EXPLORATION INTO THE REINVENTION OF SOMALI IDENTITY AND SOCIAL STRUCTURE IN KENYA

A thesis submitted to the Miami University Honors Program in partial fulfillment of the requirements for University Honors with Distinction

by

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May 2007
Oxford, Ohio
ABSTRACT

EXPLORATION INTO THE REINVENTION OF SOMALI IDENTITY AND SOCIAL STRUCTURE IN KENYA
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Collective identity is constructed from within the collective and by external factors and actors. It is the interaction between those within the collective and the limits dictated by those outside the collective that shape and reshape the collective over time. This thesis looks in particular at the way in which clan membership, ethnicity, citizenship, nationality, instrumental group associations and/or status as refugee plays in the construction and reinvention of Somali collective identity in Kenya. It examines both the claims made over time by those within the collective and the influence of agents outside of the community such as, the government in terms of its policies and enforcers. By examining three distinct periods in Kenyan history, the thesis shows the way in which interaction with the Kenyan space and the people that exist within it have engaged in the shaping of Somali identity. While the definition of who is Somali and what characterizes being Somali has changed over time, it is clear that there still remains a strong sense of being Somali.
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ACKNOWLEDGMENTS

I feel as though I should begin as all those people who receive awards on TV by first, thanking God, then, the academy, then, and my mother for nothing would be possible without her. And while all those things apply, there are many left out and in all reality, I would not be able to name them all here either. For all those who have contributed, directly and/or indirectly to the completion of this work, I thank you from the bottom of my heart.

Thanks to Dr. Christian, Dr. Dawisha, and Dr. Saine, my committee members. Thanks to my informants during my research in Kenya and all those who facilitated it. I am grateful for the assistance provided by the librarians at the Kenyan National Archives and at Miami University. Much thanks to the guidance of Dr. Luzadis and my dearest friend Rosalia Ngugi who pushed me when I couldn’t push myself. To my mother and sister who bring color to my life and work, I am eternally grateful. None of this would have been possible without the support of Miami University through Undergraduate Summer Scholars and the Honors Program. Thank you thank you thank you… you know who you are and what you did!
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Background

Somalia is a country located on the Horn of Africa bordering Kenya. Its citizens are referred to as Somalis. Somalia has in the past few years come to world attention for a number of reasons such as hunger, drought, war, and refugees. In the State Index, it is considered a failed state having no central governing body in place since being embroiled in a civil war in 1991 and continuing inter- and intra-clan conflict since. The conflict in Somalia has resulted in thousands of refugees seeking refuge in many of the surrounding countries; among them are Kenya, Ethiopia, and Yemen. With the conflict having lasted so long, Somalis have been resettled, and at times resettled themselves, all over the world giving them as a people a very diasporic quality. They have become a common feature in Europe and the Americas. In the US, Somalis have built rather significant communities in Minnesota and Columbus, Ohio. During one summer, I worked in the Columbus area where I met many Somalis who showed a great familiarity with my home country, Kenya. It was during these conversations that I found quite a number of them had lived in Kenya before being resettled in the US. However, some who identified themselves as Somali indicated that they had been born in Kenya and gone to school there and had migrated to the US of their own choice. Many asked me if I was familiar with Eastleigh Estate, a neighborhood in Nairobi and indeed I was. When I was growing up, there were five years during which my family lived in Pangani, the area bordering Eastleigh. It was during that time, more than any other time in my life, where I was near a significant Somali community. As I tried to ran through my memory I recalled women who were
veiled in black, *miraa*\(^1\) (mild stimulant) wrapped in banana leaves being sold, large shopping centers, and some loudest and most colorful *matatus* (Kenya’s name for private transportation vehicles) in town. Perhaps because I was young, my observations were quite superficial. The people I spoke to in Columbus made me think once more to the Somalis in Nairobi. I realized that I had missed much of the story of this community. I went back to Kenya with the intention of exploring the experiences of Somalis residing within the urban setting of Nairobi, Kenya with the focus on the ways in which the social structure of the Somali community has been reinvented in this place away from ‘home’. I sought to examine the ways in which clan membership, ethnicity, citizenship, nationality, instrumental group associations and/or status as refugee played in the construction and reinvention of their identity both as individuals and as members of their self-defined community. In addition, I was interested in the influence of agents outside of the community such as, the government in terms of its policies and enforcers, as well as the interaction that exists between the Kenyan communities with whom they share the same space.

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\(^1\) Miraa or *khat* or Catha edulis] is a tree indigenous to highland areas of eastern Africa. The leaves and tender parts of twigs are chewed to produce a mildly stimulatory ‘high’. Catha edulis is the substance of choice for alcohol eschewing Somalis as well as many other Muslim and non-Muslim peoples in Africa and Arabia. It is typically consumed in a social context (Goldsmith 474-5).
Methodology

Due to the rather abstract nature of the questions, there was neither a particular place that the answers could be found nor any one person who could tell me in any definite way what I was seeking. Instead, I had to use a variety of methods from which I could gather some information to build on theories already existing. I conducted in-depth interviews with a government official, an army officer, employees of UNHCR, and several members of the Somali community in Nairobi with whom I came into contact. As there was no prepared compiled list of interview subjects, I used the snowball method of gathering informants. I explained my research to the contacts I had and they in turn introduced me to someone else who they thought might be helpful. The data was recorded using a tape-recorder, handwritten notes, and pictures. I also used unobtrusive means to collect data by examining archival documents, government documents, and local news. In addition, I reviewed the works of others who had written on the topic. While I collected some valuable information, this by no means is a full account of the Somali community in Nairobi due to both time and resource limitations. In addition, as this study relied on the personal accounts of some, it is subject to bias. Nor are any of these individuals empowered or even able to speak for the community as a whole. Nonetheless, as this was an exploratory study, it is my hope that it gives us a glimpse into the community and inspires future scholars to delve deeper.
Theoretical Background

The question of identity is one that has been the center of many inquiries both academic and otherwise. One of the more common inquiries on identity may begin with, “who am I?” Of all the answers offered, the most compelling for me is, “I think therefore I am.” While that sort of question tends to emphasize a more individualistic response, humans are social creatures and our conception of identity/self is reflective of that aspect of our nature. Identities have been tied to the family, the clan, the ethnic group, the tribe, and the nation amongst others. These forms of identification are considered by some pre-modern as drawing upon qualities such as blood-ties and common ancestors. Some might argue that in this new age of globalization, these pre-modern arrangements have lost their usefulness in a world where one’s access to resources and power depends on one’s class. However, it appears that the salience of these ‘pre-modern’ forms of identification remains. In fact, some may argue that globalization, instead of creating a single global community or new forms of organization, has strengthened some of these pre-modern forms of identification particularly nationalism as part of the globalization backlash. As Cornell and Hartmann (1998) phrase it, “distinctive cultural practices have declined over time, but the identity—that sense of ethnic distinctiveness—has not” (18). Most contemporary studies of identity tend to view national identity as the broadest form of identity that surmounts all others. It is still a matter of debate as to what a nation is, who belongs in one, where a nation is, why a nation is, and/or how and when a nation comes into being. Outside of nations, these same questions apply to ethnic groups, clans, and other communal identities. While many have contributed to this debate, it is not within
the scope of this paper to cover the entire discourse but rather to outline some of the major points.

Bassam Tibi (1997) in discussing the nation points out that nation formation can occur outside of the state but acknowledges that nation formation may at times occur concurrently to the formation of the state. This implies that to some extent, the state, or the state formation process, may be an agent in the conception of the nation. Cornell and Hartmann (1998) in discussing ethnicity talk of the process of constructing identity from within and outside the collect. They state:

Although an ethnic group is self-consciously ethnic, its self-consciousness often has its sources in outsiders. The identity that others assign to us can be a powerful force in shaping out own self-concepts. To say that ethnicity is subjective is not to say that it is unaffected by what others say or do. Indeed, outsiders’ conceptions of us may be a major influence leading to our own self-consciousness as an ethnic population. Others may assign us an ethnic identity, but what they establish by doing so is an ethnic category. It is our own claim to that identity that makes us an ethnic group. The ethnic category is externally defined, but the ethnic group is internally defined (20).

The quote, while acknowledging that outside agents do have an impact on identity formation, requires that the collective self-identification is the key. Craig Calhoun distinguishes the concept of nation and ethnicity as it being a matter of autonomy. Nations, in his view, differ from ethnic groups in that the nation is viewed as an intrinsically political community, as a source of sovereignty (Cornell and Hartmann 1998, 36). Collectives based on kinship tend to emphasize blood ties and common ancestors. As Calhoun (1997) notes, “although nationalism, ethnicity and kinship represent three distinct forms of social solidarity, they may overlap – or articulate with each other – to varying degrees in specific situations. In some cases they may be mutually reinforcing; in other tensions among them may pose serious problems for attempts to
forge larger ‘national’ solidarities in multi-ethnic societies” (29-30). In these multi-ethnic societies, it may often fall onto the state apparatus to forge this ‘national’ solidarity for which they use whatever tools may be available to them. The effectiveness of these policies is often limited by the collective’s agency in determining if they will internalize the identity being ascribed to them.

Discourses on collective identity also tend to fall within or between three orientations, i.e. primordialists, constructivists, and instrumentalists. According to Özkirimli (2000), “one common denominator of the primordialists – with the exception of culturalists – is their belief in the ‘givenness’ of ethnic and national ties. If the strong attachments generated by language, religion, kinship and the like are given by nature, then they are also fixed, or static. They are transmitted from one generation to the next with their ‘essential’ characteristics unchanged” (75). Some constructivists, critical of these essential characteristics, argue, that all traditions are ‘created’; none are truly primordial. Such creations are potentially contested and subject to continual reshaping, whether explicit or hidden (Calhoun 1997, 34). Other constructivists argue that these constructions can begin to seem primordial making alternative identities inconceivable (Mortimer 1999, 13). For Özkirimli (2000), instrumentalists view ethnic and national identities as, “convenient tools at the hands of competing elite groups for generating mass support in the universal struggle for wealth, power and prestige” (109). The instrumentalists appear to be more interested in the ways that the deep psychological bond that people create in collectives can be used to achieve other means. Some, like Robin Cohen, make the argument that instrumentalist and constructivists make it seem like people are able to move in and out of identities at will, but the reality is that actions
and policies taken by external actors, particularly when they are a dominant group, have a huge role in determining any such thing as ‘choice’ (Mortimer 1999, 8).

The discourse on identity is made even more interesting and complex by the level of interaction and movement occurring across the entire globe. Heisler (2001) summarizes it quite well noting:

Transnational migration significantly affects individual and collective identities, and it creates new identities. It can change the forms and meaning of borders within, as well as between, states; and it increasingly challenges, and sometimes recasts, domestic and international orders. Migration affects people and institutions at all levels, from the individual or psychological to collectivities of various kinds and sizes, and even the putative global system...In some parts of the world migration is a bordering and rebordering force that affects identities and, not infrequently, creates new ones. Migrants may establish temporary, if long-term, enclaves on the edges of the host society, or they may enter it as smoothly and quickly as possible by assimilating. Migration often raises contentious questions about civic order in receiving countries (or host countries) and about relations between them and the countries of migrants’ origin,” (225-6).

