

**SOCIETAL SECURITY AND MIGRATION: A CASE STUDY OF THE
SOMALI MIGRANT SETTLEMENT IN EASTLEIGH, 1990-2010**

SYLVIA NDUKU KIAMBA

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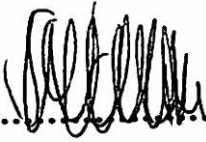
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DECLARATION

This thesis is my original work and has not been submitted for a degree to any other University.

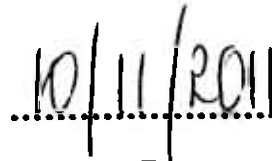


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Sylvia Nduku Kiamba

Institute of Diplomacy and International Studies (IDIS)

University of Nairobi



.....

Date

This thesis has been submitted for examination with our approval as University supervisor.



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Dr. Ibrahim Farah

Institute of Diplomacy and International Studies (IDIS)

University of Nairobi



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Date

DEDICATION

To my family, friends, and colleagues for their selfless support and patience that helped me through the program at the Institute of Diplomacy and International Studies (IDIS), University of Nairobi.

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I thank the Almighty for all I have been able to attain at the Institute of Diplomacy and International Studies (IDIS), University of Nairobi. Next I would like to thank my Supervisor Dr. Ibrahim Farah for his patience and guidance in carrying out my research project.

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Abstract

The evolution of the analysis of security has been in favor of the broadening subject matter that constitutes the security of a person, group and state. The evolution has seen a shift from the traditional approach of security to one that is contemporary in approach. In this contemporary approach there is the identification of human security. In the analysis of human security, societal security is the established component that seeks to protect the identity of the peoples, groups and states against threats to that identity. Through the analysis of the theories of societal security the major threat to identity is the settlement of foreigners in host communities. The threat is manifest when there is a clash of identities. The clash of identities includes disruptions to the normal ways of the life of host citizens. Kenya as a migrant host state has had to deal with these clashes in ways that are deemed favorable and unfavorable to both the migrants and citizens. Information derived from the case study of the Somali migrant settlement in Eastleigh, 1990-2010, provides divergent views from the migrants and citizens both in authority and ordinary citizens. Analysis of the opinions show that there is indeed a security issue that Kenya has to deal with, not through the traditional approach but rather with the contemporary approach. This contemporary approach caters for the examination of the effects of migration on societal security in Eastleigh, Kenya. In addition, the contemporary approach also caters for the analysis of the challenges of integration between Somali migrants and host communities in Eastleigh and the exploration of the theoretical linkage between migration and societal security. The information gathered in the study brings out the continuous evolution of the study of human security and most importantly, societal security. Somali migrant issues in Kenya and host trends in Eastleigh are indicated as being both positive and negative. However, considering all circumstances Kenya as a host state has the potential to improve her refugee structures that will culminate in a culture that is ready to accommodate new identities.

List of Abbreviations

API- African Press International

CBD- Central Business District

DRA- Department of Refugee Affairs

EBDA- Eastleigh Business District Association

GMG-Global Migration Group

GOK- Government of Kenya

HOA- Horn Of Africa

ID- Identification

IGAD- Intergovernmental Authority on Development

IGO- Intergovernmental Organization

IOM-International Organization of Migration

IRIN- Integrated Regional Information Networks

KM- Kilometers

KSH- Kenya Shillings

NEMA- National Environment Management Authority

NEP- North Eastern Province

NFD- Northern Frontier District

NGO- Non- Governmental Organization

OAU- Organization of African Unity

RSD- Refugee Status Determination

UNDP- United Nations Development Program

UNEP- United Nations Environmental Program

UNHCR-United Nations High Commissioner for Refugees

\$- US Dollars

€- Euros

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CHAPTER ONE

INTRODUCTION TO THE STUDY

1.0: Introduction

The concept of security has over time been subject to a number of definitions that would culminate its complexity as well as its subject matter. To draw from a global perspective, security has traditionally been viewed as a state concern in the International System.¹ This traditional view is Realist in nature as the understanding of security is perceived to be the extent to which a state can militarily protect itself. Lippmann summarized this well with his statement that “a nation is secure to the extent to which it is not in danger of having to sacrifice core values, if it wishes to avoid war, and is able, if challenged, to maintain them by victory in such a war.”²

However, with the shifts in the International Political System after the end of the Cold War (1989-91)³ from one that was bi-polar in nature to one that is multi-polar in nature.⁴ There has been a revision of the traditional view of security. This contemporary view of security has a broad platform to cater to the arisen and arising threats to security which looks at security not only as a state concern but an individual, ethnic-grouping concern as well as security beyond the state and in inclusion, security within the International System.

¹ M. Mwangiru, *African Regional Security in the Age of Globalization*, (Heinrich Böll Foundation, 2004), p. 1.

² J. Baylis, “International and Global Security” in J. Baylis and S. Smith (ed), *The Globalization of World Politics* (New York: Oxford University Press, 2001), p. 255.

³ M. Cox, “International History Since 1989” in J. Baylis and S. Smith (ed), *The Globalization of World Politics* (New York: Oxford University Press, 2001), p. 114.

⁴ *Ibid.*

Various scholars have been able to formulate different definitions to cater to the contrasting subject matters. According to Booth, security should be viewed as emancipation where; “Emancipation is the freeing of people (as individuals and groups) from the physical and human constraints which stop them carrying out what they would freely choose to do...Security and emancipation are two sides of the same coin. Emancipation, not power or order produces true security. Emancipation, theoretically, is security.”⁵

In addition to Booth, Thomas in the context of defining security in recognition of the third world environment stated that, “security does not simply refer to the military dimension, as is often assumed in Western discussions of the concept, but to the whole range of dimensions of a state’s existence which are already taken care of in the more developed states... for example the search for internal security of the state through nation-building, the search for secure systems of food, health, money and trade, as well as the search for security through nuclear weapons.”⁶

In light of the definitions given above, the study seeks to look at a societal insecurity in Kenya and the role that migration plays.

1.1: Background of the study

To understand the security predicament, an overview of the subject of Security is given. The analysis of security through the third world definitions is the starting point, as this analysis gives rise to the study of Human Security. Human Security became an issue of global concern in the year 1994, with the release of the UNDP Human Development Report. The report brought out seven issues that had been overlooked as being a threat to global security. The issues that were

⁵ M. Ayoob, *The Third World Security Predicament: State Making, Regional Conflict and the International System*, (London: Lynne Rienner Publishers, 1995), p. 10.

⁶ *Ibid.*, p. 9.

addressed were; food security, economic security, health security, environment security, personal security, community security and political security.⁷

Over time the above seven issues have been revised to five major sectors that form the security of human collectives. Okoth lists them as military security, political security, economic security, environmental security and lastly societal security.⁸ “Societal security concerns sustainability within acceptable conditions for the evolution of traditional patterns of language, culture, religion, national identity and customs.”⁹ Each of the five sectors has identified threats. The identified threat to societal security is anything that would alter or distort the traditional patterns of a society.

One of the views of a society is a body of persons that are united for or by some object or by a certain characteristic, such as language, culture or geographical placement. Buzan, Waever and Wilde define society as being about identity, the self- conception of communities and of individuals identifying themselves as members of a community.¹⁰ Societal security is further defined as the large, self sustaining identity of groups, where society can be defined as the “we” identities in an international system.¹¹

Kenya has a number of communities that include the traditional ethnic groupings as well as religious groupings. Each of the groups forms a society in Kenya. However, Kenya does have an umbrella society that encompasses the various communities found in the country: the Kenyan

⁷ See UNDP, *Human Development Report*, (UNDP, 1994).

⁸ G. Okoth, “Regional Institutional Responses to Security in the Era of Globalization” in M. Mwagiru (ed), *African Regional Security in the Age of Globalization* (Heinrich Böll Foundation, 2004), p. 49.

⁹ Ibid.

¹⁰ B. Buzan, O. Waever and J. Wilde, *Security; A New Framework for Analysis* (London: Lynne Rienner Publishers, 1998), p. 119.

¹¹ Ibid., p.120.

Society. The Kenyan society uses the Kiswahili phrase; *Najivunia kuwa Mkenya*.¹² Translated to mean; I am proud to be a Kenyan. The *Najivunia kuwa Mkenya* campaign was launched in 2004 in the then Week of National Focus that run from 4th - 11th December 2004.¹³ The campaign was developed to promote patriotism amongst all Kenyans from different walks of life past on the then 12th December 2004 Jamhuri Day celebrations.

With the understanding of Societal Security, tackling the threats that are faced in the maintenance societal security comes next. Buzan, Waeber and Wilde give three main threats which are used to categorize the societal security predicament.¹⁴ The three can be used to categorize that predicament that Kenya faces.

The first is migration; which is the movement of people from one society to another. Migration is viewed as a threat as it leads to the dilution of the original peoples in an area through the bringing in of a new culture. Exposure to a new culture leads to different ways of doing things as well as the eventual synching of cultures. The second is horizontal competition; the competition is faced when communities found in one society try to overwhelm the other through influence.

The final threat to societal security is vertical competition where a society X will look towards a wider or narrow broad of an identity to ascribe to. For example, Kenya as a state can decide to ascribe to the regional identity of the East African Community first, then to its National Identity. The competition here is whether the National Identity of Kenya would be able to compete with the regional identity in terms of being beneficial to Kenya.

¹² A. Mutua, "Najivunia Kuwa Mkenya 'Patriotism' Campaign", (Office of Public Communication- Kenya, 2006).

¹³ Office of Public Communications- Kenya, "Week of National Focus, 'Najivunia kuwa Mkenya'", (Office of Public Communication- Kenya, 2008).

¹⁴ B. Buzan, O. Waeber and J. Wilde, *Security: A New Framework for Analysis*, op cit, p. 121.

Of the three main threats the study shall focus on the role that migration plays in Kenya's ability to maintain her Societal Security.

1.2: Statement of the research problem

Security has over time been confined to a states capability to militarily protect it self. However, with progressive developments in the analysis of security, Buzan et al. have given students of International Relations new platforms to study security. This contemporary approach allows for the individual analysis of state sectors and the security levels that are accorded to each.¹⁵ The approach makes valid the essence of human security; which is focused on the security of the population and on the everyday challenges to man. These challenges include food security, health security and in inclusion, community security.

It is from human security that we are able to derive the discipline of societal security. This discipline caters for the analysis of societal interactions that take place within and outside the state. These interactions may be positive or negative and they thus form the insecurities that the societies are faced with. The discipline does not seek to move away from the state centric approach to security, rather, it seeks to show that a state should not only focus its security agenda on military strength. Instead, the state should also look into the welfare of its population and seek to also provide security to the different sectors of the state such as the environmental and economic sectors.

The central element that makes up a society is identity, as societies are recognized by the unique identities that they possess. The manifestation of an identity includes language and all factors that would bring cohesion to a group of people thus forming a society. Consequently, the

¹⁵ Ibid., p. 7.

security concern of a society is the protection of identity that comes under threat from other identities. At this juncture, it should be noted that all societies evolve, and the evolution includes the integration of different identities. The threat to identity occurs when the society at hand does not go through the integration process of evolution well. This is attributed to contrasting ideologies, as well as vulnerability faced by the society undergoing evolution. Globalization has lead to the increased pace of societal evolution and the societies that are slow to adopt the change choose to retain there old way of life thus remaining conservative to change and the integration of new populations. The integration of peoples occurs through migration.

The settlement of populations in areas other than that of birth is migration. It is this settlement that is a security threat to societies. The settlement of populations in host communities and states can either be accepted or opposed by the hosts. Kenya as a host state has over time been recorded on a number of occasions as having being opposed and in acceptance of the integration of foreign societies. Of particular interest to the role played by Kenya as a host state, the question arises as to whether Kenya in accepting new societies is infringing on its own societies security. And if so, what is Kenya doing in regards to societal integration that is as a result of migration. With all the above taken into consideration, the study examines the research problem that seeks to investigate the role that migration plays in the maintenance of societal security.

1.3: Objectives of the study

The overall objective of the study is to examine the relationship between societal security and migration with a case study of the Somali migrant settlement in Eastleigh, 1990- 2010. More specifically the study aims:

1. To examine the effects of migration on societal security in Eastleigh, Kenya;
2. To analyze the challenges of integration between Somali migrants and host communities in Eastleigh;
3. To explore the theoretical linkage between migration and societal security.

1.4: Literature review

The literature review has four main themes that form the benchmark of the proposal as well as the analysis of the case study. The focus of the review is to gain theoretical information that will guide the case study. The themes are; societal security, migration, Somali migrant settlement in Eastleigh and identity. Of the four, emphasis is biased towards the third world views of authors and academia with reference to Kenya.

1.4.1: Societal Security

A manifestation of the contemporary security approach includes the 1994 Human Development Report that highlighted the existence of non military threats to the security of a state and its

peoples.¹⁶ In addition to this Buzan et al. have been able to broaden the security theme to one that caters for the study of 'social identity' as well as other human security issues.¹⁷

Buzan, Waever and Wilde outline five sectors that are used for security analysis in the contemporary environment that include the military sector, political sector, economic sector, environmental and the societal sector which is concerned with collective identities that function independent of the state such as religion.¹⁸

Societal security by definition refers to the security of collective groups in relation to other communities or the institutions of the state in which they reside.¹⁹ The threats of societal security then constitute perceptions and actions that inhibit the expression of a national groups' identity; that could be culture, language, religion or any other form of self-expression.

Thiel states that the threats to societal security arise from insecurities over ethnic and national identities that clash with the 'major' resident group where the minority is found.²⁰ Thiel further distinguishes societal security from human security where societal security is mainly concerned with the relations of minorities and groups within a society or states. While human security looks into the general living conditions of individuals and collectives. From this point of view it can be stated that societal security is concerned with collectives of identities and how they can be freely expressed in a state. This could be through language, freedom of expression and the basic human rights that are accorded to each man from their state of origin.

¹⁶ See UNDP, *Human Development Report*, (UNDP, 1994).

¹⁷ B. McSweeney, "Identity and Security: Buzan and the Copenhagen School", (UK: Cambridge University Press, 1996), p. 81.

¹⁸ B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*, op cit, p. 3.

¹⁹ M. Thiel, "Identity, Societal Security, and Regional Integration in Europe", (EU: Jean Monnet/Robert Schuman Paper Series Vol. 7 No. 6, 2007), p. 5.

²⁰ Ibid., p. 6.

In general; Buzan, Waever and Wilde, state that the main challenge to societal identity is globalization whose main forces are;

“1. The cycle of poverty in the South, migration, poverty- related diseases that are transmitted through migration and migration- related organized or un-organized crime; and 2.The clash of civilizations.”²¹

The above two, are ways in which the assimilation of societal identity takes place with both positive and negative effects. Arguments against having societal security as a major form of security analysis have been raised. The base of the argument is that having a broad base for security analysis undermines the Westphalia system of nation states. The link between national security and national borders is questioned as it instead overlooks the security of the state. The argument furthers that societal security goes beyond the traditional state conflict because the threat is not necessarily linked to other states. Baldwin accused Buzan of intermingling conceptual and empirical analysis, stating that; “Understanding the concept of security is a fundamentally different kind of intellectual exercise from specifying the conditions under which security may be attained.”²²

In light of this, according to Ayoob the Third World states cannot have the same definitions to security as the developed world.²³ Where, in particular, Africa is blessed with a diversity of societal identities that need to be protected from threats that affect them. This is attributed to “their infancy as modern states and their late entry into the system of states.”²⁴

²¹ B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*, op cit, p.121.

²² R. Drifte, “Migrants, Human Security and Military Security” in H. Klienschmidt (ed), *Migration, Regional Integration and Human Security; The Formation and Maintenance of Transnational Spaces*, (England: Ashgate Publishing Limited, 2006), p. 105.

²³ M. Ayoob, *The Third World Security Predicament: State Making, Regional Conflict and the International System*, op cit, p. 15.

²⁴ Ibid.

Ayoob further states that the third world is weak, vulnerable and insecure. The listed three characteristics when placed on a global platform of analysis are found to vary in level of importance between the developed and Third World states. In addition to this, Mwagiru states that, "... the traditional (western) understanding of what constitute security threats to states are not wholly applicable in the African setting where threats to security are conditioned by its different operating environment."²⁵ Consequently, the views raised shall be tackled in the carrying out of the study in Eastleigh, a third world District.

1.4.2: Migration

Numerous reasons justify the movements of societies, thus leading to the different categorizations of the movements. There are three main types of migration that are recognized by the Global Migration Group (GMG).²⁶ The first is Forced Migration which is described as a migratory movement that has coercion as an existing element that could include; threats to life or livelihood as well as man made causes such as political instability and conflict. The second type of migration is that of Transit Migration; which is the movement of people from a state of origin to a state of employment and vice versa. The last however is, Return Migration that the GMG, defines as; "the movement of a person returning to his/ her country of origin or habitual residence usually after spending at least one year in another country. The return may or may not be voluntary. Return migration includes voluntary repatriation."²⁷

²⁵ M. Mwagiru, *African Regional Security in the Age of Globalization*, op cit.

²⁶ Global Migration Group (GMG), *International Migration and Human Rights; Challenges and Opportunities on the Threshold of the 60th Anniversary of the Universal Declaration of Human Rights* (Global Migration Group, 2008), p.10.

²⁷ Ibid.

The literature review on migration focuses on Forced Migration, as the nature of migrants that affect societal security fall into the characterization of forced migrants. This is attributed to members of a society opt to seek new accommodation within different communities when they are faced with negative state forces that push them out of their homelands. The ways in which the host society will accept the fleeing migrants is if they acquire the title of Refugee or Asylum Seeker. A refugee is defined as an alien unwilling to return to his or her country of origin "because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion,"²⁸ whilst an asylum seeker is defined as someone who has to leave their own country because they are in danger and they therefore arrive in another state seeking residence there.²⁹

Kenya has played the role of hosting refugees and asylum seekers from her independence in (1963) and still continues to do so.³⁰ However, the study focuses on the role that Kenya has had to play as a host state from the years 1990- 2010 where in 1990 Kenya was host to the largest refugee population in East and Central Africa at a number that stood at close to half a million³¹ and in 2009, when Kenya was host to some 340,000 refugees according to UNHCR reports. Additionally, it should be noted that Kenya also plays host to Irregular Migrants. An Irregular Migrant can be defined as, "every person who, owing to undocumented entry or the expiry of his or her visa, lacks legal status in a transit or host country."³²

²⁸ The Llectic Law library, *Refugee*, (USA: The Llectic Law Library, 2011).

²⁹ Macmillan Dictionary, *Asylum Seeker*, (UK: Macmillan Publishers, 2011).

³⁰ Maps of the World, *Kenya Independence*, (USA: Maps of the World, 2011).

³¹ A. Hassan (2009), "Refugees In Kenya And The Constitutional Review Process – The way forward", (Kenya: Ibrahim, Issack & Company Advocates, Commissioners For Oaths & Notaries Public).

