

Part Two:
AFRICAN DIPLOMATIC HISTORY,
PRACTICE AND INTERNATIONAL LAW

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Leadership and Statecraft in African Foreign Policy and Diplomatic Engagements

Maria Nzomo

Introduction

Foreign policy is often confused with diplomacy; but the two terms are not synonymous. Childs succinctly defines *foreign policy* as the *substance of foreign relations* and *diplomacy* as the process by which policy is carried out.¹ The policy consists of basic principles, objectives, the key national interests that a state wishes to advance; the objectives that a state aspires to achieve and the strategies to be employed to attain desired goals. Foreign policy consists of policy guidelines that form the basis of advancing a state's national interests abroad. Such guidelines are informed and influenced by both domestic and external factors that include geopolitics, history, economics, and the distribution of international power. The foreign policy of a state is a combination of principles and norms which guide and determine relations between states.

Foreign policies are founded on pre-determined conceptions of national interests which, in turn, aim at attaining specific goals in international affairs. These may include security against aggression, development of higher standards of living or maintenance of regional and international stability.² Modelski³ sees foreign policy as the system of activities evolved by communities for changing the behaviour of states and for adjusting their own activities to the international environment. He argues that the behaviour of every state affects that of other states either favourably or adversely. But every state tries

¹ Childs J.R. (1948) *American Foreign Service*. Henry Holt and Company

² Nkuraiya, O. (2004), '*Foreign Policy and National Interest*', Unpublished paper presented at National Defence College, Karen.

³ Modelski, G. (1962), '*A Theory For Foreign Policy*'. New York. Praeger

to minimise the adverse effects and maximise on the favourable effects of the actions of others, through its foreign policy and diplomacy. A successful conduct of foreign policy protects and advances a state's national interests and contributes to the preservation and enhancement of its status and power, without being unduly detrimental to the national interests, power and status of others. States are free to formulate foreign policies and execute their diplomacy but are expected to do so within the dictates of international legal norms and regimes. Foreign policy decision-making is also a continuous process that initially involves constructing basic foreign policy guidelines, but over time involves regular review of a state's policy priorities and strategies of implementation, in response to both internal and external exigencies.

Diplomacy usually refers to the conduct of international relations through the intercession of professional diplomats with regard to issues of peace-making, trade, wars, economics, cultures, environment and human rights.⁴ However, diplomacy normally seeks to develop goodwill toward the state it represents, nurturing relations with foreign states and peoples to win their favour towards one's state. When diplomacy fails, war may ensue and this is considered by the realist school as diplomacy by other means. Furthermore, diplomacy is also useful during war as it facilitates the dialogue required in negotiating the return to peace.

Diplomacy is the key strategy and instrument employed by states to execute and advance the national interests of a country in the international environment.⁵ It is the art and science that diplomats employ in international negotiations and other engagements geared towards advancing national interests abroad. In some cases, diplomats may have the discretion of employing the most effective strategy of foreign policy implementation. Diplomacy is not an end but a means; not a purpose but a method...it is the agency through which foreign policy seeks to attain its purpose by agreement rather than by war.⁶

With the changing global political and economic landscape and the proliferation of media communication technologies, the emergence of new actors in global affairs, the credibility and effectiveness of standard methods of

⁴ Institute of Diplomacy, University of Qaran.<http://www.e-dipcourse.diplomacy.university-ofqaran.com/a/%20Diplomatic%20Recognition.html>. Accessed on 09 July 2015.

⁵ Nicolson H. (1963) *Diplomacy* 3rd Edition London, Oxford University Press.

⁶ Ghosh P. (2013) *International Relations* 3rd Edition. PHI Learning Pvt. Ltd.

diplomacy are being challenged. Managing the information flow in the 21st century world of globalisation and digitised communication poses a major challenge to the conduct of diplomacy, and managing and filtering the flow of information. The emergence of “Wikileaks”⁷ has demonstrated the state incapacity to control and decide on what information is classified and unavailable to the public.