Due to the relative ease at being able to change one’s country of residence, identities formed can be partial, intermittent, and reversible (236). As such, movement of people across territory to some extent makes the process of constructing and reconstructing identity more complex. Yet, it appears that the examination of migration better reveals the fluidity of constructed collective identity.


Introduction

Somalis in Kenya can only be discussed in so much that territories named Somalia and Kenya exist. As such, this work only covers the period from imperial intrusion, when these territories were bounded off and named, to the end of 2006. The Somali people during colonization were spread throughout Italian Somaliland (now Eritrea and southern Somaliland), British Somaliland (now North Eastern Province of Kenya), French Somaliland (now Republic of Djibouti), and what is currently Region Five of Ethiopia (Murunga 2005, 146). Kenya’s North Eastern Province is one of the regions of greater Somalia represented by the five-pointed star imposed on the blue background of the Republic of Somalia’s flag (Goldsmith 2005, 463). While the inhabitants of the two territories interacted prior to the arrival of the Europeans, it is not a focus in this study.

The paper begins by introducing the existing discourse on Somali identity and social structure and then examines three main events in the interaction of Somalis and non-Somalis within the Kenyan territory. The first is the seeking of Asiatic status by Somalis in colonial times and the various implications. The second is the desired secession of the then Northern Frontier District of Kenya and the following Shifta conflict. Finally, we look into the collapse of the Somali government and the ensuing exodus of Somalis into Kenya seeking refuge. These events are selected to illustrate both the level of interaction that existed and the implications that interaction had on the conception of identity. While the interaction also affected the identity of non-Somalis, it is not the focus of this work. In looking at these three events, this paper aims to show the way Somali identity and its social structure, in the context of its interaction with non-Somalis within the Kenyan territory, has reinvented itself through time and space.
Discourse on Somali Social Structure

Every collective seeks to map out the beginning of its existence and holds this in high esteem. Kusow (2004) starts us off with the narrative surrounding the question of origin of the Somalis. He states:

The lineage-based narratives follow from the premise that the Somali founding ancestor originated from southern Arabia, settled in the northeastern region of the country, and married a local Somali woman. This union, according to the narrative, started what became the source of contemporary Somali society, and by extension its national identity. As simple as it may seem, the above narrative establishes two ontological points: (1) an original, Muslim and non-indigenous founding ancestor and, (2) an original dispersal point. The first part of the narrative establishes the Somali ancestor as an immigrant from Southern Arabia who practiced Islamic values, otherwise Arab and Muslim. The second part of the narratives locates the original landing as well as the settlement place of the founding ancestor in the northeastern region of the country. Each dimension of the narrative constructs a social boundary of Somaliness [original italics] that includes certain segments and clans and excludes others from the social boundary of Somaliness (2).

It is thus established that Islam and the Northern region are important aspects of defining the origin of the Somali society. Ahmed (1995) argues that the claim that Somalis are descendants of the Prophet may arise from the history of leadership in Islam. He argues that Somalis took away from the struggle following the death of the Prophet over who would lead the Umma the lesson that the closer one is to the house of the Prophet, the greater chance one has to be a leader of a non-Arab community. As such, claims of Arab descent and connection to the household of the Prophet may be employed in order to gain political ascendancy (18-20). The social political organization of pastoralists is characterized by Mohamed Farah (1993) as, “a system of segmentary lineage, where members of different lineages share a patrilineal descent origin. Among the Somali pastoral groups, there are four major levels of segmentation existence, with the segment
of the clan-family representing the widest point of agnatic affiliation, followed by the segment of the clan, the segment of the sub-clan and lastly the segment of the reer or the diya payment segment as it is otherwise known” (112).

The construction of the Somali nation came into competition with the existing social structure that greatly valued kinship ties. Hashim (1997) notes:

At the heart of every effort is the desire to protect the extended family, the reer, and the clan. The inhospitable environment dictated that survival would demand clan loyalty. The larger, grander perspectives of a nation state would be pushed aside by the habit of strengthening the clan as a practical necessity in the routinalization of survival…The transhumance strategies that allow a way of life to develop do not permit theoretical speculation about the greater good…One relies on face-to-face interrelationships (4).

Here, Hashim argues that in times of scarcity the clan rather than the state was often better equipped to meet the needs of the people. While it would appear that nationalist sentiment is subverted by the clan due to scarcity, there are times when scarcity brings about a semblance of unity across clans. This is not to say that it brought about a greater understanding of the nation as it was being imagined, but rather it showed that the imagined borders of the clan are not nearly as fixed as biology would imply. In nomadic society, there are times of hardship, particularly in the form of drought or conflict when it becomes increasingly difficult hard for smaller or weaker clans to survive. During these times, the more powerful clans took control over the water sources and had the capability to protect themselves. However, according to the practice of shegat, a clan or a family that faces difficulty may request for assistance. As news of environmental disasters or conflict quickly travels, their genuineness is easily assessed. In shegat, the weaker clan is temporarily absorbed into the more powerful one to facilitate the sharing of scarce resources. Usually, the clan seeking assistance sends someone who may be related to the
more powerful clan to begin the negotiations. If there is a rivalry between the two clans, then the process is more complicated because otherwise, the friendly clans are easily absorbed. In case of rivalry, the women become important in their ability to link the two clans together through marriage. If one of the women married into the clan belong to the rival clan, then it is easier to negotiate especially if she came from an influential family within the clan that may offer protection. Thus, the woman, although regularly not seen as belonging to a position of power acts as a bridge between the various clans that may sometimes be the difference between life and death (AAA, Interview July 14, 2006). This role of women is supported by Samatar (1994) who notes:

A woman’s value to both groups was institutionalized in the practice of exogamy, which prescribed that men obtain brides from outside their own immediate kin group. Because exogamy, from the perspective of the group, was to promote the likelihood of peaceful conflict resolution and economic resource sharing among groups competing for scarce resources, each married woman became a significant bearer of social capital in that she represented to both communities the rights and duties of reciprocal sharing...although barred from economic autonomy, women’s labor was crucial to the central economic pursuits of pastoral society (217).

The norm during all other times is that members of the same sub-clan tend to retain especially strong reciprocal obligations to relatives, even if they are complete strangers who might share a common ancestor five or six generations removed (Goldsmith 469). However, as is shown by the practice of shegat, reciprocal obligations are not limited by ancestry and are subject to change to meet changing situations.

The major clan-families are the Dir, Darod, Isaq, Hawiye, Digil and Rahnweyn. The first four claim their common ancestor to be ‘Samaale’ while the last two claim ‘Sab’ as their common ancestor (Lewis 2004, 495). While the principal clan families are not territorially delimited, they tend to occupy distinct geographical locations with the Isaq
and the Dir in the north; the Digil and Rahanweyn in the agricultural areas in the south; the Hawiye in and around Mogadishu and the Darod in the south and north. There tends to be a degree of overlap between these groups and while one may identify as belonging to a particular clan family, the clan is the most immediate level of identification (Griffiths 2002, 30-1).

During the colonial era, the state and the urban middle class became involved in the reimagining of the clan. The state, having usurped the power to assert legal and political authority over people’s productive activities, wealth, power and prestige, maintained the clan and its leaders as part of its larger scheme of maintaining order in the colonies through indirect rule (Samatar 1994, 222-6). Griffiths (2002) charts the involvement of the urban middle class as having gained pace from the 1920s with the formation of the first Somali association which used clan identities to bolster their position, “(a), economically, with merchant classes emphasizing their kin-relations with their pastoral suppliers, and (b), politically, as the ‘state-class’ competed for control of the state apparatus in the postcolonial period” (35-6). Somali scholars have thus asserted that clan is a constructed, not a natural or innate, communal identity, and that this communal identity is not traditional and not a dead weight inherited from the pre-colonial past, but rather a modern (late colonial and post independence) identity forged by Somalis in their interaction with each other and the colonial and post-independence states in the context of patriarchy and the capitalist world economy. And although there are references to kinship in a biological sense, biologically this community is indeed imaginary (Samatar 1994, 212). Griffiths (2002) goes on to argue that this organizing principle was not replaced by the post-colonial state in Somalia as the state proved unable
to guarantee security for its inhabitants (46). Griffiths (2002) concludes that ‘clannism’ is both a contemporary ‘imagined’ collective identity and a distortion of the moral framework of pre-colonial Somali kin relations (37).

As most work is incomplete knowledge, scholars have made contributions that both build upon and critique works of the past. Ahmed (1995) articulates, and criticizes, some of the claims made by Somalis and scholars of Somali, concerning Somali collective identity. Somalis claim that they, as a collective, are more homogenous than any other African nation (19). This claim tends to exclude the Gosha who share many characteristics with those considered ‘pure Somalis’. Ahmed (1995) talks of the Gosha, in great detail (44-54). Kusow (2004) in a quick summary of this minority collective states:

The other groups permanently removed from the Maandeep [paradigm that constructs the social boundary of Somaliness on the basis of lineage priorities] social boundary of Somaliness is the so-called Bantu/Jarer Somalis…They are referred to as Adoon, meaning slave, or Jarer, meaning “hard textured hair.” In other situations, they are referred to as Gosha (people of the rain forest), or Reer Shabelle (people of the Shabelle river). Despite the variation in naming, though, all such references are derogatory in nature because they are, according to the lineage narrative, associated with African-like physical characteristics, slave status, or with primitive and uncivilized mode of existence in the impenetrable rain forests around the Jubba and Shabelle rivers of southern Somalia. Beyond the alleged physical and location-based stigmatization, though, the Jarer people are stigmatized, and in some cases, violently oppressed by the narrative that they originated from imported slaves from East Africa during the nineteenth century, which further facilitates their social exclusion from the boundary of Somaliness (4).

Although their exact origin is unknown, some claim that their ancestors came from Arabia while others tell of a phir’onic civilization originating in Puntland. There is contention even on the exact meaning of the word ‘Somali’. Another claim often made is that there is only one Somali language while there is evidence of languages such as Mai, Jiddu, and Dabarre, to mention just a few (Ahmed 1995, 19). It must be brought to bear
that the people who write about the Somali collective, even as outsiders, have been part of the invention of the group identity and as such their writing, even with its ‘weaknesses’ offers valuable insight. This is a full acknowledgement that the work of scholars, including this work, is engaged in the process of identity formation. I make no claim of being value-free or objective. As most of the contemporary scholars work off of the work of I.M. Lewis, this examination of Somali identity does include a discussion on lineages but will hopefully incorporate new dimensions derived from the critique of earlier works.