³² Global Migration Group (GMG), *International Migration and Human Rights; Challenges and Opportunities on the Threshold of the 60th Anniversary of the Universal Declaration of Human Rights*, op cit, p. 7.

Over time migration has emerged as a security issue.³³ This, according to Drifte is as a result of the enlarging concept of security, stating that the linkage between migration and the expanded security concept are appealing as with famine and drought, migration refers to the security of the individual.³⁴ Drifte further posits that migration is both part of the traditional and non- traditional security concerns. In contrast, Choucri suggests that “the connection between migration and security is particularly challenging and problematic because, migration, security, and the linkages between the two are inherently subjective concepts.”³⁵ This Choucri furthers, is dependent on who is analyzing the two and with what context the analysis is being done as linking the two may bring about issues.

Despite this, migration as a state- level threat is manifest in two ways; the first is the external political –military challenge whilst the second is internal struggles.³⁶ Antagonism between states is heightened through hosting of refugees as this may be viewed as criticism of the politics of the state of origin. Furthermore, a challenge could also arise when the refugees in the host country form a basis of trans- border political and military challenge to their native country. Internal struggles arise when the host communities are not in approval of integration with the foreign community and are thus viewed as a threat; Societal insecurity.

³³ H. Kleinschmidt, “Migration, Regional Integration and Human Security: An Overview of Research Developments” in H Kleinschmidt (ed), *Migration, Regional Integration and Human Security: The Formation and Maintenance of Transnational Spaces* (England: Ashgate Publishing Limited, 2006), p.78.

³⁴ R. Drifte, “Migrants, Human Security and Military Security” in H. Kleinschmidt (ed), *Migration, Regional Integration and Human Security: The Formation and Maintenance of Transnational Spaces*, (England: Ashgate Publishing Limited, 2006), p.103.

³⁵ Y. Stivachtis, “International Migration and the Politics of Identity and Security”, *Journal of Humanities and Social Sciences*, Volume 2, Issue 1, 2008. p. 1.

³⁶ T. Terriff, S. Croft, L. James, P. Morgan, *Security Studies Today*, op cit.

However,

“The core principle of the international human rights regime is that human rights are universal... As set forth in the Universal Declaration of Human Rights, migrants are first and foremost human beings, included in the ‘everyone’ of Article 2: ‘Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth and or other status.’³⁷ The principle of universality implies that states of origin, transit, and destination are all responsible for the protection of migrants’ human rights.”³⁸

This means that despite the influx of refugees entering a host state, each migrant should be accorded attention. However, this puts the state between a rock and a hard place in trying to maintain its sovereignty and being in accordance to International Law. Kleinschmidt states,

“Governments, specifically those subscribing or bound to subscribe to principles of liberalism, are under constraints not to fully exploit their legal rights to control migration. The implication seems to be that the formulation and execution of anti- migration policies, justified in the grounds that migration is a factor of insecurity, follow from the specific mindsets of those who devise these policies and are informed by peculiar attitudes towards and perceptions of migration. These government attitudes and perceptions are frequently in conflict with the attitudes and perceptions of migration.”³⁹

States therefore need to ensure that their migration policies are not hostile to migrants and ensure that the state is protected. Migration as a security issue and its effects on the host community are all analyzed in different capacities. The study seeks to analyze migration and the negative effect it has on the identity of the host society.

³⁷ See Article 2, Universal Declaration of Human Rights (1948).

³⁸ Global Migration Group (GMG), *International Migration and Human Rights; Challenges and Opportunities on the Threshold of the 60th Anniversary of the Universal Declaration of Human Rights*, op cit.

³⁹ H. Kleinschmidt, *Migration, Regional Integration and Human Security; The Formation and Maintenance of Transnational Spaces*, p. 78.

1.4.3: Somali migrant settlement in Eastleigh

A migrant is a person belonging to, or owing an allegiance to, one State and moving into another State for the purpose of settlement.⁴⁰ A migrant can assume the title of refugee or asylum seeker in the host state. Kantai states that the first wave of Somali refugees into Kenya numbered 400,000 or there about and that the first settlers in Eastleigh had been traders in Mogadishu in the early 1990's.⁴¹ As at 2008, Moses states that there were thousands of new arrivals of migrants from Somalia due to the fighting between the Supreme Council of Islamic Courts, which took control of much of southern Somalia in June 2006 and Transition Federal Government (TFG).⁴²

The development of Eastleigh as a Migrant destination is recently traced to Garrisa Lodge in the Eastleigh District. The lodge provided a refuge for Somalis fleeing the aftermath of Siad Barre's fall in 1987. Kantai states, "... for a time, the Somali migrants eked out a living with their savings. When that money ran out, the legend goes on; the migrants opened their bags, spread out the last of their goods on their beds and begun selling. Soon Garrisa Lodge evolved from a simple boarding house into a bustling trading centre in a neighborhood that was about to see a commercial explosion."⁴³ This commercial explosion was attractive to the migrants and with the late 1990 distribution of Alien Cards to the refugees by the then Kenyan Government of Daniel Arap Moi, the refugees were allowed to legally work in Kenya. The available market was attractive to not only the Somali migrants but to Kenyan citizens who were aware of the low margins of trade that was characteristic of the Somali trade in Eastleigh.

⁴⁰ Global Migration Group (GMG), *International Migration and Human Rights; Challenges and Opportunities on the Threshold of the 60th Anniversary of the Universal Declaration of Human Rights*, op cit, p.12.

⁴¹ P. Kantai, "The Hunt For Pirate Treasure" (The Africa Report, No. 26 December 2010- January 2011), p. 28.

⁴² T. Moses, "Developing a Refugee Sensitive Framework for the Horn of Africa" in M. Mwangi (ed), *Human Security; Setting the Agenda for the Horn of Africa* (Kenya: Africa Peace Forum, 2008), p. 134.

⁴³ P. Kantai, "The Hunt For Pirate Treasure" (The Africa Report, No. 26 December 2010- January 2011), p. 28.

However, all has not been well with the settlement of Somali Migrants in Eastleigh as Kenya has been accused by Somali refugees as being hostile towards them by fact of their race. Integrated Regional Information Networks' (IRIN) gives the following account by Mehmoud Hassan, where he recounts numerous incidences that he pegs as discrimination against him in Kenya because of being Somali.

“In the year since Mehmoud Hassan arrived in Nairobi from Baida in Southern Somalia, he says he has been arrested more than ten times by the Kenyan police and paid more than US\$ 300 in fines to secure his release. His crime, says the 29 year old former civil society activist, was being a Somali national in a city increasingly hostile to the flood of refugees from the battered Horn of Africa state... and the detention was despite holding identification papers that were issued by UNHCR... he further states his latest detention was not warranted as Kenya as the host country targets the very people it hosts.”⁴⁴

The majority of complaints that arise from the Somali population are against the Kenya Police force; who unlawfully arrest members of the Somali community who are lawfully in the country.

⁴⁵ Osiro, states as an answer to why Kenya is hostile to Somalis that, “the Kenyan government is cultivating resentment against the Somali population that is perceived to be doing well, to deflect responsibility for their failures to really change the status quo. Osiro further adds that Eastleigh (a neighborhood that is predominantly resident to the Kenyan- Somali population) is the fastest growing and one of the most thriving neighborhoods in Nairobi and that is annoying Kenyans who are trying to maintain their commercial and economic footholds but are unable to do so as they see the Somalis as pricing them out of the lower or middle income real estate market and wonder how refugees can be doing better financially than their hosts.”⁴⁶

⁴⁴ IRIN, “Somalia- Kenya Raids and Rancor”, (Kenya: 2010).

⁴⁵ African Press International (API), (2010), “Kenya-Somalia: Refugees fear increased police harassment”, (Kenya 26th December 2010).

⁴⁶ D. Osiro, IRIN, “Somalia- Kenya Raids and Rancor” (Kenya: 2010), accessed on 18th February 2011.

Osiro furthers that Kenya finds it easier to blame a stranger than her own inadequacies.

From the emerging information as well as recorded information, it can be stated that race discrimination is one of the main manifestations in Kenya's bid to maintain her societal security.⁴⁷

1.4.4: Identity

Identity is the source of a peoples being; their experience as well as their meaning.

"We know of no people without names, no languages or cultures in which some manner of distinctions between self and other, we and they, are not made... Self- knowledge- always a construction no matter how much it feels like a discovery- is never altogether separable from claims to be known in specific ways by others."⁴⁸

Identity is different things to different people and one of the ways we can analyze the term is through categorizing it as either subjective or objective. As a subjective concept, identity is

viewed as, "what people perceive themselves to be that principally establishes what they are."⁴⁹

It is due to its subjective nature that variations to identities are found amongst different people.

An identity is also a unique characteristic that can be used to describe an individual or group of people and this characteristic can be a usual tendency that then evolves to a habit and eventually becomes that element that is used to identify a group of people.

Threats to identity, which are in essence threats to society, arise from different identities living in one area. Discrimination may be viewed as one of the ways that conflict manifests itself. Discrimination could either be based on race, ethnicity or even nationalism.

⁴⁷ Ibid.

⁴⁸ C. Calhoun (ed), *"Social Theory and the Politics of Identity"*, (Oxford: Blackwell, 1994), p. 9.

⁴⁹ F. Deng, S. Kimaro, T. Lyons, D. Rothschild and W. Zartman. *Sovereignty as Responsibility; Conflict Management in Africa*, (USA: The Brooking Institution, 1996), p. 62.

“Among the most common bases of identity that generate conflict and threaten the survival of a nation are race, ethnicity, culture, language and religion. Territory as a concept of identification usually overlaps with one or more of these factors and is therefore a complimentary or affirmative factor.”⁵⁰

Apart from discrimination, Drifte states that, “ a society’s cultural and national identity can be threatened by migration and is therefore a central concern of the critical and constructivist school which puts societal security’ next to ‘national security’ .⁵¹ At this point, the settlement of a new identity in a community can either be accepted through integration or rejected through discrimination. Buzan attributes this predicament to the competition carried out by the identities when migration occurs. ⁵²

Buzan furthers that, societal identities are dynamic rather than static and therefore, social communities are debating within themselves to what extent ‘change has to be accepted as a natural process by which identities adjust and evolve to meet alterations in historical circumstances.’ This debate is equated to the ability of a society to accept a new identity in their territory. ⁵³ The lack of acceptance makes the discrimination apparent taking into consideration the security of the state but, the justification raised here is that the state should look at all the situations in her favor as she is better safe than sorry. In addition to this Buzan also states that the main threats to security come from competing identities and migration that are both inward and outward, furthering that the threat of migration is fundamentally a question of how relative numbers interact with the absorptive and adaptive the capacities of society are.⁵⁴ Therefore, in

⁵⁰ Ibid.

⁵¹ R. Drifte, *Migration, Regional Integration and Human Security: The Formation and Maintenance of Transnational Spaces*, op cit, p. 114.

⁵² Ibid.

⁵³ R. Drifte *Migration, Regional Integration and Human Security: The Formation and Maintenance of Transnational Spaces*, p. 114.

⁵⁴ Ibid., p. 115.

analyzing the study of societal security, migration trends and the effects to identity are taken into consideration so as to understand the concept.

1.5: Hypotheses

The research carried out leads to the formulation of the following hypotheses that the study shows as being affirmative.

1. Migration affects the societal security of host communities.
2. The integration of migrant and host communities in Eastleigh leads to an increase in societal insecurity in Nairobi.
3. Societal security is both theoretically and practically linked to migration.

1.6: Justification of the study

The purpose of the project is to illustrate the relationship between societal security and migration in Kenya, thus legitimizing the use of a contemporary security approach in the third world set up. Through this illustration, the use of Eastleigh as a case study provides a platform for the collection of data that has been largely attained from Western countries. The case study puts to light the issue of migration and identity as a source of conflict that is both structural and violent in Kenya.

The study seeks to further show how Kenya can deal with societal insecurity beyond the militaristic approach. Instead, with the use of community integration and policy formation that is beneficial to citizens and migrants within the state, societal stability can be attained. From the

analysis of the reactions and actions that have occurred amongst the Kenyan and non-Kenyan inhabitants of Eastleigh during the time period of 1990 to 2010 the study highlights the critical issues that affect the security of the various inhabitant communities.

In essence, the study further investigates the dynamics of Kenya's immigration sector working hand in hand with the policing force to ensure that the Kenyan host communities are kept safe from the negative effects of foreign settlement. These negative effects can be viewed as controlled insecurities and un-controlled insecurities that any host community faces. It is on this premise that the study is justified both in its contribution to the existing body of knowledge in this field and in its contribution to the ongoing policy debates.

1.7: Theoretical framework

The use of societal security as a framework for security analysis is one that has been propagated by the theories developed by Buzan et al.⁵⁵ This is made possible through the conceptualization of human security as a concept. The theories seek to legitimize the growing concept of security analysis to one that acknowledges the different components that constitute the security of a state: military security, environmental security, economic security, political security and societal security. The security approaches used to analyze the components of state security are derived from contemporary security writings.⁵⁶ These writings have been developed from the traditional realist theories⁵⁷. Due to the complexity that the broad contemporary security analysis platform offers, there are numerous theories that can be used to explain societal security and the threats that are faced seeks thus providing a multifaceted approach to its analysis.

⁵⁵ B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*, op cit, p. 3.

⁵⁶ Ibid.

⁵⁷ T. Terriff, S. Croft, L. James, P Morgan, *Security Studies Today*, op cit, p. 38.

Consequently, the use of numerous concepts allows for different perceptions that shape the main purpose of this study which is to offer information on how migration of peoples affects the societal security of host communities. And with this taken into consideration, the theory of societal security acknowledges identity as the core of a society and the main threat to identity is a clash of identities that occurs through migration.⁵⁸ The clash arises from the incompatibility of the identities.

The societal security theory has migration and identity as the main variables in its comprehension as the two variables form the issues of concern in any society. This is so as movement of peoples within and into a society affect the stability of the society.⁵⁹ The theory recognizes that the above mentioned movement of peoples is inevitable and in conducive situations necessary for the sustainability of the society. However, when the society is reluctant to integrate with another society due to a clash in identities, the theory views this as societal insecurity and places migration as the threat to society.⁶⁰

The study therefore focuses on the variables of the theory of societal security so as to be in scope with the theories argued by authors such as Drifte, Buzan and Terriff.

1.8: Research Methodology

The study explores the interrelation of Somali migrant settlement in Eastleigh and Societal security. The study is carried out in Nairobi, Eastleigh area and its immediate environs and both primary and secondary data are used for the study.

⁵⁸ R. Drifte, *Migration, Regional Integration and Human Security: The Formation and Maintenance of Transnational Spaces*, op cit.

⁵⁹ Ibid.

⁶⁰ Ibid.

Primary data is derived from the carrying out of personal interviews with identified officials at UNHCR, the Department of Refugee Affairs, the Kenya Police Force, other pursued offices and the random population residing and operating businesses in Eastleigh. Secondary data is obtained through the analysis of publications from scholars who have written about identity, migration, security and societal security and other identified sources such as Government reports, Kenya Police reports and Non Governmental reports.

In terms of gaps that the project has overcome, first is the minimal amount of specific secondary data that has accounts of societal security in Kenya. In addition to this, the study does not include changes of security measures to societal security in Kenya past the year 2010 as this is beyond the scope of the study. However, the project indicates actions undertaken by the Department of Refugee Affairs that begin from the year 2011. Despite this, the decade of 1990-2010 provides adequate information for analysis of the study content.

1.9: Chapter outline

Chapter One introduces the topic of Societal Security and Migration giving sufficient background information that provides an overview of the whole project in summative form through the various sub- chapters. Chapter Two is a theoretical analysis of societal security and the role migration plays concerning the investigation of the historical development of societal security and the role that migration plays. The chapter also analyses the academician and policy makers approach to societal security.

Chapter Three presents the case study whilst Chapter Four critically analyses issues that are identified from the case study. However, general observations in carrying out of the study

are also indicated in the chapter. In conclusion, Chapter Five as the last chapter sums up the content of the study giving a summary, identifying keys issues that arose from the project and finally the recommendations.

CHAPTER TWO

SOCIETAL SECURITY AND THE ROLE OF MIGRATION: A THEORETICAL ANALYSIS

2.0: Introduction

Chapter one established the foundation of the project through the identification of the emerging divergent views of security analysis.¹ From these divergent views, the study of societal security is established. Chapter one drew distinction on the variables of society and security and how they inter-relate the dependence of the stability or instability of a society to host migrants, which would equate to a threat. An introduction to the case study was given with the choice of Eastleigh is indicative of how migrant settlement can either be positive or negative to the host community. Positivity here is manifest in the integration of migrant and host communities whilst negativity is manifest in the clash of identities that could take place structurally or violently in the host community and state.

Along with this, chapter two seeks to analyze the theory of societal security and show through theory that migration does play a role in the maintenance of a stable society. As earlier indicated a society has identity as the distinguishing factor amongst different societies.² This identity as a state concern should be protected with accorded societal security measures that are

¹ B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*, (London: Lynne Rienner Publishers, 1998), p. 2.

² *Ibid.*, p. 119.

not state centric in approach but rather suited to tackle the society and its peoples as a separate integral entity of the state thus providing human security to maintain positive peace.³

2.1: Historical development of societal security

From security studies the approach of human security is “people centered.”⁴ Bteddini stated the following as a means to expound the meaning of Human security.

“... Human security is undoubtedly an attempt to reconcile changing notions of security with the ever- changing nature of the international system. In recognizing the importance of the connection between insecurity of the individual with the insecurity of the state, the human security theory presents a more holistic approach to the importance of national defense, not just militarily, but on a social, economic and political level.”⁵

Societal security thus takes form through the holistic conceptualization of the theories of human security.

According to Theiler, “... the concept of societal security first came to prominence in Barry Buzan’s classic *People, States and Fear*” in 1983.⁶ Baylis in addition to Theiler posits that Buzan in the classic argues “for a view of security which includes political, economic, societal, environmental as well as military aspects.”⁷ The development of this view of security was as a result of focus on “tension between national and international security” views.⁸

Buzan leads security scholars such as Weaver to investigate societal security and build theory from it through investigating the post Cold War contemporary security analysis. Baylis states that, “the dual processes of integration and fragmentation which characterize the

³ T. Terriff, S. Croft, L. James, P. Morgan, *Security Studies Today*, (USA: Blackwell Publishing Inc, 1999), p. 161.

⁴ L. Bteddini, “Between The Lines”, *Human Security Journal: Vol.8 Spring 2009*. p. 115.

⁵ Ibid.

⁶ T. Theiler, *Societal Security and Social Psychology*, (British International Studies Association, 2003), p. 249.

⁷ J. Baylis, “International and Global Security” in J. Baylis and S. Smith (ed), *The Globalization of World Politics* (New York: Oxford University Press, 2001), pp. 255.

