Conflict in Somalia and Crime in Kenya: Understanding the Trans-Territoriality of Crime

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ABSTRACT

This study examines the effects of the persistent Somalia conflict on security in Kenya. It reviews the historical connection between ethnic Somalis of different citizenship. Against this backdrop, the study examines the trans-territoriality of crime in the region by focusing on arms trafficking between Somalia and Kenya. It interprets this trans-territoriality as one of the fall-outs of post-Cold War conflicts in Africa. By analysing why Kenya is a favourite destination and settlement for Somalian refugees, the study also accounts for the influx of small arms into Kenya. Using the case of Eastleigh estate in Nairobi, the study analyses the nature of criminal activities in Nairobi. It questions the simplistic view that Somali refugees are behind increased crime in Eastleigh. On the contrary, we show that the criminal identity of the Somali in Kenya is a product of an intolerant post Cold War political environment that marginalizes and scapegoats refugees and an international post-Cold War economy that supports rather than deters illicit trade, including that conducted by refugees.
Introduction

Kenya has always regarded the Somali as either an internal nuisance or embarrassment.\(^2\)

Today the prevalence of modern weapons, Somalia’s most significant legacy of superpower involvement during the Cold War, has undermined the very foundation for order in Somalia’s society – the authority of the clan elder.\(^3\)

[T]he instability in South-West Somalia is hurting Kenya’s security because of the influx of illegal arms across the border.\(^4\)

The New World Order is an intricate part of the persistent conflict in the Republic of Somalia.\(^5\) The fiasco of American intervention in Somalia to restore peace, pave way for humanitarian assistance and establish a central government in 1992 spoke to the connection between the world’s superpower and the conflict in Somalia. This connection has attracted enormous attention, mainly because of the media reporting of the ghastly misery in Somalia.\(^6\) But there is a more regional process that needs attention. This concerns the effects of the Somalia conflict on neighbouring countries in East Africa and the Horn.

This article focuses on conflict in Somalia and its relationship to crime in Nairobi, Kenya. It is divided into three parts. First, it reviews the history and transition of Somalia from the Cold War to the Post Cold

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\(^5\) Colonialists partitioned the ethnic Somali into Italian Somaliland (now Eritrea plus Southern Somaliland), British controlled Northern Frontier District of Kenya, French Somaliland (now Republic of Djibouti) and Region Five of Ethiopia. At independence, the divisive boundaries were retained as part of the Organization of African Unity policy on national territories. Ethnic Somali were divided into Somalia, Kenya, Djibouti, Ethiopia and later Eritrea. This article focuses on ethnic Somali of Somalia and Kenyan citizenship. Unless otherwise stated, the former will be referred to as Somalis or Somali refugees and the latter as Kenyan Somali. In places where ethnicity rather than citizenship is in focus, Somali will be used. The point is that there are Somali who are not citizens of Somalia.