III. Rencontres urbaines et migratoires

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Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya

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> Being a neighbour of Somalia and having a sizeable ethnic Somali population within its borders, Kenya can barely escape some consequences of the internal strife in Somalia (*Weekly Review,* 17 November 1989, p. 20).
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> The paradox is that these pathetically uprooted war victims are refugees in a state [partially] based on their own ethnic identity: they are, as it were, refugees at home (Lewis 1993:63).
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> Whether we like or not, the Somali problem will continue to adversely affect us (*Daily Nation*, 3 July 1999, p. 2).

The Republic of Somalia (henceforth Somalia) is one of the few states in the world that had, until recently, totally collapsed. Despite numerous peace initiatives and efforts at restoration, the institutions of central government still remain ineffective in the face of marauding warlords who have parcelled up the country and taken control of their respective spaces. The manner in which the respective territories are divided up and allocated has depended almost entirely on the power of each warlord and their ability to maintain control over those territories. Predictably, this has given up arbitrarily defined territorial spaces whose nature and shape keep changing, though clan organizations have been dominant factors in their definition. In this scenario, normal and organized life is difficult to

maintain and territorial markers cease to have their traditional meaning. The determination of the citizenship of the ethnic Somalis is subject to numerous influences, many of which still do not constantly lend themselves to specific and constant criterion. This is because the constant movement in and out of the specific warlord territories and of Somalia as refugees has complicated the picture.

The movement in and out of Somalia and its implications on the formation and transformation of Somali identity out of their country are the concern of this study. Refugees are the dominant concern when Somalia, like many other countries in Africa, is under discussion. Refugees are an issue because the war situation in Somalia has forced citizens of this country to find alternative residences in view of the conflict situation and the break-up of organized and normal life at home. According to president Ismael Omar Guelleh of Djibouti, Somalia has had 'the longest period of State collapse in the modern era' (Guelleh 2000:1) and the challenge of this to Somali people is unmatched anywhere else in the world. What makes the Somalia question more complex is the spread of people of Somali ethnicity across five sovereign states in the region — Somalia, Djibouti, Eritrea, Ethiopia and Kenya.

Introductory Background

The movement of the Somalis across borders is not a new phenomenon. The installation of colonial boundaries introduced a pattern of territorial demarcation that not only split the Somalis into different jurisdictions, but also ignited spontaneous processes of territorialization and de-territorialization hardly conceived of previously. These processes have acquired a momentum that both the colonial state and independent governments continue to grapple with to date. Consequently, since the turn of the nineteenth century, the Somalis have relied extensively on the spread of people of Somali ethnicity in the Horn of Africa to keep moving across countries with no regard to these territorial markers that ought to define their citizenship. While these movements complicate the question of citizenship in the region, it at the same time feeds on this complexity to cope with the vagaries of war and conflict in Somalia and neighbouring countries.

A dichotomous view of the Somalis has formed in the context of this spread that is relevant to this study. First is the perception of the Somalis by other people within the region and second is how the Somalis perceive themselves and struggle to develop and institutionalize their identity amidst crisis at home and suspicion from others abroad.

Suspicion and tensions have characterized the relation between Somalia and most of its neighbours especially Kenya and Ethiopia who are concerned to identify aliens from Kenyan or Ethiopian Somalis. The case of these two countries remains notable because, for some time after independence in the 1960s, regional

peace was upset by the historical fight for the attainment of a Greater Somalia; that is, the achievement of the unity of people of Somali ethnicity into one political unit. This fight owes largely to the colonial boundaries that split the ethnic Somalis into the various territories administered by different colonial powers — Italian Somaliland (now southern Somalia), two British Somalilands (now northern Somalia plus Northeeastern Province of Kenya), French Somaliland (now Republic of Djibouti), while Emperor Menelik took part of what is currently Region Five of Ethiopia. In so doing, a perception of the Somalis as defined from above was formed and led to the unwarranted split of the Somalis when only the Italian and part of the British administered Somali territory united at independence in 1960. This left out other ethnic Somalis leading to tensions that have on occasion turned violent and on other occasions, led to hate and suspicion of ethnic Somalis in countries other than their own.

In Kenya, the Somalis have been treated with suspicion and aloofness, as non-citizens to be precise largely because they supported the move for Pan-Somalism and also because they were often administered as a separate and closed region from the rest of Kenya. We hope to demonstrate later in this study that the reasons for this treatment were imagined and not real. One can conceptually and even practically attribute the conflict situation in Somalia and the attendant disputes over ethnic Somali citizenship in the region to the definition from above of their spread and identity, the definition issuing from the 'official' nature of historically dominant producers of territories especially regular armies, colonial or contemporary administrators and so forth (Ben Arrous 1996:16-17).

The results of the tensions and conflicts within Somalia and between it and Kenya have exacerbated, generated or sustained the constant movement of people of Somali ethnicity across the Kenya-Somalia border. Being pastoralists, this movement is not just generated and restricted to the causal effect of the Somalia conflict. It is also a result of the pastoralist mode of livelihood that encourages constant movement in search of grazing land and food for their animals (Samatar 1985). Also, given the changing nature of local economies, migrations into the urban centres are a new attraction for the Somalis, as it is for many other groups. Indeed, the urban centres like Nairobi have become conduits of illegal and, at times, illicit movement of people and goods to western metropoles and some local destinations. In particular, conditions of economic hardship or scarcity in Northeastern Province of Kenya provide opportunity for rich and well-to-do Somalis to trade and redefine their place in Somalia, in Northeastern Province and Kenya in general.

For many Somalis, Eastleigh Estate in Nairobi has become a home away from home and a base from where business is launched and political decisions affecting Northeastern Province are made. It is a place where ethnic Somali identity in relation to Kenyan citizenship is negotiated, strengthened or even

invented. It was the scene of celebration and jubilation in mid-2000 when the Arta conference in Djibouti announced that Abdulkassim Salat Hassan was the new president of Somalia. The magnitude of the Somali presence in Eastleigh was demonstrated by the widespread hosting of Somalia flag, as illegal and offensive to Kenya as this may be.

Conflict, pastoralism and changing nature of contemporary economic and political developments have therefore combined to give new impetus to Somali movements and identity. What is indisputable is that the Kenya-Somalia border has remained very porous since its inception. In fact, the colonial attempts to impose territorial limits and maintain it were not seriously felt on the Kenya-Somalia border until the late 1940s. Thus, the territorial definition from above has constantly been subject to questioning. The definition of Somaliness in Kenya seems, from a cursory look, to be largely subject to local level struggles and negotiations, a fact that is practically manifest in the tensions over who the Kenyan ethnic Somalis are. While the Somaliness from below seeks to assert itself within the Kenyan state, the state contests this by generating and adducing a criminal status to all Somalis until they can prove beyond the normally accepted Kenyan legal requirements that they are really Kenyan (Human Rights Watch 1991). It is the context and process of determining those Somalis who belong to Kenya that is central to the argument of this study.

Hypothetically, it seems that the determination of who the Kenyan Somalis are has been and will remain, for a long time, a difficult issue to solve. And the difficulty lies at the heart of Kenya's attempt at defining the Somalis from above. The state-sanctioned view does not, in actual practice, cohere with the process of Somali identity formation on the ground, which is very dynamic and mobile. To analyze this hypothesis, this study will centre on the criminality of Somali citizenship in Kenya and deconstruct the various identities that make the legal definition of ethnic Somalis a Kenya-Somalia contest. The study hopes to show that the criminalization of Somali identity is not exclusively embedded in the experience and predicaments of the Somalis, but that it is also, in part, the product of state imagination. This is reinforced by local Kenyan connivance in the activities that the Somalis engage in to survive the hardships of their environment in Northeastern Kenya and conflict in Somalia. The arena where this contest has been conspicuously played out is Eastleigh and that is why we will pay specific attention to its urban content and implications.

To achieve this objective, we aim first to establish how the spread of the ethnic Somalis in the Horn of Africa is by itself so challenging to the notion of citizenship and territorial identity. By the same analysis, we may be able to establish the sense in which this spread has generated tensions and conflicts among nations in the region and how this has led to the assertion or otherwise of a Somali territorial space and collective consciousness whose geographical extent refuses

to cohere with established notions of territorial integrity or fixed boundaries. Then, the study will explain how internal conflict in Somalia affects Kenya by aggravating confusion over the citizenship of the ethnic Somalis, whether Kenyan or non-Kenyan citizens. This, in turn, should enable us to understand and explain the origins and sustained attachment of a criminal identity to the Somalis in Kenya in view of the conflict in Somalia, its historically porous boundaries with Kenya, the legal or illegal flow of goods and weapons and the permissive habits of Kenyan law enforcement officers with whom the non-Kenyan Somalis negotiate to invent Kenyan citizenship. How does the nature of Eastleigh Estate in Nairobi add weight to this criminal identity? Are there reasons of challenging this criminal identity especially for those Kenyan Somalis who are victims of the situation?

Three Focal Points of Understanding Somali Ethnicity and Criminalization

There are three broad focal points for understanding how the criminal identity of the Somalis in Kenya has been generated. These arise from:

- the nature of colonial spatialization of the Somalis into five entities;
- the pastoralist Somali mode of life and the underlying social and political organization;
- the conflict situation in Somalia.

The Nature of Colonial Spatialization of the Somalis

This focal point has already been alluded to in the introduction. But its history will help understand the aloofness many Kenyans have towards the Somalis. Further, the implications of this will demonstrate that, beyond the superpower interests, Somalia has been of little significance to external forces interested in the country. For a long time, Somalia remained a battleground among the imperial nations. The final objective of the battles, both physical and non-physical, was for the exclusive benefit of the imperial interests. Thus, Somalia was never an end in itself; that is, the battles over Somalia did not contain in them beneficial crumbs that would make Somalia a better place. Rather, it was divided up among the British, French, Italians and the Ethiopians all with a view of satisfying specific imperial objectives. Eventually, at independence, Somalia was left to itself, with a destructive imperial legacy that 'imposed on [them] a level of fragmentation that was also unusual, even by African standards' (Adam 1998:361).

