

***“THE IMPACT OF SOMALIA CONFLICT ON KENYA’S SECURITY  
AND DEVELOPMENT (1991 - 2008)”***

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## DECLARATION

I FRANCIS KIBET MENGICH, hereby declare that this work is my own original work and has not previously in its entirety or part been submitted at any university for a degree.

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## DEDICATION

I dedicate this study to my wife Angela Wanjiru, and our lovely daughter Nicole, my parents, the late Joseph B. Mengich and Mrs. Sally Mengich and the rest of the family who have been instrumental and provided moral support to ensure completion of this research study. They gave me the inspiration and encouragement to achieve this feat. I would also like to express my gratitude to my supervisor Dr. Adams Oloo for his tireless efforts in providing me with direction and guidance in the course of my research. This study would also not have been possible without the support and encouragement of my workmates at the Kenyatta National Hospital Public Relations Department. As it is not possible to mention by name all those who made this research possible, let them be rest assured that their various contributions are very much appreciated.

## **ABSTRACT**

Somalia's long civil conflict and lack of central governing institutions has presented many challenges to Kenya which have had a direct effect on Kenya's development and security. Kenya which shares an expansive and loosely policed boarder with Somalia has suffered immensely due to the instability in Somali and in particular the flow of Small Arms and Light Weapons from the war-torn country.

The Somalia conflict has increased the flow of weapons in Kenya and presented the country with the most pressing security challenge. Kenya which is a major host country for Somalia refugees has also been raising security issues since the influx of refugees in 1991. The rise of small arms in the country is attributed to influx of refugees who are former combatants. Kenya is also paying the price for the presence of Islamic radicals in Somalia. Lawlessness in Somalia has enabled Islamic extremists to plot several monstrous attacks in the country.

This study therefore seeks an understanding of the Somalia conflict by examining its causes and dynamics. Looking back at Somalia's history will facilitate understanding of the current complex crisis in the country and thus its effects on Kenya. The study will illustrate some of the most remarkable historical events that contributed to the Somalia conflict and subsequently

precipitated the collapse of the Somalia state and its effects on Kenya's security and development. The study seeks to illustrate the relationship of the collapsed Somalia state with the proliferation of small arms and light weapons in Kenya, insecurity attributed to influx of refugees from Somalia, reduction in the cruise industry due to insecurity in Somalia. It also seeks to examine how terrorism and piracy in Somalia has negatively impacted on Kenya's economic development.

The internationalization theory of conflicts and conflict systems is utilized in the analysis of the research material. The division of the Somalia state by international borders has greatly influenced the internal conflict and its internationalization hence affecting the whole of the Horn of Africa. We find that the conflict in Somali is both intra-state and interstate in nature. The issues covered in this paper revolve around security concern and the analysis will be pegged around the cause and effects of the same.

A stable Somalia will not only create the right environment for Kenya to develop, but will stabilize the whole of the Horn of Africa region. To achieve this goal, Kenya must play a major role in rebuilding a peaceful neighbouring country, which is in control of its destiny and welfare.

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# CHAPTER ONE

## PROJECT PROPOSAL

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## **ACRONYMS**

AMISOM	-	The African Union Mission in Somalia
IDP	-	Internally Displaced Persons
IGAD	-	Inter-Governmental Authority on Development
NEPAD	-	New Partnership for African Development
NGO	-	Non-Governmental Organization
RECSA	-	Regional Centre for Small Arms and Light Weapons
SALW	-	Small Arms and Light Weapons
SNM	-	Somali National Movement
SRIC	-	Security Research and Information Centre
UN	-	United Nations
USA	-	United States of America
USC	-	United Somali Congress
USSR	-	Union of Social Soviet Republics

## DEFINITION OF CONCEPTS

**Cold War** - This term describes the strained, uneasy and generally hostile relations between the two superpowers i.e. the United States of America and the Union of Social Soviet Republics in the post war era.

**Horn of Africa conflict system** - Encompasses Uganda, Ethiopia, Somalia, Eritrea, Djibouti and Kenya.

**Instability** - Refers to enmity, antagonism and civil strife.

**Security** - refers to the protection of basic and innermost values of citizens

## 1.0 INTRODUCTION

Kenya viewed in contrast with many of its neighbours is often seen as a bastion of stability and is often termed as an island of tranquility in a sea of chaos.<sup>1</sup>

However, being Somalia's neighbour has brought many challenges to Kenya which it has had to grapple with since the fall of the Siad Barre regime.

The Siad Barre regime crumbled leading to the disintegration of much of Somalia. The subsequent collapse of Somalia's central government created a vacuum which was rapidly filled by rival political faction leaders-turned-warlords.<sup>2</sup>

President Siad Barre's ouster from power on 26<sup>th</sup> January 1991 was a prelude to the disintegration of Somalia into clan fiefdoms. Clan animosities and loyalties run deep, but were aggravated by Siad Barre's regime which used the clan system to divide and rule the country for more than twenty years.<sup>3</sup>

Earlier, the 1969 coup that brought Siad Barre to power marked the beginning of deep superpower involvement. Siad Barre turned to the Soviet Union for military and economic support and granted military bases and facilities in return. This led

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<sup>1</sup> See B. Kiplagat. *Regional Conference on Sustainable Peace and Human Security in the Horn of Africa*, 30th Oct. – 1st Nov. 2001. Mombasa, Kenya.

<sup>2</sup> See M. Mwagiru, *Conflict and Peace Management in the Horn of Africa*. (Project Ploughshares. 1998)

<sup>3</sup> See Hussein Duale. *Somalia :The Agony of a Nation*. Stellagraphics. Nairobi 1994

to the strengthening of ties between the U.S and neighbouring Ethiopia with which Somalia had a long standing feud over territory, however, the U.S on the other hand aimed at outdoing her cold war rival, the Soviet Union, in this area of extremely high geo-strategic value. <sup>4</sup>

It is during this period that the two superpowers struggled to outsmart and outdo each other in arms manufacture, both in terms of quality and quantity. This competition, which reached its climax in 1979 with the achievement of nuclear parity, led to the militarization of International Relations as these arms found their way to other regions, <sup>5</sup> with Somalia's expansionist Foreign Policy already causing strain on security in the area.

Later on, the shift in alliances of the superpowers meant changes in armament by selling off the previous arms stock and acquiring new stock from the new suitors and many more weapons finding their way into wrong hands. <sup>6</sup>

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<sup>4</sup> See P. Nyinguro's contribution on impact of the cold war on regional security in the book. *The United States and Africa - from independence to the end of the cold war*. East African Educational Publishers, 1995. pg 65-66

<sup>5</sup> Ibid

<sup>6</sup> J. Kamenju, M. Singo and F. Wairagu. *Terrorized citizens: profiling small arms and insecurity in the North Rift*. Security Research and Information Centre. 2003. pg 53

Somalia's long civil conflict and lack of central governing institutions has therefore presented an international security challenge and has had a direct effect on Kenya's development and security.

Proliferation of small arms and light weapons in Kenya has become one of the most pressing security challenges. The Uncontrolled spread and wide availability of these weapons is felt throughout and poses an immediate threat to security and the growing militarization of society.<sup>7</sup>

In an interview with Mr. Peter Eregae, the then co-ordinator of the National Focal Point on Firearms and Small arms which is under the Office of the President of Kenya he says that there are approximately over 150 000 firearms in wrong hands in the country but hastens to add that there are mop-out activities going on to get rid of them.<sup>8</sup> His office was created in response to resolutions passed in the Nairobi Declaration, after a ministerial conference on Small Arms and Light Weapons in the Great Lakes and the Horn of Africa in 2000.

The phenomenon of the world's refugees is among the most complicated issues before the international community today in Africa. The situation is particularly

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<sup>7</sup> Human Rights Watch. *Playing with Fire: Weapons Proliferation, Political Violence and Human Rights in Kenya*, 2002. pg 2

<sup>8</sup> Interview with Mr. Peter Eregae, Co-ordinator – National Focal Point on firearms and Small Arms

grave as Africa carries the largest population of refugees and has since the 1980's hosted the largest standing refugee populations in the world. Kenya currently hosts an estimated 235,000 refugees <sup>9</sup>

Kenya which is a major host country for refugees in the region has raised security issues since the influx of refugees in 1991. Kenya started receiving Somalia refugees in 1991 with the crossing of over 400,000 Somalis <sup>10</sup> who were hosted at the Dadaab Refugee Camp. By the end of 2002, Kenya was hosting around 250,000 officially registered refugees. As a result of the conflict taking place in Somalia, the Dadaab area has been flooded with small arms and automatic weapons while traditionally the area has experienced high levels of insecurity, the establishment of the refugee camps has without doubt led to a geographical concentration of the violence and the proliferation of weapons evidently aggravates the security problems.<sup>11</sup>

The refugee problem apart from draining the hosts' resources also destabilizes the already strained police officer to citizen's ratio which currently stands at 1:1110 contrary to the UN recommended ration of 1:450 and thereby increasing

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<sup>9</sup> UNHCR, *Handbook for Emergencies*, Second Edition, 2006

<sup>10</sup> Hyndman, J. *Managing Displacement: Refugees and the Policies of Humanitarian*, Minnesota, University of Minnesota Press, 2000. Pg 27

<sup>11</sup> UN *Note on International Protection, executive committee of the High Commissioner's Programme*. 44<sup>th</sup> session, A/AC, August 31<sup>st</sup> 1993, Paragraph 31

the chances to operate away from close police vigilance thus compromising security.<sup>12</sup>

Somalia has had no coast guard since Siad Barre's regime. Piracy has since risen sharply. The bandits target passenger and cargo vessels for ransom and loot.<sup>13</sup>

Kenya has paid the price for the presence of Islamic radicals in Somalia. Lawlessness in Somalia enabled Islamic extremists to plot two monstrous Embassy attacks in Nairobi and Dar es Salaam in 1998, as well as the Paradise Hotel in Mombasa in December 2002. The Kenyan Bombings alone claimed over 250 lives and left more than 4,000 people seriously injured. The death toll from the attacks would have been worse if the missile launched at an aircraft taking off from Mombasa's Moi International Airport in 2002 would have hit its mark.<sup>14</sup>

After these attacks, several western governments issued travel advisories which hurt the fragile tourism sector, the countries major foreign exchange earner.

Somalis have also opened a new front in terrorism - Sea piracy. According to Nancy Karigithu, The Director - General of the Kenya Maritime Authority, Kenya

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<sup>12</sup> Hon. D. Mungatana, Assistant Minister in-charge of National Security in meeting in Nairobi. 8<sup>th</sup> Nov. 2004

<sup>13</sup> See Editorial - *Piracy in the Somalia Coast*. People Daily Newspaper 2<sup>nd</sup> August 2006 pg 8

<sup>14</sup> Joshua Shitkiko, *Kenya pays the price for Islamic radicals in the country*. People Daily Newspaper 23<sup>rd</sup> June 2006

has faced major challenges from its geographical proximity to Somalia, a country without an army, police, navy or coast guard since 1991. She adds that the insecurity in Somalia has escalated resulting in creeping of piracy and armed robbery against ships in waters off the coastline with the spiraling effect over into the waters of other countries in the region. She continues to say that Kenya has borne the brunt of this phenomenon leading to a reduction in cruise industry, slow down in the distribution of food aid to Somalia, as well as increased the costs of such operations.<sup>15</sup> It has also increased the cost of insurance premiums to importers and extra fuel for longer routes, costs which are later transferred to consumers.

### **1.1 STATEMENT OF THE PROBLEM.**

Since the 1960's, when many African countries gained independence, the continent has experienced and has been the site of many of the world's deadliest conflicts. Most of them have been internal conflicts but with profound effects on neighbouring sub-regions and the continent as a whole. In the Horn of Africa region, Somalia has since its independence been a major destabilizing entity in the region. The total collapse of the Somalia state has had direct effects on its neighbours, especially Kenya and has been referred to in various quarters as the "bleeding sore" of the Horn of Africa region. Despite the several attempts of

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<sup>15</sup> Nancy Karigithu – Director General, Kenya Maritime Authority in Consultative Process on Oceans and the Law of the Sea. "Overview of threats to Maritime Security, their impacts and Responses thereto with a focus on Piracy and Armed Robbery Against ship". 2008



creating transitional set-ups, Islamist extremism has been a big impediment to this end and thus led the Somalia conflict into being one of the worst humanitarian and security crises.<sup>16</sup>

When the Independent Somali Republic was formed in July 1960 from a merger of the former British and Italian Somaliland's, many thought the country had a solid foundation for political stability. Despite the separation of the Somali people during the colonial era, they remain one of the most homogenous and cohesive of Africa's people's. Somalis also reside in parts of the neighbouring states such as Kenya, Ethiopia and Djibouti. Their cohesiveness can be clearly illustrated in Nairobi and other Kenyan towns where Somalis live in clusters. The shopping malls and living estates in Eastleigh in Nairobi have also been dominated by the Somalis and many times has been referred to as "Small Mogadishu".

Practically everyone within Somalia is of Somali origin, speaking the same language, adhering to the same religion - Islam and following similar cultural traditions. This is in sharp contrast to virtually all other African countries, which have societies, composed of multiple linguistic and religious groups.<sup>17</sup>

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<sup>16</sup> See C. H. Ofuho, security concerns in the Horn of Africa in *African Regional Security in the Age of Globalization*, ed. M. Mwangi, Heinerich B. Foundation, Nairobi, 2004.pg 9

<sup>17</sup> *The United Nations and Somalia: 1992 -1996* Department of Public Information, United Nations, 1996. pg 9

However, beneath the homogeneity at the national level, Somali society was and is still extremely divided, not only by social and occupational stratifications but also especially by the clan forms of social organization to which most Somalis belong and to which traditionally claim specific territories.<sup>18</sup>

According to Hussein Ali Duale in his book *"From Barre to Aideed. Somalia: The Agony of a Nation"* he states that political movements that fought the Barre regime, were all clan based. The Somali National Movement (SNM) fighting in the North belonged to the Isaaq clan. The United Somali Congress fighting in the South belonged to the Hawiye Clan. It was the USC that started their fight in Mogadishu on 30<sup>th</sup> December 1990 having defeated the Siad Barre Army in the central regions of the country.<sup>19</sup>

Somalia has thus been ravaged by war since the collapse of the Barre regime in 1991. The massive human suffering in Somalia as a result of the conflict has had a profound long-term impact on the country's peace, stability, security and development. The failure by warring factions from various clans to resolve this conflict has resulted into the continued loss of life as a result of intermittent fighting, famine, displacement of persons and the resultant flow of refugees. The conflict has promoted insecurity and affected development in Kenya due to

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<sup>18</sup> Ibid.

