framework, and that this basic definition was snared not merely by political decision-makers, but by elites in the countries involved. A Somali participant at an informal conference held to discuss the problems of the whole area commented subsequently that a "... strong point with some of the participants, particularly the Kenyan participants, was that such a development (i.e. the granting of self-determination CRM) would infringe the sovereignty of Kenya... The people may be Somalis, but the land was Kenyan..." (17). The contention was made even more explicit by a Kenyan participant, who emphasized the exclusive nature of sovereign control, and by implication, the zero-sum nature of the dispute:

"... The phenomenon of the territorial state has more immediate meaning for recently created states than for older ones. A supreme power over territory is not only a political fact, but also the very essence of a state's being. It is the symbol of a

new consciousness which must be expressed as that 'particular aspect of the supreme authority of the individual state which consists of the exclusion of the authority of any other state... It is upon these principles that nations claim and possess the right to make and execute any laws without external interference....

... Because of its nature and meaning, territoriality poses the greatest problem to the settlement of boundary disputes. Kenya's contention is that Somalia's claim to the N.E. Province constitutes a violation of her rights and insists further that cultural and linguistic grounds are no basis for claiming the territory..." (18).

Other comments from the same conference reveal that the participants were fully aware of the impasse in which the parties to such disputes typically found themselves, and of the fact that while the conflict remained defined in its original terms, no solution was possible except one that ensured that one party failed to achieve the goals it had set itself within the terms of that definition. As one Ethiopian participant observed; "... Territorial sovereignty, upheld by the majority of the Kenyan and Ethiopian group, is just the point that the Somali want to question... The affirmation of territorial sovereignty simply signified that acceptance of the official government position and the rejection of the very idea of discussion and, indeed, even of negotiation..." (19). That these comments could be made in 1969, two years after the conclusion of the agreement at Arusha, merely indicates the tenacity with which assumptions about the nature of international society, and about situations of conflict within that society, are held. Furthermore, it indicates the difficulty of creating a different definition of the conflict situation so that some innovative solution becomes possible, and then having the new definition and its accompanying resolution

accepted by even elite members of the political community of both conflicting parties. However, it can be argued that the solution arrived at in Arusha represented a definite attempt to alter the terms within which the conflict was approached by the two parties and also an effort to create a new type of solution to the dispute, which, even if its implications escaped many people involved in the conflict, and even though its altered definition of the situation was similarly ignored or rejected, represented a temporarily successful effort to find a new type of solution to what is, customarily, a most intractable form of dispute between two governments.

D. The Arusha Arrangements; Changing Definitions and Solutions

Taken in isolation, the Memorandum of Understanding concluded at Arusha in October 1967 does not appear to be a document that sets out any radically new type of solution to the dispute over the NFD which could be applied to other territorial disputes. The actual agreement must be considered against a background of other statements and actions before some of its more unusual properties can be discerned, and it is realized that the document represents the beginnings of an attempt to re-define the conflict radically, and to engage in a process of co-operative problem solving instead of coercion.

The initial factor that strikes an observer as remarkable is that the agreement itself appeared to lack specific commitments or conditional promises by either party, and, indeed, it seemed fundamentally to ignore those issues that had ostensibly been the main source of conflict between the two opposing



parties. Such a failure to deal specifically with the issues in conflict does appear to support the contention that, if the will to settle the dispute exists on both sides, then the exact formula for arranging the settlement will be of peripheral importance, but it is hardly satisfactory to leave the matter at this point. What is important is to analyse the underlying implications of the total agreement, including the subsequent statements and behaviour of the two governments, in order to discover what factors made the agreement a workable basis for co-operation rather than conflict.

Not unnaturally, these implications were difficult to spell out publicly to the respective political communities involved in the conflict, so that emphasis was placed on the immediate benefits expected to flow from the Memorandum and the resulting detente following the conclusion of the agreement. The Kenyans had little difficulty in doing this, for their gains were obvious; an end to a vicious guerrilla war that had affected a large area of the country and which was costing, according to some estimates, as much as £5 million a year. The Somali Government's task of making their own immediate gains understandable and plausible to the Somali public was more difficult, for the implications of the agreement were sophisticated and also uncertain. Furthermore, they were unlikely to be appreciated, or even regarded as benefits by anyone retaining a definition of the conflict as being about self determination, territorial sovereignty and impermeable state boundaries with exclusive internal control of behaviour by national political authorities not subject to direct influence from external sources. Thus, the domestic problem facing Prime

Minister Egal was a complex and formidable one.

One of the main arguments initially used by the Somali political authorities to justify their acceptance of the arrangements made at Arusha was that there they had, for the first time, managed to have the Kenyans admit that there was a dispute between the two countries, and that there existed a number of issues in which the Somali Government had a direct interest, and some right to a voice in their settlement (20). "... Its salient point," declared the Prime minister, speaking of the Memorandum in March 1968, "is that Kenya recognises the existence of a major dispute and lends itself to seeking a solution for its settlement..." (21).

Another salient point, constantly re-emphasized in public by Somali Government spokesmen, was that the settlement had brought concrete and immediate benefits to the people of the NFD, and had in no way prejudiced their ultimate right to self determination. "... The Somalis in the NFD will now return to a normal life, while a three-nation committee, including representatives of the Somali Republic, seeks ways of finding a solution to the future of the NFD people..." announced Radio Mogadishu on November 3rd, a few days after the signature of the Memorandum. "This brings to an end the fears of the Somalis in the N.F.D., fears which hung over their lives and their property every day..." (23).

However, the major point used by the Somali political authorities in defence of the arrangements agreed to at Arusha was that they formed an initial and useful stage towards an eventual and final settlement, and that they were a means of continuing discussion of the basic issues of the problem in a

dialogue that would include the Somali Republic and a neutral third party, the Zambians.

This point was made again and again by the Somali Prime Minister in his defence of the agreement, which, he publicly admitted, "... has not touched upon the substance of our dispute with Kenya, but it has set a firm foundation for an understanding, and a machinery for a natural quest for a solution to the dispute..." (24). The main principle behind the agreement, it was emphasized to the Somali public, was to settle the minor problems first, and thus create a friendly atmosphere for dealing with what major problems still remained. The fact that the Somali Republic now had a formal and acknowledged voice in the settlement of both major and minor problems was a gain in itself and, although this was implied rather than stated outright, it was to be assumed that the solution of some of the minor problems might render the solutions of larger problems unnecessary or irrelevant. The Somali Government voice would, inevitably, ensure that the future of the NFD community was safeguarded, while keeping the issue of this community's welfare and future alive and at the centre of discussion. This argument served as the major platform from which Mr Egal defended his actions over Radio Mogadishu on October 31st, and sought to win support for his acceptance of the terms of the Memorandum (25).

This "stage by stage" argument of the Somali Government was a complex one, and it implied that a final solution to the NFD problem had yet to be found. The gain was publicly presented to the Somali people as being the fact that their own Government now had an active, constant and accepted hand in finding such a permanent solution, while the actual Somali community in the

area in dispute were, for the time being, under some form of joint supervision, at two levels; firstly the inter-governmental, Tripartite Committee, and then local joint committees to deal with concrete, functional problems within the disputed area. In effect, even the public interpretation of the Memorandum does offer some clues as to the essential assumptions underlying the Arusha agreement, and some indications as to why the arrangements were acceptable to both parties. e

(i) The new framework

In the first place, the actual Memorandum of Agreement was as important for what it ignored as for any stated provisions and the conditional promises it contained. One important facet was the agreement's refusal to classify formally and publicly the nature of the dispute which it set out to help resolve. By adopting this procedure of refusing to specify that the NFD dispute was one over either the sovereignty and integrity of Kenya, or the right of a minority community to self determination (26), the participants ensured three things.

Firstly, they ensured that a new definition of the problem could be adopted by both parties, and that there would be an end to the process by which one party attempted to gain an advantage in the conflict by forcing the opposing party to accept its own definition of the nature of the dispute, the issues involved and the rules and principles of settlement. A new definition of the common problem could be set into a number of alternative frameworks, and the abandonment of those used previously by both parties meant that one could be adopted which shifted attention onto the concrete, local problems of

the Somali community, the NFD itself, and the border area.

Secondly, by refusing to adopt either of the previous definitions of the conflict situation, the agreement both opened the way for an abandonment of a definition that ensured that the dispute would necessarily be treated as one of conflict, and enabled the situation to be presented as a common problem, facing both governments; a problem, furthermore, in which both could co-operate to reach a more satisfactory outcome. Finally, the refusal to limit innovation by accepting either party's definition enabled the conflict to be shifted out of its constant-sum framework, where the Kenyans could only gain at the expense of the Somalis (and vice versa), and into a framework where both parties could gain. By refusing to specify which of the competing definitions of the situation had been accepted at Arusha, the parties made it possible for a new one to be accepted that did away with the necessity for an eventual solution on traditional, constant-sum lines. They then paved the way for a different type of problem-solving solution, which could be expected to last and be self-supporting, provided the new framework for defining the problem was generally accepted, and provided that one or other of the parties did not return to its previous definition of the situation at some future date, reverting to a perception of the situation as involving a dispute over exclusive legal sovereignty and territorial integrity.