By recognizing colonial boundaries, the Organization of African Unity (OAU) and related international organizations, in fact, imposed a definition of the Somalis from above; a definition that pitted territorial integrity against societal notions of self-determination.[1] The recognition of these boundaries became instrumental for the elite leadership in Somalia. They used the boundary issue to

rally the Somalis into Pan-Somalism and also to gain access to international help under the Cold War framework. This severally upset peace with neighbouring countries especially Kenya and Ethiopia. The effect of the search for Pan-Somalism included horrendous conflicts between Somalia and Kenya from 1963 to 1967 and between Somalia and Ethiopia in 1964. Kenya spent US$ 70,000,000 in this conflict that was been dubbed the *shifta* war (Orwa 1989:234).[2]

The *shifta* problem grew out of the struggle by ethnic Somalis in Kenya to re-unite with others in Somalia. Its genesis can be traced to the colonial administration. It is clear from the archival records that the colonial state in Kenya failed completely to crystallize the Kenya-Somalia border and to effectively police it. It also failed to effectively hem into limited locales most of the pastoralist communities of Northeastern Kenya. Indeed, the colonial state in Kenya had a chequered history with the Somalis, treating them as allies whom they employed in the police in early colonial days but later characterizing them as 'people whose demeanour is frequently insolent in the extreme'.[3] This confused the position of the Somalis in the racial hierarchy in colonial Kenya, where they were increasingly regarded as a distinct, 'non-native' (non-African) group.

Further, because the Somalis lay astride the Kenya-Somalia border, it had been easy for them to evade colonial control by constantly crossing the border depending on where the policy was favourable to them. Indeed, one major problem in controlling the Somalis was the lack of any substantial interchange of information between the three East African territories for whom the mobility of the Somalis was an issue of concern. The Isaq Somalis in particular were so mobile that controlling them 'proved more than a little difficult' (Turton 1974:337). Thus, they remained largely out of effective colonial control, playing the British administration in Kenya against the Italian administration in Italian Somaliland. Their mobility came under serious scrutiny in the 1940s, when, due to the World War II, it became necessary to isolate 'alien Somalis'[4] from genuinely Kenyan Somalis. This is a task that has been repeated a couple of times but has proved daunting to date.

The correspondence relating to the isolation of 'alien Somalis' reveals the difficulty the British in Kenya faced in relation to the citizenship of the Somalis. Britain, Italy and Ethiopia 'tried to demarcate their Somaliland sphere in no fewer than ten official conventions — in 1908, 1924, 1928, 1929, 1934, 1937, 1942, 1946, 1954 and 1955 — all to no avail' (Samatar 1985:175). The explanation of the failure lies in 'Somali ecology and social organization which the administering powers failed [...] to take note of' (ibid.). As a result, the border Somalis were bundled into a closed district where entry was restricted only to those in possession of a valid pass — the *kipande*. Northern Frontier District (NFD) was, for the most part of the colonial period, a marginal district where the Somalis lived a 'marginal life', separated from the rest of Kenya and

with relatively heavy security presence. The paradox is that though the Somalis have been under comparatively heavier state surveillance, they have remained mobile and elusive to this dominant producer of regulations (the state). The presence of state security has ironically led to the marginality of the Somalis in Kenya. This marginality thwarted the development of the feeling of belonging to Kenya. Instead, the various colonial administrations (Italian, French, British and Ethiopian) struggled over the citizenship of the Somalis as the Somalis themselves rejected loyalty to any of these administrations.

The contestations over the citizenship of the Somalis continued into the independence era only that the players changed. It dovetailed with the nationalist struggles of Sayyid Mahammad 'Abdille Hasan, the Somali poet, mystic and nationalist who led the Dervish movement against colonialism from 1895 to 1920. The drive for Greater Somalia and the attempts to secede drew inspiration from the nationalist endeavours of Sayyid Mahammad 'Abdille Hasan whom the British labelled 'the Mad Mullah'. It also drew from the marginal life the Somalis led under respective colonial and independent administrations in Kenya. As Kenya strove for independence, the Somali problem continued to stalk the new administration.

Already in 1962, the commission inquiring whether the Kenyan Somalis wished to remain in Kenya or join Somalia found that about 87 per cent wished to merge with Somalia. Towards this cause, the Somalis sent delegations to various forums to fight for their re-union with Somalia. This was a contest they fought for relentlessly and received support from the various administrations in Somalia; a contest that pitted two geographies from above against each other. Kenya argued that colonial boundaries had been accepted as the framework of independent African statehood (Makinda 1982). Of course the Kenyan leadership at independence had more leverage over the British than Somalia and the British granted independence in 1963 without resolving the NFD issue.

In frustration with the refusal to cede NFD to Somalia, demonstrations in NFD degenerated into acts of sabotage and physical confrontation against the independent state in Kenya. From independence up until the mid-1980s, the NFD, later Northeastern Province (NEP) of Kenya has not only remained marginal to Kenya, but it has also suffered the consequence of remoteness, high-handed central administration that often uses force, poverty, drought and famine. All these further underlined the view among the Somalis that they did not belong to Kenya. A review of the events following the granting of independence will help underscore the continuing remoteness of NEP.

Following intensified acts of physical aggression launched against Kenya within and from Somalia in support of irredentism, Prime Minister Jomo Kenyatta requested the Governor-General to declare a state of emergency in NFD, then called Northeastern Region, on 25 December 1963. According to Kenyatta,

this action was made necessary by 'a mounting wave of terrorism and banditry' in the region (Adar 1994:66). Kenyatta was referring to the *shifta* attacks that had began on 13 November 1963 and led to a total of 33 attacks using firearms. He further disclosed that 2,000 bandits were operating from Somalia while about 700 were based in Northeastern Region. Indeed, it was after Kenyatta's explanation of the state of emergency that the term *shifta* became an official referent to acts of violent campaign for Somali secessionism.

On 12 December 1964, Kenyatta declared amnesty for the *shiftas*, without emphasizing that these were merely a comparatively small group of armed bandits. He released those detained under emergency regulations. As a follow up to suggestions from some parliamentarians, Kenyatta issued a policy requiring all residents of the region to register afresh as Kenyans between 1 and 31 July 1966. In the process, he expected them to renounce their loyalty to any other country. He then introduced the policy of villagization in which the Somalis were to live in specified villages. Relative calm returned to NEP in 1967 following the Arusha Agreement between Kenya and Somalia. However, this post-Arusha era still had to face the challenge of non-Kenyan Somalis in Kenya. Given the porous border, further infiltration of non-Kenyan Somalis into Kenya posed more security threats. The need to isolate them from Kenyan Somalis became more urgent. Regrettably, due to the obvious difficulty in isolating citizens from non-citizens, and because of the stigma of irredentist troublemakers, reference to *shifta* spread in daily and political talk to indiscriminately apply to all Somalis. The criminalization of the Somalis in Kenya was established and continues to be evidenced in terms like *shifta* and alien.

Fortunately, Kenyatta's efforts dovetailed with growing disillusionment among some Kenyan-Somalis in NEP with the activities of the *shiftas*. 'The morale of the Somali populations in these areas (NEP) was low, and they gradually ceased to provide the *shiftas* with the local support they needed' (Adar 1994:77). Already, about 5,000 Somalis had lost their lives in the *shifta* attacks between 1963 and 1967. There was also undisputable support for the Kenyan government by most elected Somali leaders. This caused some calm in the 1970s and 1980s. While intermittent attacks occurred in 1981 and 1982, Somalia under Siyad Barre moved from consistent support of secessionism to commitment to good neighbourliness. In 1980, Barre had argued that 'Somalia does not have any acute disputes with Kenya whatsoever, but all are images and reflections of the past European colonialism' (Adar 1994:132). Barre was able to impose a softening of public opinion at home in relation to Pan-Somalism because of his dictatorial rule. His ability to 'end irredentism' did not emerge from a consensus among the Somalis. Rather, it reflected his authoritarian will. Thus, Barre's personalized rule occupies a strategic place in the 'end' of the state-sponsored border skirmishes between Kenya and Somalia. His dictatorship also made Somalia less attractive

as a destination for the Kenyan Somalis. The conflict that followed the end of his rule was the final straw to irredentism, for it reversed the Somalia attraction and made the peace in Kenya attractive to refugees.

There are other reasons why Kenya was a favoured settlement for Somalia refugees. The presence of people of Somali ethnicity in Kenya, many of whom were relatives of migrating refugees, explains why it has been easy for Somalia refugees to enter and settle in Kenya. This underscores the paradoxical aspect of the migrating Somalia refugees. The paradox was that 'these pathetically uprooted war victims [became], as it were, refugees at home' (Lewis 1993:63). They were 'refugees at home' because though away from home, they settled in societies based on their own culture. Further, the Kenya-Somalia border is not adequately policed. It is remote and inaccessible to police officers who are ill-equipped and are not used to the surrounding ecology. Consequently, the border has allowed the Somalis to easily cross between territories. They carry with them goods and items across the borders without serious restrictions. While it is true that the *shifta* menace has not completely ended in NEP, this has not been a deterrent to the migrating Somalia refugees for they are hardly targeted for attack by *shiftas*.

