

**TERROR ACTIVITIES AND EVOLUTION OF KENYA'S
FOREIGN POLICY: 1998-2015**

**BY LUCY NJERI NJUGUNA
R50/74668/2014**

**A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILMENT OF THE
REQUIREMENTS FOR THE AWARD OF DEGREE OF MASTER OF ARTS IN
INTERNATIONAL STUDIES TO THE INSTITUTE OF DIPLOMACY AND
INTERNATIONAL STUDIES (IDIS), UNIVERSITY OF NAIROBI**

2016

Declaration

I Lucy Njeri Njuguna declare that this project is my original work and that it has not been submitted for the award of degree in any other University.

.....

.....

Lucy Njeri Njuguna

Date

R50/74668/2014

This project has been submitted for examination with my approval as University Supervisor.

.....

.....

Dr. Rosemary Anyona
Supervisor

Date

Dedication

To my family who have been my number one critics and cheerers and have seen me carry out to completion this project at the Institute of Diplomacy and International Studies (IDIS), University of Nairobi.

Acknowledgement

I thank the Almighty God for His sufficient mercies and grace, which have enabled me to complete the course work in the Masters Program.

Secondly, I would like to thank my Supervisor, Dr. Rosemary Anyona for her supportive guidance in carrying out this project.

My gratitude goes to my parents, sisters and friends for the support and encouragement they have accorded me. Finally, my acknowledgement goes to the IDIS staff for their tireless assistance and cooperation.

Abstract

Kenya has faced and continues to face terrorist attacks which have challenged the security apparatus. This study examines the evolving of Kenyan foreign policy in light of terror attacks between the periods of 1998 to 2015 where Kenya has faced increased and persistent terrorist attacks.

The study was guided by three objectives which included: the critically analysis of terrorism vis a viz foreign policy, the evolving Kenya's foreign policy since the 1998 bombing and finally the evaluation of the relationship between security threats and foreign policy in Kenya. Secondary data was sourced mostly from newspaper due to the fact that certain foreign policies are publicly announced and terrorist's attacks are reported in the media and not documented in books.

The study tested three hypotheses namely; Kenya's foreign policy continuing to be reactive rather than proactive, secondly, the systematic terror attacks playing a marginal role on Kenya's foreign policy and finally Kenya's foreign policy been influenced by her geostrategic position near the epicenter of terrorism extremism. The study found out that the Kenyan national foreign policy is largely state centric and reacts when situations and crisis arise. Secondly the study found out that the Kenyan foreign policy has been largely influenced and shaped by the recurring terrorist attacks thereby making Kenya's foreign policy to be dynamic. The study further found that there exists a nexus between foreign policy, terror attacks, refugee hosting and porous borders. The study therefore recommended a number of ways to help reduce the terrorists attacks.

Abbreviations

ICC	:	International Criminal Court
LRA	:	Lord's Resistance Army
ONLF	:	Ogadeni National Liberation Front
OLF	:	Oromo Liberation Front
ADF	:	Allied Democratic Front
SPLA	:	Sudan People's Liberation Army
GTI	:	Global Terrorism Index
MRC	:	Mombasa Republican Council
ATPU	:	Anti-Terrorism Police Unit
NTCT	:	National Counter-Terrorism Centre
PFLP	:	Front for the Liberation of the Palestine
GWOT	:	Global War On Terrorism
SUPKEM	:	Supreme Council of Kenya Muslims
GES	:	Global Enterprise Summit
WTO	:	World Trade Organization
TICAD	:	Tokyo International Conference on African Development
NATO	:	North Atlantic Treaty Organization
KDF	:	Kenya Defence Forces
UNHCR	:	United Nations High Commissioner for Refugees
ICJ	:	International Court of Justice
UNCTAD	:	United Nations Conference on Trade and Development
AMISOM	:	African Union Mission in Somalia

Table of Contents

Declaration	i
Dedication	ii
Acknowledgement	iii
Chapter One	1
1.0 Introduction To The Study	1
1.1 Background	1
1.2 Statement of the Research problem.....	3
1.3. Objectives of the Study	4
1.4 Literature Review	4
1.4.1 Foreign policy	4
1.4.2 Terrorism.....	7
1.4.3 Kenya’s Counter Terrorism Action	10
1.4.4 Relationship between terrorism and foreign policy	12
1.5 Justification of the Study.....	15
1.6 Theoretical Framework	16
1.7 Research Hypotheses.....	18
1.8 Methodology	18
1.8.1 Research design	18
1.8.2 Target population	19
1.8.3 Sampling procedures and Techniques	19
1.9 Chapter Outline	19
Chapter Two:	21
Background To Terrorism Attacks In Kenya	21
2.0 Introduction	21
2.1 Chronology Of Terrorist Attacks In Kenya.....	23
2.1.1 The 1980 Norfolk Hotel Bombing.....	23
2.1.2 The 1998 United States Embassy Bombing in Nairobi	24
2.1.3 The 2002 Terrorist Attacks in Kikambala	25
2.1.4 Other small scale attacks 2003 – 2012	26
2.1.5 The 2013 Westgate Shopping Mall Attack.....	30

2.1.6 Mpeketoni and Mandera attacks in 2014.....	31
2.1.7 The 2015 Garissa University College Attack	31
Chapter Three:	34
Evolution Of Kenya’s Foreign Policy	34
3.0 Introduction	34
3.1 Formulation And Implementation Of Kenyan Foreign Policy.....	36
3.2 Pillars Of Kenya’s Foreign Policy	39
3.2.1 Sources Informing the Kenya Foreign Policy.....	40
3.3 Kenya’s Foreign Policy: Fifty Years Later And Four Presidents.....	41
3.3.1 The Late President Jomo Kenyatta: 1963 -1978	41
3.3.2 Former President Daniel Toroitich Arap Moi: 1978 -2001	42
3.3.3 The Kibaki Administration: 2002-2012	44
3.3.4 Uhuru Kenyatta Administration: 2013- to date	46
3.4 Foreign Policy Instruments	48
3.4.1 Political instruments.....	48
3.4.2 Economic instruments.....	49
3.5 Actors Of Foreign Policy	52
3.6 National Security.....	54
Chapter Four:	57
The Geostrategic Position Of Kenya In Influencing Foreign Policy	57
4.0 Introduction	57
4.1 Kenya’s Geography, Foreign Policy And National Security	57
4.1.1 Closure of Refugee Camps	58
4.1.2 Border wall control.....	60
Chapter Five:	65
Critical Analysis Of Evolution Of Kenya’s Foreign Policy In Light Of Terror Attacks .	65
5.0 Introduction	65
5.1 Global Partners.....	66
5.2 Public Diplomacy In Foreign Policy	71
5.3 Influx Of Refugees, Terror Activities, Foreign Policy The Matrix	72
5.4 Change Of Strategy By Terrorist	74

5.5	Kenya Re-Engagement With Africa And The World On Terrorism	76
5.6	Kenya’s Exit Strategy From Somalia.....	81
5.6.1.	Ways to exit Somalia	82
5.6.2	Reasons For Exiting Somalia.....	84
Chapter Six	.....	86
Conclusion And Recommendations	.....	86
6.1	Conclusion.....	86
6.2	Recommendations	86
Bibliography	.....	89
Books.....	.....	89
Newspapers and Magazines .....	.....	92
Government and Official Documents .....	.....	92
Websites .....	.....	93
Un-Published Material .....	.....	93
Appendix	.....	94
Questionnaire .....	.....	94

Chapter One

1.0 Introduction To The Study

The internal security and foreign policy of a state are inextricably linked and any weakness in the state may lead to insecurity in all forms. Terrorism affects global security and this calls for intensive anti-terrorism policies to be put in place so as to support the global war on terror.¹ Terrorism has turned out to be a global problem and not a confine for Kenya. Every sovereign state in the world has had its foreign policies changed to ensure security for its citizen to deal with this new emerging challenge of the 21st Century. Foreign policies of different states are meant to achieve different objectives and roles. In achieving these roles and objectives, certain situations may arise leading to the threatening of the national security or the stability of the state hence Foreign policies been developed so as to provide states with security.

Kenya has for a long time pursued a non-interventionist foreign policy but due to the frequent attacks the government has changed tact and had its foreign policy evolved to a more combative one. Kenya has suffered a number of terrorist acts due to the fact with whom it associates with itself as allies that is Israel and United States of America. The Westgate Mall attack on 22nd to 24th of September 2013 was a turning point for Kenya's foreign policy which evolved to cover the counter terrorism and de-radicalisation aspects. Travel advisories from the West exposed Kenya's insecurity internationally hence opening a new era of diplomatic disputes which further catapulted Kenya to another diplomatic row with the West over the new Security Laws (Amendment) Act 2014 from security issues to violation of human rights issue. This study therefore seeks to critically analyze terrorism vis a viz foreign policy and at the same time evaluate the relationship between terrorism and foreign policy in Kenya.

1.1 Background

Terrorism draws its meaning from a Latin word "terrere" which means "to frighten".² Terrorism has become the preferred weapon by well organized terror groups who seem to be well informed against states they perceive to have a problem with. Terrorism is being regarded as one of the worst form of violence with far reaching social, economic and political impact on

¹Forest, J. J. (2011). Al-Qaeda's influence in Sub-Saharan Africa: Myths, realities and possibilities. *Perspectives on Terrorism* 5 (3) , 63 - 80.

² Record, J. (2003). Bounding the Global war on Terrorism. Carlisle Barracks. *Strategic studies Institute, US Army War College* , p 6.

states.³ Terrorists are using political objectives which have a religious connotation and a surprise element which draws resemblance to unorthodox guerilla tactics. Terrorism is evolving very fast with many terror groups springing up while at the same time using new and crude methods to drive their point home. Their weapons and global network are unmatched. For example, the Hamas, Al Qaeda, Boko Haram, Al Shaabab and the new Islamic State (IS) and (ISIS) are terror groups that blend their political aspirations with religious undertones. The long stretched out war between Israel and Palestine has continued to sour diplomatic relations between the United States of America and the Muslim states found in the Middle East hence used as motivation for mass recruitment of individuals by different terror groups so that they can see the destruction of Israel and embarrass America's military might. Al Qaeda used this strategy as a two-way assault to drive its point on a perceived enemy, the US and states that seem to oppose the jihadist movement regardless of being Islamic states.⁴

Africa, for a long time seemed to be immune from terrorist attacks but lately it has borne the brunt of these attacks. In addition, Africa is been targeted as a breeding ground to some dangerous terror groups such as the Al Shaabab and Boko Haram leading to recruitment of young men and women been lured with promises of financial and material gains. Kenya has however faced the biggest brunt of terrorist attacks since the U.S. embassy bombing in 1998 owing to its proximity to Somalia where the state of lawlessness has led to dominance of the Al Shaabab, which is regarded as a branch of Al Qaeda network. The Al-Qaeda cofounder and leader Osama bin Laden had looked forward to his death and laid down an arrangement which would ensure the continuity of an uprising which he had started was in motion. In August 1998 he declared his intention to die as a martyr and go to heaven to meet God saying that he was not afraid of death but rather his martyrdom was his passion which would lead to the birth of 1,000's of Osama's.⁵ In Kenya, small scale attacks have been on the increase indicating that the problem of terror in Kenya is not about to end any time soon.

The aftermath of September 11th 2001 Twin Tower attacks in the U.S. and the proximity of Kenya with Somalia, the US acknowledged Kenya as a major player in the international war

³ Chaliand, G. (2007). *The History of Terrorism: From Antiquity to Al Qaeda*. Los Angeles: University of California Press.

⁴ Anonymous, *Imperial Hubris: Why the West is Losing the War on Terror* (Washington, D.C.;Brassey's , 2004),pp.138-139

⁵ Osama bin Laden – interview – 23 December 1998 Rahimullah Yusufzai interview, in *ibid.*, pg53

on terror.⁶ This proximity of Kenya with war-torn Somalia justified the important evolving foreign policy aimed at combating terrorism. The Kenya Defence Forces (KDF) “invasion” of Somalia worsened the already sour relationship between the Kenyan government and Muslims in the Horn of Africa. Subsequently, attacks on Kenya were being carried out using the pretext of this invasion of Somalia by Kenya. As Isaac Newton’s third law of motion alludes that for every act undertaken, there is an equivalent and opposite response. Somalia’s invasion by the KDF has led to Kenya’s foreign policy changing with Kenya suffering more than fifty separate attacks supposedly carried out by the Al-Shaabab and its sympathizers.⁷

Kenya's foreign policy lacks a security pillar which is greatly to blame for the continued attacks and the country's inability to subdue this terror groups. There are five interlinked pillars that hold together Kenya's foreign policy. They include; peace, economic, diaspora, environmental and cultural pillars. The peace pillar advocates for the harmonization of Kenya's legacy in ensuring the county's development and prosperity through maintenance of peace and stability. The economic pillar is concerned with the achieving of a robust economic environment in order to turn Kenya into a middle income and industrialized economy by 2030 as stipulated in the Vision 2030 document. The Diaspora pillar aspires at bringing together assorted skills and capabilities of Kenyans who are living overseas while environmental and cultural pillars are concerned with the process of ensuring development of a sustainable environment.⁸ Kenya's foreign policy unfortunately is more slanted on the economic pillar determined to attract more foreign capital rather than having a security pillar which can give directions on dealing with terrorist and terrorism atrocities. Therefore Kenya’s economic dependence on the western states has shaped her foreign policy behavior.⁹

1.2 Statement of the Research problem

Terror attacks have increased, are more lethal and consistent since the first major terror attack in 1998. Foreign policy on the other hand has been dynamic and is evolving as emerging

⁶ Reprieve and Redress, , *Kenya and Counter Terrorism: A Time for Change*, February 2009 Available at; www.redress.org/.../Kenya%20and%20Counter-Terrorism%205%20Feb%2009.pdf [Accessed on 4th May 2010]

⁷ International Crisis Group (2012). The Military Intervention in Somalia. *A Journal of International Security* 184 , 1 - 24.

⁸ Ministry of Foreign Affairs. (2014). *Kenya's Foreign Policy*. Nairobi: Government Press.

⁹ Makinda, S. M. (4th April,1983,). From Quiet diplomacy to cold War Politics. *Third World Quarterly*, pp. 303 - 304.

issues keep on intensifying. This study intends to assess how Kenya's foreign policy has continued to evolve in the wake of terror attacks.

1.3. Objectives of the Study

The general objective of this study is to look at how Kenya's foreign policy has evolved in the wake of terror attacks (1998 – 2015) with specific objectives including:

- i. To critically analyze terrorism vis a viz foreign policy.
- ii. To examine the evolving Kenya's foreign policy since the 1998 bombing.
- iii. To evaluate the relationship between security threats and foreign policy in Kenya.

1.4 Literature Review

This section will review different works of several scholars covering two broad areas related to the study of terrorism and foreign policy showing how they are interlinked. The literature review focuses on gaining theoretical information related to terrorism attacks particularly in Kenya in order to find out how this turn of events has made the country's foreign policy to evolve as argued by different scholars. The three themes focused on literature review are terrorism, foreign policy and national security emphasizing the views of authors in the 21st century with reference to Kenya terror attacks between the period 1998 to 2015.

1.4.1 Foreign policy

C. Hill defined foreign policy of a state as a set of strategies of activities chosen by a state with the view of safeguarding its national interests while at the same time achieving its goals within the international arena.¹⁰ The world today is very dynamic with changes in events and situations thereby posing a real challenge to world leaders who are the policy makers.¹¹ These rapid changes are having effects on terms of trade, communication, technology and global financial networks bringing about great changes. As a result of these changes, states are opening up to interlink with each other since the world is becoming global village. Foreign policy is therefore the total summation of official interaction undertaken by a state in the international arena. The Latin word for foreign is "*Foris*" which means outside.¹² Policy is foreign because the world is separated into clear states. The actors in this case, states, need strategies for coping with foreigners at different capacities. By the actions that decision makers undertake, they

¹⁰ Christopher Hill, (2003). *The changing politics foreign policy*. Basingstoke: Pgrave McMillan.

¹¹ Beasley, B. (2013). *Foreign policy in comparative perspective 2nd edition*. Washington DC: Sage Publications.

¹² Christopher Hill, 'Foreign Policy', in Joel Krieger (ed.), *Oxford Companion to World Politics* (New York: Oxford University Press, 1993, and Revised Edition, 2001)

decide how foreign policy will take shape. Foreign policy according to Hill also implies consistency of politics therefore, everything a state generates officially in the international arena, consists of foreign policy. Foreign policy is therefore seen as how the state wishes to pursue its main objectives through its political activities and declaration thereby shaping the international world. Policy is the coordinated intention and glue which holds together a number of decisions and actions of state in the international stage. The pursuit of a foreign policy is the effort to carry out a conceived strategy by a state. In short, foreign policy looks at the political focus of a nation in relation with other nations. The politics are continuously changing depending on the nation and where it is regionally situated. We are living in dramatic times where every political action of a state has an effect on foreign policy both in an individual state and in the international level. A case in point was when Kenya wanted AU countries to pull out of ICC due to a case which President Uhuru Kenyatta was facing at the International Criminal Court (ICC). Foreign policy is about promoting prosperity and security as C. Hill adds. In fact, the main government's strategy is protecting its citizens, working with other states by intervening directly or indirectly so as to attain peace and stability in the world and at the same time achieve economic prosperity.¹³

Kenya's Foreign policy main function includes the need to protect its citizens abroad and this has been covered by our diaspora pillar as articulated in the Kenya's foreign policy document. The maintaining of territorial integrity and social peace against outside threats is another expectation of the foreign policy. In Kenya's situation, the peace pillar encompasses this. Foreign policy should also be concerned with negotiating a stable international order from which the threats emanate from. A good foreign policy should also aim at protecting the global commons such as global warming, overfishing, and even terrorism unfortunately these variables have not been encompassed in our foreign policy document.

Foreign policies of different countries are prone to change if there is change in their national security or if there are factors that tend to affect their stability as a country. Likewise, the foreign policy of a state can have overwhelming and long-lasting influence on many states which in effect could lead to profound transformation on how international affairs are carried out in the world. Business in the International arena changed with the 11th September 2001 attacks on the Twin Tower attacks in US. US President George W. Bush in his State of the Union

¹³ Christopher Hill, *The Changing Politics of Foreign Policy*, New York: Palgrave Macmillan, 2003 pp1-47

Address after the attack gave an ultimatum to states to choose if they were for or against the US, since states which aided terrorists were also evil and through their actions security in the world had been compromised.¹⁴ Due to the chain of events that were brought about by the 9/11 as the September attacks have been referred to, a declaration of a “war on terror” started in earnest.

A well functioning state should have proper institutions of justice, the police and armed forces, public administration and a proper constituted parliament which holds the political life of a nation. The purpose of these institutions is to ensure continuity, law and order and common purpose for its citizens and these institutions should not be put in the hands of a clique of a few elite people. These institutions represent the public which the government runs in trust of the citizens who have elected the government. Kingdoms cannot therefore be referred to as states as they lack the independent machinery to protect the trust of the citizenry. The Constitution is another defining feature of a state. For a state to get legitimacy, it must act as a guardian of civil society while at the same time maintaining equal treatment and offering basic rights before the law for all, ensuring accountability of those in positions of power and protecting public funds. Therefore a state must ensure freedom for all is well protected. The third attribute of a state is the recognition in the international system where lack of this, does not merit a state being a state.

States and foreign policy are almost inseparable though there are other actors whose actions resemble foreign policy. For example, unrecognized states may conduct independent strategies which may be difficult to implement as was the case of Taiwan and North Cyprus in 1974. Before 1994, Palestine was a state of people who were disposed. Transnational companies are not different from states since their global strategies go beyond marketing their products and are major players in international politics. Some of these transnational companies reap beneficial in times of peace while others will reap beneficially in times of wars.

In summary, foreign policy varies from individual states, governments and transnational actors. Domestic and foreign policies are recognized as increasingly inseparable and they are interconnected as a part of the overall political processes in a country. Petrec notes that foreign policy affects domestic policy, while internal policy and a given situation in any country often distinctively influences foreign policy together in its direction and implementation.

¹⁴ State of the Union Address, September 20,200, <http://www.whitehouse.gov/news/releases/2002/01/200220129-11.html>

1.4.2 Terrorism

Terrorism is the use of aggression against innocent individuals or persons who are not armed and with the sole aim, of causing intimidation, panic and fear within the targeted group of individuals.¹⁵ A terror group or terror cell is a collection of individuals that belong to a non-state entity using acts of terrorism in order to achieve its objectives. These terror groups and cells draw their overall organizational framework and tactical direction from some central command and control apparatus.¹⁶ In history, no society or nation can claim monopoly on terrorism, leaving terrorist acts marked on many geographical spheres. Insurgents or the terrorists have always fashioned political terrorism as a mode of warfare, something which has become a nuisance globally. This has led to major re-alignments between states and development of foreign policies in different states to curb this menace.

A terrorist is an individual or a group of persons who go up against established order in a state or in the world. Any Government that uses force to oppose the terrorists or quell their actions is considered as a counter-terrorists.¹⁷ The term ‘terror’ was coined from the French Republic in 1975 when France came up with a policy to protect itself against the revolutionaries. The Bolsheviks used terror to sanction their actions against adversaries of the state.¹⁸ The US identified regions in Sub-Saharan Africa as most susceptible and prone to home-grown and international terrorism. States in East Africa and the Horn of Africa (Sudan, Ethiopia, Eritrea, Djibouti, and Somalia) were singled out. This region is highly attractive to terrorist actions due to the fact that it has been experiencing both internal and regional conflicts in the recent decades. Some terrorist groupings are associated to Islam while others operate under the cover of political change. The LRA has used terror campaign in its fight against the government of Uganda though it claims to be a Christian organization.

East Africa and the Horn of Africa region have faced three types of terrorism. Firstly, international terrorism was carried out with the main goal being to harm a third party as was the case for United States and Israel during the bombing of the American embassies in Dar es Salaam, Tanzania, and Kenya by al-Qaeda in 1998 and the synchronized al-Qaeda attacks at

¹⁵ Pape, R. (2003). The strategic logic of suicide Terrorism. *American political science Review* vol 97 No. 3 , 343 - 361.

¹⁶ Pillar, P. (2001). *Terrorism and U.S. Foreign Policy*. Washington DC: Brookings Institution Press.

¹⁷ Greaty, C.(2003) “Terrorism and Morality”, paper delivered at the London School of Economics, London, January

¹⁸ Sinclair, A. (2003) “An Anatomy of terror – a history of terrorism”, (London:Macmillan)

Mombasa, Kenya, in 2002 against an Israeli airliner and a hotel which had hosted Israeli tourists. Secondly, the other kind of terrorism is when civilians are targeted as was witnessed when neighboring Somalia terrorist group, al-Ittihad al-Islami (AIAI) targeted civilians in Ethiopia in the 1990s. Another example of civilians being caught in the middle is during the attacks in the Sudan-based Eritrean Islamic Jihad (EIJ) which took place in Eritrea killing civilians though their intended target was the military. The third category of terrorist attacks happens when indigenous organizations carry out attacks to humiliate, harm, or even overturn a legally elected government though these attacks are not aimed at third parties. A case in point is the Lord's Resistance Army (LRA), Allied Democratic Front (ADF) in Uganda, Ogadeni National Liberation Front (ONLF) and Oromo Liberation Front (OLF) in Ethiopia are examples of such organization which have carried out terrorist attacks in Uganda and Ethiopia.¹⁹

For a long time, the Horn of Africa has suffered protracted conflicts with the root causes being both varied as well as myriad. The causes of the conflict include; ethnicity, cultural differences, boundaries which are disputed, religion, conflicting ideologies, struggle for scarce resources, inequitable sharing of resources which are managed by the state, and the sheer ambition for power. These conditions fan directly or indirectly conflicts creating a fertile ground for terrorist attacks. Other conditions include; poverty and social injustice, long porous borders, weapons that are readily available, limited financial resources and lack of qualified personnel to counter the activities of terrorist elements. Corruption combined with low pay for security personnel is also a contributing factor for terrorists to seek support.

To understand terrorism in the region, the inter-connectedness of conflicts cannot be overlooked since conflicts have resulted to refugee influx from all directions. To pledge their loyalty, refugees will offer their support for a rebel group in a certain country. This support, in turn, causes the affected country to back another rebel organization against the offending government. For example, Ethiopia, Uganda, and Eritrea at one point supported the Sudan People's Liberation Army (SPLA) against Khartoum while Khartoum supported the LRA against Uganda, the OLF against Ethiopia, and the EIJ against Eritrea. This has developed into a

¹⁹ David H. Shinn; Journal of Conflict Studies, Vol. XXIII, No. 2, Terrorism in East Africa and the Horn Vol 23, No 2 (2003)

prolonged conflict in the region with no indication of the conflict subsiding thereby increasing the prospects of terrorism activities.²⁰

Kenya was ranked in Africa by the Global Terrorism Index (GTI)²¹ as one of the countries highly threatened by terrorist attacks from Al-Shabaab's due to the country's increased activities in Somalia. The Global Terrorism Database (GTD)²² indicated that during the year 2014 alone, Al-Shabaab committed more than eighty attacks in Kenya, which had increased from the seventy four attacks that had been committed in the year 2013 this being contrary to Kenya's commitment in putting an end to terrorism.

The interventionist policy pursued by the Kenyan government through the invasion of Somalia rubbed other nations, especially those dominated by Muslims, the wrong way. This situation was worsened by the perceived alienation of Muslims in Kenya which is a dominant religion at the coastal and northern region. Muslims therefore become more unified after sensing this alienation which turned into hostility and suspicion due to mysterious killings of their "religious leaders" such as Sheik Aboud Rogo, and "Makaburi" for their radical Islamic teachings. The earlier emergence of a secession group in Mombasa which was known as Mombasa Republican Council (MRC) came about due to this perceived alienation. In retaliation to this perceived marginalization, many Muslim youths have been radicalized and even gone to Somalia to join the Al-Shabaab.

The Kenyan foreign policy is partly to blame for paying little attention to internal security while fighting the perceived external enemy. Little attention has been given to the on-going recruitment of youths to join the Al-Shabaab and the persecution of Muslims under the excuse of fishing out the terrorists. This perception has been viewed as the main cause of extensive radicalization ideology of extreme views amongst the Muslims in Kenya.²³ The rampant attacks on police stations which are icons of security highlight the dire security situation in Kenya. It appears therefore, that there exists a wide gap in objectives of the Kenya's foreign policy and the need for reviewing the current foreign policy.

²⁰ Lionel Cliffe, "Regional Dimensions of Conflict in the Horn of Africa," *Third World Quarterly* 20, No. 1 (February 1999), pp. 89- 111

²¹ Global Terrorism Index. (2014). *Measuring and Understanding the impact of Terrorism*. New York: Institute for Economics and Peace

²² Miller, E. (2015). *National Consortium for the study of terrorism and response to terrorism: Global Terrorism Database*. New York: National Consortium for the Study of Terrorism and Responses to Terrorism.