Taking the first aspect of the parties' deliberate abstention from accepting previous definitions of the dispute, it is clear that this enabled them both to reconsider the NFD problem in a wholly new light, and to remove restraints from

creative innovation in seeking co-operative approaches to common problems. If the dispute was no longer viewed as concerning issues of exclusive sovereign control over territory, or of legal self determination, then the problem could be viewed as a different one for both sides. The area need no longer be perceived as two separate and distinct territorial units, divided by a formal boundary, the position of which was in dispute, but as a complex ecological system, involving a nomadic people, a pastoral social and economic system, diverse cultures and religions, the need for free movement as a basic value, and a set of other values that were widely different from those held both by sedentary cultivators and by the urbanised elites of both Kenya and Somalia. Within this new definition of the situation, a series of common administrative and developmental problems affecting both Governments arose. These problems were no longer concerned with the delineation of formal boundaries, with territorially based questions of "citizenship" and exclusive claims on national loyalty, or with the creation of an exclusive national jurisdiction in an area which should not be affected by "external" influences. Instead, in a new perceptual framework acknowledging that neither economic, nor social, religious and cultural systems neatly coincided with jurisdictional boundaries, the problems presented themselves as concerning the administration (possibly joint) of a similar area on both sides of a "legal" inter-state boundary, and of dealing with common, local problems such as the control and elimination of animal diseases and epidemics, the development of adequate communications, the settlement of inter-community and inter-tribal disputes over water and livestock, the prevention of erosion through overgrazing, the

limiting of numbers of grazing animals to avoid over-population, and the suppression of smuggling (27). Once the NFD problem could be perceived within this framework which involved a number of common functional problems, then the issues in conflict altered radically, and new solutions could be proposed.

The second major effect of removing the limitations imposed by previous definitions of the situation was that it made it possible for both parties to view the situation as being one from which they could both draw benefits, and these not necessarily at the expense of each other. This change accompanied the abandonment of the perception that the dispute was essentially over the exclusive, sovereign control of a piece of territory, in which only one set of political authorities can logically be "sovereign" over the disputed area, as only one body can possess the legal right to supreme authority in that area at any one time. In the case of the NFD situation, the original definitions of both Kenyans and Somalis ensured that the conflict would be perceived as a zero-sum situation involving national "ownership" of territory. No matter how the transfer of sovereign control took place (either by planned Somali aggression, as the Kenyans claimed, or by granting self determination to the NFD Somali community as a prelude to their decision to unite with the Republic, as the Somalis claimed), the end result would be the same; the Kenyan Government would lose formal, sovereign control over some stretch of territory, and the Somali Republic would gain. The loss of one party would equal the gain of the other.

By rejecting both initial definitions of the nature of the dispute, and of the main issues, and by seeking alternative ways of perceiving and defining the problem, the participants

at the Arusha meetings by-passed this particular problem. It is true that both Kenyans and Somalis had previously paid lip-service to respect for one another's sovereignty and territorial integrity at the Kinshasa meetings, and in the resolution that emerged from these contacts, but their later arrangements at Arusha and their subsequent behaviour showed that both sides were working slowly towards the abandonment of any idea of exclusive sovereign control over the NFD, at least for practical administrative purposes, and were beginning to substitute the idea of formalising the actual situation of joint influence upon behaviour within the area by both Governments. The change of definition, once accepted by the leaders of both parties, enabled them to concentrate upon the problems of dealing with local issues in the NFD and with mutual influence upon behaviour, administrative strategies and developmental measures in the area. The ultimate effect was the establishment of joint participation in processes of discussion and decision-making for the NFD, and for this joint participation to be accepted by both parties and formalised with the setting up of organisations to facilitate the process. In terms of the actual provisions of the Arusha agreement and subsequent implementive action, the concept of exclusive sovereignty (defined as the legal right to exercise some nebulous form of "control") had been tacitly dropped by both parties in favour of arrangements which gave both Governments some say in the future of the NFD and of its Somali inhabitants.

Formalised arrangements for joint participation and consultation involved processes at two levels. The most basic was the local level, within the NFD and the border areas



themselves, where the people directly concerned with administrative problems from both countries were to meet and consult whenever necessary to find workable solutions which were relevant to the needs of the local community. The inter-governmental level was that of the Tripartite Committee, with its neutral participants, the Zambians, to ensure that the arrangements worked smoothly. It is readily apparent that the implications of the role of this Committee, and the fact that it was intended to safeguard the interests of the NFD community, were well understood by the participants at the Arusha agreement. The fact was pointedly remarked upon by the committee set up in November 1967 to reconcile the S.Y.L. to the arrangements made at Arusha, and it was clearly stated that the Tripartite Committee "... mediating between the two negotiating countries, will always bear in mind the interests and rights of the Somalis in the NFD..." (28).

In fact, this type of "co-dominion" solution had been cautiously advocated by some Somali leaders at the very beginning of the dispute, but the idea had then been too revolutionary for minds accustomed to the conventional general framework of thought used in international politics, and nothing had been done. In July 1962, speaking at a state dinner given in Mogadishu in honour of Mr Kenyatta, President Osman had suggested that "... as a pre-requisite to either a federal system or a total union of states, it is necessary to accept limitations on sovereignty on conditions of parity with other states. Second - we have learned that the outmoded concept of territorial integrity must vanish from our habitual thinking, because its roots are embedded in colonialism and it is incompatible with Pan-Africanism...". The President concluded

with a prophetic warning that "... it will be the unwillingness of African rulers to curb their powers that will frustrate the hopes and desires of the ordinary people of Africa to be led out of isolation and ignorance into the greater union of African states..." (29).

Ultimately, this proved to be the type of solution best suited to the situation in the NFD. The prolonged guerrilla war had demonstrated to the Government in Nairobi the practical impossibility of adhering to the concept of exclusive sovereignty as a basis for actions and decisions. From the end of 1963 onwards it became increasingly apparent that events and behaviour within the NFD were significantly affected by events and decisions in Mogadishu, as well as from Somalia in general. A high level of interaction occurred between the two areas, so that there existed a most marked interdependence. The arrangements set in motion at Arusha and followed up subsequently were a tacit acknowledgement by the Kenyan Government of the reality of that influence on the NFD from the Somali Republic, and that the effects of official and unofficial Somali actions did not magically stop at the formal boundary line between the two countries.

The solution eventually reached by both parties was to acknowledge and to work within this interdependence and to formalise Somali Government participation in decision making about the NFD, both at the local and at the governmental levels. In one sense the Somali Government, through its representation on the Tripartite Committee and in local consultative meetings, had formally become part of the Kenyan political system, and had been granted a legitimised position through which it could influence Kenyan policy decisions with regard to the NFD both

directly and easily. Through its acceptance of such processes, the Kenyan Government abandoned, for practical purposes, the concept of sovereign decision-making with regard to the NFD. In any case, this had proved a myth, as official Kenyan decisions about behaviour and situations in the NFD were being affected, and in some cases completely frustrated, by influences emanating from within Somalia. Instead, there was substituted a consultative process of direct negotiation with another source of influence upon behaviour within the NFD - the Somali Government. From the point of view of the latter Government, they had, in practical terms, ceased trying to affect the situation in the NFD indirectly (either diplomatically, or by proxy through the Somali community in the NFD) and had begun a new process of interacting with (and, hopefully, influencing) the Kenyan political authorities directly (30).

The eventual success of this solution to the problem posed by the unrest and violence among the Somali community in the NFD depended upon two further conditions. The first was that the Kenyan political authorities would allow themselves to be influenced by Somali representatives in their treatment of and plans for the Somalis in the NFD, and also that they should be seen to be so influenced, both by the Somali community within the NFD and by the political community within the Somali Republic. This meant that the Kenyans would have to give way publicly on a number of issues to show that they were subject to the direct influence of the Somali Government, and that this influence had some effect upon decisions.

The second, and more crucial question concerning the solution, was whether the Somali community in the NFD would be content to allow its interests to be represented by a

distant set of political authorities whom they themselves could only influence sporadically and indirectly. In one sense, the main problem in the successful working of the proposed solution was how well the Somali Government in Mogadishu (over whom the Somalis in the NFD had no electoral control and only indirect channels of influence) represented the Somali community in the NFD, apart from the fact that they were of the same ethnic group, related by complex and far-reaching kinship ties (31). The solution as it was eventually formulated at and after Arusha, involved, in practical terms, both Kenyan and Somali political authorities interacting formally with the inhabitants of the NFD, to ensure the latter's rights and welfare. The situation established by the Arusha formula was thus one of a triangle of influences, and the solution was always subject to the danger that, at some future time, the interests of both Kenyan and Somali Government might coincide in such a way that the community in the NFD could feel that their rights and welfare were being neglected, and a solution imposed which might suit the politicians in Nairobi and Mogadishu, but which did not suit them. In such a difficult and volatile situation, following a disruptive guerrilla war, the possibility of the breakdown of one of the necessary conditions for a successful long-term solution was always high, and only if these two confiditions were fulfilled could the solution begun at Arusha become fully self-supporting, and justify the application of the term a "resolution of the conflict" as opposed to a settlement.