To link this discussion to the contemporary, Goldsmith (2005) argues that for a while, Siyad Barre had tried to move away from the clan as the major organizing factor as he was promoting a more socialist ideology for the state of Somalia. However, when the Somali invasion of the Ogaden region of Ethiopia in 1977 resulted in a defeat by March 9, 1978, Barre went back to a patrimonial form of governance where regional background, clan politics, marriage and friendship were more important. Barre supported the clan-identified individuals that supported him and punished those who did not (466-7). As we see, when a proposed form of social organization did not provide adequate security and/or access to resources and power, the people and those leading them tended to return to the clan. While this very brief history on Somalis’ collective identity is one formed for the most part in Somalia, it presents a foundation upon which to examine any reconstruction as certain patterns may become evident.
Colonial Period

In order to see the development of the social organization of the Somalis in Kenya, it is imperative to look into the past. The dominant imperial presence in Kenya was the British. In the areas inhabited by Somalis, Italy, Britain and France were all able to get a piece during the scramble for Africa. Although Kenya and Somalia were separate colonies, they were administered by the same imperial power. Kenya was taken by the British to provide a route from Lake Victoria and the promising colony of Uganda to the Indian Ocean. As such, the building of the Kenya-Uganda railway passing though the country began in 1895 and ended in 1905. Nairobi was a stop along the railway line that began to grow as a settlement, referred to as a ‘tin town’ in its earlier days due to its shanties built of corrugated iron. This settlement drew other people who saw it as an opportunity to trade and perhaps settle in with the hopes of finding a place within the ranks; among them were Indians, Swahilis, Arabs and Somalis (Hake 24). Somalis probably accompanied expeditions, worked as askaris (guards), gun-bearers or traders. They may have arrived in Nairobi as early as 1900 as is supported by the diary entry of Colonel John Ainsworth C.M.G. on April 25th 1901; he wrote “A lot of Somalis have arrived here from time to time; there are now over a hundred men here…” (KNA 15/14/4). They lived on the outskirts of this growing settlement, building villages with names such as ‘Mombasa’, ‘Maskini’ (poor) and ‘Pangani’ to show the coastal connections of the Swahili inhabitants (Hake 24). As Nairobi grew, the settlers followed the same segregationist policies as South Africa and demarcated certain areas of the city to be occupied by different “races”. Eastleigh was the area reserved for the Asians who
had become the merchant class. In time, Africanization, as is stated by Hake (1977), changed this arrangement. He explains:

At the bottom of Eastleigh, on the slope down to the Nairobi River, between the Sewage Disposal Works and the Kenyan Air Force aerodrome, was Eastleigh, Section III. It was in a cul-de-sac; it was not on the way to anywhere else and nobody visited it without good reason. Section III was always the poorer end of Eastleigh, and, because properties were cheaper to buy, and rents lower, and because the lower-paid Asians were the first to be hit by Africanisation, this was the section which was first to be occupied by Africans in the wake of the Asian exodus (101).

While there were Somalis in Nairobi from the very conception of the town, most Somalis in Kenya at the time lived in what was then the Northern Frontier District.

The Northern Frontier District by its very name is indicative of the boundary situation that existed. A frontier according to geographical term refers to a boundary that is not distinctly marked and vaguely separates two distinct territories. These two distinct territories were Somalia and Kenya. However, as both territories were both administered by Britain, movement between the two was possible and quite frequent since the people were all considered British subjects. This is shown by a report written on May 21, 1938 by the administrator in Isiolo after a visit by M.H. Mattan and a number of Isaaks from Nairobi. He notes, “The more we do for these people [reference to ‘Alien Somalis’ from British Somaliland] in Kenya, the more of them will come in from the Somalilands. We cannot at present keep out a British Protected person if he has a passport, and a little money, and I am not sure we can keep out even Italian Somalis in similar circumstances without some good reason” (KNA 15/14/4). As a result, people who identified themselves as Somali resided on both sides of the border and frequently moved between
the two territories for purposes of searching for pasture, trade and even visiting family
who were dispersed.

On the Kenyan side of the border, the Somalis were deemed to be of a higher
intelligence and caste than the Kenyan Africans and were much sought after for
employment even by the Government. They viewed themselves as separate from what the
colony described as ‘Natives’ and sought to be treated differently. A report on the “The
Origins of Somalis with special relation to their political development in Kenya” notes:

Thus as soldiers and policemen etc they proved of great use to
Government, their higher intelligence especially marking them out as
N.C.Os [Non Commissioned Officers]. They created a similar impression
with leading settlers and business people with the result that by 1919 there
was a desire, promoted and encouraged by the Somali himself, to give
certain of them a status above that of the native or Bantu. This resulted in
the passing of what was called, for short the Somali Ordinance No. 17 of
1919. Its full title is interesting “An Ordinance to provide for the
Exclusion of certain Somalis from the Definition of Native as it appears in
the Hut and Poll Tax Ordinance of 1910 and in certain other ordinances.
This Ordinance did not last long being repealed by Ordinance 26/21. The
rules published under it…explain I think why, namely, because of the
difficulty of defining the term “Certain Somalis”…The passing of the
Somali Exemption Ordinance gave great impetus to many Somalis’ hope
of special status (KNA 15/14/4).

As such, their first bid to attain a status above the ‘Natives’ failed but the Somalis,
particularly in Nairobi, continued to agitate for a special status. The Isaak community in
Nairobi for instance, sought to distinguish itself as “certain Somali” by distinguishing
themselves from other Somalis. Claims were made in a letter written on May 15, 1940 to
the District Commissioner of Isiolo by the Daly and Figgs Advocates representing the
Isaak Community in Nairobi that the Isaak were strictly a different race from the Somalis
although they resided in Somaliland as well. The Isaak claimed to have descended from
Aden and as such were different from the Somali (KNA 15/14/4). In a letter written on
May 13, 1940 to the Chief Secretary in Nairobi, Gerald Reece, officer-in-charge of the Northern Frontier District noted:

They seem to be working at present on the idea that if they succeed by passive resistance in getting Government to abandon the use of the word Somali, that this will indicate their claim to be Asiatics is admitted. Some of the Somalis seem to have been given by the Nairobi agitators an extravagant idea as to the benefits that Asiatic status will confer, and they apparently look forward to a time when they will share with Indians not only land in the white highlands but be immune from arrest by police Askaris [guards] and have special privileges in law courts, railroads, institutions etc and many other things (KNA 15/14/3/372).

In another letter written on September 14, 1940 Gerald Reece wrote to the ‘Hon’able, The Chief Secretary in Nairobi saying:

Somalis of the Isaak tribes who are resident in Kenya are determined to pursue (when the time is suitable) their claim to Asiatic status. This as you will remember, has already been refused by the Secretary of State. Meanwhile as a step in the right direction they have decided to abandon their name of Somali and to call themselves Ishakia – a word I presume they have themselves invented. I observe that this name is now being used in official correspondence from the secretariat the C.I.D. and some Provincial Headquarters. Might I suggest that this is undesirable since it will certainly be brought up later as an additional argument in their favor that Government agree to abandon the use of the name Somali when referring to these people (KNA 15/14/4).

The Isaaks, in their effort to claim Asiatic status, declared that as citizens of the British colony they had the choice to be simply referred to as Isaaks and for the name Somali to be removed from their passbooks. The administrators at the time interpreted these complaints as part of the effort to gain higher status in the colonial racial hierarchy. Their efforts did not result in any gain and the colonial administrators continued to treat them as they did the Kenyan Africans.

Another method that was used by the Isaaks, in their attempt to gain Asiatic status and thus Asiatic privileges, was to insist that they pay the same tax rate as the Asians.
This was a demonstration of their ability to rise above the standards set for the ‘Natives’.

In a letter written on July 22, 1940 by Gerald Reece noted:

You will recollect that when the Non-Native Poll Tax Ordinance, 1936, was under debate in Legislative Council, the Indian Members wanted a flat rate of tax, though at a lower level than the Shs. 40/- rate introduced for Europeans. With regard to the Arabs and Somalis, it was stated that the special rate of Shs. 20/- was proposed in view of their poverty. In the case of the Somalis, however, this reason has not operated, as they have demanded the right to pay the Asiatic rate of Shs. 30/-.

In view of the agitation which has accompanied the demands of certain sections of Somalis, we would like your opinion of the effect of the introduction of a flat rate of tax. There would of course be no reference in the proposed Ordinance to Asiatics for payment of the tax would be the liability of all non-natives. It has been suggested that, if a flat rate was introduced, the Ishaak Community would not be slow to seize on the opportunity to claim Asiatic privileges in hospitals, etc., but as they would be paying the same rate as Europeans, whose privileges they could hardly aspire to, it is thought that such claims could be resisted, and if so it might lead to easier administration in respect of the Ishaaks in the N.F.D. What do you think about it? (KNA 15/14/4).

The Isaak were under the impression that if they made the same contribution to the British government as did the Asians then they should be accorded similar rights and privileges. However, the government was regarded this as passive aggressive methods of resistance and were quick to put it down. It was made clear that the Isaak were considered as “natives” and not “Asians”. A report on the “The Origins of Somalis with special relation to their political development in Kenya” in regard to the efforts of the Isaak noted, “In spite of some warning Government accepted this payment on the ground that if they [Somalis] wished to pay more that was their own affair and in no sense implied a special status” (KNA 15/14/4). The government may have not appreciated the agitation faced but they were able to gather more revenue without extending any special rights to the Somalis.
Soon, all this agitation changed the opinion of Somalis by administrators from one of a superior race from the rest of the Kenyan Africans with whom they worked closely, to a people who constantly challenged the order and rule the British wanted to maintain. In a confidential letter by A.F. Rikks, Director of Intelligence and Security, Nairobi written on March 26, 1942, he talks of the way in which ‘problematic’ Somalis were handled noting:

At the present time there seems to be a tendency to consider that the panacea for dealing with any troublesome or unwanted Somali in Kenya is to send him to the N.F.D. As you are aware, all Herti and Isaak Somalis come from British and Italian Somaliland. They are almost invariably politically minded, volatile and unstable and are usually unwilling (as civilians) to do any manual or exacting work (KNA 15/14/4).

In addition to the opinions given regarding the Somalis, the quote also reveals the status held by the Northern Frontier District (NFD) compared to the rest of Kenya. The Northern Frontier District, or the North Easter Province as it is known now, was already home to a number of ethnic Somalis who were nomadic pastoralists. Due to the long distance from the center of administration in Nairobi, the British response to their traditional pastoral mobility, and the need to promote and protect the economic interest of European livestock owners, the Northern Frontier District was not effectively penetrated by colonial state structures and for the most parts remained within the margins of what was becoming Kenyan society (M. Farah 1993, 18).

I argue that the claims to Asiatic Status by ‘Certain Somalis’ represented both an instrumental approach to identity that sought to maximize within the given framework the rights and privileges and a reflection of the process of “othering” that had existed in Somali society in reference to hierarchical structure based on physical characteristics and occupation.
Self-Determination in the NFD

Failure to effectively administer the NFD [by British colonialists] allowed pastoral nomads to disregard central government legislation on arms-bearing and any other restrictions leading to a deeply entrenched administrative problem that overstretched the initiative, the political will, and the military and economic might of Great Britain. In 1926, the Northern Frontier District became a closed district which dictated that special passes were necessary to enter or leave. This enhanced NFD’s insulation from external cultural influences from what was considered “down country” and promoted ethnic insularity and solidarity of Somalis of the NFD and of Somalia. Economic deprivation and, geopolitical and sociopolitical isolation became a bond that threaded together not only Somali clans but the Boran and other nomadic populations of the frontier as well. Kenyan authorities understood that the NFD inhabitants were fragments of larger ethnic communities of Ethiopia and Somalia, but because there was no attempt to encourage cross-cultural mingling with ‘down-country’ people the NFD communities retained and strengthened their cultural solidarity with the peoples of Ethiopia and Somalia. Since they were for the most part autonomous and had the military capabilities, they only needed coherent leadership and the opportunity to rise up against the state (Mburu 2005, 66-7). Despite the existence of other cultural groups such as the Rendille and the Gabbra, the Somali are the more dominant in the NFD thus making its history indistinguishable from the history of the Somali of Kenya (7).