⁸ Ibid.

contemporary world mean that much more attention should be given to 'societal security'.”⁹

This, Baylis argues, should be in light of “growing integration in regions like Europe is undermining the classical political order based on nation states, leaving nations exposed within larger political frameworks... leading to the argument that ethno-national groups, rather than states, should become the center for security analysts.”¹⁰

Kim in the recognition of the contemporary security analysis observes, “Societal security discourses emerged to bridge the gap between the changing features of threat and consistency in security studies.”¹¹ Quoting Waeber, Kim further states,

“The issue of society security is a novelty in the field of security studies, and on some essential procedures and premises of the field. But we do not offer societal security as the new, alternative theory to replace all the classical security and strategic studies. Our objective is to make sure that the new agenda is carefully inserted into existing security theory. We want to be precise as possible as to what consequential revisions have to be made in security theory, and that actually stay the same.”¹²

Therefore, the development of societal security as a security study was one that was developed to enhance the analysis of security and not to replace it.

2.2: The theory of societal security

To understand societal security a definition of society has to be made. Society is defined as the social unit that provides the primary locus of identification for its members.¹³ The definition of society could either be objective or subjective. Objectively; societies are distinguished from each other by language and customs. Subjectively; societies are distinguished from each other by the

⁹ Ibid.

¹⁰ Ibid.

¹¹ S. Kim, “Concept of Societal Security and Migration Issues in Central Asia and Russia”, (Japan: *CAMMIC Working Papers* No. 2, 2008), p. 5.

¹² Ibid.

¹³ T. Theiler, *Societal Security and Social Psychology*, op cit, p. 251.

identifications of its members.¹⁴ In light of this, society is also generally distinguished from social groups and social security. Terriff et al., further that a society rests on a host of affiliations that provide a narrow sense of identity that comes in a variety of forms in society.¹⁵ It is due to this specificity that society is greater than a social group.

With the definition of society given, a better platform for the analysis of societal security is recognized. According to Terriff et al. “societal security concerns the ability of a society to persist in its essential character under changing conditions and possible or actual threats... it is about the sustainability, within acceptable conditions for evolution, of transitional patterns of language, culture, association, and religious and national identity and custom.”¹⁶ The concept of societal security can also be understood as “identity security”¹⁷

The base of the theory of societal security is attained through the distinction of state and society. This is seen as “a duality of state security and societal security, the former having sovereignty as its ultimate criterion, and the latter being held together by concerns about identity.”¹⁸ Societal security as a theory is strengthened by the fact that the concept can be analyzed as an independent variable in security analysis. The point to note is; societies are constituent of the state as each cannot be independent of the other. Therefore, when analyzing one the other has to be mentioned. Terriff et al. state that; “... society is raised to an equal level with the state while the threat to a state is to its sovereignty: for a society the threat is identity.”¹⁹ Identity can therefore be argued to be the central threat to a society’s identity given that it is the

¹⁴ Ibid.

¹⁵ T. Terriff, S. Croft, L. James, P. Morgan, *Security Studies Today*, op cit, p. 163.

¹⁶ Ibid.

¹⁷ Ibid., 19.

¹⁸ O. Waever, B. Buzan, M. Kelstrup and P. Lemaitre with D. Carlton, *Identity, Migration and the New Security Agenda in Europe* (Pinter: London, 1993), p. 25.

¹⁹ T. Terriff, S. Croft, L. James, P. Morgan, *Security Studies Today*, op cit.

basis of society. The state therefore has the duty to protect the identity of its citizens. Hence, states should accord appropriate security measures.

There are two noted misconceptions that could hinder the interpretation of societal security. The first is that societal security is not social security. According to Buzan et al., “Social security is about individuals and is largely economic. Societal security is about collectives and their identity.”²⁰ The second misconception is that the term ‘society’ that is related to societal is often used to describe a large grouping that may not have an identity.²¹

Once the misconceptions have been put aside, the analysis of how societal security occurs can be undertaken. This analysis is inclusive of the exploration of the threats that affect societal security and the measures that are undertaken to control these threats. Investigation of these threats legitimizes the security concern within various societies.

2.3: Threats to societal security

A threat can generally be defined as any object or situation that affects the stability and security of an individual, group or state. Ullman defines a threat to national security as

“an action or sequence of events that (1) threatens drastically and over a relatively brief span of time to degrade the quality of life for the inhabitants of the state, or (2) threatens significantly to narrow the range of policy choices available to the government of a state or to private nongovernmental entities (persons, groups, corporations) within the state.”²²

²⁰ B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*, op cit, p. 120.

²¹ Ibid.

²² B. Buzan, *People, States and Fear: An Agenda for International Security Studies in the Post- Cold War Era* 2nd Edition, (London: Lynne Rienner Publishers, 1991), p. 7.

Drifte borrowing from Buzan, in addition to Ullman seeks to define the concept of a threat through giving five variables that scholars can use to determine the intensity of a threat.²³ A high intensity is equivalent to a great threat whilst a low intensity is equivalent to a less great threat. The first variable is the specificity of the threat, secondly, the closeness of the threat in time and thirdly space, the high probability of the threat being realized is fourth, last, is the seriousness of consequences the threat will have for the state, the society or the system.²⁴

The use of the variables will determine the different vulnerabilities that the societies in question will have. Consequently, the main threat that a society faces is that to its identity. According to Roe, the threats to societal security constitute, “perception and/ or actions that inhibit the expression of a national groups’ identity, be it through their culture, language, religion or any other form of self expression.”²⁵ The manifestation of these threats to identity have been outlined by Buzan et al. as three issues that sum up the threats to societal security. The first is migration; horizontal competition is second and lastly, vertical competition.²⁶

2.3.1: Migration

In establishing a casual link between security and migration Drifte states,

“The issue of migration lends itself very easily to securitization. Refugee movements have been frequently cited in recent times by states and international organizations’ as a basis for action in both civil and international conflict. As a threat to peace and security, some argue, the imposition

²³ R. Drifte, “Migrants, Human Security and Military Security” in H. Kleinschmidt (ed), *Migration, Regional Integration and Human Security: The Formation and Maintenance of Transnational Spaces*, (England: Ashgate Publishing Limited, 2006), p. 106.

²⁴ R. Drifte, *Migration, Regional Integration and Human Security: The Formation and Maintenance of Transnational Spaces*, op cit.

²⁵ P. Roe, *Ethnic Violence and the Societal Security Dilemma*, (New York: Routledge, 2005), p. 47.

²⁶ B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*, op cit, p. 121.

of refugees on other states falls under VII of the UN Charter and thus legitimizes outside intervention.”²⁷

In addition to this Drifte furthers that,

“The security of refugees and migrants itself has similarly become an issue within the enlarged security concept. Secondly, the non- traditional security concerns represent migration not only as the result of traditional security and non- traditional security concerns, but also as a threat to a non- traditional security concern such as the survival of societal identity and culture. Moreover, migration is often casually linked to domestic as well as transnational crime and terrorism which threatens domestic security and may even destabilize relations among states.”²⁸

Migration is placed as the main threat that societies face as with migration as it

introduces new identities into the host society. According to Weiner, there are five broad categories that contextualize migration as a threat to a state and essentially societal security.²⁹

The first is that refugees and migrants could work against the regime of their home state causing insecurity of the host state. Secondly, migrants could intentionally pose a threat to the host state through the engagement of criminal activity. Thirdly, migrants of different cultural identities can pose threats to the host identity whilst the fourth is that refugees and migrants pose social as well as economic threats to the host state. Lastly, refugees and migrants could use the host state as a launching pad for offences to the home state.³⁰

However, scholars such as Choucri are of the view that due to the different variable capabilities of security and migration, linking the two is difficult dependent on who is doing so.³¹ Despite this, Choucri suggests that the use of the Comprehensive Security Framework of the Copenhagen School offers the most suitable epistemological approach to the examination of the

²⁷ R. Drifte, *Migration, Regional Integration and Human Security: The Formation and Maintenance of Transnational Spaces*, op cit, p. 107.

²⁸ Ibid.

²⁹ T. Terriff, S. Croft, L. James, P. Morgan, *Security Studies Today*, op cit, p. 158.

³⁰ T. Terriff, S. Croft, L. James, P. Morgan, *Security Studies Today*, op cit, p. 158.

³¹ Y. Stivachtis, “International Migration and the Politics of Identity and Security”, *Journal of Humanities and Social Sciences*, Volume 2, Issue 1, 2008. p. 1.

linkage between migration and security.³² According to Choucri, the comprehensive security approach is largely based on the Structural Realist framework of the English School of International Relations that “offers a bridge between the ‘objective’ approaches of Realism and Neorealism and the ‘subjective’ accounts of Social Constructivism and Postmodernism.”³³

Stivachtis, explains the comprehensive security framework as a means to define security with the use of two parameters, “the differentiation of states and the securitization of political issues” that is done in light of the three levels of analysis: the individual, the state and the international system.³⁴ Usage of the three levels of analysis indicates that “a state can be threatened equally from within and outside.” Furthermore, Stivachtis expounds that,

“External security is identified as the ability of the state to defend itself from external coercion, attack or invasion...emphasis is placed on the military dimension of security. Within the state, security is usually defined in terms of the capacity of a government to protect itself from domestic disorder or revolt. However, in the presence of a considerable number of migrants bearing their own distinctive ethnic and cultural identity, security may be defined in terms of the capacity of the government to protect the political and national identity of the state.”³⁵

When the analysis of security is done taking into consideration external and internal threats, migration flows into a host state can either lead to positive relations between the host and sending state or heightened tensions between them. The Horn of Africa (HOA) conflict system as a best case scenario can be used to explain this.

The Horn of Africa conflict system is consistent of the countries; Ethiopia, Sudan, Somalia, Djibouti, Eritrea, Uganda and Kenya that have had their own internal and external

³² Ibid., p.2.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

instabilities.³⁶ And it is from these instabilities that refugees and asylum seekers emerge as well as state interactions. Mequanent, states that the HOA remains unstable due to the factors that range from the conflict between Islamic groups and the transitional government in Somalia as well as the ethnic conflict in the Darfur region of Sudan.³⁷ Ofuho, further states that the Lord's Resistance Army (LRA) rebel movement is another security risk to the HOA region due to the reports of massacres and massive killings in the northern region of Uganda and parts of Southern Sudan;³⁸ viewed as the internationalization of a conflict (when a conflict moves from domestic borders to international borders). In addition, Ofuho states that the proliferation of the conflicts leads to the influx of refugees and the uncontrolled movement of people from one country to another which makes the trafficking of illegal arms easier, thus increasing security vulnerability within and between communities.³⁹

The use of the comprehensive security framework presents the argument that the neorealist position in International Relations should be rejected as anarchy does not necessarily lead to self-help.⁴⁰ Rather, "it depends on the interaction between states. In the processes of interaction the identities and interests of states are created. For neorealist's, identities and interests are given; states know who they are and what they want before they begin interaction with each other."⁴¹ Wednt furthers that it is that very interaction with others that "create and

³⁶ H. Ofuho H, "Security Concerns in the Horn of Africa" in M. Mwagiru (ed), *African Regional Security in the Age of Globalization*, (Heinrich Böll Foundation, 2004), p. 7.

³⁷ G. Mequanent, "Human Security and Regional Planning in the Horn of Africa", *Human Security Journal (HSJ)*, Volume 7, Summer 2008, p. 118.

³⁸ H. Ofuho, "Security Concerns in the Horn of Africa", op cit, p. 13.

³⁹ Ibid.

⁴⁰ R. Jackson, G. Sørensen, *International Relations; Theories and Approaches*, (UK: Oxford University Press, 2010), p. 168.

⁴¹ Ibid.

instantiate one structure of identities and interests rather than another; structure has no existence or casual powers apart from process”⁴²

The above can be interpreted in two ways. First, a state can ascribe to its identity before interacting with other states and secondly a state can ascribe to its identity through its interaction with the other states. This would therefore mean that when a state plays host to refugees and asylum seekers, at the point of receiving the guests of state, the identity of the state may not be of high concern to the state implying that the second means of state identification occurs. However, if the state before further accepting refugees is adamant to host migrants who would influence the identity of the state, the states identification would come before its interaction with other states.

Consequently, with culture and identity as the main variables in the security of a state, the question of how exactly does migration affect security arises. Migration is as old as mankind, as “migration is among the constants in the history of mankind. People have moved either to explore new horizons, for survival or in search of better means to livelihood, or were forced to move because of persecution.”⁴³ It can therefore be stated that migration is not a new concept to global studies.

To recap, the classification of type’s migration falls into three groupings. First is, forced migration, second is transit migration and lastly is return migration. In each of the three types we have a number of terms that can be used to define the migrant such as an irregular migrant, a

⁴² Ibid.

⁴³ Global Migration Group (GMG), *International Migration and Human Rights; Challenges and Opportunities on the Threshold of the 60th Anniversary of the Universal Declaration of Human Rights* (Global Migration Group, 2008), p.75.

female migrant, a child migrant, a migrant worker, an environmental worker and of importance to the study, a refugee and asylum seeker.

Kenya, from independence has the continued establishment of migration policies such as the 2006 Refugee Act that implements the 1951 United Nations Convention Related to the Status of Refugees, the 1967 Protocol and the 1969 Organization of African Unity (OAU) Convention.⁴⁴ The Kenya Refugee Act classifies refugees into two main groups; statutory refugees and prima facie refugees. Definitions of refugees according to the 1951 United Nations Convention Related to the Status of Refugees is given as “the identification of persons who are entitled to claim protection in a contracting state against the risk of persecution in their own country. This duty of state parties to provide surrogate protection arises only in relation to persons who are either unable to benefit from the protection of their own state, or who are unwilling to accept that states’ protection because of a well founded fear of persecution.”⁴⁵

According to the OAU 1969 Convention, refugee protection is offered to a person who “owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.”⁴⁶ The Refugee Act within the Ministry of State for Immigration and Registration of Persons (MIRP) established a Department for Refugee Affairs (DRA) that has the responsibility of managing, coordinating and administration of issues related to the refugees in Kenya.

⁴⁴ S. Pavanello, S. Elhawary, S. Pantuliano. Hidden and Exposed: Urban refugees in Nairobi Kenya, (*HPG Working Paper*: 2010). p. 4.

⁴⁵ J. Hathaway, “International Refugee Law: The Michigan Guidelines on the Internal Protection Alternative”, (USA: First Colloquium on Challenges in International Refugees Law, 1999). p. 2.

⁴⁶ S. Juss, *International Migration and Global Justice*, (England: Ashgate Publishing Limited, 2006), p. 122.

Kenya like other states has the right to reserve the influx of refugees into the country for security purposes. In addition to Stivachis, Terriff et al. in linking migration and security state that

“Mass migrations of people and flows of refugees are increasingly engaging the attention of governments. In part this stems from humanitarian concern. But it also reflects uneasiness about the implications of a big influx of people for the financial capacity, well-being, political and social stability, and integrity of their own or other countries.”⁴⁷

In addition to this, “immigrants may increase competition for jobs, and provoke charges that they are ‘taking jobs away’ from the native population. These economic and social costs can breed resentment against immigrants or refugees. Resentment may be accentuated by the perception that the immigrants bring an increase in crime, delinquency or welfare dependency.” It can therefore be said that the variables of national interest and identity of a state and in particular a host community, the hosting of migrants can be viewed as tolerable or a threat.

2.3.2: Horizontal competition

Buzan et al. list horizontal competition as the second threat to societal security.⁴⁸ To understand the competition, the example of Quebecois fears of Anglophone Canada is given where, the Franco-speaking Canadians fear dominance by the Anglo-speaking Canadians as well as Anglo influence from the United States of America.⁴⁹ In essence horizontal competition occurs when a society living in one area feels overwhelmed to change their identity due the influence of the identity of the neighboring society. Identity is the variable that is at threat through horizontal competition.

⁴⁷ T. Terriff, S. Croft, L. James, P. Morgan, *Security Studies Today*, op cit, p. 157.

⁴⁸ B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*, op cit, p. 121.

⁴⁹ Ibid.

Deng et al. whilst addressing the issues of identity based conflict in an African environment suggests focusing on four interrelated factors; the nature of identity, identity as a source of conflict, the ways in which diversities of identities are being managed by individual countries and the implications of both the conceptual analyses of identity and country experiences for conflict resolution.⁵⁰

2.3.2.1: Identity as a source of conflict

In expounding the nature of identity Booth states, “the issue of identity- what makes us believe we are the same and them different- is inseparable from security.”⁵¹ In addition to Booth, Stivachtis posits that groups can identify themselves in two different ways.

“First, they may identify themselves with reference to certain qualities and characteristics they share (common origin, language, history, religion, customs, etc.). This may be called ‘positive identification.’ Second, human collectives may identify themselves with reference to what they are not (negative identification), or in opposition to another group (‘the other’).”⁵²

Castells adds that “identities come into existence only when and if social actors internalize them, and construct their meaning around this internalization.”⁵³ Moreover, Castells posits that identities are constructed and propagates that distinction should be made between three forms of identity building. Legitimizing identity comes first. An identity is developed through its introduction by the dominant societal institutions that dominate the other social actors. Second is resistance identity that is generated by actors who are after being subdued by the dominant social institution creates an opposing identity. Project identity comes last and it is

⁵⁰ F. Deng, S. Kimaro, T. Lyons, D. Rothschild and W. Zartman, *Sovereignty as Responsibility; Conflict Management in Africa*, (USA: The Brookings Institution, 1996), p. 62.

⁵¹ K Krause and M. Williams (eds), *Critical Security Studies: Concepts and cases*, (London: UCL Press, 1997), p. 6.

⁵² Y. Stivachtis, *Journal of Humanities and Social Sciences*, op cit.

⁵³ M. Castells, *The Power of Identity*, 2nd edition, (London: Blackwell, 2004). p.8.

as a result of social actors building a new identity from available cultural materials so as to redefine their position in society, thus transforming the overall social structure.⁵⁴

All the three bring out different outcomes in the society. Stivachtis states that resistance identity is the most important type of identity building as the construction of identity is done discriminately against migrants. “It constructs forms of collective resistance against otherwise unbearable oppression, usually on the basis of identities that were clearly defined by history, making it easier to vitalize oppression, usually on the basis of identities that were clearly defined by history making it easier to vitalize the boundaries of resistance.”⁵⁵

Due to the diversities that identities have, conflicts are bound to arise either through structural conflict or violent conflict. Structural conflict on a national level could lead to the implementation of state policies that are not favorable to neighboring countries and violent conflict could be carrying out offences against a neighboring state. In the context of migration of societal security, Kenyan authorities in January 2007 closed Kenya’s 682 km border with Somalia and the main transit center in Liboi operated by UNHCR from those crossing the border from Somalia.⁵⁶ This could be viewed as an unfair policy to the refugees who were transiting through the Liboi center or Kenya, protecting her citizens from irregular migrants who were using the route to sneak into the country. In light of the above, Kenya still remains a multicultural society.

⁵⁴ Ibid.

⁵⁵ Y. Stivachtis, *Journal of Humanities and Social Sciences*, op cit. p. 8.

⁵⁶ S. Pavanello, S. Elhawary, S. Pantuliano, *HPG Working Paper*, op cit.

