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Kenya's Foreign Policy: The Return of Geopolitics and the Revenge of the Liberal Order

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Résumé / Abstract

Upon coming to power in April 2013, the Jubilee Government of President Uhuru Kenyatta has inaugurated Kenya's most assertive foreign policy in recent decades, resting on nationalism, regionalism, African solidarity and south-south solidarity as its main ideological planks. While Kenya's new assertive policy is a response to the changing tides of geopolitics, it is propelled by an emergent indigenous capitalist class with economic interests across the region. Kenya's intervention in Somalia to flush out the Al-Shabaab militants and deployment of its forces in South Sudan signify its readiness to back its soft power with the hard power of its military to defend its geo-strategic interests. Also emboldening Kenya's assertive policy is rise of new economic powers in the South, particularly China, signaling the end of the 'unipolar moment' and the return of geopolitics. The West has responded by taking isolationist tactics and surreptitious increasing assistance to liberal activism to fight back the challenge by the new powers and maintain its influence in Africa. As the West's preferred doctrine, liberal interventionism has strained relations with Africa's ruling elite and contributed to the radicalization of foreign policy. This note examines the link between geopolitics and the radicalization of Kenya's foreign policy. It argues that while the return of geopolitics was bound to expand space for former client states to seek more autonomy in international affairs, it has contribute to uncertain regarding the future of global power.

Introduction

Since April 2013, Kenya has officially adopted an unprecedentedly assertive foreign policy. During his inauguration as Kenya's fourth president on April 9, 2013, Uhuru Kenyatta -the scion of the African nationalist and founding father of the Kenyan nation, Jomo Kenyatta- unveiled Kenya's new Africa-centered policy. "The future of Kenya depends not only on our national unity but also on deepening our bonds with our brothers and sisters in East Africa and Africa as a whole," Kenyatta declared. He assured the "nations of Africa and the African Union" that in Kenya, they "will continue to have a partner and an ally." Stating Kenya's new quest for autonomy in international affairs, Kenyatta stressed that "*we join you in continuing to insist on relating with all nations as equals- not juniors.*"¹ With this, Kenya has moved away from the West-centric policy of the Cold War-era, and tethered its foreign policy to four ideological pillars: nationalism, regionalism (underpinned by 'developmentalism'²), African solidarity and South-South solidarity.³

Conceptually, Kenya's foreign policy has developed through three geopolitical phases: the Cold War, the unipolar moment and now the multi-polar world marked out by the return of geopolitical rivalries. The first phase (1963-1989), is 'the age of pragmatism' fashioned by the geopolitical realities of the Cold War era. Kenya adopts a West-leaning policy, a capitalist path of development and a moderate stance on African affairs to secure its national interests, mainly security. It ultimately becomes a classic neo-colonial client state in America's orbit of power, but also a regional power.

The second phase (1990-2000), corresponds to the end of the Cold War and the onset of what Charles Krauthammer terms "the unipolar moment"⁴ with America as the sole superpower. This follows the triumph of liberal capitalist democracy, celebrated by the political scientist Francis Fukuyama as "the end of history," of humanity's ideological struggles and the permanent demise of geopolitics.⁵ The West shifts focus from past geopolitical issues of hard-power to the soft-power concerns with global governance, including trade liberalization, democratization, human rights and the rule of law. Kenya's geopolitical importance began to wane and its relations with the West started to decline. The ensuing tensions and reversals of democratic transition put its one-party elite on a collision course with the West, which was backing its rivals in the opposition and civil society as agents of democratization in what political scientist Samuel Huntington termed "the third wave" of democratization that washed over Africa from 1989.⁷ This propelled

¹ Republic of Kenya, *Speech by H.E. Hon. Uhuru Kenyatta, C.G.H., President and Commander-in-Chief of the Defence Forces of the Republic of Kenya during his inauguration and swearing-in ceremony* on Tuesday, 9th April 2013 at the Moi International Sports Complex, Nairobi.

² Regionally, Kenya's 'developmentalism' seeks to ensure autonomy in international economy, but also to leverage external resources to leverage development and national prestige in external affairs.

³ Peter Kagwanja, "Inside Kenyatta's emerging, assertive policy in East Africa", *East African*, May 9, 2013.

⁴ Charles Krauthammer, "The Unipolar Moment", *Foreign Affairs*, 70, 1, (1990/1991): pp. 23-33.

⁵ See Francis Fukuyama, *The End of History and the Last Man*, Free Press, 1992.

⁶ Walter Mead, "The Return of Geopolitics," pp. 69-79.

⁷ See, Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Oklahoma: University of Oklahoma Press, 1991.

Kenya's power elite to begin exploring alternative avenues to the West-centric foreign policy in Asia, Eastern Europe and Latin America.

In the third phase (2000 to the present), is the multipolar age when geopolitical rivalries stormed back into the center stage, challenging the power of the American-led liberal order.⁸ Externally, the emergence of new economic powers in Asia and Latin America such as Brazil, India, South Korea, China and South Africa, a resurgent Russia, Iran weaving alliances in the Middle East, and an increasingly assertive Japan in East Asia, expanded space for the West's client states like Kenya to seek more autonomy and freehand in international affairs. During this phase, Kenya has also increasingly used hard power, exemplified by the military intervention in Somalia to pursue the al-Shabaab militia and deployment in South Sudan, in order to defend its interests. However, critics of the "return of geopolitics" thesis rightly argue that the new powers are not strong enough to replace the "the enduring power of the liberal order" and American leadership.⁹ As such, western powers have taken to an aggressive doctrine of liberal internationalism¹⁰ as a strategy to maintain their grip in Africa and to counter the influence of "the revisionist powers"¹¹ challenging their global hegemony.