In 1960, just three years before Kenya got its independence, there were already moves towards political autonomy witnessed by the formation of multiple political parties. In the Northern Frontier District, the Northern People’s Progressive Party (NPPP)
gave voice to the Somalis living in the area who desired to secede from Kenya and join the Somali Republic (M. Farah 1993, 77). In the 1960 British referendum, ninety percent of the Northern Frontier District inhabitants voted for unification with Somalia (Goldsmith 2005, p. 463). London ignored the results of the referendum and kept the NFD within Kenya at independence (Samatar 1994, 193)

In the book, *From Ethnic Response to Clan Identity*, Mohamed Farah describes the process of secession as following four pillars. The first pillar was at the Lancaster Conference in 1962 held in London to discuss the future constitution of Kenya. A pro-secession delegation from NFD was invited amidst the protests of more nationalistic parties, such as the Kenya Africa Democratic Union (KADU) and Kenya African National Union (KANU), who were afraid that talks of secession would open a Pandora’s box. The delegation were able to present their claims formally saying that as a district they had been administered separately from the rest of the country and also in terms of culture were different from ‘down-country’ since they shared more with the members of the Somali Republic in terms of language, religion and continuous contact with each other due to the form of pastoralism practiced. Since no agreement could be reached, the Northern Frontier District Commission was set up to find out what the public opinion of the six districts of the NFD; this constituted the second pillar. The commission held *barazas* (public gatherings) in Isiolo, Marsabit, Moyale, Wajir, Mandera and Garissa revealed that all Somali-speaking groups including the Rendille and Muslim Boran were in favor of joining the Somali republic while non-Somali and non-Muslim, who were a minority in the NFD, wanted to remain part of Kenya. The third pillar is the Regional Boundaries Commission also set up in 1962 to determine not only the boundaries of
Kenya but also to divide the country into six administrative blocks called provinces and the Nairobi area. The commission was to consider the existing boundaries in place and the desire of the people to be included in any one region and it found that the Somali delegation were clear that they did not want to be part of the Kenyan territory. They found that solidarity with the Somali opinion indicated an allegiance based on ethnic affiliation, religion and settlement shared between groups. The fourth pillar is characterized as non-routine political activities during the period of 1962-67. The political activities were non-routine in that they implied that the existing structure of power and authority were considered illegitimate. As such, the political acts no longer corresponded with socially accepted methods and such acts were considered civil strife. The Somalis in the NFD had tried to achieve self-determination through the legal means available but had failed. By the mid 60’s the conflict in the area had escalated to what might be termed ‘internal war’ in which 400 ‘rebels’ were killed in the span of two years (M. Farah 1993, 77-83).

In 1963 at the inaugural Organization of the African Unity in Addis Ababa, the president of Somalia spoke about the desires of the pastoralists in Kenya who wanted to unite with Somalia and the verdict of the two commissioned. However, he was clear to note:

The Somali government has no ambitions or claims for territorial aggrandizement. At the same time, the people of the Republic cannot be expected to remain indifferent to the appeal of its brethren. The Somali Government, therefore, must press for self-determination for the inhabitants of the areas adjacent to the Somali Republic. Self-determination is a cornerstone of the United Nations Charter, to which we all subscribe. If the Somalis in those areas are given the opportunity to express their will freely, the Government of the Republic pledges itself to accept the verdict.
At that time, Kenya not being independent had a delegation put forward a memorandum to the effect that self-determination only applied to foreign domination and Somalis actively seeking to secede would be viewed as dissident citizens (M. Farah 1993, 84). At the height of Somali nationalism in the NFD and several months before the outbreak of what became known as the Shifta\textsuperscript{2} conflict, Kenya’s then Prime Minister Jomo Kenyatta stated that pro-secession Kenyan Somalis “were free to pack their camels and join Somalia”. The prime minister while recognizing people’s right to live in the country of their choice was not willing to see a part of Kenya go to Somalia (Mburu 2005, 13). There was no packing of camels and the Shifta Conflict began with NFD fighters allegedly supported by Somalia. It became clear that the Kenyan government would have to foster diplomatic ties with the Somali Republic if there were to be any hopes of peace. In the next conference in 1964, the Kenyan president was able to speak and called for OAU to help bring the Somali-Kenya dispute to an end. In that same year, at a Conference of the Heads of African States, a resolution was reached that thwarted the chance for the NFD’s claims to be seen as legitimate. It was determined that all borders were to be considered sacrosanct. By 1967, a new government took over in Somalia that ended the support for the NFD in its secession bid and also sought to bolster relations with its neighbor, Kenya (M. Farah 1993, 85). Kenya and Somalia negotiated a détente during Mohammed Ibrahim Egal’s regime (1967-1969). Through a series of mediations

\textsuperscript{2} Nene Mburu (2005) examines the various meanings over time and space in reference to the legitimacy given over their claims and the response deemed appropriate by the government. He notes, “In defining and using the word Shifta, two categories of scholars have emerged. Earlier scholars used the term to refer to social bandits... This type of Shifta is apolitical brigands common in the periphery of many a pre-colonial polities, where the leaders were forever struggling to establish their legitimacy. An example is the Amharic concept of Shifta as: ‘One who stirs up trouble, while taking to the forest of bush, departing from the King, the government, rule (gezat), instituted order (Ser’at) and the law’. President Jomo Kenyatta’s own 1963 definition of the term confirms that banditry was a common phenomenon in the African rural milieu when he said: ‘There are, as in any other country, I am told, a number of hooligans or armed guards or youths called ‘Shiftas’. Those are the people who go raiding here and there’...The second category of scholars identifies the Shifta as patriots who used organized resistance and banditry as a mode of partisan warfare...Ethiopian and Kenyan authorities referred to Somali guerrillas as Shifta bandits purposely to dilute their nationalistic appeal. Conversely, the Republic of Somalia referred to the Somali fighting in the NFD and in the Ethiopia-controlled regions of the Ogaden and Haud as nationalists in an attempt to convey an air of legitimacy and political respectability” (11-2).
and bilateral meetings, a normalization of relations and a lifting of the state of emergency in the Northeastern Province of Kenya was achieved (Samatar 1994, 194). While the Somali’s government was able to reign in the leaders of the succession movement, there is also evidence that the Somali leaders that were more connected to the ‘center’ of Kenya rose in power and were supported by the people who had suffered many losses both in life and material as a result of the war. After this, there is also an effort by the ‘center’ to improve situations in that region (92).

After the annexation of the North Eastern Province into Kenyan territory, the irredentist movement waned and no longer presented a threat to the internal sovereignty of Kenya. As such, the Somalis living in that area ceased to be a political community seeking autonomy but rather became absorbed into the greater political community of Kenya. Still, *shifta* banditry in Kenya continued as phenomena that rose and fell with the cycles of drought and political instability within the region but was no longer associated with self-determination (Goldsmith 2005, 463). Ethnic Somalis entered and participated in Kenya’s political system, which further removed the impetus for self-determination. An important test of Siyaad Barre’s intentions toward the Somalis in Kenya occurred in February 1984 when Kenyan soldiers killed several hundred Somalis in the northern region of Kenya. Mogadishu allowed the mater to pass as an internal Kenyan problem without making any efforts to assert its role as guardian of the Somali nation (Samatar 1994, 194). Effectively, the Northern Frontier District/North Eastern Province became part of the Kenyan political community and thus moved the people from being part of a larger ‘Somali nation’ with irredentist aspirations to being an ethnic group within the Kenyan territory.
A Troubled Neighbor

Ideological differences and Somalia’s strong links to the Eastern block prevented stable Kenyan-Somali relations during the 70’s which affected the treatment of ethnic Somalis in Kenya. Periodic episodes like the revenge killings of several Kenyan civil servants by a notorious individual associated with *shifta* in 1978 brought about waves of retaliation [by the state apparatus] against Kenyan Somalis. Overall, Kenyan Somalis have been subject to state policies not extended to the general population (Goldsmith 2005, 463).

The attempted air force coup of 1982 provided the turning point in the Somali community’s relationship to the government. Major-General Mahmoud Mohamed, a veteran of the Kenya Army’s anti-shifta campaigns, led the counterattack that ended the senior private-led cabal’s short-lived reign of confusion in Nairobi. He was given credit for almost single-handedly saving Moi’s government and placed in charge of the new ‘1982 Air Force,’ while his brother, Maalim Mohamed, was made a Minister of State. The Ogaden clan, in which Maalim Mohamed belonged, became the major beneficiary of government favors both in Kenya and Somalia. “The Kenya-Somali Ogaden linkage thus reinforced the positive trajectory of relations between Moi’s and Barre’s governments, but also planted the seed of Somali clan dynamics within Kenya society” (Goldsmith 2005, 464). As a result, the previous mistrust of Somalis dating from the shifta war began to dissipate as there was a clear show of national loyalty. This prepared the way for the reception of the large influx of Somali refugees entering Kenya following the fall of the Siyad government.
From the late 1980s, the situation in Somalia was clearly deteriorating as the Somali Patriotic Movement (SPM) and its militias movements were at war with General Siyad’s regime. Following an attack by the army on its bases, a confrontation ensued that caused hundreds of civilian non-combatants to flee into Kenya. It is suspected that pro-Siyad elements infiltrated the population of refugees and engaged in banditry causing the Kenyan government to deport the refugees in an effort to maintain security in the area. Siyad’s armed forces again attacked SPM bases and caused people to flee once more to Kenya (N. Farah 2000, 34). “Kenyan security forces faced the logistical challenge of patrolling a long and remote international border, protecting the northern transport route passing through Marsabit to Moyale on the Kenyan-Ethiopian border, and the vulnerable band of agricultural settlements stretching from eastern Ukambani to the coast” (Goldsmith 2005, 468). Banditry continued and to combat this, the Kenyan government set up a screening policy to identify the origin of all Somalis in the Kenyan territory.

In November and December of 1989, fifty-odd checkpoints were set up across Kenya, and all ethnic Somalis over the age of eighteen were required to present themselves with their national identification cards, passport, and their birth certificate within a period of three weeks. A red card was then issued to all those determined to be Kenyan-Somalis (N. Farah 2000, 35). According to the official notice: ‘The government advises that it will be an offence under the Registration of Persons Act, Cap 107, for any member of the Somali community to fail to appear before a legally established team within 3 weeks’” (“Kenya: Taking Liberties” 1991, 298). The Kenyan government said that the screening process was intended to facilitate the identification of illegal aliens following an influx of refugees escaping the civil war in Somalia that had been absorbed
into the Kenyan-Somali population after obtaining falsified documents. According to the
government, the action was requested by leaders from the Kenyan-Somali population
who were tired of being blamed for the criminal actions of Somali nationals who had
entered the country illegally (299). The African Watch report discusses the importance
placed on being able to speak Swahili during the screening process even though many
make the argument that a significant percentage of Kenyans either don’t speak it at all or
have a rather broken version. This is especially a difficult measure for women who may
not have gone through formal education and may have limited contact with people
outside of the Somali community. Mahdi, a young Somali Kenyan remarked, “With us,
women are the community. So they should keep the language so they can teach the
children. But if she gets Swahili then the language is gone—that’s why there is a
difference. We think the women are going to bring up the children so she has to know
Somali. They don’t speak Swahili because it is their role to concentrate on Somali
tradition, Somali language” (302-6). Furthermore, the raids demonstrated that the
collective memory of the state apparatus, as is reflected by law enforcement’s use of the
word ‘shifta’ in reference to all Somalis illegal or otherwise, still recalled the Somalis
effort to separate themselves from Kenya (298-322).

