

HISTORICAL PERSPECTIVE OF KENYA'S PEACE KEEPING IN SOMALIA

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Abstract: The article aims to critically understand the Historical Perspective of Kenya's Peace Keeping in Somali. It also aims to discuss peace prospect for Somalia in consideration with Kenya's interest. Adopting Just War Theory which claims that war can be morally justified under certain conditions. The aggression involved in war is at odds with basic values of civilization. Furthermore, the study reveals that Somalia's conflict hosts a variety of politically, religiously and militarily motivated actors. Somalia's instability has not only led to a humanitarian calamity for its citizens, but also threatens the national security and interests of its neighbors, with Kenya being affected as its neighbor. In October of 2011, the government of Kenya launched an armed intervention in Somalia; the operation Linda Nchi to counter the increasing terrorist threat and bring stability and governance. This article seeks to discuss the Kenya's interventions since the war started in Somali by analyzing just war theory.

Keywords: Transitional Federal Government, Kenya Defense Forces, Intergovernmental Authority for Development, United Nations Security Council, African Union Mission in Somalia, African Union.

1. INTRODUCTION

Since the mid-1990s, a number of associated extremist groups operating from Somalia have carried out or facilitated terror attacks in the region. Somalia started lacking government since overthrowing of government led by General Syad Bare in 1991 by a clan based rebels. Since then, Somalia has been left on its own and has been consumed by civil unrest and violence due to absence of government, security and rule of law. This has led to its vulnerability, religious extremists and a potential breeding ground for pirates and terrorists.

Power, economic ambitions and personal interests of warlords triggered the rebel functions to fail in the formation of inclusive government to reconcile the country from what was perceived by then as political, social and economic injustices committed during the military regime. The war in Somalia went through different phases and caused the death of thousands of Somalis while many others left the country to get peace and life on the other countries (Elmi & Barise 2006, 35-55).

Throughout the lawlessness of Somalia, Warlords and Clan Militias fought for the control of resources and power. This war for resources and power never remained between only the armed groups but also continued within every group and clan (Elmi & Barise 2006, 33). The international community has made efforts to bring peace and stability back to Somalia in different approaches such as through using the United Nations Security Council (UNSC) which approved a unilateral UN military intervention to Somalia in 1992 (Harper, 2012, 60). The African Union (AU) has with the help of international community made fifteen peace initiatives to create a functioning government in Somalia. Moreover, the Intergovernmental Authority for Development (IGAD), together with the AU made efforts to bring the Somali conflict to an end through peaceful process (Molugetta, 2009, 10).

Similarly, Somalia's neighbor states have made individual efforts to end Somalia's conflict with Kenya being one of the main actors for this case. Kenya as a state has made several initiatives to bring peace in Somalia. It has used both diplomacy and force to fight for peace in Somalia.

Kenya, in 2011 got more concerned about the frequent attacks by the based Al Shabaab insurgents who attacked government installations and tourist facilities at the Coast and in the Northern Eastern Region and Kidnapping tourists and security personnel at will (Wabala. D, 2018). In October, 2011 Kenya deployed thousands of KDF troops to Somalia especially Juba valley and Kismayu to fight against the Al-Shabaab.

Somali-Kenya relation:

The bilateral relationship between Kenya and Somali has been guided for the most part by its main foreign policy principles, with quest to be a good neighbor. This approach has worked well for the two countries as Kenya played a significant role in the Somali peace process. Kenya held the Somali peace talks (2002-2004) and provided a base from which Transitional Federal Government worked until it was relocated to Mogadishu in 2005.

However, this does not mean the two countries have always had good relations. Somali and Kenya were involved in a cross-border dispute known as the shifto wars between 1963 and 1967 in which ethnic Somalis in Kenya's North Eastern province made an attempt to secede. However, in the latest military intervention in Somali, Kenya has established that international relation aside, state interests will always be pursued first.

Kenyan Involvement in the Somalia Conflict:

With regards to Kenya's geographical location with Somalia's and their ethnicities, Kenya shares historical factors with Somalia. The northern part of Kenya particularly northern province is occupied by a Somali ethnic population. The northern part of Kenya includes one of the regions in the horn of Africa which Somalia had intentions of unifying since its people were the ones occupying the region. This therefore resulted to the formation of the Northern frontier Liberian Army in 1960s whose main intention was to fight Kenya over this region and attain full and complete rule over the Kenyan region inhabited by the Somalia's ethnic group.