²³ Aronson, S. L. (2012). United States aid to Kenya: A study on regional security and counterterrorism assistance before and after 9/11. *African journal of criminology and justice studies* 5 (1) , 119 - 126.

1.4.3 Kenya's Counter Terrorism Action

The lack of clear effective counter-terrorism legislation in Kenya has had an impact on her foreign policy and further acting as a catalyst in violation of human rights since the boundaries of impunity are unmarked.²⁴ This notwithstanding, Kenya has used several methods to fight terrorism²⁵ such as the establishment of National Security Intelligence Service (NSIS), the creation of Anti-Terrorism Police Unit (ATPU) in 1998, Joint Terrorism Task Force (JTTF), the establishment in 2003 of National Counter-Terrorism Centre (NTCT), National Security Advisory Committee which was established in 2004 but has since ceased to exist, Terrorist Interdiction Program (TIP) which uses screen technology on tourists and individuals who are arriving at the Kenyan airports and crossing over the border.²⁶ Other counterterrorism strategies Kenya has put in place are legislative reforms, trainings, bilateral and multilateral collaborations with other states such as the US, Israel and South Africa especially on matters of security.

These counterterrorism actions concentrated heavily in the North Eastern and Coastal region of Kenya areas predominantly Muslim populated. This led to allegations arising that individuals who were being arrested and held in custody were being discriminated on the basis of their ethnicity and religious affirmation.²⁷ Counterterrorism agencies were associated with violation of human rights concerns and these violations included, arbitrary arrests leading to denial of visits and access by family members²⁸ and legal counsel, lack of trial within a reasonable time, incommunicado detentions,²⁹ torture and other inhuman treatment, violations of detainees' rights, and infringement on the right to have habeas corpus.

Kenya expressed her support for the 1373/2001 UN Resolution during the 56th General Assembly which called on all member states to offer support against terrorism.³⁰ In relation to

²⁴ Samwel Mukira Mohochi "Preventative Counter Terrorism Action": Case Study of Kenya
<https://www.researchgate.net/publication/228214415>

²⁵ J.S Omutola, Accord, 'Assessing Counter terrorism Measures in Africa' Conflict Trends Issue no 2 of 2008 PP 45
Available at http://www.accord.org.za/downloads/ct/ct_2008_2.pdf

²⁶ Combating Terrorism Center, „Al-Qaida"s Mis-Adventures in the Horn of Africa Case Study Kenya"
<http://www.ctc.usma.edu/aq/pdf/Harmony%20II%20Chapter%204%20Kenya.pdf> pp11

²⁷ Amnesty International, *Kenya: The Impact of "Anti-Terrorism" Operations on Human Rights*, 23 March 2005, AFR 32/002/2005, available at: <http://www.unhcr.org/refworld/docid/42ae982b0.html> [accessed 4 May 2010] Pp 9.

²⁸ Amnesty International, *Kenya: The Impact of "Anti-Terrorism" Operations on Human Rights*, 23 March 2005, AFR 32/002/2005, available at: <http://www.unhcr.org/refworld/docid/42ae982b0.html> [accessed 1 May 2010] pp 286

²⁹ Ibid pp 15, On 13 February 2007, Mohamed Abdulmalik, a Kenyan citizen was arrested by the Anti-Terrorism Police Unit in a café in Mombasa and held incommunicado until 13 days later when the US ambassador in Kenya announced that Mr. Abdul Malic was in Guantanamo ay facility where he remains to date.

³⁰ UN Security Council, Letter dated 2002/09/29 from the Chairman of the Security Council Committee established

counterterrorism, Kenya further affirmed to eleven existing international treaties and conventions ratifying the 2002 Protocol on Convention of Prevention and Combating of Terrorism of 1999.³¹ In summary, the peculiarity of Kenya's geopolitical positioning brings with it the need for a clearly defined legislation on counterterrorism against potential terror attacks.

Since the start of the Somalia war, two unique cases have proved to be the pride of Kenyan military. First, the victory at the port city of Kismayu on September 2012 which had been codenamed "*Operation Sledge Hammer*" was carried out through a seaborne (amphibious) landing, the first one of its kind by an African military force. The second triumph was the intriguing capture of a small town, Badhadhe in the Gedo region, southern part Somalia. This city was of interest because it was full of Al-Shabab militants and was captured by a special force known as Special Operations Regiment (SOR) which is part of KDF forces, well trained in intelligence gathering, experts in weapons, and battlefield medicine.

The SOR began its revolution with Somalia and has been used more aggressively in the past five years. This special force has increased its presence along the Kenya borders due to the demand for its uniqueness in the use of unconventional warfare and counter terrorism. The force is also tasked in identifying risks and providing advice to government officials in the field of security. The special force is tasked in guarding the President and other foreign dignitaries security when they visit the country. Another unit is the Long Range Surveillance (LRS) team which is highly reserved and whose activities include the carrying out of difficult and secret military missions, including obtaining information behind enemy lines. The special force is trained in using unorthodox methods in war missions where it is extremely frustrating to differentiate a civilian from a combatant.³² Eddie Njoroge agrees that the frequent use of special forces is necessary because conventional approaches in deterrence have become inadequate.

On May 2016, Kenya was ranked as the 11th African country with a powerful military in Africa by the Global Firepower agency which looks at the military power of nations. The agency further ranked Kenya's military as one of the best in East Africa. The ranking was based

pursuant to resolution 1373 (2001) concerning Counter-terrorism addressed to the President of the Security Council, 31st July 2002, S/2002/856, available at: <http://ods-ddsny.un.org/doc/UNDOC/GEN/N02/517/02/IMG/N0251702.pdf?OpenElement> [accessed 8 May 2010] pp 3

³¹ Reprieve and Redress, , *Kenya and Counter Terrorism: A Time for Change*, February 2009 Available at; www.redress.org/.../Kenya%20and%20Counter-Terrorism%205%20Feb%2009.pdf [Accessed on 4th May 2010] Pp 34

³² Nyambega Gisesa, : Kenya's elite forces have become more lethal since Somalia entry; Sunday Daily Nation October 9, 2016 pg 27

on human personnel, equipments, geographical positioning, logistic as well as finances against a backdrop of sarcasm by Uganda's President Yoweri Museveni who taunted the Kenya Defence Forces as a career army that was only good for marching during parades.

1.4.4 Relationship between terrorism and foreign policy

To restore lasting peace in the world, all the countries in the world have realized that the fight against terrorism cannot be won by one country in isolation but rather to as a combined effort. This understanding has had a great impact on the way foreign policies have been shaped.³³ A case in point is the Africa Union's (A.U.) whose approach to security involves both military and non-military factors which are to a greater extent influenced by the recommendations of the 2000 Brahimi report. This report argued for a broader approach to United Nations (U.N.) peacekeeping with bigger and better equipped missions.³⁴ Through this report, the A.U. deployed Peace Support Operations (PSOs), which is a multidimensional approach to conflict. This therefore necessitated concerted efforts by all the member countries to fight the common enemy and which to a great extent has been shaping the foreign policies of the A.U. member countries.

Foreign policy is often influenced by the domestic political situation and by those who have power in domestic politics.³⁵ When foreign policy depends on domestic policy, it is harmful to the State's role in the international community and its external relations; however, the impact of domestic policies and conditions within a country on foreign policy is important. The relation between the two policy fields is in practice a continuous and bi-directional process of mutual influence to the extent that the consequences of domestic policies on foreign policy is normally evident both on the choice of foreign policy goals and on the maintenance of the national interest.³⁶ In democratic countries, for example the United States, change of regime hardly leads to drastic changes in foreign policy. Foreign policy which is mainly consistent and stable is usually affected by the ever changing domestic political ongoing and the political balance of power within a country. To understand better the current foreign policy and where it is headed to, the study of internal political relations and policies within a country is important.³⁷

³³ Vogt, A. (2005). Towards a comprehensive self-sufficient African peace operations capacity: fact or fiction? *In conflict trends, issue 4 (South Africa, Accord)* , 24 - 29.

³⁴ United Nations. (2000). *Report of the Panel on United Nations Peace Operations (Brahimi Report) August 2000*. New York: United Nations.

³⁵ Ibid., p. 112

³⁶ Ibid., p. 113.

³⁷ Ibid., p. 113.

Soft power approaches such as diplomacy which uses persuasions is a strategy of foreign policy used by democratically governed countries among many other strategies. Whilst dictatorships and totalitarian regimes lean towards methods such as ‘hard’ power, threats, actual use of force and pressure in foreign policy. Foreign policy must deal with diverse and digressing interests of sovereign states³⁸ and the decisions that may arise may not only cause reactions in the country for which they are intended, but may affect a number of countries which also have their own interests. These decisions are likely to trigger off varied reactions in the international community. Foreign policy of any state is actor specific and reactive since it is formed not as an initiative but rather a response to emerging issues and usually it is shaped by global and regional conditions and circumstances, although underlying principles and issues may be in the play. Foreign Policy tend to have a bipartisan support because decisions reached may affect a country’s relationship with a number of countries, thereby making these decisions a delicate balancing act.

Terrorism analyses the connectivity between states and other actors in their interactions with each other over authority.³⁹ Terrorism is one of the most unclear terms with no thorough explanation.⁴⁰ Terrorism is the intentional killing of civilians, or the use of unconventional methods to cause extensive damage to property, with the sole purpose of spreading fear through a population and passing a political message to a third party, usually a government.⁴¹ Kenya became a reliable stakeholder in the Global War on Terror (GWOT) after the attacks in US on 11th September 2001. Historically, Kenya has always been an ally of the United States, and the importance of this friendship was underscored following several major incidents in the last two decades. In 1998, both American embassies in Nairobi and Dar es Salaam (Tanzania) were attacked, leaving hundreds of people dead and bringing about a shift in U.S foreign policy. It became clear that terrorism in Kenya was not only limited with the confines of the country but was a world affair. Implications that arose from these attacks indeed affected global security and

³⁸ Ibid., p. 117.

³⁹ Onkware, K., Odhiambo, E.O.S., & Ntabo, O.M. (2010) “Counter –terrorism Strategies by Kenya against Somalia Terrorism”. Egerton Journal of Humanities, Social Sciences and Education, Vol.IX, pp99-109

⁴⁰ Schmid, A.P. (2004). “Frameworks for Conceptualizing Terrorism”, Terrorism and Political Violence, Vol.16 No.2 pp, 197-221

⁴¹ Waltzer, M. (2002). “Five Questions about terrorism”, Dissent, Vol. 49, No1

creating a need for successful anti-terrorism policies to be put in place so that they could promote the Global War on Terror.⁴²

Throughout its history, Kenya has suffered regular and consistent terrorist attacks. The August 7, 1998 attack was the most distressing since it was the first attack with a high magnitude of huge massive destruction that left two hundred and thirteen people dead. This attack had been carried out by Al-Qaeda and it was coordinated simultaneously with the bombing of the U.S. Embassy in Dar es Salaam, Tanzania, which left twelve people dead.⁴³ November 28, 2002, the Al-Qaeda militants struck again at the Israeli-owned Paradise Hotel in Mombasa, killing fifteen people.⁴⁴ Similarly to the US embassy attack, the attack in Mombasa was carried out to occur at the same time with the bombing of an Israeli charter plane in the same city, missing narrowly the target. The rise of these attacks was the direct consequence of the al-Shabab uprising in neighboring Somalia. On 1st October 2011, Marie Dedieu, a disabled 66-year-old French woman, was kidnapped from her home at Manda Island by suspected al-Shabab gunmen.⁴⁵ Its during this period of detention that she died.⁴⁶ 13th October the same year, two female Spanish Médecins sans Frontières aid workers were kidnapped from Dadaab refugee camp situated in the Northern part of Kenya, and taken to Somalia.⁴⁷ These series of cross-border attacks and kidnapping incidents, provoked Kenya's military on 14th October 2011 to invade Somalia by deploying troops⁴⁸ in pursuit of al-Shabab terrorist groups under the banner "*Operation Linda Nchi*".⁴⁹ Earlier on in 2010, the Kenyan military had undertaken an underground operation known as "*Operation Linda Mpaka*" to avert Al-Shabab militants from entering Kenya.⁵⁰ Since the Kenyan military intervention in Somalia, the Al-Shabab militants have executed a number of terrorist attacks on Kenyan soil.

The first post-invasion attack targeting civilians in Kenya took place on 24th October 2011, with militants throwing a grenade at Mwaura's pub situated along Mfangano Street in

⁴² Samuel L. Aronson, Kenya and the Global War on Terror: Neglecting History and Geopolitics in Approaches to Counterterrorism pg24

⁴³ ibid

⁴⁴ BBC broadcast on 28th Nov. 2002

⁴⁵ Xan Rice and Kim Willsher, "French Woman Kidnapped by Somali Militants Dies," Guardian, October 19, 2011

⁴⁶ ibid

⁴⁷ Xan Rice, "Two Aid Workers Kidnapped From Kenyan Refugee Camp," Guardian, October 13, 2011

⁴⁸ Jeffrey Gettleman, "Kenyan Motives in Somalia Predate Recent Abductions," New York Times, October 26, 2011.

⁴⁹ Operation Linda Nchi; Kenya's Military Experience in Somalia(Nairobi: Kenya Defence Force,2014)

⁵⁰ Kenyan military intelligence document cited in Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2002 (2011), UN doc. S/2012/544, 13th July 2012 p 225

Nairobi, wounding twelve people. Another grenade attack was hurled at a bus terminal in Nairobi, killing one person. On 5th November saw the East Africa Pentecostal Church in Garissa, being attacked and leaving two people dead.⁵¹ This incident led to an escalation of attacks in 2012 more pronounced on Churches. In one incident, on 30th September 2012, the militants threw a grenade into St. Polycarp's Anglican Church in the Eastleigh area of Nairobi. The grenade struck Sunday school children service, killing one child. Again on 17th October 2012, a grenade was thrown at officers from General Service Unit (GSU) killing one officer who were carrying out operations aimed at smoking out terrorist in the coastal city of Mombasa.⁵²

2nd April 2015, a terrorist group gained entry to the Garissa University College in killing one hundred and forty eight students and wounding dozens. This assault marked the most heinous terrorist attack, shocking both in its length having lasted fifteen full hours and brutality. The attack was later on found to have been masterminded by a former student of University of Nairobi. Terrorists target learning institutions because students act as soft targets due to their high number of population and lack of weapons. A soft target is a mainly a vulnerable place where people who in large numbers gather together, thus presenting the potential for mass casualties.⁵³ Practicalities aside, there are no justifiable reasons, whether political or cultural for a terrorist to target learning institutions since students make up different political and cultural spectrums.⁵⁴

1.5 Justification of the Study

To the field of academia, the study is expected to contribute valuable knowledge on the evolution of foreign policy in the wake of increased terror attacks. The study will try to fill the gap that exists in formulation of evolving foreign policy due to the increased terror attacks by explaining the matrix between new foreign policies that are arrived at due to terror attacks. The study will offer researchers a framework to build on so as to come up with a way of exiting Somalia.

The study is expected to suggest significant policy statement to the Government, through its recommendations on various policies in its cyber security, homeland security, intelligence

⁵¹ ibid

⁵² Eugene Okumu, "One Police Officer Dies and Several Injured in Grenade Attack," The Star, October 17, 2012.

⁵³ E. O Odhiambo et al, Learning institutions vulnerability to terrorism. A case study of Garrisa university college, Kenya pg21-30

⁵⁴ Zirulnick, Ariel (2015) *Kenya university attack puts security capabilities under fresh scrutiny*". Christian Science Monitor Retrieved 3rd April 2015

gathering, investment and management of blood bank and nyumba kumi initiatives. Such recommendations will inform formulation and implementation of foreign policy. Although studies have been done on Kenya's foreign policy, more still needs to be done on evolving foreign policy in the wake of increased terror groups.

1.6 Theoretical Framework

This study will use the Rational Choice theory which gained popularity from Anthony Downs's inflectional work and quickly became a renowned discipline in most branches of social science. The name rational choice theory in itself carries several meanings in social science. The rational choice theory represents an actor's decision making and goes further to defining what rationality is. Rationality Theory states that rational people make decisions based on the consideration of the expected benefits, with minimal cost on each action, and doing otherwise would be irrational. This theory has made foreign policy to be understood from a cost benefit analysis where states make decisions based on what they perceive will benefit them while incurring as minimal or no costs. Terrorism is and continues to be one of the most critical problems affecting foreign policy decision makers. The decision makers of foreign policy have been forced to apply the game theory in order to fully understand what motivates terrorists, the best alternatives in tackling terrorism, the organizational structures in terrorists organizations, as well as understanding the best constructive counterterrorism strategies.⁵⁵ Terrorism is the result of a multifaceted social process and it is a communal action carried out by humans who are social beings.

International law and rational choice theory have been for a long time closely attached. Realist thinkers in international relations have used rational choice theory in explaining states' behavior. The rational choice approach in international law poses two questions. First, what are the effects of international law and how effective is it and secondly why do states legalize their relations? International law gained its prominence following the consequences of the Westphalian peace treaty, where the state was analyzed as a unitary actor. Rational choice theory may be used to identify major problems, offer legal solutions, explain the structure or function of international legal rules or institutions, and re-adjust particular institutions or international law. Further rational choice theory has been used to explain and forecast states'

⁵⁵ Bueno de Mesquita, B., and Downs, G.W. (2005) *The Rise of Sustainable Autocracy* (with G.W. Downs). *Foreign Affairs* 84 (5), 77–86. and Bueno de Mesquita, E., and Dickson, E. (2007) *The Propaganda of the Deed: Terrorism, Counterterrorism, and Mobilization*, *American Journal of Political Science* 51 (2), 364–81.

behavior since states pursue power logically unlike the classical realists and neorealist's who pursue competition of security in the anarchical system of international world.

Graham Allison suggested three types of models which explain how and why foreign policy decisions are undertaken during the times of crisis and came up with the Rational Actor Model, Bureaucratic Politics Model and Organizational Process Model. The Rational Actor Model is used to explain or account for foreign policy behavior as goal directed, resulting from carefully thought choices made by leaders who have clear set out goals.⁵⁶ Therefore, foreign policy decision is the product of rational behavior.⁵⁷ This assumption of the Rational Actor Model or the decision-making approach was made popular by Graham Allison. The decision maker, like any other normal individual, will look at the most beneficial course of action and evaluate the likely consequences of each in terms of cost and benefit. The action undertaken from the decisions made will lead to attaining the desired goal. Using this approach, the government is personified, and assumed to be like an individual making decisions which will end up benefiting the state.⁵⁸

The Rational Actor model of foreign policy decision-making was not without criticism. Jones, R.E criticized Rational Actor model and argued that human behavior is imperfect hence contradicting a very central assumption in the model which emphasizes the sanity of the individual as a decision maker. This criticism was also emphasized by Brian White who opined that the mind of the decision maker always has distortion and the distortion can occur due to plenty of information or scarcity of it caused by bias.

Michael Clark brought in the environmental factor in the decision-making process of foreign policy. He suggested that the decision-making process does not refer only to making conscious choices, but also certain variables such as personality of an individual, organizational, institutional and environmental aspects help in shaping of events. The behavior of the decision-maker is conditioned by factors which operate outside the limitations of the foreign policy system, but which can significantly help into the input of foreign policy system. The disadvantage of Rational Actor Model is that, it does not acknowledge that the individual, say

⁵⁶ G.T Allison, 1971, *Essence of Decision: Explaining the Cuban Missile Crisis*, Boston, Little, Brown, p. 23

⁵⁷ B White, 1989, "Analyzing Foreign Policy: Problems and Approaches" in Clarke, M and White, B (Eds) *Understanding Foreign Policy. The Foreign Policy Systems Approach*, Aldershot, Hants, Edward Elgar Publishing Limited, p. 11

⁵⁸ M. Mwagiru, 2004, *Diplomacy: Documents, Methods and Practice*, Nairobi, Institute of Diplomacy and International Studies, p. 136.

the President is encircled by a group of individuals who are his think tank and whom information and policy alternatives emerge from. These “think tank” individuals are likely to influence decisions, because they provide the necessary information and alternative narratives from where the rational leader is able to pick the best option from. Hollis and Smith also criticized the Rational Actor Model by posing a question as to whether the rational decision-makers are of the kind proposed in the Game Theory arguing that the Rational Actor Model developed from the Game Theory. Further, they posited that the Rational Actor framework relies on a misleading notion of perception since actors see the world in a certain way because their perceptions is shaped by societal, cultural, historical or economic factors. Jervis agreed to this argument stating that decision makers misperceive and make errors in judgment in assessing information.⁵⁹

In this regard, Allison’s model of foreign policy decision making is relevant in this study in analyzing the head of states Kenya has had and their decisions in shaping Kenya’s foreign policy. The rational model is therefore ideal in assessing the role of the head of state, the role and influence of government ministries and departments while the organizational model will form a basis to judge the output of Kenya’s foreign policy in light of eminent external threats.

1.7 Research Hypotheses

The study will test the following hypotheses

1. Kenya’s foreign policy has continued to be reactive rather than proactive
2. Systematic terror attacks play a major role on Kenya’s foreign policy
3. Kenya’s foreign policy has been subjected due to her geostrategic position near the epicenter of terrorism extremism.

1.8 Methodology

1.8.1 Research design

The study used an analytical design which involved analyzing both primary and secondary data gathered on terrorism and foreign policy covering a period of the last eighteen years covering the scope of the study. Data collection was in two forms; primary method and secondary data. The latter was obtained from publication of scholars, journals, government reports of published materials, newspapers and news-letters and journals.

⁵⁹ R. Jervis, 1976, Perception and Misperception in International Politics, Princeton, Princeton University Press, pg 11

1.8.2 Target population

Respondents in this study were drawn from a number of places and this involved interviewing of two security experts, twenty personnel from the Ministry of Foreign Affairs as well as forty individuals from the Ministry of Interior and Coordination of National Government which covered the National Registration Bureau, National Police, Prisons and Immigration departments and twenty individuals from the general public. Though information obtained from the interviewees was limited in scope since the individuals interviewed cited sensitivity of information sought.

1.8.3 Sampling procedures and Techniques

Primary data was collected using questionnaires and interviews which were administered to the sampled group from the largest population. Due to logistical issues of time, cost, amount of data involved a sample was chosen. Both probability and non-probability sampling techniques were used to acquire a sample that provided reliable and accurate data. The strata below was used.

Table 1.1 Sampling of Respondents

<i>Sector</i>	<i>Number of interviewees</i>
Min of Foreign Affairs	20
Security experts	2
Min of Interior & Coordination of National Government	
N. R. B	15
National Police	3
Prisons	10
Immigration	12
General public	20
Total	82

1.9 Chapter Outline

Chapter one covers the background of the study, Statement of the research problem, objectives of the study, literature review, justification of the study, theoretical framework, hypothesis and the methodology that was used in this study.

Chapter two analyzed terrorism activities in Kenya that took place between year 1998 to 2015. The terror activities include: a brief overview of 1980 Norfolk Hotel Bombing, the 1998 United States Embassy bombing, the 2002 terrorist attack in Kikambala, other small scale terrorist attacks between 2003 to 2013, the 2013 West Gate Shopping Mall Attack, and lastly the 2015 Garris University attack.

In chapter three, Kenya's foreign policy was assessed. The formulation and implementation of Kenya's foreign policy, the pillars of Kenya's Foreign policy were covered. Kenya's foreign policy under four different presidencies, the key foreign policy instruments, the actors and sources that inform the Kenya's foreign policy, the relationship between foreign policy and national security policy were also articulated.

Chapter four detailed the evolution of Kenya's foreign and her security policy in the wake of terrorism activates. This chapter further looked at Kenya's geography, her foreign policy and national security. The closure of Refugees camps and border control were subtopics which resulted from the influence of increased terror activities and evolution of foreign policy.

Chapter five critically analyzed evolution of Kenyan foreign policy in light of terror attacks, matrix of influx of refugees, terror activities and foreign policy, the change of strategy by terrorists, Kenya's re-engagement with Africa and the world on terrorism and finally the chapter had a look at Kenya's exit strategy from Somalia, ways and reasons for exiting Somalia.

Chapter six drew up conclusions of the study, and offered the researchers' various recommendations which can be used to provide solutions in the reduction of terror activities as the foreign policy of the country continues to evolve.

Chapter Two:

Background To Terrorism Attacks In Kenya

2.0 Introduction

This chapter takes a look at terrorism attacks that have taken place in Kenya and how the behavior of Kenyans has changed with the increased terror attacks. This chapter also takes a look at why Kenya is considered a soft target by terrorists. In defining what terrorism is B. Hoffman elucidated that terrorism is the intentional design and use of fear through violence or the threat of violence in the quest of delivering a message of political ideology with the intention of setting in motion far-reaching effects beyond the immediate victim and instilling fear to a wider target audience. All politics is a struggle for power and supreme power is achieved through violence as C. Wright Mills wrote.⁶⁰ Terrorism is the interjectory of politics and violence is the vehicle for achieving power. This quest for power is meant to take over, compel, scare and control for effective deep-seated political change. Terrorists operate in a manner that is meant to ensure their plans will have maximum shock on the citizens of a nation, impress other terrorist likeminded organization and intimidate nations. Therefore, terrorism is not accidental but rather intentional, well orchestrated application form of brutality. Its objectives include, attention via their dramatic hair raising acts of violence with the aim of raising publicity from news and social media coverage. Having obtained the attention, especially from the international community who will condemn in no uncertain terms the terrorists actions, the terrorist will seek to translate their new found notoriety into acknowledgment by issuing statements that they are the ones who have carried out the heinous acts thereby capitalizing on the interest that they raised up. Armed with this fact of recognition, the terrorist will seek to effect changes in a legally constituted government, reorganize wealth, try to change geographical boundaries, and seek acknowledgment of their religious extremism which is all part of their radical ideology. Terrorists will seek to acquire complete control over the state, and or the people of the state.⁶¹

As earlier mentioned in chapter one, terrorism draws its meaning from a Latin word "*terrere*" which stands for "to frighten".⁶² The modern form of terrorism was born from the

⁶⁰ C.Wright Mills, *The power Elite* (London: Oxford University Press,1956)p.171

⁶¹ Bruce Hoffman, *Inside Terrorism*, Chap 8 - *The Modern Terrorist mind-set; tactics, targets, tradecraft, and technologies* pps229-256

⁶² Record, J. (2003). *Bounding the Global war on Terrorism*. Carlisle Barracks. *Starectic studies Institute, US Army War College* , p 6.