Nevertheless, there was a loud outcry that this process was discriminatory and
treated Somalis as second-rate citizens and so the government stopped the practice
(Mohamed, interview July 4, 2006). The screening card was also not very successful
because it was not introduced in the refugee database. It had its own loopholes since it
only focused on Somalis who were in Kenya during the National Registration process but
it did not put into account refugees who were registering. While it intended to distinguish
between the Kenyan Somalis and Somali Somali, they found that it was difficult since there was a greater affinity to the ethnic group than the nation. As such, Kenyan Somalis took this opportunity and conspired to register their counterparts from across the border as Kenyans (Karanja, interview July 24, 2006).

Conflict in Somalia from the late 1980s caused refugees to flee into Kenyan territory but the numbers were relatively low. They mostly consisted of minority groups in Somalia. At the time, Kenya was experiencing its own problems. The Rift Valley ethnic cleansing campaigns suggested parallels with the more advanced state of ethnic conflicts manifesting within the Somali region. The economy was sinking, and by 1992 it had reached its lowest point since the country gained independence in 1963. The government was reluctant to address both internal and external criticism and had seen its international aid cut significantly although there had been moves made by then President Daniel Arap Moi to move towards a multi-party political system (Goldsmith 2005, 462). Neack (2007) explores the dilemma of states facing refugee populations as she asks:

Why would states accept refugees and assist in processing their basic claims to asylum? All kinds of humanitarian reasons come to mind. A basic belief in the dignity and worth of every human being might lead a country to want to help people fleeing from repressive government or violent places. Humanitarian concerns might also combine with political reasons for giving sanctuaries to refugees...Countries might also act on the moral imperative that there is a basic obligation to help people in need. Why would states refuse to allow in refugees? There are many specific and immediate reasons that could be given. The refugees could put economic strains on the host country, diverting resources from the care and protection of its citizens. The refugees, if admitted and settled into the host country, might create social tensions between different peoples, especially in regard to the availability of jobs and the distribution of finite government resources. The host country may be inundated with refugees while other just-as-capable counties are left free of the problem” (10).
All those issues applied to Kenya but the pressure was alleviated as the refugees were catered for mainly by international donors and various private voluntary organizations. The humanitarian refugee operation was beneficial in a number of ways. It brought in resources that bolstered the economy, and generated various opportunities within the local transport, communications, and service sectors. Nairobi served as the base for a spectrum of relief organizations serving Kenya and most of Somalia itself. At its height the Somali crisis commanded one quarter of the International Committee of the Red Cross (ICRC) total budget with a good portion spent in Kenya. The financial benefit did not eliminate the government’s negative attitude towards refugees in general that included Sudanese and Ethiopians. The government found ways to benefit from the situation in that some Somali citizens received Kenyan papers during the post political pluralism campaign in exchange for their vote for Kenya Africa National Union (KANU), the ruling party at the time (468). Goldsmith (2005) presents some additional advantages and disadvantages to the increase of Somali refugees stating:

On the down side, there was increased banditry in parts of the country, additional competition for housing in Nairobi and Mombasa, and dollar-bearing refugees exerting upward pressure on the prices of a number of basic commodities in limited supply. On the upside, there were new business and employment opportunities and a general recognition that helping the victims of maladaptive governments was a moral obligation, and in view of the country’s internal conflicts, good karma as well. Kenyans could empathize with the refugees’ plight, and wondered where they would flee if themselves if the same calamity was visited upon them. Refugees outside the camps generally paid their own way, circulating a significant portion of Somalia’s foreign exchange into the Kenyan economy (470).

It is apparent that there were both perceived benefits and drawbacks to allowing the refugees within the territory of Kenya for both the state and the people. However, due to
the weakness of the state in terms of administering the border, not much could be done to stop the numbers that were coming in.

A number of camps were set up along the border to facilitate the refugees coming in and records show that as many as 300,000 Somalis entered Kenya at that point in time. Camps were set up in various parts of the country to cater to the needs of the refugees. Instead of having the camps spread all over the country as it was proving to be a security issue, the government decided to have one as the center of operation. Most of the other camps lining the border going all the way to Mombasa were closed and the refugees were moved to Dadaab camp for its proximity to the Somali border. Dadaab camp is 60-80 kilometers from the Somali border which is in accordance to the standards set by the United Nations High Commissioner for Refugees (UNHCR) that a refugee camp has to be no less than 50 kilometers from the border of the nation in conflict. This was intended to make the camp, rather than the city of Nairobi, Mombasa or other towns, the first point of contact between the refugees and UNHCR. Dadaab does not actually house refugees but rather is the core where the Non-governmental Organizations (NGOs) and United Nations (UN) offices are located. Forming a triangle around Dadaab are the Ifo (7km from Dadaab), Dagahaley (17km from Dadaab) and Hagadera (11km from Dadaab) camps where the refugees reside. There is also Kakuma camp but that is closer to the Ethiopian border (Karanja, Interview July 24, 2006).

Refugees in Kenya are categorically divided up amongst the urban and the rural. While the Kenyan government preferred refugees to remain within the camps, it is the refugee population that is not in the camps that has exerted the most complicated impact on the country (Goldsmith 2005, 469). The urban refugees reside in Nairobi mostly and
are supposed to have a Mandate Refugee Status (MCR) that allows them to reside outside the camps. The encampment policy followed in Kenya is not an official government policy but rather one followed by UNHCR and other NGOs without objection from the government. The encampment policy requires that registered refugees reside in the camps with exceptions being made for special cases. This encampment policy is designed to help the NGOs and UNHCR most effectively meet the needs of the refugees who would be in one place. This policy also reflects that Kenya’s role in dealing with refugees is mostly restricted to handling a crisis and is not one of the countries in which resettlement is to take place (Chikumba, Interview July 24, 2006). Refugees are allowed to leave the camp for: medical referrals when UNHCR cannot treat ailments and that often includes AIDS or cancer patients, education since there are no institutes for higher learning in the camps while the majority of universities are in Nairobi, or if they cannot reside in the camps due to insecurities because they are a persecuted minority or a high-ranking government official whose life may be in danger. These exceptions are granted after a process of investigation is done and a letter granting residence is given. There are those who leave the camp without documentation preferring an urban life and/or they are unable to survive in the harsh environment of the camps. These refugees often receive a temporary pass based on a valid reason according to UNHCR requirements but end up staying in Nairobi for good. These undocumented refugees are often the ones who have trouble with the police (Karanja, Interview July 24, 2006). Urban refugees, to use Liisa Malki’s argument, are concerned about the ‘possible loss of the power to determine one’s own status and place of residence’. The refugees are able to attain invisibility by residing in Eastleigh where there is a mixture of Kenyan and non-Kenyan Somali (Murunga 154).
There is a difficulty in being able to distinguish amongst the Somali who is a Kenyan citizen and who is not. As a result, law enforcement agencies in Kenya make periodic and unregulated raids into the residential houses in Eastleigh. Those unable to provide valid Kenyan identification are rounded up as illegal foreigners. This has brought about a practice of using manipulation or corrupted officials to issue Kenyan Identification Cards and passports. There is also an incentive for the Kenyan police to conduct these raids since the ethnicity of the residents is likely to result in a financial gain in the form of bribes. In addition, there is the unnecessary harassment of those who are Kenyan citizens (Murunga 2005, 159).

Kenya had no laws until the end of 2006 guiding the refugee status. Although it is a signatory to UN and Organization of African Unity conventions regarding refugees, it did not perceive itself as being responsible for their protection, maintenance and security. Thus, it treated refugees as a UNHCR problem. Though the UNHCR determines the legal status of refugees, and provides ‘protection letters’ for those residing outside the camps for one reason or another, there had been no agreement between it and the Kenyan government as to who really should grant this status thus the letters lacked legal binding force. The UNHCR position was worsened by the fact that it relied on limited subsidies to maintain refugees and its capacity to provide was limited (Murunga 2005, 153). Nonetheless, UNHCR has been able to collect valuable information about the Somali community. However, as the UN Refugee Agency, it is concerned mostly with those who qualify as refugees (Karanja, Interview July 24, 2006). The 1951 UN Convention on the status of refugees defines a ‘refugee’ as:

Any person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social
According to population estimates collected by the Nairobi Initiative Report released in 2005 based on statistics provided by various NGOs, there are about 15,000 Somali refugees, 3000 asylum seekers and 50,000 unregistered migrants. However because there is no census for the refugee population in Kenya, the numbers may not accurately reflect reality. A more true measure might be available pending the findings from the Government of Kenya’s Registration exercise that took place from February to June of 2006 (Chikumba 2006, 4). A government official during World Refugee Day event held at the Kenya National Theatre on June 20th talked of the registration process that was still underway and encouraged refugees to take advantage of this opportunity to get registered. He noted that while ordinarily one had to travel to either Kakuma or Dadaab to get registered, during this period it was possible for refugees to do so in Eastleigh in order to alleviate the cost of travel. He clarified the purpose of this process assuring the audience that it was not a means to collect information with the intention of forcefully repatriating or sending people back to the camps. Instead, he said the process was to assure people were registered so that UNHCR and other NGOs would be able to provide assistance to those who are needy. He noted that without registration and the correct documentation refugees residing in Nairobi had very little access to assistance and were likely to fall into a life of depravity. Thus by being registered, they are able to secure their welfare and protect themselves from all manner of abuses (personal observation).

As noted earlier, UNHCR is mostly concerned with those who are refugees whether group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence is unable, or owing to such fear, is unwilling to return to it (Griffiths 2002, 1).
unregistered or not. However, as is noted in the history of the interaction between Somalia and Kenya, one need not to be a migrant to be Somali. As such, the number of people who might identify as Somali in Nairobi is even greater than 68,000.

In 2006, as this research was being conducted, there was a change occurring in terms of law regarding refugees. Organization such as the Refugee Consortium of Kenya were advocating for the Refugee Bill on the table in parliament by highlighting what Kenya and its people had to gain from its passing. It spoke of the law allowing greater engagement of the international community and donors, regulating migrants and refugees involved in business so as to improve revenue generation and protect local markets, and also ensuring security by being able to distinguish legitimate refugees from illegal migrants (Refugee Department and Refugee Consortium of Kenya 2006, 1). The new refugee bill was approved on November 19, 2006. It is meant to recognize, protect and assist refugee. The Kenyan government has had a draft of a refugee bill as early as 1991 but it was never passed leaving the country with no legislation governing refugee affairs. When the act is implemented, asylum applications will be adjudicated by the Refugee Status Determination Committee, an inter-ministerial committee comprising members from key ministries and the security services, under the authority of the Commissioner for Refugee Affairs. It will then be possible to appeal rejected applications to the Refugee Appeal Board, and then to the High Court of Kenya (Jesuit Refugee Service 2006, 1).