The Northern frontier Liberian army was backed up by the Somalia's government to go ahead and fight for the northern parts of Kenya inhabited by the Somalis (Moller, 2009: 4). Despite all these conflicts with Somalia, Kenya ended up friendly after the war in the mid 1990s. Kenya retained its northern part with the many Somalia's ethnic group in it. More of the Somali ethnic groups also fled away from Somalia due to the war and entered the northern Kenya as refugees. According to UNHCR, Kenya now hosts more than a half a million Somalia refugees as the conflict in Somalia continues (UNHCR, 2014).

Brown's concept on the regional conflict is therefore exempted by the fact that Kenya hosts huge numbers of Somali refugees and they affect Kenya in variable aspects. Brown states that refugee is as a result of internal conflict and it mostly affects the neighboring countries (Brown, 1996: 592).

Kenya's involvement in the Somalia conflict has been neutral after many years since the wars started in Somalia. However, Kenya has previously acted as a mediator through hosting various peace processes which are meant to reconcile the conflicting parties in Somali. Example of such process was the one held in 2002-2004 where IGAD and the international community provided the support (Moller, 2009: 3). Even though Kenya has been involving itself in the conflict resolution and management, it has particularly been affected in that it has too been exposed to the insecurity incidences posed by the conflict since its eruption in 1991 (Miyandazi, 2012: 2). For example, Kenya has been attacked by terrorists that have connection with Al-Shabaab on several occasions.

This incidence is equaled to Brown's argument about how the insecurity and refugee are top most factors which may lead to states involvement in local conflicts (Brown, 1996: 591). The conflict in Somalia has exposed Kenya to increased chances of being intruded by the Al-Shabaab and the Al-Qaeda who have also threatened to subvert Kenya. The Al-Shabaab has since been targeting both the economic and tourism sectors in Kenya. Studies also show that the terrorists have made attempts to recruit some of the youths in Kenya to join them in their attacks.

This has put the long term peace of Kenya at risk since its citizens are being radicalized by the Al-Shabaab. Such acts of recruiting youths from Kenya in to their troops are categorized as "new wars" (Kaldor 2012, 164). This indicates new wars in the conflict in Somali. Such acts by the terrorists are considered a major problem in Kenya in regards to its interests and the national security.

The Kenyan government has also been involved in the peace keeping in Somalia by sending its soldiers, specifically the KDFs to fighting the Al-Shabaab and the Al-Qaeda terrorist groups in Somalia (ICG, 2012). Also the indigenous conflicts may lead to "spill over" which lead to troops' problems for the states involved. The indigenous wars and conflict causes the involved states to have instabilities in their economic and political sectors.

The workers were also wounded by the Al-Shabaab. Such activities by the Al-Shabaab demoralized the aid organization from helping the many refugees in the northern parts of Kenya. As per the Daily Nation, 2013 newspaper, "in regards to

tackle piracy activities and protect the national interest, Kenyan security and law enforcement agencies spend large resources in anti-piracy operations, creating a further burden to the country.” The Kenyan government also declared that such a problem due to Somalia being lawless is ranked as an international problem. “The UNSC has in a resolution 1851 described piracy and armed robbery in the Somali and international waters an obstacle to peace and security in that region (Resolution, 1851-2008).

This conflict resulted to challenges which are in conjunction with Brown’s perception on the effects of the indigenous conflict to the regional’s peace as well as the international peace. Indigenous wars and conflicts are genesis to problems in the neighboring states to Somalia (Brown 1996: 601).

Kenyan intervention in Somalia to help fight the Al-shabaab and the Al-Qaida has led to Kenya being exposed to the terrorist attack. Kenya has been prone to frequent invasions by the Al-Shabaab terrorists such as the Westgate attack in September 2013, a well-known and one of the largest shopping malls in Nairobi, Kenya. The terrorists ended up killing over 70 innocent Kenyans at the mall including some tourists (Aljazeera, 2013). Kenya has also experienced such attacks targeted towards the Coastal region particularly in Mombasa which hosts the largest amount of tourists who visit Kenya.

