Crying Wolf? The Impact of Terrorism and Global Security Issues on Kenya's Foreign Relations and Diplomacy.

Abstract

This paper analyses the economic, social and political causes and consequences of Terrorism and Global security issues on Kenya's foreign relations and diplomacy. It focuses mainly on selected issues regarding global conflicts since the end of the cold war (1989). These include and not limited to the bombing of the US embassies in Kenya and Tanzania in 1998. September 11 2001 terrorist attacks in the US, the Gulf war I (1991) and Il (2004). This paper argues that central in the causes of terrorist activities were unjust interstate economic relations and cultural clashes between Christians and Muslims. Kenya and East Africa in general is a fertile potential for terrorist activities because of the porous interstate boundaries and unguarded Indian sea coast, failed Somali state in the north, intra-state conflicts in Southern Sudan and Northern Uganda., Congo, Burundi and Rwanda and high level of corruption amongst the region's civil servants. Ultimately, the US and western European clarion call for regime change and preventive terror raids policy world over without proper universal framework which have resulted to sharp ethnic conflicts, clash of cultures and civilizations. Furthermore, huge American and western European economic investments and strategic importance of the region for the west have aggravated the situation because these investments are targeted by terrorists. Finally, the paper argues that terrorist's activities in East Africa impact negatively on Kenya's prestige as a tourist, diplomatic, economic and strategic centre in East Africa.

Introduction

This study is an attempt to bridge the gap that exists in the historiography of Kenya's foreign relations and diplomacy in global security issues. Being such a complex issue, we do not claim to have traversed the entire scope and depth of the topic. We have examined the topic from the diplomatic point of view. We have tried to be as selective as possible, basing our analysis mainly on documentary evidence. Before we proceed any further, it is important to distinguish between the following concepts that are frequently used interchangeably, namely: "terror", "terrorist", "foreign relations", and "diplomacy". "Terror" is a general concept of emotionally enhanced fear. "Terrorism" is descriptive of the processes of attributes for the perpetrator of a terror- inspiring act (Bassiouni, 2001 : 1-2). Therefore, to refer to "terrorism" without a clear understanding of the terms meaning and scope would be misleading.

As Bassiouni has noted, there is no internationally agreed upon methodology for the identification and appraisal of what is commonly referred to as "terrorism", including: causes, goals, strategies and consequences of the conduct in question and as to those who perpetrate violent conduct against protected persons or targets or who engage in such activities (Ibid, 2).

There is also no international consensus as to the appropriate reactive strategies and means of individual states and the international community. As a result, it is difficult to identify who, why, how, or what is sought to be prevented, controlled and suppressed (Bassiouni, 1978).

The other two terms, "foreign policy/relations" and "diplomacy" are either misunderstood or even misused in the science of international relations. The two terms are sometimes used as synonyms. Diplomacy is the official international activity of the state and its agencies (Kurgat, 2000: 117-126). The functions of diplomacy are to peacefully defend the national

rights and interests of the state abroad and through negotiation. Diplomacy also ensures peaceful settlements of international and/or global problems and disputes. Brute force is an instrument of diplomacy. Foreign policy is the "legitimative" aspect of the problem of inter-state relations. In this regard, foreign policy is the general course pursued by a state in conducting its relations with other states (Ibid). For the purpose of understanding the issues raised in this paper, it is important to provide a brief theoretical framework on the discourse of terrorism.

Theoretical Framework and the Discourse of Terrorism

The question is what makes a terrorist? Scholarly literature on terrorism, qualitative research in particular, appear to suggest that there are no general theories that cut across terrorist activities. It is therefore crucial to note that difficulties abound in conceptualizing terrorism. This is because every terrorist act possesses its own historical character. Many at times, domestic factors interact with external factors. It is, therefore, difficult to distinguish between domestic and external routes of terrorism. This article, argues that the past has a significant bearing on the present.

To be clearer, however, we identify three general theories of terrorism. First, they all embrace the use of violence to achieve goals which may be achieved peacefully. Second, they all demonstrate a breakdown of some elements of legitimate political order and the existence of collective frustration and aggression tendencies in a given society. Third, they all presuppose certain capabilities for violence as regards those fuelling internal terrorist activities and certain incapacities for preventing violence among those on whom these terrorist acts are directed. Fourth, they tend to not only threaten the security of states, but also prevent the formation of intra and. interstate consensus on terrorism for quite a long time. These theories have been articulated by scholars and documented (Hudson, 1999), and we feel applicable to our article.