African states and states everywhere have been forced by this changed external environment to review and adjust their foreign policy strategies. This has entailed, for some countries such as Kenya and Botswana, the incorporation of *public diplomacy*⁸ among the diplomatic approaches employed. Despite this, the fundamental pillars of foreign policy remain unchanged for most countries. However, over time, states may vary the guidelines in different ways, depending on the local context. When new issues arise or the situation changes in the internal or external environments, it requires the skillful use of a form of *statecraft*⁹. Statecraft in this paper is taken to mean a skill/technique required in rethinking, re-engineering and re-configuring foreign policy goals, in the execution of foreign policy objectives, to achieve a desired outcome, as demonstrated in a subsequent section of this paper.

The UN and OAU/AU Norms in Foreign Policy and Diplomacy of African Countries

One of the key factors that influence the making and orientation of the foreign policies of African states in pursuit of their respective foreign policy goals is regional and international law and policies, including the UN Charter, OAU Charter and its successor, the Constitutive Act of the AU. By virtue of being members of the UN, OAU and its successor the AU, African states are under obligation to factor in and comply with basic legal and policy norms in formulating and implementing their foreign policy goals. Consequently, African states, including those with human capacity deficits, maintain diplomatic representation at the capitals where the UN and AU are located. These institutional and legal norms and frameworks are important for holding lead-

⁷ An organisation that publishes in global media, classified/ secret information (primarily about government’s domestic and international affairs) from anonymous sources.

⁸ In international relations, *public diplomacy* or *people’s diplomacy*, broadly speaking, is the communication with foreign publics to establish a dialogue designed to inform and influence.

⁹ *Statecraft* is defined as the art of government or skill in the management of state affairs. The word entails a stress on technique, on the way matters of state are handled.

ers to account for their actions, but also as platforms that provide avenues for advancing national and regional interests that demand a global or regional strategy. For example, the AU has within a decade been able to suspend ten countries from its membership for unconstitutional changes of government. Further, the AU Peace and Security Council (AU PSC) has helped advance Africa's regional security in a more comprehensive and effective way. The AU PSC has launched several peace-support operations and, by the end of 2013, the AU and its sub-regional organisations had more than 40,000 military and police and nearly 400 civilians deployed in peace support operations in Africa, while 26,000 uniformed and 4,500 civilians were deployed in the joint AU/UN mission in Darfur.¹⁰

Additionally, in respect to regional strategy, the powerful forces of 21st century globalisation and the emergence of new powers has brought new challenges for Africa, thus compelling African states to put a greater premium on regional integration/pan-Africanist diplomatic strategy for achieving their own national interests.¹¹ In response, many African states' foreign policies have been reviewed to reflect this changed environment. Thus, for example, the 2014 Kenyan foreign policy document clearly spells out Kenya's guiding philosophy with respect to regional integration: "regional integration will continue to be one of the cornerstones of Kenya's foreign policy. The EAC, IGAD, COMESA and the AU are Kenya's principal avenues for pursuing its foreign policy goals."¹² With regard to the UN, the foreign policy document states that:

Kenya will continue to promote the principles of the UN Charter and play its rightful role in supporting the work of the UN system in the promotion of international peace and security, refugees, sustainable development and the reform of the UN system ...will also continue to engage other multilateral organisations to promote international cooperation ... in finding lasting solutions to global challenges and in helping the transformation of the multilateral system to reflect the diversity of our nations and to ensure its centrality in global governance.¹³

The case of Kenya's saga with the ICC, examined in a subsequent section, further illustrates how statecraft combined with a well-executed regional/pan-africanist strategy, can serve as a key diplomatic strategy in advancing the

¹⁰ Vines A., (2013), op.cit.

¹¹ Laverty A. & Wiseman G, (2012). 'The Norms of African Diplomatic Culture: Implications for African Integration.' Dec.

¹² Republic of Kenya, (November 2014) KENYA Foreign policy:27

¹³ Ibid: 29.

national interest of a state. In such a situation, the AU provides guidance and policy directions and acts as a legitimising coordinating institution.¹⁴

The Role of Leadership in Foreign Policy Process and Diplomatic Engagement

Most scholars acknowledge the centrality of top political leaders of states in foreign policy making and execution. Top executive leaders are the vision carriers of state affairs and provide overall direction in policy matters. They determine what issues are considered national priorities at any one time and, together with their technical advisers, are crucial in shaping strategies employed in the execution of identified national interests. The top leader's perception of the internal and external environment is considered important in foreign policy decision-making and diplomatic engagements.