Today, the *shifta* problem has adopted different forms that are not a serious threat to the Somalis. *Shiftas* attack motorists along the main highways to any part of NEP especially from Nairobi to Garissa, Wajir, Mandera, Isiolo and Marsabit towns and loot whatever property they find. In many such instances, people are robbed and killed but the target does not seem to be exclusively the Somalis. In fact, some buses belonging to prominent Somalis are rarely attacked on the highways. The attackers are normally heavily armed with very modern weapons, most of them being superior to those held by the local Kenyan police. The weapons include mines, hand grenades and sophisticated guns. Commenting on the effects of these weapons in Kenya, John Keen, then an Assistant Minister in the Office of the President noted that 'Soviet-made machine guns had been supplied to the *shiftas*' and cautioned the developed countries, 'particularly the Eastern bloc, not to use North-Eastern Province or Africa as a testing ground for their weapons' (*Daily Nation,* July 1981).[5]

The Pastoralist Somali Mode of Life

The other forms of modern day expression of the Somali problem in Kenya emerge from the pastoralist Somali mode of life and the underlying social and political organization in the Horn. The Somalis are basically a nomadic pastoralist people adapted to a transhumance mode of living. This form of livelihood is generally dictated by the ecological and climatic conditions in the area; that is, the arid and semi-arid conditions. Scattered shrubs and long stretches of dry land characterize an environment that does not easily support a sedentary mode

of life. Occasional rainfall is inadequate to good cropping due to the nature of the soil in the area. Short but heavy rains cause heavy flooding and diseases like malaria while low rainfall explains the intermittent drought and famine that are the main causes of malnutrition among the Somalis and related pastoralists. As a means of mitigating this, cattle and camels are the main sources of food. They are therefore reared in large stock. Goats supplement cattle because these are mainly browsers and together with camels will feed on leafs from tall shrubs. Camels can do without water for ten to fourteen days.

The harsh climate and inhospitable environment have generated levels of scarcity that are inimical to the national unity of Somalia and harmony in Northeastern Province. According to Alice Hashim:

> Nature has conspired to keep the Somali pastoralist on the move in search of pasture. The transhumance strategies that allow a way of life to develop do not permit theoretical speculation about the greater good [of the nation-state]. Tough, decisive action is required to move herds of animals and hundreds of people. One relies on face-to-face interrelationships (Hashim 1997:531).

These face-to-face interrelationships are responsible for the development and reinforcement of the clan affinities as more important than the nation-state. The defence of the clan has come as a practical necessity — as 'the routinization of survival' (ibid.). But the growing importance of the clan is not a modern day development arising from the coercive centralization of the nation within the state; rather, it feeds from a long historical reality of the formation of Somali identity from below.

Somali identity is a result of the growth of the newborn baby into the herding group called the *reer*. It is this that gives the male or female baby the necessary obligations and responsibilities that define their being Somali within specific territories. From the *reer*, the male child learns about the care of camels and cattle and the need to offer protection not only to the extended family, the *reer,* and the clan but importantly to the stock of animals in his custody. It also teaches about trade, politics and war. The female will learn about child rearing, care of the elderly, food preparation and storage and care of animals. Awareness of the importance of the *reer* is therefore the first level of societal consciousness (ibid., p.528). Thus, there is a very strong way in which Somali identity and consciousness comes from below since it grows from the roots of Somali livelihood and seeks to protect this. The nature of this development is enshrined in the horizontal interlocking roots that form the basis of the collective consciousness of the Somalis. 'Somali identity', argues Hashim (ibid., p.529), 'is not something that is imposed from above — it grows out of its rhizome'. Indeed, it is because of the rhizomic basis of Somali identity[6] that their political organization has remained at odds with the centralizing tendencies associated with the modern nation-state; the geography from above.

Given the scarcity in the Somali society, cattle, sheep, camel and their products form the main menu for their livelihood. In times of extreme scarcity, one way of acquiring supplementary food was to trade their animals with neighbouring crop producers. This mode of operation was however seriously affected by the imposition of land tenure systems and monetization of local economies. The other strategy the Somalis and other pastoralists employ has been to raid neighbours and other pastoralists in order to obtain extra cattle for their own subsistence. Further, these raids are made necessary by the deteriorating environment that has greatly reduced the resources for grazing and watering the animals. The Somalis have a formidable tradition of staging raids against their neighbours and it is important to note that many of the conflicts and inter-clan raids in Northeastern Kenya become protracted during harsh seasons occasioned by drought. Resources for grazing and watering animals combine with sedentary based land tenure systems to explain the conflicts in the area. These have made the *shifta* raids more protracted. In a way, banditry has become part of the economy of a people whose environment inadequately caters for their basic needs.

The Conflict Situation in Somalia

Mohammed Siyad Barre inaugurated his personalized and dictatorial rule by attempting to develop the state laws to supersede the customary ones. His rule did not fulfil most of its promises and acted as a threat to the face-to-face loyalty the rhizomic clans assured. While the state laws were felt from above through regulations and taxes, they did not cushion the Somalis from the serious consequences of their harsh environment from below. In fact, it was a further drain on the Somalis since it threatened the very basis of their sense of belonging.

Barre took over power in a bloodless military coup in October 1969, barely a decade after Somalia gained political independence from Britain and Italy. He remained in power for 21 years until 1991 when he was also deposed by a coalition of groups opposed to his dictatorial rule. Upon assuming power, Barre suspended the constitution, dismissed parliament and instituted a Supreme Revolutionary Council (SRC) under his leadership. He civilianized his regime in July 1976 when he replaced the SRC with the Somali Revolutionary Socialist Party (SRSP) of which he became the Secretary-General. His rule had mixed fortunes though the dominant legacy was one of authoritarianism, dictatorship, corruption and the active promotion of regional and clan factionalism. Between 1969 and 1976, Barre consolidated and legitimized his rule through popular moves in health provision, education, rural development and resettlement of drought victims. He achieved this using the military, the very institution he had used to assume power. Although Somalia was a military state, the innovative leadership and socialist approach Barre adopted won him affection in several

quarters. During a visit to Somalia in 1974, Mwalimu Julius Nyerere remarked that 'The Somalis are practising what we in Tanzania preach' (Farer 1976:95).

With the advantage of hindsight, we can now perceive the strategy entailed in the changing nature of Barre's rule. According to Hussein Adam, Barre began on a populist stance in order eventually to build personal rule. Personal rule, Adam insists, does not always proceed outside existing institutions of governance and is not averse to institutionalization (Adam 1998:369). Barre built his rule through the military where he had a solid base. He used the military to establish his popularity within the wider Somalia society between 1969 and 1974. The military presence in civilian service increased as the army built new barracks, dormitories, mess facilities, theatres, playgrounds and even got involved in relief efforts following the 1974/75 drought. The state and society were almost completely militarized by 1970 when Barre declared socialism as the ideology of the military regime. For him, the Somalia National Army (SNA) constituted the Revolutionary Vanguard. He propounded and used an ideology that emphasized socialist terminology to back up his initiatives, a fact that elicited concern among the contending Cold War adversaries.

There is a particular aspect of the East-West interest in Somalia that has relevance to understanding the security situation in the Horn and East Africa. Barre expended enormous resources on arms acquisition with the connivance of the Soviet Union, Italy, France and the US. First, it must be emphasized that Somalia has historically been valuable to the western powers because of its strategic location in relation to India, the Middle East and the Suez Canal (Turton 1974:325-26; Adam 1998:358-61). In 1960 when Somalia gained independence, the interest of western powers was in its strategic location. For the incoming Somali elite, the drive to unite people of Somali ethnicity in one nation-state generated neighbouring enemies, a fact that called for vigilant alert against possible external threats. These two factors (regional strategy and irredentism) combined to make military preparedness a Somalia priority especially following the Kenya-Ethiopia defence pact of 1963. Somalia went all out for military aid and, for a while, managed to attract military assistance from Britain, Italy and later the USA. However, the US included political strings to its aid, a fact that was unacceptable to the Somalia elite who had also been making overtures to the East. When Barre took over and propounded 'scientific socialism', US and West Germany aid was frozen. Barre looked to the USSR for this help, which he easily got.

Pushed by the drive for irredentism, Barre increased expenditure on the military to unprecedented levels. SNA grew both in numbers and in armament from a force of 10,000 in 1963 to 37,000 in 1978. The army further expanded to 96,000 in 1980, then 115,000 and eventually 123,000 by 1984/5 (Adam 1998:372-73). But by this time the previous mask of military discipline and

public/civilian service had been shed off. Instead, overt repression, authoritarianism and corruption took over. Such oppression created disaffection that exploded into open rebellion and ended Barre's rule in 1991. Even more disastrous for the post-Barre era was the level of militarization of society and the ease with which arms, especially, but not exclusively, guns, were accessible in Somalia society. The proliferation of arms in the wider Somalia society had accompanied the militarization of civilians during Barre's rule. According to Adam (ibid.:375), military expenditure rose at the rate of 10 per cent per year between 1963 and 1973 while the Gross National Product grew at the rate of as little as 3 per cent. The military took about 27 per cent of the total government expenditure between 1972 and 1977, 37.1 per cent in 1978 and 39 per cent in 1979 (ibid.).

Just how sustainable the military budget was depended more on external support than on internal resources. Most of the time, the aid came as debt. Thus, when the US suspended its aid, the USSR took over until 1978 during the Somalia-Ethiopia war in which the USSR supported Ethiopia. Barre stopped all engagements with the USSR. Instead, he began to rely on Italian support. In the 1980s he began to look to the US for aid. But the US was more interested in providing economic not military aid in exchange for using the naval installations at Berbera and the adjacent airfield. With Italian and American support, SNA gradually fell in deep trouble especially because of incompatibility of the changing military technology from the Soviet artillery to the Italian and American ones.

Further, dwindling economic fortunes added another dimension to the problems afflicting Barre's rule. His military budget, then ranked among the highest in Africa, could not be sustained. The privileges and allowances, the uniforms and equipment to SNA could only be sustained with outside help; help that began to steadily dwindle with the increasing autocracy of Barre. When Barre used the military to repress society, promote clanism, and to destroy channels of debate and dissent, some of his creditors, who were moving into a New World Order and had just realized that dictatorship was anathema, quickly slapped conditions for further aid. Such conditions like devaluation, the floating exchange rate and an end to trade restrictions, were added to high levels of inflation that had hit the 400 per cent mark between 1978 and 1982. By 1985, Somalia was not only weak, it was also poverty-stricken, highly militarized and in general chaos.