Internally, also challenging the dominance of the West is a new indigenous capitalist class as part of Africa's embryonic power elite¹², investing at home and abroad and ideologically propelled by economic nationalism, and now poised to shape Kenya's foreign policy for years to come.¹³ In 2013, this power elite coalesced around a new political formation, Jubilee, which seized power and assertively pushed for a new foreign policy orientation. But this power elite is still at risk of its internal ethnic rivalries and divisions and external challenge from its strongly pro-West rival elite. Elite fragmentation has stifled the possibility of a common approach to foreign policy. In 2007-2008, elite power tussle led to electoral violence, exposing Kenya to a new bout of liberal interventionism in the form of the indictment of six high-profile Kenyan leaders by the Hague-based International Criminal Court (ICC) for alleged atrocity crimes relating to the 2008 post-election violence.¹⁴ Among those indicted are President Uhuru Kenyatta and his Deputy President William Ruto, effectively turning the ICC into the crucible for Kenya's foreign policy in the 21st century. The Jubilee Alliance tactically invoked nationalism to win the election and African solidarity as an ideological counter to liberal interventionism, especially the role of the ICC, thus increasing tensions with the West.

⁸ See the debate on the impact of geopolitics on global politics in Walter Russel Mead, "The Return of Geopolitics: The Revenge of the Revisionist Powers", *Foreign Affairs*, May/June 2014, pp. 69-79.

⁹ G. John Ikenberry, "The Illusion of Geopolitics: The Enduring Power of the Liberal Order", *Foreign Affairs*, May/June 2014, pp. 69-79.

¹⁰ For a synthesized discussion of the theory of Liberal Interventionism, see Tim Dunne and Matt McDonald, "The politics of liberal Internationalism," *International Politics*, **50** (2013): 1-17.

¹¹ Mead, "The Return of Geopolitics," pp. 69-79.

¹² The concept of 'power elite' is used here to refer to the interwoven interests of the leaders of the corporate, political, military, and professional elements of society, see C. Wright Mills, *The Power Elite*, Oxford University Press, 1956.

¹³ See for example, David Himbara, *Kenyan Capitalists, the State, and Development*, Boulder, CO.: Lynne Rienner, 1994.

¹⁴ Peter Kagwanja & Roger Southall, "Kenya's Uncertain Democracy: The Electoral Crisis of 2008, London: Routledge, (May 25, 2010).

This note analyzes Kenya's emerging assertive foreign policy within the broader canvas of the resurgence of geopolitics and African response.

1 – In the winter of Geopolitics

Kenya's new assertive foreign policy carries the echoes of the radicalism of the early 1960s. At independence in 1963, Kenya started off with a foreign policy framed by nationalism, pan-Africanism and neutrality in regard to the East-West geopolitical rivalries of the Cold War era. Kenya's foreign policy was Africa-centered. President Jomo Kenyatta appointed two complimentary though separate ministers in-charge of foreign policy, one focusing on foreign affairs and the other as Minister at the Presidency in charge of Pan-African Affairs. However, geo-political considerations, emerging security threats and power rivalries within the political class in the first decade of Kenya's independence (1963-1973) brought Kenya's diplomacy to a crossroads.

1.1 – *The Age of Pragmatism*

In the 1964-1966 period, the Kenyatta government gradually shifted to a West-leaning foreign policy in order to secure the West's military and diplomatic support to contain three security challenges. First was the *Shifta* (bandit) War (1963-1967). This secessionist conflict was sparked off by a bungled referendum initiated by the British in 1962 in the Northern Frontier District (NFD)—a region almost exclusively inhabited by Somalis—but quickly morphed into a low intensity warfare in which Kenya's ethnic Somalis sought to join with their fellow Somalis in a Greater Somalia.¹⁵ Second was the 10-mile Coastal Stripe, originally under the Sultan of Zanzibar but handed over to Kenya at independence by Zanzibar's Arabic rulers.¹⁶ The eruption of a revolution in Zanzibar in 1964 against the Arab regime mounted pressure on Kenya to forge closer cooperation with the West, particularly the British, to deal with the territorial issue. Third was the 1964 mutiny by some elements of the Kenya Army, which was only contained with the help of British troops.

Besides these security imperatives, from 1964 the East-West geopolitical rivalries badly split Kenya's nationalist elite at the helm of the ruling Kenya African National Union (KANU). Titanic ideological battles pitted the west-leaning bloc led by Kenyatta and his powerful Minister, Tom Mboya, against the left-leaning bloc led by Vice-President Oginga Odinga. Ideological tussles within Kenya were exacerbated by the rapid shift to socialism by Kenya's neighbors—Uganda, Tanzania, Ethiopia and Somalia. The West became convinced that Kenya was the last bastion of liberal capitalism and bulwark against communism in Eastern Africa and the Indian Ocean rim. A surreptitious intervention in the early 1960s saw the radical wing of Kenya's nationalist elite defeated and edged out of power.¹⁷ The country was de-radicalized and the new government put on an even ideological keel as a perfect client state supporting the West's Cold War geopolitical interests.¹⁸

¹⁵ Eldon A. Mainyu, *Shifta War*, Nairobi: Aud Publishing, 2012.

¹⁶ John M. Mwaruvie, "The Ten Miles Coastal strip: An Examination of the Intricate Nature of Land Question at Kenyan Coast," *International Journal of Humanities and Social Science*, 1, 20(December 2011).

¹⁷ Jaramogi Oginga Odinga, *Not Yet Uhuru: The Autobiography of Oginga Odinga*, Heinemann; 1st edition (June 1968).

¹⁸ William Attwood, *The Reds and the Blacks*, Harper & Row, 1967.

The results came fast. In 1965, moderate elites in KANU successfully pushed through parliament the *Sessional Paper No. 10 on African Socialism and its Application to Planning in Kenya*. This blue-print, only socialist by name, put the country firmly on the path of capitalist development. On February 25, 1965, Pio Gama Pinto, a Kenyan journalist, politician and freedom fighter of Asian descent and the chief strategist and the soul of the Kenyan left was shot at very close range.¹⁹ And in June 1966, Odinga and the left-leaning MPs were maneuvered out of KANU and the Government sidelined from power and isolated, and the country was put on an even keel in the hand of moderates.²⁰ By 1970, support for socialism and the Eastern bloc had shrunk to a small section of Kenya's left-leaning academy and the fringes of the political class.

