An Evaluation of Kenya in Regionalism and Implications for Peace and Security: Combating Insecurity and Conflict Transformation

By

Dr. Solomon P. K. Muhindi
Mount Kenya University,
P.O. Box 13495-00100, Nairobi, Kenya.
Tel: +254715112507,
Email: solomonpeterkavaimuhindi@gmail.com

Abstract

This article is a critique of regionalization, combating insecurity and conflict transformation in Kenya. The objectives include: Unveiling regionalism influences on combating insecurity and conflict transformation, discovering if regionalism in Kenya is succeeding or failing in conflict transformation and thus creating a secure Kenya. Moreover, the article discusses the challenges facing regionalism in Kenya and possible remedies. The article focuses is on Kenya, one of the countries in East Africa. Regionalism is discussed focusing on international regional body; the East African Community (EAC). Secondary data was collected by reviewing accredited published journals, relevant books on the topic of study and postgraduate thesis. Collected information was analyzed in a descriptively design. Theoretically, the article adapts Roger Fisher and William Ury Harvard Principled Negotiation Theory (PNT) to explain the interaction of regionalism, the state and its regional antagonist in conflict transformation and mitigating insecurity. According to Fisher and Ury, "a good agreement is one which is wise and efficient, and which improves relationships". Thus, wise agreements satisfy both parties' interests and are fair and lasting. According to PNT, with most long-term clients, business partners and team members, the quality of the ongoing relationship is more important than the outcome of the particular negotiation. The research finds that; Kenya as a state seems not to be succeeding in accomplishing its objectives of achieving regional cohesion through regionalism. As a result, regionalism failure in Kenya has paved way to insecurity, latent conflicts and could escalate existing conflicts. In this regards, the article recommends that; Kenya as a state while intervening into regional issues and conflicts it should apply regionalism approaches rather than regionalization. Moreover, the author advocates for the Harvard based Principled Negotiation Theory (PNT) approach into interventions regarding; regionalism issues, regional policy making and implementation.

Key words: Region, Regionalism, Regionalization, Security, Insecurity, Conflict and Principled Negotiation Theory (PNT).

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Introduction

To provide a critique of Kenya in regionalism, combating insecurity and conflict transformation, this article is divided in the following sub-sections: A response to what is a region?, its conceptual approach, regionalization and regionalism in Kenya, security to insecurity in Kenya, six levels of security actors, regionalism and security in Kenya, principled negotiation (Harvard) theory perspectives in regionalism, insecurity and conflict transformation in Kenya and conclusion plus the way forward and recommendations are provided.

Objectives

The article was based on the following three objectives:

  i.   Unveiling regionalism influence in combating insecurity and thus transforming conflicts
 ii.   Assessing whether regionalism in Kenya is failing or succeeding and
iii.   Finding out possible remedies to some of the challenges facing regionalism in Kenya.

Statement of the Problem

Kenya is faced with regional disputes that are culminating into latent conflicts and could escalate into conflicts if not well addressed on time. For instance, besides terrorism attacks, Kenya is in a diplomatic disagreement with Somalia over maritime boundary. In regards to Tanzania, Kenyan pastoralists have had territorial pasture disputes with Tanzania. Also, there is an emerging latent xenophobic rivallizim between Kenyan traders and their competitors from Tanzania. Though the Migingo Island conflict between Kenya and Uganda is amicably managed, it still remains a dispute! In response to the later issues, this article evaluates Kenya in regionalism and implications for peace and security.

Review of Related Literature

What is a region?

According to Panagariya (2000) and Hettne (2005) the concept of region is used differently depending on the discipline. For instance, in geography regions are sub-national entities, either historical provinces (which could have become nation-states) or more recently created units. In the perspectives of International Relations, Panagariya (2000; Mansfield and Solingen 2010 & C de Oliveira 2017) note that regions are often treated as supranational subsystems of the international system. In fact, de Oliveira (2017) argues that regions should be understood as artifacts instead of self-evident entities fitting into a neat framework of levels and disconnected from political struggles. However, it is import to conceptualize whether regions should be seen as subsystems of the international system or they should be categorized just as emerging regional formations with their own dynamism? In general, IR

scholars define regions as continents or as supranational formations of countries sharing a common political and economic project and having a certain degree of common identity. The minimum definition of a world region is typically a limited number of states linked together by a geographical relationship and a degree of mutual interdependence Panagariya (2000). Comprehensively, a region consists of 'states which have some common ethnic, linguistic, cultural, social, and historical bonds'. Moreover, regions can be differentiated in terms of social cohesiveness (ethnicity, race, language, religion, culture, history, consciousness of a common heritage), economic cohesiveness (trade patterns, economic complementarily), political cohesiveness (regime type, ideology) and organizational cohesiveness (existence of formal regional institutions).