Between 1985 and 1991 when Barre was deposed, state tyranny along clan lines was rampant. Widely perceived as ruling through his Marehan clan of Darod, Barre visited untold terror on perceived 'rebel clans', followed by open massacre of the youth in urban places. These culminated in the massacres at Mogadishu, Somalia's capital city in July 1989, followed by terror against the Hawiye clans and then the North where he focused largely on the Isaq

clan-family. All these contributed to the suspension of US military aid in 1988 and economic aid in 1989. Unlike other countries in Africa where such stoppages were gradual, 'in Somalia, an abrupt stoppage of all aid followed a history of too much aid' (Adam 1995 75). All these happened in a highly militarized context that was susceptible to easy collapse. By 1993, 'there [were] more arms than food in Somalia', Boutros Boutros-Ghali commented. As he further emphasized, 'these arms were not fabricated by Somalis [...]. They were given by the outside world, to serve outside interests. Those who provide arms are partners in the crime' (Harsch 1993:18).

The Somali problem lies 'squarely at the juncture of internal and international politics' (Ayoob 1995:66). At the international level, the move from the Cold War to the New World Order has indeed complicated internal dynamics within Somalia society:

> Many Third World states owed their independent existence within their colonially constructed boundaries to a major norm that had governed the international system since the end of World War II. [This] norm decreed that once a postcolonial state acquired juridical sovereignty and was extended international recognition [...] its territorial integrity was assured under international law (ibid.).

It is such recognition that has assured 'juridical statehood' to states even if their internal working were fragile and ineffective. During the Cold War era, this norm was guarded once self-determination was granted to colonial peoples within colonial boundaries. However, with the move to a New World Order, the sanctity of state territories has increasingly been challenged as previously fragile states fragmented. Moreover, the increased spate of state failure has intensified, fired by the unguarded proliferation of uncontrolled arms into private hands. This is also a carry over of increased armament of factions within weak states during the previous Cold War era. The collapse of Barre's rule was accelerated and this led to an increase in free-floating guns in unauthorized hands.

The violence that was visited to the Somalis was harsh and brutal. Between November 1991 and March 1992, an estimated 41,000 people were killed (Ayittey 1994). The brutality witnessed at the time was aggravated by external conditions, many of them historically associated with the Cold War and further complicated by changes to the New World Order. It has already been noted that there was more ammunition in Somalia at the time than food and medicine. Also, Africa Watch indicated that 'the level of discipline among the troops [was] so low, the number of free guns so high and the need to loot for food so great that fire-fights [would] undoubtedly continue' (*Washington Times*, 2 March 1992, p. A9). As a consequence of deteriorating inter-clan relations and the heavy militarization of society, 'violence and the control of weapons had become the only form of employment and the only assurances of survival in Somalia' (Ihonvbere 1994:13).

The conflict in Somalia in the earlier 1991 developed against a background of a porous boundary between Kenya and Somalia. While the movements of the Somalis in search for pastures had developed and promoted the habit of crossing the borders with minimal or no control, the supervision by the Kenyan government against illegal entry was hardly enforced. For one, the borderline between Kenya and Somalia was 500 miles long making it one of the longest and difficult to police. Further, the harsh nature of the region made it difficult to police because the area was prone to bandit attacks, was very hot, had scattered human dwellings and such remoteness caused heavy casualties to the Kenyan forces. Kenya remained a target for Somalia refugees mainly because of its stability and willingness to accommodate the refugees. The conflict in Somalia in 1991 onwards made Kenya a safe place to migrate to.

Conditions in Northeastern Province also mitigated the ability and capacity of the law enforcement officers to police the entry of the Somalia refugees into Kenya. The ethnic Somalis resembled all the others in the region in physique, language, culture, religion and historical tradition. Many of the Somalis found Kenya safe to relocate given the level of relative stability in the country and the presence of kinspeople with whom they could cohabit. While some found it prudent to identify themselves as refugees and stay in refugee camps, many melted into the Somali community in Kenya, especially in the urban centres in Northeastern Province like Garissa, Wajir and Mandera. From here, others increasingly moved to Nairobi despite the presence of Kenyan police officers along the highway to check such illegal entry. Their safest residence in Nairobi was Eastleigh Estate where the Somalis are dominant. By the beginning of the year 2000, there was an estimated 105,000 Somali refugees in Kenya in the officially designated refugee camp at Dadaab (Crisp 2000:602). But many more evidently reside illegally within the larger Kenyan population, disguising their true citizenship under the common markers of a wider Somaliness. From here, some have negotiated and renegotiated their identity across the border, claiming a Kenyan citizenship whenever necessary while others have sought to use the Kenyan identity to relocate to western metropoles. It is this that has made the issue of territorial boundaries fluid in relation to the Somalis.

Somaliness in Flux

The influx of Somali refugees in Kenya was a development that reversed the irredentist impetus of the 1960s. The war in Somalia made it unattractive and unpopular as a destination for the ethnic Somalis who were supportive of Pan-Somalism. As the war escalated and conditions in Somalia deteriorated further, the promise of Pan-Somalism became even more bleak and unattractive for many Kenyan Somalis. This contrasts with the earlier enthusiasm and claims in which Kenyan Somalis had supported and fought for their reunion with other

Somalis in Somalia. The settlement of Somalia refugees in Kenya, and Eastleigh in particular, benefited from the failed promise of Pan-Somalism and the collapse of Somalia. A community of ethnic Somalis has consequently formed in Eastleigh, a mixed community of both Kenyan and non-Kenyan Somalis. As a result, Eastleigh has been nicknamed 'Mogadishu Ndogo' (Little Mogadishu). If the name Mogadishu Ndogo has come to refer to Eastleigh, in practice, it fulfils the irredentist moves of the 1960s in reverse and in miniature. If Somali irredentism implied the creation of a Somali state based on their nationhood (ethnicity), the case of Eastleigh provided the refugees space to easily move where other Somalis were in the city of Nairobi, settle there and feel at home. Eastleigh has provided the space for the creation of a mini-Greater Somalia though with mixed consequences to Kenya.

Negotiating Somali Identity in Eastleigh, Kenya

Eastleigh Estate in Nairobi has an intriguing racial history. The capital of Kenya is basically a colonial city, established in the interest of British settlers who hoped to make it a settler city. Legal restrictions on the entry of Africans abound in the colonial regulations governing Nairobi. In 1913, a sanitary commission recommended the radical separation of people in Nairobi on the basis of race.[7] Following the recommendation, the Public Health Ordinance was enacted on 15 October 1913 laying out the racial plan of the town. Eastleigh was proclaimed a township by gazette notice of 13 April 1921. The notice amalgamated formerly Egerton Estate, Nairobi East Township and the areas known as Egerton, Eastleigh and Eastleigh Extensions into Eastleigh Township. Nairobi East Township housed a predominantly Somali population. The main aim of amalgamating these was to create a place where Indian artisans could be settled to relieve the crowding and 'dangers', in terms of public health, that the Indian Bazaar posed to white settlers because it was located in the city centre.

The creation of Eastleigh was therefore the result of the protracted struggle to relocate the Indian Bazaar from the city centre. Eastleigh was laid out as 'a residential area for better class artisans and traders and workers' (Parker 1959:71). But the township amalgamated areas hitherto occupied by Indians, Somalis and Africans — according to the racial terminology by which the Somalis were increasingly differentiated, as already noted, from 'native Africans' in colonial Kenya. The rules governing Eastleigh Township were supposed to ensure that only Indians inhabited the area. Rather, other groups like Somalis inadvertently came to find themselves within Eastleigh. Previously, the township had been a site of struggle between the colonial state and the Somalis. In 1917, Dr Cherwitt, the Medical Officer of Health in Nairobi had tried to falsify — that is, inflate — the plague records in order to provide a good reason to relocate the Somalis from Eastleigh (White 1990:47). Because of the embarrassing facts of this

fiasco and the determined resistance of the Somalis, the latter were allowed to settle and own property in Eastleigh.

The inadvertent presence of Somalis in Eastleigh was reinforced by the fact that when the colonial state established Eastleigh, plot owners and the administration failed to provide 'amenities' for its settlement. The terrible state of the roads to the township deterred the higher class Indians who were expected to settle there from doing so. Thus, Eastleigh degenerated into a mere 'location' dirty and unkept. The higher class Indians refused to settle there, preferring either to remain in the Bazaar or drift into Parklands area. This gave the Somalis a chance to inhabit the township. Over time, Eastleigh has become a place where Kenyans and non-Kenyans especially of Somali ethnicity stay and eke out a living. The few Indians in the area moved to the predominantly Indian residences of Parklands towards independence in the 1960s.

Eastleigh became the biggest settlement of Somalis in Nairobi from the 1930s and 1940s. In this process, it also turned out to be their main centre of operation in Kenya and the East African region. Eastleigh was the headquarter of the Isaq Somalis in Kenya during the Poll Tax agitation in 1936-41 (Turton 1974). Thus, it acquired both the imprint of the Somali identity and therefore the stigma that criminalized the Somalis as troublesome and insolent. In relation to Kenyan Africans, this stigma was further reinforced by the racist and arrogant perception the Somalis maintained towards 'natives' (Africans), a perception that opened the way for a dubious distinction between the Somalis and Africans. Even the Poll Tax agitation was itself provoked by the insistence of the Somalis that they were not Africans and could not pay tax at the same rate as 'natives', whom they thought racially inferior. The Somalis hoped to demonstrate their 'superiority' by paying higher taxation (ibid.:324-38).