The-Frustration-Aggression Theory

This theory of violence is based on the relative — deprivation, as argued by Ted Robert Gurr (1970) and re-formulated by T.R. Davies (1973) to encompass rising expectations and need fulfilment. Joseph Margolin (1977:273-4), a proponent of this theory, argues that "Much •terrorist behaviour is a reaction to the frustration of various political, economic, and self-interest" However, frustration-aggression theory has been dismissed by other scholars who argue that it is simplistic since it is based on the assumption that aggression is a consequence of frustration. According to Franco Ferracuti (1982), a sub cultural theory is responsible for terrorists own world view. Similarly, Paul Wilkinson (1974:127) faults frustration-aggression theory for "failing to substantiate the social psychology of prejudice and hatred..." and fanaticisms that "play a major role in encouraging extreme violence". He argues that "political terrorism cannot be understood outside the context of the development of terroristic or potentially terroristic, ideologies, beliefs and life-styles" (Ibid, 133).

Negative Identity Theory

Here, Jeanne N. Knutson (1981), basing his arguments of Ericson's theory of identity formation and negative identity, suggests that the political terrorist consciously assumes a negative identity. She gives an example of a Croatian terrorist whom, as a member of an oppressed ethnic minority, failed in his quest to attain a university education, and as a result

assumed a negative identity by becoming a terrorist. According to Knutson's view, terrorist engage in terrorism as a result of feelings of rage and helplessness over the lack of alternatives.

Narcissistic Rage Theory

This theory argues that, the grandiose self produces individuals who are sociopathic, arrogant, and lacking in regard of others. John W. Crayton, (1983 : 37-8) states that terrorism is an attempt to acquire or maintain power or control by intimidation. He suggests that the "meaningful high ideals" of the political terrorist group are to "protect the group members from experiencing shame". Jerrold M. Post (1984:242-56) argues that terrorists are recruited because of the reliance placed on the psychological mechanisms of "externalization" and "splitting". Splitting occurs to people whose personality development is shaped by a particular type of psychological damage during childhood. These individuals fail to integrate the good and bad sides of the self, therefore splitting into "otherness".

However, the argument that many terrorists have failed in their personal, educational, and social lives appear to be contradicted by the increasing number of terrorists with highest academic qualifications. These are challenges posed by globalization of terrorist activities. Before we delve into the impact of terrorism on Kenya's foreign relations and diplomacy, let us examine global terrorism and the subsequent anti-terrorist multilateral conventions and documents.

A history of global terrorism, multilateral conventions and documents

Terrorism is an• enigma wrapped in mystery. It is as old as the history of man. However, its meaning differs from person to person, state to state, and region to region. Terrorism, has been a matter of legal concern to the international community since 1937, with the League of Nations drafting of the convention for the prevention and punishment of terrorism (League of Nations, 1937, 1938). Subsequently, the United Nations, as a result of spate of aircraft hijacking incidents, started to closely examine the phenomenon of terrorism since 1963 (Evans, 1969). Incidentally, this is the year, Kenya got independence from the colonial master, Britain.

It is important to note that technological advances in the fields of transportation, communication and weaponry increased the dangers faced by humanity. The symbiotic relationships between terror inspiring violent events and their psychological impact on states and societies, has enhanced the concerns of governments whose functions are to prevent such acts from happening. These concerns have frequently been manipulated by scholars, media and politicians who see these issues as an opportunity to advance their agenda. Popular fears therefore, have been used to wield support to individuals, groups or states. This has subsequently led to heightened global perceptions of vulnerability. These fears were actualized in Japan when religious fanatics used sarin gas in a subway, killing a number of people and traumatizing thousands.

The United Nations have developed substantive treaties relating to terrorism, to prevent, control and suppress terrorist activities in 1973, 1977 and 1979. This had been occasioned by

difficulty in defining "international terrorism" (United Nations, 1979). Emerging issues included: who would be termed an innocent victim, what to call national liberation movements fighting colonial or occupying forces and the legal consequences of actors' intentions. These contentious issues were also aggravated by the cold war politics that persisted and sustained by USA and the Soviet Union between 1945 — 1989. The western bloc sought to limit the definition of "terrorism" to individual and small group conduct that excluded states security operations (police and the army) while the eastern bloc that included the nonaligned states saw terror actions by states armed forces (Friedlander, 1981).

Some of the conventions and drafts directly pertaining to the suppression, control or prevention of "terrorism" include: convention on the high seas; convention on offences and certain other acts committed on Board Aircraft; convention on the prevention and punishment of crimes against internationally protected persons including diplomatic agents; international convention against the taking of hostages; international convention for the suppression of financing of terrorism; draft convention on the suppression of acts of nuclear terrorism; and the draft convention on international terrorism (Bassiouni, 2001:4).