However, in a more scholarly perspective Panagariya notes that today, researchers acknowledge the fact that there are no 'natural' regions and that definitions of a 'region' vary according to the particular problem or question under investigation. Moreover, it is how political actors perceive and interpret the idea of a region that is critical in conceptualizing the theme of region since all regions are socially constructed and politically contested. Other concepts significant in discussing the theme of regions include; regionalization, regionalism and new regionalism as discussed bellow in the findings section.

Methodology

Secondary data was collected by reviewing accredited published journals, articles, relevant books on the topic of study and postgraduate thesis. The collected information was then analyzed in a descriptive design. Theoretically, Roger Fisher and William Ury (1981) and (2011) Harvard Principled Negotiation Theory (PNT) was incorporated in discussing regionalism and combating insecurity thus conflict transform. According to Fisher and Ury's theory, good agreement is one which is wise and efficient, and which improves relationship. Wise agreements satisfy both parties interests (Win-win) and are fair besides lasting.

Discussion of Findings

Regionalization and Regionalism in Kenya

In a different perspective of conceptualizing and application of the theme of regions, distinctions are made between regionalization and regionalism. Loughlin ; Kincaid and Swenden (2013) in their discussion from regionalization to regionalism notes that the former is understood as a top-down approach to regional issues, controlled by the central state. Furthermore, they note that, regionalization was the typical approach to regional governance and planning from the 1950s until the late 1970's. In the context of Kenya, regionalization is thus the process whereby the nation-state and its central ruling government in place through parliamentary enactments controls regional issues including; security, trade; negotiations and conflict transformation amongst others in a top down approach. In this regards, issues to do with regionalization for instance regionalization policies are wholesomely originated and implemented through states machinery.
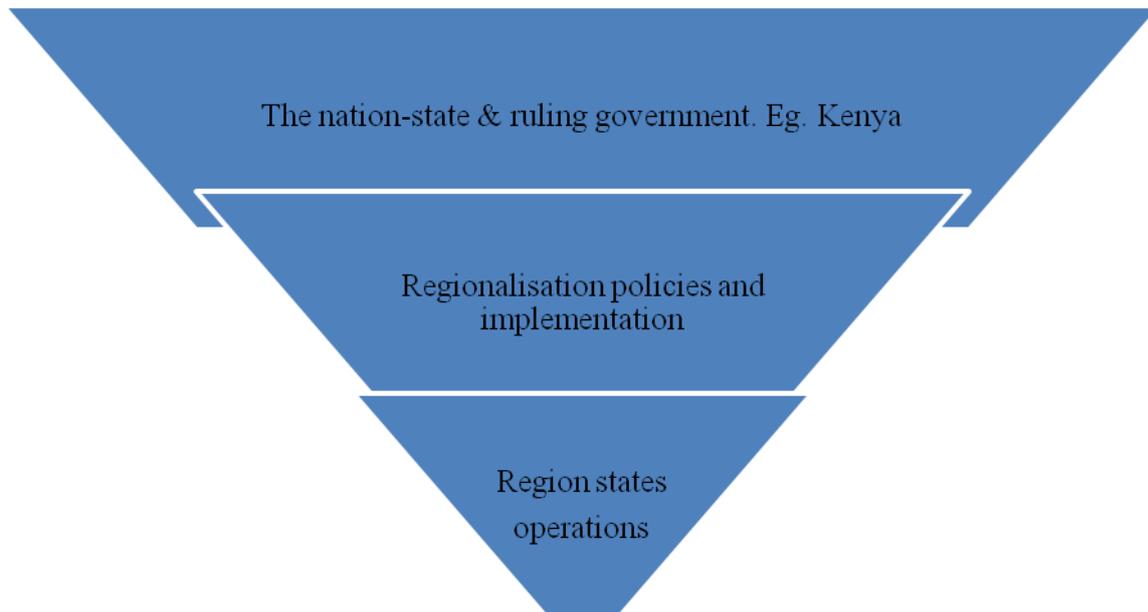
Figure: 1. Regionalization
Source: By the author (2019)