French Revolution, Reign of Terror of 1793 - 1794.⁶³ Terrorism has become the most preferred weapon by well organized and informed terror groups against nations that they perceive to have a problem with. It is one of the most violent form of psychological warfare with far reaching psychological impact than its physical impact.⁶⁴ Notwithstanding their political objectives, today's form of terrorism has a religious undertone. B. Hoffman posits that the wrath of the terrorist is rarely controlled, his thoughts well calculated and carefully planned. The terrorist acts are deliberate, planned and executed with the intention of passing on a message, in a manner that will be synchronized to reflect the terrorists' group's particular aim and motivation. The cowardice act must fit the terrorist capabilities, resources and the target audience to which the act is directed at. High gathered intelligence is of critical importance for the success of a terrorist act as it is for the terrorist's own survival.⁶⁵

Quite a number of countries have borne the brunt of these terror attacks with Africa having more pronounced attacks especially in Kenya, Somalia, Uganda, Tanzania and Nigeria. On 23rd July 2015, Kenyans woke up to CNN news that Kenya was "a hotbed of terror" beaming all over the world prior to the visit by U.S President Barack Obama. This was a slur in reference to Kenya having had a bad stroke of luck due to the persistent terrorist attacks that had rocked Kenya. Later, on 14th August 2015, CNN Senior executive, Tonny Maddox ate humble pie and came to Kenya to personally apologize to the Kenyan President and the Kenyan citizens at large. In concurring with S. Gration, former US Ambassador to Kenya who noted that acts of terror can take place anywhere in the world at any given time and that terrorists strike their targets across the globe, from the USA, the United Kingdom, France, Spain, Tunisia, Kuwait, Tanzania, Nigeria, Kenya and many more countries hence no country is immune from these cowardly acts.⁶⁶

The high profile successful visit by the President Barack Obama and Pope Francis in Kenya went to show the whole world that Kenya was not a "hotbed of terror" but a hotbed of vibrant culture as President Kenyatta asserted during his address at the GES summit.⁶⁷ The visit

⁶³ Bruce Hoffman : Inside Terrorism, Chap 8 - *The Modern Terrorist mind-set; tactics, targets, tradecraft, and technologies* pps229-256 Revised and Expanded Edition Columbia University Press, New York

⁶⁴ Chaliand, G. (2007). *The History of Terrorism: From Antiquity to Al Qaeda*. Los Angeles: University of California Press.

⁶⁵ Bruce Hoffman, Inside Terrorism, Chap 8 - *The Modern Terrorist mind-set; tactics, targets, tradecraft, and technologies* pps229-256 Columbia University Press, New York

⁶⁶ Scott Gration, *Visit critical in resetting Kenya and US relations*, Sunday Nation, 26th July 2015 pp4-5

⁶⁷ President Uhuru Kenyatta in his key address at GES summit at the United Nations

by the US president to Kenya was primarily about the security and marked a change of shift of Kenya's foreign policy since America continues to regard Kenya as a frontline partner in the Somalia strategy despite the visit mainly leaning heavily on the Global Entrepreneurship Summit that was taking place. To understand why Kenya was branded a "hotbed of terror" the following is a chronology of attacks that led to this analogy of a statement.

2.1 Chronology Of Terrorist Attacks In Kenya

The proximity of Kenya to the war-torn Somalia and the Middle East has created a safe refuge for transnational terrorist groups to infiltrate the country. However, the first transnational terrorist attack happened on 28th January 1976, plotted by the Front for the Liberation of the Palestine (PFLP) and the Baader-Meinhof Group. In this attack, an El Al passenger plane was to be shot at during a scheduled stop-over in Nairobi.⁶⁸ However, this conspiracy was frustrated when Kenya and Israel successful shared intelligence. The most talked of terror attacks today are the one the ones that have borne casualties. Despite all the measures put up by the government of Kenya to combat terrorism, the country remains a potentially prime target for terrorists. The country has experienced terrorist attacks owing to its alliance with the western powers who are prime enemies of the perceived Islamic dominated countries. In relation to this, Kenya is located at a strategic place which is partially an operational base for Al-Qaeda and the Somali based Al-Shabaab. Another reason as to why Kenya is viewed as a soft target environment is due to the fact that soft targets lack proper defined access denial or protection unlike hard targets. Soft targets may include small businesses, random groupings of individuals, schools, office buildings, hospitals, passenger ships and aircraft, and local and state government buildings. Hard targets have a greater value placed on them because they are special for some reason and hold a high symbolic value to society therefore being properly secured and protected. Soft target therefore is everything a potential suicide bomber can target at any time or place.⁶⁹

2.1.1 The 1980 Norfolk Hotel Bombing

Prior to the 1998 US embassy bombing in Nairobi, terrorism in Kenya was a little known phenomenon. Little was talked about the terrorist attack of Norfolk Hotel in 1980. The attack happened on New Year's Eve in December 1980 at the Jewish family owned hotel which was

⁶⁸ Mogire, E., & Agade, K.M. (2011). Counter-terrorism in Kenya. *A journal of contemporary African Studies* 29(4), 473 - 491.

⁶⁹ Robert J. Bunker; *Suicide Bombers, Soft Targets and Appropriate Countermeasures* pp98-108

then a popular tourist destination.⁷⁰ In the blast, twenty people died while over eighty people were injured with the building getting partially damaged. The masterminds behind this attack on Norfolk were the Popular Front for the Liberation of Palestine (PFLP) which aimed at avenging Kenya's authorization to Israeli soldiers who re-fueled their war planes in Nairobi during the famous Entebbe hostage predicament where an Air France Flight 139 en route to Paris was taken hostage by terrorists affiliated to (PFLP) and forced it to land at Entebbe International Airport in Uganda under the controversial president Idi Amin permission.⁷¹

After this incident, Kenya did not enact any legislation in a bid to address terrorism crimes since there was a lull on terrorist related attacks in Kenya between the Norfolk attack and the August 7th 1998 attack. This attack on the US embassy acted as a wake-up call to institute the necessary policies to counter terrorism in the country. The Norfolk attack was widely viewed as just an unfortunate occurrence but in 1998 Kenya saw the seriousness in the need for policies to counter terrorism.

2.1.2 The 1998 United States Embassy Bombing in Nairobi

Kenyan history will reserve a foot note on its history books marking 7th August 1998 as a black day that the little known Al-Qaeda masterminded the largest attack on Kenyan soil. It was the first time Kenyans experienced devastation of this magnitude. This attack was a simultaneous form of aggression on the US embassies in Kenya and Dar el Salaam, Tanzania. The assault in Kenya, was orchestrated with a truck fully loaded with high volatile bomb. Bin Laden and his faction had spent five years preparing and scheming the 1998 suicide bombings of the US embassies in Nairobi and Tanzania.⁷² Consequently, approximately two hundred and twenty people died and with five thousand people injured. The dead and injured comprised of the embassy staff, pedestrians and other people in the neighboring buildings especially Ufundi house which and was fully destroyed and Co-operative house which housed the Teachers' Service Commission. The blast in Tanzania killed eleven persons and injured over seventy others.⁷³ Poor security at the two embassies in Kenya and Tanzania exposed the two countries as easy targets.

⁷⁰ Muiruri, S. (2004, January 29th). Counter terrorism Centre Established in Kenya.

⁷¹ Davis, J. (2007). *Africa and the war on Terrorism*. Aldershot, Burlington: Ashgate.

⁷² Peter Bergen, *Holy War, Inc; Inside the Secret world of Osama bin Laden* (New York: Free Press, 2001)pp86,132

⁷³ Downing, W. (2009). *Al-Qaedas Adventures in the Horn of Africa*. Diane Publishing Company.

This attack in Kenya acted as an eye-opener leading to the global war on terrorism, although this war gained momentum after the September 11th attack in the US.⁷⁴

In retaliation to these attacks, the United States of America bombed a Sudan-based chemical factory which was suspected to be linked with the then Al-Qaeda leader Osama Bin Laden. Kenya on the other hand was shell-shocked to do anything.⁷⁵ Four men linked to the assault of the US embassies in Kenya and Tanzania in 1998 were tried in New York and from interrogation it was evident that terror networks had taken deep root in Kenya due to the infiltration of immigrants who had integrated themselves with the local communities.⁷⁶

2.1.3 The 2002 Terrorist Attacks in Kikambala

This was the third major terrorist attack in Kenya which took place on 28th November 2002.⁷⁷ Two Strela 2 (SA-7) surface-to-air missiles were fired at an Israeli charter plane which was taking off from Moi International airport in Mombasa en route to Tel Aviv with two hundred and sixty one passengers on board. However, the missiles narrowly missed the plane.⁷⁸ A few minutes later, at an Israeli-owned Hotel, a truck-bomb was detonated outside the Paradise Hotel in Kikambala situated in Mombasa. This attack against the hotel and charter passenger jet was coordinated to be simultaneous.⁷⁹ The hotel was famous for hosting tourists mainly from Israel and this explosion was well timed to explode immediately after an estimated sixty tourists had checked in to the hotel. The explosion left a trail of fifteen deaths and eighty people injured. Out of the dead, twelve of them were Kenyans and three were Israelis, two of them children. The Kenyans who died included 9 dancers who were employed by the hotel to welcome the guests.⁸⁰

The twin attacks at Kikambala led to a shift in attention from US to Israel implying the vulnerability of both states sharing the same enemy. The Kikambala attack came at a duration of two and half months after the first anniversary of the September 11th 2001 attack in the cities of

⁷⁴ Muiruri, S. (2004, January 29th). Counter terrorism Centre Established in Kenya, CNSNEWS. Nairobi, , Nairobi.

⁷⁵ Mogire,E., & Agade, K.M. (2011). Counter-terrorism in Kenya. *A journal of contemporary African Studies* 29(4) , 473 - 491.

⁷⁶ Terror in the Horn of Africa. (2004, January 15th). *Special Report*. Retrieved August 10th, 2016, from United States Institute of Peace: <http://www.usip.org>

⁷⁷ Daniel Hass, Chronicle Foreign Service, "Terror in Kenya/Stunned Israelies are left feeling nowhere is safe" SFGate.com, Jerusalem, 29th November, 2002 Available at http://articles.sfgate.com/2002-11-29/news/17570566_1_likud-official-tel-aviv-israeli

⁷⁸ Eichstaedt, P. (2010). *Pirate State: Inside Somalia's Terrorism at Sea*. Chicago: Chicago Review Press.

⁷⁹ William Wallis, "Kenya Terror Attacks 'Planned from somalia', Financial Times, November 5,2003

⁸⁰ Terror in the Horn of Africa. (2004, January 15th). *Special Report*. Retrieved August 10th, 2016, from United States Institute of Peace: <http://www.usip.org>

New York and Washington DC.⁸¹ These attacks came in the wake of travel advisories that had been issued by the governments of United Kingdom and Australia against travelling to Kenya. This attack confirmed to the government of Kenya that the terrorist group of Al-Qaeda was not yet done with Kenya after the 7th August 1998 attack and that more attacks were in the offing. In March 2003, the Ministry of Foreign Affairs in Kenya acknowledged the presence of accomplices as being Kenyan nationals within the country⁸² colluding with the Yemen, Pakistan and Somali nationals who were believed to be behind the planning of the 1998 and 2002 attacks.

The Dadaab refugee camp which is located on the border of Somali and Kenya was identified as a training ground for Islamic training ground for Islamic extremists.⁸³ A charity group Al-Haramain, was actively involved in establishing religious schools and social programs was suspected of providing the avenue through which funds meant for the terrorist groups were wired. This resulted in the revocation of registration of Muslim Non Governmental Organizations (NGOs) including Al-Haramain by the Kenyan government because of their perceived links with Al-Qaeda terrorist group.⁸⁴ The presence of the terrorist groups in the country, being facilitated by Kenyans sent shock waves within the government quarters and Eastleigh, a part of Nairobi densely populated with Somalis was viewed as a primary potential hideout for these terrorists.

2.1.4 Other small scale attacks 2003 – 2012

In 2003 during the month of June, a terror attack had been planned to be unleashed on the temporary US embassy along Mombasa road which was set up following the 1998 attack.⁸⁵ This attack, just like the 1998, was to be executed using a truck and a plane laden with bombs and explosives and was to be hijacked from the near-by Wilson Airport. However, this attempted attack was thwarted by the Kenyan authorities who arrested a suspect. This suspect was believed to be one of the masterminds behind the 2002 attacks on the Paradise Hotel in Kikambala.⁸⁶ It

⁸¹ Rosenberg, M. (2003, October 24). Al-Qaeda plotted to destroy US Embassy in Kenya in June: Associated press. Washington DC, US.

⁸² Mogire, E., & Agade, K.M. (2011). Counter-terrorism in Kenya. *A journal of contemporary African Studies* 29(4), 473 - 491.

⁸³ Ibid

⁸⁴ Ibid

⁸⁵ Rosenberg, M. (2003, October 24). Al-Qaeda plotted to destroy US Embassy in Kenya in June: Associated press. Washington DC, US.

⁸⁶ Terror in the Horn of Africa. (2004, January 15th). *Special Report*. Retrieved August 10th, 2016, from United States Institute of Peace: <http://www.usip.org>

was now evident that the US embassy was a prime target by terrorists who were determined to carry out a series of attacks.

The period between 2003 and 2006 saw some relative calmness in terms of terrorist attacks. Minor or small scale terror attacks were witnessed in the period between 2007 and 2010 and which were thwarted by the government, aborted or even left insignificant impact. This period saw the arrest of a Kenyan citizen by the name Mohamed Abdulmalik on February 2007. This was after he was suspected of being a leader of a plot to bomb the World Cross Country Championships in Mombasa held in March 2007.⁸⁷ Abdulmalik was also suspected of being involved in the 2001 attack of Paradise Hotel in Kikambala. This suspect was later transferred to Guantanamo Bay in the United States of America on 26th March 2007. The Government of Kenya was committed in its cooperating with the United States government on the newly formed Global War On Terrorism (GWOT) by extraditing its citizens to go and answer to charges of terror. The partnership between Kenya and the US through GWOT intensified the evolving of Kenya's foreign policy and fast tracking efforts in arresting Fazul Abdullah Mohammed who was suspected to be the mastermind behind the 1998 and 2002 terror attacks.

Kenya, having witnessed frequent abductions of its citizens and tourists, made an incursion to Somalia in mid October 2011. These abductions were believed to be executed by operatives suspected to be allied to the Somali-based Al-Shabaab. These terrorist attacks were not only confined to abductions but also the hijacking of cargo ships. The Pirates who hijacked the ships demanded ransom running into millions of US dollars for their release. The funds raised from these abductions and hijacks by the Al-Shabaab militants were believed to be used for the funding of the terror activities against Kenyan citizens and foreigners majorly tourists. A case in point was the abduction of an English tourist by the name Judith Tebbutt in early September 2011, which saw the killing of her husband David Tebbutt when he resisted the kidnapping. Mrs. Tebbutt was later ferried to a remote part of Somalia, where she was held hostage as the abductors demanded ransom from the British Government. A few months later, Al-Shabaab militants from Ras Kamboni in Somalia abducted a French woman from Manda Island where she was enjoying her holiday. The Somali bandits were reportedly to be heavily armed who were later pursued by the Kenya's security forces using a high-speed boat where a

⁸⁷ Kenyan-Somali Jihadist Killed With Fazul". *Somalia Report*. 13 June 2011.

serious shootout between them and police took place leaving several abductors seriously injured. However, the bandits managed to escape to Ras Kamboni. These abductions led to a travel advisory against visiting Kenya by the French government especially in Lamu part of Kenya's coastal area. The then Minister of internal security, the Late Professor George Saitoti described the hijackings as a gross abuse of Kenya's territorial integrity. Consequently, several countries among them the United Kingdom, Australia and the US issued travel advisories to their citizens against visiting some parts of the country mainly the Coastal area of Kenya.

The frequent abductions coupled with the travel advisories confirmed to be too expensive to Kenya in terms of security and the economy considering the reduced tourists' visits which constitute the highest foreign exchange earners and a major contributor to the country's national income. In order to quell this heightened state of insecurity and public outcry, Kenya embarked on the incursion of Somalia. However, this incursion was not without its cost as there were retaliatory attacks by the terrorist groups. The first of these retaliatory attacks took place on the 24th October 2011 in a bar by the name Mwaura's at the downtown Mfangano Street of Nairobi at midnight. This happened after a grenade was hurled inside the bar killing one person and injuring more than twenty people. The same day had witnessed another blast at the Machakos country bus station after a hand grenade was tossed from a moving vehicle killing five people and injuring sixty nine others. This happened even after the US government had issued a warning of imminent attacks in the country.⁸⁸ Following these two attacks, a Kenyan Muslim convert 28 year old Elgiva Bwire Oliacha was arrested and charged in relation to two explosions subsequently being sentenced to life imprisonment on 27th October 2011 after having pleaded guilty to the charges of being involved in terrorist activities and the deaths caused by the blasts.⁸⁹ His trial remains to be one of the quickest sentencing of a terrorist suspect which took less than 72 hours from his arrest to sentencing. Just two days before his arrest, police had raided his house in the Eastland area recovering thirteen hand grenades, four pistols, two submachine guns and over seven hundred rounds of ammunition.⁹⁰ This was also the largest cache of ammunition busted from an individual. The first few months of the year 2012 saw Al-Shabaab militants carrying out several attacks, with the month of January witnessing three terrorist attacks. The

⁸⁸ Two grenade blasts rattle Nairobi; 1 dead". Associated Press. 25 October 2011.

⁸⁹ Cyrus, Ombati (2012). "Police link Al-Shabaab to Ngara church attack". Standard Group Limited, 29th May 2012.

⁹⁰ Vincent Achuka: *A look inside terrorists' cells in Kenya's most secure prison* – Sunday Nation 28th August 2016

first attack led to the deaths of the chairperson tasked with responsibility of heading communal peace and security team in Hagadera camp together with a number of police officers. In the month of February, a security officer and a civilian were killed and several civilians reported to have been injured. The Al-Shabaab militants claimed responsibilities for the attacks.⁹¹

Another terrorist attack occurred on 29th April 2012 at The God's House of Miracles Church situated at the Ngara Estate in Nairobi. This attack was executed by a hand grenade, being hurled at the worshippers. Almost one month after the attack on the God's House of Miracles, on 28th May 2012 another blast went off at Assanand's House situated at Moi avenue in Nairobi's central business district. This attack did not register any death but left twenty seven people injured. On 24th June 2012, a hand grenade was hurled at a bar in Jericho, Mishomoroni, in Mombasa County, at a group of people who were watching a football game between England and Italy.

The following month of July also witnessed other attacks. On 1st July 2012, gunmen who had covered their faces, attacked two churches in Garissa, the Central Catholic Cathedral and Garissa AIC which are approximately three kilometers apart. These assailants left seventeen people dead and fifty injured.⁹² This attack almost caused religious animosity between Christians and Muslims, forcing the Supreme Council of Kenya Muslims (SUPKEM) to issue a warning against the false impression that the attack was a religious war against Christians.⁹³ In the month of August 2012, a day before US secretary of State, Hillary Clinton visiting Kenya, one person was killed and six others being injured in Eastleigh area of Nairobi near the Kenya Air force headquarters on 3rd August 2012.⁹⁴ This attack was done through the detonation of home-made explosives from a safe distance. 30th September 2012, a nine year old boy was killed at St.Polycarp Anglican Church when a grenade was thrown at the Sunday school children in the same church. 18th November, of the same year, ten people were killed when an explosive went off in a Kariobangi minibus at Eastleigh. This attack irked Kenyans of Christian denomination sparking off demonstration and rampage targeting people of Somali origin since a one day old baby whose mother was killed in the blast was among those who were rescued. Come December

⁹¹ Blast rocks Kenyan Capital – Nairobi". Standardmedia.co.ke. 28 May 2012

⁹² Nation Team (2012). "17 dead, 50 injured in twin Garissa church attacks". Nation Media Group, 1 July 2012.

⁹³ Reporter, Nation (2012). "Garissa attacks not a religious war, say Muslims". *nation.co.ke*. 1 July 2012.

⁹⁴ Kenyan capital hit by grenade attack — Africa — Al Jazeera English". *aljazeera.com*. 3 August 2012.

19th 2012, a Kenyan Member of Parliament, Abdi Yusuf Hassan suffered injuries inflicted from an explosion that occurred near a Mosque in Eastleigh.

By May 2014, the outcome of the growing number of terror attacks began to be felt, affecting Kenya's tourism industry and Western nations such as US, UK, France and Australia asking their nationals to minimize their travel to Kenya⁹⁵ a move that forced hotel establishment especially those in the Coast region lay off staff. The Western nations were straining the foreign policy between them and Kenya. The issue got out of hand to a point of the US reducing its staff level at the Nairobi Embassy while the UK shut down its Honorary Consulate in Mombasa in June 2014 citing security concerns.⁹⁶

2.1.5 The 2013 Westgate Shopping Mall Attack

The 2013 Westgate Shopping Mall attack was one of the significant and turning point of Kenyan foreign policy. On 21st September 2013 a number of gunmen entered the Westgate Shopping Mall armed with guns and grenades. These men drove through the entrance to the mall and down the ramp to a basement area.⁹⁷ The building complex which was a six storey building comprised of shopping centers, eating and leisure centers, offices and a parking at the basement. The Shopping Mall at the time of attack was crowded with shoppers while others were taking their lunch. The gunmen moved from one store to another shooting and killing people. By the end of the attack, the Al-Shabaab terror group owned up responsibility for the assault, citing their displeasure in Kenya's involvement in the African Union military effort against the group.⁹⁸ Some of the rescued people stated that the terrorists had targeted non-Muslims by asking the victims to answer a question related to the teachings of Islam to confirm indeed that they were Muslims. The gunmen allowed the Muslim customers to escape from the mall before executing the non-Muslims shoppers. The terrorist wanted to create a wedge between the Muslims and Christians.

Initially, the first response by the security force was focused on saving the civilians cornered inside the mall. Later, security forces were able to gain entry to the building leading to a gun battle between the attackers and the police. Gunfire and explosions could be heard all night

⁹⁵ Macharia James; Bombings threaten Kenya growth goals, open new strains with wary West' Reuters retrieved 1st June 2014

⁹⁶ Capital News, UK closes Mombasa Consulate over security fears. 13th June 2014, retrieved on 14th June 2014

⁹⁷ Onuha, F.C. 2013 Westgate Attack: Al-shabab's Renewed Transnational Jihadism. Al-Jazeera Center for studies. Retrived from <http://studies.aljazeera.net/en/reports>

⁹⁸ Attack on Westgate Shopping Centre in Nairobi, Kenya, September 2013 *Analysis and Insights*

through. The military was deployed to reinforce the rescue with helicopters landing on the roof of the mall in order to reclaim the mall from the terrorists. Quite a large number of shoppers were rescued from the shopping mall. On day four of the attack, President Uhuru Kenyatta assured Kenyans that the attack had come to an end, with the security officers killing five terrorists and arresting eleven others. The number of people who died in this attack remain unconfirmed, however, the red cross estimated the number of those dead to be sixty seven people with thirty nine people unaccounted for. President Uhuru Kenyatta lost his nephew in this deadly attack.

2.1.6 Mpeketoni and Mandera attacks in 2014

This year was no different with over ten small scale attacks occurring. On 16th June 2014, an emotional attack occurred whereby forty eight non local people were killed when Al-Shabab militants from Somalia drove to Mpeketoni killing them. Again sixty-four people were killed in Mandera county on 22nd November 2014, twenty eight of whom were teachers and government workers who were hounded out from a bust that was travelling to Nairobi and shot at close range as they lay on the ground. These victims were singled out on the basis of being non Muslims. December 2nd 2014, Al-Shabab attacked and killed thirty-six quarry workers who were caught sleeping. The quarry workers were non locals having moved to Mandera county in search for jobs.

2.1.7 The 2015 Garissa University College Attack

The Garrisa University attack was deplorable due to its length and viciousness. It lasted almost fifteen hours, with five terrorists, leaving one hundred and forty eight students dead. This attack was noteworthy because of the dull response of Kenyan security forces which took seven hours to take full control of the University. By the time they arrived, a huge number of students had been killed.⁹⁹ This siege began at 5.30 am on 2nd April 2015 a day before Good Friday where some of the students of the university were preparing to sit for exams. It happened after heavily armed attackers stormed Garissa University early in the morning after killing the two security guards then firing indiscriminately at the student. In this attack, students who could not prove they were Muslims were singled out by being asked to answer questions relating to the

⁹⁹ Cummings, Ryan 2015, 14th April Garrisa attacks puts spotlight on Kenya's response to growing terror threat. The global observatory. Retrieved from <http://theglobalobservatory.org/2015/04/garrisa-kenya-al-shabab-westgate>

Islam faith or to recite verses from the Koran.¹⁰⁰ More than five hundred students managed to escape although seventy nine of them were seriously injured. Four of the terrorist were killed by Kenya security forces with a fifth terrorist, killing himself by detonating his explosive belt.¹⁰¹

As a trend, in all the previous attacks, Al-Shabab does not take hostages when they attack rather they try and kill as many of their unarmed victims as they possibly can barricading themselves in one place of the building so as to attract the responding security agents into a fight from where they can inflict as many casualties as possible so that they can to milk the attack for publicity. There are a number of advantages of suicide attacks over other attacks as R.Bunker noted. The weapon or device meant to kill is precisely delivered to the target hence no room for failure, secondly, there are no wounded comrades since this would create logistical strain on a terrorist group.¹⁰² This was the most heart wrenching attack ever in our soil firstly, being meted on innocent students, who were taken on by surprise since most of them were waking up whereas others were in bed. Secondly the siege had been masterminded by a former University student who knew too well that students are never armed hence a soft target.

In conclusion, Kenya's proximity with the lawless Somalia and her affiliation to the western block makes her a common enemy of the terror groups hence making Kenya a victim of circumstances and a soft target. The change of foreign policy by Kenya's government from a non-interventionist policy to an interventionist policy in the incursion of Somalia has worsened the situation. Most of the terror attacks that have happened are believed to be retaliatory response against the incursion in Somalia. These attacks have at times strained the relationship between the Muslims and Christians because most of the attacks seem to be targeted on the Christians and sparing the Muslims. Despite all the efforts instituted by the government to curb these attacks, the terrorists have proved to be one step ahead of the government by changing tact in the way they carry out their attacks. With the increased terror attacks, the behavior of Kenyans has changed tremendously. Kenyans are no longer the ever trusting lot mostly preferring to be wary and suspicious of people carrying backpacks or bags. Individuals who take photos and pictures of institutions have been viewed with a lot suspicion. Churches have had to contract armed security services, something which was not heard of five years ago to enable mass and church

¹⁰⁰ Daily Nation, 3rd April 2015, 147 students killed in cold-blooded raid on campus, Fred Mukinda pp4-5

¹⁰¹ Odula, Tom, Muhumuza, Rodney & Senosi, Khalil. (2015, April 3rd) Al Shabab militants kill 147 at university in Kenya. Associated Press. Retrieved from <http://bigstory.ap.org/article/police-gunmen-attack-univeristy-eastern-kenya>

¹⁰² Robert J. Bunker, Suicide Bombers, Soft Targets and appropriate Counter measures; pp98-108

services to take place. CCTVs have been installed in public places, and public places such as Supermarkets, Shopping Malls, learning institutions and offices have deployed staff who are tasked with the duty of checking and scanning of luggage and cars.