<sup>19</sup> See H. Duale. *Somalia: The agony of a Nation*. Stellagraphics Nairobi, 1994

proliferation of small arms, massive influx of refugees, many of whom are ex-soldiers with criminal intents. This has increased banditry tremendously especially in North Eastern Kenya, reducing economic activities and the free movement of the people. This research therefore seeks to examine and analyze the effects of the Somalia conflict on Kenya's security and development.

## **1.2 OBJECTIVE OF THE STUDY**

### Broad objective

- To analyze how instability in Somalia has compromised Kenya's Security and affected its economic development

### Specific objectives

- To examine how the rising insecurity in Kenya has been fuelled by proliferation of small arms from Somalia.
- To examine how the influx of refugees from Somalia has aided insecurity in Kenya.
- To examine how terrorism and piracy in Somalia has negatively impacted on Kenya's economic development.

### **1.3 JUSTIFICATION OF STUDY**

#### **a) Academic Justification**

The study aims to gain insight on the Somalia conflict since the fall of the Barre regime in 1991 and analyze its effects on Kenya's Security and Development. The study will strive to examine the causes of the Somalia conflict and how it has adversely affected Kenya in terms of security and economic development.

#### **b) Policy justification**

The study will also strive to inform policy makers in the Kenyan government of the impact of civil strife in Somalia hence assist them tailor policy decisions that would assist in controlling the rising insecurity in the country.

## 1.4 LITERATURE REVIEW

According to Dougherty and Pfaltzgraff, the term conflict usually refers to a condition in which one identifiable group of human beings (whether tribal, ethnic, linguistic, cultural, religious, socio-economic, political or others) is in opposition to one or more identifiable human groups because these groups are pursuing what are or appear to be incompatible.

Zartman describes conflict as an inevitable aspect of human interaction, an unavoidable concomitant of choices and decisions.<sup>20</sup>

In his book *Ripe for Resolution*, Zartman<sup>21</sup> draws a distinction between conflict and crisis. For him conflict refers to the underlying issues in dispute between parties whereas crisis relates to the active outbreak of armed hostilities. On their part, Mwagiru, *et. al*<sup>22</sup> divide conflict into structural conflict and violent conflict. They argue that violent conflict is the most visible because it results in injuries, death, loss and the destruction of property while in structural conflict, physical

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<sup>20</sup> Zartman, I. W., 'Conflict Reduction: Prevention, Management and Resolution in Deng, F. M. and Zartman, I. W. (eds) *Conflict Resolution in Africa* (Washington, D. C, The Brookings Institution, 1991), pp. 299-319

<sup>21</sup> . Zartman, I. W. *Ripe for Resolution: Conflict and Intervention in Africa*, Updated Edition (New York and Oxford: Oxford University Press. 1985), Pg 8

<sup>22</sup> Mwagiru, M., Munene M. and Karuru, N., *Understanding Conflict and its management: Some Kenyan Perspectives*, (Nairobi: CCR – WLEA, 1998) pp. 4-5

violence has yet to rear its ugly head, but might lead to violent conflict if not addressed on time.<sup>23</sup> Here, Mwangi *et. al* are more elaborate than Zartman who mentions only the visible aspect of conflict (structural conflict). More clearly, Mwangi *et. al*<sup>24</sup> contend that conflict exists where people have incompatible goals and each believe that their point of view is the only correct one.

As far as the Somali conflict is concerned, several writers have given their comments on its genesis, outbreak and outcome. Samatar<sup>25</sup> captures the genealogical structure and its politicized modern version, clanism as the cause of the devastation that visited Somalia, a statement that gives a shallow explanation on the subject matter and won't be sufficient in this study. In view of this, Ahmed<sup>26</sup> argues that the use of clanism has been used as a scapegoat for the cause of the Somali mayhem for a long time and underscores that the defeat of Barre marked the end of a chain reaction that culminated in the disintegration of the Somali state. To him, there are forces beyond clanism and the regime of Barre that contributed to the collapse of the Somali state but also does not extensively tackle more causes of the conflict.

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<sup>23</sup> Ibid

<sup>24</sup> Mwangi, M., Munene M. and Karuru N, *Understanding Conflict and its Management: Some Kenyan Perspectives*, (Nairobi: CCR – WLEA, 1998) Op. Cit. pg 5

<sup>25</sup> Samatar, A., *Destruction of State and Society in Somalia: Beyond the Tribal Convention*. *Journal of Modern African Studies* 30 (40) pp. 626-41

<sup>26</sup> Ahmed, I. *Understanding Conflict in Somalia and Somaliland* in Adedeji, A. (ed), *Comprehending and Mastering African Conflicts: The Search for Sustainable Peace and Good Governance* (London and New York: Zed Books, 1999), pp. 238-252

Mubarak<sup>27</sup> views the problem from an economic angle. He contends that serious economic mismanagement has played a key role and has been one of the instrumental causes of the state collapse. He further argues that since straying away from its scientific socialism path in 1980, the government failed to come up with any consistent economic development policies.<sup>28</sup> Mubarak also does not offer a sufficient explanation for the problem since he only focuses on a single attribute of the causes of the conflict.

Others like Gross<sup>29</sup> put the blame on Barre's militarization policy that made the country one of the most heavily militarized states in Africa. He further argues that Somalia was one of the top recipients of the U.S and Soviet military aid during the Cold War.<sup>30</sup> Lefebvre argues that the U.S, for instance, provided approximately U.S \$ 550 million worth of weapons and military assistance to the regime between 1982 and 1989.<sup>31</sup> Maxted and Zegeye<sup>32</sup> mention that over 80 per cent of refugee aid, which in 1986 together with other non-military aid accounted

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<sup>27</sup> Mubarak, J. A. *The Hidden Hand, behind the resilience of the Stateless economy of Somalia*. *World Development*, 25 (12): pp. 2027-41

<sup>28</sup> Ibid

<sup>29</sup> Gross, J. G. *Towards a Taxonomy of Failed States in the New World Order; Decaying Somalia, Liberia, Rwanda and Haiti*. *Third World Quarterly* 17 (3) pp. 455-71

<sup>30</sup> Ibid

<sup>31</sup> See Lefebvre, J. A. *Arms for the Horn: U. S Security Policy in Ethiopia and Somalia, 1953 -1991* (Pittsburgh, University of Pittsburgh Press, 1991)

<sup>32</sup> Maxted, J. and Zegeye, A. *State Disintegration and Human Rights in Africa*. *International Journal of Comparative Sociology* 38 (1/2): pp. 64-86

for 25 per cent of Gross National Product, was diverted to the army. These arguments put so much emphasis on militarization leaving out other salient reasons for the genesis and outcome of the conflict.

Mwagiru states that the cold-war trends of the conflict in the Horn was informed and affected by the super-power rivalry between the USA and USSR and that the game of strategic musical chairs which the super-powers engaged in prolonged and exacerbated the conflicts which rendered the Horn of Africa very unstable.<sup>33</sup>

According to Nyinguro, the geo-strategic interest in the region pushed the two super-powers into an area where Interstate and intrastate conflicts were already a threat to the region's security and further aggravated the situation by their massive arms transfers to protagonists in the region.<sup>34</sup>

Mwagiru and Nyinguro are supported by Howe who says that the cold war and then its cessation facilitated the dumping of large amount of military equipment upon the world market. He adds that significant amounts of the vast firepower supplied by the superpowers now circulate amongst Africa's domestic and regional conflicts.<sup>35</sup> These arguments will support the study since it provides a background of the super-power rivalry and its subsequent role in the collapse of the Somalia state.

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<sup>33</sup> See M. Mwagiru, *Conflict and Peace Management in the Horn of Africa*. 1998

<sup>34</sup> See Nyinguro's contribution on *impact of cold war on Regional Security*. The Africa and U.S EAEP Ltd. 1995. pg 84

<sup>35</sup> H. Howe, *Ambiguous Order – Military forces in African States*. Rynne Riennel Publishers. Pg 69



Mwagiru further asserts that many regimes in the Horn crumbled with the end of the cold war due to withdrawn superpower support and gives examples of Ethiopia and Somalia.<sup>36</sup>

Bradbury<sup>37</sup> gives the most comprehensive statement that brings together all the different factors that contributed to the collapse of the Somali state. He argues that no single factor can explain the causes of the war. He writes: “ The legacies of European colonialism, the Somali kinship system, contradictions between a centralized state and a pastoral culture, cold war politics, militarization, and uneven development, ecological decline, lack of power sharing, corruption, oppression and the cumulative impact of decades of armed conflict have all contributed.” This argument is most convincing and gives a better understanding of the subject matter.

Kamenju, Singo and Wairagu add that the fall of the Somalia regime in 1991 was important in the proliferation of small arms in Kenya. They state that the shift in alliances in Ethiopia and Somalia and the violent changes in governments left a legacy of small arms in the region and Kenya in particular.<sup>38</sup>

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<sup>36</sup> See Mwagiru. *Conflict and Peace Management in the Horn of Africa*. 1998

<sup>37</sup> Bradbury, M. *Somaliland: Country Report* (London: CIIR Publication: 1997) pg 1

<sup>38</sup> J. Kamenju, M. Singo and F. Wairagu. *Terrorized Citizens: Prioritizing Small arms and insecurity in the North – Rift*. Security research and Information Centre. 2003. pg 4-5

The term 'security' here goes beyond its traditional narrow definition of a states military resource. <sup>39</sup>

The definition of security has acquired a new, broader meaning that involves threats from external non-state actors, threats from international actors, threats from individuals, groups and communities. <sup>40</sup>

This holistic approach to security is definitely appropriate when analyzing on issues of small arms in the Horn and its effects on Kenya's security.

Howe on a different note argues that the refugees created by the conflicts not only reflect existing political problems but also create new ones draining-off recipient states' resources and posing serious security threats. <sup>41</sup>

The International Commission of Jurists (Kenya Section) says that Kenya, which is a major host country for refugees in the region has raised security concerns since the influx of refugees started in 1991 and the government has admitted that there have been instances of security associated with the influx. <sup>42</sup>

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<sup>39</sup> See P. Wanyande on *NEPAD and Security in the IGAD Region in African Security in the Age of Globalization*. 2004. pg 68

<sup>40</sup> See L. Chweya on *Emerging dimensions of Security in the IGAD Region in African Regional Security in the Age of Globalisation*. 2004. pg 33

<sup>41</sup> H. Howe. *Ambiguous order – Military Forces in African States*. Lynne Punlishers.2001. pg 6

<sup>42</sup> See International Commission of Jurists (Kenya Section) *Journal on Refugee Rights in Kenya*.1998. pg 32

This is supported by Nyinguro who argues that influx of refugees in Kenya has corresponded to a concomitant increase in the number of illicit guns circulating in the country. He continues to say that with some of the refugees being soldiers fleeing with firearms from the battlefield, some of them do not hand them over to the authorities. Laxity in the boarder's controls also contributes greatly to the problem of illicit guns in the country.<sup>43</sup>

From the above literature review, it is evident that the Somali conflict is very complex and has raised international concern because of its impact not only to Kenya's security but the international security too.

The literature review reveals that peace in Somalia will go a long way in restoring security in Kenya and make it focus more on its economic development.

## **1.5 THEORETICAL FRAMEWORK**

The research is based on the internationalization theory of conflicts and conflict systems. The division of the Somali state by international borders has greatly influenced the internal conflict and its internationalization thus affecting the whole of the Horn of Africa. Since 1990 the conflict has been internationalized

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<sup>43</sup> See P. Nyinguro. *Legislative controls and small arms legislation and proliferation of small arms in Kenya published APFO. Series 8 Vol. 1 2000. pg 7*

drawing in the whole Horn of Africa and other international players and external actors, which has internationalized the conflict further. Since the exit of the UN from Somalia, IGAD has been trying to resolve the conflict culminating in the current transitional government.

The boundary between domestic and international politics has become blurred because of the number of agents that internationalize conflict. These agents include among others interdependence and the problem of ethnicity, especially the division of an ethnic group by international borders.<sup>44</sup>

Internal conflicts in the modern world cannot be contained within state borders. They have the habit of passing to neighbouring countries, entangling them and thereby assuming a complex international character.

Ethnicity and the defective systems of governance of most states in the developing world, the pervious and porous frontiers of the international state system and movements across borders have prompted the internationalization of internal conflicts. This cannot be any doubt about the likely capacity of internal conflicts to spread to whole areas, consequently endangering stability in a delicate regional or international system.

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<sup>44</sup> Mwangi, M. *Conflict: Theory, Processes and Institutions of Management*. (Nairobi: Watermark Publications, 2000)

The Somalia conflict has resulted in violent actions of ethnic groups towards one another, revealing long-buried hatred and political rivalry resulting in ethnic cleansing, vast flows of refugees and internally displaced persons. The internationalization theory of conflict thus underlines that once a conflict such as the Somalia one occurs, they are prone to attracting international attention, since they present serious security threats to neighbouring countries. Some outside actors may pursue their self-interest in conflict regions, others are concerned with the humanitarian aspects of conflict. All the above dimensions of outside concern contribute to the internationalization of internal ethnic strife which may result in the threat of conflict spill-over.

The Somalia conflict can also be identified thematically by the conflicts systems theory, whereby it is interconnected with conflicts in the neighbouring countries to form the Horn of Africa conflict system. The notion of conflict systems is premised on the understanding that every conflict has intimate relationships regionally. Thus, what appears to be individual conflicts in one region, are in fact parts of a wider pattern of conflict. The notion of conflict systems recognizes trans-border realities of conflicts, and therefore, perceives individual conflicts as an integral part of a wider conflict system.<sup>45</sup>

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<sup>45</sup> Mwagiru, M. *The Greater Horn of Africa Conflict System: Conflict Patterns, Strategies and Management Practices* (1997), Horn of Africa Bulletin 2008. pg 5.