According to the United Nations High Commission for Refugees Mid-Year Report for 2000, there were about 8,371 refugees in Nairobi. Many of these are Somalis and live in Eastleigh — a place with a mixture of cultures and modes of living that cannot be found elsewhere in Kenya. Legality and illegality, the licit and illicit and the legitimate and illegitimate co-exist in Eastleigh in profound interaction. One of the reasons for this mix is the existence of Kenyans and non-Kenyans of Somali ethnicity in the area, some of whom nurture a long time hope that Somalia stabilizes so that they can cross back home or, may be, resume their irredentist struggle. As a result of this hope, life in Eastleigh is lived in a temporary and ephemeral manner.

Few people are interested in permanence and stability. Investments, especially for the Somalis, cater for that tentative goal, not permanence. The people in Eastleigh are either often on the move or seem always ready for some mobility. Out of this, one can easily understand why planning for Eastleigh has also been left to chance. It seems that the government in Kenya has acceded to the

uncertainty and tentativity and for long lacked a plan to enforce the law, invest in infrastructural development and maintenance. Uncertainty may be said to characterize life in Eastleigh in the sense that official rules are inoperative and instant negotiation between the licit and illicit is operationalised daily.

The nature of Eastleigh Estate has allowed the government in Kenya to overlook its duty to maintain order, rehabilitate and maintain infrastructure, provide for the necessary basic services and, most importantly, check and curb crime. While such collapse may be true of government obligations across the city and the country, the level of degradation in Eastleigh has gone beyond limits and the agenda for renovation in the country has hardly made Eastleigh a priority area. Thus, the neglect so common of government policy in NEP seems to have been extended to Eastleigh with an attempt to marginalize Eastleigh just like NEP. The area has quickly become a pale shadow of an urban suburb. The face of the estate got deformed in the mid-1980s. Formerly well-designed roundabout spaces have turned into huge garbage heaps frequently inhabited by street children. Indeed, some street children have turned them into 'homes' because they often have leftovers dumped there for their food. The streets have also turned into dirty, sandy potholed paths unrecognizable anymore as streets.

Crowded roundabouts and streets have turned into thriving places for crime. They consequently support criminal activity ranging from petty pick pocketing to big time drug trafficking and trade in sophisticated weapons. While there is no clear evidence of the source of the drugs and weapons, suggestions that they come from the heavily militarized Somalia society cannot be overlooked. Also, suggestions that the situation in Eastleigh has been made worse since the large influx of Somalia refugees in Kenya cannot be assumed away.

Indeed, on numerous occasions, the Kenya-Somalia border has been closed to trade and other movements on the excuse that increased cases of armed robberies in Nairobi receive sophisticated weapons from Somalia. The latest closure of the Kenya-Somalia border was slapped on 28 July 2001, when President Moi argued that 'the move was aimed at curbing the inflow of small arms, which are believed to contribute to the growing wave of crime in the country' (*Sunday Nation*, 29 July 2001, p. 1). This ban came barely two years after another August 1999 ban that was lifted, six months into operation. What is important to add is that the presence of Somalia refugees has aggravated a situation that was developing and the present state of Eastleigh has worsened with the connivance of Kenyans and non-Kenyans. One can hardly overlook the active, almost enthusiastic participation of Kenyans in the collective subversion of law and order in Eastleigh, as in many other places.

The issue as to whether the Somalis still wish to be reunited in Somalia is not yet concluded and is closely tied to the temporary nature of life in Eastleigh.

Interviews with unsuspecting Kenyan-Somali itinerant traders in Nairobi confirmed that some Kenyan-Somalis still nurture the hope that Somalia stabilizes so that they can be re-united. Yet beneath this hope is a dilemma. The wares some of these traders sell are cheaply acquired from Somalia and brought into Kenya for sale. The prices are ridiculously low compared to items imported through officially recognized means into the country. Thus, for some Somali dwellers in Eastleigh, the war in Somalia is a disguised boon. It allows them to import items from Europe and Asia untaxed and sell them very cheaply, though at a good profit, to Kenyans. This is made possible by the long and porous boundary in NEP, which in many places remains unpoliced. Because of the business opportunities, an increasing number of Somalis prefer living out of the designated refugee camps in Kenya. Interestingly, they hardly take up decent and permanent residence in the city. Since the camps are located near the Kenya-Somalia border in NEP, they have in fact bolstered the increased cross-border trade.[8]

Trade is a lucrative activity in Eastleigh among Somali refugees. Within the estate, sprawling informal markets have emerged where people of Somali ethnicity sell numerous items originating from Somalia. These range from clothing materials and cloths imported from China and Italy to electrical equipment like radios, televisions, and video. These items go at comparatively very low prices. Other items include shoes, mattresses, vehicle tyres, spares for toys, furniture and household utensils. Eastleigh supplies most of Nairobi businesses with such items and it is more profitable to buy from Eastleigh and resell within the city centre than it is to buy legally imported goods and sell them at an equivalent price.

In a sense, Eastleigh is redefining from below the business landscape in most of Nairobi and related towns like Thika and Nakuru. Somali traders are a notable presence in Nakuru at any time of the day or night. They hawk imported items like shoes, watches, belts, perfumes, leather jackets, and radios. Their nightly presence in petrol stations in Nakuru is reflective of the life in Eastleigh and the mobility of the ethnic Somalis. The human traffic to Eastleigh is heavy because of the attraction these high quality though cheaper goods have for Nairobians. This has also reformed the nature of business premises in Eastleigh. Unlike Kenyan hawkers who sell toys, clothing material and related cheap items imported mainly from China, Somali hawkers sell rather sophisticated, high quality and expensive items imported mainly from Europe.

Such businesses in Eastleigh are housed in a cluster of shopping 'malls' collectively called Garissa Lodge; Garissa being the provincial headquarters of NEP. These were initially rental houses that have been converted into shops. At night they turn into residential houses for the traders while during the day they are centres for booming trade. A total of about 400 rooms can be counted in

Garissa Lodge, most of them being operated mainly by Somalia refugees. Some of the items for sale are housed in small rooms that initially had been bathrooms or toilets. Indeed, there is no evidence of garbage dumping sites in the Lodge. Toilets or bathrooms are hardly noticeable. The nature of these rooms shows that their current occupants are temporary residents. They have no separate residential houses and neither are they interested in finding 'decent' housing for long term residence. Further the clothing items they sell act as chairs and beds and there is no private space for private life or even cooking. A visit to these places reveals that non-Kenyan Somalis occupy them. Many of them hardly communicate in Kiswahili and are reluctant to answer 'suspect' questions. While this may be explained by lack of understanding of Kiswahili, it is possible that the illicit activities that go on in these places also explain the reluctance.

Eastleigh has one of the highest crime rates in Nairobi. Incidents of carjacking, gun fighting, and robbery are common in the estate. The ease with which these take place is also very amazing. On several occasions, police officers have been shot dead in Eastleigh while bank robberies have been staged in amazing circumstances and dramatic styles. One businessman in Eastleigh confirmed that 'it is only 'life' that we do not sell here' (*Sunday Standard*, 7 November 1999, p.16).

When other estates in Nairobi go to sleep, Eastleigh remains awake twenty-fours hours a day. It is therefore not far fetched to argue that many of the Somali traders in Eastleigh have no places to sleep. Most of them take turns to sleep at their business premises, and those who rent residences do so in groups of several families and also take turns to sleep. It is the only estate in Nairobi that has twenty-four hours operation of *matatus* (small private-owned public transport vehicles). The Somalis are avid consumers of *miraa* (khat), which supposedly keeps one from sleeping. *Miraa* is supplied from Meru in Eastern Kenya by pick-up vehicles and offloaded in Eastleigh. Part of this is then airlifted to Somalia and NEP by flights whose booking offices can only be found in Eastleigh. In a sense, Eastleigh serves and is in constant connection with Somalia and NEP in myriad ways.

The peculiar lifestyle in Eastleigh and its largely illicit nature is best expressed in the way monetary transactions are carried out among Eastleigh traders. Few of the traders in Garissa Lodge have the necessary documents needed to hold a bank account in Kenya. The requisite documents include Kenyan identity card, a passport or a driving license. Most traders have easily crossed into Kenya through NEP but are not holders of valid Somalia passports. Thus, they rely on mobile one-man banks to keep their money or keep large sums of money in their business premises. 'Bankers' are always inconspicuous and only known to their clients. The transaction being mainly based on trust, most clients bank with a 'banker' who belongs to their clan. As one trader put it:

> Many people have no valid documents to do business in Kenya and so we cannot use banks. We bank with people from our clan who we really trust (*Sunday Standard,* 7 November 1999, p. 16).

What is intriguing is that these one-man mobile banks are able to 'take money and give back at short notice' (ibid.). On the other hand, some traders keep their own cash. For instance, in the fire that razed Garissa Lodge on 14 December 2000, some traders alleged that a large sum of hard cash was also burned in the inferno. According to media reports, one trader however managed to rescue from the fire US$ 80,000 in cash (*East African Standard*, 16 December 2000).

Given the difficulty of establishing exactly who among these Somali traders is Kenyan, the law enforcement agencies in Kenya have opted for sporadic and unregulated raids to residential houses in Eastleigh. During a raid, failure to identify oneself with a valid Kenyan identity card constitutes proof of illegal entry into the country. This haphazard approach has often elicited other problems. As a matter of fact, it is possible for non-Kenyans to obtain Kenyan identity cards through manipulating and corrupting the officers charged with issuing identity cards or passports.

One such case was disclosed in August 2000 and involved 100 Somalis who were caught with Kenyan passports on their way to Europe through Dubai. Since one does not need a visa to enter Turkey from Dubai, many use this route to get into Europe as refugees (*Daily Nation*, 18 August 2000). It is instructive that from the Kenyan side, those involved in the syndicate of issuing passports included immigration officers, a politician from Nairobi and some officers of the Criminal Investigation Department. But this is not the first time such a syndicate was revealed. Other cases were noted in 1985 and 1989 (*Weekly Review*, 17 November and 8 December 1989).