2.3.2.2: The management of diverse identities

Thiel suggests that the key to maintaining societal security is the promotion of minority rights. Thiel, furthers that the state should provide security to its societies as “the state as one of the main referent points for the maintenance of societal security is in most cases agent as well as referent of (de-) securitization. Societies might attempt to act against threats by either taking certain measures themselves or by somehow moving the threat onto the states agenda”⁵⁷ that could lead to the success in quelling the issues or not. In addition, “if the state fails to provide security (which would constitute a case of ‘negative’ challenge to societal security) or actively discriminates against a minority group (representing a ‘positive’ societal security threat) the management of societal security would tackled.”⁵⁸

There is the present dyadic relationship between the society and state as they need each other to control threats and maintain stability. However, the management of identities is one that has scholars doubting this possibility. McSweeney states that Waever et al. offer no basis or criteria by which to arbitrate between competing identity claims. Advancing that “faced with the fact that identity disputes are a special case, not susceptible to objective resolution by empirical observation, they conclude, in effect, that they are beyond all resolution.”⁵⁹

McSweeney maintains that the concept of collective security just like security share a dependence on subjective awareness and the need for objective verification.⁶⁰ Adding that,

⁵⁷ M. Thiel, “Identity, Societal Security, And Regional Integration in Europe”, (EU: *Jean Monnet/Robert Schuman Paper Series* Vol. 7 No. 6, 2007), p. 6.

⁵⁸ Ibid.

⁵⁹ B. McSweeney, “Identity and Security: Buzan and the Copenhagen School”, (UK: Cambridge University Press, 1996), p. 77.

⁶⁰ Ibid.

“Collective identity is not out there, waiting to be discovered. What is out ‘there’ is identity discourse on the part of political leaders, intellectuals and countless others, who engage in the process of constructing, negotiating, manipulating or affirming a response to the demand- at times of crisis, this is never more than provisional and fluid image of ourselves as we want to be, limited by the facts of history.”⁶¹

The management of diverse identities is both possible and impossible dependent on which side is leaned on as is the case with migration. “Host societies imagine migrants to be groups with special preferential social relationships and with a collective identity. Migrants are also perceived as groups of people who are culturally different. In reaction, migrants perceive themselves as members of some social category with unequal status and this becomes a very particular and important element of their collective identity.”⁶²

2.3.3: Vertical competition

As the third recognized threat to societal security by Buzan et al. view vertical competition as the clash of identities that occurs when a society is compelled to increase its value or decrease it.⁶³ This occurs when people stop seeing themselves as X, because there is either an integrating project or a secessionist “regionalist” project that pulls them toward either wider or narrower identities.

An analysis of vertical competition is best undertaken when a migrant community has resided in a host area for a long enough duration of time to affect the identity of the host community. As is the case with Somali migrant settlement in Eastleigh there has been a noted change throughout the 1990’s where, “Somali refugees transformed Eastleigh from a primarily residential area into a vibrant commercial and business centre, housing import- export

⁶¹ Ibid.

⁶² R. Sackmann, “Collective Identities and Social Integration” in R. Sackmann, P. Bernhard, and T. Faist (eds.), *Identity and Integration* (Aldershot: Ashgate, 2003), p. 2.

⁶³ B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*, op cit.

businesses, retail outlets, estate agencies, hotels, lodges, miraa stalls, cafes and restaurants and international money transfer and exchange services.”⁶⁴ This example according to Jacobsen shows that “refugees resources may help develop areas of the country, increase the welfare of citizens, and extend the bureaucratic reach of the state.”⁶⁵ However, Jacobsen adds that “despite the relatively long period of refugee presence in African countries, the consequences for the state are only beginning to be examined.”⁶⁶ In support of this, Jacobsen states that, “now more than ever before, African host governments are arguing that refugees present serious economic, environmental and security threats, and that they can no longer afford to keep their borders open or to allow refugees to remain for any length of time”⁶⁷

Vertical competition can also be viewed as the resentment that may arise from the host community if they view the migrant society succeeding in the community whilst there is no perceived change in the host lives. This in essence can be viewed as xenophobia, where people discriminate others by fact that they are foreigners.⁶⁸ Discrimination in the form of xenophobia can therefore be concluded to be the manifestation of vertical competition as a threat to societal security. Xenophobia occurs in all regions of the world. Taran posits that,

“In all regions of the globe, public solidarity with those fleeing violence and poverty is eroding. A dangerous rise in racist and xenophobic hostility is often expressed in violence against refugees and immigrants. They frequently become scapegoats for many social and economic tensions in society and targets for growing hatred...in many countries, the combination of public hostility

*African Press International.

⁶⁴ A. Lindley, “Protracted displacement and remittances: the view from Eastleigh, Nairobi.” (UNHCR: 2007. Research Paper No. 143, *New Issues in Refugee Research*). p. 6.

⁶⁵ K. Jacobsen, “Can Refugees Benefit the state? Refugee Resources and African State Building”, *The Journal of Modern African Studies*, Vol. 40, No. 4 (December 2002), p. 578.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ N. Pityana, *Xenophobia: A violation of Human Rights*, (South Africa: Human Rights Commission: *Racism and Xenophobia Consultative Workshop*, 1998).

and restrictive governmental measure is posing a threat to democratic values...measure proposed or implemented to control access by foreigners usually also restrict civil and human rights.”⁶⁹

Discrimination occurs in all environments as above stated, that is; social and economic environments. With the settlement of Somali's in Eastleigh, discrimination is evident in the economic environment. Where an account reported by API *states that,

“It's a fact that Eastleigh has become a huge conglomerate, with Kenyan Somalis being the majority owners of the buildings in the area. This has prompted jealousy and business rivalry from non- Somali business operators and they would like nothing else than to see the Somalis expansion curtailed.”⁷⁰

Taking note of the economic change that the settlement of Somali refugees in Eastleigh has brought to the area in the years 1990- 2010. There have been the noted tensions arising between the Asian and Somali business communities of Eastleigh where,

“The suspected arson at Garissa Lodge in 2001...is widely believed among Somalis... was committed by Asian business people seeking to reduce and / or significantly damage their growing role in the informal economy. Other traders also try to influence Nairobi's City Council with complaints and accusations against Somalis. These tensions highlight the economic influence of the Somali business communities (both Somalians and Kenyan- Somalis) in Kenya and in Nairobi in Particular.”⁷¹

The diversity of migrant discrimination is present in Eastleigh and the project will further expound this in the case study analysis.

2.4: The role of migration

The 2001 World Conference against Racism, Racial discrimination, Xenophobia and Related Intolerance recognized that migration increased as a result of globalization.⁷² Smith and Baylis define Globalization as “the process of increasing interconnectedness between societies such that

⁶⁹ Ibid.

⁷⁰ API, Kenya: Somalis Complain of Xenophobia, (Kenya: 2010), accessed on 3rd May 2011.

⁷¹ F. Abdulsamed, “Somali Investment in Kenya”, (Africa Programme: Briefing Paper, March 2011). p. 13.

⁷² Global Migration Group, *International Migration and Human Rights; Challenges and Opportunities on the Threshold of the 60th Anniversary of the Universal Declaration of Human Rights*. op cit, p. 4.

events in one part of the world more and more have effect on peoples and societies far away... these events can conveniently be divided into three types; social, economic and political.”⁷³

Due to the complexities of the development divide in the world: the North -South gap the levels of globalization are not equal in terms of technology, health, democratic balance between the North and South.⁷⁴ To further expound on the issue of globalization disparities between the North and South. Scholte gives five qualifications that respond to globalism.⁷⁵ The first qualification is that globalization has not been experienced everywhere to the same extent. The second qualification is that globalization is not the straightforward process of cultural homogenization. Scholte states, “globalization has by no means brought an end to cultural diversity.”⁷⁶ It can be argued that due to the synching of culture, identities are resistant to this merger and therefore strive to maintain uniqueness that will be resistant to change. “Moreover, the experience of having the whole world converge on one’s home turf has prompted many people defensively to reassert their cultural distinctiveness, in some cases even more insistently than ever.”⁷⁷ The Kenya Office of Public Communications in the launching of the Najivunia Kuwa Mkenya Campaign in 2004 has the mandate to promote the Kenyan identity to the citizens of Kenya by highlighting the understanding of what it means to be a Kenyan taking into consideration the characteristics that would be suitable to describe a Kenyan.⁷⁸ Furthermore, encouraging positivity amongst the citizens to make Kenya an even greater country than it is now.

⁷³ J. Baylis and S. Smith (ed), *The Globalization of World Politics* S. Smith, J. Baylis, (2001), p. 7.

⁷⁴ J. Goldstein. *International Relations*, (New York: Longman, 2001), p. 45.

⁷⁵ J. Scholte, “The Globalization of World Politics” in J. Baylis and S. Smith (ed), *The Globalization of World Politics* (New York: Oxford University Press, 2001), p. 255.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ A. Mutua, “Najivunia Kuwa Mkenya ‘Patriotism’ Campaign”, (Office of Public Communication- Kenya, 2006)

The third qualification given by Scholte is that globalization has not eliminated the significance of territoriality in world politics. In addition to this, the fourth qualification is that globalization cannot be understood in terms of a single driving force and lastly, globalization is not a panacea.⁷⁹

In addition to the above given qualifications, it can be said that indeed due to the inter-linkages across the world, globalization does play a role in the increase of migration trends. These linkages include transport and communication as well as International Law. International law can be defined as “the formal rules of conduct that states acknowledge or contract between themselves.”⁸⁰ Within International Law relevant Migration and Human Rights instruments have been adopted to protect the rights of people who migrate. They include the Universal Declaration of Human Rights that came into being in 1948, the Convention Relating to the status of Refugees in 1951, the 1967 Protocol Relating to the Status of Refugees to mention a few. See more instruments in Appendix 1.⁸¹

Apart from these, there is the establishment of various migration polices across the world that seek to protect the host state as well as the migrant. According to Brennan,

“in a number of countries policies vary and change overtime in relation to the size and the perceived characteristics of the undocumented migrant population... Policy decisions have been influenced not only by the nature and characteristics of the undocumented migrant population, but also by current political, economic and social situation in he receiving country...Policies also reflect and change in response to perceived negative social and cultural impacts, such as rising crime, domestic violence, the undermining of traditional values.”⁸²

⁷⁹ J. Scholte, “The Globalization of World Politics”, op cit. p. 255.

⁸⁰ R. Jackson, “The Evolution of International Society” in J. Baylis and S. Smith (ed), *The Globalization of World Politics* (New York: Oxford University Press, 2001) p. 36.

⁸¹ Global Migration Group (GMG), (2008), pp115-118, and S. Pavanello, S. Elhawary, S. Pantuliano. Hidden and Exposed: Urban refugees in Nairobi Kenya. (*HPG Working Paper: 2010*), p. 4.

⁸² E. Brennan, “Irregular Migration: Policy Responses in Africa and Asia”, *International Migration Review*. Vol.18, No. 3, 1984, p. 411.

Migration therefore as an expected interaction amongst states does affect the foreign policies of states and in essence the security agenda. Dependent on the levels of threats that the migrants pose either as legal or irregular migrants to that state, issuance is taken by the different Government Administrative bodies involved, for example in Kenya, we would have the Ministry of Immigration, Ministry of Homeland Security, the Ministry of Defense, Ministry of Culture and Heritage and also the Ministry of Foreign Affairs, taking issuance of the role that migration plays in Kenya, not only on a political, economic and national security front but also the role that migration plays to the host Kenyan communities.

2.5: Conclusions

The analysis of the role that migration plays in societal security has been tackled in the chapter and a summary of the analysis is that, indeed migration does play a key role in the establishment of internal as well as external security measures of a country dependent on the influx of migrants in that country. It is with this identification that the recognition of migration comes first as the main threat to societal security. Moreover, statements made by various authors show that the issues of migration to state security is not new as it has been there from the establishment of states that date back to the 1648 Treaty of Westphalia that established states as the most powerful actors in the international system which gave them the “universal standard of political legitimacy.”⁸³ Consequently, migration will remain inevitable as the states of the world continue to interact

⁸³ J. Baylis, “International and Global Security” in J. Baylis and S. Smith (ed), *The Globalization of World Politics*, (New York: Oxford University Press, 2001), p. 256.

CHAPTER THREE

SOCIETAL SECURITY AND MIGRATION: THE SOMALI MIGRANT SETTLEMENT IN EASTLEIGH, 1990-2010

3.0: Introduction

Chapter One and Two give an introduction to societal security which is derived from Human Security that falls under the broadened concept of security studies. The interrelation of society and security is investigated. This is tackled through the analysis of the various theories of societal security.¹ Through the conceptualization of society, it is found that if the environment is not accommodating to changes in the society such as a shift in identities amongst the community members, this is considered a threat to societal security as identity is the core element of a society.² The threat to identity is propelled by the settlement of peoples in the host environment through migration.³ Chapter Two examines the theory of societal security showing that migration does play a role in the maintenance of a stable society.

Chapter Three as the case study of the project will present both primary and secondary data collected with regards to Somali settlement in Eastleigh from the years 1990- 2010. However, the Chapter gives information on the years before the case study as background information. The 'before years' are categorized as the colonial years and the post colonial years that were influential in the establishment of the present population demographics of Eastleigh as well as the infrastructural development of the area. The information given shows how migration

¹ B. Buzan, O. Waever and J. Wilde, *Security: A New Framework for Analysis*, (London: Lynne Rienner Publishers, 1998), p. 2.

² Ibid.

³ H. Kleinschmidt (ed), "Migration, Regional Integration and Human Security: An Overview of Research Developments" in *Migration, Regional Integration and Human Security: The Formation and Maintenance of Transnational Spaces*, (England: Ashgate Publishing Limited, 2006), p. 78.

plays a role in the maintenance of societal security of the migrant host community through the integration and non integration of identities in Eastleigh.

3.1: History of Eastleigh

Eastleigh is located 3Km east of the central business district (CBD) in Nairobi, Kenya.⁴

Administratively, Eastleigh North is largely occupied by the Military Air Force Base forming part of Pumwani Division together with Eastleigh South. Juja Road separates Eastleigh on the North with Mathare Slums; General Waruingi Street separates Eastleigh with Pumwani Estate on the South. To the East, Eastleigh borders Moi Nairobi Airbase while to the West; Muratina Road hosts the backdrop of schools and church institutions.⁵

To understand the historical development of Eastleigh, Adam advances that the following considerations need to be taken into account; first Government planning, the land use of the area that can be categorized to three including residential, commercial and community/ recreational use, thirdly the spatial organization, fourthly the demographic structure, population density as the fifth consideration, environment as the sixth and lastly migration.⁶ It is from these considerations that the historical development of Eastleigh can be analyzed in the following categorizations; colonial Eastleigh, post colonial Eastleigh and current Eastleigh.

⁴ A. Adam, "The Influence of Culture on Urban Form: The Case of Somalis in Eastleigh." Department of Architecture and Building Science, (BA Project). University of Nairobi, Kenya (2008), p. 22.

⁵ Ibid.

⁶ Ibid.

3.1.1: Colonial Eastleigh, 1900- 1963

History indicates that Eastleigh was a predominately Asian orient area of Nairobi.⁷ This was a result of the founding of Nairobi in 1896, as a station for the East African Railway that was a half-way between Mombasa on the Indian Ocean and Kisumu on Lake Victoria. Indian traders therefore settled in Nairobi city for business purposes. At that time, no Africans were then allowed to live in the urban center of Nairobi however; the local Kenyan bachelor community who had formal employment from one of the white settlers in the city were then allowed to live in the urban center of Nairobi as “at the time there were no locations in Nairobi where Africans were allowed to live independently of their employment.”⁸ The families of these bachelors had to reside beyond the city as it was said that the bachelors had their rural homes away from the city.

Consequently, a majority of Asians settled in Eastleigh during the colonial era. It has also been documented that at the same time there was some Somali presence in the area as the Somalis found then were engaging in business activities. Tiwari furthers that Eastleigh was not only repopulated by a large number of Africans, but there was also a significant community of Somalis in particular. This point is of extreme importance, as it reveals the historical roots of Somali presence in Eastleigh, long before the massive influx of Somali refugees in 1991- 1992. Somalis had long term historical trade ties in Kenya as they numbered among the initial trade caravans from the coast and were present from the outset of the building of the railway in Nairobi.⁹

⁷ Ibid.

⁸ Barnett, Donald and Karari Njama, *Mau Mau from within: an Analysis of Kenya's Peasant Revolt*. New York: Monthly Review Press 1966.

⁹ E. Campbell, “Formalizing the Informal Economy: Somali Refugee and Migrant Trade Networks in Nairobi” in *Global Migration Perspectives*, No.47, September 2005, p. 12.

3.1.2: Post Colonial Eastleigh

With Kenyan colonial policy changes occurring in 1940- 1963 that allowed Africans to move into Nairobi city; the “Africanization of Nairobi” occurred.¹⁰ At the same time, there was the movement of Asian settlers from Eastleigh to other wealthier parts of Nairobi such as Parklands. African housing was then concentrated in Nairobi’s Eastlands, Pumwani, Shauri Moyo and Kariakor.”¹¹

The Africanization of Nairobi and especially of Eastleigh, as a business district saw the movement of predominantly Kenyan Kikuyu landlords to Eastleigh as well a good number of Somali businessmen.¹² This is attributed to historical trade ties of the Somalis to Kenya.

Campbell writes,

“Nairobi has always been a transnational city, linking Europe, Africa and Asia together socially, culturally and economically. Extensive trade networks reaching throughout these continents and the rest of the world have deepened through the decade. Somalis in particular built upon these networks, built long before colonization, which were enhanced during the building of the Uganda railway, and intensified after the collapse of the Somali state and with subsequent influx of rather wealthy Somali refugee businessmen into Nairobi.”¹³

With the settlement of the Somali businessmen in Eastleigh a ‘base of familiarity’ was formed that would support Somali refugees streaming into Kenya in the years to follow.

¹⁰ Barnett, Donald and Karari Njama, *Mau Mau from within: an Analysis of Kenya’s Peasant Revolt*. op cit.

¹¹ E. Campbell. “Formalizing the Informal Economy: Somali Refugee and Migrant Trade Networks in Nairobi”, op cit.

¹² Ibid.

¹³ Ibid.

3.1.3: Eastleigh from the 1990s

Apart from undergoing major physical and socio-cultural transformations, there has been the sharp increase in population, degradation of the environment and plot densities.¹⁴ In addition to this, the Central Bureau of Statistics placed the Somali community as being 41% of the Eastleigh north population in 1999.¹⁵ Adam points that as a result of this, Islam is the prevalent religion as this is observed in the number of mosques found in the area as well as the prayer halls that are incorporated in the business premises.¹⁶

Another significant change in Eastleigh is the transformation of the old business district to one that is bustling with malls and lodgings all in one that has been stated to be the hub of economic activity in Nairobi. Abdulsamed, in agreement with the general statement that Eastleigh is 'Little Mogadishu' posits,

"Once a predominately Asian residential estate, Eastleigh has become the centre of Somali entrepreneurship in Kenya and is popularly referred to as 'Little Mogadishu.' After independence in 1964 Asians began to move from Eastleigh to wealthier areas. By the 1970's the area was already a significant Somali community established in Eastleigh before the first major influx of refugees from Somalia in 1991. Kikuyus are now selling their properties to Somalis. And today Somalis appear to own the majority of the properties in the neighborhood and comprise the majority of the tenants. Somalis, refugees in particular, have invested and transformed the suburb into a bustling commercial centre. They have bought up residential blocks and rapidly converted them into modern retail outlets."¹⁷

The changes that have occurred in Eastleigh are of interest to different studies in Kenya and of main focus in this study is the increased population of Somali refugees that have settled in Eastleigh.