In Africa, however, this centrality of top political leaders has been viewed as one of the main challenges African countries face in realising their national interest. Such leadership is viewed as primarily self-interested leadership pre-occupied with aggrandisement and self-perpetuation in power.¹⁵ In this regard Kofi Annan in 1998 boldly stated that it was time for Africans to stop blaming colonialism and instead to hold their political leaders accountable for the civil wars and economic failures that ravage their lives:

Where there is insufficient accountability of leaders, lack of transparency in regimes, inadequate checks and balances, non-adherence to the rule of law, absence of peaceful means to change or replace leadership, or lack of respect for human rights, political control becomes excessively important and the stakes become dangerously high.

However, scholars, including Africanist scholars, are divided on the extent to which a leader's traits and perceptions are critical factors in foreign policy decision-making. Thus while some foreign policy analysts uphold the view that foreign policy choices and behaviour are primarily shaped by the top leadership, others insist that internal and external factors combine with leadership as determinants of foreign policy.

The key argument I make in this paper is that African leaders are important in shaping the foreign policy decision-making processes and to, some

¹⁴ Engel, Ulf & Porto, eds. (2010). *Africa's New Peace and Security Architecture: Promoting Norm, Institutionalising Solutions*. London. Ashgate.

¹⁵ Farah I, Kiamba S.&Mazongo K.(2011) '*Major challenges facing Africa in the 21st century*'.

extent, the execution, but may not be able to determine and realise the desired outcomes due to forces beyond their control. Nevertheless, the dominance of a president or prime minister, and, by extension, the executive arm of government is evident. The top leaders' persona and their worldview colour the foreign policy goals of their countries, what is considered to be in the national interest, the hierarchy of goals, and the kind of statecraft, strategies and diplomatic approaches deployed.

The key challenge for all African countries is the lack of implementation capacity to achieve desired outcomes. This is primarily due to mitigating constraints both internal and external. Employing examples from various African countries, I seek to demonstrate how African leadership mediates and influences foreign policy formulation and implementation processes, as well as the role of statecraft and diplomacy in gluing together decision-making processes

The dominance of idiosyncratic variables in foreign policy decision-making

The school of thought that argues that foreign policy choices and behaviour are largely shaped by top leadership include Goldstein & Pevehouse who highlight the importance of “values and beliefs, ... unique personalities – personal experiences, intellectual capabilities and personal styles...” in making decisions.¹⁶ A similar view is held by Breuning, who in his extensive study of the influence of leaders in foreign policy, focused on their personality traits as critical determinants of how the office of president functions with respect to foreign policy-making process.¹⁷ He makes a case for the centrality of presidents or prime ministers in shaping their country's foreign policy.¹⁸ But he also cautions that, in actuality, the top leadership in making decisions is not guided by one's traits and perceptions alone, but also by a team of advisors, think tanks and senior government officials in such core government ministries as foreign affairs, defence, international trade and the office of the president. These institutions influence the decision making process through making available crucial information, policy options and strategies for articulating the decisions made. Moreover, in making foreign policy decisions and diplomatic

¹⁶ Goldstein, J and J. Pevehouse (2011). *International Relations*, 9th ed. Boston: Longman p. 107.

¹⁷ Breuning, M (2007), *Foreign Policy Analysis*, New York: Palgrave Macmillan.

¹⁸ Ibid.

engagements, a leader should be mindful of the internal and external forces that could threaten regime survival, including the country's geopolitics, its relative power position in the international arena and demands of international norms and instruments.

Similarly, Mazrui, in his 2007 seminal paper titled: "Pan-Africanism, Democracy and Leadership in Africa: The Continuing Legacy for the New Millennium", identified eight typologies of leadership in Africa, classified according to the leader's governance styles¹⁹: charismatic; mobilisation; reconciliation; housekeeping; disciplinarian; technocratic; patriarchal and personalised autocratic/authoritarian. He argues that a leader's traits determine the manner and form of governance. The majority of the eight typologies of leadership in Africa in reality are either benevolent/ soft authoritarian leadership²⁰ or pure autocratic leaders.²¹ Although Mazrui focused primarily on national governance, one can safely assume that his typologies also apply in international engagements.