However, contrary to regionalization, regionalism is a bottom up approach in which key political and other actors from within the regions take greater control over their region's political, social, cultural and economic affairs (Loughlin; Kincaid and Swenden 2013). Regionalism may be implemented in collaboration with the central nation-state and does not necessarily risk the break-up of the state itself. In this regards, regionalism entails the involvement of the Kenya nation-state and its government in matters pertaining to regional issues including regional policy making and implementation. Regional operations and all region member states including Kenya in this case have a great stake in making decisions regarding to regional issues like security, trade and conflict transformation. Below is a diagram representing regionalism.
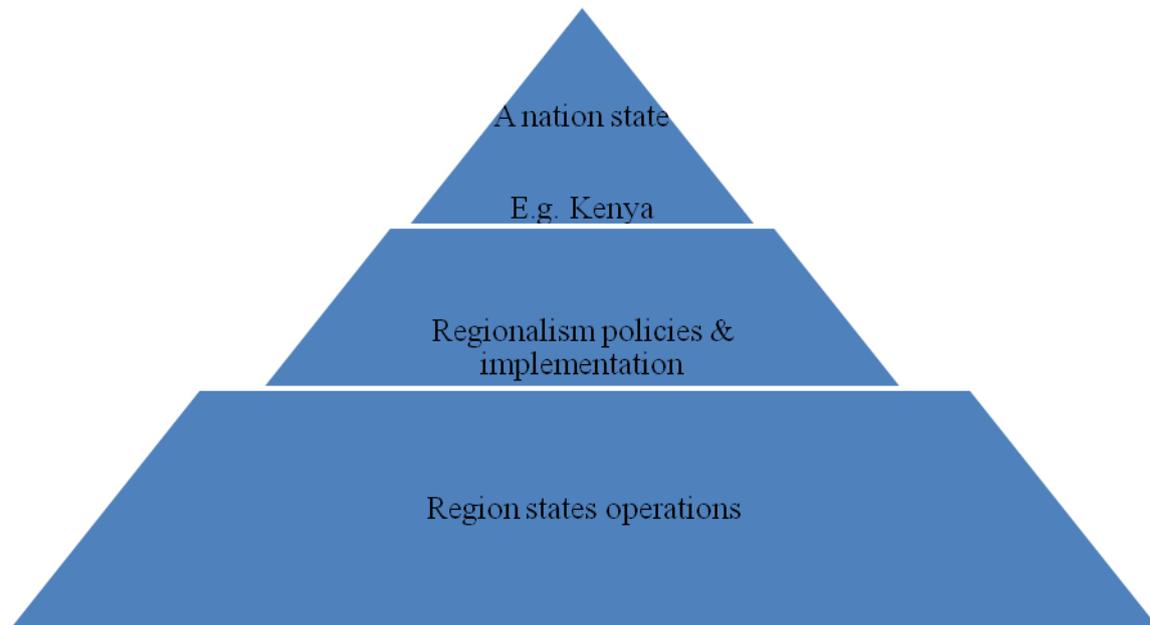
Figure: 2. Regionalism
Source: By the author (2019)

Besides the conceptualization of regionalization and regionalism, (Loughlin; Kincaid and Swenden 2013) observe that regions of various kinds have emerged as key political actors alongside national governments and, indeed, a variety of arrangements of sub-regional or local authorities have arise and participates vehemently in regional issues and as a result, such actors and their actions are captured by the term "multi-level governance". In the same vein, Söderbaum (2003) argues that it is important to recognize that there is a renewed and worldwide trend of regionalism, often labeled 'the new regionalism', and it is not confined simply to formal inter-state regional organizations and institutions. However, on contrary, new regionalism is characterized by its multidimensionality, complexity, fluidity and non-conformity, and by the fact that it involves a variety of state and non-state actors, who often come together in a rather informal congregation in regards to regional issues including policy formulation, reformulation and implementations. Multi-level governance and the concept of new regionalism represent more or less the same idea in regards to regionalism.