(ii) Implementation of the agreement after Arusha

The problems of implementing the agreement once it had

been made were numerous, and many stemmed from the fact that some of the guerrilla fighters in the NFD refused to allow the Somali Government to conclude any agreement of which they disapproved. They had actually been in the field bearing the brunt of the costs of the struggle, and it was only natural that some of the "shifta" should feel that they had been badly betrayed by the politicians back in Mogadishu. The fact that "their" interests, and those of the other inhabitants of the NFD, were being safeguarded by distant, and possibly indifferent, relatives back in the Somali capital cannot have meant very much to many of the more extreme guerrilla elements in the NFD, and their response must have been to continue the struggle, even though supplies and encouragement were no longer forthcoming from Somalia. The final ending of any guerrilla struggle and a return to "normal" must, of necessity, be a long drawn out process. Hence, it is not surprising to find that the "shifta" were still operating in the NFD when Vice President Moi made a whirlwind tour of the area in early December 1967, warning politicians there who were trying to support both the Government and the "shifta", and calling for the local people to persuade their relatives still in hiding to surrender. To continue to fight would serve no purposes, stated the Vice President, reminding the guerrillas that Kenya and Somalia had agreed to normalise their relations, so that, by implication, no further external support would be forthcoming (32). Such appeals can have had only a limited success, however, in spite of the "... mood of optimism and great hope..." said by Nairobi Radio to be spreading through the area. Trouble was still continuing in February

1968 when President Kenyatta addressed a large rally at Meru in the Eastern Province, and said that he hoped that the remaining shifta in hiding would "... cease their senseless attacks upon innocent citizens...". The shifta were still operating successfully a month later, however, when they blew up a Land Rover 30 miles south of Wajir, seriously injuring 14 people. Even by mid-June there was still trouble in the area. On the 19th of that month the Minister for Tourism announced in Nairobi that, although the situation in northern Kenya had improved considerably, there were still some bandits operating in the area so that it was not yet safe for tourists. The indications throughout the year, then, were that while the conflict had been resolved at the inter-state level, within the NFD itself it was still being conducted between the Kenyan Government and at least some of the Somali inhabitants (33).

By contrast, during the twelve months that followed the meetings at Arusha, numerous symbolic gestures of friendship as well as practical measures of co-operation were made and implemented at the formal level. On January 26th, 1968, Kenya officially lifted the ban on trade with the Somali Republic, and five days later President Kenyatta announced that diplomatic relations were to be established immediately between the two countries. At this time, too, a Kenyan delegation, led by Dr Mungai, visited Mogadishu for talks that were described as "very successful, useful and fruitful...". Similar talks took place in May 1968, in Nairobi, between Premier Egal and President Kenyatta, when ways of improving actual conditions in "the barren region" were discussed. Finally, in July 1968, a formal state visit was paid to Kenya by President Shermarke

accompanied by Mr Egal. A communique following the visit, which was described as "... the highest point so far in the improved relations between Kenya and Somalia...", stated that it was hoped to convene a meeting of the Tripartite Working Committee at an early date, and mentioned the following August as a possibility.

In effect, the meeting did not take place until February 1969, but then it was a full-scale summit meeting under the chairmanship of President Kaunda himself, who stressed the complete cessation of hostile propaganda between the two countries, among the other positive steps that had been taken during the 16 months since the Arusha meeting. This meeting produced a joint communique, setting out a variety of steps to be taken jointly to affect the region under discussion:

1. Better communications were to be established and joint regional developments were to be instituted, particularly in the fields of water resources and animal husbandry.
2. The meeting welcomed the gradual relaxation of emergency regulations by the Government of Kenya in the North Eastern Province. The Kenya Government agreed to lift the emergency regulations in that province with immediate effect. All refugee camps on both sides were to disappear.
3. The Kenya Government agreed to grant an amnesty to all political offenders, and allow those who had fled the country to return to their homes in Kenya.
4. The meeting noted with satisfaction the action taken by the Government of Kenya in releasing political detainees and welcomed the Kenya Government's assurance that it would expedite this process.

At this meeting both sides also agreed to restore free movement of livestock across the border area, subject only to grazing and disease control regulations; and to arrangements for relaxing currency restrictions in the area which means that pastoralists could use both Kenyan and Somali currency throughout the border areas.

The central banks of both countries were directed to discuss further steps towards ease in exchanging the two currencies.

The impression gained from this conference was that it had passed off well, even allowing for the customary exaggerated language of the official communique, and that it had dealt with substantive issues that directly affected life in the border areas of the two countries. It had been an example at a higher level of a number of local consultations that had been held from time to time, and which had involved local police and administrators in discussions of common problems. The first of these meetings of joint consultative committees took place at Kisumu in late August 1968, being attended by Regional Governors and police authorities. Co-operation between the two police forces to maintain law and order and stop smuggling on the border areas was discussed, and further agreements reached to facilitate movement of people and livestock across the border. These included the issue of travel permits more readily, and the improvement of roads in the area. Other decisions involved co-operation over the control of animal diseases and the preservation of wild-life in the area, and a final agreement was intended to facilitate the future meeting of District Commissioners or police officials from both sides whenever the occasion warranted. Similar local



conferences were held at Mombasa on November 8th when joint security and development problems were discussed, and in July 1969 (34), when a conference on development for the region was held in Mogadishu, and included delegates from Ethiopia as well as from Kenya and Somalia.

The whole effort in implementing the Arusha agreement thus appears to have concentrated on returning conditions in the affected border areas to something like normality, with free movement of people and livestock, and then on consultation regarding joint development projects to improve general conditions in the area. The previous dispute over legal jurisdiction had given way to co-operation and consultation to resolve functional problems affecting people living in the NFD at the same time as efforts were made to lower the tension at the inter-state level. Towards the end of 1968, Prime Minister Egal, commenting upon the altered framework in which the problem was perceived and tackled, said that the co-operation that existed at both higher and lower levels had given him a sincere hope that there would be no looking back. He went on to mention various joint, co-operative efforts, and noted the possibility of an inter-territorial highway initially linking Kismayu to Nairobi and finally to Addis Ababa (35). However, the problem still remained of arriving at some satisfactory final agreement of the dispute, and the difficulty that the settlement would have to be, symbolically at least, made in terms which would be acceptable to the majority of people who still used concepts of exclusive territorial jurisdiction, and the sovereignty of independent states.

E. Towards a Final Solution ?

The establishment of a consultative, quasi-political system involving the NFD, and its initial success in dealing with some of the substantive problems confronting the inhabitants of the area, together with the attendant administrative dilemmas, may be regarded as a potentially "final" resolution of the inter-governmental conflict. It may similarly be regarded as a resolution of the conflict between the Kenyan Government and that part of the Somali community within the NFD which supported violent resistance, provided the two pre-conditions mentioned above continue to be fulfilled. The fact that both Kenyan and Somali political decision makers were able, even if only temporarily following the Arusha agreement, to dispense with conventional concepts of territorial integrity and sovereign independence, and to make arrangements to deal co-operatively with functional problems in a disputed but underdeveloped area, offers an unusual but possibly a final solution to this specific problem. Furthermore, it may offer some clues to the resolution of other conflict situations in sub-Saharan Africa, particularly where problems of pastoralism and nomadic peoples are entangled with claims to territory made by conflicting national political authorities.

However, whether this, or any other similar effort at the resolution of an inter-governmental dispute, remains any kind of "final" solution to the problem depends chiefly upon whether either of the participants reverts to the definition of the situation that had previously dominated and provided a rationale for their behaviour in the conflict. Provided that both the Kenyan and Somali political authorities, and their

rivals and supporters within each national political community, continue to privately conceptualize and publicly define the NFD situation in the manner that has enabled a co-operative solution to emerge, then that solution will remain permanent and self-supporting, rather than being a temporary accommodation or a compromising settlement. Only if the new definition of the situation is generally retained by both parties can the situation be prevented from falling back into one where the problems are re-defined back to their original form, and calculations of lost or abandoned goals replace calculations of mutual gain and advantage. In the case of the NFD situation, a permanent end to the use of coercive strategies and violent behaviour in pursuit of mutually exclusive goals depends upon neither the Kenyan leaders or their Somali counterparts choosing or being forced back into circumstances where they feel they must redefine the NFD situation as being one concerning questions of final legal authority over the area, of exclusive national control over events and behaviour within the area, of independence, of territorial integrity and of exclusive national sovereignty. Should the perceived nature of the problem change back to one that employs such concepts, then the situation will again be defined as one of zero-sum conflict, and both parties will eventually be forced into mutually antagonistic behaviour in pursuit of mutually incompatible goals.

The difficulties of retaining the new definition of the situation and avoiding being forced back into the old one by the fact that this remains the definition held generally within the national political community, have been underlined by Prime Minister Egal's frequent comments on the nature of the Arusha solution during the two year period following its

successful conclusion, and also by the attitudes to the settlement of the Somali political elites. In general, these attitudes stemmed from two main lines of thought. The first of these was that the Arusha agreement merely represented a stage on the way to discussions of the "actual" problems in the area, and that the objectives of this first stage were to clear away minor, soluble problems and create an atmosphere in which main substantive issues could be discussed in a friendly and constructive way. The Somali Prime Minister was careful to make this publicly clear at the formal meeting of the Tripartite meeting of heads of state held in February, 1969, when he stated that: "... The agreement that we made at Arusha ... set out targets for policies and objectives for our hopes, rather than to evolve any cut-and-dried solutions. In it, we agreed to divide our problems into what we have designated as "major" ones and those we have considered "minor" ones. For the period under reference, we had wisely agreed to temporarily set aside the major ones and eliminate the minor ones... (36).