Another theory that can be utilized in analyzing this conflict is the security complex theory. It views regional security in terms of the pattern of relations among members of the security complex. It states that a significant sub-system of security relations exist among a set of states whose fate is that they have been locked into geographical proximity with each other. Moreover, military and political threats are more significant, potentially imminent and strongly felt when states are at close range.<sup>46</sup> This theory thus illustrates Kenya's fate in being Somalia's neighbour and has to endure the consequences of an unstable Somalia. However, the study will not be based on this theory because it may not adequately provide a broader view when analyzing the Somalia conflict and its relation to Kenya since it will not sufficiently bring out its international character.

## 1.6 HYPOTHESES

- Civil strife in Somalia has led to the rise of small arms and refugees thus threatening security in Kenya
- Instability in Somalia has contributed to the rise of terrorist activities and greatly compromised Kenya's security.
- The Somalia conflict has affected Kenya's economic growth negatively.

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## 1.7 METHODOLOGY

In the course of assessing the impact of instability of Somalia on Kenya's security, the study employed both primary and secondary data.

The study mainly depended on Secondary data as a source of information. This included official government data, press reports, United Nations Reports, NGO research reports, journals, newspapers, magazines, academic research papers, internet sources, academic books and periodicals.

Other significant bodies approached for reliable information regarding objectives of the study were the Inter - Governmental Authority on Development (IGAD), Regional Centre on Small Arms and the African Peace Forum.

Primary data was got from an interview with Mr. Peter Eregae, the then coordinator of the Kenyan National Focal Point on Small Arms.



## CHAPTER TWO

### THE SOMALI CONFLICT: AN OVERVIEW OF CAUSES AND DYNAMICS.

#### 2.0 INTRODUCTION

Somalia, a state largely found under the auspices of the European Conquest of Africa in the 15<sup>th</sup> Century, was in the making for almost one and a half century. After grappling with thirty years of Independence from 1960 to 1990, it ceased to function as a unitary state in early 1991. International relations scholars are baffled greatly as to what led to the disintegration of one of Africa's rare examples of a homogenous ethnic society. This chapter will give an account of the causes and dynamics of the Somalia conflict. The chapter is divided into three sections. Section one will give some brief social and geographical description of Somalia. Section two will trace the historical background of the Somali conflict. Section three will narrate events that hastened the collapse of the Somali state.

#### 2.1 BRIEF SOCIAL AND GEOGRAPHICAL DESCRIPTION OF SOMALIA

Somalia which is situated in the eastern part of the Horn of Africa covers an area of '637,540 square Kilometers'. To the north, it borders with the Gulf of Aden, to the north-west the Republic of Djibouti, to the east the Indian Ocean while Ethiopia and Kenya borders it to the west and south respectively. The country is

named after its people, the Somalis, a Muslim Cushitic speaking people who also inhabit parts of the neighbouring countries.

Somalia can be described as a relatively harsh semi-arid environment, which cannot support large permanent human population settlements without the assistance of modern technology. Only about 13 percent of the land is arable and 45 percent suitable for raising livestock.<sup>47</sup> Somalia is a drought prone country. 60 percent of the Somalis are estimated to be nomads.<sup>48</sup> The rest are farmers and fishermen. Droughts occur periodically. Water is very scarce and often causes clashes between clans, sub-clans and individuals competing for its mastery.

## **2.2 HISTORICAL BACKGROUND OF THE SOMALI CONFLICT**

A large portion of today's Somalia conflict is influenced by events that took place long time ago. Historical allegations and grievances by Somali clans play a major role in the current Somali conflict. Looking back at the country's history will facilitate understanding of the current complex crisis in Somalia. This section will narrate some of the most remarkable historical topics and episodes moulding the present Somalia society and their contributions to the Somali conflict.

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<sup>47</sup> Ahmed, I., 'Understanding conflict in Somalia and Somaliland,' in Adedeji, A. (ed.), *Comprehending and Mastering African Conflicts* (London: Zed Books, 1999) pg 22

<sup>48</sup> Ibid; pg. 23.

### 2.2.1 PRE-COLONIAL SOMALIA

Although the Somali people existed as a nation for a long time because of cultural and linguistic uniformity in the contiguous land mass known as the Horn of Africa, they did not develop a sense of nationhood to form a single political entity until the 1940's. Nationalism among the Somalis was facilitated by the imposition of a colonial rule in Somali territories in the late nineteenth century. Somalis were a nation but not a state, although they had all the elements that were a prerequisite for viable statehood such as common language, religion, culture and ancestry.

During this period, the Somalis were divided into clans. Such clans included the pastoral Darod, Dir, Isak and Hawiye clan families and the agro-pastoral Digil and Mirifle clan families. As has been stated, these clans were not able to organize themselves into stable political units until much later than the arrivals of the colonialists, largely because, the nature of clanism, which is not favorable for loyalties beyond the clan system. Like the children of Israel, the children of Somaale (the mythical ancestor of Somalis) are, with minor exceptions, politically acephalos and prone to internal schism and functionalism.<sup>49</sup> The clan identity through the male was a strong social measure to regulate all societal relations. Hence family genealogies gave the basis of clan alliance and political identity.

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<sup>49</sup> Laitin, D.D. and Sumatar, S.S., *Somalia: Nation in search of a state* (Boulder: Westview Press, 1987), pg. 30

Three aspects of social structures were very prominent in regulation of relations in pre-colonial Somalia. First, the Somalia social and political configuration consisted of loosely allied confederation of clans, which were sub-divided into sub-clans and further into extended families. Among these divisions, “the *diya* - paying group is the most stable unit, with a membership of groups of families ranging from a few hundred to more than a thousand”<sup>50</sup>. *Diya* is the compensation paid to the clan of a murdered person. It is often paid in camels, one hundred camels for a man and fifty for women. All Somalis were, and are, members of a *diya* - paying group, which is analogous to modern day social security system. Second, the elders who normally consist of all men beyond middle age and possessing, proven bravery and oratory to defend clan rights were assumed to be the sole clan leaders.

Completely decentralized civic power was infused in clan elders. Third, the only social system of regulating the relations between individuals and groups was the traditional Somalia legal system (*heer*). The *heer* is unwritten contract agreement between clans, which regulates matters that need decision such as paying and receiving compensation for injuries, death and other non-violent faults incurred

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<sup>50</sup> Ahmed, I., 'Understanding conflict in Somalia and Somaliland,' in Adedeji, A. (ed.), *Comprehending and Mastering African Conflicts* (London: Zed Books, 1999), pg 236.

by the parties. These three aspects act like a system of governance to regulate matters arising among the people from time to time.

### 2.2.2 COLONIAL SOMALIA

Colonialism had its effects on the Somalia people as it divided this country into five separate territories. These territorial divisions were as follows: British Somaliland, Italian Somaliland, French Somaliland, Northern Frontier District (NFD) under British rule, later incorporated with Kenya and Ogaden in Ethiopia. This colonial penetration, subjugation and division were made easy by the disunity within the competing Somali clans. The legacy of division had profound effects on Somali foreign policy at independence, leading to two failed irredentist wars with its neighbours.<sup>51</sup>

One of the main consequences of the territorial divisions was the loss of freedom of movement from one Somali inhabited area to another. For instance, for a Somali to travel from Kismayo in southern Somalia to Garissa in Northern Kenya, he or she was subjected to strange immigration rules and an alien demonstration. This curbed the free movement of Somali pastoral clans in search of pasture and water within clans stipulated grazing land.

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<sup>51</sup> UNDP, *Human Development Report: Somalia, 1998*, (Nairobi: UMP, 1998), pg 25.

In establishing their respective frontiers, the colonial powers tended to ignore the economic necessity underlying the pastoral clans' cyclical migration between water wells and pasture land.<sup>52</sup> Consequently, the colonizing countries drew up boundary lines that mutilated kinship units into confusing fragments which cut off the entire clans from their traditional sources of water and or pasture for their herds.<sup>53</sup>

The colonial system undermined the traditional Somalia system of social relationships and replaced it with an alien political structure that could not be applicable to the Somalia social context. Colonization brought the modern, centralized state to the Somali society.<sup>54</sup> This form of social organization was a total contradiction to the traditional, radically egalitarian social structure of the Somali people.<sup>55</sup>

Moreover, Somali society's introduction to the state was not a lesson in civic democracy; it was an authoritarian style by outsider's (Europeans and Ethiopians)

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<sup>52</sup> Laitin, D.D. and Samatar S.S, *Somalia ; Nation in search of a state*. op. cit., pg. 61

<sup>53</sup> *ibid.*

<sup>54</sup> Heinrich, W. *Building the Peace : Experiences of Collaborative Peace Building in Somalia, 1993 – 1996* (Uppsala: Life and Peace Institute, 1997), pg xiii

<sup>55</sup> *ibid.*

to tax, conscript the labour, and exploit the resources of others.<sup>56</sup> This lesson spilled over into post-independence political behaviour,<sup>57</sup> as the state practiced predatory measures in managing the affairs of the people.

Colonialists introduced to the Somali people new concepts, which catapulted Somalia into the international arena soon after independence without sufficient means to face a challenge. Colonialism brought with it European notions of nationalism, fuelling a rise of Somali nationalism.<sup>58</sup> Indeed Somalis pursued nationalism instead of trying to solve other more nationally devastating problems such as clanism. Nationalism caused the new Somali state to embark on a policy of militarization. This diverted huge resources from the development of other internal social programmes.

The search for national re-unification claimed an undue portion of the nation's attention, thereby draining energies and resources badly needed for internal development into fruitless external ventures.<sup>59</sup> This policy brought the country into head on collisions with its neighbours until its collapse.

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<sup>56</sup> UNDP, Human Development Report : Somalia, 1998, op. cit., pg 25-26

<sup>57</sup> Ibid., pg. 26

<sup>58</sup> Ibid.

<sup>59</sup> Laitin, D.D. and Samatar, S.S., *Somalia: Nation in search of a state*, op. cit., pg 68.

The colonial administration also set the stage for unplanned urbanization which moved many people from their traditional living system in the rural areas, without offering any meaningful replacement in the newly found towns. In the cities, the mandate of political leadership altered from regulating kin relationships, entitlements and pastoral resources to regulating access to the political and economic benefits of the state.<sup>60</sup> This brought intense clan competition for the control of the country, which later turned violent and caused the collapse of the Somali state.

Finally it is worth mentioning that the colonialists left Somalia without a viable economic base. Somalia did not inherit from the colonialist any significant economic programme. The only functioning economic sector left by the colonial administration was the production and export of a few primary products like bananas, cotton and livestock products to the colonial market. At independence, the newly found Somali state was weak economically and politically because of the result of events initiated during the colonial period. That economic weakness coupled with Somalia's lack of prudence in her political and economical might, led the country to a dangerous course.

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<sup>60</sup> UNDP, *Human Development Report: Somalia*, 1998, op. cit., pg 26.



## 2.2.3 POST COLONIAL SOMALIA: 1960 - 1990

### I. THE CIVILIAN RULE (1960 - 1969)

In 1960, when Somalia got its independence from the European colonial powers, many thought, unlike other African countries, that a state with a strong national foundation for political stability was born. Not long ago Somalia was the envy of many African states because it was one of the very few national states that existed in the continent.<sup>61</sup> It was a territory inhabited by people who shared the same ancestral origin, language, religion, culture - all the elements of common ethnicity.<sup>62</sup> But that ethnic or nationality bond was not strong enough to prevent disintegration.<sup>63</sup> The fostering of that seemingly national cohesion was compromised by Somalis loyalties to clanism, which took its toll on the country's development as a modern state.

One good testimony for that thought of the birth of a republic with the base of strong political stability was manifested in the euphoria greeted with the merger of the southern and northern territories on 1<sup>st</sup> July 1960, despite apparent flaws

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<sup>61</sup> Assefa, H., *'Ethnic Conflict in the Horn of Africa: Myth and Reality'*, in Rupesinghe, K. and Tishkor, V.A. (eds), *Ethnic and Power in the Contemporary World* (Tokyo: United Nations University Press, 1996), pg 37.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid

in the making of that union. The Somalia crisis can be related in a way directly to the way the two territories merged.

The northerners had the fear that the southerners will dominate the new government. Soon after independence, the northerners became disillusioned with the way the union was proceeding.<sup>64</sup> This is mainly because all significant government posts such as the president, the prime minister, heads of the army and the police went to the southerners. This led to a majority of northerners voting against the 1961 constitution which was meant to consolidate the union. The south, which was numerically double the size of the north, voted positively for the implementation of that constitution. This increased the suspicion and discontent among the northerners. In December 1961, some young military officers from the north tried to overthrow the government, with the intention of terminating the union. The coup aborted, but it mirrored serious cleavages in the Somalia political system.

Notwithstanding technical problems and anxiety in the north because of the southern domination, attempts by the political leader in the early 1960's laid a solid base for the political unity of British Somaliland and Italian Somaliland.

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<sup>64</sup> Adam, H.M., "Formation and Recognition of New States : Somaliland in contrast to Eritrea", *Review of African Political Economy* (59), pg 21 – 38

In the early days, one of the major problems that faced the new administration was how to reconcile and blend the two different administrative procedures employed by the colonial entities of British Somaliland and Italian trust territory. In addition to the language problem, there were immense differences between the Italian and British conduct in management, executive procedures, accounting and laws. These issues were not easily determined and there was often a fairly large dissonance between British and Italian trained staff. By mid -1969's, however, a significant measure of effective integration was attained both in politics and administration.<sup>65</sup>

The problems of merging the administrative systems of the two former colonies were offset to an extent by the shared Somali culture and by the presence of clans straddling the old colonial boundaries.<sup>66</sup> Internal harmony was further encouraged at the price of external conflict, by the commitment of all political leaders to a policy of extending the boundaries of the new state to include Somali communities in Ethiopia, French Somali land (now Djibouti) and northern Kenya.<sup>67</sup> But in fact the pursuance of this irredentist policy took its share in causing the Somali conflict. Soon the country went to a war with its neighbours, which

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<sup>65</sup> Ibid

<sup>66</sup> Gilkes, P., *Somalia: Recent History*, African South of the Sahara, 1998 (London: Europa Publications, 1997), pg 922-923.