Kenya's West-centric policy enabled Britain and America, in a classic neo-colonial fashion, to maintain military bases in the country, train its police, security and military personnel and to enjoy a commanding influence over its trade and economic relations.²¹ As a counter-balance, Kenya acquired advanced military equipment from the West, including F5 fighter jets and military training, and American Navy ships called in Kenya's coastal ports, including Mombasa. Kenya also joined forces with Western Intelligence agencies, including the American Central Intelligence Agency (CIA), the Israeli Intelligences the *Mossad* (foreign intelligence service), *Aman* (military intelligence) and *Shin Bet/ Shabak* (Israeli internal security service).

Kenya's ideological shift exacerbated tensions with its socialist-leaning neighbors. In Tanzania, President Julius Nyerere adopted the *Ujamaa* policy in 1967, moving the country closer to Communist China and the Eastern bloc. Uganda's Milton Obote followed suit, adopting *the Common Man's Charter* in 1969, described as "the first steps for Uganda to move to the left."²² Obote was ousted in 1971 by General Idi Amin Dada whose eccentric and kleptocratic style pushed relations with Kenya and Tanzania to a tipping point. Amin's territorial claims on Kenya nearly brought the two country's close to war. Nairobi aroused Kampala's ire when it covertly supported the Israeli commando raid on Entebbe to rescue Jewish hostages on hijacked Air France liner in 1976. Amid deepening diplomatic row with Amin and a widening ideological rift with Nyerere, the East African Community (EAC), an economic bloc formed with Tanzania and Uganda, collapsed acrimoniously in 1977.

Kenya was further isolated when its closest regional ally, Emperor Haile Selassie of Ethiopia, was overthrow in 1974. Ethiopia's Marxist junta of Mengistu Haile Mariam rapidly won the backing of the Soviet Union and the Eastern bloc. However, Kenya maintained close political and military relations with Marxist Ethiopia because of its national security interests, particularly a shared concern over Somalia's territorial claims. When the Ethio-Somali Ogaden war erupted in 1976, Kenya gave military and diplomatic backing to Addis Ababa.

Nonetheless, Kenya remained engaged in the politics of the Organization of African Unity (OAU), the predecessor of the African Union. It served in the OAU Liberation Committee and supported anti-colonial liberation struggles in Southern Africa—although to a lesser

¹⁹ J. Clement Vaz, *Profiles of Eminent Goans, Past and Present*, New Delhi: Concept Publishing Company, 1997.

²⁰ William Attwood, *The Reds and the Blacks: A Personal Adventure*. Harper & Row, 1967.

²¹ David Percox, *Britain, Kenya and the Cold War: Imperial Defence, Colonial Security and Decolonization*. London: Tauris Academic Studies, 2004.

²² Milton Obote, *Text of the Common Man's Charter*, 1969, Radionrhino.org, retrieved 19 April 2014.

degree compared to such frontline states as Tanzania and Zambia. The country also ventured into conflict resolution. During the Congo crisis, Kenyatta served as mediator between the Government of Congo and separatists in the Katanga Province. However, his efforts to secure the release of Western hostages held by the Katanga rebels ended tragically. Without consulting Kenyatta, a US plane dropped Belgian troops to rescue the prisoners, but the mission backfired when all the hostages were killed by the rebels. This forced Kenyatta to pull out of the Congo mediation. Kenyatta's attempt to broker peace between the three warring factions in Angola in 1975-1976 also ended unsuccessfully.

Despite these diplomatic setbacks, Kenya's profile grew tremendously. In 1973, the country was selected to host the United Nations Environmental Programme (UNEP) Headquarters in Nairobi, the first such UN agency to be located in a developing country. Kenya also hosted major international conferences, including the 1972 All-Africa Trade Show and the 1974 UNCTAD Conference, and welcomed the US Secretary of State Henry Kissinger in 1974. When Kenyatta bowed out of the stage in August 1978, Kenya had emerged as a regional power.

1.2 – A Regional Power

Upon ascending to power in 1978, President Daniel arap Moi diplomatically consolidated Kenya's status as a regional power.²³ Moi popularized the concept of "good neighborliness" to overcome the dilemma of advancing Kenya's trade and economic interests in a politically volatile and hostile region. A year into his presidency, Moi was under pressure to take a position on the conflict between Amin's Uganda and Nyerere's Tanzania, which escalated into full-scale war by the end of 1979. Moi treaded a neutral line, allowing Uganda to continue to use its sea port of Mombasa for its external trade. After the fall of Idi Amin in 1979, Kenya intervened in Uganda to broker a peaceful end to the country's civil war (1979-1986). In 1985, he brokered a peace deal between the military junta of Tito Okello and Yoweri Museveni's National Resistance Army (NRA). However, soon after the deal was signed, Museveni's forces stormed Kampala in January 1986. Kenya gave asylum to deposed Okello.

Moi consolidated Kenya's leadership in the Eastern Africa region. After the Ogaden war (1976-1978), Moi actively engaged Ethiopia's military Junta to consolidate a long-standing mutual Defence Pact to counter Somalia's territorial ambitions. In 1986, Kenya championed the creation of the Inter-Governmental Authority on Development (IGAD) as the premier security institution in the region. Moi was also involved in peace diplomacy in the Great Lakes region, including in Zaire (later the Democratic Republic of Congo), Rwanda and Burundi.

Continently, Moi ventured into African diplomacy. In 1980, Kenya played a crucial behinds-the-scenes role in the negotiations brokered by the British to end the racist White Rhodesian regime and pave the way for the independence of Zimbabwe. Kenya also contributed peacekeeping troops during Zimbabwe's transition. Moi served two unprecedented terms as the Chair of OAU, first in 1981 when Kenya hosted the 1981 Annual Summit, and second in 1982 as part of the West's ploy to deny the Libyan leader, Muammar Gaddafi, an international platform as Africa's premier leader and spokesman after the Tripoli summit. In 1989, he sent Kenyan troops to Namibia as part of the United

²³ Joel D. Barkan, "Kenya After Moi: An Insecure Partner," *Foreign Affairs*, January/February 2004.