These conventions deal directly with specific means of terror violence, while other international treaties apply indirectly to violent acts associated to terrorism. These conventions share modalities in penal matters, namely: mutual assistance, transfer of criminal proceedings, transfer of prisoners, extradition, seizure and forfeiture of assets and recognition of foreign penal laws (Ibid, 6-7). However, these conventions provide some contradictions in terms of modalities and use of language which lead to differing interpretations (Ibid). Consequently, this has enabled some states to avoid their obligations to investigate, prosecute or extradite suspected

terrorists (Ibid). It is the belief of this author that the current changing tactics of terrorist that include "liquid bombs" require coordinated new and firm international norms to prevent such occurrences.

The impact of Terrorism and other Global Security Issues on Kenya's Foreign Relations and Diplomacy

The big question is whether Kenya is crying wolf i.e., a helpless victim of terrorism or simply a haven of terrorism with slow government response to terrorist threats? Kenya as is known today is a colonial creation (Atieno-Odhiambo, 1995: 1-3). It became a settler state in the interwar years, and transformed by African struggles into independent elective representation in 1963.

However, terrorism seems to have impacted on Kenya's foreign relations and diplomacy right from 1976 when, an air France jet carrying Israel passengers was hijacked in Europe by Palestinians and forced to land at Entebbe Airport in Kampala (Sunday Nation, 8.12.2002:2-3). The Israeli government ended the siege on hostages, through an air raid on Entebbe but one Dora Bloch, an elderly woman was left behind and was murdered in the attack. Kenya government played a major role in allowing the refuelling and treatment of the wounded in Nairobi.

Kenya was again to be a victim of terrorist target on the New Year's Eve in 1981, when the Norfolk Hotel in Nairobi was attacked and 16 people killed (Ibid). It is also argued that on July 13, 1993, Al Qaeda agents attacked and murdered three Kenyan journalists covering the

civil war in Mogadishu (Ibid). These were Hos Maina, Anthony Macharia and Dan Eldon, and a German journalist Hansi Kraus. This was to be followed five years later with the Al Qaeda attacks on US embassies in Nairobi and Dar es Salaam, on August '7; 1998, killing 254 and injuring more than 220 people (Ibid, Daily Nation, 5.8.2005:9). The Al Qaeda attacked Israeli interests in Kenya on the eve of Hanukkah festivities (Jews. commemoration of their triumph over the Greek rulers in 164BC) on Paradise Hotel at Kikambala near Mombasa on November 28, 2002 (Ibid).

Kenya has thus, become a helpless victim of terrorism. In May 2003, terrorist activities became the concern of the Kenyan government and admitted Al Qaeda's local presence and its plans to attack western targets. Kenya thus, because of western investments has become a 'soft' terrorist target by all standards (United States Institute of Peace, 2005: l). Evidence unveiled in the trial of the men linked to the bombing of American embassies in East Africa in 1998 revealed

that a terror network had flourished in Kenya, taking advantage of sometimes lax immigration and security laws. The core of the Kenyan cell happened to be people whose ancestry can be traced to the Gulf States, Somalia, Comoros Islands, Pakistan who had assimilated into local cultures along the Indian Ocean seaboard. These people, again because of some corrupt elements in the immigration department, set up small businesses and Muslim non-government organizations (NGO's) (Ibid, 2).

It is now a known fact that Al Qaeda network depends on decentralization and flexibility in addition to assimilation. When Osama bin Laden's secretary, Wadi el-Hage (founder of the Kenyan Cell in 1994), returned to the United States in 1997 after being interrogated by the FBI, the Kenyan cell replaced him with an Egyptian citizen (Ibid). The group members vanished after the East African embassy bombings. Kenya's foreign policy and diplomacy has therefore been the focus of the United States in particular and western donors in general. The Kenyan government has been forced by the terrorist insurgency in the East African region to work with the FBI and Interpol in an effort to destroy Al Qaeda. It was through these joint efforts that in July 2001, Nairobi police arrested 8 Yemenis and 13 Somali nationals. Despite these arrests, Al Qaeda struck again in November 2002 with an attack on the Paradise Hotel in Mombasa and an attempt to shoot down an Israeli airliner in Mombasa.