<sup>67</sup> Ibid

retaliated to destabilize Somalia in order to defend the territorial integrity of their states.

This was an era characterized by political pluralism and civilian system of governance, which contained an independent parliamentary system, the contribution of free press and widespread freedom from executive controls, but it also harboured a flourishing dishonest and cumbersome bureaucracy and gross misappropriation of the public purse by the ruling elite. This was followed by the degeneration of national politics into clanism and brazen corruption. The March 1969 legislative elections were contested by more than 1000 candidates, representing 68 political parties and the most important lineages and sub-lineages of the Somali clan system.<sup>68</sup>

However, it was apparent that the civilian administration was not on stable ground. Critics were on the assumption that the days of the system were numbered because of the nature of the system, which later became autocratic in style and its clan impinged environment. The root cause of the problems of the regime emanated from the nature of the Somali social system. Beneath the apparent homogeneity at the national level, Somali society was divided, not only by social and occupational stratification and differences between urban and rural

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<sup>68</sup> Ibid

sectors, but also the clan form of social organizations to which most Somalis belong.<sup>69</sup>

Soon after independence, government posts and state favours replaced the Somali traditional ecological source of conflict, water and pasture land. As new forms of wealth accumulated in the state, the mandate of public leadership altered from regulating kin relations and entitlements to pastoral resources, to regulate access to the political and economic benefits of the state, thus sowing the seeds of disunity and conflict. That is clanism out of its natural context and practiced in the management of the modern state system. This was clearly reflected in the Somali party politics of the day, which was purely based on clan membership and support. This system is still active in post-state Somalia where current political factional fighting is the product of clan competition for national rule. And it is one of the main reasons that impede the resolution of the Somali conflict.

In October 1969, all these Somali problems culminated in the assassination of President Abdirashid Ali Sharma'arke in matters relating to the settlement of old clan scores. In fact, President Sharma'arke was killed for reasons concerning

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<sup>69</sup> United Nations, *the United Nations and Somalia: 1992 – 1996* (New York: UN Department of Public Information, 1996), pg 9.

rivalry in his own Majerten clan. This event set the stage for a new era in Somalia, the era of military rule which lasted for some twenty - one years.

## **II. THE MILITARY RULE (1969 - 1991)**

The assassination of the President on 15<sup>th</sup> October 1969, laid the ground for a successful, bloodless military coup staged by the army on 21<sup>st</sup> October 1969. The new head of state and government was General Mohamed Siyad Barre, a veteran military leader trained under the colonial army.

By the mid-1970's, the Barre regime embarked on certain policies that constituted one more nail in the coffin of Somalia's ambitions as a state. The socialist national development plans of the 1970's and 1980's, which incurred the state huge foreign debts, coupled with serious devastating droughts dealt a heavy blow to the country's economy. Somalia's bleak economic performance in the 1970's and 1980's was not inevitable.<sup>70</sup> This inevitability was precipitated by two mutually reinforcing factors: first, the country lacked leaders who were dedicated to develop effective public institutions (disunity among the elite and the lack of a system of political accountability rendered public institutions both chaotic and corrupt).<sup>71</sup>

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<sup>70</sup> See 'Somalia: Economic History' Encyclopedia of African South of the Sahara, Vol. 4, 1997, pg 121.

<sup>71</sup> Ibid.

Furthermore, apart from being autocratic in nature, the regime fuelled clanism in hope of longevity. The regime had to depend on certain clans for its survival. This scenario led to the mentality that certain clans had the right to defend the state while others were its enemies working for its dismantling. This problem narrowed the political base of the regime in terms of support from the Somali clans. Again this was further aggravated by Somalis' 1977 and 1978 war with Ethiopia over the Ogaden, which generated huge numbers of refugees and a regional arms race, propagated by the East-West competition for clients in the Horn. A Few years after, the military regime embarked on a policy of increasing Somalia's armed forces in quantity and quality, aiming to liberate Somali inhabited areas in Ethiopia and Kenya.

In 1974, Somalia gained some international prominence when it joined the Arab League and also hosted and chaired the OAU Heads of State Summit in Mogadishu. This new aura boosted its national image in the international arena, coupled with the weakened position of the Ethiopian government at the time because of internal problems, wetted Barre's appetite for a showdown with the Ethiopian government over the Ogaden. However, in 1977 the Somali army attacked Ethiopia in support of ethnic Somali Ogaden rebels in Eastern Ethiopia. Within four months, the Somali regular forces overrun the whole Ogaden plain, inflicting

heavy losses on the Ethiopian army. Contrary to the expectations of the Somali government, the conflict led to a strategic interest shift in the cold war competition when Russia who used to support Somalia hammered out an alliance with Ethiopia's new Marxist regime at the expense of Somalia. Between November 1977 and February 1978, 11,000 Cubans and 1,000 Soviet advisers were brought into the conflict area and with 1 billion dollars worth of new arms and the counter attack began.<sup>72</sup> After months of pounding by Cuban piloted - planes and Soviet artillery and attacks of Russian - driven tanks and human waves of Ethiopia militia, the siege of Harar and Dir dawa were lifted, and Jijiga was recaptured on 5<sup>th</sup> March 1978.<sup>73</sup> This was followed by the complete defeat of the Somali army. The vacuum that resulted from the Russian withdrawal from the Somali assistance was filled by the United States, which was one of the factors that stopped the continuation of the fighting beyond the Somali border.'

This period of confrontation between Ethiopia and Somalia was followed by a time in which the two countries eluded heavy direct military action but contracted each others' opposition groups by giving them bases, training, funds and arms in order to destabilize the other. In early 1991, both regimes succeeded in bringing each other down through the assistance of their respective

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<sup>72</sup> Zartman, I. W., *Ripe for Resolution: Conflict and Intervention in African*, Updated Edition (New York and Oxford: Oxford University Press, 1985), pg 106.

<sup>73</sup> Ibid.



oppositions. Somalia supported the Eritrean People's Liberation Front (EPLF) and Tigray People's Liberation Front (TPLF) against Ethiopia while the Somali National Movement (SNM) and United Somali Congress (USC) were supported by Ethiopia against Somalia. Both rebellions succeeded in overthrowing violently these governments. The one in Ethiopia succeeded in securing a succession while that in Somalia failed in setting up a government and led the Somali people to more bloodshed and years of anarchy and statelessness.

## **2.3 EVENTS THAT PRECIPITATED THE COLLAPSE OF THE SOMALI STATE**

### **2.3.1 *THE AFTERMATH OF THE OGADEN WAR.***

Many people argue that the defeat of the Somali army in the Ogaden war spurred the downfall of the Somali state. Both in the beginning and at its height, the operation of the Ogaden war had the unanimous support of the Somali masses. It enhanced the public image of President Barre in a scale never equaled before. Soon the defeat and the subsequent refugee influx that altered the existing clan balance dealt a staggering blow to the euphoria that initiated the conduct of the Ogaden war. This led to demonstrations in the army that quickly snowballed into public discontent and the revival of clanism as people sought scapegoats to find reason for the defeat.

The first response to the discontent regarding the defeat in the Ogaden war was the abortive military coup against the regime on April 9<sup>th</sup>, 1978. The perpetrators of the coup were from the *Majerten (Darod)* clan who had the upper hand in Somalia's previous civilian administration. After the failure of the coup, some of the perpetrators escaped arrest and regrouped, forming a guerilla opposition group called the Somali Salvation Democratic Front (SSDF), which made its operational headquarters across the border in Ethiopia.<sup>74</sup> Seeking support in the land of Somalia's traditional arch-enemy (Ethiopia) became a clear manifestation of the extent to which the Somali nationalism had lost appeal. Despite the support of Ethiopia and the *Majerten* clan, this opposition group did not achieve any meaningful success. It was heavily subdued and subsequently dismantled due to internal wrangling and heavy infiltration and undermining activities from the government. By 1988, the SSDF lost potency and existed only in name.

The defeat of the Somali forces in the Ogaden war and the subsequent Ogadeni refugees influx in the North-west, which posed a threat to the *Isaq* land, combined with the automatic rule of Barre, instigated the disgruntled *Isaqs* to form the Somali National Movements (SNM), in London in 1981. Following the example of the SSDF, the SNM was able to make its operational headquarters

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<sup>74</sup> Ahmed, I., *Understanding Conflict in Somalia and Somaliland*; op. cit., pg 242.

across the border in Ethiopia from which it launched a number of daring raids.<sup>75</sup> This was another step taken by a Somali opposition group to undermine Somali nationalism. Since early 1980's, the northwest was under harsh military administration, which dealt savagely with people assumedly related with the SNM. The SNM, which did not have widespread support in the beginning, began to win the confidence of the people gradually because of the government's drastic measures against the civilian population.

However, the weakness of the Ethiopian and Somali governments in the face of their respective rebellions forced President's Mengistu Haille Mariam and Siad Barre to seek other avenues to settle their dispute. In April 1988, Presidents Barre and Mengistu eventually signed a peace agreement brokered by the Inter-Governmental Authority on Development (IGAD) in Djibouti, in which the main issues agreed included cessation of hostilities, restoration of diplomatic relations and termination of aiding each other's opposition. In 1988, fearful of losing their bases in Ethiopia because of the accord, the SNM attacked government garrisons and briefly captured the northern cities of Buro and Hargeisa.<sup>76</sup> As a result, the government forces handled the matter brutally forcing thousands, mainly women and children, to flee their homes and seek refuge in Ethiopia. Some 50,000 people

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<sup>75</sup> Ibid.

<sup>76</sup> Bradbury, M., *The Somali Conflict : Prospects for Peace*, Oxfam Research Paper no. 9 (Oxford : Oxfam, 1994), pg 12

are estimated to have been killed in May 1989.<sup>77</sup> This incident gave a boost to the insurgent activities of the SNM as almost all the *Isaqs* rallied behind them.

Bradbury<sup>78</sup> argues that the final downfall of Barre was precipitated by the emergence, in 1989, of a *Hawiye*-based military force, then United Somali Congress (USC), in the central regions. By 1991, USC defeated Barre elite forces in Mogadishu. The USC army, a coalition of ragtag *Hawiye* forces made use of the stretching of the government might and means in containing the rebellion in the North. When Barre fled from Mogadishu in January 1991, the SNM took over the territory of the former British Somaliland and assumed authority. In May 1991, the SNM declared the secession of the former British Somaliland and independence of Somalia, which is not recognized by the international community until today.

In its last days, the Somali government received a staggering blow from one of its loyal clans, the Ogadeni. During Barre's regime the Ogadeni's particularly those from outside Somalia became the backbone of Barre's administration. In fact, they were the second clan in loyalty to the regime, the first being the *Marehan* and the third the *Dulbahante* as shown by the acronym MOD which stands for *Marehan, Ogaden and Dulbahante* alliance.

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<sup>77</sup> See Africa Watch, *Somalia A Government at war with its people*: (New York, Washington and London: The Africa Watch Committee, 1990)

<sup>78</sup> Bradbury, M., *The Somalia Conflict: Prospects for Peace*, Oxfam Research Paper no. op. cit., pg 13.

Barre's dismissal of the powerful Ogadeni Minister of Defence, Aden Nur (Gabiyo)<sup>79</sup> in April 1989, played the role of the straw that broke the camel's back. This sparked an army mutiny in a garrison stationed in the Southern port town of Kismayu, precipitating the formation of an Ogadeni armed opposition movement known as the Somali Patriotic Movement (SPM). That mutiny was quelled down by the red-berets, an elite army which composed mainly of *Marehan* tribesmen. The creation of the Ogadeni opposition movement signaled the break-up of the *Daron* clan alliance that dominated the rule of Somalia for 20 years.<sup>80</sup> In mid-1989 Ogadeni army officers in the north revolted against the government and the second Ogadeni front led by the colonel Ahmed Omer Jess<sup>81</sup> was formed. Starting from late 1989, until the fall of Barre, the Ogadeni insurgents were engaged in a guerrilla war with government forces.

### 2.3.2 THE WITHDRAWAL OF FOREIGN AID

Both the cold war and the post-cold war events had great impact on the rise and fall of the Somali state. During the cold war, Somali was given a high priority by the two super-powers, the USA and the former Soviet Union, largely, but not

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<sup>79</sup> Gabiyo is an ogadeni from north – eastern Kenya. He was a Kenya army officer before he defected to the Shifita war in the 1960's. He attained military career in Barre's regime.

<sup>80</sup> Bradbury, M., *The Somalia Conflict: Prospects for Peace*, Oxfam Research Paper no. 9, op. cit., pg 12.

<sup>81</sup> Jeese is an Ethiopian Ogadeni by birth who gained access to the Somali army through the support of Barre. At the time of his defection, he was a high ranking military officer in the north.

solely due to its strategic location. As a result, the two super- powers poured armaments into Somalia. The USSR supported the country's militarization up to 1977, when it transferred its support to Ethiopia while the USA provided significant military assistance in the 1980s.<sup>82</sup> This super- power military assistance to the Somalia gave Barre the opportunity and the means to build a militarized state that depended on coercion and subjugation for its mandate to rule the nation. As the country was poor and never able to stand on its own feet economically, the super - powers had also to finance the state machinery to function satisfactorily in order to attain their strategic aims.

When the cold war ended, the strategic value of Somalia plummeted irreversibly due to lack of super-power demand. In late 1980s when the super-power assistance was withdrawn due to the end of the cold war, the Somali economy went down to a level where the government was no longer able to finance its activist policies. This state of affairs caused the integration of the age-old client-patron system practiced by Barre in maintaining his grip on power and as a result, the country descended into chaos.

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<sup>82</sup> Visam, E., *Co-operation with politically Fragile Countries: lessons from EU support to Somalia*, ECDPM working paper no. 66 (Maastricht: ECDPM, 1998), pg 3.