Kegley and Blunton argue that "leaders are influential because factors external to the actor can become determinants only as they affect the mind, heart and will of decision-maker"²². Constructivists reinforce this by arguing that "ideas and expectations within the head of a leader are intellectual filters through which objective realities are interpreted in response to demands and changes of the context within which they operate."²³ Sarkesian et al²⁴ rely on the personality traits of leaders to gauge behaviour, determine the kind of leader she/he is, motives, and priorities or goals to explain foreign policy decisions. They argue that personality traits fix the political behaviour, and shape the way leaders view the world and their own roles in it.²⁵ Similarly, a leader's

¹⁹ Mazrui, A. A. (2007). 'Pan-Africanism, democracy and leadership in Africa: the continuing legacy for the new millennium', *Institute of Global Cultural Studies*, available at <http://igcs.binghamton.edu/igcs_site/dirton6.html#fn2>.

²⁰ "Soft authoritarianism" can be defined as political control in which a combination of formal and informal mechanisms ensures the dominance of a ruling group or dominant party, despite the existence of some forms of political competition.

²¹ Mazrui, A. (2007), "Pan-africanism, Democracy and Leadership in Africa: The Continuing Legacy for the New Millennium" *Institute of Global Cultural Studies*, available at <http://igcs.binghamton.edu/igcs_site/dirton6.html#fn2>.

²² Kegley, C and S. Blunton (2011). *World Politics: Trend and Transformation*. Boston: Wadsworth, Cengage Learning. p. 193.

²³ Ibid. p.193.

²⁴ Sarkesian, S, J. Williams & S. Cimbala (2008). *US National Security: Policymakers, Processes & Politics*. 4thEd. Boulder, CO: Lynne Rienner, p. 73.

²⁵ Sarkesian, S, J. Williams & S. Cimbala (2008). *US National Security: Policymakers, Processes & Politics*. 4thEd. Boulder, CO: Lynne Rienner.

core values and beliefs help to identify his/her perceptions and analysis of the external environment, and the cost-benefit analysis of foreign policy choices. Additionally, trust, directness, self-confidence, self-assertion, flexibility or willingness to compromise and forthrightness are some of the emotional characterisations of personality that have an impact on the decision-making process and ultimately on judgements about foreign policy issues.²⁶

In their study of Botswana's foreign policy, Osei-Hwedie and Mokhawa²⁷ identify a leader's traits as critical factors in foreign policy development. However, they note that leadership traits alone are insufficient. Rather, combinations with the international contexts fully explain Botswana's foreign policy choices and instruments. In this connection, the first three presidents of Botswana pursued similar friendly policy behaviour and made use of "silent" diplomacy as a foreign policy tool, especially, towards neighbouring states and on continental issues. They further note that the current President, Ian Khama, only shares with past presidents the principles of friendly behaviour, flexibility, pragmatism and reliance on soft power in line with the country's size and relative capability. Otherwise, he has apparently departed radically from his predecessors by preferring "public" diplomacy as the foreign policy instrument to realise his cherished goals; pushing for a visible, active and outspoken stance on international issues including democratic governance, elections processes, human rights, the International Criminal Court (ICC) and China.

The study concludes that Botswana's leaders determine foreign policy choices. Their personality traits largely help to explain differences in their behaviour towards other states. Ian Khama has made the deliberate option of making his country visible with an active role in world affairs, reliance on public diplomacy as a foreign policy tool, and boldness in taking an independent position from SADC on Zimbabwe's 2008 and 2013 elections, and the AU on Zimbabwe and the ICC, as well as distancing his country from other African states by condemning China's business dealings. All these actions stand out as radically different from his three predecessors, who relied on silent diplomacy and bandwagoning with SADC and OAU/AU.

²⁶ Breuning, M (2007). *Foreign Policy Analysis*. New York: Palgrave Macmillan.

²⁷ Osei-Hwedie .B.Z & Mokhawa G, 'Continuity And Change: The Influence Of The Presidents On Botswana's Foreign Policy' *Afro Asian Journal of Social Sciences*. Volume 5, No. 5.1 Quarter I (2014).

However, even in the case of Ian Khama, his independent-minded foreign policy approach has been tempered by the international context and by geopolitics. This suggests that though a leader's traits remain important, changes in the environment influence the leadership's standpoint towards others. Further, other factors such as geographical location and national principles remain constant across time and ensure some areas of continuity in the foreign policy orientation of Botswana, regardless of the leader in power. Commonalities among the four leaders thus include good neighbourly relations, international collaboration, adherence to SADC and AU positions on issues on which there is convergence, the pursuit of economic and security goals that foster national interests, and the use of soft power, commensurate with the country's size and relative capabilities.