Various states make interventions to countries with fights or wars so as to ensure their national security is not interfered with (Brown, 1996: 596). Mostly countries which make such intervention have their goals not majorly to stop the conflict but to prevent it from spreading so much especially to their countries. This has been and remains the Kenya’s reason to be involved.

Operation Linda Nchi:

Operation Linda Nchi was the culmination of several years of tension that plagued relations between Somalia and Kenya. Kenya’s incursion into Southern Somali started following the kidnapping of Spanish women, who were working at Dadaab refugee camp. The government of Kenya claimed it had received approval from the Transitional Federal Government of Somalia. The then foreign affairs Minister Moses Wetangula said that it was the TFG that requested Kenya to deploy troops in Somali. However, during this process exit date was not set. Kenya exploited the argument of the country’s self-defense as stipulated in Article 51 of the UN Charter, which clearly ascertains the inherent right of individual or collective self-defense in case of an armed attack against UN member.

According to The Guardian, Kenyan intervention plan was discussed and decided in 2010, then concluded with input from western partners, including US and France with Nairobi using the Kidnapping as an excuse to launch an operation ready and waiting. On 16th October, 2011 Operation Linda Nchi, (protect the country) a coordinated military operation between the Kenya military and the Somali military was formed and the Kenyan troops crossed the border into the conflict zones of South Somalia with the main objective being to secure the Kenyan as well as neutralizing the Al Shabaab militia group.

The intervention was launched protect Kenyan Territorial integrity from foreign aggression. The move marked Kenya’s largest operation since its independence in 1963 whereby around 2400 KDF personnel were deployed. The operation has been reinforced each time, to date, to ensure the main objective is achieved.

Kenya’s Reasons for Peacekeeping in Somalia:

The conflict actions in Somalia have led to absence of peace in the Somalia itself as well as the neighboring states including Kenya. The neighboring states have therefore come to realization of the consequences of the conflicts in Somalia and have since then chipped in to help fight the Al-Shabaab and maintain peace and order in Somalia not forgetting that the benefits they will attain when Somalia is in peace.

Mohamed Sahnoun, author of, *Somalia: The Missed Opportunities* notes the following about internal conflicts, “That apart from their impact on the local population, such conflicts might present a serious threat to peace and security in entire regions of the world” (Sahnoun xi). Sahnoun states that such issues include famine, food security issues, acts of terrorism, piracy, and the overall breakdown of Somali society and heightened refugee and immigration tensions due to increasingly poor living conditions and violence in Somalia. As a result of this, the government of Kenya has considered the following reasons as the main reasons for their Somalia interventions

Economic interests and fears of Kenyan Domination:

Due to the need for Kenyan Government to protect its economic interest, it was obliged to intervene Somali. The conflict in Somalia was affecting both the Kenyan and Somali's economy. Trade and tourism are main economic interest which made Kenya intervene Somali. The terror attacks in the coast region was seriously hurting the region's economy which heavily depends on tourism thus maintaining peace along the coastal line is critical to coast regions economic sustainability. The same translates to the whole country's well-being.

Kenya is also involved in peace keeping in Somalia as it has interests in Kismayu port as it is the economic engine of southern Somalia. Furthermore, Kismayu region is the keystone for vast smuggling trade where the goods that land in Somalia are moved across the regions borders to other countries including Kenya. This too has intensified Kenya's interest in Somalia peace keeping.

Islamic and Al-Qaeda Radicalization:

Islamic and Al-Qaeda radicalization is considered as a death threat to Kenya's stability and internal security. The Kenyan government has therefore put in efforts to formulate and execute some sound policies to fight radicalization before it's too late. Due the Al-Shabaab's and Al-Qaeda dominance of the southern regions of Somalia, Kenya has had efforts to intervene Somalia by sending its KDF under the 'Operation Linda Nchi' to Somalia to fight the entry of this group to Kenya. Owing to the porous Somalia's borders, the country is extremely exposed to international terrorists and for this case Al-Qaeda has really capitalized on it.