This problem coupled with the practices of corrupt military officials led to massive desertion in the army, swelling the ranks of the rebels. This meant that the government had to depend on its defense on forces motivated through clan ties and loyalties. Indeed Barre was not deficient with ammunition and guns as the government arsenals were still overflowing with the guns provided by the super-powers during the cold war. But what Barre was lacking was an organized national army to fight in his cause. The fact that the opposition forces had no plan beyond the clan agenda, which was only based on the hatred for Barre and his clan, all these arsenals, fell into wrong hands to the detriment of the Somali people.

## **CHAPTER THREE**

### **3.0 AN ANALYSIS OF THE IMPACT OF SMALL ARMS, REFUGEES TERRORISM AND PIRACY ON KENYA'S SECURITY AND DEVELOPMENT**

#### **3.1 INTRODUCTION**

Somalia has been ravaged by war since the collapse of the Barre regime in 1991. The massive human suffering in Somalia as a result of the conflict has had a profound long-term impact on the country's peace, stability, security and development. The conflict has promoted insecurity and affected development in Kenya due to proliferation of small arms, massive influx of refugees many of whom are ex-soldiers with criminal intents. It has also led to a rise in terrorism activities in the country and piracy along the Indian Ocean. This chapter offers an insight on the impact of Small Arms and Light Weapons, Refugees, Terrorism and Piracy on Kenya's security and development.

#### **3.2 SMALL ARMS AND LIGHT WEAPONS**

The proliferation of Small Arms and Light Weapons (SALW) has become one of the most pressing security challenges in the Horn of Africa. The uncontrolled spread and wide availability of these weapons is felt by nearly every country and poses an immediate threat to domestic and regional security.<sup>83</sup> The role of small arms in

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<sup>83</sup> See United States Press release, SG/SM/7145, Sc/6733, 24<sup>th</sup> Sept, 1999



the Somali civil war has been great because almost one of every four Somali males is armed with a weapon.<sup>84</sup>

”Small arms have damaged development prospects and imperiled human security in every way. Indeed, there is probably no single tool of conflict so widespread and so difficult to restrict as small arms.” This statement by former UN Secretary General Koffi Annan captures the situation today as it did in the late 1990’s when the issue of small arms and light weapons began to come to the forefront of the global security agenda.<sup>85</sup>

Many observers see arms proliferation in Africa and Somalia in particular as part of a larger global phenomenon resulting from the end of the cold war and the rising tide of globalization. The collapse of the Soviet Union unleashed large quantities of stockpiled weapons from Eastern Europe into the world market and the privatization of state arms industries in former communist countries created dozens of poorly regulated companies aggressively seeking new markets for their wares.<sup>86</sup>

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<sup>84</sup> See P. Elvis SALW in the Horn of Africa and the Great Lakes Region: challenges and the way forward. *Brown Journal of World Affairs*, Volume xi, Issues 1-spring 2002 pg 251.

<sup>85</sup> See African Centre for Strategic Studies report. *Op. cit.* pg 8

<sup>86</sup> *Ibid*

The legacy of the cold war in Africa left a surplus of weapons from well armed proxy armies and many of these arms frequently found their way into criminal networks.<sup>87</sup> Many however view the problem as resulting from long standing political ills. Poor governance, corruption, breakdown of law and order, and collapsing economies have diverted large numbers of arms from government armories into the hands of civilians, warlords and criminal enterprises. The increasing inability of the state to provide basic security for its people is often seen as a key factor in driving demand for small arms.<sup>88</sup> Most analysts believe that small arms in and of themselves are not the cause of conflict, but their ready availability contribute to exacerbating and prolonging conflict situations. They fuel and sustain conflicts and increase their lethality.<sup>89</sup>

Kenya which shares an expansive and loosely policed 682 kilometer boarder with Somalia has suffered immensely due to the instability in Somali and in particular the flow of Small Arms and Light Weapons from the war-torn country. The Somalia conflict has increased the flow of weapons in Kenya and destabilized the relationship between Kenya and Somalia. Proliferation of Small Arms and Light Weapons in the country has become one of the most pressing security challenges. The uncontrolled spread and wide availability of these weapons has been felt out

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<sup>87</sup> Ibid

<sup>88</sup> Ibid

<sup>89</sup> Ibid

and is posing an immediate threat to security and the growing militarization of the Kenyan society.<sup>90</sup>

In recent years, the security situation in the country has reached crisis proportions due to gun-related crimes. There has been a huge increase in the number of car-jacking, cases of bank and highway robberies, and robberies in residential and business premises; related to this is an increase in deaths, theft of livestock and the destruction of property in the aftermath of livestock raiding in arid and semi-arid areas.

The situation has been aggravated by the unchecked influx of illicit small arms from Somalia which due to the fact that it hasn't had a stable government since 1991 is a major conduit for the arms.

In the recent past, there has been a breach of security in most Kenyan towns. This has generally been attributed to the illicit trafficking of SALW from war torn countries like Somalia. Nairobi in particular has been hit by spiraling crime, while North Eastern province has suffered under bandits who steal cattle, maim and kill residents.

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<sup>90</sup> Human rights watch, *playing with Fire; weapons Proliferation, Political violence and human rights in Kenya*. 2002, pg 2.

Due to the fighting in Somalia, many of the refugees moved into Kenya and since many of them are ex-military, police or other armed groups, they did enter Kenya as refugees, where they sold their weapons and ammunitions so as to cater for their basic subsistence. Indeed the refugee dimension of the problem of proliferation of illicit firearms in Kenya and their utilization to commit crime is evident by the phenomenal increase in insecurity and crime in major towns. In Nairobi, police rounds in Eastleigh Estate, a residential area where most refugees from Somalia live have sometimes unveiled dozens of hand grenades and sophisticated communication equipment.<sup>91</sup>

The trade in illicit firearms in Kenya has therefore reached near uncontrollable proportions and unless quick and urgent measures are taken the situation could be explosive.

Somalia though a signatory of the Nairobi Declaration on the problem of illicit proliferation of small arms and light weapons in the Great Lakes Region and the Horn of Africa of 2000 can be said to have lagged behind in the implementation of the resolutions. This can be attributed to its unstable nature where the government is not in control of its territory. The main objectives of the Nairobi Declaration includes among others, the provision of a comprehensive framework

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<sup>91</sup> See International Commission of Jurists (Kenya Section) *Journal on protection of refugee rights in Kenya*, 1999, pg 32-33

to combat the easy availability of illicit small arms in the region which have contributed to endless problems in the different member states.

In an interview with Mr. Peter Eregae, the then Coordinator of the Kenyan National Focal Point on Small Arms and whose office was created in response to resolutions passed in the Nairobi Declaration, he says that there are approximately 130,000 firearms in wrong hands in the country but adds that there is a mop-out activity going on to get rid of them.<sup>92</sup>

This explains why the government took a high powered security team starting 25<sup>th</sup> October 2008 to the Kenya - Somalia border for an operation intended to curb the influx of illegal firearms, mop-up any illegal firearms in the hands of the residents who have been having inter-clans feuds and have been enlisting militias from Somalia.<sup>93</sup>

In November 2008, Somalia Al-Shabaab militiamen raided a police post in Mandera district before raiding a Catholic Parish, abducting two Italian Nuns and escaping with three government vehicles. The Kenyan Government on its part is not taking violation of the country's sovereignty and insecurity lightly. The Kenyan Minister for Internal Security Prof. George Saitoti issued a stern warning to the militia

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<sup>92</sup> Mr. Peter Eregae, the then Co-ordinator of the Kenyan National Focal Point on Small Arms

<sup>93</sup> Kimani, James. East African. 14<sup>th</sup> December 2008. pg 28

saying that should they fail to release the nuns and the vehicles, Kenya would strike their bases. He further ordered the Kenya - Somalia border closed until order is restored. This would also curtail the flow of illicit Small Arms and Light Weapons. Al-Shabaab, an Islamist guerilla group had threatened to wage a war on Kenya for training Somali's Police. The Minister noted that the perennial conflict between the Murulle and Garre clans has been fanned by the militias who supply sophisticated weapons to the local residents.<sup>94</sup>

Such proliferation sets in motion a vicious circle in which people arm themselves out of fear for their safety, thus destabilizing the situation, which is soon governed by the rule of the jungle. At that point, all standards are ignored. The result, tension, unrest, violence, even armed conflict, all of which are extremely detrimental to any effort to foster respect for International humanitarian law.

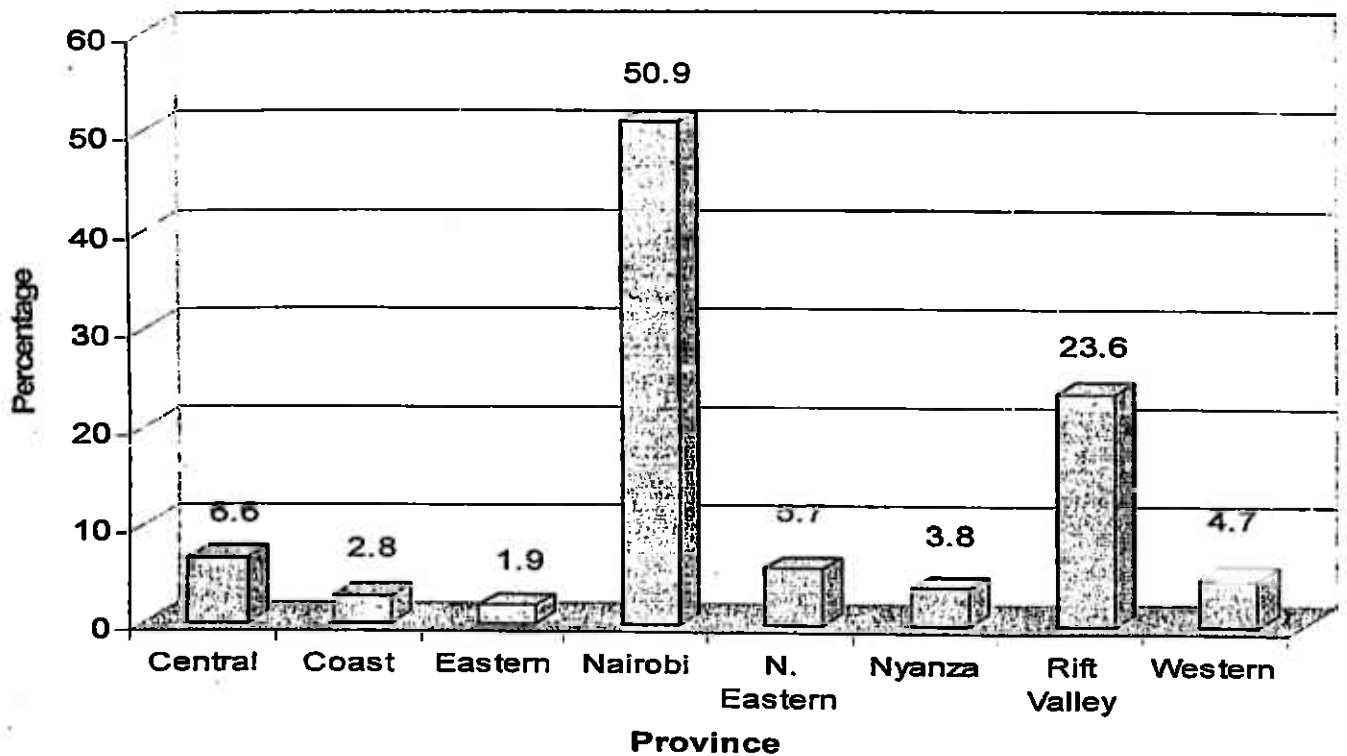
For many years now, Kenya's territory has been a conduit for weapons shipment destined to nearby areas of conflict, but more recently, the spread of these arms is spilling back into Kenya itself and made small arms easily available hence greatly contributing to the deteriorating standards of security in the country.<sup>95</sup>

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<sup>94</sup> Koross, Kibiwott and Gitonga Marete. Daily Nation Newspaper, 19<sup>th</sup> November 2008. pg 72.

<sup>95</sup> Kamenju, J. M. Singo, and F. Wairagi. *Terrorized Citizens. Profiling Small Arms and Insecurity in the North Rift Region*. pp 3-5

A survey conducted by the Security Research and Information Centre (SRIC), shows clearly the magnitude of the illicit firearm menace in the country and has put it down on a chart.



The chart illustrates the distribution of possession across the eight provinces. It indicates that half of these cases were reported in Nairobi, and then followed by Rift Valley. Apparently there appears to be a close link between robbery and hijacking and illegal possession of firearms as these were reportedly highest in Nairobi. The incidences in Rift Valley mostly covered the vast North Rift region which is inhabited by pastoralist communities. Armed cattle's rustling is rife here and people acquire firearms to protect wealth and possessions and made them

not to engage in other meaningful economic development to better their livelihood.<sup>96</sup>

All said and done, the crisis of small arms in Kenya cannot be solved until the conflict in Somalia is resolved.

### 3.3 REFUGEES

The refugee problem in the Horn of Africa is rooted primarily in the succession of armed conflicts which the region has witnessed over the last twenty years.<sup>97</sup> Somalia, Sudan, Uganda and Ethiopia have been prominent competitors in the production of refugees in the region turning the Horn of Africa into one of the mega-refugee centers in the continent and have in turn become a regional security concern.<sup>98</sup>

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<sup>96</sup> A. Muchai and C. Jafferson. *Kenya Crime Survey 2001*. Security Research and Information Centre (SRIC) 2001. pp 101 –102.

<sup>97</sup> United Nations High Commissioner for Refugees. *The State of the World's Refugees – A Humanitarian Agenda*. Oxford University Press 1997. Pg 75

<sup>98</sup> See C. Ofulo, *Security Concerns in the Horn of Africa in African Regional Security in the Age of Globalisation*. Ed. M. Mwagiru, Heinrich B. Foundation, Nairobi, 2004. Pg 9.