Nations Transitional Assistance Group (UNTAG), which paved the way for independence in 1990.

Internationally, geopolitical rivalries took a deadly turn after the Soviet Union invaded Afghanistan in 1979. Kenya condemned the destabilization of Independent Marxist regimes in Angola, Mozambique and Ethiopia as part of the West's 'Vietnamization' of the Cold War in Africa to contain the spread of communism. However, because of its pro-West policy, Kenya increasingly became a soft target for international terrorist groups. In 1980, suspected Palestinian groups bombed the Jewish-owned Norfolk Hotel in retaliation for Kenya move to allow Israeli planes involved in the 1976 Entebbe raid to fuel in Kenya.

Kenya's pro-West policy had its critics. The setting free of an American sailor, Frank Sandstorm, who had brutally murdered a Kenyan woman, Monica Njeri, in Mombasa drew huge outrage. The government's boycott of the Moscow Olympics in 1980 at the behest of the US to protest the Soviet Union's invasion of Afghanistan also drew the ire of many Kenyans. The August 1, 1982 attempted coup by the Air Force, pushed the Moi regime to increasingly turn despotic to deal with real and imagined local and external threat to the regime.

Despite this, Kenya's diplomacy was at its peak in the 1983-1989 decade, also the best moment in its relations with the West. Moi made state visits to numerous African countries and received scores of African leaders in Nairobi. Moi visited Britain, France, Germany, Japan and the United States. In 1985, Kenya hosted the World's Conference on Women in Nairobi. In return, the British Monarch, Queen Elizabeth II, and the British Prime Minister visited Kenya. Pope John Paul II (the Pilgrim Pope) visited Kenya twice, in August 1985 and again in September 1995.

2 – The “Unipolar Moment”

Kenya's new assertiveness predates the election of President Uhuru Kenyatta. It has deep antecedents in the Moi and Kibaki governments as a response to the end of Cold War geopolitics which abruptly ended Kenya's honeymoon with the West and greatly weakening its privileges and the coziness as client state. The triumph of liberal capitalist democracy over communism led to the thawing of geopolitics and the rise of the United States as the sole superpower at the helm of the new liberal order.²⁴ In the ensuing 'unipolar moment', America's priorities shifted from the past geopolitical questions of territory and military power to emerging issues of world order and global governance, including democratization, human rights, rule of law, trade liberalization, climate change and nuclear non-proliferation. This put Moi's one-party system into sharp focus, exposing it to a new wave of democratization and forcing it to fight for its life.²⁵

Regionally, the 1990s decade opened on a positive note with the release of Nelson Mandela and his election as the first democratically elected black President of South Africa in April 1994. But the regional diplomatic scene was less hopeful. Many parts of the continent descended into civil war, including Angola, Burundi, the Democratic Republic of Congo, Ethiopia, Liberia, Rwanda, Sierra Leone, Somalia and Sudan.

²⁴ Krauthammer, "The Unipolar Moment", pp. 23-33.

²⁵ Huntington, *The Third Wave*, 1991.

As a regional kingpin, Kenya was in a diplomatic dilemma on how to maintain regional stability after Cold War strongmen and Kenya's erstwhile partners lost power and their countries descended into festering conflicts. In 1991, Mohamed Siyaad Bare, lost power in Mogadishu as Somalia fell into civil war and state collapse. In Congo, Mobutu Sese Seko was driven out of power by the guerrilla leader, Laurent Kabila. And in Rwanda, the 1994 genocide shook the conscience of Africa and the world. Moi himself narrowly survived two multiparty elections in 1992 and 1997, but his Kenya African National Union (KANU) party eventually lost power in 2002.

Kenya bore the full burden of the humanitarian and security consequences of conflicts in Eastern Africa, including hosting thousands of refugees from Somalia, Rwanda, Burundi, Sudan and Ethiopia. When the United States and the world abandoned Somalia—in the wake of the “Black Hawk Down” incidence, when its military intervention in Somalia in 1992-1993 ended disastrously in the killing of its soldiers—Kenya and its neighbours were left to face terrorists who took shelter in Somalia.

Economic sanctions by the West and support for rival opposition forces left the Moi regime with a deep sense of betrayal. Its foreign policy wonks embarked on exploring new avenues and frontiers of conducting diplomacy in Asia, Latin America and Eastern Europe. In the 1990s, Kenya began to forge close relations with China, India, South Korea and Malaysia in the orient, marking the early beginnings of what is popularly known as the ‘Look East’ policy.

3 – The Return of Geo-politics: The Revenge of the Liberal Powers

Three developments globally set the stage for Kenya's new assertive foreign policy. The emergence of new economic powerhouses in the orient (China, India, Korea and Malaysia) Latin America (Brazil) and the resurgence of Russia signaled the end of the unipolar order and the return of geopolitics to haunt the rise of a multipolar order. Moreover, the onset of the 2007-2008 Global Financial Crisis, the worst financial crisis since the Great Depression of the 1930s, effectively challenged the global hegemony of Washington and its Western allies. Russia, China and Iran have become increasingly assertive in global affairs, although they are unlikely to dislodge the U.S. or the power of the liberal order.²⁶ Nevertheless, their entry has thrown back into the international arena the power plays of the past decades—or “the revenge of revisionist powers,” to borrow or Mead's apt phrase.²⁷

The return of geo-politics has forcing Western powers to increasingly resort to isolationism, aggressively pursuing the doctrine of liberal interventionism as a gambit to tighten their grip on Africa as a new frontier of a new 21st Century scramble for markets, natural resources and investments by both the old and emerging powers.²⁸ While Kenya adopted an assertive foreign policy partly as a counter-strategy against Western interventionism, the power of liberal order continues to shape the future of power in the country.