Chapter Three:

Evolution Of Kenya's Foreign Policy

3.0 Introduction

The preceding chapter has presented an overview of terrorist attacks that have occurred in Kenya in the past years since 1998 to 2015. This chapter will lay emphasis on how insecurity interest has influenced the evolving of Kenya's foreign policy by looking at various variables such as pillars of Kenyan foreign policy, Kenyan president in the last fifty years, foreign policy instruments and national security.

Foreign policy is described as a linchpin of events taken beyond the boundaries of the state so as to advance the goals of that state.¹⁰³ It can also be defined as a strategy or the course of action designed by a state to achieve its objective in the international arena. Therefore, it is the total sum of a country's intention towards other states and non-state actors in the international system. Deborah Gerner, further explained that foreign policy is the objectives and intent of an actor towards the international world. Further Deborah explained that foreign policy is a response by a state to other actors intentions, statements and actions. The Late Bonaya Godana aptly defined foreign policy of a state as the blending of both standard and norms, which direct or resolve relations between states or bodies in the international system.¹⁰⁴ Foreign policy is influenced by domestic policies, while at the same time domestic policy is influenced by foreign policies. In determining which path a state will take in the world affairs, the capabilities, actual or potential, and assessment of the external environment will greatly influence the decisions of that state.

J.Spanier (et al) states that, all states need a foreign policy because they all exist in an anarchical world in which each state lives in fear and must seek its own security since there is no world government to protect individual states. Each state must guard its self interest in a system where states view one another as potential enemy rather than friends.¹⁰⁵

The foreign policy of a country is majorly a set of self-interest strategies of activities chosen by one country with the view of safeguarding its national interests while at the same time

¹⁰³ Laura Neack; The New Foreign Policy Complex interactions, competing interests, 3rd edition 1-27

¹⁰⁴ Late Bonaya Godana, Former Foreign Affairs Minister, Letter dated 13th November 2001 on Constitutionalisation of Foreign Policy and Diplomatic Relations.

¹⁰⁵ John W. Spanier & Eric M. Uslander, American Foreign Policy Making and the Democratic Dilemmas pp.1-23

achieving its goals within its international relations social environment.¹⁰⁶ The world today is very dynamic thus posing a real challenge to world leaders who are also the policy makers.¹⁰⁷ There are changes that have caused high levels of interdependence for example in terms of trade, communication, technology and global financial networks. As a result of these bilateral and multilateral engagements, countries are opening up to the world markets. This redistribution of economic wealth, military power and actions of powerful states, multinational companies, international and transnational organizations has limited the countries power to pursue their preferred foreign policy.

States have foreign policies which vary in role and scope of intent and these foreign policies can change if the perceived national security or the stability of the country is at risk. For instance Kenya's policy towards ICC changed due to the perceived threat to Kenya's internal stability, thus imploring the international community through the State parties to the Rome Statute to withdraw the Kenyan cases. In the same way, the foreign policy of one state can have profound and permanent impact on many other world states and forever change the path of international relations as a whole.

Domestic and foreign policies are recognized as increasingly inseparable. For Petrec, both foreign and domestic policies are connected as a part of the overall political processes in a country. He further noted that foreign policy affects domestic policy; while internal policy and the situation in any given country often decisively influences foreign policy; and the choice of its objectives, its direction as well as its implementation. In agreeing with this narrative, the Kenyan government was pushed to come up with a new domestic policy of "Nyumba Kumi" initiative considering Britain and America advising their citizens not to visit Kenya due to the rampant terrorist attacks. In a bid to restore lasting peace, all the countries in the world have realized that no one country can win the fight against terrorism in isolation. This notion has had a great impact on the way foreign policies have been shaped¹⁰⁸. This has been proved by the Africa Union's (AU) broad approach to security which involves both military and non-military factors which are to a greater extent influenced by the recommendations of the 2000 Brahimi report. This report requested for a broader approach to United Nations (U.N.) peacekeeping with bigger and better

¹⁰⁶ C. Hill (2003). *The changing politics foreign policy*. Basingstoke: Pgrave McMillan.

¹⁰⁷ Beasley, B. (2013). *Foreign policy in comparative perspective 2nd edition*. Washington DC: Sage Publications.

¹⁰⁸ Vogt, A. (2005). Towards a comprehensive self-sufficient African peace operations capacity: fact or fiction? *In conflict trends, issue 4 (South Africa, Accord)*, 24 - 29.

equipped missions.¹⁰⁹ This therefore, has necessitated efforts by all the member countries to fight the common enemy and which to a great extent has been shaping the foreign policies of the A.U. member countries.

Feed back is both complex and a continuous major characteristic of decision making in foreign policy. The more a policy resembles domestic policy the larger the number of actors and the more intense the bargaining is likely to be. Crisis policy takes place when external situation confronts the nation and quick responses are required so as to ensure national security or welfare of a state. Crisis policy decisions are decided quickly by a few at the helm of the executive and usually involve an element of surprise. Non crisis policy, are characterized decisions which take a long period and tend to be highly democratic.

Security decisions involve long-term policies to ensure state security and balance of power. If one state matches another in strength, then none is likely to attack the other, but an imbalance may entice the stronger one to attack. Therefore, preserving the balance of power constitutes the heart of foreign policy as J. Spanier posits.¹¹⁰ At the same time, foreign policy is often influenced by the domestic political situation and those who are in power.¹¹¹ When foreign policy becomes a slave of domestic policy, it is harmful to the State's role in the international community and its external relations; however, the impact of domestic policies and conditions within a country on foreign policy is important. In democratic countries, for example the United States, change of regime hardly leads to drastic changes in foreign policy. Foreign policy which is mainly consistent and stable is usually affected by the ever changing domestic political ongoing and the political balance of power within a country.

3.1 Formulation And Implementation Of Kenyan Foreign Policy

The method of developing and putting together foreign policy may be different between states. As Roger Hilsman noted, there are different kinds of power centers in the policy formulation process. Some competing while others overlap thereby bringing both politicians and officials closer to the centre of final decision than others.¹¹² In one country, formulation of the foreign policy may be highly institutionalized while in another nation the system may be highly

¹⁰⁹ United Nations. (2000). *Report of the Panel on United Nations Peace Operations (Brahimi Report) August 2000*. New York: United Nations.

¹¹⁰ John W. Spanier (et al) *American Foreign Policy Making and the Democratic Dilemmas* 6th Edition pps1-23

¹¹¹ *Ibid.*, p. 112

¹¹² Roger Hilsman, *The Politics of Policy Making in Defense and Foreign Affairs: Conceptual Models and Bureaucratic Politics* (Englewood Cliffs: Prentice Hall, 1987)

private hence not easily foreseeable. Foreign policy decisions ought to be for the benefit of the whole country and not beneficial to one institution or a part of a system. National interest should be prioritized in decision making. While drawing up foreign policy, the art of secrecy and surprise will be needed for the policy to succeed.¹¹³ There is always a price to pay for lack of ability to decide and to act quickly since international events move with speed. As the Late Bonaya Godana indicated, disunity affects the success of foreign policy hence unity is of paramount necessity to come up to clear decisions. The unity of a country on foreign policy issues will guarantee citizens to rally behind the policy concerned and ensure that it is implemented to the letter as was the case during the incursion of Somalia where Kenyan citizens rallied behind the decision to go to Somalia. In showing lack of unity towards foreign policy, the results will be discord and compromise, hence less exploitation of the country's full power potentiality.

Foreign Policy is therefore, all about ideas, developing the ideas and implementing them.¹¹⁴ In the preparation and conduct of foreign policy, the Kenyan Head of State is the top diplomat because he represents the state in the international conferences and summits. He deploys diplomatic envoys, sign credentials given to the head of diplomatic missions, and authorizes a delegate to sign a treaty on his behalf. In many states, the developing and implementing of foreign policy begins and ends with the head of state. In Kenya, the head of state appoints ambassadors who represent him in other states and all these envoys report directly to him making him a central figure in the foreign policy formulation, conduct and execution. Therefore, foreign policy is the privilege of the Head of State of the country and mainly sets off, communicates and directs the foreign policy at a forum or platform where he or she is called upon to represent the state.¹¹⁵

Parliament plays a major role in foreign policy development and implementation. It is a representative of the people and in this way, parliamentarians can be seen as actors in the sense that they determine whether or not a given foreign policy is to be pursued. Some of the key functions of parliament, with regard to foreign policy, involve proposing, deliberating and deciding about public policy. At the moment, the Kenyan parliament is deliberating on a motion

¹¹³ Steve Smith and Michael Clarke (eds), *Foreign Policy implementation* (London: George Allen & Unwin, 1985)

¹¹⁴ James Rosenau, ed., *Domestic Sources of Foreign Policy* (New York: The Free Press, 1967) pp11-50

¹¹⁵ Richard C. Snyder, H.W., Bruck, and Burton Sapin, ed., *Foreign Policy Decision-Making* (New York: The Free Press, 1962, p.60)

of withdrawal from ICC. Foreign policy is an externalized public policy which means that parliament formulates policies and establishes committees such as foreign relations committee that oversee the implementation of foreign policy. Parliament also sanctions foreign policy decisions such as ratification of important treaties. Unfortunately, Parliament faces time constraints hence unable to effectively develop and scrutinize some of the foreign policy that it passes.

The judiciary's role in foreign policy cannot be overlooked and some of its duties include interpreting inter-state agreements as well as legislations dealing with foreign relations. The Judiciary also acts as an advisory body for both the executive and parliament in the developing of foreign policy decision making, and implementation process. This helps the policy makers understand the implications of an action taken, hence making informed decisions. A legal decision by the judiciary is binding.

The Foreign Affairs Ministry is mandated with the task of dealing with matters related to the actions of states and non-state actors in the international system. The ministry co-ordinates the work of ambassadors and heads of missions, obtains information which is to be used in foreign policy decision making.¹¹⁶ Also, issues such as imports and exports, matters to do with international trade are function of this ministry. The ministry is charged with the diplomatic mission in foreign countries and thereby making it an important actor in Kenya's foreign policy. Kenya and the world over, Ministers of Foreign Affairs act as spokespersons of the state on matters pertaining to external relations or acting as chairperson of world summits as was exemplified in the just concluded WTO10 held in Kenya, making the Foreign Affairs Cabinet Secretary an important actor in foreign policy. The Minister also plays the role of head of delegation during negotiations of bi-lateral agreements. Like the Minister of State, The Minister for Foreign Affairs, may defend and come up with certain policies while at the same time representing the Head of State at various forums where foreign policy issues are being deliberated upon and where a stand needs to be taken. But the privilege of commencing, guiding and shaping foreign policy remains only with the President. Other government departments cannot be underrated as they perform a bigger role in foreign policy development. These include the Ministry of Finance which is concerned with issues such as foreign aid and exchange rates.

¹¹⁶ David M. Lampton (ed.), *The Making of Chinese Foreign and Security Policy, 1978-2000* (Stanford University Press, 2001), pp45-60

The Ministry of Interior and Nation Co-ordination bears the burden on matters that pertain to national security of the country, immigration and registration of persons.

In summary, Kenya's foreign policy is a product of the co-ordination works of many actors which include the Head of State, parliament, foreign affairs ministry, judiciary and other government departments which directly or indirectly affect foreign policy formulation, conduct and implementation. For effective foreign policy, responses to international events should be predicted accurately based on the behavior of other actors and future happenings.

3.2 Pillars Of Kenya's Foreign Policy

Kenya's Foreign Policy was written based on national objectives of protecting Kenya's independence and its territorial integrity, promoting individual cohesion, enhancing peace and security within the East African region, advancing the economic success of Kenya and her citizens, highlighting Kenya's picture and status in the world, promoting of trade with a diverse number of states and at the same time advancing the interests and partnering with the Kenyans living outside Kenya. Kenya's foreign policy is based on five interlinked pillars which are Peace diplomacy pillar; Economic diplomacy pillar; Diaspora diplomacy pillar, Environment diplomacy pillar and Cultural diplomacy pillar. This foreign policy puts great importance on cohesion, alliance and building of partnerships. So much so, prominence is placed on ensuring Kenya's national interests are guaranteed and safeguarded in order to secure Kenya's socio-economic concern.

While for every state to develop and prosper, peace and stability are conditions that are necessary. The objectives of the Peace Diplomacy Pillar is structured to pursue better relations with other nations while at the same time prevent any conflict. Adar Korwa remarked that the continuity in Kenya's foreign policy could be clearly seen in its behavior towards Somalia based on adherence of territorial integrity after the Westgate Mall shooting.¹¹⁷ Kenya's National interest defined her foreign policy after the attack. From observation it would have been better for this pillar to factor in security, terrorism and counter-terrorism strategies.¹¹⁸

In capturing Kenya's regional and economic objectives as stipulated by the Kenya Vision 2030 a robust economic environment is necessary. It is for this reason that the main intention of

¹¹⁷ Adar G. Korwa, *The Significance of the Legal Principle of Territorial Integrity as the Modal determinant of Relations: A case study of Kenya's Foreign policy towards Somalia 1963-1983* (Lanham:University Press of America, 1994

¹¹⁸ Ministry of Foreign Affairs. (2014). *Kenya's Foreign Policy*. Nairobi: Government Press.

the Economic Diplomacy Pillar is to ensure there is an increase in capital flow in the country, proper advertising backed by a sound investment by Kenyan companies within the African region and the world over, promotion of the country as a favorite innovation hub for foreign investment, tourism, and conferencing. Other objectives of this pillar include the expansion of old markets and discovery of new targets for Kenya's exports, enhancement of technological advancement, strengthening of regional blocks such as East African Community (EAC) that serve as competitive platform for new and emerging global markets, promotion of trade fairs and unbiased bilateral, regional and multilateral trade agreements.

The Diaspora Diplomacy Pillar aims at bringing together the contribution of Kenyans living abroad either in monetary form or skill wise through the execution of the National Diaspora policy. The goals of this pillar have been structured to harmonize the skills and income of the Kenyans living abroad for national growth. This pillar should develop a framework that can be used to register, track down missing persons who go to other countries to get radicalized and also have a management information system that register refugees and monitors their activities.

Kenya's Environmental Policy 2013 stipulates that natural resources and the environment are precious national property upon which sustainable development of a country is anchored upon. Kenya strongly advocates for environmental issues making this a distinct feature of our Foreign Policy. In light of this, Kenya is home to two United Nations environmental headquarters, the UNEP and UNHabitat. Finally, Kenya's rich cultural heritage is enormous, ranging from sports to entertainment to traditional attires and songs all of which are resource capabilities whose potentiality ought to be exploited for the development of the country. The Cultural pillar is yet to be fully captured in the current Foreign policy document.

3.2.1 Sources Informing the Kenya Foreign Policy

Previously the Kenyan Foreign Policy was not written though it was implied hence sources that informed the Kenyan foreign policy were many. Instead, Kenya had been conducting its foreign relations through various official documents such as the 1963 Constitution of Kenya and the current 2010 constitution, Sessional Papers No. 10/1965 on African Socialism and its Application to Planning in Kenya and Sessional Paper No. 1/1986 on Economic Management for Renewed Growth and Kanu's manifesto during the era of President Moi. The National Development Plans, Kenya Environmental Policy 2013 and the Kenya Vision 2030

which was and continues to be a synopsis of Kenya's long-standing national planning strategy for the flagship of projects.¹¹⁹ These documents were all part of the sources which contributed to the Kenya's foreign policy. Other executive pronouncements by the President and his Deputy such as withdrawal from ICC, circulars, Medium Term Plans together with International Treaties, Conventions, Agreements and Charters have also contributed significantly in articulating sources of Kenyan Foreign Policy.

3.3 Kenya's Foreign Policy: Fifty Years Later And Four Presidents

Kenya has been a battlefield of tragic terrorist attacks mainly on Western interests since 1976, where Kenya assisted Israel forces in the Entebbe raid in Uganda as Koome Gikunda notes. Unfortunately the attacks have been consistent, very dynamic and gruesome. With every attack making the country to progressively change tact or increase its intensity of thought on how to fight this security threat for its economic survival and development. Kenya in the last five decades has had four different regimes. These regimes have been forced to use different approaches in shaping Kenya's foreign policy due to life changing events which have catapulted them to pursue different foreign policies in order to keep the country intact and secure as analyzed below.

3.3.1 The Late President Jomo Kenyatta: 1963 -1978

As Kenya became an independent state the merging of different school of thoughts proved to be an uphill task. On one hand there were moderates/conservatives who were looking at what and how they could benefit and on the other hand, radicals who advocated for liberation and idealism. The ideological struggle saw Kenya get through the bi-polar international system. With the moderate camp made up of Kenyatta and Mboya who wanted Kenya to lean westward while those in the radical camp saw fortunes in both the east and west. Branch chronicles that Kenya was to benefit from USSR an arms catchment after getting into trade and military agreements with USSR.¹²⁰ The Governments of Britain and America warned the Kenyan Government on the consequences of getting into such an agreement resulting to the arms being returned back to their country of origin. These events led Kenyatta's disappointment with USSR.

¹¹⁹ Kenya Vision 2030, a summary of Kenya's new long-term national planning strategy launched by President Mwai Kibaki on 30th October 2006

¹²⁰ Daniel Branch (2014) Violence, decolonization and the Cold War in Kenya's north –eastern province, 1963-1978. *Journal of Eastern African Studies*,8(4) pp 642-657

Shortly after independence, in 1964, a mutiny in Tanzania led by John Okello shook Kenyatta's confidence in the state of security of the nation. The mutiny led to Tanganyika and Zanzibar uniting and forming the United Republic of Tanzania. The then interior minister of Uganda, Felix Onama, had been taken prisoner by a section of the military that he had overseen. This exposed vulnerabilities in the Kenyatta government that needed to be tamed. A year later, a document that guided Kenya's foreign policy known as Sessional Paper No.10 titled *African Socialism and its Application to Kenya* was passed by Parliament.¹²¹ Kenya was put firmly on the capitalist path by this document, resulting to Kenya to align to the west by default. The radical camp felt shortchanged.

With the secessionist war in the Northern part of Kenya, which was known as shifta war which lasted from 1963-1967 Kenyatta saw the need of outside military aid and the only powerful friend Kenya had was Britain.¹²² Relations with the US were not cozy since the US saw no real value of Kenya. Therefore, Kenyatta relied heavily on British support to motivate his Government. The British on the other hand were happy since they needed their East African investment protected at all cost because a lot of their investment was in Kenya. The outcome of the war brought about the death of a large number of population, but the status quo of Kenya's borders remained intact.¹²³ In return, it was a scratch my back I scratch yours scenario as Kenyatta's Government was protected so long as the British interests were protected. Kenya was slowly pushed into the waiting arms of the west by these events leading to a major impact on its foreign policy. Jomo Kenyatta was tasked with the setting up of a Government that adhered to a system of hard work for development to take place. Another philosophy was in the offing, calling for redistribution of resources and this led to Kenyatta and his kitchen cabinet to believe that this was a strategy to reward the lazy. Further, this ideology seemed as a ploy to take power by whatever means necessary.

3.3.2 Former President Daniel Toroitich Arap Moi: 1978 -2001

Exit Kenyatta a decade later and in came Daniel Toroitich Arap Moi. During his first few months in power, he made decisions which were meant to endear him to the public through his policy of peace, love and unity. During this period when President Daniel Toroitich Arap Moi

¹²¹ Sessional Paper No.10 – African Socialism and its Application to Kenya

¹²² Rono Jona, *Kenya Foreign Policy" Africa Foreign Policies Stephen Wright* (ed.) (Colorado: Westview Press,1999), p10

¹²³ Daniel Branch (2014) Violence, decolonization and the Cold War in Kenya's north –eastern province, 1963-1978. *Journal of Eastern African Studies*,8(4) pp 642-657

was in power, his foreign policy was to keep the security ties both internally and internationally intact through national development of *Nyayo Philosophy* so as to protect his regime which was made up of a single party as stated by O. Katete.¹²⁴ 1st August 1982 coup, changed the priorities of the former president. His became a full throttle foreign policy pursued to defend his regime that was seen by Westerners as morally inept, dictatorial and corrupt. This was done via two strategies, directly, that is, through a diplomatic tactic of aggressively sending foreign affairs ministers, to praise his government and indirectly, by diplomatically engaging peace makers in Sudan and Somalia conflict in an attempt to turn away attention from the country. Moi's strategies fell flat on his face and he was pushed to bring reforms which would end his autocratic rule. Another event that was a turnaround for Moi was the 1988 *mlolongo* elections which changed the perceptions of Kenyans confidence where politicians with the shortest lines were considered the winners. Demonstrations rocked the country calling for multi-partyism; Kenya was in a constant crisis. Moi, conceded to the demands to have a multi-party political state which he had continuously rejected following the Western states threats to withhold economic assistance.¹²⁵ After section 2A of the constitution was appealed, political parties were allowed to register, giving birth to an upsurge of political parties. Here Kenya's foreign policy got proper direction by being applied to a specific goal of that of development of the nation through trade and not as a tool to protect the regime.

Moi's relationship with the immediate neighbors were rather frosty, Somalia was a threat from the East since it was receiving military assistance from the former Soviet Union and the Arab nations, while Kenya's border to the south remained closed. Military dictatorship in Uganda allowed for turmoil in that country which could result to a spill over in Kenya. This made Moi's plate full because he was mainly involved in various peace initiatives in the Horn of Africa. His efforts were rewarded by the historic signing of the Comprehensive Peace Agreement in 2005 which put an end to the conflict and brought about the establishment of the youngest state in Africa, South Sudan state. The role Kenya played in these efforts brought about international recognition and prestige. Like his predecessor Kenyatta, Moi, advanced the policy of integrity and non interference in domestic and international matters of other states. He further sought foreign private investment as well as grants and loans from international donors. O.

¹²⁴ Orwa D. Katete, "*Continuity and change, Kenya's foreign policy from Kenyatta to Moi*" Oyugi W. O, OP. Cit., pg 318

¹²⁵ Vittori et al., 2009,pg 1081

Katete¹²⁶ advanced the thought of continuity in foreign policy is assumed to be as a result of a long traditional past although Ray James, argued that foreign policy does not change with change in regimes.¹²⁷ The main difference between Kenyatta and Moi's foreign policy was the personal involvement of the presidents as stated by Orwa Katete.¹²⁸ Kenyatta maintained a low standing in the running of foreign policy especially towards the end of his reign while Moi on the other hand, was at the center of the country's foreign policy. The pro-Western foreign policy was aligned with our economic and security interests. Despite the unpleasant relationship Moi had with the Western powers, he still maintained the security ties both domestically and internationally intact.

During Moi's era, there were two attacks, that is the Norfolk Hotel and the mid town Nairobi US embassy attack. The first attack was due to the relation between Kenya and the nation of Israel, carried out by the Front for the Liberalization of Palestine (FLP) aimed at avenging Kenya's permission in allowing Israel soldiers to refuel their planes in Nairobi during the Entebbe hostage crisis in Uganda. The second attack was due to Kenya's relation with the United States government aimed at punishing the states that help the US in the war of Islamist extremism in the Middle East. The Al-Qaeda professed responsibility for the attack. The two attacks and especially the US embassy attack lead to the establishment of the increased cooperation between the two countries. Kenya obtained more funding on security from the Western countries to enhance regional peace. Meanwhile, Moi's administration provided assistance to US during the US invasion of Somali.

3.3.3 The Kibaki Administration: 2002-2012

The economic diplomacy sprouted during Mwai Kibaki's Administration. His aim was to use foreign policy in meeting Kenya's industrialization needs. As an economist Kibaki saw things from the cost-benefit point of view as the rational choice theory alludes and China to him offered better terms unlike in the past where the West offered (over) reliance. Through this move, political analysts predicted that the security foreign policy would be affected. Under his regime, the aim of Kenya's foreign policy was based on how much money Kenya would rake in

¹²⁶ Orwa D. Katete, "*Continuity and change, Kenya's foreign policy from Kenyatta to Moi*" Oyugi W. O, OP. Cit., pg 297-323

¹²⁷ Ray James "Promise or Peril? Neo-realism, Neo-liberalism and the future of International Politics," In Kegley, W.V.Jr *Controversies in International relations theory: realism and the Neo-liberal challenge* (New York; St. Martins Press Inc., 1995) pg338'

¹²⁸ Orwa D. Katete, "*Continuity and change, Kenya's foreign policy from Kenyatta to Moi*" Oyugi W. O, OP. Cit., pg 318

and how much growth it would record. Curiously, Kibaki, almost 40 years later seemed to have made a complete turnaround from his stand in 1965 when he and Tom Mboya co-authored the Sessional Paper No.10¹²⁹ which had been a key player in Kenya's foreign relations. This Sessional Paper was perceived to be a total rejection of the concept of socialism and communism in Kenya. Forty years down the line, Kibaki engaged the communist Chinese who continue to provide infrastructural development with no conditions leading to the statement "Look East Policy".

In 2005, Kenya carried out a Referendum for the then proposed new constitution of Kenya with a "No" team and a "Yes" team. The Yes side carried the day leading to a New Constitution being launched in 2010. This new constitution brought with it institutions and devolution which was meant on taking development to the grassroots levels. 30th October, 2006, saw President Mwai Kibaki launch the development of The Vision 2030 document meant to unify the country and at the same time meant to give Kenya a development strategy covering the period between 2008-2030. This document heavily leaned on the economic, social and political pillars of Kenya to enhance a macroeconomic stable economy which would enhance equity and wealth creation opportunities, human resources development as well as security, peace-building and conflict management for the country. The Vision 2030 laid specific strategies to achieve security for all persons and property throughout the Republic. The guiding principles included: acknowledging and respecting the supremacy of the constitution, Sovereignty of the people where the Government obtains its powers from. The third guiding principle of the document was acknowledging equality of citizens despite religion, race or even gender. Fourthly, national values, goals and ideology where ethnic diversity, cultural and religions of Kenyans would be recognized and respected. This document was and is still a long term process which will continue to be delivered from many different horizons with the first part of the Vision being implemented under the 2008-2012 following the end of the Economic Recovery Strategy for Wealth and Employment Creation (ERS).¹³⁰ This document laid the foundation for the 2010 Constitution which led to the birth of devolution. Between the periods of 2003-2007, Kenya had become a centre for trade and finance with the ERS having been used to restructure and re-engineer government ministries.