Security to Insecurity in Regionalism

The concept of security according to Buzan (1981); Heurlin and Kristensen (2002); Gary and Murray (2002); Marianne (2009); is a highly contested concept. Security is a word in common use, used in relation to a wide variety of personal and collective activities and conditions (Buzan 1994 & Marianne 2009). It is possible to distinguish between security in normal daily activities for instance (job, economy, sex, transport, food), security for positive, desirable conditions such as (democracy, freedom, prosperity, development, a good life), and security against negative conditions for instance; (war, pollution, crime, all kinds of threats). In general there are three different realms for the term "security" according to the above scholars. Firstly, the broad, day-today common use of the word refers to a position aspired to: of being safe, secure and protected. Secondly, is the political use of the term (security), in

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reference to political actions, processes, or structures that can secure the safety of a political entity such as the nation-state; Kenya. In the political sphere the term "security" is used as a political tool, for example, to provide a certain phenomenon with a specific priority by placing it in the realm of high politics. And finally, "security" can be used as an analytical concept to identify, describe, understand, explain, or even predict phenomena in the general social realm; phenomena such as "security policy," "security policy interaction," or "security institutions and structures." In the later regards, security interacts well with the notions of multi-level governance in new regionalization. Coupland (2007), categorizes security into three levels including: peoples security, national security and international security. Below are six levels of actors in security according to (Heurlin and Kristensen 2002).

Six Levels of Security Actors

Heurlin and Kristensen (2002) provide a useful distinguish between six levels of security, each defined by the security actors that at the same time are victims of the security-related threats at their level. The six are as outlined below:

i. Security for the individual (individual security).
ii. Security for the social group, the community, "nation," organized national or ethnic entity (societal security).
iii. Security for the state or "nation," in the US terminology (national security).
iv. Security for the region, that is, a coherent security region, not necessarily one based on proximity (regional security).
v. Security for the society of nations or what could be referred to as "international society," consisting of all or most states in the world (international security).
vi. Security for the globe, meaning "Spaceship Earth" or the planet (global security).

The absence of the above security levels, and categories, culminates into insecurity. In regards to the English Oxford Living Dictionary, insecurity is a feeling of uncertainty, a lack of confidence or anxiety when you feel vulnerable. It is a state of being subject to danger, injury, threat, lack of protection and lack of confidence. INEF Report 102/2011 categorizes insecurity into: economic insecurity, food insecurity, health insecurity, personal and community insecurity, political insecurity and human insecurity. According to the World Bank's discussions on poverty, insecurity types can be broadly linked to factors such; survival and livelihoods, natural disasters, crime and violence, persecution by police and lack of justice, civil conflicts and wars, macro-policy shocks and stresses, social vulnerability, health, illness and death.

Regionalism and Security in Kenya

Amitav (2015) accentuates the fact that there is an increasing demand for regional security arrangements (both indigenous and Great Power-Sponsored) in the third world, as a key feature of the post-cold war has multifaceted security order. As a result, regional security interdependence and autonomy is inevitable and this scenario calls for the concept of Regional Security Complex. Amitav notes that within a regional security complex, two factors play a central role in determining the balance between amity and enmity. The factors include; the degree of security interdependence among individual actors in a region and a measure of regional identity and autonomy collectively recognized by member states in a region. For instance, what is the degree of security interdependence of Kenya with other member states in the East African community? Recognizably, Kenya is the most

economically endowed state in the East African community and due to its status; Kenya might, or is highly prompted to depend less on other member states in the region. Thus, it is definitely evident that the measure of regional identity and autonomy of Kenya collectively recognized by other regional member states in the East African region is of a 'superior' status. As a result, diplomatic disputes have arisen between Somalia and Kenya due to territorial maritime boundaries. Though being resolved amicably, Kenya and Uganda have had disputes over the Migingo Island. It has also been reported that the diplomatic relations between Kenya and Tanzania were strained over the seizure and sale of cattle belonging to Kenyan Maasai herders, and that there after, Tanzania was in the process of auctioning another batch of Massai herder's cattle for crossing into Mount Kilimanjaro National Park in search of pasture. In the later regards, definitely, it is clear that amenity is emerging and might supersede amity of Kenya with some member states of the East African region. Such scenario might be complicated with the regional identity and autonomy that Kenya possesses in the region.

The emerging regional enmity between Kenya and some East African member states, fulfills Adamides (2018) hypothesis that states facing an overarching threat [for instance the Alshabab terrorism in Kenya] tend to focus almost exclusively on the threats and might subsequently ignore or under-estimate other potential great threats, while at the same time they may miss on opportunities to enhance their domestic, and even regional, security and geopolitical standing. In this regard, the author proposes a principled negotiation approach to regionalism issues pertaining to security and conflict transformation in Kenya.