While the status of refugee tends to be associated with Somalis in this time and place, it is limited in terms of viewing the social organization of the entire community. However, it is a significant marker that indicates the type of relationship that the collective will have with the government.
Somalis in Kenya are often associated with Islam. Many Somalis believe that they are entirely a Muslim people as the sentiment is expressed by an interviewee who notes, “The religion for about 99% of Somalis is Islam. Most of our cultures are no longer culture, but religion is the culture. But still, there are cultures that can’t evaporate like the marriage culture” (Abdirahman, Interview August 10, 2006). Somali identity is at times considered to be almost synonymous with being Muslim. One interview described Somali culture and Islamic culture being two sides of symmetry that comprise what is Somali; and if one put the two sides against each other, one finds they are the same for the most part. This is evident most visibly in the style of dress most especially for women in terms of dressing modestly and covering the hair and body. In addition, one might also speak to the preferred use of miraa or khat as opposed to alcohol in accordance with Islam. However, one of the most striking evidence of this close connection is the ostracization of those Somalis who are Christian. In trying to find interview subjects, someone suggested that I speak to a lecturer at a university in Nairobi. When given the contact information, I was surprised to find that the potential interview subject worked in the Bible department. My surprise indicated my own assumption, although one propagated by the Somali themselves, that Somalis followed the Islamic faith. It was explained to me that yes he was a Christian and that might present an interesting perspective. In addition, he was involved in some of the major peace talks that were held in Kenya. However, I was not able to get a hold of said lecturer. Another interview subject I had was curious as to whom else I had spoken to so far and I told him about that potential interviewee and he said that the man was no longer really considered part of the Somali community. I asked
if that was because of his faith and it was insinuated that his faith was the reason as he went on to explain the very close relationship between Somali identity and Islam.

Yet another interesting scene was captured during one of my trips to Eastleigh. Eastleigh is recognized to be the home of the majority of the Somalis that reside in Nairobi. In fact, it has been dubbed little Mogadishu. As I was in a *matatu* (private transportation vehicle) heading back home, I noticed a small crowd gathered around a man. Some seemed merely to be observing while some appeared to taunt the man in the center. The man in the center seemed to be trying to talk above some of the jeers being made towards him. His hands were raised and his eyes appeared closed as he continued to speak. On the ground in front of his feet was an open book and from the appearance of the book, with the red color on the side of the pages being one the primary indicators, I was able to defer that it was a Bible. Those clues then made the scene almost clear although I could not hear what was being said. The man was an evangelist who was trying to spread the word of Christ in Eastleigh. These roadside preachers are quite a common sight in the Nairobi city center where they gather in parks or places with wide walkways mostly catching the attention of those who are idling, waiting or resting there. However, in Eastleigh this preaching was not as easily ignored as it is in the city center because of the religious leaning of the area since quite a majority of the inhabitants of the area are Somali and Muslim. This is assumed to be a widely known fact and the actions of the man by preaching there are seen as an attack. I could not hear what he was saying but having lived near that area years ago I came across a similar situation. That time I was walking by the man and so I could hear what the man was saying. The man in that situation was saying that there was only one true God and all those who followed false
Gods would burn forever in hell unless they accepted Jesus Christ as their savior. He went on to say that Allah was not the true God and other provoking words that got the crowd about him riled up. They appeared as if they might beat up the man but others trying to calm the more aggressive ones telling them that they should not bother with crazy people. This memory is from when I was about eight years old but it stuck with me because of the zeal of those involved (personal observation, 2006).

Another defining characteristic, according to Somalis, is their language. All those who identify as Somalis are said to share a common language and are a result one the largest ethnolinguistic bloc in Africa. As is expressed by an interview subject, “we Somalis believe that the language is unique but now it is becoming more regional since the Oroma in Kenya and Ethiopia are speaking Somali. I believe language is the key. So, does that mean that if someone learns Somali that they are then Somali? Yes, but only if they believe they are Somali” (AAA, Interview July 14, 2006). This particular interview subject points two important aspects of collective identity. One aspect is that a group is connected based on shared characteristic and for this Somali their unique characteristic is language although they share other similarities such as religion, culture, and history. The second aspect of collective identity is the concept of self-definition. Having the language and the belief that one is Somali makes one Somali.

In asking if there are physical characteristics that distinguish Somalis from non-Somalis in Kenya, it was described to me that, “It is said on average Somalis are taller, lean, have more oval faces, their eyes are more slanted, the texture of the hair is softer, they have sharper nose, and skin complexion is not as dark as nilotics. But of course this is not the way all Somalis look but it is the description of what is thought to be the typical
“Somali” (AAA, Interview July 14, 2006). The texture of the hair, an outward and noticeable feature, is seen as the indication that Somalis bear an Arab influence in their ancestry that affected their hair type compared to the ‘kinky’ type associated with the sub-Saharan part of Africa. However, this is not a solid rule as there are Somalis with more of the ‘kinky’ hair type although this is still seen as evidence of the difference between the Somalis of Arabic ancestry and the Somali Bantus who arrived in Somalia as slaves or laborers eventually settling as farmers, a position of lower status in a pastoralist society. The views expressed earlier in the paper about the Gosha in relation to the ‘pure’ Somali can be seen in these statements. As the narrative of the way in which Somaliness is expressed in physical features comes from the north of Somalia rather than the south where the Gosha reside. This same stereotype is held in Kenya.

The physical identification by dress is mostly gendered and influenced by Islamic code of dressing. If walking around Nairobi, it is easy to presume that a woman dressed in hijab and a long covering dress is a Somali. With males, it is more difficult although the cap worn by men may be an indication but not a clear one. Another distinction that may be related to culture is the use of henna both on men and women. Men, because they do not cover their hair in public, have dyed their hair or even their beards in certain cases. Women tend to use henna to make decorative patterns on their skin, mostly the hands and the feet. However, such practice is also not limited to Somalis. These noted distinctions in the physical type are harder to distinguish in parts of Kenya that also have Islamic tradition or a strong Arab influence. For example, on my trip to the Coast province of Kenya, I was unable to distinguish who was Somali or who was not based on dress or even hair. The Waswahili who inhabit the region are descendants from the intermarriage
between the Arabs that traded on the Coast and the indigenous Bantu that lived in the area. Because Nairobi is a larger mixture from all over the country and quite metropolitan, most of the “Kenyans” are dressed in more Western styles so anyone in a “buibui” [hijab] stands out in a crowd (personal observation). A characteristic as mutable as dress or hair type supports the idea of identity as a construction.

There were also other characteristics that were noted during my interviews. For example, “the Somali people to me are communal people…They will share all what they have, as a family. I am sure you can’t go to a Somali family and never meet an extended family member in the house; an uncle, aunt, cousin, or grandparent. It is a must because it brings joy in the family, even in America or Europe. We are loving people who are good and honest in friendship and business. We can’t sell you a bad thing, you can bet, in a Somali shop” (Abdirahman, Interview August 10, 2006). This interviewee characterized Somalis as having a collective consciousness rather than being individualistic with the extended family being the normal arrangement rather than the nuclear family. This he notes is a characteristic that is retained despite being away from home. This characteristic, it must be noted, is not specific to Somalis alone and is a phenomenon seen in most developing countries and amongst the economically disadvantaged all over the world. The quote also places Somalis as belonging to the merchant class.

While some non-Somali Kenyans have a clear understanding of the Somalis and their community structure, it is the generalized perceptions that tend to be relied on by the populous in determining the level and type of interaction, or even by officials in making policy. The dominant view in Kenya is that Somalis are tied to the increase in crime and insecurity in the country. “They are involved in gun-running, money laundry, dealing in
contraband goods and other illegal activities,” (Mohamed, Interview July 4, 2006). This view focuses on post-1991 Somalia and blames the war for escalated trafficking into Kenya of illicit products including, most importantly, sophisticated guns. These, it is argued, have contributed to increased insecurity in North Eastern Kenya and Eastleigh in Nairobi where most refugees settle. President Moi, in a 28 July 2001 presidential order, gave credence to this assumption when he ordered the Kenya-Somalia border closed. He explained that armed refugees entered into Kenya and contributed to increased incidence of insecurity and crime in Nairobi. 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.’ While there is some truth to the point that the influx of Somalis did coincide with an increase in small arms, the general level of insecurity cannot be blamed on the Somali alone (Murunga 2005, 144-5). While some general sentiments exist, one interviewee provided greater insight by noting that it is not uniform throughout the country. He notes that the way Kenyans view Somalis is dependant on the location and concentration of Somalis in the area. In cases were Somalis are dominant, they are seen as competitors especially in business. They were seen a pushing out Kenyans who lived in Eastleigh. When they are less dominant they see each other as fellow Kenyans and they are absorbed into the society. It is also very difficult for Kenyans to distinguish the Somalis who are Kenyan from those who are not so it is presumed that the person is Kenyan since it is generally accepted that there are many Somalis who are Kenyan. The hostilities by Kenyans towards Somalis are for the most part directed towards distinct communities in distinct locations. Like in Nairobi, whenever you hear there is a crisis, or a concern about
firearms, they [law enforcement] contact Eastleigh since that is where there are many Somalis but nothing of the sort occurs in Mombasa, the coastal city, since the Somalis are spread out and integrated into the society (Karanja, Interview July 24, 2006). In an estate near Juja Road which is adjacent to Eastleigh, I heard a woman exclaim, “They [Somalis] are loud and dirty. You know, a lot of them are unemployed so they stay in the house the whole day. So in the evening, they start walking around the estate and making so much noise.” In cases where Kenyans feel that the Somali presence is perceived as a threat, there tends to be a greater level of hostility.

Another area of acute concentration of Somalis is at the camps and an official who once worked in the area remarked, “At the Dadaab camps, life is hard outside that Kenyans sometimes register themselves as a refugee to get food rations and other services accorded. They hide their Kenyan Identification Cards while they do this. There is a lot of hostility between refugees and host communities who accuse refugees of destroying the environment by cutting down trees and causing greater insecurity in the area since one never knows whether the person seeking refuge was a targeted individual or one of those who committed wrong and is afraid of revenge” (Mohamed, Interview July 4, 2006). These sentiments note that besides insecurity, this particular region due to its climate is concerned about the ecological influence of the Somalis. There is the complaint by host communities that the refugees get better treatment than Kenyan citizens. The general sentiment is that Somalis are related to insecurity. This is contested by the paper done by Murunga (2005), he concludes that the increased insecurity after 1990 was simply correlated to the movement of Somalis in the country and not the sole cause of it as is understood in common discourse. He argues that the increased insecurity
is a result of refugees who enter the country with illegal weapons, the inability of Kenyan forces to secure an expansive border, the corruption of Kenyan law enforcement, and the participation of other Kenyans by buying goods known to be illegally brought into the country which moves the blame from being solely the Somalis to implicating all those involved or enabling the security situation (160).