¹²⁹ M. Kibaki and T. Mboya "*African Socialism and its Application to Kenya*" -Sessional Paper no.10 (1965)

¹³⁰ Kenya Vision 2030, launched on 30th October 2006 by President Mwai Kibaki pp1-26

Relations between Kenya and Somalia have always been tense and have continued to be so. The Northern Frontier District largely has been inhabited by Somalis who have continuously asked for self-determination. This led to the Shifta War which took place in the 1960s. Though the war ended with cease-fire, the Somalis in the region still maintain close relationships with their relatives in Somalia.

During his tenure, the country underwent a number of terrorist attacks and for the first time Kenya used the military across the border coupled with the interventionist foreign policy by going into Somalia under Article 51 of the United Nations Charter on self defense. In October 2011, former President Mwai Kibaki oversaw six thousand Kenyan Defence Forces go to Somalia under the operation codename “*Operation Linda Nchi*”¹³¹ a Swahili term for protect the nation with the approval of the United Nations Security Council Resolution and under Article 51 of the United Nations Charter based on the right to self-defense.¹³² This decision was arrived at after rampant Somali militiamen infiltrating into Kenya and kidnapping Kenyan citizens and visiting tourists. In 2010, the Kenyan forces had carried out a secret military action, “*Operation Linda Mpaka*” with the intention of barring Al-Shabab pirates from entering Kenya.¹³³

President Kibaki on 2nd October 2012 put pen to paper, signing the Prevention of Terrorist Act 2012, which was Kenya's first anti-terrorist legislation and had a great impact on the country's foreign policy. President Kibaki also oversaw the Anti Terror Police Unit (ATPU) put in place. It is during his helm that Kenya's attempt to use ‘shuttle diplomacy’ to build an anti ICC alliance within the African Union began earnestly though the AU did not move to withdraw from the ICC wholesale, as some Kenyan leaders had lobbied for.

3.3.4 Uhuru Kenyatta Administration: 2013- to date

Foreign policy tension was raised between Kenya, USA and Britain ahead of the March 2013 general elections when US Assistant Secretary of State, Johnnie Carson who had previously been a former US Ambassador to Kenya on February 2013 stated that people live in an entwined world and therefore they should be thoughtful on the kind of actions they carry out as such actions tend to have direct impact on their nations, regions and the society. He continued

¹³¹ Kenya's military intelligence codument cited in Report of the Monitoring Group on Somalia and Eritrea (13th Julu 2012), p226 and Kenya's Military Experince in Somalia (Nairobi: Kenya Defence Forc, 2014)

¹³² United Nations Security Council Resolution 2036 – giving Kenya international cover and legitimacy but also providing the needed financial support to execute the war

¹³³ Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2002(2011), UN doc, S/2012/544,13th July 2012, p.225

to state that “*choices have consequences*”¹³⁴ a term to denoting that America and Britain would have limited engagement with a government headed by ICC inductees. A month later, Kenya’s 2013 general election ushered in the Uhuru administration which had been criticized by the West.

Heavy terrorist attacks on Kenyan soil between the year 2013 to 2015 did not help matters as the Western countries called on their citizens to be cautious while visiting Kenya leading to sour diplomatic relations since Kenya on her part felt this was economic sabotage because terrorism was not a peculiar thing to Kenya but the whole world. West Gate Mall attack and the Garissa University attacks turned Kenya into counter terrorism and de-radicalization state. In an effort to reduce terrorism and insecurity within the country, President Uhuru signed the controversial Security Laws (amendment) Act bill, 2014 into law which was an Anti-Terrorism legislation. Muslims, NGO and human rights groups resisted the bill arguing that it would infringe on human rights by taking away civil liberties guaranteed in the Constitution which allows for a fair hearing and a fair trial.^{135, 136} The bill would allow police to tap private communications,¹³⁷ prosecute any individual who went ahead to publish or broadcast photographs of victims of a terrorist attack without the consent of the National Police Service and other offences.¹³⁸ This led to a diplomatic row erupting with the West over the new security laws amendment Act 2014.

President Kenyatta proved to have mastered domestic and foreign policies as well as having a thorough grasp of the 21st Century challenges by using both soft power and hard power to advance her developmental foreign policy.¹³⁹ The shuttle diplomacy that had been started by the Kibaki administration was turned into a full blown economic foreign policy with more Honorary Consuls, diplomatic missions and Commissions being set up to increase both the security and economic development of the country. Kenya in an effort to establish diplomatic relations with the Caribbean region signed a treaty with West Indies Islands, St. Kitts and Nevis to reopen and stir up international relations. The Kenyatta administration will be remembered for having opened the Cuban mission on 16th September 2016 though in 2001, Cuba had opened up

¹³⁴ Johnnie Carson February 2013 Pronouncement by Former US Ambassador to Kenya

¹³⁵ Daily Nation, 19th December 2014 pg 2

¹³⁶ Constitution of Kenya 2010 Chap 4(The Bill of Rights) part 2 (50) section 1and 2

¹³⁷ Security Amendment Act -Part V – Covert Operations 80(36A)

¹³⁸ Security Amendment Act - Part VI Mechanisms for Coordinating counter terrorism measures 55(30F)(2)

¹³⁹ Saturday Daily Nation , April 23rd 2016 : Dr. Njiru – “ICC is behind us, let’s focus on unity”

diplomatic relations with Kenya and had a resident mission in Nairobi. Cuba highlighted the desire to cooperate with Kenya in various sectors including biotechnology. The decision to open the Kenyan embassy in Cuba was inspired by the resumption of diplomatic relations by US after fifty years of sanctions imposed on Cuba. The Kenyan embassy in Cuba makes it the second in Latin America after the Brazil embassy which was opened in 2006. The Brazil embassy manages relations in Argentina, Chile, Colombia and Venezuela. The latest diplomatic missions opened by Uhuru Kenyatta Administration are the Havana and Luanda embassy which brings to a total of fifty seven missions abroad since independence which continue to promote Kenya's interest abroad.

In an effort to infuse foreign policy with the national development agenda as set out in the Kenya Vision 2030 and the Medium Term Plans¹⁴⁰ a Kenyan Foreign Policy document was published achieving a milestone for our nation. This achievement was of its kind because Kenya did not have a written foreign policy document since independence. Under his term, President Uhuru Kenyatta has continuously "Looked East" especially to China and other non traditional donors such as Malaysia. Uhuru's administration has fast tracked the government willingness to have Chinese Government invest in infrastructure since the Marshal Plan which had been hatched by former president Mwai Kibaki.

3.4 Foreign Policy Instruments

The process of foreign policy making entails the use of combined instruments, tools, institutions, and sources of influence. Foreign Policy instruments include political, economic and military tools.

3.4.1 Political instruments

Political instrument entails both Diplomacy and international alliances. Diplomacy is defined as the art or practice of conducting international relations. It is art of getting your own way in international politics. Diplomacy can also be used as an instrument for building international stability.¹⁴¹ In a nutshell, diplomacy as Dr. Maluki put it, it is the use of tact and intelligence. The use of diplomacy includes arbitration, either informal where a group of diplomats gather to hear all sides of an issue, and come to a decision based on international law, or formal where the International Court of Justice at The Hague takes this role. Kenya

¹⁴⁰ Kenya Foreign Policy Forward Note ,pg 5

¹⁴¹ Christopher Hill, The changing politics of foreign policy; chap 6, implementation: Translating Decisions and Capabilities into Actions pp127-155

experienced this after six cases were referred to the Hague as a result of 2007-2008 post election violence which had occurred due to disputed elections results of 2007. International conference is another form of using diplomacy where solutions are found on the basis of political discussion, without much resort to international law. The use of non-official persons can be employed in order to come to an agreement and this is referred to as Informal diplomacy. Diplomatic relations and rules are set out by the Vienna Convention which defines the rules of diplomatic relations to be observed between States. Further it specifies the rights and immunities for diplomats and rules to be followed in case of any changes or alterations in international agreements.¹⁴²

Alliances are agreements between two or more actors of Foreign Policy to cooperate on issues of common interest. Alliances can either be open that is, publicly known or maintained secretly. Alliances are formal when bodies are created to support and manage them but informal when there are no structures created.

3.4.2 Economic instruments

Economic instruments employ various strategies such as foreign aid, foreign economic policy and economic sanctions. Although Foreign Aid is sometimes considered as a non-coercive instrument of Foreign Policy, enables states to improve its undertaking with other states and concurrently achieve their own foreign policy goals. Foreign Aid affects human, economic and social development and this instrument is sometimes used in a coercive manner by creating a link between the reception of aid and certain policy objectives of the donor. The recipient is left with the option to comply otherwise the foreign aid will be stopped. This is what happened during the Moi regime. Foreign Aid is the voluntary and intentioned transfer of resources from one State (donor) to another (recipient). It is divided into different categories depending on the objective pursued by the use of the transferred resources. Humanitarian Aid is used to relieve human suffering during and after man-made or natural disasters, without tackling the original causes of the vulnerability. The USAid for Africa during the Ethiopian drought. Development Aid contributes to the economic and social development of the state receiving it without necessarily alleviating immediate suffering. States donate or lend money to other states so as to boost the recipient's economic advancement.

Lastly, Military Aid gives an opportunity to states to give out, sell, or trade military equipment and technology so as to maintain a sense of military balance of power in various parts

¹⁴² Martin Dixon, International Law, 6th edition, Immunities from national jurisdiction International pp175-204

of the world and it is mainly dedicated to the strengthening of the military capabilities of the recipient. Israel and US have carried out training and equipping our military staff especially the Recce Squad which is known for protecting the President, any visiting President and the squad that deals with terrorist attacks. Unfortunately, foreign aid has been often used to support ideologically closed regimes which uses that aid to repress their population or enter into aggressive militarist policies towards other states.

Trade can be defined as the exchange of goods and services between Foreign Policy actors, and is considered to be one of the most relevant instruments of Foreign Policy. As with all other Foreign Policy instruments, trade may be used in a cooperative way, where all parties get some benefit, or a coercive way where there is discontinuation of a certain trade policy, may be used to coerce a Foreign Policy actor to co-operate in a certain manner. While trade policy in the past has been a bilateral instrument, it has evolved to multilateral instrument, with the creation of trade blocks such European Union and World Trade Organization.

Economic sanctions are a form of coercive measure intended by an actor of Foreign Policy to cause economic damage to another actor of Foreign Policy and thus force it to pursue a certain course of action. These measures may include embargoes, boycotts, freezing of funds and assets and other trade or economic restrictions and may be bilateral or multilateral. 'Smart' sanctions have been used to target specific sectors of the economy or specific persons. The objective of these smart sanctions is to force compliance on the target without destabilizing the whole society which may have nothing to do with the policies that the sanctions aim to prevent.

3.4.3 Military Instruments

The military instruments may take either a persuasive form which is military pressure or threat and/or a coercive form which is war. Military pressure is defined as the threat of use of military force by a Foreign Policy actor against another Foreign Policy actor in order to achieve certain Foreign Policy objectives and without having to use actual military force.¹⁴³ As Clausewitz asserted, foreign policy almost always carry with it the implicit threat of force. Deterrence is also a form of military pressure where a state can show off its military force and equipment as an approach to warn another state not to engage in a particular action. This was exemplified during the Cold War when the United States relied on the strength of its nuclear and

¹⁴³ Christopher Hill: *The changing Politics of Foreign Policy*,: The Politics of Foreign policy pp40-47 New York:Palgrave Macmillan 2003

conventional weapons to deter the Soviet Union from invading Western Europe. The use of military pressure has proved quite efficient in reaching Foreign Policy objectives, avoiding more damaging conflict and maintaining peace at large. It nevertheless entails high risks, such as that of escalating a conflict and ending up in a situation of actual warfare. Additionally, the use of military threat as a Foreign Policy instrument must have the possibility of actual warfare in order to be efficient.¹⁴⁴

War has been always been considered as an instrument of Foreign Policy. In order for a military threat to be efficient it must have the possibility of actual warfare. War is intended to achieve a certain foreign policy objectives by coercing another Foreign Policy actor.¹⁴⁵ The state of armed conflict between societies is what defines war and it is characterized by destruction of life and property, using regular or irregular means of armed force. As S.Daniel postulates, war entails enormous amount of risk and cost.¹⁴⁶ These risks include the possibility of a military defeat which would render impossible the achievement of the pursued Foreign Policy objectives, compromise other Foreign Policy interests and objectives and even put at stake vital interests. Another possible risk is the lack of public support for the war effort, which may lead to a government leaving office. It is vital to understand that, in international law, war is a legitimate course of action, even if it is confined to self-defense as Article 51 of the UN Charter articulates. Kenya under the leadership of President Mwai Kibaki oversaw the execution of the use of military instruments when the Kenyan Defence Forces went to Somalia for the first time since Kenya's independence under the banner "*Operation Linda Nchi*" with the approval of the United Nations Security Council Resolution¹⁴⁷ and Article 51 of the United Nations Charter based on the right to self-defense.

War may be conventional if it uses conventional weapons or unconventional if it uses strategies such as covert warfare, non-conventional weapons, like nuclear, biological or chemical weapons. War may also be asymmetric if the parties in conflict differ greatly in their military capabilities. This may happen when a state is perceived to be weak is forced to conform by a

¹⁴⁴ Robert D. Putnam, '*Diplomacy and domestic politics: the logic of two-level games*', in *International Organization*, 42 (Summer 1988) pp427-460 reprinted in Peter B.Evans, Harlod K. Jacobson and Robert D.Putnam (eds), *Double Edged Diplomacy: International Bargaining and Domestic Politics* (Berkeley: Univeristy of California Press, 1993)

¹⁴⁵ <https://en.wikipedia.org/wiki/Aggression> retrieved on 25th August 2016

¹⁴⁶ Šmihula, Daniel (2013): *The Use of Force in International Relations*, p. 67.

¹⁴⁷ United Nations Security Council Resolution 2036 – giving Kenya international cover and legitimacy but also providing the needed financial support to execute the war.

stronger state through the warning of using force, a term referred to as finlandization. This happened during the final days of World War II, where Finland reached a peace agreement with the Soviet Union since neither wanted war even though the Soviets could have easily trounced the Finns. The Soviets preferred to use their military resources elsewhere. The terms of the peace treaty favoured the Soviets who got what they wanted leaving Finland at their mercy.

3.5 Actors Of Foreign Policy

Actors in foreign policy include institutions, individuals or groups that influence behavior in the states' relations. Institutional actors are structures of social order and co-operation managing the behavior of a set of individuals within a given human community. The institutional actors in Kenya's foreign policy include the head of state, parliament, Ministry of foreign affairs and trade, judiciary and other ministries such as Ministry of finance, Interior and Co-ordination of National Government, who are presumed to be empowered to speak and act on issues of foreign relations that concern specific tasks of their ministries.

The actors of Foreign Policy are multiple and at the same time distinct and can be personified in defining the actors as a person or an entity with the legal capacity of making an impact in international relations. Actors of foreign policy are divided into two groups, that is, state actors and non-state actors.¹⁴⁸ The first category comprises states who have been considered the main and only actors in Foreign Policy, while the second category is an array of actors such as Sub-State actors, International Non-Governmental Organizations (INGOs), International Governmental Organizations (IGOs), Economic Agents and Media.

State Actors represent the main source of foreign policies, therefore, states and foreign policies can be viewed as Siamese twins.¹⁴⁹ A State is defined in the field of Foreign Policy as drawn from Article 1¹⁵⁰ of the Montevideo Convention of 1930 on Rights and Duties of States; as a person of international law having the distinct characteristic of a permanent population; a defined territory; government; and capacity to enter into relations with the other states. In a nutshell a state is assumed to be a state once it has been recognized by a significant number of other states and admitted into the United Nations.

¹⁴⁸ Christopher Hill, *The Changing Politics of Foreign Policy*, Sources, Constraints and Actors pp220-249 New York:Palgrave Macmillan 2003

¹⁴⁹ Christopher Hill: *The changing Politics of Foreign Policy*,: The Politics of Foreign policy pp40-47 New York:Palgrave Macmillan 2003

¹⁵⁰ Montevideo Convention of 1930 on Rights and Duties of States Article 1

Non-State Actors include a number of actors. INGOs are private and interstate non-profit organizations composed of individuals who are not representatives of states or governments. INGOs are considered actors in Foreign Policy due to their ability to influence other Foreign Policy actors. This influence occurs when the INGOs influence agenda setting and provide legitimacy and/or implement solutions decided elsewhere. The capacity of influencing the setting of agendas in the international arena has been widely recognized. INGOs through their actions influencing the agenda set by world decision makers influencing the public opinion through providing or denying legitimacy to the solutions agreed upon by international world leaders.

IGOs are another category of non-state actors that arise from agreements in political forums between their members. Their existence is lawfully recognized by their member countries and can be divided into different categories: Global organizations which are open to States worldwide covering a wide range of issues an example being The United Nations Organization (UNO) which was established in 1945 and has served as a platform for negotiations by states seeking peaceful solutions when international conflicts arise. International Criminal Police Organization (ICPO-Interpol), the World Customs Organization (WCO), are specialized global organizations established to carry out a specific duty. Regional Organizations are organizations whose membership is limited to States placed in those specific regions hence not open to all states. These include the European Union (EU), the African Union (AU) which Kenya is a member and has rallied other nations to leave ICC.

Another non-state actor is the Ethno-cultural organizations which are open to members who share the same culture, language, ethnicity, religion or historical background. These organizations include, the Commonwealth of Nations (CoN), the Organization of the Islamic Conference (OIC), the League of Arab States (LAS), the Organization International de la Francophonie (OIF). Economic organizations are IGOs made up of independent states with the possibility of limited membership of other IGOs whose main aim is promoting certain economic objectives. These organizations include the International Monetary Fund (IMF), The World Bank (WB), World Trade Organization (WTO) and the Organization for Economic Cooperation and Development (OECD).

Collective Security Organizations carry out the objective of prevention and counteraction to military threats or attacks to its members. These organizations are made up by States and are based on the principle of mutual support in the event of military aggression. Should a third State

or party attack one of the members of the organization, all member States are obliged to support the attacked member. An example of Collective Security Organizations includes the North Atlantic Treaty Organization (NATO). Additionally, some global or regional IGOs may have a security aspect, as is the case of the United Nations or the European Union. Economic Agents such as multinational companies are more skewed towards trade, investment, removal of political barriers and issues such as human rights and environment. Making the multinational companies part of the process of change and development.

Radical as it may sound, other non-State actors may include: criminal groupings, ethnic based and religious groupings. Such non-State actors are not categorized since their aim, structures and means of actions do not fit into the previous categories, nor do they have any similarities. But these actors have contributed in shaping the field of Foreign Policy. With this in mind, Kenya has had its foreign policy evolving due to terrorists provoking Kenya to a situation where it had to go to Somalia in pursuit of terrorists. Secondly, Kenya established an Anti-terrorist Police Unit (ATPU) to curb the terrorist menace. A bill on security law (amendment) was passed in 2014 to harness Kenya's security.¹⁵¹ Notably Al-Qaida, ISIS, Boko Harm and Al Shabab are global Islamist organizations which have shaped international developments and foreign policy. The US and Israel use the issue of terrorism to promote their foreign policy agendas in the Middle East and Muslim nations.

3.6 National Security

Internal security and foreign policy are inextricably linked and weakness in the state leads to insecurity in all forms. States exist in every form of ideology emanating from the political and ruling regimes irrespective of whether they are democratic, autocratic, dictatorial or theocracies. The national security of a state is measured by its ability to correctly identify threats and marshal its financial and human resource to act against such threats. Kenya has been defined as an economic development hub and as trade magnet, therefore, identifying the threats, pre-empting the threats, managing the threats or even surviving the threats without negatively impacting the state is the epicenter of Kenya's national security.

The drivers that threaten national security in Kenya include our geography, demography, economic condition, national security, pursuit of powerful global state and non-state actors and weakness in functions of state institutions. Geographically, Kenya is located in a fragile region

¹⁵¹ The Security Laws (Amendment) Bill 2014 An Act of Parliament

with inter-state wars which are far too common and a region which is prone to homegrown terrorist organizations. Lawless Somalia, a warring South Sudan and the close proximity to other countries whose political systems are lacking means that the pursuit of regional stability has evolved to become a fundamental component in our national security. Kenya's new status as a frontier for oil and gas opportunities will become a game changing scenario in the regional geopolitics. Demographically, a large number of Kenyan youths are idle and this can create a significant threat for radicalization leading to the youths been drawn into ideologies that can weaken the legitimacy of the state thereby destroying our democratic state. Failure to invest in young people is a recipe for direct security threat as this will lead to widespread poverty and limited opportunities of survival which are indicators of a dwindling economy.

To this end, the police and military forces are the only actors authorized to exercise violence. The key factor of national security is the ability and willingness of the security forces to secure Kenyan citizens and their properties. Monopoly of violence should include the ability to distinguish threats and effectively communicate them. Internationally, Kenyan diplomats are the first in line to defend the country abroad. The diplomats recognize threats, use bilateral and multilateral instruments of diplomacy thereby pre-empting or managing the threats. The diplomats advise on repercussions of external treaties, closely working hand in hand with other national security organs.¹⁵²

In security studies, the question "what is to be secured" has always been a contentious issue. Issues that threaten the security of the nation become core national interests. Therefore National security heavily leans on national interests. Formulation of national security policy formulation needs to remain dynamic and review of national interests be done regularly as they keep on changing from time to time due to changing situations. However, there are internal and external determinants of in Kenya's national security.

The internal determinants of our national security range from economic, political and societal perspective. State power and welfare of its citizens depends on the nation's economic security. Any threats to the economic security will interrupt economic progress of the nation. The gap between the rich and poor can be an economic threat if not properly addressed. However, these inequalities have being remedied by the new constitution's devolution strategy. Threats that emanate from political system come about due to diversity of ideas and traditions

¹⁵² President Kenyatta speech on National Security Strategy; 31st October 2014

which is a source of underlying international anarchy. Political threats are aimed at unsettling state governments.¹⁵³ Ethnicity, food insecurity, corruption, health insecurity, conflicts among pastoralists and criminal gangs such as *mungiki*, *jeshi la mzee*, *mrc*, *wakali wao* and *wakali kwanza* are all domestic groupings that determine Kenya's national security. The criminal gangs pose challenges to national security but with the new constitution the criminal gangs are charged under the Prevention of Organized Crimes Act of 2010.

The smuggling of small arms and light weapons are also a source of challenge to national security despite their source being external. Long and porous borders which have inefficient officials coupled with inept immigration laws have also dented the national security of the country.

¹⁵³ Buzan B., *People State & Fear, - An Agenda for Post International Security Studies in the Post Cold War Era 2nd ed*, (Boulder: Lynne Reinner Publishers, 1991), p. 119.

Chapter Four:

The Geostrategic Position Of Kenya In Influencing Foreign Policy

4.0 Introduction

In order to link Kenya's evolving foreign policy and terrorism, the geography of Kenya has to be factored in. N. Spykman confirms that the entire foreign policy of a country does not rely only in geography but rather geography conditions foreign policy.¹⁵⁴ The proximity of Kenya to war-torn Somalia justifies the important foreign policies being formulated and implemented to combat terrorism. Kenya's location to the Horn of Africa, its proximity to the Indian Ocean and eastern border with the failed state of Somalia has opened it to the world and on the other side rendered it vulnerable to external threats. This is a key conditioning factor in Kenya's foreign policy hence the reason for this chapter pinpointing the importance of Kenya's geostrategic positioning, the evolving foreign policy and terrorism and why terrorists find her an attractive target.

4.1 Kenya's Geography, Foreign Policy And National Security

Kenya is positioned along the Eastern coast strip of Africa which leads to the access of Arabian Sea and the Gulf of Aden. Kenya is encircled by five countries: Somalia, Uganda, South Sudan, Ethiopia and Tanzania. While appreciating the fact that each bordering state poses its own menace to Kenyan security, Kenya's location makes it part of East Africa and the Horn of Africa. Most terrorist activities in Kenya are carried out by Somalia, her northern neighbor. After the collapse of Somalia government in 1991, Somalia became a lawless society where crime and radical ideologies formed and thrived. Somalia's geostrategic positioning gives it the longest coastline in Africa making Somalia the nearest African country to the Middle East allowing this lawless state to provide support as a passage point in bringing illicit items, and proliferation of small arms into Kenya. Kenya's long dented border and the presence of Islamic fundamentalists, continue to undermine the security apparatus of Kenya and the rest of the world.¹⁵⁵ Adan, chronicles that Kenya was not chosen accidentally by terrorists but rather several variables played an important part in making Kenya an attractive target. Adan enumerated

¹⁵⁴ Nicholas J. Spykman, "Geography and Foreign Policy", *American Political Science Review*, 32,1938, pp.28-50

¹⁵⁵ Samuel L. Aronson, *Kenya and the Global War on Terror: African Journal of Criminology and Justice Studies* AJCJS, Vol 7, issued on November 2013 pg28

geographic positioning, ethnic composition, political instability, neighbors who are in constant conflict, poverty, Islamic extremism and laxity in law enforcement as some of the key issues.¹⁵⁶

Informed on these factors, the former President Mwai Kibaki in October 2011 sent the Kenyan Defence Forces into Somalia under the operation codename “Operation Linda Nchi” with the approval of the United Nations Security Council Resolution¹⁵⁷ and Article 51 of the United Nations Charter based on the right to self-defense. This was the first time in Kenya’s history the state was using its military tool and by extension expanding its foreign policy. This had been occasioned by the rampant Somali militiamen infiltrating into Kenya and kidnapping of Kenyan citizens and tourists. The Kenya Defence Forces (KDF) ‘invasion’ of Somalia worsened the already sour relationship between the Kenyan government and Muslims in the Horn of Africa. In retaliation to the so called invasion, Kenya suffered more than fifty separate grenade attacks believed to be carried out by the Al-Shaabab and its sympathizers.¹⁵⁸ The former Assistant Minister for internal security, the Late Orwa Ojode was quoted as saying that “*Kenya went to fight the tail in Somalia, while leaving the Head in Eastleigh*”.¹⁵⁹ This statement was in reference to the Kenya Defence Forces taking the war to Somalia while in essence leaving terror groups thriving within the country.

4.1.1 Closure of Refugee Camps

An asylum seeker or a refugee is a person who has been forced by circumstances not of his own making to cross national boundaries making the return to his country of origin impossible.¹⁶⁰ The person is offered refugee status by a state or the UNHCR and may formally request seeking the status of an asylum seeker.¹⁶¹ UNHCR's critical goal is to offer the refugee any of the three durable solutions.¹⁶² The solutions may include integrating and naturalizing of the refugees for the guarantee of citizenship or repatriation to country of origin or any other willing state and enabling resettlement. Kenyan Government like Syria have ruled out the option

¹⁵⁶ Adan, H.H Maj. (2005) Combating transnational terrorism in Kenya pg 8

¹⁵⁷ United Nations Security Council Resolution 2036 – giving Kenya international cover and legitimacy but also providing the needed financial support to execute the war

¹⁵⁸ International Crisis Group (2012). The Military Intervention in Somalia. *A journal of International Security* 184 , 1 - 24.