Principled Negotiation (Harvard) Theory Perspectives in Regionalism, Insecurity and Conflict Transformation in Kenya

In their book "Getting to yes: Negotiating Agreement without Giving In", Fisher and Ury (1981; 1991 and 2011) describe a "good" negotiation as one that is more than just getting to "yes." See also Matkin Q. C (2019) in the later regards. According to Fisher and Ury, a good agreement is one that is wise, efficient, and improves relationships. In this regards, it is the author's proposal that the nation-state Kenya, its government and foreign regional policy implementer's while interacting in regionalism issues dealing with security and related conflicts, they should focus to attain wise and efficient agreements that would enhance regional cohesion. Such agreements would satisfy Kenya and its regional protagonist's interests fairly and as well, could culminate into lasting conflict transformative measures within the regions. The Harvard approach to principled negotiation postulates that the quality of the ongoing relationship in a long term is more important than the outcome of the particular negotiation. Thus, it is vital that Kenya should consider its ongoing regional prelateships with its protagonist in security issues and related conflicts. Besides, Fisher and Ury outlined the following four prescriptions of principled negotiations:

i) Inventing options for mutual gains for both Kenya and the antagonistic regional states
ii) Separating the people (regional states) from the problem
iii) Focus on interests of the antagonizing states and not their positions in the region
iv) Insisting on the use of objective criteria (Win-win approach)

In regards to inventing options for mutual gain, Fisher and Ury (2011) as well as Matkin Q. C (2019) identify four obstacles to generating creative problem solving options. They include; deciding prematurely on an option and thereby failing to consider alternatives; being too intent on narrowing options to find the single answer; defining the problem in win-lose terms; or thinking that it is up to the other side to come up with a solution to the party's problem.

This article recommends that the state Kenya, while interacting with its antagonist regional states through regionalism, the state should not make premature decisions (as in the case of 'Somalia and Kenya maritime dispute'); instead, Kenya should always seek for all other amicable problem solving options for instance diplomatic approaches including negotiations, mediations, least arbitration and international law interventions. Neither, should Kenyan regional policy makers and implementers be rigid on narrowing options with intent of find single answer in regards to regionalism issues. Moreover, the author proposes that for Kenya to retain good regional relationships, it should approach regionalism issues in a win-win terms in conformity with the principled negotiation approach tenant that "the quality of the ongoing relationship in a long term is more important than the outcome of a particular negotiation". It follows that regionalisms issues arising into disputes and conflicts should be approached in such a way that there is an amicable mutual gain between Kenya and its antagonistic regional state. This would be well achieved if the Kenya regional policy makers and implementers approach regionalism issues by focusing on the interests of antagonizing states, real issues of the conflict and not their positions in the region as the economically and secure state. If the principled negotiation approach is adopted, Kenya is most likely to amend its regional and regionalism conflicts, tremendously combat insecurity and transform underlying regionalism conflicts.

Conclusion, Way Forward and Recommendations

The article concludes that Kenya seems not to be succeeding in accomplishing its objectives of achieving regional cohesion through regionalism and thus a latent escalation in insecurity and conflicts. This is justified by existence of regional conflicts between Kenya and some member states in the East African region for instance; the Somalia-Kenya maritime boundary conflict, the managed Uganda-Kenya Migingo Island conflict and the Tanzania-Kenya pastoral disputes besides the mild arising xenophobic trade related conflicts among Kenya and Tanzania traders. The author also advocates for application of regionalism approach rather than regionalization in intervening into regional issues and conflicts. Regionalism failure paves way to insecurity and conflict escalations. Besides, regionalism issues, regional policy making and implementation by the state should carried out in regards to the Harvard based Principled Negotiation Theory (PNT) approach that accentuates the fact that the quality of the ongoing relationship between states is more important than the outcomes in negotiating regional security issues and conflicts. Wise agreements should be reached that would satisfy both parties in the region.

In conclusion, the author is in agreement with Söderbaum (2003) and Loughlin; Kincaid and Swenden (2013) that in spite of a proliferation of research and interest in various forms of regionalism, there is surprisingly little theoretical scholarly documentations. Often the purpose is descriptive or to provide historical and empirical rather than conceptual and theoretical insights into regionalism. Thus, the article recommends that scholars in the discipline should consider amercing in deep researches both incorporating secondary and primary data and as well come up with models and theories that could transform regionalism conflicts and thus combat regional insecurity.

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