Secondly, given the regularity with which Kenyan police raid Eastleigh Estate, many Kenyan Somalis have regularly complained and protested against the government for unfair and unjustified harassment. This complaint is legitimate though it complicates the situation. Clearly, the police target the Somalis because their ethnicity is likely to produce a 'beneficial' culprit. They also target them because of the stigma of stubbornness and the criminalization of their identity. This raises the question of what the appropriate manner of confronting the problem of alien Somalis in Kenya should be given the acrimony between Kenya and Somalia?

The possibility that genuine and law abiding Kenyans get unnecessarily harassed for residing in Eastleigh is very high. Indeed, the police hardly raid the residences with the focused intention of screening to flush out non-Kenyan aliens. 'Hordes of police officers who patrol the estate nightly never seem to be looking for the real criminals' (*Sunday Standard*, 7 November 1999, p. 6). Many of them seek to exploit darkness for corrupt practices. To this end, they always try to find any

fault, real or imagined, to justify such harassment. At times they demand receipts for very old items or they implant illicit drugs on an unsuspecting person in order to extract a bribe.

Media reports in 2000 publicized a complaint by Samira Waithira Najim who lost her handbag together with her identity card. Najim is half Kikuyu and half Indian Kenyan though she looks like an Ethiopian. She complained that after she lost her identity card she has been in trouble because she had 'to deal with the police who roam the Eastleigh area, and who think I'm a refugee. They want nothing but money, which I don't have' (*Sunday Nation*, 22 July 2000, p.10). This is just one among the many unrecorded cases that mark out the corrupt nature of police interest in Eastleigh during their patrols. As a consequence of this and other forms of harassment, those who live in Eastleigh are on high alert against the police.

Eastleigh Estate is the place of constant conflicts between the law enforcement officers in Kenya and the dominant ethnic Somalis in the estate. It will be of interest to explain further the dynamics of this conflict and analyze emerging trends in terms of how the Somalis in Eastleigh have sought to assert themselves in the face of a state-defined criminal identity and especially the permissiveness of the police. To be sure, the state criminalization of the Somali identity in Kenya and the permissiveness of the law enforcement officers feed and reinforce each other against the assertiveness of the Somalis in Eastleigh.

The implication of this contest between the Somalis and the state on their citizenship provides important lessons for the notion of geography from below especially in terms of how people fight from below and effect changes to the dominant definition of territories from above. This fight takes many forms and they include open confrontation with the police, defiance and unnoticeable acts of negotiation with law enforcement officers, corrupt government officials and connivance with locals to flout the laws. The screening of Somalis in 1989, which led to a protracted war of words and street demonstrations against the Kenyan government will illustrate this better. But before venturing into that, it is important to discuss President Moi's strategy of integrating the ethnic Somalis into the collective Kenyan consciousness by recruiting prominent Somali politicians and professionals into the government. This was done with the hope that more Somalis would identify with Kenya and relinquish their Pan-Somali identity and hope.

Patronage and State Integration of the Somalis

One strategy adopted by President Moi to defeat the irredentist move was the recruitment of prominent Somali leaders into his government. This strategy was in line with an old patron-client system of reward deployed by Kenyatta in putting together what Joel Barkan describes as a governance realm. This involved the creation of 'a semi-competitive system in which patron-client networks linked

the state to civil society'. Pointing out the centrality of *harambee*[9] as an avenue of dispensing reward for those who built their own regional political following and at the same time supported his regime, Barkan argues that the system entailed Kenyatta's tolerance of the 'activities of local bosses so long as they did not challenge his authority as head of KANU [Kenya African National Union] and later head of state' (Barkan 1992:171). The Moi regime, according to Barkan, has dismantled this governance realm.

Ignoring the more debatable tenets of this argument for the time being, it is indisputable that Kenyatta did not do much to involve the Somalis in his governance realm (see Ajulu 2000:134-35 for an excellent critique of Barkan). Perhaps, it would be more accurate to say that Moi has merely reorganized the ethnoregional bases of his version of a governance realm and in this the Somali patrons have come to occupy a comparatively more significant place than hitherto.

For example, after the 1988 general elections, Hussein Maalim Mohammed was appointed Minister in the Office of the President where he was in charge of internal security. His brother General Mohammad Mohammed had earlier been appointed to the position of Chief of General Staff (CGS) of the Kenya Armed Forces to replace the retiring General Jackson Mulinge. In the provincial administration, Yusuf Haji had risen to the powerful position of provincial commissioner. These became President Moi's pillars in Northeastern Province. In line with the patronage driven politics in Kenya, these appointments were meant to induce the suggestion that the Somalis were indeed part of Kenya and were included in its governance structure. As Minister in the Office of the President, Maalim Mohammed had access to the top echelons of the state and its redistributive functions. As CGS, General Mohammed was at the nerve centre of the security-regulating arm of the state.

A crucial aspect of such appointments is for the patrons to become conduits of redistributing resources to their regional bases. It was therefore expected that these patrons would use their connections to extend resources to people in Northeastern Province because of their support of the state. Further, this would impress upon them that more support meant access to more resources. There is no doubt that this patronage contributed to a noticeable increase in the number of ethnic Somalis in the armed forces. But it is doubtable that it has created adequate sense of belonging to Kenya. This is more so because patronage resources never always trickle down to the mass of Kenyans.

As is obvious with patronage networks, they are double-edged swords. The process of building a clientele involves another process of exclusion especially of rivals and their supporters. This is especially true of politically motivated clienteles who have to juggle between political opponents to their benefit. In the case of the Somalis, rivalries with the Galla of whom the Boran are a subsection have generated negative consequences in Northeastern Province. The Boran,

to some extent viewed the appointments as an elevation of the Somalis at their expense. Further, the appointments were construed to be partisan in a clan dimension because Maalim Mohammed and General Mohammed are brothers. The appointments may also have generated business rivalries. Consequently, the presence of these two in Moi's government may have been ineffective in generating a sense of belonging to Kenya, though it certainly was an improvement on the Kenyatta era. As brothers, the spread of their influence was certainly limited.

Beyond politics, the attempt to build business bases for themselves opened their initiatives to rivalries. It came as no surprise in December 1988 when Maalim Mohammed complained that 'illegal immigrants were engaged in a number of criminal activities such as poaching and smuggling' (*Weekly Review,* 17 November 1989, p. 15). It is this charge and many subsequent ones that led to the unprecedented move to screen all ethnic Somalis above 18 years in November 1989. While this was not the first time to screen the Somalis in Kenya, the context and effects made it unparalleled. The aim of the screening exercise was 'to establish those of Kenyan origin against those from neighbouring countries' (ibid.). The government statement restated that a considerable number of illegal aliens had not only infiltrated the country but had fraudulently acquired Kenyan identification by corrupt means. 'In the midst of these happenings', the statement correctly noted, 'it has been difficult for the authorities to differentiate the Somalis of Kenyan origin from the aliens' (ibid.).

There is no denying that aliens were partly responsible for the criminal activities in parts of Kenya. Ample evidence existed to show that some unnamed alien Somalis were involved in acts of banditry and smuggling. For instance, Dr Richard Leakey, then director of wildlife conservation noted that most poachers captured by law enforcement officers could not communicate in Kiswahili and were therefore relying on local support. Dr Leakey had been appointed to head the wildlife conservation body to protect elephants, which were facing extinction due to poaching for ivory. Somali aliens were implicated in the poaching and some who had been captured were confirmed to be Somalia soldiers. Since some of them had more sophisticated weapons, Dr Leakey was charged with implementing a shoot-to-kill policy against the poachers.

The move to hire Dr Leakey, and with a stern brief, had been necessitated by the effect of poaching to Kenya's international reputation as a secure tourist destination. Bandits and poachers were responsible for many acts of aggression in Kenya. In 1989, they attacked villages in an operation that led to the death of four tourists in a Kenyan game park including one American, two Frenchmen and a Belgian. It seems clear that the main reason for the attacks was ivory which was offloaded to the illicit international ivory centres especially Hong Kong. Most of the ivory in Hong Kong was said to originate from Somalia yet

Somalia has 'virtually no elephant herds to sustain the volume of ivory it has been accused of off-loading on the illicit market' (*Weekly Review,* 17 November 1989, p.19). It is the level of success in poaching, the relative sophistication of their automatic weapons, the organization and export of ivory that lends credence to the view that some of the bandits in Kenya were working for sections of the warring clans in Somalia.[10]

Furthermore, the banditry and poaching was accompanied by increasing rates of Somalia attacks into Kenya. In September 1989, Somalia forces attacked a remote police post at Liboi on the border in Kenya. Four security men died and a cache of firearms were stolen. Earlier, on 20 February, Somalia forces invaded the Sebule border area wounding a number of Kenyans and killing six elephants. An attacker who was captured had an AK-47 automatic rifle with 189 rounds of ammunition. These exceptions may not prove the rule, but they gave the Kenyan government reasonable grounds to initiate a screening exercise.

The screening upset the initial sense of belonging to Kenya that some Somalis were developing. It also seems that the screening was targeted against non-Kenyan Somali businessmen. The stated purpose of 'weeding out the illegal Somali aliens from the country' was hardly achieved after the end of the exercise. But two prominent Somali businessmen, Mohammed Kanyale Afrah and Yusuf Osman Gabaire were deported (*Weekly Review,* 26 December 1989, p. 7). It is unlikely that these were the only alien Somalis in Kenya at the time. In fact, this action viewed in relation to the business interests of the leading Somali leaders demonstrates an underside to the screening. In November 1988, Hussein Maalim Mohammed had clearly complained of aliens from a neighbouring country who had 'infiltrated Kenya and proceeded to illegally acquire citizenship, later accumulating enormous wealth through the transport and hauling business, in clearing and forwarding, in export and import and in real estate' (*Weekly Review,* 17 November 1989, p. 19).