¹⁵⁹ Ojode, O. (2011, September 26th). Kenya's war in Somalia. (KTN, Interview)

¹⁶⁰ Convention and Protocol relating to the Status of Refugees (PDF), Geneva, Switzerland: Office of the United Nations High Commissioner for Refugees (UNHCR), Communications and Public Information Service, 1967

¹⁶¹ The truth about asylum - Who's who: Refugee, Asylum Seeker, Refused asylum seeker, Economic migrant, London, England: Refugee Council, retrieved 7 September 2016

¹⁶² <https://en.wiktionary.org/wiki/refugee> retrieved on 7th September 2016

of integration of refugees in their countries a move which would be received with enthusiasm by the natives/locals who view refugees as people who are favoured more than them especially by the international community while receiving resources.

Dadaab camp was set up in 1991 to house families fleeing conflict in Somalia.¹⁶³ The camp and its operations are financed by foreign donors ran by the UNHCR. The Dadaab camp is made up of Dagahaley, Hagadera and Ifo which were constructed in 1992. Ifo II and Kambioos were later set up. Kenya continues to play host to refugee population with the majority being Somali refugees followed by Ethiopian and Congolese. Somali refugees, and in particular the individuals who left Somalia in 2011, were running away from forcible recruitment into al-Shabaab and even after escaping into Kenya the militia group followed them to Dadaab to recruit their children and young men. December 2012, the Kenyan Government ordered that all urban residing refugees be relocated back to the camps citing Somali refugees as the biggest threat to national security who needed to be contained in refugee camps.

November 2013, Kenya and Somalia Government together with UNHCR signed a tripartite accord for the safe return of Somalis living in the Dadaab camp. This decision was arrived at following the Westgate Shopping Mall attack which had taken place in 2013 and the attack on the Garissa University in 2015 leading to the camp being viewed as a center for training, coordination, recruitment and assembly of terror networks.¹⁶⁴ The Deputy President of Kenya asserted that Kenya would change after Garrisra attack the same way America changed after 9/11. This meant change of Kenya's foreign policy towards refugee following the wake of terror attacks. The DP further demanded the closure of the camp by UNHCR since the camp was being used as a radicalization centre for young idle people by religious extremist.¹⁶⁵ This was compounded by the sluggish repatriation of the refugees compounded to Kenyan government in threatening with the closure of the camp. By 2016, the date of expiry of the agreement, only two thousand out of four hundred thousand refugees at Dadaab had been returned to Somalia. The Deputy President in an interview with Reuters voiced his concern that the international

¹⁶³ Abdi, Awa (2010). "In Limbo: Dependency, Insecurity, and Identity Amongst Somali Refugees in Dadaab Camps". *Bildhaan: An International Journal of Somali Studies*. 5: 7

¹⁶⁴ Aggrey Mutambo, *Leaders want refugee camps closed down*, Daily Nation 7th April 2015, p8

¹⁶⁵ Sieff, Kevin (2015, April 28th) Kenya is threatening to close the world's largest refugee camp. Washington Post. Retrived from <https://www.washingtonpost.com/world/africa/kenya-isthreatening-to-close-the-worlds-largest-refugee-camp/>

community had turned their back on Somalia while still trying to recover from the anarchy of the 1990s.

In view of this narrative, refugees should go back to their country to build it from there since they have acquired the necessary skills and education which they can use to develop their country. The surrounding Kenyan communities such as Turkana have had resources such as water being sold to them yet the refugees obtain it freely. This is a recipe for disaster as both refugees and the bordering communities compete for the same scarce resources hence creating a source of conflict between hosting the refugees and national security.

4.1.2 Border wall control

States that suffer terrorism have come up with certain approaches in addressing border security. Though walls rarely accomplish stated goals, they also bring about unplanned long-term consequences. The irony of wall building is the fact that the world is increasingly becoming globalised yet borders demarcate and close up national spaces, hence limiting interactions between states.¹⁶⁶ The decision by Kenya to put up a security wall was arrived against a backdrop of public outcry following the consistent attacks by Al-shabab in the country since 2008. According to R. Pape, reducing terrorism in any given country, the terrorist's self belief on their ability in carrying out successful attacks must first be reduced. Pape further goes on to advice states which face consistent terrorist attacks like Kenya to invest heavily in border defenses and other means of security other than compromising with terrorist groups or depend on military intervention.¹⁶⁷ The saying "*good fences make good neighbors*"¹⁶⁸ found in the mind pricking poem Mending Wall, was based on the activity of enhancing better relations when boundaries are clearly marked.

The major reasons of having security walls is for the guarding of cultural practices which can easily be eroded due to outside interference especially by immigrants as was witnessed in Europe in mid 2015 when Hungary and other EU countries put up barrier walls along their borders so as to lock out thousands of refugees fleeing chaos from Syria and Iraq. Secondly, states erect border walls to establish independence over ungoverned or disorderly lands in an

¹⁶⁶ Szary, A.L.A.(2012) Walls and border art: the politics of art display. *Journal of Borderlands Studies*, 27(2),ppg 213-228 3

¹⁶⁷ Pape, Robert A. (2003) The Strategic Logic of suicide terrorism. *American Political science revie.* 97.No.3 ppg 343-361

¹⁶⁸ Robert Frost poem: Mending Wall

attempt to broadcast power from the center of a given state.¹⁶⁹ Borders broadcast to the world, where the line of sovereign authority and territory is drawn. Kenya in building a wall for the first time since independence, was broadcasting its power and sovereign authority to the lawless Somalia. Thirdly, states may put up border walls so as to protect the security of its population and its wealth. Kenya by putting up a border wall seeks to stop Al-Shabab heinous acts and at the same time attempting to promote a secure environment for the tourism industry which brings to the nation million of shillings. Despite the fact that US and UK issuing travel advisories to their citizens to avoid travelling to Kenya,¹⁷⁰ having detrimental effect on Kenya's tourism industry.

R. Jones notes that most states have either put up border walls or fortified the existing ones since the year 2000.¹⁷¹ The Great Wall of China was erected so as to keep barbarians away from the Middle Kingdom but the wall serves today as a tourist attraction in the same way the Berlin wall did. Both walls were erected for security and immigration purposes. The Berlin Wall was built to keep East Germans away from the West. Israeli's separation barrier wall separates Israel with Palestine and was meant to keep Palestinian terrorists from accessing Israel and carrying out attacks. The US-Mexico border wall is perhaps one of the most sophisticated and probably the costliest fence in the world. It was aimed at dividing the ancestral lands of the Americans. The 118 kilometer Hadrian's Wall was built in 122 AD to separate the Romans from Barbarians (Scottish tribes) but today this wall is an artifact and chances are that it could form a future boundary between England and Scotland should the two separate.

Border walls and fences in the world are aimed at keeping out terrorists, illegal immigrants, reducing numerous cases of drugs and small arms proliferation been smuggled across the border through different means such as tunnels, drones and catapults. Africa's five border walls and fences include the one separating Morocco from the Spanish enclave of Melilla. The "sand wall" made of trenches, barbed wire, and land mines is the second dividing Morocco and Western Sahara. Thirdly, the metal, concrete and barbed wire barrier separating Egypt and the Gaza Strip, fourthly, the electric fence on the Botswana - Zimbabwe border was put up on the underlying principle that it would prevent the transmission of cattle foot and mouth disease

¹⁶⁹ Herbst, J (2002) States and power in Africa. Princeton University Press

¹⁷⁰ Obwocha, Beatrice. 2014, May 2015 Kenya angered by US, UK travel advisories. Business Daily. Retrieved from <http://www.businessdailyafrica.com/Kenya-angered-by-US-UK-travel-advisories/>

¹⁷¹ Jones, R. 2011 Border security, 9/11 and the enclosure of civilization. The Geographical Journal, 177(3), 213-217

across its border with Zimbabwe but the fence turned out to be a source of tension between the two countries since Zimbabwe argued that it was aimed at keeping its citizens out of Botswana. Finally, the South Africa–Mozambique security fence which was put up to avoid Zimbabweans fleeing from economic hardships getting to South Africa. The fence erected a few hundred meters from the international border has three lines of razor wire and enforced with electric fence.

After the horrific attack at Garissa University, Kenya announced that it would construct an a wall meant to provide security by separating Kenya and Somalia. This is one of the narratives that made Kenyan foreign policy to evolve. The proposed border wall would extend 700 km between Kenya-Somalia-Ethiopia.¹⁷² From border point one at River Dawa in Mandera, to border Point 29 Kiunga in Lamu. This wall will be made up of fences, ditches, and observation posts rather than an actual wall.¹⁷³ Once this wall is put up, it is meant to provide long-term security solution as getting inside the Kenyan territory; entrance will be through designated border points. The wall is expected to cost two hundred million Kenyan shillings.¹⁷⁴

Contested borders are a source of security concern and remain potentially a huge source of interstate insecurity. Therefore, any disputed border remains a potential threat to security which in turn affect states foreign policy.¹⁷⁵ The Organization of African Unity had during its inception decided that African states were to maintain and adhere to the borders as they had been laid out during independence. Certain border disputes exist and they include: a maritime border dispute between Somalia and Kenya which is pending at the ICJ. Somalia on one hand maintains that the maritime border should extend towards south east direction in an area equidistant between the two states, while Kenya on the other hand is of the view that the line delineating water under its control should extend directly east of the land border. In 1961, Somalia had laid claims on parts of Kenya's north eastern and Ogaden region in Ethiopia under the pretext of history, culture

¹⁷² Laing, Aislinn. (2015, April 2). Kenya erects a wall along border with Somalia to keep out al-Shabaab. *The Telegraph*. Retrieved from <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/kenya/11556269/Kenya-erects-a-wall-along-border-with-Somalia-to-keep-out-al-Shabaab.html>.

¹⁷³ Laing, Aislinn (2015, April 2) Kenya erects a wall along border with Somalia to keep out Al-shabab. The Telegraph retrieved from www.telegraph.co.uk/news/worldnews/africaandindianocean/kenya

¹⁷⁴ Kimonye, Koome (2015 June 18th) Security wall along Kenya-Somalia border could cost Kshs.200m per K-Expert. Citizen. Retrieve from <http://citizentv.co.ke/news/securitywall>

¹⁷⁵ Katete Orwa, Continuity and Change: Kenya's Foreign Policy from Kenyatta to Moi, in *Politics and Administration in East Africa*, ed. Walter Oyugi, (Nairobi: East African Educational Publishers, 1994), p303

and race in laying to claims these parts but this was part of a bigger plan in altering the boundaries so as to create a bigger Somalia.

A second dispute is that of Kenya and South Sudan which the two states are disputing about the Ilemi Triangle situated at the junction of Kenya, South Sudan and Ethiopia. Both Sudan and Kenya are laying claims to this area. This dispute has lasted as far as colonial times even before South Sudan been declared a nation in 2011. A third dispute is that of Kenya and Ethiopia mainly due to scarcity of water driving the citizens of these states to a point of killing each other. Tension arose when Ethiopia decided to build a dam on the Omo river to exploit hydroelectric power meaning less water flowing into Lake Turkana. A fourth dispute is that of Uganda and Kenya over Migingo Island on Lake Victoria. Both states lay claim on the Island but Uganda went ahead to deploy troops in 2004 at the Island. Little has been achieved in ending this dispute. In 1976, Uganda's Idi Amin had attempted to lay claim on parts of Western Kenya alluding that the western parts had been historically Uganda's territory.¹⁷⁶ The fifth dispute in the offing is that between Kenya, Somalia, South Sudan, Tanzania and Uganda due to unearthing of oil and gas in the East African region raising future potential territorial disputes since each of the state wants to have control over the resources.¹⁷⁷

Border walls have their disadvantages by representing unnatural barriers to commerce and communication. Individuals can use other means to get over the other side by using ladders, tunnels or bribing of border guards. Secondly border walls are expensive to maintain, thirdly terrorists can use legitimate ways to enter the countries they want to harm, fourthly, walls and fences do not focus on the root problems of insecurity neither do they encourage better relations but act as catalysts for conflicts. Border walls act as deterrents and are as good as the people who man them.

By addressing borders security, revamping national security strategies and building a border wall would appear to have the interests of Kenya at heart. Unfortunately, Kenya in the quest to build a border wall may reignite border disputes and separate communities that have lived together.¹⁷⁸ It is clear that Kenya's foreign policy has evolved since 1998 to 2015 due to the rampant terror activities. The 2013 Westgate Shopping Mall and the 2015 Garissa University

¹⁷⁶ *ibid*, pg 303

¹⁷⁷ The East African 2012, Simmering border disputes in battle to control oil, gas. The East African : Joint report. Retrived from <http://www.theeastafrikan.co.ke/news/oil>

¹⁷⁸ Cannon, B.J.,(2016) Terrorists, Geopolitics and Kenya's Proposed border wall with Somalia. Journal of Terrorism Research 7(2,pp23-37

attacks became a game changer for Kenyan foreign policy indicating that the various decisions undertaken by Kenya, have proved to have a nexus between terrorism, refugees, foreign policy, and national security. Kenya on the other hand needs an appropriate repatriation strategy to have refugees who are in Kenya moved back to their country of origin.

Chapter Five:

Critical Analysis Of Evolution Of Kenya's Foreign Policy In Light Of Terror Attacks

5.0 Introduction

Kenya's foreign policy has continued to evolve unlike in the past where it was a closed box entity. The year 2015-2016 will forever be etched in our history books as having hosted high profile world leaders and first times conferences taking place on Kenyan soil. The visits had ripple effect on our foreign policy and the fight against terror opening up a new chapter in foreign policy and diplomacy. Due to the increased threat from international terrorism, many governments all over the world have enacted legislation of locking out refugees in an effort to counter attack terrorist actions which have negatively affected refugees and asylum seekers.

But, are terror activities to be blamed on refugees influx? This is one of the question that, the study wishes to unravel in this chapter. There is a growing perception that indicates there is a relationship between influx of refugees, terrorism, and the evolving of foreign policies. Another angle from which the country's foreign policy is evolving is the re-engagement with Africa and the World through the use of public diplomacy highly being used by the Cabinet Secretary, Amina Mohammed who heads the Ministry of Foreign Affairs and Trade. She has led a spirited fight by pushing for the rejection of ICC cases against Kenya and is one of the major contenders for the position of chairperson of the African Union Commission. Further the CS is in a committee that is lobbying for African continent to have two permanent slots in the Security Council at the UN. This goes to show how Kenya's foreign policy has evolved by using public diplomacy following the 2012-2013 bitterness Kenya had with UNSC while attempting to defer cases against President Uhuru and his Deputy at the ICC where US and UK abstained from voting.

Kenya's foreign policy has become a force to reckon with as was exhibited when President Kenyatta recalled one thousand Kenyan troops out of the UN Mission in South Sudan (Unmiss). The US and UN were in frantic talks to have Kenya not to withdraw its troops after UN Secretary General sacked Unmiss Kenyan commander.¹⁷⁹ The President further noted that the country would no longer contribute troops to the regional protection force which is tasked in the peace building process.

¹⁷⁹ Caroline Wafula, Aggrey Mutambo, Kevin Kelley and Stella Cheronu "Chinese replaces Kenyan general as Uhuru orders pullout of troops" Daily Nation 4th 2016, pg 10

5.1 Global Partners

President Barack Obama, the first African-American sitting president in US, visited Kenya during the sixth Global Entrepreneurship Summit for a three day visit from 24th to 26th July 2015 endorsing Kenya as a powerhouse in innovation and attesting to the fact that Kenya was the largest economy in East Africa. The visit took place during Obama's second term in office as president, having bypassed Kenya during his visit to Africa in the first term. In the first visit to Africa, Obama had visited our next door neighbor Tanzania, a move which he termed as having sidelined Kenya due to its corrupt ways; this move was seen as a lukewarm foreign relationship since Obama had Kenyan roots by having a Kenyan father. The visit to Kenya marked a new chapter of warm foreign ties with the West and a great bonus for Kenya.¹⁸⁰ By the end of the GES summit and visit, President Kenyatta was the biggest winner since having come into office, he had been seen as an outsider by the international community due to the ICC case. Kenya struck agreements worth 1.2 trillion in the conservation of wildlife, health and energy sectors, the youth and women, food security, the environment and security at the end of the visit and summit. President Obama had noted with concern that the Al-Shabab preferred soft targets in Kenya, since their hiding territories in Somalia had been demolished and for this reason, he announced that US would increase funding for Kenya's war against terrorism.¹⁸¹

25th to 28th November 2015 Kenya had a date with Pope Francis. Being the leader of the smallest state, Vatican and shepherding two billion Catholics, his visit was viewed as part of being in solidarity with Kenyans, who endured the gruesome Garissa University attack a day before Good Friday which has a special meaning to Christians and in particular Catholics. The Pontiff arrived in Kenya to questions from reporters and one question which was poignant was that from a reporter asking the Pope if he was not concerned about Kenya's security threat. The Pope noting the mischief of the reporter stated "*to tell you the truth, the only thing I'm concerned about is the mosquitoes. Did you bring your spray?*"¹⁸² The Pontiff's message was that of peace and reconciliation in parts of Africa torn by extreme violence and conservation of the environment a message he delivered at the UNEP headquarters in Nairobi ahead of climate talks that were to take place in Paris.

¹⁸⁰ Andrew Teyie, Shs.1.2 trillion deal struck but not all are winners after Obama's visit; Sunday Nation 2nd August 2015 pp4-5

¹⁸¹ Andrew Teyie, Shs.1.2 trillion deal struck but not all are winners after Obama's visit; Sunday Nation 2nd August 2015 pp4-5

¹⁸² www.theguardian.com retrieved on 15th October 2016

25th May to 31st May 2016 was South Korean President, Park Guen-hye turn, to have a state visit in Kenya, thirty four years later, by a sitting president from South Korea. By the end of the visit, Kenya and South Korea had signed multi-million dollar agreements on areas of science/technology, e-government, trade investment, health, education and nuclear energy. President Kenyatta noted that Kenya was deeply concerned with the nuclear tests being undertaken by North Korea and condemned the provocative acts.¹⁸³

On 4th to 6th July 2016, Kenya had the privilege to host Israeli Premier who noted that Kenya was special, due to the role it played in the Entebbe raid in July 3rd 1976 when Kenya allowed Israeli aircraft to refuel at Jomo Kenyatta International Airport.¹⁸⁴ At the end of his visit the Premier promised to help Kenya fight terrorism by sharing intelligence which is a key element in foreign policy making. He further noted any advance information on a prior attack is crucial in pre-empting it, hence saving lives. Intelligence may be gained from both foreign operations and domestic counter-intelligence.¹⁸⁵ The premier committed his nation to speeding up in the construction of Kenyan security wall border with Somalia so as to stop the inflow of fighters who cross over to carry out terror attacks. President Nyetanyahu viewed terrorism as having taken an international angle and had to be confronted by a united world community. Israel has undertaken a 30km border wall with Jordan, a continuation of a 240 km wall that was erected along Israel's border with Egypt's Sinai Peninsula. The Golan Heights wall is occupied by Israel and other walls within the West Bank.¹⁸⁶

10th to 13th October 2016, South African President, Jacob Zuma was Kenya's state visitor. This was the first official visit by a sitting South African head of state, twenty two years since the fall of apartheid. The visit was a turning point for the two pivot economies between eastern and southern Africa. Let it be remembered that Former President Mwai Kibaki visited South Africa in 2003, but President Thabo Mbeki never reciprocated. President Uhuru Kenyatta also visited South Africa in 2013 during the funeral of Nelson Mandela.¹⁸⁷ Later in 2015 attending the African Union Summit and the sixth Forum on China Africa Cooperation summit which was also held in 2015, apparently these visits were not official. Zuma's government

¹⁸³ www.aa.com.tr/en/Africa/Kenya retrieved on 15th October 2016

¹⁸⁴ Israeli spies to help Kenya in war on terror, Uhuru, Netanyahu agree deals in security, health, agriculture: Daily Nation 6th July 2016, pp1,4-5; Bernard Namunane

¹⁸⁵ Anthony Verrier, *Through the Looking Glass: British Foreign Policy in an Age of illusions* (London:Cape, 1983)

¹⁸⁶ Interview with Israeli Prime Minister Benjamin Netanyahu by Daniel Kalinaki <http://www.nation.co.ke/netanyahuinterview>

¹⁸⁷ Dr. Bob Wekesa, *Visit by Zuma confirms Kenya as a trade magnet*; Sunday Nation, 9th October 2016 pg44

strategy in avoiding the earlier mistakes of the Mbeki era resulted in change of diplomatic relations between Pretoria and Nairobi despite the lull of diplomatic relations in the years 2004 to 2008. South Africa's foreign policy towards Kenya was based on falsehood where South Africa presented itself as a nation which was "pro-nationalist" and "pro-apartheid". What started as an ill-advised idea took on a serious and diplomatic perspective.¹⁸⁸

Where did the frothy relationship between South Africa and Kenya start? The former late President, Nelson Mandela visited Kenya upon his release and election as South Africa's first black leader and during that visit he paid tribute to the role Kenyan nationalists had played in inspiring South Africa ANC's struggle for the nation's independence. In the same breath, Mandela expressed frustration on the part of Kenya for having not accorded him and other freedom fighters the credit they deserved. He raised serious protocol issues kicking off on uncertain footing and making President Moi, uncomfortable because his regime half heartedly supported the African National Congress during the liberation struggle. This was in contrast to Uganda and Tanzania behavior towards ANC. By his speech, Mandela was stepping on the sensitive toes of the regime that was in power. The beginning of lukewarm relationship between South Africa and Kenya started. Thabo Mbeki, the second black president of South Africa took a slanted ideological position on Kenya. President Kibaki's desperate efforts in making a state visit to South Africa and holding party to party consultations with ANC were given a cold shoulder by Thabo Mbeki. After the 2002 elections in Kenya, the South Africa's ambassador in Nairobi showed open favoritism for ODM which was considered the "pan-nationalist wing of the NARC Government of President Mwai Kibaki. Thabo Mbeki and members of ANC secretly sided and supported Raila Odinga, whose father, Jaramogi Oginga Odinga had been Kenya's first vice-president and had supported the ANC struggle.

During the 2007-2008 post election violence in Kenya, the Kenya-South Africa relations took on a new political dimension. South Africa offered to mediate and bring an end to the crisis nominating the current vice president Cyril Ramaphosa and Rev Desmond Tutu to act as mediators in fostering peace, only for President Kibaki to reject the offer.¹⁸⁹ This was due to the perception of the PNU affiliate of NARC feeling that the ANC was a close ally to the opposition

¹⁸⁸ Prof. Peter Kagwanja, Zuma visit opens new chapter in Kenya's ties with South Africa, Daily Nation 12th October 2016 pg28

¹⁸⁹ Dr. Bob Wekesa, *Visit by Zuma confirms Kenya as a trade magnet*; Sunday Nation, 9th October 2016 pg44

leader Raila Odinga, bankrolling and offering him diplomatic support. Peace in the country was finally restored through the National Accord and Reconciliation Act, which was initiated by John Kufor and Koffi Annan together with Graca Marcel the wife of Mandela who had joined the team of the Panel of Eminent Africans. In June 2015, as a damage control measure, Ramaphosa visited Kenya to apologize for the March 2015 xenophobic attacks that had taken place in South Africa. This visit stood out because he was allowed to directly speak to Kenyans during the Madaraka Day celebrations. It symbolized the hostility between the two countries thawing, considering Ramaphosa's embarrassing episode which he had been made to undergo in his peacemaking efforts in 2008 which in effect had embarrassed South Africa.

As a leader among equals on the continent, South Africa has always competed with traditional and emerging powers for trade and investment opportunities. Therefore, Kenya's successful hosting of the US president, the Pope, GES, WTO and TICAD made Kenya's international stature rise up, awakening South Africa to the recognition of Kenya's significance rise as a magnet of global powers. The competitive narrative associated with Kenya and South Africa is the geostrategic angling hence positioning the two countries as gateway to the African continent. Therefore, the state visit by Jacob Zuma put Kenya on the regional limelight where her dominance was and is still being challenged from collapse of the EAC "coalition of the willing". South Africa's alignment towards Tanzania, which had been a former ally during the ANC liberation era, made Kenya blame Tanzania for its attitude towards the East African Community (EAC) union. Kenya steered a new "Coalition of the willing" with Rwanda and Uganda with a clear message of uncertainty towards Tanzania being in the coalition.