Kenyan has responded to peace keeping in Somalia by deploying thousands of troops in Juba (a valley in Somalia), so as to help fight Al-Shabaab. This security gamble is the most biggest that the government of Kenya has taken since the independence. The Al-Qaeda supported and backed 1998 terror attack against Kenya and Tanzania were the worst in the African history (Cohn 2010, 2). The attack has since then provided some clear indications that terrorism in Africa needs being addressed hence it is a reason that the Kenyan government intervene Somalia.

Relevance to Peace and Conflict Studies:

Conflicts and matters relating to peace have different categories based on what causes them and the dimensions, (E. Brown, 1996). Brown states that these categories may be due to some bad domestic problems. Brown also states that despite political grievances and socio-economic grievances being the main causes of the conflicts, ethnicity and geographical disputes cannot be left out when listing the possible causes for the conflict. Mass level is also a conflict category which involves external actors at stake. Mass level is usually characterized by problematic spillover which involves refugee overflow and insecurity hence regionalizing the problem (Brown, 1996: 579). For the Somalia's conflict, it's a type of the explained above conflicts since the conflict is as a result of "bad domestic problem." The Somalia conflict also, due to its intervention of many states in the region may also be equaled to the mass-level conflict category as a result of the problems which it extends over the Somalia's border to other states.

Many states in the African region have suffered "spillover" problems as a result of the Somalia's conflict hence the conflict may be termed regional conflict as it has affected almost all region states with Kenya being the most affected. Somalia's conflict becoming regional has since then resulted into many regions especially Kenya and Ethiopia to create some "buffer zones" inside Somalia with the main purpose being to protect their national security (Eriksson, 2013: 4).

2. THEORETICAL REVIEW**Just War Theory:**

According to Routledge Tailor and Francis Group, Just war theory claims that war can be morally justified under certain conditions. The aggression involved in war is at odds with basic values of civilization.

As earlier mentioned, the Kenyan's decision to intervene Somali has had divided opinions among Kenyans. There are arguments on both sides, some claiming that the invasion of Somalia is ethical and morally justifiable on the basis of just war theory while others argue that Kenya's decision to intervene Somali with military force was immoral and unethical.

Just War theory has three essential components: *jus ad bellum*, *jus in Bello* and *jus post bellum*. The *jus ad bellum* portion commands that the intervening nation has just cause and reason to supersede the sovereignty of another state and intervene. The *jus in Bello* aspect of Just War Theory mandates that after making the decision to go to war, the war must

be fought ethically and morally. The third and last aspect of the Just War Theory, the *jus post bellum* looks at the outcome of intervention and how the intervening state helps reorganize the intervened state. This section will address all three aspects of the Just War Theory

Michael Walzer, a contemporary Just War Theory expert, argues that Just War Theory is a dynamic theory that permits states and leaders an opportunity to truly measure the morality of decisions to go to war, which is why perhaps the ancient theory still serves as an asset to decision making in regards to wars and interventions.

The framework of Just War Theory allows for actors to incorporate justice and a holistic approach when making decisions to enter into and conduct war (Walzer 2002, 935). The structure of just war theory in many ways forces leaders to think critically about justice and closely examine scenarios in their entirety to ensure that decisions regarding war are taken seriously. This is with the case of African Union.

The African Union (AU) has with the help of international community made fifteen peace initiatives to create a functioning government in Somalia. When peace talks failed to bear fruits The Kenya Military integrated into African Union Mission (AMISOM) and is currently serving under the African Union (AU) umbrella as part of AU peace keeping mission.

Walter reiterates this point saying, "Justice still needs to be defended; decisions about when and how to fight require constant scrutiny, exactly as they always have" (Walzer 2002, 935).

Jus Ad Bellum:

In *Jus Ad Bellum*, the main question is whether the objectives of the Kenyan government were proper, whether there was just cause for the intervention and if the military action was proportionate in regard to the conflict or issue itself and whether the Kenyans' interests were more self-concerned in nature or truly altruistic. The author of the article, *Paradox of Just War* notes that it's essential, in this starting stage, to ensure that there is "public declaration" (Calhoun 2011,) Kenya's intervention in Somalia is based on the notion of state is absent in Somalia. There is no stable, central government; hence, theoretically no practical authority to caution. In addition to giving proper warning, as an intervening state, Kenya is morally obliged to closely examine whether there is "reasonable prospect for success" (Calhoun 2001, 47).