¹⁴ A. Adam, *The Influence of Culture on Urban Form: The Case of Somalis in Eastleigh*. op cit.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ F. Abdulsamed, "Somali Investment in Kenya", (Africa Programme: Briefing Paper, March 2011), p. 6.

3.2: The surge of Somali migrant settlement in Eastleigh: 1990 onwards

Eastleigh is home for those born and resettled within its boundaries. Murunga furthers that, Eastleigh has become a home away from home for many Somalis; a base where business is launched and political decisions that affect North Eastern Province are made as it is also a place where ethnic Somali identity in relation to Kenyan citizenship is “negotiated, strengthened or even invented.”¹⁸

As indicated in the history of Eastleigh, the settlement of the Somali population is one that is traced to post colonial settlement of Africans in Nairobi. However, the settlement of Somalis in Kenya is not only bound to Eastleigh as the country plays host to the Somali population in different areas such as the border communities in North Eastern Province as well as the UNHCR refugee camps of Dadaab and Kakuma.

To get an overview of the Somali population in the country and in particular the North Eastern Province (NEP) it is noted that the population of the NEP more than doubled between 1989 and 1999 from 371,391 to 962,143. The 2009 census placed the population of the NEP at 2,310,757 a six fold increase since 1989.¹⁹ In addition to this the Kenyan- Somali population was boosted by Somalis fleeing Siad Barre’s regime in the 1970s and 1980s. According to the 1989 population census the official total number of ethnic Somalis living in Nairobi and in Mombasa was around 13,000 but by 1991 when the civil war broke out in Somalia approximately 300,000 refugees sought safety in Kenya.²⁰

¹⁸ G. Murunga, “Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya”, *African Studies From Below*. (CODESRIA Book Series, Dakar, 2009), p.200.

¹⁹ F. Abdulsamed, “Somali Investment in Kenya”, op cit.

²⁰ Ibid.

To draw focus to Somali migrant settlement in Eastleigh an overview of the Somalia-Kenya relationship is made. In building a platform to understand the relationship, the following subtopics will be tackled below. The first is Post independence Somali- Kenya relations and lastly, Somalia post 1990- Kenya relations.

3.2.1: Post independent Somali-Kenya relations

Kenya gained her independence in 1963 while Somalia gained hers in 1960 through the unification of the former British and Italian Somaliland to form the independent Somali Republic.²¹ Somali interactions have not been limited to Kenya only as the colonial history of the Horn of Africa (HOA) sub-region has seen Somalia interact with other neighboring states. This is attributed to the colonial legacy left in the HOA that saw ethnic Somalia get divided to different territories. Sana states,

“The drawing of the map of Africa had left the Somalis divided into five different territories between which migration had taken place for centuries, were now separated by borders across which past free flow was no longer guaranteed. In colonial circumstances. With approximately one- third of Somalis outside the border of the new state, the new Somalia was from the outset confronted with testing internal political questions and issues of Somali unity which carried seeds for potential conflict. The vision of the unity of Somali people became a great symbol of the later Somali nationalism.”²²

Namely, before Somalia’s independence the ethnic Somali colonial territories formed included the Italian Somaliland; Southern Somalia, two British Somalilands; Northern Somalia and the North Eastern Province of Kenya, French Somaliland; currently the Republic of Djibouti and Region Five (Ogaden) of Ethiopia.²³ At Somalia’s independence the then political elite in

²¹ See Arabic German Consulting. “Somalia History.” <http://www.arab.de/arabinfo/somalihis.htm>, accessed on 3rd June 2011.

²² O. Sana, “Good Governance as a Building Block Towards Improved Human Security in the Horn of Africa” in M. Mwangi (ed), *Human Security; Setting the Agenda for the Horn of Africa*. (Kenya: Africa Peace Forum, 2008), p. 56.

²³ G. Murunga, “Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya”, op cit.

Somalia rallied up the Somali people who fell outside the new republic borders into Pan-Somalism which led to the Shifta wars experienced in Kenya from 1963- 1967. The war saw ethnic Somalis living in Kenya try to reunite with Somalia.²⁴ The Shifta war cost Kenya the loss of US\$ 70,000,000. The use of the term Shifta became an official referent to acts of violent campaigns for Somali secessionism.²⁵

In the year 1966, the then President of Kenya (Mzee Jomo Kenyatta) issued a policy that required all residents of the NEP (earlier known as the Northern Frontier District NFD) region to register afresh as Kenyans between 1st – 31st July. Later, the Arusha Agreement between Kenya and Somalia; 1967 led to relative peace between the two countries.²⁶ The state interactions that followed then were all dependent on the various policies that guided the relations between the countries.

3.2.2: Post-1990 Somali-Kenya relations

In 1991 the collapse of the Somali state occurred and according to Kamudhayi,

“The collapse of the Somali State came after the deposition of Siad Barre in 1991 by a combination of rebel forces... once the common enemy was deposed, the rebel forces led by Gen. Mohamed Aideed, Ali Mahdi and others fragmented into clan-based groups that disagreed on everything except the deposition of the Somali dictatorship. The declaration of Ali Mahdi as president did not go down well with other groups who began war afresh. The violence that ensued unleashed clan animosity and competition, massive destruction of property and internal and external displacement.”²⁷

This external displacement of the Somali population led to the influx of Somali refugees seeking refuge in Kenya as well as other HOA countries. Kenya over the years has received the

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ O. Kamudhayi, “The Somali Peace Process” in M. Mwagiru (ed) *African Regional Security in the Age of Globalization*. (Kenya: Henrich Böll Foundation, 2004), p.108.

bulk of Somali refugees in the East African region as by September 2010, Kenya hosted the largest number of Somali refugees in the region with 338,151 registered refugees.²⁸

Apart from the hosting of refugees in the post 1990 years of Somalian unrest, Kenya has also played the role of mediator in the region through the regional organization IGAD- Intergovernmental Authority on Development. This is evident with the hosting of the Somali National Reconciliation Conference that was held on 15th October 2002 at Eldoret and in February 2003 in Mbagathi, Kenya under IGAD.²⁹

3.3.3: Somali migrant settlement in Eastleigh

Eastleigh has been an area of interest to the Somali population for reasons that do not only include business and residential interest. According to Murunga,

“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 center of operation in Kenya and the East African region... Thus, it acquired both the imprint of the Somali identity.”³⁰

Moreover, Eastleigh has the pull factor of an urban area that allows the running of formal and informal businesses, relatively affordable accommodation, as well as competitive rates for wholesale and retailing of goods. Without referencing the Somali community, an interview carried out with Sialo, a retail business lady in Eastleigh had the following to say with regards to the business environment in the area.

“I have been here (Amana mall) for about a year and business is good. The stall I operate from is not mine but I operate the business and I can't say that things are bad.”³¹

²⁸ Amnesty International. “From Life Without Peace to Peace Without Life: The Treatment of Somali Refugees and Asylum Seekers in Kenya.”(Amnesty International: Index AFR 32/015/2010, 8th December 2008), p. 2.

²⁹ O. Kamudhayi. “The Somali Peace Process”, op cit.

³⁰ G. Murunga, “Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya”, op cit.

In addition to this, Adam states that Eastleigh has been a favorable residential area for the Somali refugees due to affordable and convenient housing that is of the courtyard arrangement of dwelling which is favorable to Muslim communities worldwide. Furthermore, the earlier migration of Somalis in small numbers ensured the presence of a number of mosques.³²

Past refugee settlement in Eastleigh in the years before the Somali civil war played a major role in the followed influx of Somali refugees in the area in the years to follow. This according to Findley is way in which forced refugees establish themselves after coming from traumatic scenarios as people will always seek their own when they move to a new place.

Once refugees have settled in a new place where they can identify with those around them they then seek an economic niche for their sustenance. Findley posits that the pursuit of economic opportunity is a fundamental element of the process of re-gaining confidence and control over one's life and of recuperating a sense of community and a place in the world.³³

Thus the movement of Refugees from camps to the urban areas and in this scenario: Eastleigh is observed. The Swiss Forum for Migration and Populations argue that, "To escape the situation in the camps, a considerable portion of Somali exiles move to urban centers' like Nairobi or to the small towns of the North Eastern Province, which are populated by Somali-Kenyans."³⁴

³¹ Interview with V. Sialo, 7th May 2011, Nairobi.

³² A. Adam. "The Influence of Culture on Urban Form: The Case of Somalis in Eastleigh", op cit.

³³ S. Findley. "Compelled to Move: the Rise of Forced Migration in Sub-Saharan Africa" in M. Siddique (ed), *International Migration into the 21st Century: Essays in Honor of Reginald Appleyard*. (UK: Edward Elgar Publishing Limited, 2001), p. 291.

³⁴ J. Moret, S. Baglioni and D. Efiionayi-Mäder. "The Path of Somali Refugees into Exile: A Comparative Analysis of Secondary Movements and Policy Responses." (*Swiss Forum for Migration (SFM) Studies* 46: 2006), p. 39.

3.3: Trends and issues of Somali migrant settlement in Eastleigh 1990-2010

Over the given time span of 1990- 2010, there have been both positive and negative trends and issues arising from the settlement of Somalis' in Eastleigh.

3.3.1: Positive trends and issues

Eastleigh has with time become a hub of economic activity in Nairobi giving rise to increased business opportunities for investors in real estate as well as wholesale and retail dealers in merchandise.

3.3.1.1: An increased competitive business environment

According to Unshur the settlement of the Somalis in Eastleigh has led to the increase of established competitive businesses.³⁵ This increment Unshur states is due to the work principle of the Somali community who are engaged in good work ethics that include the use of social ties to ensure the sustainability as well the development of the business.

These social ties are necessary for the expansion of family businesses as well as the establishment of multi- owned businesses. Hashim states that with the mutual respect that is accorded amongst the Somali business community, there is the available networking that is carried out in the community which gives rise to multi- owned businesses.³⁶ In line with this, the Eastleigh Business District Association does play a role in the continued protection as well as available platform for the business community in the area to have their issues raised not only to the City Council but to all other relevant bodies that the business community takes issue with.

³⁵ Interview with A. Unshur, 22nd May 2011, Nairobi.

³⁶ Interview with S. Hasim, 17th May 2011, Nairobi.

3.3.1.2: Increased real estate establishment

With the increased number of business coming up in Eastleigh, there is the need for operational space and thus the increase in real estate in the area. The increased buildings in the area offer opportunity for new retail outlets to be established as well as residential areas to come up. David, in Eastleigh commends the Somali as the forerunners in the establishment of new business malls in Eastleigh that they can operate from, as this is giving opportunity to the unsettled businessmen to gain room in the malls which is safer than operating in the street where there is more crime and the council is harsher.³⁷

The increase in real estate is however stated to be a burden on the sewerage system of the area that is not equipped for the large population found in the area. Despite this, the development is still viewed positively in the area as there is more room offered in one single space vertically.

3.3.2: Negative trends and issues

The economic development of Eastleigh has not been without negative outcomes that stem from increased societal insecurity, raised cost of rental housing in Eastleigh as well as increased crime in Nairobi.

3.3.2.1: Increased societal insecurity

The clash of identities in Eastleigh is largely seen as the tensions that arise from the various Kenyan groups against the Somali identity. It should be noted that these tension are also present between the Kenyan-Somalis and Somalis. A view on the apparent clash of identities is shared

³⁷ Interview with G. David, 12th May 2011, Nairobi.

from a tailor; Juma who has based his trade along Major Muriethi Street (colloquial name; Jam Street).

“For the past 22 years that I have operated here, rent and buildings have come up so fast. Instead of more Kenyan’s coming here, they are fewer. There is no Kenyan- Kikuyu who can live in a Somali place here but the Somalis can live anywhere. ‘They’ put up buildings but they do not provide water or electricity and yet they charge 32,000/=, two months advance pay for a self contained.”³⁸

In addition to this the Juma went ahead to explain how he felt that Kenyans had no rights in the area.

“‘They’ have more rights than the Kenyans’ because they have money. They can stay here without papers as long as they can pay the officers who come to pick them up. The police just take them to the corner, collect what they want and tell them to go back the other way. Even when one of us has a problem with them they will always take the Somali side. And we can’t help ourselves. They are very close; the Somali are very close as they help themselves. If children fight here, the elder Somali will come and defend the child even if he was wrong.”

This closeness as with any community protecting one of its own can be best understood with a given overview of the Somali culture.

Majority of the Somali population belong to the Sunni branch of Islam. However, culturally, as with the other African cultures there are various clans found amongst the Somali. These kin groups are categorized to two major clan groups, the Samaal (Samale) and the Saab (Sab). The names are derived from the two brothers who are said to have been members of the prophet Muhammed’s tribe, the Quaraysh of Arabia. The Samaal make up about three- quarters of the Somali population. The Samaal are divided into four main clan- families: the Dir, Daarood, Isaaq and the Hawiye. The Saab is divided into the Digil and Rahanwayn clan

³⁸ Interview with M. Juma, 7th May 2011 Nairobi.

families.³⁹ From these clan families Somali men are able to trace their membership in particular clan- family through their patrilineage.

Kinship and the respect for clan placement is highly regarded amongst the Somali as

“In Somali culture, clan is the inherited patriarchal lineage of ancestors, passed down orally in detail, generation to generation, determining origin, social standing, and access to territory, property and power. In times of trouble, the clan also pays a penalty for inflicting death or injury which relieves the burden from individuals and families. At its worst, clan leads to conflict, xenophobia and control. ‘But at its best, the clan works like the western world’s social security welfare system. It protects, it means that all actions against you and your family will have consequences.’”⁴⁰

The identity of a Somalian is dependent on the clan they belong to, as the clan system is the root of the Somali culture. With the loyalty that each clan identity possesses the need of the clan will come first before those of a member of another clan. Discrimination thus arises as with the devaluing of a certain people through daily interactions occurs. Sialo, a Christian Kenyan business operator in Eastleigh says that she at times receives hostility amongst the other Somali female business operators who own stalls around her as they view her dressing as inappropriate. This Sialo points out, is not her major concern in operating her business as what is of grave concern to her is she does not have a surety to the stall she operates from. She does not own her stall or pay rent for the stall; rather she pays ‘goodwill’.⁴¹ Goodwill in this scenario is some monthly money that is paid to the stall owner to have someone to clean the stall, the provision of electricity and security for the housing of the goods once the business is closed. Not having a surety means that the owner of the stall can evict her without prior notice.

³⁹ Advameg. “Culture of Somalia” in *Countries and Their Cultures*. <http://www.everyculture.com/Sa-Th/Somalia.html>, accessed on 2nd June 2011.

⁴⁰ UN Office for the Coordination of Humanitarian Affairs. “Somalia- Looking after the Unwanted” (IRIN-CEA: 15 Jun 2001).

⁴¹ Interview with V. Sialo, 7th May 2011, Nairobi.

Nairobi as a cosmopolitan city accommodates a multitude of cultures but prejudices that are root in the history of the cultural interactions within the area lead to modern day xenophobic tendencies. An example of this is the stereotype that a Kenyan would have towards the Somali population tracing back to the Shifta wars where they would view the Somali as hostiles in the country. Murunga in expounding the above stated scenario gives three focal points that aid in understanding how the Kenyan society criminalizes the identity of Somali in the country.⁴²

The first focal point is the nature of colonial spatalization of the Somalis into five entities. These five entities are what have been identified as the 'Greater Somalia'. The entities include Djibouti, British Somalia, Italian Somalia, Northeastern Province of Kenya and Ogaden region of Ethiopia. Somalia was at war with both Kenya and Ethiopia in the 1960s for these territories. Chweya expounds on these two conflicts,

"The Shifta border dispute was bound up with irredentism where Somalia supported the separatist groups in the North Eastern Province of Kenya, groups which wanted the province to become part of a Greater Somalia. The conflict involved a brief Shifta War in 1967. Somalia armed and supported Kenyan rebels of Somali origin in the North Eastern Province who sought to break away from Kenya. The scheme for Greater Somalia was also the basis of the Ogaden conflict between Ethiopia and Somalia where Somalia claimed the Ethiopian Ogaden Province that had predominately ethnic Somali inhabitants. The conflict resulted in war in 1977 that also attracted external players: the US on the part of Somalia and the Soviet Union on the Ethiopians side. Ethiopia kept the province."⁴³

It is from Pan Somalianism that negative perceptions arise of the Somali population inhabiting an urban area arises. Consequently, as the state would take interest with citizens of another country settling in a particular area away from the designated refugee settlement camps. An influx of Somali refugees into Kenya is not only a societal security concern but also a state sovereignty concern.

⁴² G. Murunga, "Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya", op cit.

⁴³ L. Chweya, "Emerging Dimensions of Security in the IGAD Region" in M. Mwangi (ed), *African Regional Security in the Age of Globalization*, (Kenya: Henrich Böll Foundation, 2004), p. 39.

The second focal point that Murunga gives is the pastoralist Somali mode of life and the underlying social and political organization. The porous border between Kenya and Somalia allows for the pastoralist Somali communities to cross over and forth with their livestock. This can be done with disregard of the already present inhabitants of the North Eastern Province. However Hashim argues that this may not necessarily be the case as face- to- face interrelationship are responsible for the development and reinforcing of clan affinities because, “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.”⁴⁴

In light of this there are the Kenyan pastoralist communities residing in the NEP that do not appreciate non-citizens entering their grazing lands as cases of banditry are high and the safety provided by the Kenyan Security Forces is still inadequate.

The last focal point that Murunga gives is the conflict situation in Somalia. According to Koech, “following the defeat of Siad Barre, Somalia degenerated into a failed state. The result has been a flow of refugees into Kenya, with the accompanying proliferation of small arms. Somalia has no national government and is ruled by warlords.”⁴⁵ Due to the nature of the conflict occurring in Somalia the perception that the neighboring countries may have are negative as it is the state concern of Kenya to ensure that her citizens are safe from harm against the conflict happening besides it as well as maintaining its sovereignty against threats to its territory.

⁴⁴ A. Hashim, ‘Conflicting Identities in Somalia’, *Peace Review*, 9 (4), 1997, p. 530.

⁴⁵ J. Koech, “Emerging Challenges of Security in IGAD” in M. Mwagiru (ed), *African Regional Security in the Age of Globalization*, (Kenya: Henrich Böll Foundation, 2004), p.126.

The issue of societal insecurity is a very present threat within the country that Kenyans of all cultural backgrounds are faced with when placed in conditions that may elevate the Somali refugee status. Thus leading to the Kenyan citizen lacking basic amenities and business opportunities would mean first entitlement has been skipped.