Another stiff which severed the foreign policy between Kenya and South Africa in 2013 was the ICC issue facing President Kenyatta and Deputy President, William Ruto who were both charged by the ICC on crimes against humanity. South Africa avoided any commitment between Kenya's titanic battle with the West over the ICC cases making Kenya look like a pariah state. The African Union took a collective position of pulling out of ICC¹⁹⁰ making South Africa support Kenya by default of being a member of AU. A mind pricking ideological piece on how Courts can not be able to end civil wars was penned in the New York Times by former president

¹⁹⁰ Luke Awich, Give sitting presidents immunity, AU tells ICC; People Daily, 12th April, 2016 pg2

of South Africa, Thabo Mbeki and Ugandan scholar, Mahamoud Mamdani, effectively sealing the fate of ICC in Africa.¹⁹¹

Zuma's visit was meant to advance South African foreign policy and to discuss trade, security, immigration matters, counterterrorism matters and joint discussion efforts for peace in South Sudan and Burundi. By the end of the visit, the South African head of state, and Kenya's president, had signed four Memoranda of Understanding and two bilateral deals. The most outstanding agreement was the defense co-operation agreement which the two presidents noted would define the two countries' relationship in combating insecurity within the region and the continent by sharing intelligence to combat terrorism, identifying sources of funding for terrorists and enhancing counter terrorism activities. Kenya on its part has played its role to mend fences with South Africa by promising to source its security equipments especially armored cars from South Africa. While at the same time, South Africa would benefit the region with its military training facilities.¹⁹² Further, South Africa committed itself in supporting the work of the African Union Mission in Somalia (AMISOM). With regards to South Sudan, Kenya has always felt that South Africa's involvement has been a challenge due to her influence and intervention which is seen as scattering the work of the IGAD. Kenya looks forward to South Africa playing a bigger role in the case of Somalia.¹⁹³

World Trade Organization 10th Ministerial Conference ran through 15th to 19th of December 2015 for the first time on African soil courtesy of Kenya twenty years after its inception successfully despite the United States issuing travel alert. This was the world biggest intergovernmental trade organization with over 162 members being in one place. Exit WTO and in came the United Nations Conference on Trade and Development (UNCTAD) ministerial conference taking place in Kenya. The successful conference was followed up by Tokyo International Conference on African Development (TICAD IV) which was held from 26-28th August 2016 hosting twenty three heads of states, nine prime ministers, and more than five vice-presidents. The Nairobi meeting was the 6th since its inception in 1993 and was for the first time being hosted in Africa.¹⁹⁴ TICAD is presumed to be the biggest, and most powerful international conference which plays a central role in promoting policy dialogue at high-level between African

¹⁹¹ Prof. Peter Kagwanja, Zuma visit opens new chapter in Kenya's ties with South Africa, Daily Nation 12th October 2016 pg28

¹⁹² Aggrey Mutaambo, *Uhuru, Zuma seal deals on trade, security*; Daily Nation 12th October 2016, pp 1,56

¹⁹³ Dr. Bob Wekesa, *Visit by Zuma confirms Kenya as a trade magnet*; Sunday Nation, 9th October 2016 pg44

¹⁹⁴ Japan to inject shs3tr in Africa economy; Daily Nation 28th August 2016 pp2,3,26

leaders and development partners. TICAD was an initiative by Japan meant to revive international attention to Africa since world powers had turned their attention to rebuilding Europe after the Cold war in the 1990's. The first time visit by Japan's Premier, Shinzo Abe was a confirmation of bilateral and personal relationship trust between him and President Kenyatta.¹⁹⁵ The two presidents were to discuss the Nairobi declaration document which sought to curb insecurity and improve African economies. Among the key issues that were tabled included economic transformation through diversification, industrialization, health systems and promoting social stability for shared prosperity. At the close of the summit, Kenya had bagged investments worth three trillion Kenyan shillings. Presently, Japan supports sixteen ongoing projects in Kenya. President Kenyatta on 8th- 10th August 2015 visited Uganda for a three day state visit where he made a historic address in the Ugandan Parliament.¹⁹⁶ Indeed as a country our foreign policy has evolved and made Kenya to be in the big league having hosted the US President, Pope Francis, South Korea president, India's Premier, and a host of other world leaders and conferences such as WTO, UNCTAD and TICAD hence proving to the world that Kenya is not a hotbed of terror but rather a hotbed for great men and women as Eric Ng'eno chronicled.¹⁹⁷

5.2 Public Diplomacy In Foreign Policy

The Cabinet Secretary of Foreign Affairs, Amina Mohamed used and continues to use public diplomacy quite well by being vocal in matters pertaining to Kenyan foreign policy. The CS has maintained cordial relationship with major western powers despite her high profile campaign against the ICC. She led a spirited fight by lobbying fifty three African states in rejecting the ICC case against Kenya by threatening to "*lay ground for revolt*" during the Assembly of State Parties (ASP) meeting at the United Nations headquarters if Kenya's request for amendment of Rule 68 was not met.¹⁹⁸ The CS achieved a major fete by successfully chairing the tenth WTO conference held in Nairobi from 15th to 19th of December 2015 a major conference which contributed heavily to the evolving of our foreign policy. Currently the CS has been nominated as a candidate for the position of chairperson of the African Union Commission with the support of a regional bloc from Comesa, which is a nineteen member states. This was after President Kenyatta secured the support during the bilateral talks he held with eight heads of

¹⁹⁵ Japan Ambassador Toshitsugu Uesawa during an interview on What Kenya, Africa stand to gain from Japan's key forum, Saturday Nation 27th August 2016 p3

¹⁹⁶ www.standardmedia.co.ke

¹⁹⁷ Eric Ng'eno; If Kenya is not rising, you are looking in the wrong direction; Sunday Nation 2nd August 2015

¹⁹⁸ Justice Wanga, Kenya issues threat to pull out of ICC, Sunday Nation, 22nd November 2015

state in Togo in October 2016.¹⁹⁹ The Commission is a powerful institution which coordinates the activities of the three AU organs including the AU Assembly, the Executive Council and the Peace and Security Council. The Commission is mandated to formulate AU's agenda and at the same time managing the allocated resources. Amina Mohamed's candidature is meant to pass on a symbolic message to the continent and the world on the return of Kenya as an undisputed player in the African stage having been detached in 1965 by a decision taken by President Jomo Kenyatta and Tom Mboya to align with the West. As Peter Kagwanja asserts, the stab at the job is a clear indication of early preparation for the Secretary Generals' job at the United Nations.²⁰⁰

A committee of ten nations (C-10) was formed in January 2016 by the AU leaders and Kenya was selected with Amina Mohamed representing the country. The work of the committee was to lobby for the UN reforms since AU felt that it was time for African countries to have two permanent slots in the Security Council and if this was not going to take place, then the AU Assembly would push to have veto powers removed. During his visit in Kenya while opening the TICAD conference, Japan's Premier pledged his support in ensuring an African state got a permanent seat in the UNSC arguing such a move would help the continent have global bargaining power. This appeared to be a strong statement of intent on the Kenyan part since Japan's Premier pledged his support while in Kenya who were the main lobbyist for Africa Common Position.

5.3 Influx Of Refugees, Terror Activities, Foreign Policy The Matrix

From the findings, it is evident that Al-Shabab is a regional threat and therefore requires a regional response. Kenya has been exposed to terror attacks because of the states she allies herself with. The US and Israel have been strategic allies to Kenya.²⁰¹ Of key interest to the US in Kenya is security issues and more so within the East African Region. The high number of refugees present in the country is perceived to threaten ethno communal balance putting to danger the social and economic stability of the hosting nation. The influx of refugees bring along arms, enemies and radical ideas that are prone to igniting violence²⁰² hence making the government's role in handling refugee issues a security concern.

¹⁹⁹ Ouma Wanzala, Comesa edorses CS Amina's candidature for top Africa post, Daily Nation, 18th October 2016

²⁰⁰ Diana Kalinaki and other reporters; Amina bid for African Union job hinges on Uhuru, bloc support, Sunday Nation, 9th October 2016 pg 24

²⁰¹ Reprieve and Redress, , *Kenya and Counter Terrorism: A Time for Change*, February 2009 Available at; www.redress.org/.../Kenya%20and%20Counter-Terrorism%205%20Feb%2009.pdf [Accessed on 4th May 2010] Pp 31

²⁰² Jacques Melanie, *Armed Conflict and Displacement*, (New York, Cambridge University Press, 2012), p2

In 1991, Somalis arrived in Mombasa town in large numbers when their country plunged into civil war. Their presence was viewed by the Kenyan Government as a threat to the valued tourism industry which was doing well.²⁰³ At that time, Kenya had become an attractive tourist destinations in Africa. This led to the Government assigning refugee camps far away from the coastal region of Mombasa in order to reduce criminal activities and address insecurity, which was an obstacle to tourists. As a result, fear and insecurity triggered off the government to conduct annual swoops in urban towns and cities as it shifted its refugee policy to encampment of all refugees. In 1997, the then President Moi, made an announcement about all foreigners and aliens, which prompted security swoops by the police throughout urban centers. The 1998 bombing of the US embassy in Nairobi opened a new terrorist chapter in Kenya's security history bringing about more effort and networking of security enforcement in the country. More swoops were conducted. Despite all these efforts by the government to keep away refugees, they still settled in urban centers and set up businesses for financial self-sufficiency. Their increasing populace in urban centers brought about the need to force refugees into camps. The Government's encampment policy was that only refugees who resided in the camps could have access to international assistance. The Sudanese refugees were largely settled in Kakuma camp while the Somali refugees were settled in Dadaab. By 1997, all other camps were closed down and only Kakuma and Dadaab were left. Kakuma being located in Turkana district 95kms from the Kenya Sudan border which is a semi arid region with little vegetation cover and surface water. Due to the harsh climatic conditions the Turkana's who are the natives of the region are engage largely in nomadic pastoralism. The Kakuma camp was set up to host the 'lost boys' from Sudan and a host of other refugees from the horn of Africa and the great lakes region. Later it was expanded to serve refugees from Sudan, Somalia, Ethiopia and Burundi and DRC.

But, are terror activities to be blamed on the continued evolution of Kenya's foreign policy? There is a growing perception that indicates there is a relationship between refugees and insecurity which lead to serious humanitarian challenges and environmental challenges, smuggling of small and light weapons, drugs and trafficking of humans.²⁰⁴ It is viewed as such, due to the suspicious relationship that existed between the Somalis and Kenya in the 1960s

²⁰³ Tiyambe.P. Zeleza and Cassandra R. Veney, *Leisure in urban Africa*. (Asmara; Africa World Press, Inc.,2003),p34

²⁰⁴ Samuel Gitonga, Foreign Service Institute/ Ministry of Foreign Affairs ISS and HSF Seminar Report: *Kenya's Foreign Policy and Geostrategic Interests*. 10th May 2012

during the ‘shifita’ war that waged secessionist wars in north-eastern province of Kenya and was being supported by Mogadishu. The war had started as a claim by Somali in the pretext of expanding Somalia into Kenya’s Northeastern province.²⁰⁵ President Jommo Kenyatta was firm and asserted that, Kenya would not in any manner concede a part of its territory. Since then, Somali refugees have been viewed with suspicion.²⁰⁶ Again this perception is generalized for all refugees because of the insecurity situation in Somali and the fact that most of the refugees are of Somali origin. The pirates and terrorists who committed criminal activities in Indian Ocean and in Kenya especially in major towns and in North eastern province known as the Al Shabaab, have claimed to have links with the Al-Qaeda.

Kenya’s foreign policy on refugees focuses on concentrating refugees in camps with no or minimal interactions with the host community and other humanitarian agencies which are tasked in providing the refugees with basic human needs. This policy of minimal interaction between refugees, the government and the general population breeds misinformation and suspicion among the refugee communities. Uganda’s refugee policy entails the settlement policy or open policy whereby refugees freely blend with the host community. This policy promotes mutual co-existence between refugees and the Ugandan population leading to policy makers and the general public in having a fair understanding of refugee related issues and their plight.

5.4 Change Of Strategy By Terrorist

Al-Shabab decreasing support in Somalia has made it to carry out an unconventional war instead of trying to offer a substitute form of leadership making this group to transform into an extreme transnational network.²⁰⁷ Unfortunately, Kenya has had to bear the brunt of the transformation of this terrorist group.²⁰⁸ The Al-Shabab are continuously changing and renewing their tactics showing their willingness to go to any extent even using chemical or biological terror attacks which can lead to health endemic that can kill thousands, break down of health systems and collapse of economies which as a result would cause destabilization of governments.²⁰⁹ A chemical or biological attack is enough to cause alarm and fear thereby giving

²⁰⁵ Rono Jona, *Kenya Foreign Policy” Africa Foreign Policies Stephen Wright* (ed.) (Colorado: West view Press,1999), 10

²⁰⁶ *ibid*

²⁰⁷ Paul D. Williams and Abdirashid Hashi: Exit Strategy Challenges for the AU Mission in Somalia, February 2016 p. 29

²⁰⁸ David M. Anderson and Jacob McKight, “Kenya at war: Al-Shabab and its enemies in eastern Africa, “*African Affairs*, 114:454 (2015), pp1-27

²⁰⁹ Cleopas Mailu, Health Cabinet Secretary after a tour of Kemri in April 2016

the completing the terrorists purpose as was the case of October 2001 anthrax letters which were discovered in The Hart Senate Office and the Brentwood postal station both in Washington,D.C. Closer home, in May 2016, a medical intern at Wote Hospital in Makueni County was arrested and his attempt thwarted when his intention to use biological terrorism attack using anthrax was discovered.²¹⁰

The other type of change in strategy is the scary reality that groups like Al-Shabab and Islamic States are increasingly enticing women who are well educated and from stable families. Until recently, Kenya's intelligence system was shaken as no one could have fathomed that women would join terror cells with some sneaking out of the country to Somalia and Syria. Terrorism and radicalization have come too close to our homes with mothers being largely affected since girls and young women were previously thought to be Al-Shabab brides but have since changed their roles. Some of these young women and girls were arrested in the Northern Eastern Kenya town of Elwak en-route to Somalia to join the militants.²¹¹ The Westgate attack was believed to have been planned by Samantha Lethwaite, a British citizen who was radicalized in Yemen. This was after rescued individuals confirmed that there was a white woman as one of the attackers.

Internet has become an influential device for terrorists who use keyboards and chart rooms to exchange information, organize attacks, give out false information, raise and collect money, and sign up individuals. Social media forums like twitter, Facebook, YouTube, Instagram, Tumblr, internet memes and other social media have been used by the terrorists groups. These can serve as a virtual training ground, offering tutorials on carrying out their heinous activities and serve as grounds for expansion of recruitment and use it to raise morale. Online games allow players to log on in as groups to play against each other while in essence their main aim is to chat in private.²¹²

From the prevailing conditions, terror cells are known to be merciless to members who go against their ideologies once recruited and will deal with such people ruthlessly. Fredrick Shisia noted that terror cells have properly laid out intelligence networks which oversee those

²¹⁰ Leonard A. Cole, *The Anthrax Letters: A Medical Detective Story* (Washington,D.C; Joseph Henry Press,2003),pp215-217

²¹¹ Elvis Ondieki, Vincent Achuka, Rebecca Okwany and Manase Otsialo; *Women in Terrorism Lifestyle* pp 6-, 8th September, 2016 Sunday Nation

²¹² Sam Wambugu, *2016: time to up our game against online terrorism*; 27th December 2015 Daily Nation

who have been assigned duties have carried them out to the letter.²¹³ He further observed that women have always been involved at different stages in terror activities carrying out different roles since they attract less suspicion thereby being the best agents in accomplishing terror missions. Terrorism is all about ambush and surprise element.

5.5 Kenya Re-Engagement With Africa And The World On Terrorism

Kenya has refocused its energy to re-engage with Africa and the world as a whole. This was emphasized by, President Kenyatta during his inauguration speech which devoted at least four paragraphs for the need of having deeper relations between Kenya and Africa stating that the *“future of Kenya depends not only on our national unity but also on our bonds with our brothers and sisters in East Africa and Africa as a whole.”*

Violent extremism has continued to rock regional peace, and slowed regional growth in the Horn of Africa and East Africa. This threat has made regional states to come up with strategies which will counter youth radicalization and prevent the youths turning to violence. Kenya not being left behind has come up with a national strategy as a counter measure towards violent extremism, the first of its kind in Africa that was launched on 7th September 2016, by President Uhuru Kenyatta. Making Kenya react to the United Nations Secretary-General’s Plan of Action on the Prevention of Violent Extremism (January 2016). States that subscribe to the UN and regional blocks were called upon by The Plan of Action to build up national policy and structures to respond to aggressive extremism. Having this new counter violent extremism strategy put in place, Kenya will have the potential to use her diplomatic ability and put an end to the threat of aggressive extremism inside her territory and the East African region.²¹⁴ This strategy will not only help eliminate soft support of terrorist organizations but also deny them room to radicalize others.

Dr. Kituyi highlighted Kenya as a country known for her good neighborliness, nonviolent resolutions of conflicts and none meddling of internal matters of other states. Additionally, Kenya’s reluctance to announce herself as a regional economic power house despite her economic leverage being higher than that of her neighbors has put the nation on a greater pedestal. Dr Kituyi noted that the pursuit of Al-Shabab was a big military gamble the country

²¹³ Fredrick Shisia, Mandera County Commissioners in an interview the Nation newspaper

²¹⁴ Prof. Peter Kagwanja, Chief Executive of Africa Policy Institute: *Kenya’s Diplomatic effort to drain the swamp of terrorism*; Sunday Nation 11th September 2016 p 31

ever took since independence in advancing her security interests. The Operation was viewed by some people as a means of Kenya using her hard power to protect her key strategic interests. This was translated to mean Kenya was militarizing her foreign policy, indicating a change in strategy and the wish to put her security concern in line with that of her financial influence. Further, Dr. Kituyi observed that Kenya's Foreign policy between 1960s and 1970s mainly dealt with domestic issues and agendas unlike Tanzania whose foreign policy mainly focused on regional engagement.

Going to Somalia made Kenya be viewed in a different light. Change of non-interference policy to a more firm approach in regional issues sprouted. In illustrating the differences between Kenya's foreign policy and her neighbors, Dr. Kituyi contrasted Kenya and Uganda's response to South Sudan war. Uganda openly encouraged SPLM while Kenya concealed her support so as to retain good relationship with Khartoum. This provide the chance for Kenya to play host to the Comprehensive Peace Agreement (CPA) negotiations because of her strategy in concealing her support. Different combination of issues forced Kenya to shift in the evolving of foreign policy thereby making Kenya play a leadership role in the region.²¹⁵ Dr. Kisiang'ani in comparing Kenya's foreign policy with that of US, he noted that the US foreign policy does not change even when governments change due to the fact that the US has developed one nation with similar values unlike Kenya where foreign policy is ethnicized. Kenya is increasingly concerned in the maintenance of international collaboration with other African countries through a number of regional programs such as the East African Community, Common Market for Eastern and Sothern Africa (COMESA), Intergovernmental Authority on Development (IGAD), and even New Partnership for Africa's Development (NEPAD) this is due to the fact that Kenya's prosperity and development is symbiotic to her neighbors in the region.²¹⁶

Kenya's foreign policy key objectives as stated by S. Gitonga include the safeguarding of Kenya's independence and guarding of territorial integrity, development of regional stability, encouraging of sub-regional and regional cooperation so as to advance her economic prosperity. Therefore, the stability and development of Kenya's neighbors is pegged on Kenya's security,

²¹⁵ Dr. Mukhisa Kituyi, presentation; Operation Linda Nchi, a sign of Shifting Geopolitical Strategy In Kenya? Director, Kenya Institute of Governance 10th May 2012 ISS and HSF Seminar Report: Kenya's Foreign Policy and Geostrategic Interests.

²¹⁶ Dr. Edward Kisiang'ani: Issues in Kenya's Foreign Policy and the Somali Crisis: ISS and HSF Seminar Report: Kenya's Foreign Policy and Geostrategic Interests. 10th May 2012

the capability in combating international terrorism, ability to deal with organized crimes, and the decrease of small arms proliferation.

The terrorism acts of Al-shabab had stretched Kenya's tolerance for far too long. Kenya's main goal was to incapacitate Al-Shabab allowing the Transitional Federal Government to establish effective control over Somali territory. The Kenya Defence forces (KDF) joined AMISOM in 2012 as a response to an appeal by the AU Peace and Security Council so as to put up a regional team which would see to the stabilization of Somali. In using hard power (military), Kenya was viewed as having shifted her Foreign Policy.²¹⁷

Terrorist groupings such as the Islamic State and Al-Qaida which is based in Libya, Chad and Central African Republic thrive on the vacuum created by increasingly fragile states which are facing civil wars. Kenya therefore, cannot afford to have neighbors who are in constant civil war. South Sudan is slowly turning to be incubator and a safe haven for terrorists because of its money laundering, human and drug trafficking and rampant civil unrest. In South Sudan, violent criminal groups such as "Nigger Gang" have emerged and these kinds of groupings could easily be radicalized and turned into terror groups since the groupings aim at exploiting rundown public order so that they can carry out gang rapes, massacres and other social evils. The "Nigger Gang" exhibit markings of the former rag-tag radical group of Al Itihad Al Islamiya formed in 1984 which later turned into a terror group of Al-Shabab after the collapse of Somali state.

Currently, Kenya's neighbors such as South Sudan, Uganda, Tanzania, Djibouti and Ethiopia fall into a category which the UNDP describe as states in jeopardy due to bordering the epicenter of terrorism that is Somalia. South Sudan may become the second epicenter of violent extremism in the region due to the toxic mixture of devastating wars, collapsing states, unlawful gangs, a highly uneducated population and unemployment. In this regard, Kenya has supported South Sudan from sliding into an extremist nation as this would mean economic downfall for Kenya. The more reason as to why President Uhuru Kenyatta skipped the 71th United Nations General Assembly in September 2016 to pursue the changing state of affairs in Somalia before they hold their next elections and further come up with a solution for former South Sudan vice president Riek Machar as to which country would offer him safe asylum. The Head of State together with Ethiopia's president are senior players in pursuing peace in Somalia and Sudan.

²¹⁷ Samuel Gitonga, Deputy Director Foreign Service institute, Ministry of Foreign Affairs, ISS and HSF Seminar Report: Kenya's Foreign Policy and Geostrategic Interests. 10th May 2012

Kenya bearing in mind the danger of being in the middle of two epicenters of aggressive extremism, agreed in July 2016 to the African Union's request to prepare troops for reinforcement in South Sudan. President Kenyatta asserted that states in the East African region and Africa as a whole have a crucial task in ensuring lasting peace and security is found for South Sudan. The Security Council on 13th August authorized the deployment of Protection Force Brigade in Juba totaling to four thousand troops and threatened Juba with an arms embargo if it continued its resistance of the AU troops. The US branded East Africa and the Horn of Africa as an area which needs to be prioritized on matters regarding ways of counteracting terrorism due to the past terrorists activities. The US continues to help Kenya by training its military personnel, offering funds for counterterrorism strategies and even in intelligence gathering and sharing. In appreciating Kenya's neighbors it is also fair to look at what the surrounding neighbors offer in terms insecurity.

Sudan has had a long history of putting up and supporting radical groups. This happened during Muhammad Gaafur al-Nimeiry reign, a regime that held on to power until 1985. In the last years of Nimeiry reign, Sudan was offered a large military and development aid by the US. 1989 witnessed mutiny led by the military where the elected Sadiq al-Mahdi government was overthrown resulting to the establishment of a fundamentalist Islamic regime. The Clinton administration in 1993 cited Sudan as a state which sponsors terrorism by allowing terrorists to use Sudan as a sanctuary. Terrorist groups such as the Abu Nidal and Hezbollah members of Palestine Islamic Jihad were given safe haven leading to the weakening of relations with the US. In 1994, and in a limited way, Sudan showed its willingness to cooperate against terrorism and handed to France the notorious terrorist Illich Ramirez Sanchez, commonly known as Carlos the Jackal, who had been residing in Khartoum since 1993. In 1996 and at the request of the US, Sudan hounded out Osama bin Laden, who since 1991 had been living there. The US bombed the al-Shifa pharmaceutical industrial plant in Khartoum in 1998 with missiles as a form of revenge for the bombings of Nairobi and Dar es Salaam American embassies. The US maintained that a link between the factory and al-Qaeda existed. No additional engagement between US and Sudan on counteracting terrorism took place until President Omar Al-Bashir managed to defuse the militant Islamic wing of his government.

Ethiopia having a large Islamic population in the sub-Saharan region deserves careful attention. The OLF has continued using unconventional strategies inside Ethiopia to carry out

their heinous acts. The radical wing of the Somali ONLF and the dormant Islamic Front for the Liberation of Oromia have used violence and aggression as weapons. Ethiopia has had an effective security apparatus and is also part of AMISOM contributing troop nation in trying to end the Al-Shabab menace. Kenya's alliance with Ethiopia has brought the two states together in an alliance against terrorism.

Eritrea, being a Muslim-Christian state is located across the Red Sea from Yemen and needs a serious watch due to its proximity with terrorist prone nation, Yemen. It has had a border dispute with Ethiopia since 1998 over a section known as Badme.²¹⁸ Ethiopia, with Sudanese assistance has engaged Eritrea in a revengeful support for the hostile groups. Eritrea has had an effective security force with a noteworthy presence of Western military which may end up attracting global terrorists.

Djibouti, a small Islamic nation located across Yemen near the Strait of Bab el Mandeb, a significant checkpoint where the Red Sea joins the Gulf of Aden. In 2002, Djibouti became the command center for the Combined Joint Task Force-Horn of Africa (CJTF-HOA) which harmonizes counteractive terrorism undertakings in airspace and land area of Somalia, Kenya, Sudan, Eritrea, Ethiopia, Djibouti and Yemen. CJTF-HOA mission is to identify, interrupt, and trounce global terrorist groups using help from states in the region by identifying and neutralizing al-Qaeda "sleeper cells" within the region. CJTF-HOA offers security assistance for both civilian and military undertakings and other global associations to improve lasting security in the region. The only sub-Saharan African nation that US has maintained a military base is Djibouti, making the small state to be of paramount importance to the US. This state is also a base for three thousand French military personnel making her a rich target for terrorist attack.²¹⁹

Somalia with the fall of Siad Barre regime in 1991 made it lack a national government although the former Northern Province, Somaliland, publicly proclaimed its independence from Somalia in 1991 and to date it has not been recognized by any country in the world. Somalia state of affairs raises up serious concerns which could be used by terrorists fleeing from other areas such as Afghanistan due to its lawlessness therefore making it a potential terrorist haven.

²¹⁸United Nations Security Council, Progress Report of the Secretary-General on Ethiopia and Eritrea, 22 July 2003; and Paulos Milkias, "Ethiopia and Eritrea at War: Saga of Triumph and Tragedy at the Dawn of the Millennium," *Horn of Africa* 17, nos. 1-4(December 1999), pp. 33-71.

²¹⁹ David H. Shinn; *Journal of Conflict Studies*, Vol. XXIII, No. 2, Terrorism in East Africa and the Horn Vol 23, No 2 (2003)

Kenya, Uganda, and Tanzania are alert to dangers of global terrorism thereby making the three governments to team up with the US on programs that deal with terrorism. Kenya has set up a military arrangement with the US. While Tanzania has collaborated on civil aviation security, initiatives of reducing money laundering activities, border control, and training of uniformed personnel. Ugandan troops joined AMISOM against the fight of Al-Shabab in Somalia. Tanzania and Kenya can be accessed easily by sea. In particular, Kenya's porous border with Somalia adds to the problem of terrorism. Islamic militancy is being encouraged in Tanzania by foreign elements under pretext of building new mosques. Tanzania, albeit slowly is starting to take the threat more seriously.

5.6 Kenya's Exit Strategy From Somalia

Many of the peace operations around the world start as a rush decision to counter emergencies which come up abruptly and which had not been anticipated just like the "Operation Linda Inchi" did.²²⁰ Therefore, planning an exit from such peace operations is normally not a priority till peace is attained. The exit strategy is traced back to 1990's when US had to exit Somalia to avoid been military embarrassed.²²¹ As Kenya Defence Forces mark five years in Somalia in October 2016, there are varying opinions from various experts on whether Kenya should exit Somalia. Lawrence Freedman observed that there is a difference between an exit strategy and a plan for withdrawal.²²² A plan for withdrawal is one that lays steps showing how troops progress from one state of matters to others whereas a strategy comes into play when the laid down set of events are not predictable just as is the situation with peace process of AMISOM. Paul and Abdirashid expound on the exit strategy as the process of obtaining the capabilities required by the mission (AMISOM) so as to move out of the hosting country in this case Somalia.²²³ Strategy involves the knowledge of moving from one point to the other in a disputed relationship. Strategy does not offer solution but rather functions as a successful coping mechanism. Therefore, strategy as Freedman puts, it is about getting more out of a situation and is an art of creating power by forcing or persuading individuals who are unsympathetic or hostile to act in a manner different from what they are experiencing.²²⁴

²²⁰ Operation Linda Nchi; Kenya's Military Experience in Somalia(Nairobi: Kenya Defence Force,2014)

²²¹ Gideon Rose, "The Exit Strategy Delusion," *Foreign Affairs*,77:1 (1998), pp56-67

²²² Lawrence Freedman, *Strategy: A History* (Oxford: Oxford University Press, 2013)

²²³ Paul D. Williams & Abdirashid Hashi, *Exit Strategy Challenges for the AU Mission in Somalia*, pp1-40

²²⁴ Lawrence Freedman, *Strategy: A History* (Oxford University Press, 2013),pp608, xii

Kenya's exit strategy from Somalia cannot be laid bare as this would give an upper hand to the terrorists groups. Waging war according to Dr. Mukhisa Kituyi is a task which a good defence force can carry out but regaining peace after military triumph, calls for a special undertaking. Critics and cynics have both been pessimistic about the resolution of going to Somalia exposing the KDF to public scrutiny, praise and criticism but the KDF have since proved them wrong.²²⁵ A day after the incursion to Somalia, one of the headlines in the local dailies captured the moment with the headline "Kenya troops off to war".²²⁶ Fast forward, October, 2016 five years down the line, the soldiers have proved that the decision to invade Somalia was not a blunder. The decision changed the way Kenyan security sector operates and has had far-reaching implications for the country. The incursion into Somalia lowest point on KDF was on 15th January 2016, when KDF troops were attacked by the Al-Shabab militants at El Adde, a remote town in south western Somalia which was a base of AMISOM troops.