We therefore ask ourselves the following questions: why the attacks on the western targets? Why is Al Qaeda getting sympathizers in East Africa? As stated earlier above, western targets are symbolic of their values and their locations outside those territories provide a soft target for the terrorists. As to why the Al Qaeda are getting sympathizers, the answers are varied. The external answers to this question are the presence of the Suni Arab Muslims at the Swahili coast. In the 1970's there was an increase in Muslim aid towards the region because of the oil wealth. The competition also between the Wahabi in Saudi Arabia and Shia in Iran competing against each other spills to East Africa. These wealth and competition help in the creation of nongovernmental organizations (NGO's) which targeted Muslim Institutions in East Africa for all sorts of assistance — imposing Mosques, Madrasas and training of teachers around the country for purposes of creating Muslim grassroots independence. On the international political front Muslims have sympathized with the cause of the Palestinian problems in the Middle East (Sperlin, 2004:1-11 ; 30.7.2005:9•, Murunga,

2005:8•, Sunday Nation, 20.8.2006:27). Their sufferings are equally taken as the suffering and persecution of Islam.

What are the internal circumstances that make Kenyan Muslims sympathetic to radical Islam and others even embracing and participating in Al Qaeda activities? There has been this perception that North Eastern and Coastal Provinces have been deliberately underdeveloped by successive independent governments. Claims have been made as to how education facilities, Islamic broadcast, identity and political participation have been denied and/or suppressed. What is common here is that national Muslim identity whether in Mombasa, Mumias, Isiolo, Eldoret or Malaba remain the same. It is therefore important to note that the internal and external factors on Muslim identity are interconnected. Kenya is also a frontier state of the Muslim world. These factors are therefore crucial in shaping Kenya's foreign relations and democracy. Before we go further it is important to state with due respect, that, not all terrorists are Muslims. Terrorists are extremists and criminals merely hiding under the cloak of Islam. It would therefore be proper to avoid stereotyping of Islam as a religion which advocates the use of violence. This is the thinking that informs the general public abroad, leading many to draw erroneous conclusions that view Muslims as a community that breeds terrorists.

So, what has been Kenya government response? Initially, at domestic level the government spokesman Dr. Alfred Mutua indicated that there is absolutely no terrorist cell in Kenya. However, anti-terrorist police unit in Mombasa had arrested a young Kenyan Muslim with a cache of arms. It is believed by the national intelligence that he and others had been recruited into Al Qaeda, probably taken abroad for training in the lethal art of mass terror and sneaked back into the country for further instructions (Saturday Nation, 30.7.2005:8). The young man blew himself up with a grenade in a police van in Mombasa. Where does this leave Kenyans who want to co-exist with their Muslim compatriots without having to compensate for the others' beliefs and sympathizers? How will Kenya exercise good neighbourliness, excellent foreign policy and diplomacy?

Africa's post-colonial period was entered into with more dialogue and less conflict between civilizations than the rest of the world. The only problem is the Sudanese issue. Relations between African Christians and African Muslims were harmonious in the political process. Senegal with more than 90 percent Muslims had a Roman Catholic President for twenty years. In Tanzania a defacto rotation of the presidency between Christian Nyerere, Muslim Mwinyi then Christian Mkapa before Kikwete took over. In Ghana, we had a Christian Presidential candidate and a Muslim running mate and had the team triumphed in the name of president John Kufour (Daily Nation, 17.3.2003:3). In Nigeria, it is argued the Christians controlled the economy and the Muslims controlled the political power in the 1980's and1990's (Ibid). It was in Egypt that Christian Boutros Ghali, a member of a religious minority — the Coptic was allowed to rise to eligibility for election to Secretary General of the United Nations, with the support of the Muslim majority government.

This impressive dialogue of cultures and civilizations is now endangered by internal tensions and by external pressures and stresses. Among the new external pressures are the new forms of terrorism and the new styles of fighting it. The US for example has put up a task force in the Horn of Africa. This included Kenya, Ethiopia, Somalia, Sudan, Djibouti and Eritrea alongside with Yemen (Ibid). This diplomatic move puts together countries that had

experienced domestic terrorism long before September 1 1, 2001 in pursuit of diverse anti-terrorism foreign policies and diplomacy. The terror problem coupled with the conflict in the Middle East in particular Iraq and the Israeli — Lebanese conflict seriously impacted on Kenya. During the first 11 months of 2002, the number of tourists arriving at the Jomo Kenyatta International Airport (JKIA) fell by 2.7 per cent compared with a decline of I .1 per cent in the same period in 2001 (Daily Nation, 18.3.2004:4). Tourism earnings for I l months period were estimated at $227 million in 2002 (KShs. 18.2 billion) compared with $263 million (Kshs 21 million) in 2001 (Ibid). In a statement of February 27, 2003, Kenya Airways said the uncertainty over Iraq was not only causing travel reluctance in the US and, to some extent, Europe with devastating consequences on oil prices, particularly jet fuel, which went up by more than 30 percent in the past three months. In line with other major international airlines, emirates increased fuel surcharges in March 2003 from USD/Euros 0.10 to 0.15 per kilo. The Chinese Airlines introduced a fuel surcharge, which applies to all fare types of ($8.4) one way, collected on a per flight coupon basis for travel to or from inland China (Daily Nation, 18.8.2004:4).