This point was again made plain when a re-elected Premier Egal was seeking a vote of confidence from the Somali National Assembly in June 1969, having just presented his new Government's programme for the approval of the deputies. His policy up until that time, declared the Prime Minister, "... was designed to remove from the road to a just and permanent solution and the acceptance of the exercise by these people of their right of self-determination, the minor irritants that had marred good and amicable relations between the Somali Government and the Governments of the neighbouring countries...".

However, by this time it was obvious that the Prime Minister was being pressed for action on these "major" problems to which he constantly referred, for he concluded that, so successful had the policy removing minor problems and irritants been, "... that we feel the time is ripe for a constructive and dispassionate discussion of the actual problem...".

The second major feature of the Somali Government's publicly expressed views about the nature of the Arusha settlement, was that the nature of the essential problem remained clear: the granting of self determination for the Somali peoples in both the NFD and the Ogaden. In April 1968, President Shermarke, architect with Egal of the policy of detente, visited Saudi Arabia and answered a press question with the unequivocal statement that: "... Our sole aim is that the Somali population in these territories be allowed self-determination..." (37). This principle was echoed even more firmly when Mr Egal addressed the Somali National Assembly regarding his Government's proposed future programme. "... Contrary to the assumptions of many deputies here, the Government's policy on the Somali territories is not designed or activated to bring about peace between the Somali Republic and her neighbours. The objective of the policy, in the ultimate analysis, was the solution of the problem of the Somali territories under Kenya and Ethiopia. The way which the present Somali Government has been pursuing to solve this vexed problem was to secure ultimately from the governments of the neighbouring countries the acceptance of the right of the Somali peoples of these territories to the exercise of their right of self-determination..." (38).

The pursuance of this policy, and the constant re-iteration for domestic consumption that the Somali Government's ultimate goal remained unchanged, was bound to have some effects outside the Somali Republic, for such features of Somali domestic politics could not go wholly unnoticed. In an article on the NFD problem published in October 1969, the East African Standard noted that the Somali Republic had not "... dropped its stand that all Somali-speaking regions should be united under its flag..." (39). However, the Standard did point out that the means of achieving this goal had been drastically revised, for "... Somalia has made it clear that she wants to live at peace with her Kenya neighbours, and is no longer using incitement and hostile propaganda..."(40).

Furthermore, the newspaper did grasp the essential principle on which the solution initiated at Arusha was based. "... The emphasis is ... on greater co-operation between the two nations, bilaterally and also within the framework of regional co-operation in Eastern Africa. Success in this direction will help convince the Kenya Somalis that their future prosperity lies in giving loyal support to Kenya ... while maintaining economic and social links with their brothers across the borders...". A basically similar argument had been put forward by the Somali Prime Minister a year earlier, when speaking to party members at S.Y.L. headquarters in Mogadishu. On this occasion, Mr Egal emphasized the practical influence that the Somali Government now had over affairs in the NFD;

"... To start with, we elicit an admission first that the case is open to debate and, secondly, that until such time as a fully negotiated settlement can be reached, we could have a say in its affairs, and its

welfare ... today, it is an open and free country where any one of us may cross over fearlessly. We have a say in its administration, and there are close trade links. Our currency is a recognised medium of exchange... We will not compromise the religion, the lives and the property of our Somali brothers in the N.F.D., who now lead a peaceful existence..." (41).

Such public claims of the existence of acknowledged and accepted influence upon decisions with respect to the NFD show that the Somali Government was well aware of the fact that most of the political community of the Somali Republic continued to view the NFD and the Ogaden problems within the customary zero-sum framework, and that it was necessary to transmit to them the fact that different views of the nature of the problem did permit alternative solutions, which gave Somali communities the protection of Somali Government representation, and the Somali Government itself direct influence over other governments. Furthermore, it re-emphasizes the point that, if the process of resolution begun at Arusha was to become a long-term, self-supporting solution of the NFD conflict, a considerable amount of public success in Somali Government attempts to influence events in and decisions about the NFD would need to be conceded, at least initially, by the Kenyan Government. Without such success, it would be fatally easy for Somali decision makers to be forced back into the previous interpretation of the situation involving mutually exclusive claims, the existence of a conflict situation, conflict behaviour and the escalation of hostility. What was essential for Mr Egal's new definition of the situation, and new approach, was easily visible success and sufficient time to change the perceptions of the relevant political community within the Somali Republic into a framework that coincided

more with the one that had been adopted at Arusha.

Although this task of changing the perceptions of a complete national political community with respect to an external conflict presents major difficulties, it is never a complete impossibility due to the unfamiliarity or uniqueness of the new perceptual framework which is proposed. If national boundaries and questions of national sovereignty were ignored, the inter-governmental arrangements arrived at in such a pragmatic fashion after the Arusha meetings were merely functional devices to cope with the problems of administering a territorial area inhabited by a community interacting in an integrated socio-economic system, and were nothing out of the ordinary. They were, in fact, analogous to the practical administrative arrangements and overlapping functional jurisdictions typical of administrative structures within national territorial boundaries, where functional boundaries overlap, and human individuals and communities are influenced, affected and controlled by a variety of administrative bodies in different spheres of behaviour. (For example, the head of a family "inside" the United Kingdom may send his children to school within the functional "area" of one local authority, pay rent to another local authority, buy his electrical equipment from yet another organization, and travel to work twenty miles away at the National Coal board via a bus corporation run by the county council.) The processes and structures created within the NFD and the Somali border areas following the Arusha agreement would have been perceived as nothing unusual had they taken shape within the formal territorial boundaries of the United Kingdom, the U.S.S.R., or Kenya itself. Such structures and processes



are becoming less unusual "within" Europe. What made them unusual, and difficult to accept in a conceptual sense with regard to the border areas of Kenya and Somalia, was that the arrangement of overlapping jurisdictions and influences involved an area where the formal, "national" jurisdictions of two legally sovereign states met. The result of this "meeting" had been that for a period of nearly four years, violent conflict behaviour had occurred both within the area in dispute and between the two governments concerned over the issue of the limits of the two formal jurisdictions. The ostensible issues in that particular conflict were defined as exclusive legal jurisdiction and sovereign control of a territorial area. By changing the nature of the problem at and after Arusha, the two parties to that conflict had enabled a new interpretation of the problem to emerge, one concerned with practical rather than legal issues, and had opened the way to an innovative solution which involved beginning to establish an acceptable system of overlapping jurisdictions and multiple influences. By ignoring questions of legal sovereignty and national ownership, if only temporarily, the two Governments concerned had arrived at a feasible resolution strategy, and may also have arrived at a practical model for wider use in dealing with African problems, as well as for the more complex administrative dilemmas in other areas of the world. Whether this is in any sense a final solution of the problem depends upon the success of both Kenyan and Somali political leaders in ridding their own minds, and those of their relevant political communities, of traditional perceptual frameworks and of concepts of state sovereignty, exclusive

national jurisdiction or control, and of impermeable national boundaries. Once this alternative definition of the situation is re-applied to the problem by one or both parties, then the situation will once again be perceived as being a zero-sum conflict, with Kenyan losses as Somali gains (and vice versa) and no long term resolution, or even non-violent settlement, may be possible.

#### Footnotes to Chapter VIII

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1. March and Simon suggest that organisations always indulge in a limited search programme for alternative responses, and the length of this search is a direct function of apparent success. They state that attention "... will be given first to the variables under the control of the decision maker or his organisation, and if this attempt is unsuccessful, then to variables not under organisational control. If this does not work, the criteria for a successful programme will be re-examined with the possibility of relaxing them so that a satisfactory programme can emerge. In other words, the ease of the administrator is an important consideration, and the assumption is that people will move toward a thorough and full exploration of all possibilities in terms of successive efforts from a series of frustrations. They will not usually move to a new stage of search and appraisal if they can work out some satisfactory adjustment at a prior stage. Objective rationality would call for a full evaluation of all possibilities, limited only by the objective organisational costs of the search. Psychological rationality means the acceptance of the most immediate and painless solution...". Quoted in Katz and Kahn, op. cit. p. 284.
2. As I argued in Chapter II, the goals and intentions of one party to a conflict are, to a large extent, dependent upon that party's perception of the goals, intentions, and motivations of the opponent. If this perception is wildly inaccurate, then it is probable that the first party's own goals (themselves subject to perceptual

distortion and misinterpretation by the second party) will be in some sense inappropriate for dealing with the problem in any satisfactory manner. Hence, exposure to the other parties actual goals, intentions, beliefs and motivations may bring about a marked alteration in the first party's interpretation of the actual problem, and of its own goals and intentions.