²⁶ Ikenberry, “The Illusions of Geopolitics,” 2014: 80-90.

²⁷ Mead, “The Return of Geopolitics”, 2014: 69-79.

²⁸ Peter Kagwanja, “Western isolationism may set off new Scramble for Africa,” *Sunday Nation*, March 22, 2014.

3.1 – ‘Choices Have Consequences’

The West-backed ICC is increasingly viewed in Africa as the instrument of choice by the West in its liberal interventionism to tighten its stronghold in countries like Kenya. In December 2010, the Hague-based court indicted six high-profile Kenyans—Uhuru Kenyatta and William Ruto—on alleged crimes against humanity relating to the 2008 post-election violence in which over 1,300 people died. From 2011, Kenya, supported by the African Union, appealed to the United Nation’s Security Council to defer its cases at the International Criminal Court (ICC), but its appeal was shot down by a combined diplomatic force of America, France and Britain.

The decision by Kenyatta and Ruto to run for the presidency on a joined ticket during the March 4, 2013 elections threw the West into a profound diplomatic dilemma. The diplomatic row between Kenya and the West took a tragic turn when United States’ top diplomats, supported by EU diplomats, publicly warned that “choices have consequences”, which was interpreted as a blatant interference and effort to arm-twist voters and sway the outcome of the March 4, 2013 elections in favour of Raila Odinga, the presidential candidate the West preferred. By issuing this warning, America and the EU had unwittingly transformed the ICC into a referendum issue, and the main crucible of Kenya’s foreign policy in the early 21st century.

Kenyatta and Ruto won the 2013 presidential contest. By voting against the grain and electing as President and Deputy President individuals facing trial at the ICC, Kenyans had taken the harder option of confrontation with the court’s backers at home and in the West, with the real risk of sanctions and isolation of the country as a ‘rogue democracy.’ After the election, a public anti-Jubilee stance during the elections threw the West into a diplomatic quandary. Kenya’s relations with the West sunk to an all-time low. For months, major Western powers hedged on a visibly ‘wait-and-see’ approach.

In response to the frosty relations with its former allies in the West, the Jubilee government crafted a new assertive foreign policy based on four pillars: nationalism (looking inward), regionalism, a Look-East/Look South policy and a pan-African approach to the West.

3.2 – *Back to Nationalism*

The first pillar of Kenya’s new assertive foreign policy is resurgent nationalism. In his inauguration speech, President Kenyatta underscored nationalism as key to ensuring economic prosperity, political freedom and liberation, declaring that that the “future of Kenya depends...on our National Unity.”²⁹ He further stated that: “It is with this unity that we will prosper and truly deliver on the promise of independence and liberation from our colonial past.”³⁰

In a sense, the return nationalism and anti-colonial rhetoric revealed a major shift in the pattern of capitalist accumulation and class formation. First, the diplomatic row with the West since 1989 had helped concretized a new ‘power elite’ keen on challenging the dependency model that characterized Kenya’s relations with the West and largely accounted for its west-centric foreign policy in the 20th century. An indigenous capitalist

²⁹ Republic of Kenya, *Inauguration Speech by H.E. Hon. Uhuru Kenyatta*, April 9, 2013.

³⁰ Republic of Kenya, *Inauguration Speech by H.E. Hon. Uhuru Kenyatta*, April 9, 2013.

class emerged at the dawn of the 21st century with a clear view of its economic interests and expanding its investments in banking, insurance, information technology, and retail business at the national, regional and global levels. The rise of Kenya's power elite marked a radical departure from the situation in the 1990s. David Himbara concluded in his book, *Kenyan Capitalists*,³¹ published in 1994, that Kenya did not have an indigenous class of capitalists with a clear sense of national and economic interests beyond its dependence on the state, western markets and subsidies.³²

This shift is not an isolated incidence unique to Kenya. It is linked to what *the Economist* magazine described as "Africa rising",³³ with Kenya's economic growth being well within the African average of 6% in the 2000-2011 decade. Having invested at home, in the Eastern African region, particularly in Uganda, Rwanda and South Sudan and overseas, Kenya's new assertive capitalist class saw the increasing intervention by the West to influence the future of power as an attempt to give advantage to external capital over indigenous capital. This class of indigenous Kenyan capitalists, largely drawn from the Rift Valley, Central Kenya and parts of Northern and Coastal Kenya, coalesced politically around the Jubilee Coalition, now driving the country's new assertive foreign policy.

Kenya's new economic elite is propelled by economic nationalism that stresses the primacy of indigenous control of the economy, labor, and capital formation. Kenya's embryonic class is leaned heavily towards regionalism and pan-Africanism, and Kenya's assertiveness and economic nationalism are resonating with the African region.

3.3 – Regionalism: 'The Coalition of the Willing'

The second pillar of Kenya's new foreign policy is regionalism. This is tied closely to the economic interests of Kenya's emergence power elite. This elite believes that Kenya's destiny is inextricably linked to that of its regional partners. "The future of Kenya depends not only on our National Unity but also on deepening our bonds with our brothers and sisters in East Africa and Africa as a whole," Kenyatta averred.³⁴ Kenya's regionalism is taking place in three concentric levels.

At the one level, Nairobi has taken a leading role in the realization of the elusive dream of an East African political federation. Revealingly, the official anthem of the East-African Community was chanted during Kenyatta's inauguration on 9 April 2013 and the Kenya's 50th anniversary fete later in December. President Kenyatta is the Chairman of the Summit of the EAC heads of State and Government, and is now driving the integration agenda.

Kenya has teamed with Rwanda and Uganda in what is dubbed the 'coalition of the willing' to fast-track the integration projects. This has created rifts particularly with Tanzania and Burundi, which the three accuse of going slow in the integration agenda.

³¹ David Himbara, *Kenyan Capitalists*, 1994.