Osei-Hwedie and Mokhawa²⁸ thus conclude that leadership traits, though important, are tempered by both the domestic and international contexts. Internal and external factors are key determinants of foreign policy,²⁹ but ultimately, the key political leaders remain vital in interpreting the external and internal environment and ultimately making decisions on the priority/strategic issues and the diplomatic approaches to be employed in advancing them. In other words, as demonstrated in the cases of Botswana and Egypt, examined below, in most African countries, there are always one or two core/strategic national issues that remain a key and constant focus of foreign policy and action, regardless of the leader in power.

Concurring with this argument, Naeck and East³⁰ put emphasis on the systemic environment of foreign policy decision-making as well as the geopolitical and economic factors as key intervening variables in the foreign policy process.³¹ They point to size, arguing that small states, such as many of the African countries, adopt cautious foreign policy behaviour to avoid risks. Thus, although small states have opportunities to pursue independent self-

²⁸ Osei-Hwedie .B.Z & Mokhawa G(2014), '*Continuity And Change: The Influence Of The Presidents On Botswana's Foreign Policy*' Afro Asian Journal of Social Sciences. Volume 5, No. 5.1 Quarter I.

²⁹ Osei-Hwedie .B.Z & Mokhawa G(2014), op.cit.

³⁰ Neack, L (2003). *The New Foreign Policy: US and Comparative Foreign Policy in the 21st Century*. Lanham, MA: Rowman & Littlefield. & East, M (1975). "Size and Foreign Policy behaviour: a Test of Two Models", in Kegley, C, G. Raymond & R. Skinner (eds.), *International Events and the Comparative Analysis of Foreign Policy*. Columbia, SC: University of South Carolina Press: 159-178.

³¹ Rosenau, J (1971). *The Scientific Study of Foreign Policy*. New York: Free Press.

interests, they are still more limited than big, powerful states. They further argue that, despite their size, small states can control their foreign policy choices and ultimate fates, through the skilful employment of statecraft. However, this power is contingent upon opportunities presented in the international system and the willingness of leaders of small states to take advantage of the opportunities. Thus, Neack suggests that “international conditions must be ripe for action and leaders must be inclined to act”.³²

Sovereignty and Strategic National Interests in Foreign Policy and Diplomatic Action

For all African countries and the world at large, national sovereignty and territorial integrity is always considered to be the most vital and strategic interest of a state to be protected at all costs. Will Brown notes in this regard that sovereignty remains a central organising device in African politics, and this reinforces rather than questions the relevance of international relations to African studies. It thus remains true that African agency in international politics is often mediated through the state, and sovereignty continues to be an important strategic resource for less powerful groups in world politics. Indeed, one of the key obstacles to the implementation of African unity and regional integration, due to the unwillingness of member states to move towards collective/shared sovereignty.

In addition to sovereignty, for some states, a key strategic resource or issue may also become a vital interest necessary for regime and national survival, and hence to be protected at all costs. Such a resource or issue then becomes a key determinant and shaper of foreign decision-making and the choice of the type of diplomacy that is deployed.

In the case of Egypt, the Nile River is the strategic resource that plays a crucial role in the life of Egypt. In a country that is practically a desert, the Nile River is the only major source of water for the country. Furthermore, compared to the other nine riparian states (DRC, Eritrea, Ethiopia, Kenya, Rwanda, Sudan, South Sudan, Tanzania and Uganda), Egypt is the only country that is heavily dependent on the Nile River waters, thus making Cairo vulnerable to any actions that might jeopardise the flow of the Nile water.

³² Neack, L (2003). *The New Foreign Policy: US and Comparative Foreign Policy in the 21st Century*. Lanham, MA: Rowman& Littlefield. p. 158.

The Nile River has therefore been a core national interest that has always shaped and influenced the foreign policy and diplomatic action of Egypt, especially in diplomatic engagements with the other nine riparian African states. Consequently, this strategic national interest, rather than the leadership factor, has been the driver of Egyptian African policy, to the extent that no significant leadership differences have existed among the successive political regimes. Instead, every leadership that has taken office in Egypt over the decades has maintained the same foreign policy orientation and diplomatic approach, with the centrality of the Nile river waters as a core national interest issue.