3. William D. Coplin; "International Law and Assumptions about the State System". Chapter 14 in James N. Rosenau (ed.) International Politics and Foreign Policy. (New York; Free Press; 1969) p. 143.
4. See Chapter II above, especially Section A.
5. Coplin. op. cit. p. 144.
6. The fact that it is possible to speak almost unconsciously of "newly independent states" in this context says much for the pervasiveness of the conceptual framework referred to above.
7. Yousuf Jama Ali Duhul; "Appraisal by a Somali" Chapter 3 in L.W. Doob (ed.) Resolving Conflict in Africa: the Fermeda Workshop. op. cit. pp. 54-55.
8. L.W. Doob (ed.) Resolving Conflict in Africa (op. cit.) Chap. 9. pp. 163-163.
9. G. Schwarzenberger; Power Politics (3rd Edn.) (London; Stevens; 1964) p. 86.
10. Kelsen puts the position in slightly different terms when he notes that the doctrine that "... the state is sovereign means that the national legal order is an order above which there is no higher order..." so that "... the state is not subject to a legal order higher than its own national law...".  
Hans Kelsen "Sovereignty and International Law" The Georgetown Law Journal. Vol. 48 (4) Summer 1960. pp. 627-640.
11. F.H. Hinsley; Sovereignty (London; C.A. Watts; 1966) p. 158. The author here seems to be running the grave danger of being accused of tautological reasoning.
12. Hinsley: op. cit. p. 58. This idea is again echoed in the more legalistic views of Kelsen, who argues that sovereignty does not relate to an objectively recognisable quality of a real thing, but to a pre-supposition about the bases of a legal order.
13. Charles Burton Marshall; The Exercise of Sovereignty. (Baltimore; John Hopkins Press, 1965.) p. 4. He goes on to state that "... Sovereignty entails having a scheme of authority - a ruling group - capable of maintaining dependable social order pervasively over a demarcated area. Sovereignty entails command of the allegiance of a determining portion of persons and groups encompassed

in the area... Sovereignty entails a capacity and a will to command means and to devote them to give effect to common preferences. Sovereignty involves capacity to enter into and effectuate obligations. Sovereignty involves capacity to affect environing conditions as well as to be affected by them...".

14. Hans J. Morgenthau Jr. Politics Among Nations. (3rd Edn.) (New York; Alfred Knopf: 1960) p.313.
15. Morgenthau. op. cit. pp. 314-315.
16. Morgenthau. op. cit. p. 326.
17. Yousuf Jama Ali Duhul; "Appraisal by a Somali". Chapter 3 in L.W. Doob (ed.) Resolving Conflict in Africa. op. cit. p. 50.
18. John J. Okumu; "Appraisal by a Kenyan". Chapter 4 in L.W. Doob. op. cit. pp. 81-82.
19. Andreas Ashete; "Appraisal by an Ethiopian". Chapter 5 in L.W. Doob. op. cit. p. 91.
20. It will be recalled that a basic argument of the Kenyan Government throughout the period was that there was no dispute that concerned the two Governments, and that all that was required for a settlement was for the Somali Government to stop interfering in Kenya's internal affairs!
22. Egal. Address to the Royal African Society. (London; Somali Embassy; 1968).
23. Radio Mogadishu news broadcast. 2 November 1967. (BBC MONITORING Reports ME/2613/B/2.)
24. Egal. Address to the Royal African Society. op. cit.
25. Broadcast by Prime Minister Egal over Radio Mogadishu. 31 October 1967. (BBC Monitoring Reports ME/2610/B/2).
26. The East African Standard was now slow to point out that the Arusha agreement failed to mention the question of boundaries and respect for existing frontiers - one of the main points at issue in the Kenyan definition of the dispute - although it felt that this "... must be implicit in an article in the preliminary agreement at Kinshasa, and as a general principle under the O.A.U.....".  
Editorial in the East African Standard. 30 October 1967.
27. A model for this type of functional co-operation to solve common problems already existed in the area in the form of the UN. Desert Locust Control Unit, which continued its operations unimpeded during the whole period of the disputes over both the NFD and the Ogaden.

28. Report of a statement by the reconciliation committee made over Radio Mogadishu. 24 November 1967. (BBC Monitoring Reports ME/2631/B/5).
29. For a report of the President's speech, see John Drysdale; The Somali Dispute. op. cit. pp. 115-116.
30. This process began to be implemented shortly after the signing of the Memorandum itself. On October 30th, Dr Mungai announced that he was planning several meetings in the North Eastern and Eastern Provinces to explain the Arusha agreement. He intended, he said, to take this opportunity of inviting Ministers from the Somali Government to help him in this task of putting across to the people in the area the significance of the agreement and the need for peace.
31. The solution arrived at in Arusha resembled a proposal which the Somali Government had advanced at the Rome Conference in 1963, where, having had its own "interest in the area" recognised by the United Kingdom Government, the Somali delegation advanced the proposal:
- "... as an interim measure, pending a final settlement of the problem:
- the whole of the Northern Frontier District with its six Districts being the disputed area should be placed under a special administration. Such administration should either be:
- (i) a joint Somali/Kenya administration, or
- (ii) placed under United Nations administration...".
- See John Drysdale; The Somali Dispute. op. cit. p. 157
32. Report over Nairobi Radio. 8 December 1967. (BBC Monitoring Reports ME/2643/B/1).
33. As late as October 1969 the area in the north east of Kenya was still unsettled. An article published by the East African Standard on the release of some of the NFD detainees, noted that "... it is futile to pretend that all trouble is at an end in the area. The emergency is still in force, though it is subject to regular review. Its continuance may depend to a large extent on how the released detainees keep their pledge to keep the peace and co-operate with the authorities...".
- Article in the East African Standard 15 October 1969.
34. The development conference considered problems of grazing and water development in the arid territory along the common border, and ended with an agreement to co-ordinate development in the area. The main topics of discussion were those of developing water supplies for both humans and livestock, and the possibility of studying the movement of the nomads, so that other services could be provided for them.
- Report of the meetings in Kenya Digest. No. 115 (Kenya High Commission; London; 30 July 1969). p. 6.

35. The statement was made by the Somali Prime Minister following the "African-American Dialogues Conference" held at Nairobi on 24th November 1968. See the report for that date in the Standard (Tanzania).
36. Report of the meetings in the Daily Nation. 22 February 1969.
37. News broadcast over Radio Omdurman. 4 April 1968 (BBC Monitoring Reports ME/2741/E/6).
38. This and previous quotations from Mr Egal's speech are taken from reports in the Somali News, 13 June 1969.
39. The same article claimed that there had been a gradual change of attitudes among the inhabitants of the area itself, initial suspicion and resentment being replaced by "... a greater acceptance of their status as Kenyans ...". East African Standard 15 October 1969.
40. East African Standard, above cit.
41. A report of the Prime Minister's statement was given in Somali News, 18th October, 1968. (Writer's italics.)

APPENDICES 1 TO 4.

APPENDIX 1.

Information on the Northern Frontier District.

(A) Population Distribution; 1962

Northern Province; Census, 1962

<u>District</u>	<u>Area (in sq. miles)</u>	<u>Total</u>	<u>Asian/Arab</u>	<u>African/Somali.</u>	<u>Density.</u>
Garissa	22,661	93,866	299	93,551	4.1
Isiolo	9,871	54,585	361	54,173	5.5
Mandera	10,388	75,526	101	75,421	7.3
Wajir	18,035	100,250	492	99,750	5.6
Marsabit	23,282	29,170	59	29,102	1.3
Moyale	<u>7,673</u>	<u>20,843</u>	<u>248</u>	<u>20,582</u>	2.7
Total	91,910	374,240	1,560	372,579	

(B) Stock-Rearing Patterns.

The general pattern of stock-rearing in the N.F.D. is revealed in the following estimates of livestock population made by N.F.D. veterinary officers in 1964.

	<u>Area</u> (in sq. miles)	<u>Cattle</u>	<u>Camels</u> ( in thousands )	<u>Sheep</u>	<u>Goats</u>	<u>Stock units</u>
Marsabit & Moyale.	28,083	280	230	200	418	23.6
Isiolo	9,886	150	200	155	365	48.9
Mandera	10,220	58	400	47	111	62.0
Wajir	21,815	115	300	174	408	27.2
Garissa	16,962	260	75	104	219	23.4

(The final column is in stock units per square mile. One stock unit is equal to one cow or 10 sheep or goats. A camel counts as 1.4 stock units.)

(Both tables adapted from Morgan & Shaffer; op. cit.)



## (C) Distribution of Ethnic Groups.

Northern Frontier District  
(Overall)

Somali	46%
"Half-Somali"	16%
Boran, Gabbra & Sakuye	22%
Rendille	9%
Riverine tribes	4%
Orma	2%
Turkana	<u>1%</u>
Total	100%

<u>District.</u>	<u>Ethnic Group.</u>	<u>Clan or tribe.</u>	<u>% Population.</u>
Garissa	Somali	Aulihan	72%
		Abdallah	
		Abd Wak	
	Riverine		21%
	Galla	Orma	<u>7%</u>
Wajir	Somali	Degodia	88%
		Mohammed Zubier	
	"Half-Somali"	Adjuran	<u>12%</u>
Mandera	Somali	Degodia	49%
		Murrille	
	"Half-Somali"	Adjuran	<u>51%</u>
		Gurreh	
Moyale	Galla	Boran	39%
		Sakuye	
	"Half-Somali"	Adjuran	<u>61%</u>
Marsabit	Galla	Boran	49%
		Gabbra	
		Rendille	
	Elmolo		<u>.5%</u>
Isiolo	Galla	Boran	71%
		Somali	19%
		Turkana	10%

(Figures adapted from; Report of the Northern Frontier District Commission. op. cit. p. 34. See also the map overleaf.)