³² For a nuanced critique of the 'Kenyan debate' on the transformation of capitalism see Björn Beckman, "Imperialism and capitalist transformation: critique of a Kenyan debate", *Review of African Political Economy*, 7, 19 (1980): 48-62.

³³ Africa Rising: A Hopeful Continent, *The Economist*, March 2, 2013. The Hopeful Continent: *Africa Rising*, *The Economist*, December 3, 2011.

³⁴ Republic of Kenya, *Inauguration Speech by H.E. Hon. Uhuru Kenyatta*, April 9, 2013.

Tanzania is also seen as becoming too vocal on its relations with the West, especially following the visit by U.S. President, Barrack Obama, in mid-2013. The trio have signed an agreement to build a Ksh1.3 Trillion Standard Gauge Railway from Mombasa to Malaba and Kisumu and ultimately to Kampala (Uganda) and Kigali (Rwanda). In November 2013, the coalition has expanded to the areas of security, particularly fighting international crime and terrorism.³⁵ However, differences with Tanzania seem to have been sorted out during last November's EAC Summit in Kampala when the five heads of state reaffirmed their commitment to work together, but suspicion lingers on.

The "coalition of the willing" has also helped Kenya in consolidating a common position on the ICC as pursuing a regime change agenda in Kenya. Delivering a key note address at the inauguration of Uhuru Kenyatta as Kenya's fourth president, Uganda's President Yoweri Museveni saluted the Kenyans for rejecting the International Criminal Court (ICC) blackmail and upholding the sovereignty of the Kenyan people. Saying that he had initially supported the ICC, Museveni accused what he termed as "the usual opinionated and arrogant actors" for "using [the court] to install leaders of their choice in Africa and eliminate the ones they do not like."³⁶ Similarly, Rwanda prepared the draft resolution to defer the International Criminal Court cases involving President Kenyatta and Deputy President William Ruto tabled at the United Nations Security Council in November 2013, and defended the resolution in the Council, although it was outvoted.

At the second level, Kenya's regionalism extends to countries outside the five members of the East African Cooperation—Uganda, Tanzania, Rwanda Burundi and Kenya. Last year, Kenya teamed up with Ethiopia and South Sudan to launch so far Africa's most ambitious Sh2.1 trillion flagship project known as LAPPSET, which seeks to jointly build Kenya's second port in Lamu – road, fibre-optic cable, railway and pipeline linking the Indian Ocean and the heart of Eastern Africa, including Juba and Addis Ababa. At the third level, Kenya has expanded its influence to large East, Central and part of Southern African region, seeking to tap into a market of 20-plus members covered by the East African Community (EAC), the Inter-Government Authority on Development (IGAD) and the Common Market for Eastern and Southern Africa (COMESA). Although the primary aim is to realize its vision of becoming a middle-income economy by 2030, Kenya also hopes to mobilize the regional bloc to counter the forces of liberal interventionism, particularly the ICC trials against Kenyan leaders.

In the past, Kenya has been viewed as a reluctant regional power, unwilling to project its hard power to defend its national interests.³⁷ However, faced with the threat of terrorism in Somalia, Kenya has used hard power as a strategy to assert its authority. In 2011, the Kenya Defence Force (KDF) intervened in Somalia against the militant Al-Shabaab militia. The launch of the military campaign codenamed "Operation Linda Nchi" signified Kenya's new assertiveness in regional affairs and its readiness to use its hard

³⁵ "Coalition of the willing emerges again in EAC", *The Citizen* (Dar-es-Salaam) June 10, 2014.

³⁶ "Museveni salutes Kenyans for rejecting ICC blackmail", *New Vision* (Kampala), April 09, 2013

³⁷ ISS and HSF, *Kenya's Foreign Policy and Geostrategic interests: Reconsidering the Somalia Intervention and Kenya's Role in Regional Geopolitics*, Institute for Security Studies and the Hanns Seidel Foundation Seminar Report, Nairobi, May 10, 2012.

power to protect its strategic interests. Several months later, Kenya retracted its troops in Somalia to become part of the African Union Mission to Somalia (AMISOM), a strategic move that enabled it to avoid Somali nationalism and to operate in Somalia's unpredictable and volatile environment.

Following the eruption of armed conflict in South Sudan in mid-December 2013, Kenya has also shown willingness to use its hard power to protect its interests as the number of its citizens working or investing in troubled spots increases. KDF airlifted an estimated 30,000 Kenyans who were caught up in the security crisis and over 40,000 tonnes of food to its citizens stranded in South Sudan. Kenya has approached the conflict, perhaps the greatest threat to the LAPPSET project, by a strategic deployment of both soft and hard power. In using soft power, Kenya has teamed with Ethiopia, within the aegis of IGAD, to mediate the conflict between President Salva Kiir and his arch-rival Riak Machar. In mid-May 2014, after five months of fighting, President Kiir and rebel leader Machar signed a peace deal, paving the way for truce, a transitional government, a new constitution and new elections. Kenya has complemented soft power with hard power, deploying KDF troops to South Sudan, as part of IGAD's 2,500 military contingent within the 5,000-strong United Nations Mission in South Sudan (UNMISS). But Kenya has been reluctant to deploy in Central Africa Republic where it does not have direct geo-strategic interests.

3.4 – The Pan-African Turn

The third pillar of the new assertive foreign policy is Kenya's Africa-Centered Diplomacy. Against, this pan-African turn became clear in Kenyatta's declaration that to "the Nations of Africa and the African Union – we assure you that in Kenya, you will continue to have a partner and an ally."³⁸ Kenya's pan-African orientation is largely a response to the ICC intervention into the country since December 2010. Pan Africanism is a strategy to galvanize the support of the 54 states in the African Union bloc to safeguard its autonomy against the crusading forces of resurgent liberal interventionism associated with the ICC.