3.3.2.2: Raised cost of rental housing in Eastleigh

The average cost of operating a business as well as residing in Eastleigh has steadily gone up from the 1990s. This trend is also noted in the residential areas around Eastleigh that form the larger Eastland's areas such as Kariakor, Pumwani and a number of other locations. Lindley notices that,

“Since 1990, Eastleigh has developed dramatically, shaped by its growing population- rural Kenyan, Sudanese, Eritreans, Ethiopians, but above all, in the largest numbers, Somalis... A second key change in Eastleigh in the 1990s was the effect of the influx of refugees in the local property and housing market. Increased demand from Somalis, as Eastleigh became known as a Somali enclave, raised the cost of accommodation: the rent for single rooms after the influx in the early 1990s was five or more times the previous levels, pushing many Kenyan tenants out into other areas of Eastlands, while the refugees often lived in over-crowded conditions, sharing and sub-letting commercial development, particularly in the district known as Section Two, also accelerated, pushing up the price of land for redevelopment as shopping malls.”⁴⁶

Robert, a resident in Eastleigh stated that indeed the prices of accommodation have gone up where here resides as five years ago he could pay 4000Ksh for a bed sitter. Now the same bed sitter will go for the price of 7,000Ksh.⁴⁷ Renting in Eastleigh has an established procedure that sees refugees gain accommodation, albeit, at a higher price. This process was highlighted by Pavanello, Elhawary and Pantuliano as,

⁴⁶ A. Lindley, “Protracted displacement and remittances: The view from Eastleigh, Nairobi” in *New Issues in Refugee Research*. (UNHCR: Research Paper No.143, 2007), p. 4.

⁴⁷ Interview with M. Robert, 7th May 2011, Nairobi.

“Many landlords in Eastleigh are happy to rent accommodation without a regular contract, as long as three months’ rent is paid in advance. Refugees who do not have legal documents often ask other refugees to sign the tenancy agreement on their behalf. This usually generates a mark-up on rent as refugees with on legal documents will usually be asked to pay a higher price than agreed on the tenancy agreement. This seems to have become a lucrative business, especially among Somali refugee communities in Eastleigh. Somali refugees with legal papers often rent accommodation from Kenyan landlords and then sub-let it to paperless refugees. Kenyan landlords, often of Kikuyu origin, are aware of these transactions but do not question the sub-letting as they prefer to deal with reliable intermediaries. Somali sub-letters also prefer to deal with Somali middlemen rather than Kenyan landlords directly.”⁴⁸

From the above it is evident that landlords will rather get a better pay than worry if their fellow ‘Kenyan’ would like the accommodation at a lesser price.

Real estate is one of the businesses that the Somali have been interested in the country.

Abdulsamed adds that many Somalis overseas are showing an interest in buying residential properties in Kenya. This Abdulsamed attributes to the real-estate boom led by the Somali business community in the country.⁴⁹ Moreover, Abdulsamed adds that some Kenyan property dealers claim that prices have tripled in areas where Somalis dominate, such as Eastleigh giving rise to some friction between Somali and Nairobi residents who suspect that the expansion of Somali business is financed by piracy or other illegal activities. “In June 2009, the police had to confront Kenyan traders who refused to heed a government notice to leave a market that had allegedly been sold to Somalian businessmen. The displaced traders blamed foreigners, rich with the proceeds of piracy, for taking over their livelihoods.”⁵⁰

The success of the Somali in Eastleigh and in Nairobi is viewed as unfair to the common Kenyan as the general perception of refugees in a host country should be destitute like those in over-crowded refugee camps and not that of prosperity.

⁴⁸ S. Pavanello, S. Elhawary, S. Pantuliano, *Hidden and Exposed: Urban refugees in Nairobi Kenya*, (HPG Working Paper: 2010), p. 24.

⁴⁹ F. Abdulsamed, “Somali Investment in Kenya”, op cit., p. 9.

⁵⁰ Property Wire, ‘Real Estate Rent Bubble in Nairobi Threatens US Style Property Crash, It Is Claimed’, *Property Wire* (2010).

3.3.2.3: Increased crime in Nairobi

In explaining the insecurity that has increased in Eastleigh over the years, Murunga states, “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.”⁵¹

The crime in Eastleigh is a reflection of the crime that has been occurring in Nairobi and generally Kenya. The types of crime include illegal migrants inhabiting the country, the smuggling of illegal small arms into the country as well as incidences of violence amongst the border communities. According to the Annual Crime Report for the year 2010 by the Kenya Police Force, arrested illegal immigrants totaled 3,557, 2,407 of whom were Somalis.⁵²

In incidences that were viewed as retaliation to the Kenyan Police Force, in December 2010, three Kenyan police men were killed in two separate grenade and gun attacks in Nairobi, Eastleigh. Macharia reported that,

“An explosive device hurled into a police van in a predominantly Somali suburb of Nairobi in the morning killed one officer in what a police commander said appeared to be a terrorist attack. In the afternoon, two armed men on a motorbike killed two traffic policemen. The attackers were chased and killed by Kenyan security officers... Analysts said the attack could also have been carried out to settle a grudge against the Kenyan authorities who routinely raid the suburb to weed out illegal Somali immigrants.”⁵³

In addition to this Mohamed adds that,

“Insecurity threatens to scare away business people. Entrepreneurs normally fall victim to daytime robbery while the security agencies appear less concerned... Due to the dominance by

⁵¹ G. Murunga, “Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya” , *African Studies From Below*. op cit.

⁵² See Kenya Police Force, “Annual Crime Report for the year 2010”, p. 9.

⁵³ J. Macharia, “Three Policemen Killed in Two Nairobi Attacks” (Reuters:3rd /12/2010).

the ethnic Somali community, Eastleigh is seen by many as a sanctuary for Somali pirates and Islamist extremists like Al Shabaab and other Al- Qaeda affiliated groups. Many have the notion that monies received during hijacking of ships at the Somali Coast finds its way here as a commercial investment.”⁵⁴

David, an Ethiopian refugee who operates a family run textiles shop in Madina Mall says that the insecurity in the Eastleigh is attributed to thugs and the city council. The thugs are involved in ‘blue’ or violent crime while the Nairobi City Council operates ‘white’ crimes in Eastleigh. This David explains as the insistent money collection that the council carries out on a daily basis regardless of the permits that allow them to run businesses. David also maintains that the business stays at risk if it operates past 6:00PM due to insecurity.⁵⁵

3.3.3: Responses to insecurity

Over time the Government of Kenya has embarked on improved policy formations as well as registration drives that seek to net out illegal aliens and recognize the legal status of refugees in the country. For example, “on 1 March 2006 the Government of Kenya embarked on an ambitious exercise registering illegal alien in Eastleigh. The exercise was completed by July and according to the Ministry of Immigration, 51,000 people were registered in Eastleigh. The Government had three main objectives;: to conduct a baseline survey to find out the actual number of refugees in urban areas; to identify refugees capable of working and doing business in Kenya and give them legal status, that is ‘Class H’ permits. The last objective was to determine for security purposes the number of refugees residing in the country.”⁵⁶

⁵⁴ A. Mohamed, “Kenya: Neglected Eastleigh Under the Spotlight”, (Kenya: Africa News, 14/02/2011).

⁵⁵ Interview with G. David, 12th May 2011, Nairobi.

⁵⁶ M. Rutten and K. Muli, “The Migration Debate in Kenya” in A. Adepju, T. Naerssen and A. Zoomers (eds), *International Migration and National Development in Sub-Saharan Africa: View Points and Policy Initiative in the Countries of Origin*,(Netherlands: IDC Publishers, 2008), p. 182.

Campbell on observing the insecurity in Nairobi states that “both the government and the local population often blame refugees for rising levels of insecurity in the city.”⁵⁷ For example, “one police officer recently remarked, “Refugees are not supposed to be in Nairobi, they should be in camps...Some of them sell illegal firearms... Some can even be terrorists... Likewise, Provincial Police Boss, Stephen Kimenchi, argues that “gun runners are foreigners, mostly of Somali origin...” In a separate interview he went on to say that the issuing of identity cards to ‘illegal foreigners’ was a ‘hindrance to the fight against crime.’”⁵⁸

Hashim, a Kenyan Somali who has resided in Eastleigh for close to six years, is of the opinion that being a Kenyan- Somali in the area, leads to specific victimization as the police view every ‘foreigner’ residing in the area as being a refugee. Hashim furthers that the general perception that the police have towards the Kenyan Somalis in the area is that they have money that can be easily availed with the threat of arrest. In explaining the point Hashim asks why are there police cars from Milimani and Kileleshwa patrolling the area when the closet police station is Pangani. In explaining this Hashim says that at the purpose of these operations are to collect money from the legal and irregular refugees residing in the area. To counter this Hashim says that it is the norm for the Somali and other refugees there to carry a few ‘dollars’ that can grant them the ability to walk around.⁵⁹

⁵⁷ E. Campbell, “Formalizing the Informal Economy: Somali Refugee and Migrant Trade Networks in Nairobi”, op cit.

⁵⁸ Ibid.

⁵⁹ Interview with S. Hashim, 17th May 2011, Nairobi.

3.3.4: Somali response to insecurity

Hashim, states that the Kenyan- Somalis in the area of Eastleigh prefer to engage in peaceful activities, however, the youth who have been exposed to negative influences are more prone to engage in unconstructive behavior. This Hashim attributes to the clan respect that the Somali attribute to their history.⁶⁰ As earlier pointed out the Somali culture depends on clanship for societal interactions. For example if Somali man X gives another Somali man Y a large amount of money to perhaps invest but Y does not do so and instead runs away with the money. Man X shall trace Y's clan and from the old men deliberating, the clan of Y will pay back man X. This principle therefore works as a social measure for interactions amongst the Somali.

However, distinction is drawn between the Kenyan- Somali and the Somali who inhabit the area. Hashim in his interactions with both attributes this to the 'closed' nature of the Somali from Somalia. The Kenyan Somali according to Hashim are more 'open' to what is happening around them and particularly in Kenya. They are aware of the politics of the country and seek for ways in which they can improve their lives in the country.

A key point that Hashim made is that for the Kenyan- Somali, they are content with their stay in the country and they try to seek the most that they can from Kenya however, the irregular Somali who are in the country, have no urge to stay in the country rather, Kenya is a passage for them to go to their final destinations which could be Saudi Arabia, Europe or USA.⁶¹

⁶⁰ Ibid.

⁶¹ Ibid.

3.4: Conclusions

Tensions that have arisen with regards to Somali migrant settlement in Eastleigh are both warranted and unwarranted. According to Murunga, the negative perceptions of the Somali community in Kenya are largely attributed to the criminalization of the Somali identity that has occurred over the years of Somalia interactions with her East African neighbor's.⁶² However, reports indicate that indeed, some of the irregular Somali migrants in Eastleigh do increase crime and heighten societal instability of not only the Kenyan- Somali but also the Kenyan- Asian community and the Kenyan ethnic communities that inhabit the area as well as the surrounding Eastlands area.

In spite of this Kenya as a signatory to the 1951 UN Convention Related to the Status of Refugees, the 1967 protocol, the 1969 OAU Convention and the 2006 Kenya Refugee Act still plays host to refugees who are qualified to obtain the status of refugee in the country.

⁶² G. Murunga, "Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya", op cit.

CHAPTER FOUR

SOCIETAL SECURITY AND MIGRATION: A CRITICAL ANALYSIS

4.0: Introduction

The case study of the Somali migrant settlement in Eastleigh is given in Chapter Three. The issue of societal security and the role migration plays is investigated taking into consideration the historical development of Eastleigh as well as the records of Somali presence in the area. The records are traced to the colonial years when the Somali based in Eastleigh were there for business purposes. Over time and with the fall of the Somali Government in 1990, the influx of refugees into Kenya and in Eastleigh increased.

Chapter Four critically analyzes the role that migration plays in societal security. From this analysis, information is given on how migration affects the societal security of Kenya through the clash of identities. The analysis takes into account the trends and issues identified in the case study as the basis of explanation.

4.1: Societal security and migration

The study is investigating the Somali identity and its impact on the Kenyan identity as well as how the increase of the Somali population in Eastleigh affects the already present Kenyan population residing in the area. And in distinguishing the various Somali identities found in Eastleigh, the study establishes that there are three distinct categories. The first category is the Kenyan- Somali population residing and operating businesses in Eastleigh. The second category is consistent of Somali refugees residing in the area and operating businesses in Eastleigh. Irregular Somali migrants make up the third category of the Somali population. The study

incorporates the effects that the previously mentioned population categorizations have with regards to the identity and societal security in Eastleigh.

Prior to explaining the overview of the trends and issues from the case study and the role of migration on societal security, an overview of the objectives introduced in Chapter One of the study are given so as to draw attention to the outcomes that carrying out the case study has established.

The overall objective of the study is to examine the relationship between societal security and migration with a case study of the Somali migrant settlement in Eastleigh, 1990- 2010. According to the Global Migration Group (GMG) there two main types of migrants and three types of migration in exclusion of human trafficking and smuggling. The two main types of migrants include the International Migrant that includes; the irregular migrant, the environmental migrant and the migrant worker. The refugee and asylum seeker are the second type of migrant. The three types of migrations include; forced migration, transit migration and return migration.¹

In addition to this, societal security is defined as the security of collective groups in relation to other communities or the institutions of the state in which they reside.² From the overall objective of the study there are three sub- objectives that are the base of the study. The first objective of the study is to examine the effect of migration on societal security in Eastleigh, Kenya. The second objective is to analyze the challenges of integration between Somali migrants

¹ Global Migration Group (GMG), *International Migration and Human Rights; Challenges and Opportunities on the Threshold of the 60th Anniversary of the Universal Declaration of Human Rights* (Global Migration Group, 2008), p. 7.

² M. Thiel, "Identity, Societal Security, and Regional Integration in Europe," (EU: *Jean Monnet/ Robert Schuman Paper Series* Vol. 7, No.6, 2007), p. 6.

and host communities in Eastleigh. Whilst the third is to explore the theoretical linkage between migration and societal security.

From the guidelines that the objectives give for the study, the collected data, largely affirms that migration does play a role in the maintenance of societal security.

The maintenance of societal security is through the protection of the dominant identity in the area of concern. "Threats to societal security are obvious when the identities of a society are mutually exclusive. Migration... constitutes a threat to a society when 'alien' identities pose a threat or are perceived as threatening to the existing society's identity."³ Originally,

"The idea for creating Eastleigh was to relocate the Indian Bazaar from the city centre. Thus Eastleigh was laid out as 'a residential area for better class... the Somali... also moved into Eastleigh and resisted eviction attempts. Eventually, they were allowed to settle and own property in Eastleigh... It became the main settlement for Somalis from the 1930's and 1940's. Eastleigh acquired both the imprint of the Somali identity and the stigma that criminalized them as troublesome and insolent... These perceptions have become the hallmark of Somali refugees in Kenya."⁴

With time and with further settlement of Somalis in Eastleigh, the Somali identity became the dominant identity of the area. In addition to this, the integration of migrant and host communities in Eastleigh leads to an increase in societal insecurity in Nairobi.

The above concept made by Murunga takes into account the history of settlement in Eastleigh where, the old Colonial Indian population opted to move out of Eastleigh due to the influence the Somali had in the area as well as with the Poll Tax campaigns of 1936- 1941 when the Somali did not wish to be categorized in the 'natives' bracket of paying tax with the then

³ S. Kim, "Concept of Societal Security and Migration Issues in Central Asia and Russia", (Japan: *CAMMIC Working Papers* No. 2, 2008), p. 6.

⁴ G. Murunga, "Conflict in Somalia and Crime in Kenya: Understanding the Trans-Territoriality of Crime", *African and Asian Studies*, (Volume 4, nos. 1-2, 2005), p. 11.

colonial government. In addition to this Murunga also seeks to highlight the influx movement of Somali refugees to Eastleigh in the 1990's.⁵ From the above, the Somali identity has had two different clashes in the area. The Somali identity verses the Indian identity and the Kenyan identity.

During the 1990s influx of refugees into the country, "refugees were streaming into Eastleigh, Kariobangi... Eastleigh estates which were experiencing increased crime rates. Since many of these refugees were Somali and lived in Eastleigh an obvious connection was established between refugees and rising crime rates."⁶ Thus, indicating that irregular migrants in Eastleigh lead to the smuggling of illegal; arms and increased crime in Nairobi.

In understanding the societal security issue present in Eastleigh, Gagné is of the opinion that due to the loopholes in the registration of Somali refugees in the country, there is the tendency to label the general Somali population as being a security threat in the country if a certain individual turns out to be a threat. To tackle this Gagné suggests that if the government has an issue with a Somali national seeking refuge in the country, they should screen them in the beginning of the registration process and not subject the general Somali population to unwarranted harassment under the gauge of re-screening the Somali nationals in the country. Gagné further adds that the government could have the Department of Refugee Affairs and Internal Security working together and formulate a screening process for all refugees who come into the country and especially those from a country of origin that they feel is a security threat.⁷

⁵ Ibid.

⁶ Ibid.

⁷ Interview with L. Gagné, 26th May 2011, Nairobi.

It would be wrong to assume that because the majority population in Eastleigh is Somali, all crime emanates from them due to the instability that they face as a state and the reported cases of Piracy that are conducted by Somali pirates on the Indian Ocean.⁸ “The Kenyan government has used the nature of Eastleigh estate as an excuse to overlook its duty to maintain order, rehabilitate and maintain infrastructure, provide for the necessary basic services and, most importantly, check and curb crime. This neglect and collapse, which predates the arrival of refugees, is true of government obligations across the city and in the country.”⁹

Moyomba of Kituo Cha Sheria posits that these perceptions of the Somali lead to the lack of information on the ground issues that affect both the Kenyan- Somalis and the Somali refugees in the area. The paradox is that despite being Kenyan, the Kenyan- Somali are viewed as ‘rich foreigners’ whilst the Somali refugees are not seen as refugees but again ‘rich foreigners’. This leads to the other ethnic Kenyan population found in Eastleigh, having negative views of the Somali. Moyomba adds that for a Somali seeking accommodation in Eastleigh, they should be prepared to pay higher rent than another Kenyans and non- Kenyan residents.¹⁰ Jimaale, of the Eastleigh Youth Center states that despite having appropriate paper work the Somali youth are targeted for extortion by the Police. In addition to this Jimaale points out that for the youth who do get jobs, they are not paid for their worth as the salary is below minimum.¹¹ Moyomba adds to this by stating that the reason the salary payment is low not only for Somali workers but also for other refugees in the area is because they offer ‘cheap labor’. In essence, there will always be somebody to do the job for whatever cost given as desperate times call for desperate measures.

⁸ P. Kantai, “The Hunt For Somali Pirate Treasure”, *The Africa Report* No. 26. December 2010- January 2011, op cit.

⁹ G. Murunga, “Conflict in Somalia and Crime in Kenya: Understanding the Trans-Territoriality of Crime”, op cit., p. 12.