Alphabetical Key to  
SMALL TRIBES  
(The numbers refer to  
the Tribal Families):

- A Begeba..... 6
- B Hintere..... 6
- C Geledi..... 8
- D Hillivi..... 6
- E Abgal Daud..... 6
- F Mobilen..... 6
- G Hawadle..... 7
- H Kabole..... 11
- I Murosade..... 6
- J Wedan..... 6
- K Abgal Maten..... 6
- L Shan Dafet..... 7-8
- M Rer Dumal..... 8
- N Asheraf..... 10
- O Garwale..... 8
- P Lisan..... 8
- Q Komal..... 8
- R Disso..... 8
- S Eimit..... 8
- T Wang'jal..... 8
- U Jalalle..... 8
- V Harau..... 8
- W Tunj Torre..... 11-8
- X Helleda..... 8
- Y Hober..... 7
- Z Yanter..... 8

Numerical Key to  
TRIBAL FAMILIES

- 1 Darod (Ogeden Branch)
- 2 " (Mijertein Branch)
- 3 " (Other Branches)
- 4 Dir
- 5 Ishaak
- 6 Hawiya
- 7 " Associated Tribes
- 8 Rahanwein
- 9 Digil
- 10 Somali Arab
- 11 Negroid

DISTRIBUTION OF SOMALI CLANS  
IN SOUTHERN SOMALIA AND THE  
N.F.D.

Adapted from I.M. Lewis: Peoples of the Horn of Africa  
in International African Institute, 1955.]

(D) Elections in the N.F.D.

(I) Nominations for Regional and National elections held in March, 1964.

<u>Senate.</u>	Mandera:	Mohammed Nur Hussein NFUCP	Unopposed.
	Garissa;	Abdi Maji Ahmed NFDP	"
	Wajir;	Noor Aden Hassan Indep.	"

House of Representatives

Mandera;	Surfid Mohammed Amin NFUCP	Unopposed.
Wajir (N);	Abcisired Khelif Indep.	"
Wajir (S);	No nomination.	-
Garissa (N) :	Osman Abdi Rahaman Indep.	Unopposed
Garissa (S) :	Hamdi Abdi Sheikh NFDP	Contested
	Mohammed Jubat Indep.	

North Eastern Regional Assembly.

<u>Mandera District;</u>	Gurreh	1 Indep., 1 NPPPP & 1 NFUCP	Contested
	Murulla	1 Indep. & 1 NPPPP	Unopposed
	Mandera/Degoois	1 Indep. & 1 NFUCP	"
<u>Wajir District;</u>	Degodia	2 Independents	"
	Adjuran	1 Indep. (No second nomination)	"
	Wajir (S)	1 Indep. " " "	"
<u>Garissa District:</u>	Garissa (N)	2 NFDP	Unopposed
	Garissa (S)	2 NFDP	"
	Garissa (C)	1 NFDP & 2 NPPPP	Contested

In all, there were only three contested seats for both sets of elections, regional and national.

(II) Results in N.F.D. contested seats for the June 1966 "Little General Election."

North East Region.

Wajir (North)	A.N.Ali (KANU)	1,084
	A.S.Khalif (KPU)	933

Eastern Region.

Isiolo	H.Wario (KANU)	928
	A.W.Bonaya (KPU)	557
Kenille	P.Kurunga (KANU)	1,189
	E.D.Godana (KPU)	443

(E) Casualties in the N.F.D.

Exact numbers of people killed or injured during the four year guerrilla campaign are difficult to discover, particularly in view of the wild (and presumably exaggerated) claims made by both sides, and also because of the difficulty of identification. However, the growth of Somali casualties (whether guerrilla or civilian) may be judged by the figures given over Nairobi radio in September 1966. Even allowing for distortion and propaganda claims, the upward trend is unmistakably steep;

	<u>"Shifta"</u>	<u>Kenyan</u> <u>Security forces</u>	<u>Civilians.</u>
Nov. 1963 - Sept 1964	198	41	103
Nov. 1964 - Sept. 1965	335	147	173
Nov. 1965 - Aug. 1966 (10 months)	665	14	230

(News report of Nairobi Radio; 27 Sept. 1966.)

At a press conference held six months later, Dr. Mungai gave revised figures for the whole three year period from 1963 to 1966, stating that over 1,200 guerrillas had been killed, 500 wounded, 800 captured and 500 surrendered. Civilian casualties (described as "...Kenya citizens of Somali origin...") had lost 500 "...killed by the "shifta!..", 300 wounded and about 150 abducted. Dr. Mungai stated that these casualties had been inflicted "...at only slight loss..." to the security forces.

Report of the Minister's press conference in the East African Standard, 21 April 1967.

APPENDIX 2.

(A) Somali Domestic Politics 1964-1967; A Brief Chronology.

1964 .

- March 30. General election immediately following border incidents with Ethiopia. 937 candidates for 123 National Assembly seats drawn from 21 "parties". Results; S.Y.L. 69 seats; Somali National Congress 22 seats; Somali Democratic Union 11; Others 21.
- June 1. Resignation of Prime Minister Shermarke (Darod.)
7. President Osman (Hawiye.) invites Abdirizak Haji Hussein (Darod.), a rival of Dr. Shermarke, to form an administration.
15. Prime Minister Hussein announces successful formulation of a new government.
- July 13. Hussein government resigns following vote of no confidence in National Assembly (59 v. 57). Fall attributed to failure to recognize clan balance sufficiently in Government.  
Resignation occurs as O.A.U. Summit Conference is about to begin in Cairo.
14. President Osman requests Mr. Hussein to remain in office as "caretaker" until a new administration can be formed.
16. Secretary-General and four others expelled from S.Y.L. for failing to back the Government in crucial vote of confidence.
- August 6. In spite of pressure for the return of Dr. Shermarke, President Osman again requests Mr. Hussein to try to form a government.
31. Formation of new administration by Mr. Hussein, with four changes from his previous Cabinet, including two members representing strong factions within the S.Y.L.
- September 27. Vote of confidence in new government carried in the National Assembly by 92 to 23.
- October 19. S.Y.L. elect Prime Minister Hussein as Secretary-General of the party by 125 votes to 26. Intention said to be that of assisting Government in bringing dissidents under control.

1965.

- January 8. Amnesty granted by the National Assembly to 23 army officers who had attempted an abortive coup in the Northern Region during 1964.
- December 1. Government seeks new vote of confidence following the defeat of two taxation bills in the National Assembly. Vote succeeds by 86 to 23.

1966.

- January 10. Resignation of Minister of Finance and of Assistant Minister for Agriculture. Dismissal of Minister of Commerce and Minister of Agriculture.
- February 7. Dismissal of the President of the National Assembly from the S.Y.L. for "...not following the policy of the Party, and for failing to be loyal to it..."
26. Motion for the removal of the President of the National Assembly rejected as illegal and unconstitutional in the Assembly by the President himself.
28. S.Y.L. Standing Committee agrees to an extraordinary session to debate the removal of the President of the National Assembly from his office.
- March 4. National Assembly agrees by 85 votes to 33 that the President should be removed from his office.
8. Election of new President of the National Assembly; Shaykh Mukhter Muhammad 69 votes; Mohammed Egal 42 votes.
25. Major Cabinet re-shuffle
- June 26. Announcement of government resignation following rejection of two bills by the National Assembly. Minister of Information states; "...We could not cope with the present attitude of our Parliament..."
- Resignation originally handed to S.Y.L. parliamentary party, with intention that it should be passed on to President Osman.
- Editor of Dalka comments that neither of the rejected bills had been controversial but that deputies had been waiting until they could safely disrupt the Government's programme. They had only been restrained by the fear that President Osman would dissolve the National Assembly and call a general election, but this was constitutionally impossible during the President's last year of office, and President Osman's ended on 1st July 1967.
27. S.Y.L. Central Committee requests Cabinet to withdraw its resignation. Cabinet announce they have received a similar request from President Osman, and will seek a vote of confidence in the National Assembly.
- July 7. S.Y.L. Central Committee and the Parliamentary party re-affirm confidence in Prime Minister Hussein.
13. Government wins new vote of confidence in the National Assembly by 74 votes to 21.
- August 16. S.Y.L. expels 13 prominent members for "indiscipline", including voting against the Hussein Government in the S.Y.L. party meeting, and later abstaining during the vote of confidence on the National Assembly.

1967.

- February      rumours of an unsuccessful coup attempt by "southern" army officers stationed near Mogadishu, defeated by officers and troops "...related in extended clan ties to the northerners who dominate the civilian elite..."
- March          1. Prime Minister Hussein re-elected Secretary General of the S.Y.L.
- May            3. Announcement of Presidential election (by members of the National Assembly). Period of intense lobbying begins, with President Osman and Prime Minister Hussein seeking support against the challenge of Dr. Shermarke and Mr. Egal (Isaq.)
- June           10. Election of Dr. Shermarke as President following three close ballots.
- July            7. President Shermarke calls upon Mr. Egal to form a new government.
15. Prime Minister Egal forms new Cabinet.
- August        13. Record-breaking National Assembly vote of confidence in new Egal administration, 119 to 2.
- October       31. Beginning of S.Y.L. party crisis over the signing of the Arusha Memorandum. (For details see Chapter VII.)

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(B) Somali Administrations 1960-1967.  
(ministers only.)