For example, 'cooperative' diplomacy in relation with other African states, especially the Nile river riparian states, has been chosen as the most strategic mode of diplomacy for advancing the Egyptian national interest vis-a-vis the Nile waters. Egypt's *cooperative diplomacy* is best manifested by its UNDUGU (brotherhood) initiative, which brought together all the riparian states, with the objective of finding an acceptable legal regime for the use of the Nile River waters.³³ Egypt is especially interested in stability in the two Sudans, cognisant of the fact that a huge percentage of the Nile waters flow within the Sudans and hence it is not in the interest of Egypt to have hostile leaders in those two countries. Consequently, any internal or external threat to stability to or within the Sudans is treated with great concern by Egyptian foreign policy-makers.³⁴

However, Egypt has also made it quite clear that in the event that its efforts to protect this strategic national interest through cooperative diplomacy fails, it is prepared to go to war if the situation demands. This declaration of the possibility of using *combative* rather than *cooperative* diplomacy was made in the 1970s, when Ethiopia tried to establish projects in the Blue Nile without consultation with other riparian states.³⁵

Not all countries define their key strategic priorities in the same way as Egypt. According to the hegemonic school of thought, in some African

³³ Hamdy A. Hassan and Ahmad Al Rasheedy.(2007)'*The Nile River and Egyptian Foreign Policy Interests*. 'African Sociological Review 11, 1,pp.25-37, c.f.Korwa G. Adar and Nicasius A. Check, Ed.,(2011)*Comparative Diplomacy, Regional Stability and National Interest: The Nile River and the Riparian States*.

³⁴ Korwa G. Adar and Nicasius A. Check,Ed.,op.cit.

³⁵ Labeeb, F., ed., 1985, *The Nile River*, Cairo: Dar al- Mustakbal al-Arabi.pp. 5-15. &Hassan, Hamdy, A., 1993, 'Possibilities of Enhancing Arab National Water Security', in Mustafa Kamel, ed., *To Prevent Another Arab-Arab War: Lessons From the Gulf War*, Cairo: CPRS, Cairo University.

countries, what is considered national survival interest is not viewed in terms of meeting the basic human survival needs of the citizens but in terms of protecting and advancing hegemonic power within a sub region and/or region. In this connection, this school of thought argues that there are a few African countries, whose pre-occupation with regional hegemonic power and control, becomes the defining factor of foreign policy.

Thus, Nigeria and, to a smaller extent, South Africa, may be said to belong to this mode of foreign policy orientation. Until the second decade of the 21st century, Nigeria had tended to put overwhelming focus on foreign policy behaviour driven and shaped by an ‘Afro-centric’ drive, manifested in its conflict interventionist role in Africa rather than citizen-driven foreign policy.³⁶ Consequently, successive military and civilian regimes in Nigeria made Africa and especially West Africa, the core of the country’s foreign policy. With the largest population in Africa, and a leading oil producer, Nigeria saw itself as the “natural leader” in the West African sub-region, in which it is surrounded by small, poverty-stricken and conflict-ridden states. On the other hand, some contend that rather than pursuit of hegemonic power objectives, Nigeria’s ‘Afro-centric’ foreign approach had been inspired by the need to protect Nigeria’s security interests in a politically volatile sub-region, where its national security is affected by what happens in the contiguous states.³⁷ Either way, Nigeria’s foreign policy behaviour is driven by its definition of its national interests.

But, as Babatunde Amao et al³⁸ have observed, Nigeria’s foreign policy priorities have in this second decade of the 21st century shifted, due to changes in the internal and external environments. They note that there has been a shift towards people/citizen-focused foreign policy and diplomatic action in response to the deteriorating human condition within Nigeria and the emergence of new security threats within Nigeria, notably the insurgency of a terrorist group – Boko Haram³⁹.

³⁶ Olumuyiwa BabatundeAmao & Ufo Okeke-Uzodike, ‘Nigeria, Afro-Centrism And Conflict Resolution: Five Decades: After—How Far, How Well?’ African Studies Quarterly. Volume 15, Issue 4. September 2015.

³⁷ Yoroms G., (2010), “Nigeria and the Challenges of Transnational Security in West Africa”, in Bassey Celestine and Oshita O. Oshita eds., Governance and Border Security in Africa, Lagos, Malthouse Press Limited, pp. 27.