The Somali refugees in Kenya can be separated into three main categories. The wealthy urban dwellers, including well-off Hawiye businessmen from Mogadishu or Barre’s Marehan kinspeople, found residence in Hurlingham and other upscale sections in Nairobi. Those refugees, fortunate to have some kind of clan or lineage connection with Kenyan Somalis congregated in Nairobi’s Eastleigh area, already a major node within the Somali world network. Eastleigh was in time christened ‘Little Mogadishu’. The poorest refugees, unconnected individuals, or members of the lower status groups like the Rahanweyn, ended up in camps like Liboi and Utange (Goldsmith 2005, 470). As was noted earlier, these were some of the camps closer to Mombasa that were closed down and the refugees living within were moved to Dadaab. The first two categories were more integrated among non-Somalis of ‘down country’ as is still referred. Nairobi, as it is the capitol, is where most of the Somali settled themselves.

Somalis refer to the internationalized city of Nairobi as ‘Half-London’. In 1992 the downtown population of Half-London appeared to be at times half Somali, as refugees congregated around cafes and the Jamia mosque. People began calling the middle income Nairobi West housing estates ‘Mogadishu West.’ But it was lower middle class Eastleigh that naturally became the main base in Kenya for the Somali. The main part of Eastleigh, sections one and two, is a relatively compact grid some twenty blocks long and four blocks wide hosting the ethnic diversity of places like East London and culinary variety of Chicago’s Clarke Street within a combined African truck stop, outdoor market settings. Eastleigh was formerly a barrio of one-story, Bombay style flats, outdoor jua kali.  

3Jua kali means hot sun in Kiswahili. It refers to open air workshops that form Kenya’s informal artisan and manufacturing sector
garages, wooden kiosks manned by Nyambene Meru miraa traders, with long distance double trailer lorries lining the streets (471).

Somalis from the failed state came into Nairobi with families and rented out as groups hoping to remain together as an extended family. “What would happen is they would say they want a whole flat and are willing to pay double the rent and to pay rent for the next five years. This was a deal that not many landlords could refuse and existing tenants could not afford to match that price so they moved out of Eastleigh and left the flats to Somali families” (Mohamed, Interview July 4, 2006). According to the profile of the Somali Community in Nairobi, approximately 80% of the Somali refugee community resides in Eastleigh. It continues to note that the majority of the Somali community tends to live in Section I of Eastleigh, which is located from 1st street to 12th street and Section III which is located next to Eastleigh Airport. The population of Somalis in Section II is much less than in Section I. Besides Eastleigh, they also reside in Kamarock Estate but those Somalis tend not to be in business but rather either have formal employment or receive money from family living abroad. There are also few Somalis refugees in South B and C who are supported by Somali Kenyans or family living abroad (Chikumba 2006, 12).

Soon after the arrival of the Somali refugees, the dollars they brought in began to circulate. A large clothing market sprung up on Wood Street, in the rear of section two Eastleigh, and changed the area into a sprawling indoor-outdoor mall (Goldsmith 2005, 471) Many Somalia refugees engage in trade where they sell cheaply acquired goods from Somalia that are brought into Kenya though the porous Kenya-Somalia border. These goods are much cheaper compared to items imported through officially recognized points of entry into country. The war in Somalia has inadvertently created a business
opportunity Somalis have settled all over the world and provided business connections for those in Kenya. This diasporic quality and the lack of regulation allows Somalis to import into Kenya items from Europe and Asia untaxed and sell them very cheaply, though at a good profit, to Kenyans. Thus is made possible by the porous border between Kenya and Somalia. Even in the camps, Somalia refugees are reputed entrepreneurs owning the largest market in the three NEP camps (Murunga 2005, 156). Eastleigh supplies most of Nairobi businesses with its retail goods. In fact, it is more profitable to buy from Eastleigh and resale within the city center than it is to buy legally imported goods and sell them at an equivalent profit (157). So much is Eastleigh a commercial hub but there is the opinion that, “if you are in Eastleigh and not shopping, then you are Somali” (Chikumba, Interview July 24, 2006). Murunga (2005) gives a detailed description of the commercial aspect of Eastleigh:

Until recently, these businesses in Eastleigh were housed in a cluster of shopping ‘malls’ collectively called Garissa Lodge; Garissa being the provincial headquarters of NEP. These were initially rental houses that have been converted into shops. At night they become residential houses for the traders while during the day they are centers for booming trade. A total of about 400 rooms can be counted in Garissa Lodge, most of them being operated mainly by Somalia refugees. Some of the items for sale are housed in small rooms that initially had been bathrooms or toilets…The nature of these rooms show that the current occupants are temporary residents. They have no separate residential houses and neither are they interested in finding ‘descent’ housing for long term residence. Further the clothing items they sell act as chairs and beds…These places are occupied by non-Kenyan Somalis. Many of them hardly communicate in Kiswahili, the Kenyan national language, and are reluctant to answer ‘suspect’ questions. While this may be explained by lack of understanding of Kiswahili, it is possible that the illicit activities that go on in these places also explain the reluctance (157).

As by the evidence presented, there is indeed a Somali community in Nairobi, Kenya. The evidence also presents general characteristics of this community. For
instance, that there is a large concentration in Eastleigh and that they are heavily engaged in trade. However, throughout the evidence provided, there have also been issues that indicate that this ‘community’ has several points of cleavages that depend on a number of factors. One of the more significant differences that dictate the way in which interaction occurs with non-Somali Kenyans is citizenship. Throughout there has been a distinction made between Somali Somali and Kenyan Somali or Somali Kenyans. As noted from the colonial period, the artificial border drawn between the territory of Kenya and Somalia effectively divided what were one people. This division of one people is further brought to bear by the struggle for self-determination. As a result, there were Somalis who were encapsulated into the Kenyan territory and thus held Kenyan citizenship. These Kenyan Somalis have while holding on to their ethnic affiliation with Somalia, have shared in the collective history of Kenya and shared in the resources accorded by the state. Somali Kenyans are not only born in the Northeastern province near the Somali border, but they are born all over Kenya; in Nakuru, Nairobi, Kiambu, Nyeri, Meru and many other places as Somalis have spread. As is noted by an interviewee, some may not meet Somalis in their area but when they are at home they speak the language. So they may not master it, but they still consider themselves Somali (AAA, Interview July 14, 2006). However, being born in Kenya does not automatically make one a Kenyan citizen. A refugee woman who begets a refugee child by a refugee man results in the child remaining a refugee. The fact that they are born in Kenya does not entitle them to citizenship and the birth certificate issued includes a notation stating that this document does not entitle this person to Kenyan citizenship. It is very clear case who receives Kenyan citizenship. The Kenyan system is patriarchal and Kenyan citizenship is determined by having a Kenyan
father (Karanja, Interview July 24, 2006). As such, those who are recent arrivals as refugees have children that retain their legal status as refugees and all the implications associated with that status.

In the past, the situation was that Somalis were able to get National IDs that then gave them access to all the rights reserved for citizens. This was a quiet practice that could partly be attributed to corruption. To define who is a Kenyan Somali or a Somali Somali is difficult as the people in question have been divided by an artificial border that has allowed them to interact and form many points of commonality. So if the community elders conspired and they wanted to register refugees as Kenyan, they only needed to convince a chief to endorse that this person needed a National Identification Card. If a person went to see a chief in another part of the country where Somali community elders did not hold sway and presented evidence that they had gone through the Kenyan education system, which are the major documents needed to get a National ID, then the chief had no reason to deny the endorsement. So, it is not only corruption but there is a problem in defining who is Kenyan and who is not (Karanja, Interview July 24, 2006). Although the government stopped this practice, most of the Somalis who were present in the 80s were issued a screening card so even now, if left with no option, a law enforcement officer may ask to see their screening card or to bring their parents’ screening card if they are applying for their own passport or identification card. There is also what is called the Registration of Persons Vetting Committee that is responsible to ascertain someone’s origin. They ask various questions such as what school one attended or if one is familiar with a hospital or a major feature of the place they claim to originate. “Usually one can tell the real Kenyans because they speak diluted Somali but if a person
looks weathered you can almost guess they are Somali from Somalia. Sometimes I was able to catch people who were lying because they did not know I am familiar with the area so they would say all manner of lies and then I would ask them if they knew a certain person who I knew was a prominent member of that particular community. If they were telling the truth, it was clear right away but many were caught in their lies and were surprised that I knew so much” (Mohamed, Interview July 4, 2006). Those who are able to get away with it in the end have dual rights both as a Kenyan and a Somali if they have the National ID and a Somali passport. But this is coming to an end since during the process of getting an ID, fingerprints are taken and matched against those registered as citizens or refugees and some have been caught since there are two sets of fingerprints in record. The government is working to combat this. In the past, the government has agreed to give amnesty to those who voluntarily admit their fault and several have taken advantage of this offer. If they wait till they are caught, they are treated as criminals (Karanja, Interview July 24, 2006).

Citizenship for a Somali means access to state resources and the guarantee of certain rights and liberties. This may include the ability to own land and property, to conduct trade, to hold bank accounts, etc. As a result, citizenship may be desirable for those instrumental reasons. Nonetheless, it is not only these opportunities that differentiate Kenyan Somalis and Somali Somali. As Goldsmith (2005) points out:

Integrating into Kenya’s multi-ethnic and economically diversified society has weakened lineage influences among many of Kenya’s Somalis, especially the urbanized. Some can still recite their forefathers’ names fourteen or fifteen generations back, but others get lost after several generations. Frustrated (or fed up) part of the way into the genealogical chain, they have been known to exclaim ‘sijui!’ (i.e., I don’t know in Swahili). Thus, Somalis from Somalia started calling Kenya Somalis ‘Sijuis.’ In response, Kenya’s Sijui Somalis began to call the Somali
nationals ‘Walendo,’ a Swahilicized, Anglicized derivation for people from the Somaliland. Walendos consider Sijuis to be culturally diluted and linguistically impoverished by Somali standards; the Sijuis often describe Walendos as unsophisticated, provincial, and tribalistic by their standards. Regardless, the support system still functions wherever Somalis meet.

Kenya has a substantial Somali population, and the different clans of the two main refugee tribal groupings, the Darood and the Isaaq, are particularly well represented in urban areas. In their case, it is only a matter of time for a Somali in Kenya to meet up with some close or distant kin. Once they do, they are almost guaranteed to receive the assistance they need: Somalis retain a remarkable capacity for sharing their resourced with their near and distant kin in this respect…The urban Somali population in Kenya is thoroughly kenyanized despite the strength of their own culture. Clan Identity if strong, but the integration into Kenyan society has largely vitiated tendencies towards internal tribal antagonism. Some Somali households in Eastleigh welcomed refugees regardless of their clan affiliation (472).