Of greater significance, however, is the larger import of the screening exercise. The exercise clearly marked the Somali identity as an alien identity and in turn generated contestation from the Kenyan Somalis. That the screening was orchestrated by leading Somali politicians who fervently supported it was a sign that some co-optation of leading Somali politicians had taken place, an indication of the 'success' of Moi's patronage. But this was not translated into integration of the Somalis. Most of these leaders did not only support screening but were in fact the first to appear at screening centres to be screened. That appearance was itself a performance of political brinkmanship with no consequence to the persons in question. After all, they had to be screened before contesting for parliamentary election. As such, they only sought to rally the support of ethnic Somalis to a course that turned the Somalis into second-class citizens. It is clear that their performance did not eclipse all avenues of contestation and resistance.

There was a section of Kenyan Somalis who contested this screening exercise fervently. In Nakuru, a group of Somalis viewed the exercise as amounting to 'selective aggression against a particular section of the Kenyan community' (*Weekly Review,* 17 November 1989, p. 15). The secretary-general of the Supreme Council of Kenyan Muslims and a former Member of Parliament, Ahmed Khalif, himself a local Somali, was perhaps the most incensed and outspoken. He saw the exercise as meant to 'antagonize loyal citizens of Somali extraction and affect their sense of belonging' (ibid.). Khalif even refused to appear before the screening panel and likened the choice of Somalis for screening as casting a general blanket of suspicion 'over the whole community'. For him, screening ought to have covered all other Kenyans since, in all probability, there may be aliens in other communities 'who need to be flushed out' (ibid.). In a nutshell, it seems that the screening exercise did in fact reveal the inability of the government to seriously enforce the rules of citizenship, which in a way suggests that the geography from above is not as definitive and fixed as it has been assumed to be.

Other Forms of Resisting the Criminal Identity

The reaction of Khalif mirrors that of many other Somalis against the criminalization of their identity in Kenya. The typical reaction evident at the time was mass mobilization to demonstrate against screening. Within such demonstrations, there were other issues addressed. One of these was to invoke a religious strategy. The other strategy was to blow out the instance of screening to include other previous acts perpetrated by the state against the Somalis. Further, given that this was a time when Kenyans were furiously fighting for a multiparty political dispensation, the agenda of dissent came to include issues apart from screening of the Somalis. The screening provided one instance of human rights abuse, at least for the pressure groups and pro-democracy proponents. That is why support for the Somalis came from unlikely quarters like the Law Society of Kenya, which was composed of both pro-democracy activists and opportunists whose credentials for democracy resided merely in being confessed critics of Moi (Murunga 2000).

The religious issue sought to rally Muslim sympathy and support for the Somalis. The Somalis are predominantly Muslim and by invoking Islam, they hoped to gain support from other Muslims. In this regard, the argument was turned in such a way that it appeared that Somali/Muslim identity was the object of state attack. Islam would in turn enlarge the ethnic response into a religious one. But by far the most enduring of these reactions was mass mobilization for persistent demonstration and violence against the state whenever it reacted or acted against the Somalis. During the screening exercise, a group of about 250 protestors gathered in Nairobi to condemn the screening exercise.

Most of these protestors came from Eastleigh and aimed to publicly demonstrate their opposition to screening. The slogans of the demonstration were meant to challenge the criminality the state associated with their identity, to distance themselves from alien Somalis, to insist that just as it was difficult for the state to isolate an alien Somali from a Kenyan Somali, so it was for the state to distinguish an alien African from a Kenyan or a law abiding police officer from a corrupt one. The protestors likened the certificate of verification issued after screening to the colonial *kipande* (pass) and protested 'being subjected to such harassment' in their own country through double identification (*Weekly Review,* 24 November 1989, p. 17).

The above argument has merit on the basis of the fact that Kenya has only been concerned about isolating Somalia refugees, not Ugandan, Sudanese, Rwandese and, more recently, those from the Democratic Republic of Congo. Historically, this is explained by the fact that Kenya perceives ethnic Somalis as potential threat to state security. In contrast, during the years of political turmoil in Uganda in the 1970s and 1980s, about 15,000 refugees entered and were largely absorbed in the Kenyan labour market and commercial sectors. As secondary school students in the mid-1980s, Ugandan teachers taught most of us. Indeed, Ugandans were accepted in Kenya and were not subjected to harassment despite the open knowledge that they were non-Kenyans. They gained relative access to social services such as health, education and housing on almost equal terms with Kenyans, and many of them even acquired Kenyan identity cards. However, Ugandan refugees tended to be generally less armed and the Kenyan-Ugandan border was more accessible and less prone to insecurity. This was not the case on the Kenya-Somalia border.

To be sure, Eastleigh had previously been the scene of demonstrations against the state but these hardly dovetailed with collective national struggles for freedom. One significant aspect of the screening exercise was that it introduced the Somalis to such struggles. Prior to this, the vibrant pro-democracy groups in Kenya hardly took up issues related to the citizenship of the Somalis and non-Kenyans. Crisp is generally correct in arguing that 'while Kenya has a lively human rights movement, it has been largely preoccupied with 'domestic' issues and has therefore not become substantially involved in refugee-related questions' (Crisp 2000:618).

At the time, these groups were not keen about the issue of Somali citizenship leaving this struggle largely to the Kenyan Somalis. That the screening exercise attracted the attention of human rights groups and other concerned governments was perhaps the main success of the demonstrators. These included local and international groups like Human Rights Watch and the Canadian government. In fact, the involvement of Canada soon embroiled them in a diplomatic war with Kenya. But true to the authoritarian mood in the country, President Moi

issued a statement that clearly stipulated the state's stand. He confirmed the illegal presence of alien Somalis in Kenya, linked them to rampant acts of banditry and poaching and insisted that screening was a way of isolating alien Somalis from indigenous ones. He blamed alien Somalis for instigating the protests, for abusing the hospitality accorded to them and sternly warned that 'no form of opposition would change [the government's] decision' (ibid.).

President Moi's warning and the obstinacy of its verdict was characteristic of his highly authoritarian and undemocratic rule and the ruling party, KANU, at the time. The leadership was so rigid and undemocratic that it did not hesitate to use the law enforcement agencies to enforce compliance. This hardened the movements and groups fighting for democracy and opened the state to local and international pressure to democratise. As the law enforcement agencies became more visible, offensive, intimidating and closed down the existing spaces for free expression, the public and legal space for expression was passed over to informal, private and, at times, illegal arenas. Most of these spaces were utilized for the common good of challenging authoritarian rules and decrees while others passed over for illicit and illegal activities.

As demonstrations in the towns increased, funerals, churches, makeshift garages and *matatus* became spaces for challenging state control. But the underside of it was the use of sabotage and corruption to beat the law enforcement system. As more and more police officers went to networks of special branch spying and fighting the democratic pressure, fewer were left to enforce the law against common criminals and some among these few were susceptible to corruption because their remunerations rates were ridiculously low. Thus, the Somali case in Eastleigh was neither exclusively criminal nor unique to the Somalis. It simply dovetailed with internal dynamics involving greater social pathologies arising from urban decay, infrastructural and institutional collapse, growing poverty and corruption.[11]

It is clear today that on many occasions, the residents of Eastleigh have demonstrated that the law enforcement officers hardly ever want to flush out alien Somalis. In fact, whenever these are found, they are released after bribing the officers. The situation has become cyclic in the sense that many officers target Eastleigh merely to apprehend people, extract bribes and release them. The spate of harassment has therefore become burdensome to the residents of Eastleigh who are constantly raided both by the law enforcement officers and criminal thugs in a manner that hardly differs. Since the police never fully apprehend the aliens, they perpetuate both the harassment and crime.

In some cases, it has been found out that the police officers stage unlawful checks and raids even during daytime and are themselves involved in robberies in Eastleigh. They have been known to harass legally sanctioned businesses in Eastleigh and extract bribes by force. Given the daring manner of their acts,

residents have also become conscious of this. They often raise alarm that triggers confrontation with the police that eventually encompasses the whole estate. The residents are hardened by acts of aggression, harassment and robbery from those whose duty is to protect them and enforce the law. Consequently, Eastleigh has witnessed skirmishes and open confrontations between the police and residents.

In the event, it is becoming increasingly clear that the police are in fact part of the problem. They are attracted to Eastleigh because they have taken up the assumption that it is a den of criminality. As such, Eastleigh has become the best site for police who want to be bribed. Since the police hardly police against criminals, they abet crime in the estate. Also, some police officers have been found guilty of perpetrating crime in Eastleigh. Since they are not Somali, it becomes very difficult to sustain the blanket criminal identity so often associated with the Somalis in Eastleigh.

Conclusion: Implication for a Geography from Below Perspective

It is important in this section to reconcile the main thrusts of the geography from below perspective with the empirical issues contained in the study of Somali identity across the border. This is important in order to investigate the extent to which geography from below is a viable framework of recasting the notion of territoriality and unfreezing the African boundaries. Once boundaries are seen as mutable, the possibility of understanding the dynamism of life across territories will help create a transnational outlook that respects cross border dealings as part of the real life for which the immutable boundaries have been a transgression.

It has been emphasized time and again that notions of dissidence assume a priori that borders are sacred, that the notion of territory issuing from the state is legitimate and that anything else that does not submit to the notions of territory issued from the state perspective is either illicit or illegal. Using such a perspective derived from Max Weber's idea of order and bureaucratic organization, Chabal and Daloz (1999) have gone ahead to talk about political instrumentalization of disorder suggesting that chaos, uncertainty and disorder are the elements that characterize political life in Africa. There is need to adjust this perception because across the borders of many nation-states are separated brothers, cousins, families and ethnicities. Some of these ethnicities rely on each other for help in times of need, for assistance in times of scarcity and for the sense of belonging and togetherness that is so important for the human gregarious instinct and prosperity.