¹⁰ Interview with F. Moyomba, 23rd May 2011, Nairobi.

¹¹ Interview with A. Jimaale, 23rd May 2011, Nairobi.

However, increased insecurity in Eastleigh can be argued using the relatively new 'Youth Bulge' theory.¹² The theory has been used to further understand the Middle Eastern revolts from late 2010 coming into 2011, that begun with the Jasmine Revolution that was experienced in Egypt and begun on December 17th 2010, when Mohamed Bouazizi self immolated himself due to the challenges he had been facing leading an unfulfilled life. According to Beehner, increased violence amongst the youth can be understood by taking notice of the following factors that contribute to youth- bulge –related violence. The first is *rapid urbanization* which is characteristic of Eastleigh's development that has been rapid over the years and especially within the timeframe of the case study (1990-2010).¹³ Beehner adds that "migration...plays an important role because cities across the developing world lack the infrastructure, resources, or jobs...This creates ripe conditions for black-market activities, which in turn often foster gangs and paramilitary groups. The other two factors are *heightened expectations among job seekers* and *environmental stresses*."¹⁴ It can therefore be stated that youth deviance which is tackled as a trend and issue later in the chapter leads to an increase in increased crime in Eastleigh and Nairobi essentially.

With the study carried out, data collected supports the statement that migration does play a role in the maintenance of societal security. This is as a result of the movement and settlement of illegal individuals who heighten the risk of illegal arms entering the country and with unplanned migrant settlement in an area, increased societal insecurity.

¹² L. Beehner, "The Effects of 'Youth Bulge' on *Civil Conflicts*, 2007" by the by the Council on Foreign Relations, 2011.

¹³ E. Campbell. "Formalizing the Informal Economy: Somali Refugee and Migrant Trade Networks in Nairobi", *Global Migration Perspectives*, No.47, September 2005, p. 8.

¹⁴ L. Beehner, "The Effects of 'Youth Bulge' on Civil Conflicts, 2007." op cit.

4.2: Trends and issues

From the case study carried out the categorization of the trends and issues identified fell into two groups; the positive and the negative. Of the positive, the study identified the increased competitive business environment that Eastleigh provides as well as the increased real estate establishment of the area. However, the negative issues identified include; increased societal insecurity, the raised cost of rental housing in Eastleigh as well as increased crime.

With the acknowledgement of the positive and negative trends there were key issues that came out from each that shall be further investigated below. The issues can generally be viewed as the Challenges that the host and refugees population face in Eastleigh. They include; language barriers, police and city council harassment, youth deviance, community integration and criminalization of the Somali identity. However, for each challenge faced there are the identified mechanisms that have been put in place to contain the negative outcomes.

4.2.1: Language barriers

Language is part of a culture as, “Culture refers to the customs, practices, languages, values and world views that define social groups such as those based on nationality, ethnicity, region or common interests.”¹⁵ Cultures vary and so do its integral parts as shown above. Culture however, evolves with time to accommodate changing trends in the population as well as new additions and deductions to community integration.

Language is the communication tool of a community as, it is important for communities to be able to interact within themselves. In Eastleigh, the refugees speak their language of origin

¹⁵ Ministry of Social Development- New Zealand, 2010. “Cultural Identity”, *The Social Report 2010*. p. 84.

and in some cases English and Kiswahili. However, when there is a break down in communication and people are not able to understand each other, generally, suspicions are likely to arise. Communication is a necessary tool for development and in essence, cultural change as “communication ...occurs when one mind influences another mind so that the other mind understands what was in the first mind.”¹⁶ When people communicate with each other it shows that they are interested in living amongst the people.

Such is the case in Eastleigh, despite the presence of Somali refugees, other refugees who reside in the area have been able to learn some Kiswahili and English which is necessary to reside in the area. Therefore it can be said that for there to be peaceful co-existence between communities in a host area, there has to be the presence of communication channels. In line with making the integration of refugees in the host community of Eastleigh, Kituo Cha Sheria in partnership with other development partners is involved in the provision of adult language classes where the refugees can attend English classes.¹⁷

With time and with language as a tool for the Somali migrants residing in the area, information will be easily available and they can be better placed to represent themselves to authorities as and the general host population because if you go to Rome, you do what the Romans do.

¹⁶ K. Lundström and D. Smith, *Communicating For Development: A Practical Guide*, 3rd Revised Edition. (Kenya: Daystar University, 1990), p. 35.

¹⁷ Interview with F. Moyomba, 23rd May 2011, Nairobi.

4.2.2: Police and City Council harassment

The study carried out gives two areas that the Police and City Council target for harassment in Eastleigh and especially with regards to the refugee community. They include; business operations and identity cards. Of the two each has procedures of acquirement and sustenance.

4.2.2.1: Business operations

Running a legal business in Kenya has its own technicalities that include name registration, premises inspection as well as licensing from the Government. If the paper work is not correct the City Council has the warrant to shut down the premises and impose a fine with regards to getting what is needed. However, for informal businesses, the City Council has different regulations that need to be followed (the City Council By-Laws).

It has been noted that a number of informal business operators in Eastleigh are not aware of their business rights as well as the City Council By- Laws. This therefore makes them susceptible to 'corruption' by council officers who may be out to extort money from the operators rather than correcting the issue. Consequently, the business operators who are largely Somali refugees are not aware of the standard procedure of the City Council that requires them to net down illegal traders who will be charged in the City Council courts.¹⁸ Essentially, a business should not be run without a license and the owner of the business should have a PIN Number with which taxes are to be collected.

The lack of the collection of taxes from the irregular business operators in the area leads to the countries financial loss as the profits made in Eastleigh are of good margin. Consequently,

¹⁸ Interview with F. Moyomba, 23rd May 2011, Nairobi.

for the legal and registered businesses operating in the area through the Eastleigh Business District Association (EBDA), the collection of taxes occurs and in 2009, the associations' members paid Ksh 780 million in taxes.¹⁹

Visits to some businesses in Eastleigh revealed that the general perception that the business operators have to the City council is negative. Ahmed states,

“Our relationship with the City Council is very bad at the moment. There are virtually no roads, the drainage is appalling and the sewage is a threat to residents... In June, the EBDA obtained a court order preventing the Council from collecting taxes from the area until they improved services here. With more than 20,000 members, the association is trying to fight perceptions that Somali businesses are somehow illegal.”²⁰

The EBDA, though its mandate of protecting the Eastleigh business men has an open door policy for its members who can air out their grievances to the relevant authorities as well as seek information of the running of a business in the area.

4.2.2.2: The issues of identity cards

An overview of the refugee and asylum seeker identification process is as seen below. It should also be noted that as per 2nd March 2011, the Government of Kenya (GOK) through the Department of Refugee Affairs (DRA) has taken control of the reception and registration of refugees in the country. Urban refugees report to the Shauri Moyo field office for the process which could take an unknown amount of time.²¹

According to the 2006 Kenya Refugee Act asylum seekers in Kenya are to present themselves before a registration officer 30days upon arrival in the country, failure to do so they

¹⁹ P. Kantai, “The Hunt For Somali Pirate Treasure”, *The Africa Report* No. 26. December 2010- January 2011, p. 30.

²⁰ P. Kantai, “The Hunt For Somali Pirate Treasure,” op cit.

²¹ Interview with N. Chege, 25th May 2011, Nairobi.

will be charged under Kenyan law as being in the country illegally. However, before the Act came into operation the UNHCR was in charge of the registration of refugees from 1990, when the influx of refugees then was too large for the government to accord proper measures.²²

Once a refugee has arrived and presented themselves to the registration officer, the first step is to have them fill out a profile form that gives details such as; names, marital status, date of birth, district and country of origin, languages spoken as well as relatives present and the Head of Household. Once they have filled out the profile form they get a waiting slip that has their taken photo and fingerprint. This waiting slip is what is used as an identification card before the issuance of the refugee card that will be done once the refugees have undergone Refugees Status Determination (RSD). Priority is given to Prima Facie refugees and in the case of Somalis who flee to Kenya, the Somali from South Central Somali. To mention a few districts there are Hiiran, Shabelle and Lower Shabelle.²³ Consequently, with the issuance of the waiting slip, movement passes are given to the refugees that give them the ability to move to their settlement areas. The validity of the pass is one month, however, for education and work, the Movement pass is valid for one year.²⁴

At this point the refugee is known in the country. Police harassment could now arise when the refugee who is caught is in violation of his movement pass or it has expired. This violation could lead to the payment of a fine, six months imprisonment and in cases of a threat to state security, deportation to the country of origin.²⁵

²² Interview with V. Mwaura, 25th May 2011, Nairobi.

²³ Information gathered from interviews held in the Department of Refugee Affairs and UNHCR.

²⁴ Interview with W. Kivindu, 25th May 2011, Nairobi.

²⁵ Interview with N. Chege, 25th May 2011, Nairobi.

Harassment also arises when the Kenyan- Somali are targeted if they do not have their Identification (ID) cards or waiting slip. Due to the increasing number of Somali refugees in Eastleigh the Kenyan Somalis who reside and operate in the area are treated like refugees due to their physical features. The issue of police harassment of the Kenyan- Somali population as well as the Somali refugees is not a new issue of concern as Ottunu posits that Kenya creates opportunities to discriminate the Kenyan Somali²⁶ as “the Kenyan authorities are... using the influx of Somalis seeking sanctuary to impose a discriminatory and repressive screening process on its own ethnic Somali community, which has suffered a history of persecution.”²⁷

Ottunu furthers that the “Kenyan government needs to radically change its inhumane treatment of Kenyan- Somalis and Somali refugees. This will mean that the state should adhere to international human rights and refugee covenants it endorsed.”²⁸

However, Kiraithe, the Kenya Police spokesman states that the Police will always be viewed negatively if the people do not acknowledge the law and order of the country. This is in reference to the illegal immigrants in the country as they will take the policemen as a threat.²⁹

The question of identity distinction of Kenyan-Somalis and Somalis has always been an issue, Gagné calls this the ‘who is who’ challenge that not only the Kenyan Government faces but also UNHCR Kenya.³⁰

²⁶ O. Ottunu. “Factors Affecting the Treatment of Kenyan- Somalis and Somali Refugees in Kenya: A Historical Overview”, *Refuge*, Vol. 12, No. 5 (November-December 1992), p. 25.

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ Interview with E. Kiraithe, 31st May 2011, Nairobi.

³⁰ Interview with L. Gagné, 26th May 2011, Nairobi.

4.2.3: Youth-related problems

Information gathered from the Youth Center, Eastleigh gives three main problems that the Somali youth of Eastleigh face.³¹

The first is the lack of education. This is attributed to the refugee status that is said to deny them opportunities to learn. In 2010, the Ministry of Immigration in collaboration with the Ministry of Education called for the registration of public primary school students with their birth certificates. This would mean that the refugee children who are of school going age cannot enter the public schools due to the fact that they do not have a Kenyan Birth Certificate.³²

Furthermore, education in some cases is a luxury that the Somali refugees can't afford especially if there is language barrier. This is so when the refugee has no knowledge of Basic English which is the main form of instruction in all 8.4.4 institutions.

Without school to keep the youth busy, the next alternative is to earn money for personal upkeep as well as for the dependents that may be present; however, due to the lack of financial strength, the youth may opt for the wrong path that includes crime as well as the excessive use of Kart to pass time. This behavior is retarding for the development of any youth as it is unconstructive behavior.

The lack of employment is the second challenge given by the Youth Center Eastleigh. The lack of employment is traced to the lack of formal legalities that are essential to find 'white collars' jobs such as education certifications. This limits the opportunities available for the

³¹ Interview with A. Jimaale, 23rd May 2011, Nairobi.

³² Ibid.

youth. The other alternative is to opt for informal jobs that do not guarantee pay that is suitable for the job carried out.

The third identified challenge is the arising strength of Somali youth cartels in Eastleigh. According to Unshur, there are about four cartels that are made up of armed youth who are out to rob and terrorize residents at night.³³ The Youth Center will not speak of the arising cartels due to fear of being targeted. However, the Youth Center adds that the only reason why there is the arising insecurity in Eastleigh is due to the laxity of police in the area who are only interested in collecting bribes from the refugees rather than providing them with security.

To counter these challenges the Youth Center of Eastleigh has various initiatives that reach out to the Somali Youth. The Eastleigh Youth Center began its operations in Eastleigh on 5th May 2010, through funding by the unnamed Somali community of Eastleigh who wanted to give the youth somewhere to go to gain positive skills. The center has a no payment policy to be involved in the center activities, however, the youth who utilize the centers amenities should be Somali, refugees and unemployed. The public amenities of the Center include a pool table, and several computers.

The Center teaches computer programmes to the youth on a four month duration after which they are certified. This the center forwards as an education based initiative in the area. In addition to the computer packages offered, the Center also holds forums that reach out to the Somali youth in the area.

Therefore, although not all the youth are reached, those who are, are enough to impact change in the community and in most cases speak for those who can not, be it due to language

³³ Interview with A. Unshur, 23rd May 2011, Nairobi.

barriers or the lack on education on refugee issues, as well as other administrative issues that arise in residing in Eastleigh.

4.2.4: Community integration

Community integration as identified in the early chapters of the study is the stable accommodation of different communities residing in one area. Instability in community integration is what is referred to as societal insecurity as “societal security concerns sustainability within acceptable conditions for the evolution of traditional patterns of language, culture, religion, national identity and customs.”³⁴

Studies show that the Somali culture is the predominant culture in Eastleigh³⁵, this therefore means that a majority of the population residing in the area of Somali origin. However, as indicated in Chapter Three, before the influx of the Somali population in the 1990’s the population was more Kenyan in nature.³⁶ Despite this, the integration of the Somali community with the resident community in Eastleigh has been both positive and negative.

Moyomba, a Programme Officer at Kituo Cha Sheria states that the integration of the Somali in Eastleigh has been marked by misperception of the Somali by the Kenyan community. The perception furthered about the Somali population is that the Somali are ‘rich’.³⁷ This richness is attributed to the ‘shady deals’ and piracy that the Somali are attributed to engage in.³⁸ The perception of ‘richness’ Moyomba posits overwhelms the general reality that majority of the

³⁴ G. Okoth, “Regional Institutional Responses to Security in the Era of Globalization” in M. Mwangi (ed), *African Regional Security in the Age of Globalization* (Heinrich Böll Foundation, 2004), p. 49.

³⁵ A. Adam. *The Influence of Culture on Urban Form: The Case of Somalis in Eastleigh*. Department of Architecture and Building Science, (BA. Project). University of Nairobi, Kenya (2008), op cit.

³⁶ A. Lindley. “Protracted displacement and remittances: The view from Eastleigh, Nairobi”, *New Issues in Refugee Research*. (UNHCR: Research Paper No.143, 2007), p. 4.

³⁷ Interview with F. Moyomba, 23rd May 2011, Nairobi.

³⁸ P. Kantai, “The Hunt For Somali Pirate Treasure”, op cit., p. 26.

Somalis in Eastleigh are refugees and should be seen as such and accorded the necessary rights that they require. The rights of a refugee in Kenya with regards to residence are,

“Every refugee and asylum seeker shall-

- (a) be issued with a refugee identity card or pass in the prescribed form; and
- (b) be permitted to remain in Kenya in accordance with the provisions of this Act (the 2006 Kenya Refugee Act)”³⁹

When the host community does not accord the refugee population this right, they have fallen short of the statutes that Kenya is signatory to: the 1951 UN Convention, the 1967 Protocol, the 1969 OAU Convention and the 2006 Kenya Refugee Act. Therefore the Kenyan host community should be more accommodating to understanding the background of the refugees and not be biased to the general perceptions that may be at hand. In the case of Kenyan – Somali, they are Kenyans by birth or accord and this therefore means that with the acceptance of a national identity, the Kenyan –Somali are also Kenyan. As indicated in Chapter One, the recognition of the Kenyan society comes with the acceptance of all ethnicities and provinces that make Kenya and this includes the marginalized provinces such as North Eastern Province.⁴⁰

4.2.5: Criminalization of the Somali identity

The post colonial, younger generation Kenyan- Somalis are Kenyan citizens by birth.⁴¹ Over time however, there have been calls and actions taken to distinguish the Kenyan – Somali and the Somali in resident areas such as North Eastern Province and Eastleigh. As earlier indicated history acknowledges that the North Eastern Province was part of the Horn of Africa and the inhabitant population was largely Somali in origin.⁴² Along with this, “as a single ethnic group in

³⁹ See the 2006 Kenya Refugee Act, p8.

⁴⁰ Office of Public Communications- Kenya, “Week of National Focus, ‘Najivunia kuwa Mkenya’”, (Office of Public Communication- Kenya, 2008).

⁴¹ Interview with S. Hashim, 17th May 2011, Nairobi.

⁴² G. Murunga, “Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya”, *African Studies From Below*. (CODESRIA Book Series, Dakar, 2009), p. 199.

the Horn of Africa, with only one major internal division (that of the Digil Mirifle clans speaking a distinctive language/ dialect) the Somali people considered themselves bound together by a common language, by an essentially nomadic pastoral culture, and by the shared profession of Islam.”⁴³

Consequently, the distinction of the Somali and Kenyan- Somali is a thin line especially in NEP. This is so, particularly with the older generation who had been nomads moving between Kenya and Somalia. However, with the registration of Kenyan nationals in NEP some Somali chose to stay in the country for purposes of better opportunities and with the mapping out of Kenya’s territory they also attained the title of Kenyan- Somali. However, for the generations born after independence in Kenya, they are Kenyans first then Somalis thus: Kenyan- Somalis.

The blurry distinction of the Kenyan- Somali and Somali refugees is one that has been developed over time together with the identified criminalization of the Somali in Kenya.⁴⁴ A case in point is evident when on 28 July 2001 then President D. Moi in a presidential address ordered the Kenya- Somalia border to be closed citing that armed refugees entering into Kenya contributed to the increased incidence of insecurity and crime in Nairobi.⁴⁵ “In banning border trade, President Moi noted that ‘although Kenya showed hospitality by accommodating refugees from Somalia, they (refugees) abused their welcome by bringing illegal firearms into the country.’ For him, ‘the Somalis were to blame for the current state of insecurity in Kenya.”⁴⁶

⁴³ I. Lewis, “Visible and Invisible Differences: The Somali Paradox”, *Journal of the International African Institute*, Vol. 74, No.4 (2004), p. 497.

⁴⁴ G. Murunga, “Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya”, op cit.

⁴⁵ G. Murunga, “Conflict in Somalia and Crime in Kenya: Understanding the Trans-Territoriality of Crime”, op cit.

⁴⁶ Ibid.

With the head of state regarding the Somali population as troublesome, the criminalization of the whole population takes place. Murunga furthers that, “ the Somali ‘refugee’ problem dates back to the colonial era...The problem is intermittently spiced by mutual suspicion in the Kenya- Somalia relations (starting in colonial times) and a similar Kenyan suspicion of all ethnic Somali including those who are Kenyan citizens.”⁴⁷ With these negative perceptions of the Somali, stereotyping all Somalis even if they are Kenyan is observed.