It is clear that citizenship is simply not the only factor, but rather the integration into Kenyan society of some of the Somalis has created difference within the Somali community with the Kenyan Somalis seen as ‘less true’ to the Somali ways in terms of language, the role of lineage structures in dictating social and political affiliation etc. This does not mean that Kenyan Somalis are homogeneous either since their movement ‘away’ from the essence of what is ‘Somali’ is determined by the depth and breadth of their integration in Kenyan society. As noted above, for those Somalis who are born in Kenya but do not live within a larger Somali community in their area, their only access to learning about what is ‘Somali’ is from their parents. As such, their education into being ‘Somali’ can be highly varied if say the parents choose to emphasize or deemphasize a certain aspect of the culture. However, those that live in a large area of concentration of Somali such as Eastleigh not only have their parents but thousands of other Somalis to refer to in learning what it is to be ‘Somali’. They have more opportunity to practice the language, engage in festivities, learn the shared history etc.
Another general change within the Somali community is related to gender. This change may be attributed either to the integration into Kenyan society or the social breakdown brought about by conflict and displacement. In civil war, typically more men die than women and as a result, there are many women headed households. This is true of the Somali refugee population in Kenya that is majority women. An interviewee noted that now women had to play both mother and father. This, in his opinion, exposed them to many dangers such as rape, and prostitution since their men were no longer there to protect them (AAA, Interview July 14, 2006). The economic drive to this change is noted by Goldsmith who says:

Sheer necessity prompted expanded [women’s] participation in the economic realm, relief operations, and other services...Some Kenyan Somalis and Somali refugee women take things a step further by abandoning their men altogether...The Kenya environment has always provided Somali women greater scope for social mingling and intermarriage...Half-London [Nairobi], however, offered the option of stepping out of defined social orbits and into the sometimes glitzy world of Nairobi night life. The small but conspicuously visible minority of refugee women visited clubs like Nairobi’s Florida 2000 or Mombasa’s Bora Bora disco, where the well-paid expatriate is a prize who can bring lasting benefits to the woman and her family. The Western administrators and relief workers coming from the war and starvation zones serviced from Nairobi who joined the eclectic collection of foreigners and locals mixing it up at night spots added a feedback loop. The significance was not lost on Walendo Somali men. A woman seen in the company of a foreign companion on Nairobi streets was often taunted by loitering Somali males with remarks ranging from “aren’t we good enough for you?” to “whore!” or simply “Christian!” (473-4).

Goldsmith notes that women have moved away from tradition by engaging in intermarriage with non-Somali or breaking mores by becoming prostitutes in order to make ends meet. These changes are not well received as is noted by the insults hurled at these women. This is not to say that these are the only strategies adopted by the Somali
women. During my trips into Eastleigh estate, it was clear that women were also very involved in legitimate trade as well as other business ventures.

There is also a struggle between the two generations with the older trying to really keep ties with Somalia. Many families who have migrated to Europe or the United States send their families back to Kenya to reconnect. As Murunga (2005) explains:

The Somali presence in Kenya, many of whom were relatives of migrating refugees, explains not just the ease with which Somali refugees entered, mingled, and settled in Kenya but also how they became invisible (to a state intent on regulating their movement). In Kenya, as in Somalia, the refugees were at ‘home’…Though they were away from home, they settled in societies based on their own culture and in environments that mimicked their own. As refugees at home, they were invisible to the Kenyan legal instruments once they joined their kin in Northeastern Province (NEP) and Eastleigh (148-9).

It is in these settlements that they keep their memory of ‘home’ alive by continuing to enjoy food such as camel milk, camel meat and a variety of other dishes. In terms of dress, the traditional dress, which is something like a very long *leso* (a cloth wrap) is used during ceremonies and festivities although the Islamic covering is more common now. They keep ties by trying to reinvest back in the country by buying land, property, or doing businesses that will hopefully attract people to go back when peace is regained. In terms of information technology, Somalia is leading in the area so people are well connected though the cell phone. A call to the USA from Eastleigh is 5 shillings per minute (AAA, Interview July 14, 2006).

While interaction with non-Somali Kenyans has led to some changes ‘away’ from what is considered traditional, some aspects of what is Somali have been retained. As I.M. Lewis (2004), an anthropology professor who has been writing on the Somalis since 1955, notes:
The continuing power of clanship as an ongoing basic component of social cohesion—not a determinant—is obvious, even, interestingly, at that shrine of modernity, the internet, where each of the main Somali clan blocs has its own website, indeed often several. At a wider, more general level, the clan and lineage genealogies which underpin the clan political system provide the basic system of personal identification utilized by Somali refugees throughout the world to send remittances to their kin at home. This form of indirect aid from the countries where the refugees had found asylum, was estimated in 2001 to have an annual value of more than US$800 million…The global process (known as hawilaad), producing this huge volume of family aid, operates by telephone, fax, and radio. These modes of communication enable the sender to transfer funds instantly, though his local office (which often also operates as an internet café) or bank, to his kin in Somalia, via one of the hundreds of informal remittance points scattered throughout the country. The sender specifies, the genealogical identity of the addressee, and the recipient in Somalia has to identify himself in these terms to collect the funds transmitted. Trust here, as in other commercial arrangements, is based on kinship connections. Since clanship remains the fundamental—but not unique—basis of security in Somali society, its prominence, as we have seen, waxes and wanes with the availability and adequacy of alternative agencies of social control. Another crucial factor, of course, is the volume and acuteness of threats to security in the broadest sense. In periods of tranquility and prosperity, and when government agencies provide an acceptable and trusted level of social control, the primacy of clanship diminishes. Under the reverse conditions it develops in importance correspondingly (505-6).

These points are connected to previous points made. For example, when the Somalis arrived in Eastleigh and were in dire need of assistance, the clan differences were put aside to cater for the people in need. In the practice of shegat, clan rivalries are suspended and the weaker clan is absorbed until the threat of survival passes. During this time, a rival clan is expected to not take advantage of the weakness of the other. The changing role of the clan is expressed by Abdi, a Kenyan Somali, who says, “We dislike someone talking ill of the Somalis. We might be abusive or fight with you but we might disagree ourselves. We dislike external aggression; that’s why American soldiers were killed and they came as peace keepers. When they left, the war started all over again” (Abdirahman, Interview August 10, 2006). According to Abdi, the cohesive nature of the Somali
identity is to some extent determined by external factors, especially those perceived as threats.

The large influx of refugees in 1991 has had huge effects on Kenya and its people. An interviewee summarized the effects noting:

There are both negative and positive impacts of the Somali influx into Kenya. Among the negative are the huge number of weapons illegally brought in. In fact, some of the ‘refugees’ are here in Kenya are part of the militias who are regrouping. Secondly, there has been the destruction of the environment especially near the camp areas which already have sparse vegetation, where refugees cut down trees in order to use as building materials for temporary structures or for firewood. There is also a lot of criminal activity associated with Somalis such as poaching, banditry, and armed ambushes of cars. There is also a problem in that some of these national resources that are otherwise reserved for Kenyans are now accessible to people who are not citizens. In addition, there is the silent accusation of immorality, where we find increased prostitution amongst Somali women who might be looking for a way out of the camps. Most Kenyans don’t automatically think of Somali women but in Nairobi, they remove the hijab and people discover that they are beautiful underneath. The influx of Somalis has also resulted in some benefits. For example, when they came into Kenya, they brought in much needed foreign currency. Those crossing the border after state collapse brought in sacks of dollars and they came and invested in Kenya after buying their way in. The influx of refugees has given Kenyans jobs through UNHCR, given business to local transporters and allowed Kenya to get more foreign aid. The Somalis have also been consumers in the Kenyan market especially boosted the miraa business. They also have been producers of goods that are even exported such as ornaments. The Somalis have also helped the image of the Kenyan government internationally as it is seen as a caring country in a troubled region that is willing to provide a safe haven and to work towards restoring stability by hosting peace talks. In addition, Somalis have provided a chance for increased cultural integration since people will share their cultures (Mohamed, Interview July 4, 2006).

This is by no means a complete report of the impact of Somalis but it illustrates that while there are some reasons for tensions, Kenya has also benefited from the presence of Somali refugees. And as time has passed since the collapse of Somalia and it is unpredictable when it will be fully safe for people to return, Somalis have become a part
of the Kenyan scenery. According to a Somali interviewee, “Kenyans have accepted Somalis. For every 30 people in Kenya, there is one Somali. Somalis are becoming prominent in government. They are considered more neutral because they don’t side with any one of the Kenyan tribes” (AAA, Interview July 14, 2006). Even though the Somalis are posited as being outside of the Kenyan society, this position is at times an advantage. If to be “Kenyan” is to be tribalistic, and if tribalism is an undesirable quality, then it helps to not be Kenyan. Thus, even when the group is classified as the “other”, it may still serve an important function in the general society.
Conclusion

This paper has examined the interaction between Somalis and non-Somali Kenyans from colonial time to the present. It has examined the way in which the claim to Asiatic status sought to identify “certain Somalis” apart from ‘natives’ or other Somalis. This claim was based on the racial hierarchal structure of the imperial power and the Somali society. The action had instrumental motivation aimed at securing additional rights and opportunities within the existing structure. It also revealed the hierarchical categorization of physical traits and occupation used to determine access. It also examined the struggle for self-determination of the Northern Frontier District and its acceleration into civil strife. This presented a familiar case within the African continent in which ethnic affiliation and citizenship did not match up. While self-determination was an ideal held up as a universal right, the African States leaders’ decision to define self-determination on the African continent as a struggle against a foreign power from across the blue sea thwarted the effort. As a result, the region hosting most of the Somalis was seen as a threat to national unity and treated accordingly by keeping it apart from the rest of the country as it had been during colonial times. In general, Somalis have been associated with a threat to security in Kenya. The Kenyan state and its legal superstructure, with the intention of defining the Kenyan nation, used the situation by the border to illustrate who was Kenyan and who was not through various exercises. These deliberate actions by the state tended to exclude, and include in certain contexts, Somalis from the resources available to the state. These exercises, due to their target, while setting a cleavage within the Somali people that would be seen later, also continued to differentiate Somalis from the ‘rest of Kenyans’. The influx of Somali refugees in 1991,
due to their numbers and the amount of time spent in the country has again changed the situation. The numbers allow for significant settlements that are easily identified as Somali. However, it also reveals that what is seen as a whole Somali Community in Kenya has various points of difference that include but are not limited to class, generation, citizenship, refugee status, religion, clan membership, access to remittances from family living abroad and area of settlement. The integration into Kenyan society has had particular impact on the role of clan in Somali community. This is not to say that the clan, as the previously held and maintained (artificially and otherwise) social organizational structure, has disappeared, but rather that its meaning or the way it translates as a social and political guiding structure has changed. In addition to the influx of Somalis in Kenya, the migration of Somalis to other parts of the world has also had an effect on their conception of self. In this case, the changes to Somali identity in Europe and U.S. are seen as so drastic that the situation in Kenya is preferable. The Somalis, in the interaction they have had with Kenya and its people, have been engaged in constructing Somaliness. This construction has at times emphasizes primordial qualities and/or appeared to favor more instrumentalist purposes. Regardless of the actions of external actors to the collective, Somalis can only be spoken of as a collective as long as they self-identify as such. My research into the reinvention of Somali identity within Kenya supports the claim made by Cornell and Hartmann (1998) stating, “distinctive cultural practices have declined over time, but the identity—that sense of ethnic distinctiveness—has not” (18).
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