Since it became independent in 1963 to date, Kenya has been a host to refugees fleeing from countries neighbouring it as a result of civil war, political unrest and upheavals that at one time or another obtained in those countries such as Ethiopia, Somalia, Sudan, Uganda and countries in the Great lakes region (Zaire, Burundi, Rwanda). At its peak, during the early 1990s, Kenya was host to the largest refugee population in East and Central Africa when it stood at close to a half a million. <sup>99</sup>

According to UNHCR records, Kenya was by January 2009 still hosting a total number of 242,000 Somalia refugees, 23,500 from Ethiopia, 25,700 from Sudan and a combined number of 10,300 from Rwanda, Burundi and Eritrea. <sup>100</sup> The International Commission of Jurists (Kenya Section) says that Kenya has raised security issues since the influx of refugees started in 1991 and the government has admitted instances of insecurity associated with the influx. <sup>101</sup>

The presence of refugees is becoming closely associated with criminality and general instability. Kenya started receiving Somalia refugees in 1990-91 with the crossing of over 400,000 Somalis who were hosted at the Dadaab Refugee Camp. Dadaab refugee camp is situated about 80 kilometers from the Kenya/Somalia

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<sup>99</sup> Ahmed, Issack Hassan. *Refugees in Kenya and the constitutional review process : the way forward. Constitutional Review Commission of Kenya.2002. pg 4*

<sup>100</sup> UNHCR Website

<sup>101</sup> See International Commission of Jurists (Kenya Section) *Journal on protecting Refugee Rights in Kenya. Pg 11998*

boarder and about 550 kilometers from Nairobi City.<sup>102</sup> As a result of the conflict taking place in Somalia, the Dadaab area has been flooded with small arms and automatic weapons. While traditionally the area has experienced high levels of insecurity, the establishment of the refugee camps has without doubt led to a geographical concentration of the violence and the proliferation of weapons evidently aggravates the security problems.<sup>103</sup>

Many of the Somali refugees who escaped the fighting back home are in abject poverty and in need of great humanitarian assistance. Due to their status they are unable to undertake meaningful development activities. This is itself a human security threat when one cannot plan and realize their social and economic goals. The lack of engagement of economically viable activities for their upkeep is certain and contributes to stress and struggle for resources through any other means. While levels of violence and insecurity are not easy to measure, there is a growing consensus among analysts and practitioners that refugee camps are becoming increasingly dangerous places. The violence and instability that prevail

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<sup>102</sup> Guglielmo Verdriame, *Human Rights and Refugee: The case of Kenya*, *Journal of Refugee Studies*, Vol. 12, No. 14(1999) pg 56

<sup>103</sup> UN Note on International Protection, Executive Committee of the High Commissioner's Programme, 44<sup>th</sup> Session, A/AC, August 31 1993, Paragraph 31.

in many refugee-populated areas are a particular concern to the security of the local population.<sup>104</sup>

The influx of refugees in Kenya has led to a rise in crime. The rise of small arms in the country is attributed to influx of refugees who are former combatants and thus higher insecurity in the country. The immediate challenge to Kenya is that many refugees crossing the boarder are armed because of the necessity created by decades of war.

Many Somalia refugees have moved into Kenya with the attendant risk of arms proliferation. Since most of these are ex-military police, militia and other armed groups, they cross the borders with their weapons. In some cases, most of these armed groups, through refugees have sold their weapons and ammunitions for basic subsistence.<sup>105</sup>

In the recent past, Somali refugees escaping the conflict between the Union of Islamic Courts and Transitional Federal Government have pushed the number of refugees in Kenya to the highest level in a decade. This upsurge in the number of

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<sup>104</sup> A critical Analysis of Kenya's Official Perception of Refugees. SRIC. James Ndungu and Singo Mwachofi.

<sup>105</sup> *Power Play and Policy in Kenya – An interdisciplinary discourse*. Security Research and Information Centre. November 2006  
Pg 243 ed. Lt. Col. (Rtd.) Jan Kamenju and Prof. Pontian Godfrey Okok

refugees consequently has led to a rise in illicit Small Arms and Light Weapons and crime in the country. Many of these refugees are former combatants who cross-over with their tools of trade including communication equipment.<sup>106</sup>

A raid by a special crime prevention police unit launched a major operation in Nairobi's Eastleigh estate to dismantle communication gadgets mainly used by Somali refugees. They had been using them to communicate with their relatives in Somali. They had also been interfering with police signals.<sup>107</sup>

But perhaps on a more positive note, Eastleigh has since 1990 developed dramatically. Shaped by its growing population who are mainly people from rural Kenya and refugees from Somalia, Sudan, Eritrea and Ethiopian, Eastleigh has become a major business and shopping hub in Nairobi. Many refugees with assistance of relatives from abroad have invested heavily in the local property market and have put up shopping malls and residential houses in the estate thus giving a boost to the area's economic growth.

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<sup>106</sup> Global Terrorism Analysis. Pg 42

<sup>107</sup> Kemei, Kireli . Kenya Broadcasting Corporation. 7<sup>th</sup> May 2004

The refugee crisis has also brought tension especially among the hosting community. The locals perceive that the refugees receive preferential treatment from the government and international organizations while no one seems to care about them. This has led to the growth of Xenophobia and a growing hostility and unwillingness to keep refugees. The locals here have a valid case since the refugee population especially in Dadaab is indeed very high.

Howe argues that the refugees created by the conflicts not only reflect existing political problems but also create new ones draining on as they do recipient states off resources and posing serious security threats.<sup>108</sup> As a result of conflicts in many African states, the rate of refugee generation has been quite high. This has added a new dimension of conflict over shared resources among refugees and host communities.

The high influx of refugees from Somalia has led to a very serious disruption of ecological systems. They have destabilized the weak ecology especially noting the environmental nature of where they are being hosted. The use of wood by refugees for fuel and home construction costs millions of trees, often in sensitive areas susceptible to ecological damage. The refugee influxes have destabilized the weak ecology and caused a rapid depletion of scarce vegetation. The host

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<sup>108</sup> Howe, Herbert. *Ambiguous Order: Military Force in African States*, Lynne Rienner Publishers. 2001

communities that were secure in their providence begin having conflicts with the refugees. Millions of trees often in sensitive areas susceptible to ecological drainages. The cattle and other livestock kept by refugees and those kept by local communities for subsistence also have great impacts on eco-systems, trampling on small trees and bushes and overgrazing the land which in Northern Kenya pastures is very precious and has led to many fights. The human security of both the refugees and the host communities become threatened when the resources do not adequately cater for their needs.<sup>109</sup> The refugee problem apart from draining the host's resources also destabilizes the already strained police officer to citizen's ratio which currently stands at 1:1110 contrary to the UN recommended ratio of 1:450 and thereby increasing the chances for criminals to operate away from close police vigilance thus compromising security.<sup>110</sup>

### 3.4 TERRORISM

Although incidences of terrorism abound throughout history, it wasn't until the late 1960's that terrorism, emerged as a force with a place in international politics.<sup>111</sup> Indeed, today, terrorism has been listed as one among a few items in a definite list of threats and challenges facing the International system in the 21<sup>st</sup> century and has turned out to be a real threat to Kenya's national security.

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<sup>109</sup> International Migration Policy Conference Report for East Africa, the Horn of Africa and the Great Lakes Region, which took place in Nairobi, Kenya in May 2002.

<sup>110</sup> Hon. D. Mungatana. The then Assistant Minister in-charge of National Security. Daily Nation Newspaper, 8<sup>th</sup> Nov. 2004. pg 24

<sup>111</sup> Harmon, C. Terrorism Today, Portland: Frank Cass.2002

The first sign that Kenya had entered the terrorist circuit was in December 1980, when terrorists sympathetic to the Palestinian Liberation Organization (PLO) bombed the world renowned, then Israeli owned, Norfolk Hotel in Nairobi. The attack claimed 16 lives and injured hundreds. The desire to punish Kenya for providing logistical support to an Israeli rescue mission of hijack victims at Entebbe Airport, Uganda in 1976 is said to have motivated the attack.<sup>112</sup>

However, the total collapse of the Somalia State in 1991 provided the greatest threat to Kenya's security by providing a platform to International terrorist groups. Easy access to port entries has also made the country a direct and permanent target of terrorism as an ally of the United States, Britain and Israel.

Kenya's expansive and loosely policed 682 km border with Somalia, coupled with its open-door immigration policy play a contributing factor in the growth and development of terrorist cells in the country especially in the coastal region. The Al Qaeda terrorist network has operated there in the past and has long standing ties to a small minority of Somali Islamists known as the Al-shabaab militia.<sup>113</sup>

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<sup>112</sup> See M. Katumanga, 'Conference Paper' facing emerging threats from terrorism; some thoughts on alternative menu of responses. University of Nairobi, Institute of Diplomacy and International Studies. 1st July 2003. pg 14

<sup>113</sup> World News Organization. 6<sup>th</sup> Edition. August 2007. pg 288

US Intelligence officials believe that the International terrorist Osama Bin Laden owns a number of ships, one which is suspected of transporting some of the explosives used in the US embassies bombing in Nairobi and Dar es Salaam.<sup>114</sup> Another report by the Italian Intelligence warns that Somalia is fast becoming the base for international terrorists. It further goes and states that European Al Qaeda cells have operational bases in Somalia and that it was using Somalia to expand operational bases into Kenya and other countries in the Horn of Africa.<sup>115</sup>

The lawlessness that exists in the war torn country enabled these extremists to plot two monstrous Embassy attacks on the U.S Embassies in Nairobi and Dar es Salaam in 1998 as well as the Paradise Hotel in Mombasa in December 2002. The Kenyan bombings claimed over 250 lives and left over 4,000 people seriously injured and others scarred for life. The death toll from terrorist attacks planned in Somalia would have been worse if the missile launched at an Israeli Aircraft taking off from Mombasa's Moi International Airport in 2002 would have hit its target.

Both the attacks left a trail of destruction. It took Kenya several years to renovate the Co-operative Bank Headquarters. The 2002 attack left the Paradise Hotel extensively damaged. It is only in 2005 that the Hotel re-opened to visitors

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<sup>114</sup> Ibid

<sup>115</sup> Daily Nation Newspaper. 19<sup>th</sup> December 2005



after two years of renovation. The US Embassy also was extensively destroyed and had to be relocated albeit twice to their current location. Many other people especially in the Embassy bombing in Nairobi had their vehicles destroyed and nearby buildings suffering from the impact.

Though few in number, the above attacks demonstrates Kenya's significance in terms of recent global terrorism. Moreover, the scale and complexity of attacks in Kenya strongly suggests a permissive environment exists for terror group operations. A combination of international and domestic factors result in Kenya being targeted. The country's foreign policy reflects a long history of close relations with the United States and Israel, as well as the United Kingdom, the former colonial power. Both the United States and Israel maintain a significant official and private-sector presence in Kenya. In addition to current foreign policy issues, these historical relationships provide both an ideological justification for attacks in Kenya and a range of targets. The use of Mombasa as a supply-station for Western military operations and patrols in the Indian Ocean and Persian Gulf brought increased attention from al-Qaeda beginning in the early 1990s.<sup>116</sup>

The country's geography also puts it in close proximity to long-running conflicts in northern Uganda, Sudan, Ethiopia, Somalia, and Rwanda. Kenya's porous borders

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<sup>116</sup> See Oded, *Islam & Politics in Kenya*; and Erik E. Otenyo, "New Terrorism, Toward an Explanation of Cases in Kenya," *African Security Review* 13: 3 (2004).

permitted al-Qaeda operatives to enter and leave the country clandestinely. Throughout the early to mid-1990s, members of al-Qaeda travelled to Somalia from Kenya by sea and land through the coastal route of Mombasa-Witu-Kiunga in Kenya to Ras Kamboni, Somalia.<sup>117</sup>

Since the 1998 and 2002 attacks and the subsequent reprisals to bring to justice those involved in the acts, Muslim leaders in Kenya continuously accused the government of harassing members of the Muslim community on the pretext of stamping out terrorism. When the Kenyan government attempted to introduce the anti terrorism bill in 2003, allegedly under pressure from the US, which law would severely limit civil liberties, various individuals and Muslim clerics vehemently argued that the proposed law was targeting their members in the name of fighting terrorism. The bill has since been rejected by the Kenyan parliament, though certain aspects of its provisions have been enacted under other legislations, especially those relating to international crimes.<sup>118</sup>

Tourism, which is Kenya's major foreign exchange earner, has been greatly hurt by piracy and terrorist activities in the recent past and cannot bear the repercussions of continued piracy activities and repeated terrorist attacks. With about one million visitors per year, international tourism contributes 10% of

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<sup>117</sup> Ibid

<sup>118</sup> [www.issafrika.org](http://www.issafrika.org). 24/10/2009

Kenya's exports. The tourism sector generates Kshs. 24 billion (US\$330 million), which is 10 percent of Kenya's Gross Domestic Product (GDP) and 15 percent of the country's foreign-exchange earnings.<sup>119</sup> It is the third largest contributor to Kenya's GDP after agriculture and manufacturing, and Kenya's third largest foreign exchange earner after tea and horticulture. Tourism has been identified as one of the key drivers in achieving the goals of the Vision 2030.<sup>120</sup>

On 28<sup>th</sup> November 2002, a terrorist attack was launched on Paradise Hotel in Mombasa killing 13 and injuring 80 tourists. The attack was carried out by a group affiliated to Al-Qaeda and based in Somalia. To add salt to injury, the United States and British governments issued travel advisories to their citizens to avoid visiting Kenya because of the terrorist attack. The travel warnings led hundreds of tourists to change their destinations from Kenya to other countries.