	1960 (Shermarke)	1966 (Hussein)	1967 (Egal)
Southern Darod	34	5	4
Northern Darod	2	1	2
Hawiye	4	3	4
Digil & Rahewin (Sab)	2	3	3
Dir	0	1	1
Isaq	2	3	4

(C) The Somali Economy; Financial and Trade Figures.

(a) Finance.

For the period 1963-1967 the Somali Government operated with an annual budget deficit of about 20,000 Somali shillings, which was made up by triennial grants from the Italian Government. (As the payments were often made retrospectively, because of the need for the Italian Government to have this grant passed by its own National Assembly, even the overall, adjusted figures of the Somali budget show a periodic deficit.)

The relevant figures for the period of the N.F.D. dispute are as follows:

<u>Heading</u>	<u>1963</u>	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>
Fiscal Revenue	152,892	177,612	177,725	223,651	248,094
Expenditure	180,289	197,693	199,415	237,426	272,094
Budget Deficit	27,397	20,022	21,690	13,775	24,000
Foreign Budgetary Contributions	22,422	28,894	17,143	20,000	24,000
Final Balance	-4,975	+8,872	-4,574	+6,225	-

(Budget figures in thousands of Somali shillings, and taken from; Somali National Bank Bulletin. No. 12. Table 4.11 pp.54-55.)

(b) Trade.

Somalia's trade figures for the period of the dispute show a steady deficit:

	<u>1963</u>	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>
Imports	319.1	390.7	353.7	300.3	286.4	339.8
Exports	227.0	257.8	237.3	233.3	198.5	212.0
Balance	-92.1	-132.9	-116.4	-67.0	-87.9	-127.8

(Figures in 000,000 of Somali shillings, and adapted from : Somali National Bank Bulletin No. 16. December 1969 Table 5.21 p.43.)



APPENDIX 3.

Official Publications Regarding The Dispute.

A People in Isolation. (published in March 1962 by the political parties of the N.F.D. in Kenya; N.P.P.P., N.P.D.F. & N.P.P.N.U.) "A call by the political parties of the Northern Frontier District of Kenya for union with the Somali Republic."

The Issue of the Northern Frontier District. (Mogadishu; Ministry of Information; May, 1963.)

British Public Opinion on the Northern Frontier District (N.F.D.). (Mogadishu; Ministry of Information; May, 1963.)

The Somali Republic and the Organisation of African Unity. (Mogadishu; Ministry of Foreign Affairs; 1964.)

N.F.D. Frontier Problem Planted by Britain between Kenya and the Somali Republic. (Mogadishu; Ministry of Information; 1964.)

White Paper on the N.F.D. (Mogadishu; Ministry of Information; December, 1964.) "The Kenya Constitutional Amendment Bill and its effect on the right of the people of the N.F.D. to self-determination."

Somalia; A Divided Nation Seeking Re-Unification. (Mogadishu; Ministry of Information; April 1965.) In collaboration with the Somali Embassy in Bonn.

The Somali People's Quest for Unity. (Mogadishu; Ministry of Foreign Affairs; 1966.) "An explanation of the issues involved in the Somali Ethiopian and Somali/Kenyan disputes and the liberation of French Somaliland."

Somalia; Nomadic Individualism and the Rule of Law. Address by H.E. Mohammed Ibrahim Egal to the Royal African Society. (London; the Somali Embassy; May 1968.)

Pan-African Unity and the N.F.D. Question in Kenya. Memorandum from the Kenyan delegation to the African Summit Conference at Addis Ababa, May 1963.

Kenya-Somalia Relations. (Nairobi; May 1967.) "Narrative of four years of inspired aggression and direct subversion mounted by the Somali Republic against the Government and people of the Republic of Kenya."

APPENDIX 4.

A chronology of the N.F.D. dispute; 1963 - 1967.

1963.

- 8 March Mr. Sandys, the Colonial Secretary, announces the United Kingdom Government's decision with regard to the N.F.D. forming a seventh region within an independent Kenya.
- 18 March Somali Republic breaks off diplomatic relations with the United Kingdom.
- March Conference of sixty Somali leaders at Wajir decides to reject United Kingdom proposal for a seventh region and boycott the national elections.
- April Reports of secessionist preparations by N.P.P.F., and of violence between pro- and anti-secessionist factions in the N.F.D.
- 24 May Riots and harassment of voters during national elections in N.F.D.; general boycott of elections by Somalis.
- 24 May Heads of African States meeting at Addis Ababa to form the O.A.U. President Osman raises the question of self-determination for Somalis in Ogaden and N.F.D. Kenyan delegation presents memorandum defending Kenyan retention of N.F.D.
- 4 June Foreign Minister Issa pays the first of several visits to Nairobi for consultation with Mr. Kenyatta
- June Killing of anti-secessionist Boran chief and Isiolo District Commissioner by secessionists, who flee to Somali Republic and survive Kenyan efforts at extradition.
- 8 August N.P.P.F. announces the amalgamation of all secessionist parties in the N.F.D.
- 25 August Rome Conference between the United Kingdom Government, the Somali Government and Kenyan observers begins. The U.K. delegation announces that it will not take any unilateral decision about the N.F.D. The matter must be dealt with after Kenyan independence.
- 3 September Prime Minister Shermarke announces a trade and technical co-operation agreement with the C.P.R. following his tour of the Far East.
- 9 September Kenyan Government announces a major development plan for the new North Eastern Region.
- 13 October Mr. Sandys announces that new elections will be held in the N.F.D. for both Regional and National Assemblies.

- 19 October Announcement of possibility of K.A.D.U. break-away state at final London Conference to decide formula for Kenya's independence constitution.
- November Official opening of the "shifita" campaign with attacks on police posts and kidnappings.
- 12 November Foreign minister Issa announces Somali Government's rejection of western military aid and acceptance of the Soviet offer of help to increase the size of Somalia's armed forces to 20,000.
- 22 November Prime Minister Kenyatta announces the signing of a joint Ethiopian-Kenyan defence pact in Addis Ababa during the previous July.
- 11 December Kenya becomes fully independent.
- 25 December Following increased guerrilla activity the Kenyan Government declares a state of emergency in the North Eastern Region and establishes a five mile wide prohibited zone along the Somali border.
- 31 December Kenyan House of Representatives and Senate approve the Government's declaration of a state of emergency, and give a mandate for its continuation.

#### 1964.

- 11 January Reports of border incidents between Ethiopian troops and Somali "irregulars".
- 17 January Somali Government sends protest note to Ethiopian Government with respect to border incidents.
- 1 February Visit by Premier Chou-en-lai to Mogadishu begins.
- 6 February Beginning of a period of border incidents and heavy fighting between Ethiopian and Somali troops along the joint border. Fighting results in protests to the U.N. Secretary-General, and meetings of the O.A.U. Council to consider the emergency.
- 16 February Official cease-fire in border war, following intense diplomatic activity and widespread fighting. Isolated incidents continue.
- 23 February Mr. Kenyatta announces the increase of Kenyan armed forces to over 5,000 men.
- 25 February State of emergency in the north east extended for two further months, following widespread attacks on police posts and convoys in the N.F.D.
- 1 March Meeting of O.A.U. Council of Ministers at Lagos considers the Somali problem, and recommends bilateral negotiations between the parties directly concerned.
- 3 March Elections in the N.F.D. result in the return of M.P.s to both Regional and National Assemblies.

- 5 March Further border clashes involving Ethiopia and Somalia.
- 25 March Meeting in Khartoum between Ethiopian and Somali Foreign Ministers results in an agreement to withdraw all troops from the border areas under the supervision of a mixed border commission.
- 30 March General election in Somalia returns S.Y.L. majority to National Assembly.
- 13 April Mixed Ethiopian-Somali border commission announces successful completion of its task of supervising the withdrawal of troops.
- 14 May Somali Minister of Information criticises use of United Kingdom troops to help suppress N.F.D. secessionist movement.
- 3 June Announcement of gift of military equipment worth £3.5 million to Kenyan armed forces by the United Kingdom.
- 41 June Announcement to the Kenyan House of Representatives that the Government was considering adopting a republican constitution.
- 14 June Formation of new Somali Government under Abdirizak Haji Hussein.
- 24 June Following further widespread violence in the N.F.D., the Kenyan Government announces its intention to form "home guard" units in the area.
- 8 July Departure of Somali delegation to the O.A.U. Heads of States Conference in Cairo.
- 14 July Defeat of Hussein administration on a vote of confidence in the Somali National Assembly. Somali delegation in Cairo announced that it will be unable to continue negotiations.
- 20 July Formal O.A.U. declaration with regard to respect for existing boundaries.
- 27 July Foreign Minister Dualeh, on his return from the Cairo Conference, announces that the O.A.U. resolution on respect for boundaries is in no way binding on the Somali Government.
- 1 September Announcement of further security measures in the N.F.D. by Kenyan Government, including rights of search, detention and arrest without warrant.
- 30 September Kenyan minister of Health, Dr. Mungai, announces that, according to Government estimates, between 800 and 1,000 guerrillas were operating in the N.F.D.
- 14 October Further extension of emergency powers of detention in the N.F.D.

- 10 November KADU dissolved; Kenya becomes a single party state.
- 10 December Withdrawal of last units of the United Kingdom army to be stationed permanently in Kenya.
- 11 December President Kenyatta announces an Independence Day amnesty for all "shifta" who surrender before January 12th.