The ICC issue has thrust Kenya into the eye of the storm of flagging Euro-Africa relations. During the Extraordinary Session of the Assembly of Heads of State and Government of the AU in Addis Ababa, Ethiopia on 12 October 2013, Kenya successfully marshaled all the 53 out of 54 African states behind Kenya's request for the deferral and fresh investigations into the ICC cases. During the meeting Kenyatta made perhaps one of the most hard-hitting speeches ever made on the floor of the African Union, castigating the West of using the ICC to target Africa and calling on fellow African leaders to "constantly watch out against threat to our peoples' sovereignty".³⁹

An assertive Kenya has made an impact on re-defining Africa's relations with the World as the epicenter of the continent's fight for equity and respect of all nations in global governance. On November 15, 2013, an African Union-sponsored draft resolution demanding the end to Kenya's ICC trials was unprecedentedly subjected to a historic vote in the United Nations Security Council (UNSC). The resolution was, however, voted

³⁸ Republic of Kenya, *Inauguration Speech by H.E. Hon. Uhuru Kenyatta*, April 9, 2013.

³⁹ Republic of Kenya, *Speech By His Excellency Hon. Uhuru Kenyatta, C.G.H., President and Commander in Chief of the Defence Forces of the Republic of Kenya at the Extraordinary Session of the Assembly of Heads of State and Government of the African Union*, Addis Ababa, Ethiopia, 12th October, 2013.

down, but the event emboldened Kenya to decide to seek a non-permanent seat at the UNSC in 2016. Kenya also stole the show at during the Assembly of State Parties (to the Rome Statute that establishes the ICC) meeting at The Hague, which allowed Kenyatta and Ruto to be tried in absentia through video-link. Kenyatta's profile in Africa is growing fast. During Mandela's national memorial service in Johannesburg in December 2013, Kenyatta was one of three African personalities — including presidents Barack Obama and Robert Mugabe — who were wildly cheered by mourners.⁴⁰

3.5 – South-South Solidarity: The “Look-East Policy”

The fourth pillar of Kenya's new assertive foreign policy is what has been dubbed the Look-East/Look South policy, an active engagement with the countries of Asia, Latin America and Eastern Europe. Indeed, it is the rise of oriental powers such as China, which has made possible Kenya's assertive policy.⁴¹

Kenya's engagement with the emerging economic powers in the non-Western zone is based on an “open-door” policy that underlines Kenya's reassertion of its determination to decide its economic direction and autonomy. This approach places Kenya's traditional partners and the new powers of the South at the same level: “To all developing and developed nations who desire a deeper and more mutually beneficial relationship with Kenya,” President Kenyatta said, “we are ready for partnerships, we are open for business and we invite you to invest in our country.”⁴²

However, Kenya's “Look East/Look South” policy is not new, although has taken a more forceful turn after Kenyatta ascended to power. The policy harks back to the final decade of the Moi administration. In 1985, Moi made a trip to Beijing, returning home with new development assistance, including Chinese technical aid to build the Moi International Sports Complex in Nairobi's Kasarani area. Completed in 1987, just in time for Kenya to host the All-Africa Games, the sports complex was the biggest facility of its kind in Eastern Africa. Moi also visited Romania in Eastern Europe, and hosted the Romanian dictator, Nicola-Ceausescu, in widely publicized reciprocal visit to Nairobi in 1989.

The Look-East policy became a central pillar of Kenya's foreign policy during the era of President Mwai Kibaki (2002-2013) when diplomatic relations with the emerging economic powers in Asia and Latin America, particularly China were consolidated. In a sense, the Kibaki era ushered in the age of assertiveness in Kenya's foreign policy, which would amplify differences with major powers of the West. From 2005, Nairobi began to systematically craft a foreign policy and foreign policy strategy document spearheaded by the Ministry of Foreign Affairs, which put Asia and Latin America at the center of its diplomatic priorities.

Submitted to President Kibaki in April 2007, Kenya's Draft Foreign Policy Document presented the pragmatism of Kenya's foreign policy that recognized both the need to reconfigure and deepen relations with both the West and the East based on Kenya's national interests. In this context, in 2007 Kenya opened new diplomatic missions in Dublin (Ireland), Madrid (Spain), Seoul (South Korea), Brasilia (Brazil) and Abu Dhabi

⁴⁰ “Uhuru Kenyatta cheered as his name is mentioned in Mandela's memorial”, Kenya Post, December 10, 2013, at <http://www.kenyan-post.com/2013/12/uhuru-kenyatta-cheered-as-his-name-is.html>, accessed, 16 June 2014.

⁴¹ Africa Policy Institute, “China's ‘soft power’ bolsters Africa's new assertive Diplomacy,” *Citizen Security Project Report*, No. 1, July 2013.

⁴² Republic of Kenya, *Inauguration Speech by H.E. Hon. Uhuru Kenyatta*, April 9, 2013.

(United Arab Emirate) as part of its renewed focus on Asia, Latin America and non-traditional Western countries. The choice of these partners Kenya's renewed focus on the East, South and non-traditional western partners is dictated by its economic interests especially the need to expand sources of investments, affordable new technology, development assistance and tourists. Further, Asia and Latin America have been particularly attractive to the Kibaki and Kenyatta governments because of their 'developmental state' model behind the success of the 'Asian Tigers' or 'Asian Dragons' in developing highly free and developed economies, maintaining exceptionally high growth rates and rapid industrialization.

In mid- August last year, Kenyatta visited Russia and China and months later to South Africa has deepened relations with the BRICS countries—which Brazil, Russia, India, China and South Africa. Under both Kibaki and Kenyatta, companies from Asian and Latin American partner countries have competed on a level playing field with those from the West to win major government and private contracts, especially in the field of infrastructure, Information Technology and energy. Obviously, this 'open-door' approach to economic cooperation has not sunk down well with Kenya's traditional partners in the West, and is a subject of a new 21st century scramble for markets and strategic resources in Africa.