The first sector to feel the effect of this announcement was tourism. Not only did the country lose in terms of incoming tourists, it suffered drastic job and business losses of hoteliers, travel agents, tour firms and hotel workers approximated at 8,000 and the hundred of thousands who depend on tourism. The attack originally led to large unemployment in the area which stimulated a negative multiplier

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<sup>119</sup> William Karanja, *World Press Review*, World Press. May 25, 2003, pg 5

<sup>120</sup> Kenya National Bureau of Statistics, 2002 – 2007

effect in the area, leading to loss of jobs not directly related to tourism but relying on the local people's trade.<sup>121</sup>

The Kenya Tourism Federation stated that the suspension of British Airways regular and charter planes flying to Nairobi, coupled with travel advisories, closed down access to 90% of Kenya's overseas markets. The country was losing an estimated amount of over 1 billion Kenya shillings (\$128million) per week. In addition to the revenue loss, at stake were over 500,000 direct jobs and another 2.5 million indirect jobs.<sup>122</sup>

The tourism sector has recovered from the effects of insecurity, which rocked the country in 1997 coupled with the adverse travel advisories by the major source markets in 2003. The sector recorded a tremendous improvement in 2004 as a result of aggressive destination marketing coupled with the reversal of negative travel advisory by the United Kingdom. Tourism earnings increased from Kshs 21,734 million in 2002 to Kshs 25,768 million in 2003 then to Kshs 39.2 billion in 2004, and regained its position as the leading foreign exchange earner in 2005 with Kshs 48.9 billion. Provisional figures indicate that the sector earned Kshs 56.2 Billion in 2006.<sup>123</sup>

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<sup>121</sup> Ibid

<sup>122</sup> Gitu, N. D. *Reviving tourism: Let's try a new approach*. *The East African*. 2003, September 22. pg 24

<sup>123</sup> Ministry of Tourism. *Statistical Analysis of Tourism (Globally and Locally)*. Central Planning Unit, November 2006. pg 9

Over the years, the tourism sector has been a major contributor to GDP. The sector's contribution has been estimated in the current national accounts as Trade, Hotels and Restaurants (TRH). It has averaged about 12 % contribution to GDP in 2004. Growth in the tourism sector has a multiplier effect which stimulates growth in other sectors of the economy.<sup>124</sup>

Tourism foreign exchange earnings have continued to play an important role in improving our balance of payments position. This is critical given that our economy is largely agriculture based and international commodity prices for our main export earning products like tea and coffee are very volatile and keep on fluctuating now and then. Recently the net earnings from tourism has shown good signs of recovery. It is also important to note that the import content for the sector is not very high.<sup>125</sup>

### 3.5 PIRACY

Somalis have opened a new front in terrorism - sea piracy.

Piracy in Somali has its roots in the early 1990s, when illegal fishing trawlers and ships dumping toxic waste took advantage of the collapse of the regime of

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<sup>124</sup> Ibid. pg 10

<sup>125</sup> Ibid pg 11

Mohamed Siad Barre in 1991 to target Somali waters. Fishermen began seizing the foreign ships, saying they were defending their coastline. Now piracy in Somalia has morphed into a multimillion-dollar industry, with gunmen commanding huge ransoms for the ships they seize. The Somali interim government lacks control capabilities for the struggle against piracy due to the ongoing civil war.<sup>126</sup>

According to Ms Nancy Karigithu, the Director General of the Kenya Maritime Authority, Kenya has faced major challenges from its geographical proximity to Somalia, a country without an army, police, navy coast guards since 1991. She says that the insecurity in Somalia has provided a conducive environment for piracy and robbery against ships in waters off their coastline which has spiraled over into the waters of other countries in the region. She adds that Kenya has borne the brunt of this phenomenon, leading to a reduction in the cruise industry and the increased costs of shipping.<sup>127</sup>

About 16,000 ships a year navigate the Gulf of Aden, which as the Southern gateway to the Suez Canal, is one of the most important trade routes in the world. The ships mostly transport oil from the Middle East and goods from Asia to

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<sup>126</sup> Megalomanatis, Mohammed, *Eccoterra Report on UN/Kenya Conference on Piracy*. [www.buzzle.com](http://www.buzzle.com), 15 December 2009

<sup>127</sup> Nancy Karigithu – Director General, Kenya Maritime Authority in Consultative Process on Oceans and the Law of the Sea. "Overview of threats to Maritime Security. their impacts and Responses thereto with a focus on Piracy and Armed Robbery Against ship". 2008

Europe and North America. The United Nation says the pirates made between \$ 25 million and 30 million in ransom in 2008 alone. <sup>128</sup>

Mr. Gilbert Langat, the Chief Executive Officer of the Kenya Shippers Council, which represents cargo owners, said the hijackings of vessels was likely to increase the cost of Insurance Premiums due to the high risk involved in transporting cargo through the Gulf of Aden. The extra time spent on voyage and the increased consumption of fuel by the ships will definitely increase the cost of freight. <sup>129</sup>

These costs will ultimately be passed on to the consumer and these include governments. Due to the extra time spent on voyage, consignments will take a longer time resulting in projects delays and extra costs. Due to the risky nature of transporting cargo across the Gulf of Aden to Kenya, Maritime Insurance premiums have also gone up tremendously translating into higher costs to Kenya and regional economies. Millions of dollars obtained through piracy in the Indian Ocean off Somalia are ending up in Kenya and other parts of the world through a complex money laundering scheme.

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<sup>128</sup> Sunday Nation. Editorial 23<sup>rd</sup> November 2008 pg 10

<sup>129</sup> Githua Kihara, Sunday Nation. 21<sup>st</sup> November 2008, pg 14.

A report by the US state department Bureau of International Narcotics and Law Enforcement Affairs cites Kenya as a hub for piracy - related money laundering activities claiming that Kenya's financial system may be laundering more than \$ 100 million (Kshs. 7.8 billion) each year.<sup>130</sup>

Investigations by International Security agencies have discovered that millions of dollars reaped through piracy along the Somali coast, are finding their way into Kenya. Many Kenyans have been wondering how Somalis in Kenya have acquired prime areas and put up property in quite a short time.<sup>131</sup>

The skyline of Eastleigh a former residential estate has changed markedly in the past decade as multi-storeyed buildings replace single-level dwellings. Somalis are now powering the growth Kenya is recording in the construction industry. A UN-backed international conference on piracy was held in Nairobi in December 2008 with participants decrying a surge in piracy and calling on the world to curb the menace along the coast of Somalia. UN Special envoy for Somalia Ahmedou Ould Abdallah appealed to the international community to help stabilize the war-torn nation, saying piracy is as a result of an almost non-functioning government in Somalia. He told participants that the threat of piracy cannot and should not be underestimated any longer, noting that addressing the vice required

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<sup>130</sup> Patrick Mayoyo and Lucas Barasa, Daily Nation, 24 October 2008. Pg 4

<sup>131</sup> David Okwemba, Daily Nation, 15<sup>th</sup> March 2009, pg 4



identifying and targeting the perpetrators and their associates. Countries should trace, track and freeze the assets of the backers of pirates and expressed concern that the unprecedented rise in piracy was threatening the freedom and safety of maritime trade routes, affecting not only the Somalia region but also a large percentage of world trade.<sup>132</sup>

In the keynote speech during a UN/Kenya Conference on piracy off the Somali Coast that was held in December 2008 in Nairobi, President Mwai Kibaki called on political leaders in Somalia to play a more active role in ensuring that peace and stability are restored in the country. He said that while the United Nations and the international community were committed to Somali's reconciliation efforts, it was up to the politicians in the country to put the interests of their people before those of their own.<sup>133</sup>

Continued lawlessness and insecurity in Somalia has disrupted trade and other humanitarian activities in the region. Criminal activities in the territorial waters off Somalia and the Gulf of Aden is both grave and alarming, and needs the concerted efforts of the international community to eradicate since the range of operations and the capacity demonstrated by the pirates is very worrying. Kenya has reaffirmed its disapproval of the payment of ransoms to pirates since it will

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<sup>132</sup> Megalomanatis, Mohammed, *Eccoterra Report on UN/Kenya Conference on Piracy*. [www.buzzle.com](http://www.buzzle.com), 15 December 2009.

<sup>133</sup> *Ibid*

perpetuate the crime and exacerbate the fragile security situation that undermines the regional and international efforts to bring peace to Somalia. Kenya has already taken several measures towards complementing international efforts in combating piracy including the signing of pacts and initiation of various legislations and the establishment of the National Counter Terrorism Unit.<sup>134</sup>

In a joint communiqué issued at the end of the two-day meeting, the delegates admitted that piracy cannot be effectively tackled in Somalia without the return of peace, stability and a functioning government. The delegates said Somali leaders who impede the stabilization of their country creating conditions to breed and escalate piracy should be individually and collectively placed under sanctions by the African Union and IGAD and also in accordance to U.N. Security Council resolution 1844 (2008)<sup>135</sup>

### 3.6 CONCLUSION

Somalia's long civil conflict and lack of central governing institutions has therefore presented an international security challenge and has had a direct effect on Kenya's development and security as illustrated above. The conflict has cost Kenya dearly in terms of insecurity due to the proliferation of small arms, and economically due to the influx of refugees and lost trade due to terrorism

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<sup>134</sup> Ibid

<sup>135</sup> Ibid

and piracy. Kenya has borne the brunt of these effects and the settlement of the Somalia conflict is therefore of utmost importance.

## CHAPTER FOUR:

### CONCLUSION AND RECOMMENDATIONS

#### 4.0 INTRODUCTION

The Somalia political instability has been attributed to internationalisation of the conflict by the Siad Barre's regime in its aim of achieving the Greater Somalia vision. The use of clanism as a clarion call backfired with the defeat of the army in Ogaden, leading to the collapse of the state. The rise of the tribal warlords keeps on fuelling the conflict and complicating the peace process in the region. The immediate post independence era was marked by internal socio-political instability centred on the merger of the colonial territories and the support of irredentist conflict activities in the north-eastern Kenya and south-eastern Ethiopia. When Barre consolidated his power base he adopted a calamitous policy, which favoured his clan, and this led to disintegration of the Army that was formerly the central figure of his power structure.

The collapse of the state in 1991 left the country without a central government or viable infrastructures. However, the disaster in Somalia was not created by fighting alone, but rather by the massive, persistent and deliberate violations of human rights committed by all factions. The collapse of the state has been followed by diverse mediation efforts. These range from regional bodies, United

Nations, United States and many others without success. The most recent and successful effort has been under the auspices of the Inter-Governmental Authority on Development (IGAD).

The outcome of the 14th Somali Peace and Reconciliation Conference in Kenya led to a possible rebirth of the Republic of Somalia. The prospects are however gloomy as the government is faced with anarchy, and fears of growing terrorist groups. This is why Kenya, a terrorist victim in 1998 and 2002 has been in the forefront to ensure that order, stability and security prevail in Somalia. Another challenge is repatriation of about three million refugees who are spread in many parts of Kenya, Horn of Africa and the rest of the world into Somalia. A reconciled Somalia will offer hope for security, stability and peace in the whole Horn of Africa.

#### **4.1 CHALLENGES OF MEDIATION EFFORTS IN SOMALIA**

The collapse of the nation-state, spiral of violence in the county and the breakdown of the rule of law has made mediation efforts in Somalia an unattainable goal. Many resources and efforts have been spent on Somalia for decades searching for peace in the war torn country without success. It has necessitated African governments to take a leading role in dealing with African

conflicts. This, as witnessed in the Somalia mediation efforts can bear fruits when African leaders take the mantle to search for home grown conflict resolutions.

The repeated suggestion of a UN peacekeeping deployment in this volatile environment - where there is notably no 'peace' to keep - is especially worrying. Experience has shown that peacekeepers are simply not able to take on the extremely violent resistance that they would surely face if deployed into the current environment in Somalia. While peacekeeping could surely play a role in supporting a robust and inclusive peace agreement, it is not a solution unto itself, and there is still a great deal of work to be done before the necessary political preconditions are achieved.

The challenge is the balancing act when a military force comes to intervene in a volatile situation like Somalia where the neutrality demanded is a key element to the success of such a mission. In general, European and American forces have not been effective in peace-keeping operations in Africa. The American debacle where 18 Marines were killed illustrates this position and given the enormous problems that other European and American U.N. peacekeepers have had in the Continent, military interventions should be considered an instrument of last resort, to be applied only after it has been established that diplomatic

instruments cannot be successful. This action should be taken only in a holistic framework of building peace and stability.

In management of the conflict, we need further to explore the linkage of the internal and internationalised conflict as in the case of Somalia. It is shown that international and internal conflicts are linked. In this regard international conflicts have domestic sources, which can be traced to the lack of fulfillment of internal needs. In the process of searching for ways and means of fulfilling these needs, it results into internal conflict, which in turn results to internationalisation of the conflicts especially due to the nature of inter-state demographic situation of Africa. The critical challenge we need to address in the failed Somalia intervention is the perception of the intervening forces. What is their role and mandate to execute the operation in the country regardless of the prevailing history of the state? We have to take into cognizance the oppressive military regime, which has oppressed the populations for years. This line of thinking shows a continuum of the oppression and aggression from external forces. It generates and fuels the conflict rather than achieving its former objective of restoring peace in the nation. This is what happened in the interventions by external peace-keeping missions. It is the basis of understanding the failure of the mission in Somalia.

We find several factors contributing to this volatile situation and the challenge of finding lasting peace in the country. First is the brutal regime of Barre, which broke all the social and government systems in the country. The second is the pursuit of the Greater Somalia vision, which exhausted the resources and in the process created insecurity in the whole nation. The third fundamental factor is internationalisation of the conflict to achieve the vision; which in the process affected security in the Horn of Africa. The fourth factor borne as a result of the collapse of the nation-state is the rise of clan warlords and banditry on an unprecedented scale. The conglomeration of these factors creates complexity of finding lasting peace in Somalia.

The first two mediation conferences were hosted by Djibouti with the support of Egypt and Italy in 1991. They managed to form a new Somalia government led by Ali Mahdi whom Italy and Egypt favoured over his rival, General Aideed. Aideed contested the outcome of the conference blaming Italy and Egypt for plotting to alienate him from the leadership. Eritrea and Ethiopia supported Aideed's claims for power. This resulted into a four-month bloody confrontation between Aideed's supporters and those of the interim government. Between 1993 and 1994 the United Nations organized four ill-fated peace conferences. Three of these were held in Ethiopia and one in Kenya. In March 1993, the UN assisted by the US and Ethiopia, organized other conferences in Addis Ababa. They brought together



fifteen factions with the aim of establishing transitional institutions but bore no fruits. In 1994 the UN organized further talks in Nairobi, Kenya, but they also failed.