Mohamed Sahnoun, author of, *Somalia: The Missed Opportunities* notes the following about internal conflicts, "Apart from their impact on the local population, such conflicts might present a serious threat to peace and security in entire regions of the world" (Sahnoun xi). Some of these issues included, piracy, terrorism, famine, food security issues and heightened refugee and the overall breakdown of Somali society and immigration tensions. Therefore, in the case of Somali, Kenya's intervention was required hence backed by African Union.

Jus in Bello:

In this phase, Just War Theory discourses how states and nations that initiate military intervention should act while in war. The *Jus in Bello* piece of the theory provides and regulates an ethical framework for judging whether activities whilst in war are ethical or unethical. One of the vital aspects of the *Jus in Bello* theory is that the actions taken by the state initiating the war must be "proportional" and "non-combatants" are immune from attack" (Calhoun 2001, 45). The Kenyan intervention in Somalia is a relatively new conflict, and little is known in regard to its war practices. As the intervention advances, whether it has conformed to *jus in bello* will become much clearer and measurable.

Jus Post Bellum:

The *jus post bellum* is the latter stage of the morality metric. During the *jus post bellum* stage, the intervening state is required to provide a "restoration of a just order" (Amstutz 2008, 115). During this stage, Kenya will be expected to help Somalia ensure that a solid, effective government is installed, the breakdown in society has been overcome, and general order is imparted. Given the failures of previous interventions held in Somalia, the success or failure of Kenya's ability to complete *jus post bellum* will be one of the most telling ways to ultimately determine if the intervention was fully moral.

3. CONCLUSION

Kenya's involvement in the Somalia's peace keeping has had an economic, social and political impact to Kenya. Even though it's worthy Kenya continuing with its' intervention, there is need to be more cautious while intervening. Marc Gopin, author of *Holy War, Holy peace* and expert on conflict resolution, identifies a phenomenon that tends to appear in intra and inter- state conflict known as "othering and exclusion." In this phenomenon, groups isolate people who they may view as different outsiders.

Despite socio economic and political grievances being the main reasons for conflict, geographical disputes and ethnicity are also possible causes for conflict. Therefore, Kenya has made an effort to ensure that it protects national security. The war against Al-Shabaab has resulted to increased ethnic profiling and discrimination against Somalis in particular and Muslims in general. Kenyans have generally been suspicious of the Somali community. Somalis are often branded “Al-Shabaab”.

As much as Kenya has been involved in Somalia conflict for a very long time, its involvement has been so far neutral. Kenya’s participation in the resolution of the conflict and its management has mainly been affected in that it has to be exposed to the insecurity incidences posed by the conflict since 1991 when it erupted

It’s a universal character of states to act in favor of their national interest in others’ conflicts. By securing Somalia, it means Kenya being the economic hub of East Africa will benefit greatly. Due to her geographical positioning, Kenya acts as the transit route to her neighbours which boost her economic prowess in the region. Therefore, Kenya prioritizes protection of her national security over trying to resolve Somalia’s conflict holistically.

4. NOTES

1. Alshabaab is seen to be working with other international terrorists groups. Alshabaab and Alqaeda released a joint video to the media announcing that they have merged. See bbc news 2012 journals. BBC NEWS.2012. Somalia’s Al-shabaab Join Al-Qaeda. BBC NEWS-Africa 10th. February, 2012. (<http://www.bbc.com/news/world-africa-16979440>)
2. Indigenous wars and conflicts are genesis to problems in the neighboring states to Somalia, (Brown, 1996: 601). Kenya has been attacked by Al-Shabaab severally. For instance, on 2 April 2015, Al-Shabaab stormed the Garissa University College in Garissa killing 148 people and injured more than 79 people. “Kenya al-shabaab attack: Security questions as Garissa dead mourned.” BBC News.
3. Countering terrorism has been a major priority for the Kenyan government ever since the 1998 bombing of the U.S. Nairobi embassy, which resulted to the death of 225 and wounded over 4,000, and the 2002 attack on the Israeli-owned Paradise Hotel resort on the coast, which killed fifteen and left more than 80 people injured. See report by International crisis group, *Kenyan Somali Islamist*. (25 January 2012) Nairobi/Brussels.

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