4.3: Other issues identified

In addition to the five identified issues derived from the case study there are other issues that were discovered from the carrying out of the case study.

4.3.1: Loopholes between the Department of Refugee Affairs (DRA) and UNHCR in the registration of refugees and in particular Somali refugees

Currently the DRA is concerned with the Reception and Registration of refugees who arrive in the country seeking refugee or asylum seeker status. Once the individual has been recognized as a refugee according to the Kenyan 2006, Refugee Act they shall be subject to the Rights and duties of Refugees in Kenya (Article 16) that states,

- “(1) Subject to this Act, every recognized refugee and every member of his family in Kenya-
 - (a) shall be entitled to the rights and be subject to the obligations contained in the international conventions to which Kenya is party;
 - (b) shall be subject to all laws in force in Kenya.
- (2) The Minister may, by notice in the Gazette, in consultation with the host community, designate places and the areas in Kenya to be-
 - (a) transit centers for the purposes of temporarily accommodating persons who have applied for recognition as refugees or members of the refugee’s family while there applications for refugee status are being processed; or
 - (b) refugee camps.

⁴⁷ Ibid.

(3) The designated areas provided for in subsection (2) shall be maintained and managed in an environmentally sound manner.

(4) Subject to this Act, every refugee and member of his family in Kenya shall, in respect of wage-earning employment, be subject to the same restrictions as are imposed on persons who are not citizens of Kenya.”

However, the registration of refugees entering the country is also done by the UNHCR who use a ‘more’ detailed profile form. The reason as to why UNHCR re-registers the refugees again is due to the provisions that UNHCR is able to provide the refugees through their identification. The DRA database is relatively new and the model that was developed by the UNHCR.⁴⁸ The UN mandate that the refugees receive allows the refugees to seek help within the two refugee camps of Dadaab and Kakuma where food provisions from World Food Program (WFP) gives them some sustenance. A challenge arises due to the fact that the registration between the DRA and UNHCR is still in the early stages of co-ordination, therefore despite both carrying out the same processes of Reception and Registration, progress needs to be made on the part of the Government of Kenya (GOK) as transitional activities with UNHCR have to be done with the DRA offices which has its own individual challenges of skilled manpower, as well as facilities for operation.⁴⁹ However, the DRA as a new department of the GOK, with operations beginning on 2nd March 2011, is making strides towards the hosting of Refugees in the country and in particular the largest population of refugees in the country; the Somali community.⁵⁰

The second loop hole that the study identified is the identity crisis that both DRA and UNHCR have in regards to distinguishing between the Kenyan Somali- and the Somali. Before 2005, UNHCR did not have a finger print database. This anomaly has had repercussions of

⁴⁸ Interview with L. Gagné, RSD, 26th May 2011, Nairobi.

⁴⁹ Interview with V. Mwaura, 25th May 2011, Nairobi.

⁵⁰ S. Pavanello, S. Elhawary, S. Pantuliano. Hidden and Exposed: Urban refugees in Nairobi Kenya, (*HPG Working Paper*: 2010), p. 15.

forgery of identities that is done by business men who are out to make money. Reports indicate that Eastleigh is the hub of getting false identities for the Somali community.⁵¹ Gagné, explains that the identity changes amongst the Somali occurs when the individual X changes his Fathers and Grand fathers name (ordinarily the second and last name) for purposes of identifying with a different family.⁵²

When an identity fraud goes wrong individual X will be dealt with by Kenyan law and in the case that they will be found to be in the country illegally, they will either be imprisoned or deported. In the case that the fraud is identified in the registration process by DRA or UNHCR, the individual X will not be registered until they prove their identity as they will have to undergo a screening process which, if they fail- will be asked to live the country 90 days after the rejection of the Refugee status.

To counter this challenge, after 2005, the UNHCR introduced the finger printing of refugees for their database, in addition to the UNHCR registration process the registration of a family is indicated on the profile forms. For example if individual X is a mother of three children, her form shall indicate so and in the UNHCR database her children's profiles shall show their mother's name as well as their siblings. However, the DRA database does not show this as the database currently shows individuals and not their relations as 'sister', 'brother' or 'father'.

⁵¹ G. Murunga, "Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya", op cit.

⁵² Interview with L. Gagné, 26th May 2011, Nairobi.

Gagné indicates that UNHCR is in the process of continuous registration where changes to the statuses of recorded refugees are changed to include; deaths, marriages and all other important information.⁵³

The third loophole identified from the study is the lack of enough refugee registration points in the country. Statistically as per January 2010, there were 358,928 refugees in the country, 18,958 asylum seekers and 100,000 stateless people in the country.⁵⁴ There are currently three locations where the registration of refugees occurs, in Kakuma, Daadab and Nairobi for the Urban refugees. The three locations have both DRA and UNHCR registration points. This points are not enough as according to Gagné of UNHCR Daadab refugee camp receives 400/500 refugees a day while Kakuma camp receives 300/400 refugees a day.⁵⁵ On the other hand Chege indicates that the Shauri Moyo office deals with a maximum of 100 refugees a day.⁵⁶

David, a refugee from Eastleigh, states that the process takes too long and he would have rather gotten a fake ID and paid for his security residing in Eastleigh because although he has the right paper work, the police do not care, they see him as an unwarranted foreigner.⁵⁷ To counter this challenge, both the DRA and UNHCR offices are involved in the RSD Refugee Status Determination process that vets out economic and 'real' refugees entering into the country.

According to DRA and UNHCR the coordination of refugee activities is one that is in a transitional phase which to date has no time frame for the full hand over of responsibility to the Kenyan Government.

⁵³ Ibid.

⁵⁴ See UNHCR- 2010 Kenya country report.

⁵⁵ Interview with L. Gagné, 26th May 2011, Nairobi.

⁵⁶ Interview with N. Chege, 25th May 2011, Nairobi.

⁵⁷ Interview with S. David, 7th May 2011, Nairobi.

Ultimately, the transitional activities between the Department of Refugee Affairs (DRA) and UNHCR although parallel in being are left unanswered as the registration, refugee status determination and settlement of refugees is a task the DRA is not currently able to handle to its level best as the lack of enough skilled manpower and amenities prove to be challenge. Gagné from UNHCR is however positive that with the continued collaborations between UNHCR and DRA, Kenya shall in time be in control of its refugee issues. The question is how long will it take.

4.3.2: Kenya Police reforms

Kenya Police reforms are ongoing, “as the Government has made some important steps. A task force appointed in March 2003 is drawing a road map for the Police Reforms. The Commissioner of Police is committed to a Police Force whose members are motivated, people friendly, open, relaxed and honest with one another and the public; know their role and mandate and be proud of their job; appreciated by the public...”⁵⁸ Having a Police Force that works for the people of Kenya is a general want by the population of Kenya. The issue however, is will the individual policeman on the ground respect each man equally. In addition to this, Kiraithe adds that “police reforms are on-going and change over the past years has been noted. Despite this, there is the general lack of acknowledgement on police issues. Security is not only an issue of the police but one that requires multi-sectoral approach.”⁵⁹ The multi-sectoral approach or multifaceted approach view security not only through the law enforcement approach but also through the use of other arms of the government that includes the Immigration Ministry playing a part in the weeding out of threats through the screening of individuals entering the country.

⁵⁸ See “Police Reform” on Kenya Police Homepage (www.kenyapolice.go.ke), 16th June 2011.

⁵⁹ Interview with E. Kiraithe, 31st May 2011, Nairobi.

Kiraithe further adds that the police are involved in trainings on modern day policing tenets that inform the police on the individual rights and freedoms of all types of Kenyan citizens. This is inclusive of sensitizing the police on the rights of immigrants.⁶⁰ Since reforms can not be seen immediately, only time will tell if the refugee community will have a different opinion of the Law enforcement of the country.

4.3.3: The Kenyan community

The question of if the Kenyan population shall become accustomed to the increased number of migrants in the host areas arises, as instability in the Somali region continues is left unanswered. The issue of migration is one that is not coming to an end as there are also economic migrants who move of free will to seek better opportunities

As communities and cultures change with time, it is only a matter of time before a decrease in societal insecurity occurs. Moreover, with the establishment of more Kenyan-Somalis and Somali refugees in Eastleigh the influence that they have on administrative issues of the area will increase and in essence, make the area one that is friendlier to the Somali population under acceptable terms of the host communities as well as the host state: Kenya. In the end, cultural integration shall occur with continued exposure of the Somali identity.

⁶⁰ Ibid.

4.4: Conclusions

The good and the bad of Somali migrant settlement has been tackled both in Chapter Three and Four. All these trends are shown as real issues that are not only theorized by different authors but also felt on the ground level of Eastleigh as well as the top level of Kenyan state operations.

Through the collection of Primary data and interactions with Kenyan- Somalis, Somali refugees, as well as non- Somali refugees, the Department of Refugee Affairs, UNHCR, IGO's and NGO's that operate within and out of Eastleigh for the people, the issue of migration and societal security is identified as a real phenomena. Therefore, it should be tackled from the Human security approach that will look into the protection of the host state, the migrants and their different distinguishing factors and most importantly the identity that each posses.⁶¹

Consequently, the solutions formulated by the relevant authorities and community based organizations can be beneficial toward the positive development of Eastleigh not only as a business district but a host community for the Somali population and other migrants.

⁶¹ L. Bteddini, "Between The Lines", (*Human Security Journal*: Vol.8 Spring 2009), p. 115.

CHAPTER FIVE: CONCLUSIONS

5.0: Summary

A number of conclusions can be made from the study as the analysis of societal security has been given. Furthermore, the historical development of societal security is explored to enable a broad platform of understanding the origin of the study.

Societal security as a discipline of Security studies is consistent of varying views to its scope of analysis as traditionally, security has been a state concern. Wolfers, “implies that security rises and falls with the ability of a nation to deter an attack, or to defeat it.”¹ However, with the considerations of existential threats Buzan, Waever and Wilde give five sectors that security can be analyzed in any state. The sectors include the military sector, political sector, economic sector, environmental sector and lastly the societal sector. Of these five sectors, all issues of human security can be examined and in essence, the security of the state.

The development of societal security which is tackled in Chapter Two, has been propelled by scholars such as Buzan who have lead in impacting the agenda for ‘international security studies’ and according to McSweeney, “the publication of Barry Buzan’s *People, States and Fear* in 1983 marked the beginning of a major shift in the academic debate on the concept of security... Buzan sought to develop a broader concept, an analytical framework and a wider international context for the study of security than that offered in the ‘national security’ tradition.”² Societal security as a concept offers an alternative view to examining how societal

¹ M. Ayoob, *The Third World Security Predicament: State Making, Regional Conflict and the International System*, (London: Lynne Rienner Publishers, 1995), p. 5.

² B. McSweeney, “*Identity and Security: Buzan and the Copenhagen School*”, (UK: Cambridge University Press, 1996), p. 53.

issues affect the security of a state. Thus, the citizen's role and institutional roles should be included in analysis of state security. According to Kiraithe, the security of Kenya should not only be tackled by the law enforcers. Instead, security in Kenya should be tackled by the entire leadership in the country where all structural capacities can be engaged in peace maintenance thus attaining a complete culture overhaul.³ This cultural overhaul can in turn lead to positive interactions within the Eastleigh society indicated as the case study of Chapter Three.

A number of issues have arisen from the settlement of the Somali population in Eastleigh over the years that stretch as far back as 1940 when Kenyan colonial policy changes occurred allowing Africans to settle in Nairobi and in particular Somali businessmen who settled in Eastleigh.⁴ Of the arisen issues there are both positive and negative issues that include; increased cost of real estate as well as an increased competitive business environment in Nairobi.

Consequently, the process of Somali migrant settlement in Kenya has been a security concern issue not only to the host Kenyan communities but also Governmental and Non-Governmental institutes. The concern stems from the instability of the Somali state where Kenya as a neighbor state is put at risk through the internationalization of the Somali conflict. Manifestations of the internationalization of the conflict include the spread of illegal arms and irregular migrants into Kenya.⁵ This in turn blurs the needs of the forced Somali migrants that seek refuge in Kenya. The issue of Somali refugee distinction is a challenge that Gagné states is not about to come to an end in Kenya.⁶ Historical ties between Kenya and Somalia tackled in

³ Interview with E. Kiraithe, 31st May, 2011, Nairobi.

⁴ E. Campbell. "Formalizing the Informal Economy: Somali Refugee and Migrant Trade Networks in Nairobi", *Global Migration Perspectives*, No. 47, September 2005, p. 8.

⁵ J. Koech, "Emerging Challenges of Security in IGAD" in M. Mwagiru (ed), *African Regional Security in the Age of Globalization* (Heinrich Böll Foundation, 2004), p. 126.

⁶ Interview with L. Gagné, 26th May 2011, Nairobi.

Chapter Three and Four indicate that the lines between the Kenyan- Somali, the Somali refugees and irregular Somali refugees is only seen with the production of legitimate identification that would draw distinction between the first two listed.

Consequently, issues of identity, migration and societal security are found to be interlinked supporting the overall objective of the study which is to examine the relationship between societal security and migration with a case study of the Somali migrant settlement in Eastleigh, 1990- 2010.

5.1: Key findings

The study explores the interactions between the host and migrant communities of Eastleigh to investigate how migration affects the societal security of host communities. The study also shows that indeed there is significant Somali influence in Eastleigh not only by the increased number of Somali people residing in the area and operating businesses but also the infrastructural development of real estate.⁷ It is from this influence that the host Kenyan communities residing in the area indicate hostility towards.

Influence according to Holsti is an aspect of power which is a means to end and the general capacity to control the behavior of others.⁸ To counter the Somali influence the host community may carry out xenophobic tendencies that Murunga calls the ‘criminalization of the Somali identity’ in Kenya.⁹ Moyomba affirms the above by citing the challenges of Somali migrant integration in Eastleigh. To the ethnic Kenyan community residing in the area, the

⁷ A. Adam. “*The Influence of Culture on Urban Form: The Case of Somali in Eastleigh.*” Department of Architecture and Building Science, (BA. Project). University of Nairobi, Kenya (2008), p. 21.

⁸ K. Holsti: “*International Politics; A framework for Analysis*”, 4th Edition, (USA: Prentice Hall. INC), p. 144.

⁹ G. Murunga, “Refugees at Home? Coping with Somalia Conflict in Nairobi, Kenya”, op cit.

Somali population in the area is Somali and not Kenyan- Somali even for those who are Kenyan. This leads to the constant police operations that are carried out in Eastleigh to find out 'who is who.'

With the growth of Somali influence, the number of Somalis residing in the area is also increasing. The increment is occurring in the backdrop of fake identities being created as well as irregular inhabitants being accommodated in the residential areas which is a security threat not only to the immediate host communities but also national security.¹⁰ The threat from the irregular migrants is identified first by the fact that their past history from their states of origin is not known. This brings out a dilemma as they may have been involved in past crimes that they are yet to be held accountable for. Gagné states that UNHCR through the Refugee Status Determination process, are able to screen the individuals entering into Kenya as refugees and through the process refer, individuals accused of crimes to the relevant authorities.

The identity crisis is one that is faced by different authorities in the country that include the Department of Refugee Affairs though newly established in operations (March 2011) and the UNHCR. Coordination of activities between the two are at an infantile stage that has the past identified loopholes in Chapter Four that include duplicate registration of refugees entering into the country due to the different databases that the two use for collection of refugee data.

Apart from identity distinction, the study establishes that both the host and migrant population of Eastleigh are faced with increased police and city council harassment. This is due to the documented increased insecurity in the area. Despite this, the business environment in

¹⁰Interview with E. Kiraithe, 31st May 2011, Nairobi.

Eastleigh is competitive and conducive to generate a significant amount of revenue in the country.

5.2: Recommendations

Societal security is an issue that affects the core of a community: Identity. "Society is about identity, about the self conception of communities and individuals identifying themselves as members of community."¹¹ Societies in turn amalgamate to form the state which has one society seen as the patriotic or nationalistic movement of the state.

In embracing the Kenyan identity, Kiraithe suggests that integration within the Kenyan cultural needs to be multifaceted in approach so that migrants and hosts can co-exist peacefully.¹² With migration playing the leading role in increasing societal security in not only Eastleigh but in Kenya, all the relevant immigration authorities need to coordinate their efforts towards the screening, registration and settlement of refugees in the country so as to eliminate the entry of individuals who are security threats in the country. This is especially with regards to Somali refugees entering Kenya because of past historical relations that are both positive and negative.

The coordination of these immigration activities can therefore lead to the respect that should be accorded to the Law enforcers(Kenya Police); which over time continues to be viewed as corrupt and discriminatory to foreigners and in particular Somali foreigners.¹³ Through the multifaceted integration process of refugees in the country, the role of the police can be

¹¹ B. McSweeney, "*Identity and Security: Buzan and the Copenhagen School*", op cit. p. 70.

¹² Interview with E. Kiraithe, 31st May 2011, Nairobi.

¹³ Interview with F. Moyomba, 23rd May 2011, Nairobi.

rebranded with the observance of law and order, which is inclusive of maintaining the appropriate identification papers and the right licenses to run a business. Undoubtedly, with the rebranding of the law enforcers and the continued integration of the Somali and Kenyan community in Eastleigh and in other host areas in Kenya positive relations are bound to increase thus leading to societal stability as all it takes is time for change to be accepted.

In conclusion, the study argues that migration plays the leading role in the maintenance of societal security but despite this, host and migrant populations can co-exist peacefully if the integration of the migrant population is attained by taking into consideration, the host state, community and resources available for settlement. The Somali and Kenyan- Somali of Eastleigh deserve the rights accorded to their categorization by the general Kenyan population, Kenyan authorities as well as all that is granted under International Law.

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List of Interviewees

- Chege Nancy, Officer in charge of Registration at Shauri Moyo, DRA Field office.
- David Girma, an Ethiopian refugee.
- Gagné Lucie, RSD Officer of UNHCR, Kenya Branch.
- Hashim Shuria, a Kenyan- Somali.
- Jimaale Abdinoor, an official of Youth Center Eastleigh.
- Juma Makau, a Kenyan.
- Kiraithe Eric, Kenya Police Spokesman, Kenya Police Force.
- Kivindu Winnie, Officer in charge of Movement Passes, Department of Refugee Affairs.

Moyomba Ferd, (Programme Officer) of Kituo Cha Sheria; Centre for Legal Empowerment.
Mwaura Victor, official in Department of Refugee Affairs.
Robert Munyiria, a Kenyan.
Sialo Virginia, a Kenyan.
Unshur Abdikirdir, a Kenyan Somali.

APPENDIX 1

MIGRATION AND HUMAN RIGHTS INSTRUMENTS

- The 1948 Universal Declaration of Human Rights
- The 1951 Convention Relating to the Status of Refugees
- The 1967 Protocol Relating to the status of Refugees
- The 1969 OAU Convention
- The 1985 Declaration on the Human Rights of Individuals Who are Not National of the Country in Which They Live, General Assembly Resolution 10/44
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- The 2006 Kenya Refugee Act.