³⁸ BabatundeAmao & Okeke-Uzodike, ‘Nigeria, Afro-Centrism And Conflict Resolution: Five Decades: After—How Far, How Well?’ African Studies Quarterly. Volume 15, Issue 4. September 2015.

³⁹ Some scholars view citizen diplomacy as the act of being people oriented through the prioritization of the overall interest of Nigeria and its people over any other sub-regional or continental considerations.

In the case of Somalia, Zoppi⁴⁰ observes that a key strategic concern of Somalia's foreign policy aspirations has been to attain the Greater Somalia, that would unify the Somali-speaking populations living in Somalia, Djibouti, and in parts of both Ethiopia and Kenya. Somalia has thus continued to struggle to secure a redrawing of the borders through both diplomatic and military means. On the other hand, this foreign policy pursuit has represented a permanent threat to its neighbours, and to some extent, shaped their own foreign policies.⁴¹

Statecraft in Foreign Policy Decision-making and Diplomatic Action

Early foreign policy decision-making in most African countries in the first three or four decades of independence did not demonstrate any substantive employment of statecraft. Most of the foreign policy actions were reactive to the external environment and tended to be ad-hoc rather than informed by a well worked out strategy. Too many African diplomats were posted to foreign capitals with no clear instructions/guidelines of what their role precisely entailed. Some countries, such as Kenya, did not have any written foreign policy guidelines or a diplomatic strategy/ approach to guide them in advancing their country's national interests.⁴²

But in the late 20th and early 21st century, the importance of foreign policy and diplomacy in advancing national interests is being taken more seriously in many countries. This is manifested in the higher premium placed on well-trained technocratic foreign policy advisers and diplomats, as well as the development of comprehensive foreign policy documents, with clear national interests, objectives and strategies for implementation. Kenya launched its foreign policy document in November 2014, after a decade of consultations and fine-tuning several drafts. Since then, Kenya's foreign policy has taken a more calculated, proactive and assertive form. Additionally, the employment of statecraft in foreign policy decision-making is becoming more evident.

In this connection, when in March 2013, Uhuru Kenyatta and William Ruto were elected Kenya's President and Deputy President respectively, both

⁴⁰ Marco Zoppi, 'Greater Somalia, the never-ending dream? Contested Somali borders: the power of tradition vs. the tradition of power', *JAHPS*, Vol. 1, No. 1, (2015), pp. 43-64.

⁴¹ Ibid.

⁴² Kenya's first foreign policy document was launched in 2014.

were facing separate charges of crimes against humanity at the International Criminal Court (ICC) for their alleged role in organising Kenya's post-election violence in 2007/8.⁴³ But from the moment the two assumed political office, their criminal cases were gradually transformed from being a personal/individual matter to being a national and even an African regional issue.

Through the skillful implementation of statecraft, the Kenyatta-Ruto cases, which were originally a personal and not a state matter, were turned into a national security and political issue as well as an issue of regional security. The Kenya-ICC saga demonstrates how with the skillful use of statecraft, the two top political leaders with assistance of their team of technocrats, successfully mobilised both national and regional actors towards a certain cause, which demonstrates how national-led diplomacy combined with regional diplomacy to protect core interest perceived to be to be threatened. This case also demonstrates the important leadership support role of well trained and skilled technocrats in appropriately crafting a multi-faceted diplomatic strategy, combining 'public', 'cooperative', and even 'quiet' but 'assertive' diplomacy, in mobilising regional actors to support the onslaught against the ICC, as the situation demanded.

Thus the president and his deputy and their team of technocrats correctly interpreted the general anti-ICC political mood within Kenya, as well as regionally and so proceeded on the assumption that: i) being elected as top Kenyan leaders, despite the ICC cases, seemed to signal national support and an anti-ICC backlash that could be mobilised to enhance national political legitimacy that could in turn win them regional and global recognition and put pressure on the ICC (by 2013) to withdraw the cases; ii) many of the cases that had been taken to the ICC seemed to target African leaders primarily and so were seen as an assault on the sovereignties of the African states and an attempt to re-colonise the continent; iii) most African leaders feared that they too could end up at the ICC if the Court succeeded in the Kenyan case; and iv) in view of i), ii) and iii), the two leaders were portrayed as victims of a western campaign to discredit African leaders, and undermine African national sovereignty and regional security.