In the year 2006, Africa in general and Kenya in particular is still grappling with renewed threats of terror. Algerian intelligence seized documents that link to the Al Qaeda network. The documents hinted at an elaborate plan to take advantage of the unmanageable terrain that is the Sahel to establish a permanent base in Northern Africa. The choice spots of Al Qaeda no doubt are lawless. Somalia, Sudan, the caves and mountains of Afghanistan, the spider holes of Iraq and the forgotten splinter of the former Soviet Union republics. The terrorists groups have again moved to the Niger delta and in the Horn of Africa. It is argued that the group's strategy is to increase conflict between Muslims and non-Muslims in the region (Daily Nation, 8.8.2006:11). It is also thought they would take advantage of the oil-related insurgency in the Niger delta to further their course.

  In the horn of Africa, Al Qaeda's presence in the Sudan and Somalia is taking root. Osama bin Laden, in an audiotape ala-ed through the Aljazeera television network dismissed the UN peace-keeping troops in Darfur region as "an infidel body" and called upon the Mujahideen and their supporters to wage a long-term war against the "crusaders" (Ibid). Osama lived in the Sudan in the mid 1990's before moving to Afghanistan and then to the unknown place on earth. Pressure is therefore on Africa to stop viewing terrorism as a western concern and come up with concrete and coherent measures to counter the presence of organized terror on the continent. Counter terrorism therefore requires interstate or multilateral cooperation. It was from this point of view that the African Union heads of states and governments summit met in Algiers in 1999 — just a year after the US embassy bombings in Nairobi and Dar es Salaam. They all adopted at the meeting a convention on preventing and combating terrorism (Ibid). Once again, the topic featured prominently at the 2002 AU summit in Durban, South Africa, where the leaders re-examined the continents anti-terrorism strategy in the light of the September I l , 2001 terrorist attacks on US targets (Ibid).

The two most tangible resolutions of the 1999 and 2002 AU summits as far as terrorism is concerned were that African countries, as individual sovereign entities, enact legislation to specifically deal with terrorism "as a new emergent crime", and that they establish a standby force to fight terror. The latter would entail combat and rescue emergence response crack units. However, twelve African countries have adopted the AU resolution and drawn home

grown -legislation to deal with terrorism. Among them is Tanzania which, like Kenya, has first-hand experience of the pain of global terrorism.

However, Kenya government, went ahead to produce and gazette the suppression of terrorism Bill, 2003, for the introduction into the national assembly (Republic of Kenya, 2003). Human rights activists, Muslim politicians, scholars and churches argue that the bill is a copycat of US Anti-Terrorism Bill known as provide appropriate tools required to intercept and obstruct terrorism (PATRIOT) Act. Others argue that the bill has so many provisions that allow foreign states to exercise police power in Kenya in the guise of pursuing terrorists. The bill requires that Kenyan government allow foreign investigators to use local officials for their investigation, which could include the search, seizure and forfeiture of record and property (Ibid, 494).

How does the bill touch on Kenya's foreign policy and diplomacy? Matters of foreign relations are discussed on part IV clause 28, which gives effect to a schedule that provides special powers in connection with the control of entering or leaving Kenya. Clauses 31 and 32 deals also with exclusion of foreigners by reason of their association with terrorism. More closely part VIl (clauses 33 — 37) provides for cooperation between Kenya and other nations in relation to investigation of terrorism and the seizure of terrorist property (Ibid). It further provides for extradition of terrorist to other states on the basis of a counter-terrorist convention to which Kenya and the other states are partners, whether or not a general extradition agreement exists between Kenya and that other state (Ibid). This is an area which requires strategic planning in foreign policy and diplomacy and Kenya need not shun away.

Conclusion

Africa in general and Kenya in particular, despite its many problems has not been spared by the menace of global terrorism. We are grappling with renewed threats of terror. Kenya therefore must wake up to the reality that counter-terrorism must be a priority in its foreign policy formulation and diplomacy. We must move beyond pledges of intent to the implementation of measures but as we do that, we are obliged to protect innocent citizens from inhuman treatment. Terrorism must be fought on the platform of information dissemination and civic education, may be that is why conferences on terrorism are hosted in the continent and beyond. Furthermore, poverty, unemployment, discrimination and marginalization must be dealt with by every state on earth for these are breeding grounds for terrorists. Finally, religions cultures and ideologies must tolerate each other and give peace a chance.

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