There are two definitions of territory that are at the base of the study of geography from below. The first argues that territories are 'the spatial expression of a collective consciousness' while the second sees it 'as a surface limited by fixed boundaries (or bodies of water) to which allegedly corresponds one

and only one all-encompassing identity' (Ben Arrous 2000:4). The first definition has often been collapsed into the second thereby generating the assumption that collective consciousness only fits and can only acceptably express itself within fixed boundaries. The dominant producers of boundaries have in turn arrogated themselves the right to determine the boundaries within which specific expressions of collective consciousness can occur thereby generating notions of dissidence and illegitimacy that cohere with their whimsical interests. States, religious orthodoxies, armies etc. have been challenged from many fronts by notions of collective consciousness that refuse to take, in total, the dominant notion of territory. The notion of geography from below thus is useful in suggesting that fixed boundaries encapsulate social reality but this reality does not always conform to the imagined territories contained in fixed boundaries. The geography from below perspective is a good reminder that we are not living by the forces that shape our very being.

What seems true of the Somali case is that in their notion of collective consciousness is a contest that pits geography from below against geography from above. But, as contradictory as this may sound, the notion of Somaliness in flux does not accede to either of these geographies; that is, both geography from below and from above are important to being Somali depending on the exigencies of given circumstances. The growth process of a Somali child emphasizes the rhizome which rotates around the clan and the need for security. But beyond the notions of sufferers in a harsh environment as a rallying point for Somali togetherness, Bwana (1964:14) has argued, there is nothing else that cements the Somalis together as an ethnic community. Their claim to a Greater Somalia is, in a sense, an expression of geography from above since this move received considerable impetus from the state in Somalia starting with the activities of Sheikh Muhammed Abdullah Hassan. Somali irredentism came to rotate around sponsorship and impetus from the Somalia state. But within this very territory were forces gradually and systematically tearing each other apart. Thus, the argument, so often aired that territorial unity and state harmony is achievable if people of same ethnicity, religion and race are bound together in one nation-state has been rendered suspect by the Somali experience. Today, one must wonder if it is necessary for the Somali nationality to continue with the search for the Somali state. Is the Somali state the ultimate panacea of the problem of Somali conflict?

While tearing the Somalia state apart, the Somali rhizome demonstrates that geography from above does not have absolute sway over the identity of the Somalis from below. The hegemony of the Somalia state was always tentative and subject to being unmade. It is true that within the definition of the Somalis from above was contained the seed of its own unmaking since the Somalis were present beyond Somalia and were therefore subject to attraction from Kenya

and Ethiopia. Kenya and Ethiopia were places contesting the geography from above expressed by Somalia. It is important, then, to stretch the dialect Ben Arrous uses by suggesting that the unmaking of geography from above is not confined to the dialectical conflict of above as opposed to below. It may also involve above against above and below against below.

The conflict between Kenya and Somalia and between Ethiopia and Somalia contributed to unmaking the geography from above pursued by Somalia. While the Somalis in Kenya or Ethiopia may have preferred to be in Somalia with their kinspeople, the tearing and collapse of Somalia suggested to them that they were better off in Kenya. The refugee issue was not just about flight to any destination, but for many Somalis in Kenya, it was also about where they had kinspeople and where they would eke out a living while waiting for the conflict to end. It is in this sense that Kenya under Moi has been keen to attract Kenyan Somalis into a sense of belonging to Kenya. This in itself has been a project against Somali irredentism. The alliances between Kenya and Ethiopia were also projects from above against a similar project from Somalia (Makinda 1982). This may also be true of the conflict in the Great Lakes region where diverse projects from above are engaged in redefining the geography of the region. This has been done simultaneously with and against the geography from below of dissident groups and social movements.

An important aspect of geography from below has been to contest the criminalization of its identity. As Ben Arrous correctly shows, part of the literature on geography from below has accepted the illegitimacy, violence, illegality and criminality of forces asserting their presence from below. This has been done by valorising violence, the illicit and illegitimate as the character of these groups or forces. It is hardly important to such analysts that these groups have introduced new conceptions of legitimacy by questioning archaic, ill-advised notions of territoriality and the fictitious presence they maintain. It is, for instance, important to ask why state officials and wealthy citizens should institute mechanisms of evading taxation when they import expensive vehicles that furnish their own forms of conspicuous consumption while a poor citizen is heavily taxed for buying imported maize.

The moral of this argument is that evading taxation in the Kenyan port town of Mombasa, for example, is no more immoral and wrong than smuggling an Italian made shoe across the Kenya-Somalia border. What is at stake is that rules defined from above are broken. But the problem is that the state may consider the illegal cross-border transfer of an Italian made shoe illegal and punishable and effectively pursue that line of action while at the same time assuming away the importation of six Mercedes Benz vehicles tax free by a well-connected and rich son of a president. Indeed, even courts and parliament become complicit in defence of the son of a president or a minister thereby participating in the collaborative endeavour of subverting the project from above.

Such a scenario as highlighted above is hardly the exclusive case for African countries, as Chabal and Daloz (1999) seem to insinuate. There is no amount of order and institutionalization of governance rules and separation of power that has eradicated such corrupt tendencies even in the west. Thus, the state, or geography from above everywhere is not about morality. It is about expediency and self-interest. People, who in a true Hobbesian sense are egoistic constitute the state. A lesson that 'dissidence' drives home is not just violence for the sake of it but violence to challenge the dominance of the state to instruments of violence or to violence itself. Also, the geography from below does not deploy the illicit for its own sake but to show that the state is not the all-consuming perpetrator of illicit activities. The same applies to illegality, which remains a domain where not only dissidents partake of but even those charged with the duty of policing against illegality. It is here that again, the dichotomy between geography from above and geography from below blurs the intricate overlap between the two. As Ben Arrous (1996:26) shows, 'it is quite difficult to distinguish between geography from above and geography from below when the same actors take part in both'.

In Kenya, the issue may not just be about high-ranking officials and wealthy Kenyans. It is also about the average common person, the opposition politician who represents the alternative to the sitting government, the policeman who is charged with overseeing the security of all, and the religious leaders whose vocation is to constitute a citizenry that is God-fearing and moral. The moral probity of all these constituents is wanting. The Kenyan territory may be living in a context of moral mediocrity, despite pretensions to the contrary. No one thinks of the Kenyan territorial space as one and self-respecting entity.

The common person has resigned to the trickster that government officials too often are. Common people in Kenya have resigned to rationalizing the illicit and criminal as a practical consequence of scarcity and want. The policeman will rationalize partaking to bribery and harassment of law-abiding citizens as a practical consequence of low remuneration from the state. The religious leaders will adopt the 'do as I say not as I do' dictum, while the opposition politician may be a trickster merely waiting to assume the apparatus of state power. In this sense then, it is difficult to understand where geography from below is more dissident than geography from above. It is difficult to understand how the illegal presence of the Somalis in Eastleigh is more illegal than the police involvement in harassment and bribe taking. Everyone partakes in the illicit and, by that, encourages criminalization of the entire spatial environment.

Notes

1. For detailed discussions of the OAU's policy of intangible boundaries and the meanings of self-determination in the Somali case, see chapters 5 and 6 in this volume.
2. *Shifta* is an Amharic word referring to a bandit. This name was applied to the dissident Somali fighters who laid and ambushed the Kenyan military forces throughout most of the 1960s and 1970s. It is cautiously used in this essay to refer only to these groups of bandits, not to the whole Somali community in Kenya.
3. See letters in Kenya National Archives (KNA), AG/19/12.
4. The term 'alien Somalis' was used by the colonial state to isolate non-Kenyan Somalis from Kenyan Somalis. This was specifically, though not exclusively, used in relation to the Isaq Somalis settled in Isiolo Township as opposed to their kinspeople in Italian Somaliland. Over time, and for reasons that are central to this chapter, the term alien has wrongly been indiscriminately applied to all Somalis. This is not the sense in which we use it in this chapter, rather, we mean to illustrate how the Somalis have been criminalized in Kenya by the spreading of such dubious terms.
5. These words of caution were uttered during a tour in which an assortment of weapons recovered from the *shiftas* had been displayed.
6. The rhizome metaphor is used in this chapter with reference to Somali identity to emphasize its botanical centrality in ensuring rootedness and cementing the sense of belonging.
7. The Nairobi Sanitary Commission blamed the 'dangerously insanitary' condition of Nairobi on ' insufficient drainage, over-crowding, and non-segregation of races'. The Commission concluded that 'the evidence in favour of the principle of segregation is overwhelming and the Commissioners have no hesitation in accepting it' (East African Protectorate 1913:12 and 20). See also Simpson (1915:53).
8. The initial coastal location of the refugee camps was moved to the present location in NEP (Kakuma and Dadaab) because refugee camps at the coast had become centers of economic activity selling untaxed imported items. This robbed some Mombasa traders of viable business, thus eliciting complaints that forced the government to relocate the refugees. It is no wonder that in the late 1980s, a similar complaint came from NEP. With the relocation from Mombasa to NEP, traders in Eastleigh have continued to benefit from supply of untaxed items from Somalia.
9. Kiswahili for 'let's pull all together at once'. Jomo Kenyatta based his mandate in this motto, which he initially gave to Kenyan workers for the purposes of national development. Over years, this celebrated cry increasingly acquired the meaning of 'bargained exchange', both in labour and inter-ethnic relations.
10. For a study on the connections between such illicit trade and the international market, one may benefit from the insights provided by Bayart et al. (1999) and Chabal and Daloz (1999). However, these two books ought to be read with caution given the way in which they portray the problem of criminalization as a uniquely pathological issue of Africa.
11. For a discussion of such social pathologies and how they have reconfigured urban spaces under conditions of structural adjustment, see Zeleza (1999) and Salimata Wade's chapter.

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