1965.

- 13 January Announcement by new Minister of Defence and Internal Security, Dr. Mungai, that 100 "shifta" had surrendered as a result of the amnesty.
- 17 February Enquiry into an incident at Wajir in September 1964 ends with magistrate stating that Kenyan security forces had deliberately murdered seven civilians. "...They had killed them deliberately, recklessly, and with malice aforethought because they were angry at the murder of a constable..."
- 10 March Somali Minister of Defence denies allegations about the receipt of military aid from China.
- 11 March Reports of new border clashes between Ethiopian troops and Somali tribesmen.
- 22 April Official Somali Government protest at the behaviour of Kenyan security forces in the N.F.D.
- 21 May Dr. Mungai refutes allegations that units of the Somali army were active in the N.F.D.
- 2 July Sudanese delegation to Somali Independence Day celebrations calls for a peaceful solution to the dispute.
- 19 July Announcement of joint Kenyan-United Kingdom military exercises by Kenyan Government.
- 27 July Dr. Mungai announces in Kenyan House of Representatives that since December 1964 security forces have killed 200 "shifta", wounded 95 and arrested 132.
- 19 October Announcement of Kenyan Government's intention to amalgamate the senate and the house of representatives into a single-chamber, enlarged National Assembly
- 21 October O.A.U. meeting of Heads of States in Accra results in an informal agreement between Ethiopia and Somalia to stop hostile propaganda
- 2 November President Kenyatta warns of more severe Government measures if the co-operation of all the people in the N.F.D. is not forthcoming
- 10 December Beginning of abortive talks on the N.F.D. problem at Arusha, Tanzania. Delegations led by President Osman and Prime Minister Hussein, and President Kenyatta and Mr. Murumbi.

19 December Publication of a bill providing for a single chamber National Assembly for Kenya.

1966.

24 February Kenyan Assistant Minister for Defence states in the National Assembly that Kenya was "at war with Somalia..."

5 April Conference of East African states at Nairobi, attended by Prime Minister Hussein, leads to an informal agreement between Kenya and Somalia to suspend propaganda broadcasts.

20 April 29 M.P.s, including some from the N.F.D., resign from KANU; Mr. Oginga announces plans to form a new party, the K.P.U.

17 May Offer of mediation into Ethiopian/Somali and Kenyan/Somali disputes by the Sudanese Prime Minister, Mr. Mahgoub.

19 May Visit by Soviet Deputy Foreign Minister, Mr. Malik, to Mogadishu for talks.

20 May KANU party members claim that "shifita" supporters and the Somali Government were backing the new KPU.

31 May Official Somali Government complaints to O.A.U. regarding Ethiopian border violations.

21 June Kenyan Government announces severance of all trade with Somali Republic.

22 June Warning of tougher security measures in N.F.D. by Dr. Mungai and Mr. Moi, Minister for Home Affairs.

26 June Resignation of Hussein Cabinet in Mogadishu. (Resignation later retracted at the request of President Osman.)

27 June Voting in Kenya's "Little General Election" results in KANU successes in the N.F.D.

1 July Kenya Government order that all Somali males must register at local offices before July 31st.

4 July Dr. Mungai states that Kenya is willing to talk to Somalia "any place, any time", provided the talks are not concerned with borders.

8 July Further Kenyan Government security measures announced, including population concentration in new "villagisation" policy.

13 July Somali Government wins vote of confidence in the National Assembly.

- 21 July Kenyan National Assembly approves new security measures relating to detention, registration and compulsory concentration of people in the N.F.D.
- 19 August Dr. Mungai strongly denies that foreign troops would be used in operations against the "shifta".
- 7 September Further security measures impose death sentence on anyone found carrying arms, ammunition or explosives in the N.F.D.
- 3 November Bill creating new constituencies in preparation for the amalgamation of the Senate and the House of Representatives read in Kenyan National Assembly.
- 18 November Mr. Moi announces in the National Assembly that, in three years of fighting, Kenyan security forces have killed 1,651 "shifta", while losing 31 policemen, 17 administrators, and 21 soldiers.
- 12 December Kenyan Government announces diplomatic moves to prevent further supplies of arms, mines and explosives to the Somali Government, especially those arms passed on to guerrillas.

1967.

- 3 January Somali Minister of Finance in National Assembly calls for urgent measures to restore Government finances and the national economy.
- 1 February Eye-witness reports on "shifta" camps inside Somalia published by East African Standard.
- February Drum article identifies members of the "High Command of the National Liberation Army of the N.F.D."
- 13 February Somali National Assembly passes a resolution calling on the Government to recognise formally the "Liberation Fronts" operating in alien controlled Somali territory.
- 22 February Beginning of process by which all people in N.F.D. are issued with identity cards and pass books.
- February Reports of mortar attacks on Mandera airstrip and shooting into Mandera from across the border by units of the Somali Army.
- 1 March Somali Government formal denial of material aid to guerrillas in the N.F.D.
- 14 April Dr. Mungai announces three prior conditions that must be met before any Kenyan agreement to discuss the N.F.D. problem.
- 20 April Dr. Mungai directly accuses Somali Government of waging a deliberate and continuous campaign of aggression against the Republic of Kenya since its independence.

- 1 May Official Somali reply states that Somali policy on the N.F.D. has at all times conformed with O.A.U. resolutions, and re-iterates Somali willingness to hold talks without prior conditions.
- 1 May Publication of official Kenya Government survey of N.F.D. dispute ("Kenya-Somali Relations") setting out Kenya's pre-requisites for the opening of negotiation.
- 11 May Dr. Mungai begins visit to United Kingdom to discuss further equipment for the Kenyan Army.
- 15 May Statement by Vice-President Moi that the U.A.R. Government had given assurances that it was no longer supplying weapons to the Somali Republic.
- 1 June President Kenyatta announces fresh one month amnesty for all "shifita" surrendering before June 30th.
- 10 June Election of Dr. Shermarke as President of the Somali Republic.
- 20 June President Kenyatta announces fifteen day extension of the amnesty.
- 7 July Nomination of Mr. Egal as Somali Prime Minister.
- 15 July Formation of new Somali Cabinet.
- 20 July President Kenyatta announces that 340 "shifita" have surrendered by the end of amnesty period.
- 20 July Prime Minister Egal states that Somalia would seek a peaceful solution to the N.F.D. dispute, but that unification remained a "sacred aim" of his government.
- 8 August Prime Minister Egal outlines his administration's foreign policy to Somali National Assembly, emphasizing the futility of the idea that Somalia intended to seize the N.F.D. or the Ogaden by force.
- 21 August Dr. Mungai repeats his willingness to discuss their dispute with Somalia, but adds that Kenya did not recognise any boundary dispute with Somalia.
- 30 August Foreign Minister Sheygo repeats Somali willingness to negotiate without prior conditions.
- 14 September Meeting of O.A.U. Heads of State at Kinshasa. Prime Minister Egal confers with Emperor Haile Selassie over Ogaden dispute.
- 14 September Formal O.A.U. announcement that both Kenya and Somalia had accepted President Kaunda's invitation to a meeting in Lusaka in late October to discuss ways of settling differences and establishing normal co-operation.
- 17 September Publication of Memorandum of Agreement signed by Kenya and Somalia at Kinshasa.



- 19 September Somali delegation arrives in Addis Ababa to prepare for meeting of heads of state.
- 22 September Ethiopian-Somali agreement to improve relations and to pave way for future meetings.
- 13 October Kenyan Minister of Commerce denies rumours of relaxation of trade embargo on Somalia.
- 20 October President Kenyatta announces a further one month's amnesty for "shifita"
- 25 October Public announcements of future development plans for the north east by ministers of Defence and of Natural Resources while in the N.F.D.
- 28 October Signature of Arusha Memorandum of Understanding.
- 31 October State visit of President Kenyatta to Addis Ababa.
- 31 October Radio broadcast by Prime Minister Egal clarifying Government policy following the Arusha Memorandum.
- 12 November Reports of criticism of Government decisions at Arusha by ex-Premier Hussein.
- 14 November Closure of S.Y.L. party headquarters in Mogadishu.
- 18 November Expulsion of Prime Minister from S.Y.L. by party Central Committee.
- 19 November Formation of S.Y.L. "Reconciliation Committee."
- 23 November Favourable vote of confidence in Egal Government and policy in Somali National Assembly, following lengthy debate.
- 23 November President Kaunda sends message of congratulations to Prime Minister Egal on result of vote of confidence.
- 24 November Report of successful agreement by S.Y.L. reconciliation committee.
- 7 December Prime Minister Egal's expulsion from S.Y.L. nullified; Mr. Hussein resigns as secretary-general of the party.

1968.

- 27 January Kenyan delegation led by Dr. Mungai visits Mogadishu for talks.
- 28 January President Kaunda begins official visit to Mogadishu.
- 31 January Announcement by President Kenyatta that diplomatic relations would be established with Somalia "very soon..."

- 2 February Resumption of trade between Kenya and Somalia.
- 8 February Ethiopian delegation led by Foreign Minister Yifru arrives in Mogadishu for talks.
- 28 February. Re-organisation of S.Y.L. constitution; Prime minister Egal becomes "leader of the party."