Kenya's foreign policy still faces a lingering tension between the country's 'look-East' policy as an economic strategy and the reality of its continuing dependence on its traditional Western partners in security, especially in regard to the on-going counter-terrorism in the Horn of Africa. The country will take a while before the 'East' displaces the West as Kenya's economic partners. Kenya is still closely tied to the Western market and sources of development assistance. For instance, in 2011, Kenya exported goods worth Sh152 billion (23 per cent of its total exports) to the West compared to only Sh3.8 billion to China and Sh9.8 billion to India. Another dilemma for the new assertive diplomacy is Kenya's continued reliance on the West for security cooperation, especially in the fight against terrorism in the region. Although Kenya has entered into military cooperation with China, the role of emerging powers in Africa's complex security field is still limited.

3.6 – The future of Kenya-West Relations

The ICC's trials against the Kenyan leaders remain the real bone of contention between Kenya and the West, with Kenya accusing the West of using international treaties to undermine its autonomy and sovereignty in international Affairs and insisting on the need for mutual respect and equality between nations. President made this point succinctly:

“Central to our continued contribution to the international community, will be the understanding that the world is made up of many countries, cultures, political experiences and world-views. We must remember that no one country or group of countries should have control or monopoly on international institutions or the interpretation of international treaties. While each state has a right to its own view, it must respect the fact that it holds just one view amongst many in the community of nations.”⁴³

⁴³ Republic of Kenya, *Inauguration Speech by H.E. Hon. Uhuru Kenyatta*, April 9, 2013.

Contrary to widespread predictions that the West would slam Kenya with sanctions and isolate it after the 2013 election, western powers simply maintained a wait-and-see' stance as long as both Kenyatta and his Deputy complied with the ICC processes. But the Kenya-West relations have remained lukewarm, sometimes exhibiting signs of open hostility. Washington and the EU powers have maintained essential and vital contacts with the new government.

President Uhuru Kenyatta travelled to London in May 2013 for his first official post-election trip to the UK at the government's invitation for a conference on Somalia, and for bilateral meetings with British Prime Minister David Cameron. He was back in London again a year later in April 2014 to cheer the First Lady who was taking part in the London Marathon. But when President Barack Obama skipped Kenya during his three-nations—Senegal, South Africa, and Tanzania—African tour in June 2013, this was widely interpreted as a move by America to make good an earlier threat that “choices have consequences.”

But Obama reportedly telephoned Kenyatta in the wake of fire in the Jomo Kenyatta International Airport terminal in August 2013, and following the Westgate terrorist attack in September that killed nearly 70 people. More significantly, the West's 'wait-and-see' stance seemed to collapse when Obama. In early 2014, Kenyatta was unveiled as one of the 47 African leaders invited to the first US-Africa Leaders' Summit in Washington on August 5-6. This revelation confirmed that the West is still unable to place Kenya in same league with Sudan, Zimbabwe, Madagascar and Guinea-Bissau whose leaders have not been invited to the August fete. The invitation takes place against the backdrop of a public admission by the ICC Prosecutor, Fatou Bensouda, that she has no evidence against the Kenyan leader, practically signaling the collapsed of the ICC case against the Kenyan leader.

With the escalation of conflict in South Sudan, the threat of international terrorism (Somalia) and discoveries of strategic natural resources, Kenya remains one of the West's most important allies in sub-Saharan Africa in counter-terrorism, and as a regional hub for aid agencies, international investors and a destination for more than a million tourists a year. In this regard, Kenya's foreign policy has moved from a euro-centric West-looking orientation to an Afro-centric inward-looking policy.

Conclusion

In the last two years, Kenya has pursued perhaps one of its most assertive foreign policy in the last fifty years since independence from Colonial Britain in 1963. The radicalization of Kenya's foreign policy is a response to the shifting tide of geopolitics in the post-Cold War era. Although Kenya started off in the early 1960s with a foreign policy deeply influenced by radical nationalism and pan-Africanism, faced with the geopolitical realities of the East-West ideological clash during its Cold War the government of President Jomo Kenyatta adopted a pragmatic approach. It took a moderate approach to African affairs and a strongly pro-West policy, turning the country into a model client state in the orbit of America's power. Following its shift to a capitalist path of development in the mid-1960s, Kenya faced isolation from its regional partners who drifted to socialism. But its isolation was counter-balanced by Western military and diplomatic support to contain emerging security threats relating to a secessionist war with Somalia, a revolution in Zanzibar and military coup d'état. It also emerged as a regional power brokering peace and steering regional organizations as well as Africa's diplomatic capital, hosting the international conferences and United Nations agencies.

But changes in the global geopolitics in the post-Cold War era have radicalized Kenya's foreign policy orientation in a public and palpable way. Although the unipolar moment saw a significant decline in the importance of geopolitics, the West's aggressive promotion of the doctrine of liberal interventionism, signified by support for civil society and opposition movements as a strategy of advancing human rights and democratization, badly strained relations with the elite of the one-party vintage. The Kenya's relations with the West was further strained by the intervention of the ICC, widely viewed as an instrument Western intervention in Africa to maintain its influence and shape the future of power in African states. ICC interventionism has become rampant following the end of unipolar politics and the return of geopolitics, which have forced the West to take an increasingly isolationist approach to Africa to keep at bay the growing influence of new powers like China in Africa. Internally, Kenya's assertive foreign policy also reflects the emergence of a new indigenous capitalist class as part of a national "power elite" ideologically driven by economic nationalism, and investing at home and the region. In 2013, this national power elite converged in Jubilee alliance that won the election.

Jubilee has since pursued an inward-looking and Africa-centred foreign policy that now rests on five planks: nationalism, regional economic expansionism, pan-African solidarity, South solidarity (look-East/Look South orientation), and a reconfigured partnership with the West align with its national interests. But intra-elite power struggles fueled partly by growing insecurity and frosty relations with the West has cast a shroud of uncertainty around the future of power in Kenya. Moreover, the future direction of Kenya's foreign policy remain unclear if the ICC ceases to be a factor in Kenya.

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