5.6.1. Ways to exit Somalia

The calls to exit Somalia started in 2014 following the West Gate terrorist attacks in 2013 and the calls grew more loudly after the Garissa University Attacks.²²⁷ The Opposition Leader in Kenya, Raila Odinga in 2014 during a public rally in Eastleigh in Nairobi noted that he and former retired President Mwai Kibaki had agreed to send Kenyan forces to Somalia but as far he was concerned the Kenyan troops had no business being there anymore. Kenya can use some mechanisms to exit Somalia such as deadlines or designated timetables whereby the Kenyan Government can fix a time frame as to when to withdraw its troops from Somalia based on a particular event or having felt it has achieved what it had set out to do.

Dr. K. Ochieng' asserts that Kenya has no choice but to exit Somalia by using the two options. Firstly, Kenya can use a maritime boundary case as a pretext for a withdrawal from Somalia which is being heard at the International Court of Justice whereby Somalia is seeking for the maritime boundary with Kenya be redrawn. The second option is to shift the bases which are occupied by Kenyan soldiers therefore in the process withdraw quietly. Dr. K. Ochieng' notes that Kenya had an open window to exit Somalia after the El Adde attack which took place

²²⁵ Dr. Mukhisa Kituyi then Director of Kenya Institute of Governance; *After Somalia , KDF needs exit strategy*, 6th September 2012 Daily Nation.

²²⁶ Sunday Daily Nation 16th October 2016, "Kenya troops off to war"

²²⁷ Walter Menya, War on terror, *Five years after Kenya military took on Al-Shabab, mission debate rages* Sunday Daily Nation 9th October 2016 pg 28

in 2016, January killing around eighty to one hundred and twenty soldiers though this would have been interpreted as a mark of weakness by leaving before subduing the enemy fully.²²⁸

Simiyu Werunga is of different insight and notes when Kenyan troops agreed to join with AMISOM in 2012 an action referred in the military as re-hat, it lost the opportunity to make decisions on its own. Therefore for any decisions in exiting Somalia, Kenya has to refer to African Union, the United Nations and regional neighbors. If Kenya decides to make a unilateral decision and withdraw from Somalia, then this action could bring about geopolitical implications for Kenya as it seeks to stamp its authority and leadership in the region and Africa as a whole at a time when competition is very high from its neighbors.²²⁹

Another method is the cut and run option where Kenya may decide to terminate the mission before the full stated objectives are achieved due to different reasons such as unwillingness to suffer more costs both in human terms and machinery with the prospect of little forthcoming benefit as was the case in the El-Adde attacks where a large contingent of Kenyan troops (KDF) known as company ranging between one hundred to one hundred and twenty were ambushed and killed in January 2016 as quoted by Somalia President Hassan Sheikh Mohamud in an interview.

Expulsion is also another form of exiting whereby the host state may ask the mission to withdraw its presence. In 2013, the Somali transitional government called for the removal of the Kenyan troops (KDF) in AMISON.²³⁰ Again in 2015, Members of Somali parliament stated that KDF was encroaching too much into Somalia territory in the Gedo region. Other ways include sequenced withdrawals, achieving benchmarks and successful operations which involve handing over the peacekeeping work to another player or giving it an institutional authority. Kenya can mobilize the Somali natives in creating an effective government and security apparatus in Somalia.²³¹

AMISOM's main players who include, the UN, EU, and AU together with the Somali authorities both federal and regional should come up with a comprehensive security apparatus

²²⁸ Dr. Ochieng' Kamudhayi, security and conflict expert during an interview with the Daily Nation writer Walter Menya.

²²⁹ Mr. Simiyu Werunga, security expert during an interview with the Daily Nation writer Walter Menya.

²³⁰ Bruton and Williams, Counterinsurgency in Somalia, p69

²³¹ Paul D. Williams and Abdirashid Hashi; Exit Strategy Challenges for the AU Mission in Somalia February 2106 pp1-44

which should be inclusive, capable and professional. This will greatly help a successful AMISOM exit from Somalia and at the same time reduce the threat of Al-Shabaab.²³²

5.6.2 Reasons For Exiting Somalia

Kenya needs to exit Somalia for a number of reasons. First, AMISOM's financial support has for a long time been unpredictable. The UN and the EU have been the major financial contributing bodies to AMISOM. Recently, the EU conveyed its resolve of reducing funds by twenty percent the financial support it gives for payment as allowances for the AMISOM personnel starting from January 2016.²³³ For this reason the KDF troops morale will be affected. This action will have a trickledown effect and the AU will be forced to speed up the timetable within Somalia and at the same time it will be forced to call upon its member states to generate more funds in a shorter period than had earlier been anticipated.²³⁴ Meanwhile AMISOM's troop contributing countries would have to look at different ways of filling in the financial gap. This option will not be cost effective to Kenya's Government since it has contributed its personnel and at the same time Kenya's budget on its security docket has been allocated a huge sum due to the terrorist menace within the country.

In any place where soldiers have been deployed to keep peace or wage war, there has always been a myth that soldiers open up a door for black market goods. As W. Odongo stated, wars have been used as an opening for smugglers.²³⁵ KDF have not been an exception in this as the 2013 UN report indicated that KDF was having a symbiotic relationship with Al Shabab whereby KDF conspired with Al Shabab to sell charcoal while in turn Al Shabab would be aided in smuggling sugar. KDF role would be that of ensuring charcoal is sold in the Middle East from Kismayu helping the Al Shabab make enough money.²³⁶ The Somali federal government has increasingly retaliated that it no longer wants Kenya's troops in Somalia due to accusations of prohibited smuggling and other malpractices carried out by Kenyan troops in and around Kismayu.²³⁷ AU should look into the accusations of malpractices carried out by AMISOM

²³² Paul D. Williams and Abdirashid Hashi; Exit Strategy Challenges for the AU Mission in Somalia February 2106 pp1-44

²³³ UN doc.S/PV.7551,9th November 2015 p,7.

²³⁴ Decision on the budget of the African Union for the 2016 financial year, AU doc. Assembly/AU/3(XXV), Johannesburg, 14-15 June 2015

²³⁵ Waga Odongo, *Reports about KDF's misconduct in Somalia call for investigations* Daily Nation, 25th November 2015 pg 6

²³⁶ Black and White: Kenya's Criminal Racket in Somalia (Nairobi: journalists for Justice, November 2015)

²³⁷ Bruton and Williams, *Counterinsurgency in Somalia*, p69

personnel are meticulously studied and those who are responsible of these heinous acts be punished. For maintenance of good relationships and the undertaking of an effective mission, accountability of AMISOM personnel is paramount.

Chapter Six

Conclusion And Recommendations

6.1 Conclusion

Kenya has been termed as an innocent and unfortunate onlooker in the war waged by Islamic combatants. Over the years, especially after the start of *Operation Linda Nchi* in 2011, Kenya has now become a target for these extremists the Al-Qaeda, Al-Shabab and the present (ISIS) Islamic State of Iraq and the Levant who have set their eyes on the country. Travel advisory by the Western countries have dented Kenya's economy though it had been doing well with bilateral relations in business, political and security wise. The current foreign policy has played a role in the reduction and prevention of attacks through the use of institutions though much more needs to be done in the field of gathering and sharing intelligence.

Security in Kenya is of paramount importance to the state and to all citizens and non-citizens living in this country. The government has a responsibility to protect her citizens from insecurity. Further it is possible for peaceful co-existence between the refugees and the host country since refugees deserve to be accorded their rights by the Kenyan people as stipulated by the International Law. However, blame over insecurity in Kenya has been squarely put on refugees who are from Somalia due to the fact that their country has had civil war for decades. This long drawn out war has caused tension and spillover to Kenya. This belief has made the country's security team to securitize refugee issues.

Gikuunda Koome notes that Kenya's foreign policy strategists must work out the cost of certain policies such as the political, economic and security variables given the religious and cultural diversity of the country. The ultimate foreign policy decisions must go hand in hand with favorable long term interests of the country and the decisions should not be aimed at protecting the ruling political regimes. Other areas that the researcher recommends for further study is the strategies of counter terrorism and the economic diplomacy strategies in Kenya.

6.2 Recommendations

The recommendation of this study is made from the thoughtful understanding that terrorism has largely affected nations foreign policies and these recommendations are meant to address ways of reducing insecurity and also provide a policy framework which will produce an inclusive and a strong national security policy.

Since terror cells are continuously infiltration our security apparatus, by radicalizing security forces a move which could scuttle Kenya's war on terror and insecurity the discipline forces should be vetted again to sieve those who are radicalized from those who are not. There should be increased bilateral military training exercise between the Kenya Defence Forces and other Armed Forces such as that from the Israel to improve rapid response through countering threats to security. Further compulsory training on security should be in-cooperated in the universities and colleges curriculum. The Arabic language should be taught in these institutions since the terrorist have an upper hand in training radicalized individuals using this language over the social media. Having knowledge in this language will help the intelligence organs decipher what the terrorists are up to.

The Kenyan Government has enacted the National Strategy to counteract brutal fanaticism which highlights Kenya's efforts in preventing terrorism. This strategy will help to rehabilitate foreign radical fighters who have denounced violence and adherence of terrorist ideologies.²³⁸ The Government should therefore put a framework of policies with tighter security laws concerning the registration of persons in the issuance of Identity Cards, Passports, and Birth Certificates. Further, tighter laws should be enacted to control cyber security to reduce cases where people are trained on how to use and assemble weapons via the social media. The Government should construct laboratories and storage facilities of biomedical materials which store pathogens and biological toxins and such institutions should be highly guarded to prevent biological threats.²³⁹ Currently, the United States has given the Government of Kenya boost worth Kshs.1.7 billion to use in putting up such facilities to improve on her storage of biomedical materials.

The "Nyumba Kumi" initiative should be expanded in scope so that mechanisms of tracing individuals who have been involved in terror attacks are easily available. Such systems may include tenants ID's, Lease documents, and passport copies, passport photo's and any other valuable information being deposited at the local chief or certain designated leaders within a locality. In case of addition of a new member, or when a member leaves a house, then this should be communicated forthwith. The information may be availed through the use of social media eg whatsapp group or via a special application software for that purpose. Parents whose children or

²³⁸ Ambassador Martin Kimani, head of National Counter Terrorism Center as Special Envoy for Countering Violent Extremism.

²³⁹ Sunday Nation 18th September, 2016: Shs.1.7b boost for war on biological terror.p10

next of kin go missing should report within twelve hours of their disappearance as this will give security forces ample time to catch up with individuals travelling to Somalia and other Nations which radicalize our youths and individuals.

Body scans and car searches to be improved and to be made thorough not just right after an attack but the searches to be extended in places where terrorists consider soft target such as schools, universities, churches, public service vehicles and even supermarkets. Closed Circuit Television (CCtv) to be installed in all public places eg. PSV's, Churches and the CCtv to be manned from a central command post. Radical as it may sound, Foreigners should not be allowed to own property as this will help to reduce radicalized elements from integrating with the native citizens therefore not being able to learn the way of doing things.

Church and Muslim leaders have a role to play by collaborating their efforts with the Government, to be able to pinpoint the radicalized elements among their faithful. Stricter laws should be put in place for Muslim leaders who are known to teach extreme teachings. Additionally as Sheik Mohamed Khalifa put it, there is need to keep a sharp eye on girls and young women as they have become the terror group's favorite target since they are not easily suspected as terrorists.²⁴⁰ The 2009 Kenya Population and Housing Census, from its statics indicated that youths formed two-thirds of Kenya's populace. These youth with their vigor, drive and diverse innovativeness will be Kenya's greatest investment if properly guided and managed. If left idle, they are a recipe for disaster because they are increasingly being lured by extremist groups.²⁴¹ However, they can be turned into a gateway for economic growth if engaged in income generating activities and some put in employment.

Lastly, a policy for citizens to continuously contribute blood should be outlined to enable special designed blood banks have enough blood at any one time in cases of emergencies so as to reduce the number of deaths in the unfortunate event of terror attacks. These special designed blood banks should also be well guarded at all times to avoid any contamination or sabotage from terrorist groups.

²⁴⁰ Sheikh Mohamed Khalifa, Organizing Secretary of Council of Imams and Preachers of Kenya during an interview with NTV reporter.

²⁴¹ Ambassador Amina Mohamed Cabinet Secretary for Ministry of Foreign Affairs and Trade and Mr. Siddarth Chatterjee the United Nations Resident Coordinator and UNDP Resident Representative in Kenya; *"to end radicalization, violent extremism create jobs for youth"* 24th September 2016, Saturday Nation p13

Bibliography

Books

- Adar G. Korwa, *The Significance of the Legal Principle of Territorial Integrity as the Modal determinant of Relations: A case study of Kenya's Foreign policy towards Somalia 1963-1983* (Lanham:University Press of America, 1994)
- Anonymous, *Imperial Hubris: Why the West is Losing the War on Terror* (Washington, D.C.:Brassey's, 2004)
- Anthony Verrier, *Through the Looking Glass: British Foreign Policy in an Age of illusions* (London:Cape, 1983)
- Beasley, B. *Foreign policy in comparative perspective 2nd edition.* (Washington DC: Sage Publications, 2013).
- Bruce Hoffman : *Inside Terrorism, Chap 8 - The Modern Terrorist mind-set; tactics, targets, tradecraft, and technologies* Revised and Expanded Edition Columbia University (Press, New York)
- Carlisle Barracks, *Bounding the Global war on Terrorism. Starectic studies Institute, US Army War College .* (Record, J. 2003).
- Chaliand, G. *The History of Terrorism: From Antiquity to Al Qaeda.* (Los Angeles: University of California Press. 2007)
- Christopher Hill, 'Foreign Policy', in Joel Krieger (ed.), *Oxford Companion to World Politics* (New York: Oxford University Press, 1993, and Revised Edition, 2001)
- Christopher Hill, *The Changing Politics of Foreign Policy,* (New York: Palgrave Macmillan,2003)
- David M. Lampton (ed.), *The Making of Chinese Foreign and Security Policy, 1978-2000* (Stanford University Press, 2001),
- Davis, J. *Africa and the war on Terrorism,* (Aldershot, Burlington: Ashgate 2007)
- Downing, W. *Al-Qaedas Adventures in the Horn of Africa.* (Diane Publishing Company. 2009)
- Eichstaedt, P. *Pirate State: Inside Somalia's Terrorism at Sea.* Chicago: (Chicago Review Press. 2010)
- Forest, J. J., *Al-Qaeda's influence in Sub-Saharan Africa: Myths, realities and possibilities.* *Perspectives on Terrorism* 2011
- G.T Allison, *Essence of Decision: Explaining the Cuban Missile Crisis,* (Boston, Little, Brown,

1971)

Jacques Melanie, *Armed Conflict and Displacement*, (New York, Cambridge University Press, 2012)

James Rosenau, ed., *Domestic Sources of Foreign Policy* (New York: The Free Press, 1967)

Peter Bergen, *Holy War, Inc; Inside the Secret world of Osama bin Laden* (New York: Free Press, 2001)

Richard C. Snyder, H.W., Bruck, and Burton Sapin, ed., *Foreign Policy Decision-Making* (New York: The Free Press, 1962)

Roger Hilsman, *The Politics of Policy Making in Defense and Foreign Affairs: Conceptual Models and Bureaucratic Politics* (Englewood Cliffs: Prentice Hall, 1987)

Rono Jona, *Kenya Foreign Policy*” *Africa Foreign Policies* Stephen Wright (ed.) (Colorado: West view Press, 1999)

Sinclair, A. (2003) “An Anatomy of terror – a history of terrorism”, (London: Macmillan)

Lawrence Freedman, *Strategy: A History* (Oxford: Oxford University Press, 2013)

Tiyambe.P. Zeleza and Cassandra R. Veney, *Leisure in urban Africa*. (Asmara; Africa World Press, Inc., 2003)

Vogt, A., Towards a comprehensive self-sufficient African peace operations capacity: fact or fiction? *In conflict trends, issue 4 (South Africa, Accord)* 2005

Articles and Journals

Abdi Awa, “In Limbo: Dependency, Insecurity, and Identity Amongst Somali Refugees in Dadaab Camps”, *An International Journal of Somali Studies*, 5, 7, 2010.

Aronson, S. L., “United States aid to Kenya: A study on regional security and counterterrorism assistance before and after 9/11”, *African journal of criminology and justice studies* 5 (1), 119 – 126, 2012.

Bueno de Mesquita, B., and Downs, G.W. “The Rise of Sustainable Autocracy (with G.W. Downs)”. *Foreign Affairs* 84 (5), 77–86. 2005.

Bueno de Mesquita, E., and Dickson, E., “The Propaganda of the Deed: Terrorism, Counterterrorism, and Mobilization”, *American Journal of Political Science* 51 (2), 364–81, 2007.

Daniel Branch, “Violence, decolonization and the Cold War in Kenya’s North –Eastern Province, 1963-1978. *Journal of Eastern African Studies*, 8(4) (2014)

- David H. Shinn, "Terrorism in East Africa and the Horn" *Journal of Conflict Studies*, Vol. XXIII, No. 2, Vol 23, No 2, 2003.
- Grealy, C., "Terrorism and Morality", paper delivered at the London School of Economics, London, January 2003.
- Global Terrorism Index.). *Measuring and Understanding the impact of Terrorism*. New York: Institute for Economics and Peace, 2014.
- J.S Omutola, "Accord, Assessing Counter terrorism Measures in Africa" *A Journal of Conflict Trends* ", Issue" no 2 pp 45, 2008.
- International Crisis Group "The Military Intervention in Somalia" *A journal of International Security* 184 , 1 – 24, 2012
- Leonard A. Cole, *The Anthrax Letters: A Medical Detective Story* (Washington,D.C; Joseph Henry Press,2003),pp215-217
- Lionel Cliffe, "Regional Dimensions of Conflict in the Horn of Africa," *Third World Quarterly* 20, No. 1. pp. 89- 111, February 1999
- Makinda, S. M., "From Quiet diplomacy to cold War Politics". *Third World Quarterly*, pp. 303 – 304, 4th April,1983.
- Makinda, S.M.,, "Kenya's Role in Somalia-Ethopian conflict", Working Paper No.55.Strategic and Defence Studies Centre (Australia, August,1982).
- Miller, E., "National Consortium for the Study of Terrorism and Responses to Terrorism", *National Consortium for the study of terrorism and response to terrorism:Global Terrorism Database*. New York (2015).
- Mogire,E., & Agade, K.M. "Counter-terrorism in Kenya". *A journal of contemporary African Studies* 29(4) , 473 – 491, 2011.
- Onkware, K.,Odhiambo, E.O.S.,& Ntabo, O.M. , "Counter –terrorism Strategies by Kenya against Somalia Terrorism". *Egerton Journal of Humanities, Social Sciences and Education*, Vol.IX, pp99-109,2010
- Pape, R., "The strategic logic of suicide Terrorism" *American political science Review* vol 97 No. 3 , 343 – 361, 2003
- Pillar, P., *Terrorism and U.S. Foreign Policy*. Washington DC: Brookings Institution Press. 2001.
- Schmid, A.P., "Frameworks for Conceptualizing Terrorism", *Terrorism and Political Violence*,

Vol.16 No.2 pp, 197-221,2004

United Nations. (2000). *Report of the Panel on United Nations Peace Operations (Brahimi Report) August 2000*. New York: United Nations.

Paul D. Williams and Abdirashid Hashi; Exit Strategy Challenges for the AU Mission in Somalia
February 2106 pp1-44 UN doc.S/PV.7551,9th November 2015 p,7.

Newspapers and Magazines

Associated press, 25th October 2011, 24th October 2003,

Aljazeera 3 August 2012.

Daily Nation: 1st July, 6th September 2012,

19th December 2014,

3rd April, 26th July, 2nd August 2015, 25th November, 27th December 2015,

27th, 28th August, 8th, 11th 18th, 24th September, 9th 12th, 16th 18th October 2016.

Financial Times, 5th November 2003

Guardian, October 13th, 19th 2011,

Monitor 3rd April 2015

New York Times, 26th October, 2011

People Daily, 12th April, 2016

The Star, October 17, 2012

Government and Official Documents

African Socialism and its Application to Planning in Kenya, Sessional Paper No. 10, 1965

The Constitution of Kenya 2010, Published by National Council for Law Reporting with the Authority of the Attorney-General

Decision on the budget of the African Union for the 2016 financial year, AU doc.

Assembly/AU/3(XXV), Johannesburg, June 2015.

Kenya's Foreign Policy: Ministry of Foreign Affairs. (2014) Nairobi: Government Press.

Kenya Vision 2030, launched on 30th October 2006 by President Mwai Kibaki

Operation Linda Nchi; Kenya's Military Experience in Somalia Nairobi: Kenya Defence Force,
2014

Report of the Monitoring Group on Somalia and Eritrea, Kenyan military intelligence document
cited in pursuant to Security Council resolution 2002 (2011), UN doc. S/2012/544, 13th
July 2012 p 225

UN Security Council, Letter dated 2002/09/29 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning Counter-terrorism addressed to the President of the Security Council, 31st July 2002.

Letter dated 13th November 2001 on *Constitutionalisation of Foreign Policy and Diplomatic Relations*. Late Bonaya Godana, Former Foreign Affairs Minister.

Websites

<https://www.researchgate.net/publication/228214415>

<http://www.ctc.usma.edu>

<http://www.whitehouse.gov/news/releases/2002/01/200220129-11.html>

<http://www.unhcr.org/refworld/docid/42ae982b0.html>.

<http://bigstory.ap.org/article/police-gunmen-attack-university-eastern-kenya>

<http://ods-ddsny.un.org/doc/UNDOC/GEN/N02/517/02/IMG/N0251702.pdf?OpenElement>

<http://www.usip.org>

http://articles.sfgate.com/2002-11-29/news/17570566_1_likud-official-tel-aviv-israeli

<http://studies.aljazeera.net/en/reports>

<http://theglobalobservatory.org/2015/04/garrisa-kenya-al-shabab-westgate>

Un-Published Material

Evelyn, M.K., “Refugee Influx And (In)Security: Kenya's Experiences, 1991 – 2012” M.A.

Thesis in Department of International Studies, Institute of Diplomacy and International Studies, University of Nairobi, 2013.

Odhiambo. E. O., et al, “Learning institutions vulnerability to terrorism. A case study of Garrisa University College”, Kenya

Ogolla, F.O., “The Determinants Of Kenya’s National Security Policy Since Independence”.

M.A. Thesis in Department of International Studies, Institute of Diplomacy and International Studies, University of Nairobi, 2014.

Oluoch, M.L., “Kenya’s Foreign Policy Towards Israel, 1963-2002: Contradiction Between

Rhetoric and Practice”, M.A. Thesis in Department of Political Science & Public Administration, University of Nairobi, 2009.

Tipis, J., “The Somali Conflict and Kenya’s Foreign Policy: A Critical Assessment”, M.A.

Thesis in Department of International Studies, Institute of Diplomacy and International Studies, University of Nairobi, 2012.

Appendix

Questionnaire

I, Lucy Njuguna, am a student at the University of Nairobi, School of Institute of Diplomacy and International Studies (IDIS) currently undertaking my research project for the fulfillment of an award of degree of Masters in International Studies. The study being carried out is to establish “terror activities and evolution of Kenya’s Foreign Policy: 1998-2015. The findings and recommendations of this study will help to understand the nexus between terror activities and the evolving of foreign policy. Your contribution will be highly appreciated and the information provided will be treated with utmost confidentiality. Kindly answer the questions by ticking and/or explaining.

PART A: RESPONDENTS’ BIODATA.

i). What is the name of the organization you work with?

ii). What is your gender? (Please tick in the boxes provided)

Male

Female

iii). What is your job rank in this organization? (Please tick).

Top level manager

Middle level manager (Departmental head)

Lower level manager (supervisor)

Normal employee

Casual employee

PART B:

i). On a scale of 1-5 where; 1-Strongly Disagree, 2- Disagree, 3- No Opinion, 4- Agree, 5- Strongly Agree, indicate whether you agree with the following statements

	Statement.	1	2	3	4	5
1.	Kenya needs an exit strategy from Somalia					
2.	There is a relationship between refugees and insecurity.					
3.	The Middle East conflict has affected Kenya’s foreign policy towards Somalia					

4.	Our porous borders have increased insecurity					
5.	In your opinion if the Refugee camps are closed will it reduce insecurity and terrorism activities					

ii). Do you think Kenya’s foreign policy has evolved since the first major terrorist attack in 1998?

Yes

No

If yes, explain.....

iii). On a scale of 1-5 where; 1-Strongly Disagree, 2- Disagree, 3- No Opinion, 4- Agree, 5- Strongly Agree, indicate whether you agree with the following statements.

	Statement.	1	2	3	4	5
1.	The influx of refugees has affected Kenyan security					
2.	Foreign countries have issued travel advisories against visiting Kenya due to the fact that they want to sabotage the Kenyan economy because of its look east policy.					
3.	That religious leaders have a role to play in ensuring youths are not radicalized					
4.	Our immigration laws need to be reviewed especially in Identity Card Procurement and the Passport					
5.	That the “Nyumba Kumi” initiative by the Government is producing results					

iv) Please give any comments, observation and even recommendations that you think has not been highlighted concerning the national security affecting our Kenyan Foreign Policy

- 1.....
- 2.....
- 3.....
- 4.....

5.....

6.....

v) Please give any comments, observation and even recommendations that you think have
can improve on the security of Kenya.

1.....

2.....

3.....

4.....

5.....

6.....

Thank you for your participation.