Their outcome always aroused hostilities between General Aideed's Somali National Alliance and Ali Mahdi's Somali Salvation Alliance. The hard line stance taken by Gen Aideed, led to various clashes between his militias and the UN Peacekeeping Force which had been deployed to enable humanitarian assistance. Subsequently the US, which was the major component of the force, declared him a fugitive. This led to a bloody confrontation between him and US forces. The US was badly humiliated by the militias who killed and mutilated scores of Marines.

The US and UN immediately withdrew from Somalia. This led to further chaos, more suffering and loss of lives. Later Gen Aideed was killed during inter-militia fighting and his son, Hussein Aideed, who had been living and working with the US Marines, replaced him. In October 1996, the former Kenyan President Daniel Arap Moi arranged the first face-to-face meeting between Hussein Aideed and Ali Mahdi. The leaders verbally agreed on a cessation of hostilities. However, soon after, heavy fighting erupted in Mogadishu dashing hopes for peace in the Somalia capital. In January 1997, twenty-six Somalia factional leaders met in Sodere, Ethiopia, and formed the National Salvation Council (NSC). They agreed to

convene a national reconciliation conference in Boosaaso in north eastern Somalia, to form a provisional government. Mohamed Ibrahim Egal, President of the self-proclaimed Republic of Somaliland had no desire to see Somaliland reintegrated into Somalia. He rejected all invitations to the conference and so did Hussein Aideed.

In the same year, the Organisation of African Unity (OAU) and Inter-governmental Authority on Development (IGAD) mandated Ethiopia to pursue further Somalia reconciliation process but all efforts failed. After a series of consultative meetings among various sub-clans in 1997, the Somalia's self-governing State of Puntland consisting of five regions namely; Bari, Nugal, Mudug, Sol and Eastern Sanag came into being in mid 1998. By then many prominent and educated Somalis were either dead or had fled as warlords ruled everywhere.

Stability only existed in the Somaliland Republic and smaller mini states like Puntland and Juba land. Although unrecognised internationally, they were the only signs of stability in a totally failed state. In 2000, Djibouti hosted a reconciliation conference in Arta, which resulted in the formation of a Transitional National Government (TNG), the first in a decade. This enabled the formation of a national police force and army and half of the estimated 20,000 militiamen roaming the countryside were demobilized. However, the external

interference from Ethiopia, which viewed Djibouti as a meddler in the internal affairs of Somalia due to her own vested interests, helped to form an alternative government of Somalia Restoration and Reconciliation Council (SRRC).

In 2001, former Kenyan President Daniel Moi, invited the TNG and SRRG for talks in Nakuru, Kenya. They agreed to share power but again external interferences made the deal flop. In 2002, IGAD Heads of States and Governments met in Khartoum, Sudan and mandated Kenya, Ethiopia and Djibouti to co-ordinate and hold new peace conferences under the auspices of IGAD. They initiated a peace process in Eldoret, Kenya in October 2002, which was supported by the European Union, United Nations, United States and the Arab League. The factional leaders and the Transnational National Government signed a cease fire in October 2002 and a truce was reached in December the same year although some fighting continued in Somalia. They concluded an agreement to form a 450 member federal government in 2003 based on clan quotas. In July 2003, a Declaration of Agreement led to a transitional parliament that comprised of 351 members apportioned by clan. The political leaders in consultation with the clan elders selected the members of parliament. The members of parliament were then to select a transitional president who would serve for five years. In August 2004, as part of the IGAD led process, the Somali Transitional Federal Assembly (TFA) was established with Abdullahi Yusuf Ahmed as the President and Ali Mohamed Gedi

was elected the Prime Minister. They further swore in a reduced 275 member parliament who elected a speaker and a deputy speaker. However, the new government is yet to settle fully in Somalia.

The establishment of transitional institutions represents a significant step towards reconciliation and stability. However, the consolidation of stability and a functional central government in Somalia will take time. In the coming three to five years, the general security environment throughout Somalia is likely to remain fragile and prone to armed conflict and criminality whether or not a government of national unity is maintained.

#### 4.2 CONCLUSION

Somalia's long civil conflict and lack of central governing institutions has therefore presented an international security challenge and has had a direct effect on Kenya's development and security. Kenya which shares an expansive and loosely policed 682 kilometer boarder with Somalia has suffered immensely due to the instability in Somali and in particular the flow of Small Arms and Light Weapons from the war-torn country. The Somalia conflict has increased the flow of weapons in Kenya and presented Kenya with the most pressing security challenge. The uncontrolled spread and wide availability of these weapons has

been felt out and is posing an immediate threat to security and the growing militarization of the Kenyan society.

Kenya which is a major host country for Somalia refugees has also been raising security issues since the influx of refugees in 1991. The rise of small arms in the country is attributed to influx of refugees who are former combatants. Since most of these are ex-military police, militia and other armed groups, they cross the borders with their weapons. In some cases, most of these armed groups, through refugees have sold their weapons and ammunitions for basic subsistence.

The refugee crisis has also brought tension especially among the hosting community. The locals perceive that the refugees are receiving preferential treatment from the government and international organizations while no one seems to care about them. This has led to the growth of Xenophobia and a growing hostility and unwillingness to keep refugees.

Kenya is paying the price for the presence of Islamic radicals in Somalia. Lawlessness in Somalia has enabled Islamic extremists to plot two monstrous Embassy attacks in Nairobi and Dar es Salaam in 1998, as well as the Paradise Hotel in Mombasa in December 2002. The Kenyan bombings alone claimed over 250 lives and left more than 4,000 people seriously injured. With the continued

instability in Somalia, fertile grounds are being presented for continued attacks on Kenya.

Tourism, which is Kenya's major foreign exchange earner, has been greatly hurt by terrorist activities in the recent past and cannot bear the repercussions of repeated terrorist attacks. When such attacks occur, many foreign countries in the past have issued travel advisories to their citizens to avoid visiting Kenya thus leading to hundreds of tourists changing their destinations from Kenya to other countries. As a result of the issuance of travel advisories, the first sector to feel the effect of the announcement is tourism. Not only does Kenya lose in terms of incoming tourists, it suffers drastic job and business losses of hoteliers, travel agents, tour firms and hotel workers and the hundred of thousands who depend on tourism.

Somalis have also opened a new front in terrorism - Sea piracy, with Kenya facing major challenges from its geographical proximity to Somalia, a country without an army, police, navy or coast guard since 1991. The insecurity in Somalia has escalated resulting in creeping of piracy and armed robbery against ships in waters off the coastline with the spiralling effect over into the waters of other countries in the region. Kenya has borne the brunt of this phenomenon leading to

a reduction in cruise industry, slow down in the distribution of food aid to Somalia, as well as increased costs of such operations. This has forced Shipping companies in the port of Mombasa to increase the cost of insurance premiums to importers which are later transferred to consumers.

The general security situation in Somalia has been deteriorating drastically since 2008, despite the signing of the peace agreement between the Transitional Federal Government of Somalia (TFG) and a breakaway faction of the Alliance for the Re-liberation of Somalia (ARS). Confrontations between the Ethiopian-backed TFG and the insurgents of the Al-Shabaab group and the Islamic Courts Union (ICU) have been continuing in south and central Somalia, leaving hundreds of thousands of helpless civilians homeless.

The deterioration in security has reduced the humanitarian space and restricted the free movement of aid workers, leaving people who need assistance suffering. In a worrying development, clan factions, religious militias and criminal gangs have also begun making national and international aid workers their main targets. Following a series of abductions and brutal killings of humanitarian workers, international agencies and NGOs were compelled to evacuate their staff.

The TFG remains weak and its security apparatus vulnerable to fragmentation along clan lines. The delivery of humanitarian assistance in Somalia still depends on the return of security conditions which will allow humanitarian organizations to operate in relative safety, stability and peace.

In Somalia, clan identity both impacts and is impacted by conflict. In the post-independence period until the outbreak of the civil war, conflict resulted from divisions among major clans battling over power and resources. The Somalia experience demonstrates that clan is a double-edged sword, that is, it can bring Somalis together or can tear them apart. Clan and sub-clan identities have been used to underscore differences and divisions for specific objectives. Such differentiation in identities may be based on real or constructed differences and may change depending on the goals being sought. However, Clans are a potential source for reconciliation because of their ability to shape relations between warring groups. Instead of focusing on differences, the common bonds of language, religion, traditions, and inter-clan marriage, can be pointed out to unite Somalis. In the absence of state authority or when official channels of mediation do not work, clan elders should use customary laws to bring about negotiated settlements and prevent conflict escalation.



Many Somalis from their experience with Siad Barre's government view the state as an instrument of accumulation and domination, enriching and empowering those who control it and exploiting and harassing the rest of the population. This has made them inherently distrustful of a strong central state. The military regime of Siad Barre was primarily dominated by a small elite of his clan identity to control the state and exploit valuable resources. Barre's authoritarian government also systematically manipulated clan identities and politicized clan cleavages by favouring clans that would enable it to maintain authority. These policies have had far-reaching effects and have produced sharp divisions and deep suspicion among the clans and sub-clans that define Somalia today.

The culture of militarization that began under Barre's regime became rampant during the civil war, when guns and military force no longer remained the domain of the ruling elite. Rather, the complete breakdown of authority and the collapse of the Somali army led to the proliferation of militias and weapons.

With weapons at their disposal and traditional power structures rendered irrelevant, militia members and young men have used guns to loot, murder, and inflict horrific crimes on their fellow citizens. The lack of accountability coupled with easy access to weapons engendered a culture of impunity, in which destruction of property, and rape became common in Somalia.

Somalia has strengthened the culture of impunity, with armed political faction leaders taking advantage of this situation. The armed political faction leaders regularly form convenient alliances, raise armed militias, and foment conflicts to establish a power base and advance their political agenda. Although these leaders have repeatedly abused human rights, they have not been subject to the consequences of their actions.

Due to civil war and famine within the borders of Somalia, many Somalis fled to Kenya during 1991-1992 in order to escape. Somalia now has the worst refugee crisis in the world, with many refugees who have fled Mogadishu lacking food, medicine and shelter. This fragile situation is still evolving and needs continuous international monitoring. The continued instability in the region has prevented these refugees from returning to Somalia. The problems that faced these refugees are still seen today, and are continuing to cause many to seek refuge within the borders of Kenya.

#### 4.3 RECOMMENDATIONS

For the young and fragile Somalia government to succeed in rebuilding its state security, it is important that security measures are reinforced and infrastructure reconstructed to ensure the smooth running of the new government.

Somalia needs institutions that can provide functions such as maintenance of basic law and order, revenue collection, management of natural resources, and provision of essential public goods and services.

Neighbouring countries such as Kenya can assist by sending skilled manpower and security forces and advisors to Somalia. The leaders need to work on a progressive plan aimed at restoring peace, security and stability by involving the clans and their leaders and not just the warlords, especially in disarmament to pacify the process.

It is a well known fact that large numbers of unemployed young men in any society increases the chances of conflict escalating into violence, and thus the Somalia case is no exception. Young, unemployed men represent a critical conflict factor because they are easily recruited into rebel or militia groups for reasons such as economic survival and group loyalty.

The government must face the challenge of reconciling people at all levels of the society including inter and intra clan and sub-clans, factional and political groupings. The people have to be determined to support this new dawn and future. The conflict has resulted to disunity on the basis of clan, ethnic, political,

and sectarian religious lines. Rehabilitation, reintegration and transfer of skills to generations of gunmen and women who missed school and vocational training opportunities in all disarmament programmes will therefore be critical. Emphasis has to be put on the rehabilitation and reconstruction of basic infrastructures to prepare the country to enter a constitutional phase. This will include building institutions of democratic governance, rule of law, decentralization of power, protection of human rights and safeguarding the integrity of the country. All disputes must henceforth be settled through dialogue, negotiations and other peaceful legal means.

In keeping with the United Nations arms embargo against Somalia, the neighbouring countries have to cooperate to make sure that their borders are not used for weapons movement. The international community needs to assist in establishing an impartial National Somali Army and Police Force. This is possible through reinstatement of former “clean” Army and Police Force personnel as well as recruiting and training young people.

Kenya should move fast to solidify its relations with Somalia by assisting in reinforcing security across the border. The two countries security forces should cooperate to guard the region, especially the North Eastern Province where banditry, trade in arms and porous boundaries are entry points of the terrorists.

Kenya should also consider setting up industries in Somalia since theirs are non-existent. Meanwhile it should strengthen its trade relations with Somalia to enable it export manufactured and agricultural products.

A stable Somalia will not only create the right environment for Kenya to develop, but will stabilize the whole Horn of Africa. To achieve this goal, Kenya must play a major role in rebuilding a peaceful neighbouring country, which is in control of its destiny and welfare. On its part, Somalia can establish lasting peace by abandoning its dream of a Greater Somalia.

The international donor community, institutions such as the International Monetary Fund, World Bank and Somalis in Diaspora, need to come to the aid of Somalia by providing funds to rebuild the ruined infrastructures. The United Nations in collaboration with the African Union should hasten the deployment of peacekeeping forces in the country to ensure that peace and security prevail for smooth running of the new government. The government has the responsibility to manage the reconstruction process through national authorities, provincial and local channels as well as security forces.

This will call for a peaceful environment by establishing a transparent, representational and interactive political structure, to avoid the spectacle of

people falling back to clanism and lawlessness. There are governments and other outside actors who supported various groups and persons in Somalia. These actors should call for a regional reconciliation and discard their personal interests for the sake of prosperity, peace and stability.

The Somalia government should support institutional structures that are representative. The more government institutions reflect common objectives of the population, the less likely they are to be instruments in conflict. To consolidate peace in the event of a successful peace process, assistance that support and strengthen representative institutional structures should be prioritized. Forms of structures that encourage power-sharing and minority representation should be adapted to the Somali context. Furthermore, it may be wise to support the development of electoral systems that require political parties to forge cross-clan electoral alliances to receive support from multi-clan constituencies.

Therefore, for a lasting peace to prevail in Somalia as well as its Diaspora, a legitimate government that is accountable to its citizenry and sensitive to their needs must emerge. Its authority has to be built from the grassroots. Therefore United Nations, African Union, Intergovernmental Authority on Development and

the rest of the donor world and the international community must exercise steadfastness in their support for Somalia.

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