Using *pan-Africanist diplomacy*, Kenya successfully rallied Africa behind her by rekindling the Pan-Africanism spirit, against the perceived inter-

⁴³ Lynch G. 'Non-judicial battles: Kenyan politics and the International Criminal Court'. *Africa Brief Policy* No. 8, 1 September, 2014.

national injustices against Africa that included the failure by the international community to restore peace in Somalia in 1993 and the failure to avert the Rwanda Genocide of 1994 and now it was the ICC that seemed designed to undermine Africa's national sovereignties.⁴⁴ Through a well-crafted use of combined "public" and "quiet" diplomacy, Kenya succeeded in whipping up a pan-africanist spirit that led the AU to pass a resolution calling on the ICC to drop cases against Kenyatta and Ruto, arguing that Kenya was a victim of a politicised prosecutor whose unchecked powers posed a threat to Africa's stability⁴⁵. The AU also wrote to the ICC and copied to the UNSC, calling on the Court to refer the Kenyan cases back home. Concurrently, a campaign led by the five East African states (Tanzania, Uganda, Rwanda, Eritrea and Burundi), supported by an additional ten African States, also filed an appeal requesting the ICC to exempt President Uhuru Kenyatta and his Deputy from attending all hearings of their cases, and for the Court to adopt a more flexible interpretation of Article 63 of the Rome Statute, which requires the presence of the accused throughout the trial. This was followed by the 34 African state parties of the ICC, threatening to withdraw from the Court.

Furthermore, Kenya's statecraft enabled it to successfully employ assertive diplomacy that neutralised the ICC from making inroads in the Kenyan cases. For instance the demand by ICC for the Kenyan government to provide it with President Kenyatta's financial transactions was legally fought off successfully. In addition, mass withdrawal of witnesses weakened the ICC cases forcing the prosecutor to drop some cases or reduce the trial time. Kenya, along with other state parties, was instrumental in developing important procedural rules. One of these rules allows a trial court to excuse a person facing charges before the ICC and who also occupies a high position of state in his country, from continuous presence in court. Both the President and Deputy President benefited from this rule.

The success of Kenya's skilful use of statecraft in the form of well calculated and sustained multiple diplomatic engagements was rewarded in 2015 when the ICC terminated the case against President Uhuru Kenyatta, followed by a similar termination in early 2016, of the case against Deputy President Ruto and the remaining co-accused Arap Sang, a former radio presenter. Further, the success of Kenya's statecraft and the well executed diplomacy began

⁴⁴ Kagwanja, p. (2015) *Eye on the Nation, Trials and Triumph of Democracy*. p.272.

⁴⁵ *Ibid*, p. 237.

to sway the opinion of global powers in favour of Kenya, by seeking to forge closer ties with Kenya. These included Britain whose then Prime Minister David Cameron had planned to make a state visit to Kenya later in 2016, but Brexit happened and the visit was cancelled.⁴⁶ In the meantime, other western powers have softened their hard stance on Kenya as indicated by the unprecedented high number of high state level visits to Kenya within one year since mid 2015, by five prime ministers from across the world, including: the Indian, Chinese, Japanese, Italian and Israeli premiers. Most notable were the visits by Pope Francis and by the US President Obama in mid-2015. France has also enhanced its diplomatic engagement with Kenya.

The Role of Diplomats in Foreign Policy Implementation

The agents and process of implementation of foreign policy guidelines are primarily ambassadors/ and other diplomatic staff. In some cases, domestic-based technocrats and senior government advisors are involved. Ambassadors are basically “messengers” of the President who appoints them, the government he/she presides over and the citizens who are the sovereigns. Diplomats are therefore expected to execute foreign policy goals, uphold the vision of the top leadership and advance national interests that the state has prioritised.. To realise this, diplomatic engagement requires the use of statecraft in the form of some element of craftiness, especially in bargaining processes that require skills and the capacity to balance between one’s country’s national interests and the national interests of other states, but with the ultimate aim of achieving maximum gain. Therefore, diplomats can be quite influential in foreign policy execution, depending on their individual capacity to be innovative and to employ statecraft skillfully and successfully in negotiating, lobbying and mobilising strategic support for attainment of national interests.

⁴⁶ Ibid.

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