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SOUTH AFRICA'S FOREIGN RELATIONS TOWARDS KENYA: THE POLITICAL AND ECONOMIC DYNAMICS.

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A thesis submitted to the Faculty of Arts, University of the Witwatersrand, Johannesburg, in fulfilment of the requirements for the degree of Master of Arts.

Johannesburg, 2008

Declaration

I declare that this thesis is my own unaided work. It is submitted for the degree of Master of Arts in the University of the Witwatersrand, Johannesburg. It has not been submitted before for any other degree or for submission in any other University.

Dedication

To God most high- You Are Sovereign!

Phathutshedzo Mabuda

15 February 2008.

Acknowledgements

I would like to thank Konrad Adenauer- Stiftung for providing the funds for my studies and research. I would also like to thank the South African Institute of International Affairs for providing me with materials and support. This thesis is a product of the SAIIA/KAS internship programme.

I would like to extend my sincere gratitude to everyone who participated in the interviews which were conducted in South Africa and Kenya, November 2007. I would also like to appreciate the help of my supervisors Professors Rok Ajulu and Gilbert Khadiagala

Abstract

The thesis is about South Africa's foreign relations towards Kenya. South Africa aims to promote democratic peace and stability in the continent. Given Kenya's hegemonic position in the region, one would expect that in pursuit of its foreign policy in the East African region, South Africa would naturally drift towards Kenya as a partner. This has not been an obvious case; this study seeks to investigate *why* this is so. The thesis begins with theoretical conceptualisations, then a brief historical background on South Africa's Kenya foreign relations. The third Chapter shall look Kenya's political and economic position in the East African region. The fourth Chapter shall focus on the political and economic dynamics concerning South Africa- Kenyan relations. The thesis concludes that South Africa's foreign policy is complex and cannot be understood properly by using only one traditional international relations school of thought. The thesis provides recommendations for the improvement of relations.

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Chapter 1: Introduction

Time frames: The thesis will focus on post apartheid South Africa's foreign policy relations (i.e. from Mandela to Mbeki).

The study is intended to pursue the following aims:

- To investigate and explain the nature of South Africa's foreign policy towards Kenya.
- To assess the strategic relevance of Kenya to South Africa's foreign policy in East Africa.
- To contribute to an understanding of South Africa's foreign relations with the East African region and the continent at large.

It should be noted that South Africa's relations with the continent will serve as a background of the thesis. It will be necessary to understand the idea of the African Renaissance which hypothetically drives South Africa's foreign policy.

It should also be noted that the thesis would not provide an analysis of Kenya's foreign policy. The thesis is only interested in how South Africa's relations with Kenya have evolved.

Rationale: Why is the study important?

This thesis is important because post apartheid South Africa has made Africa a priority in its foreign policy relations (le Roux, 2000). The Southern African Development Community (SADC), and then Africa are South Africa's foreign policy priorities (DFA Strategic Plan, 2006). Landsberg explains that South Africa seeks to promote peace and stability in the continent driven by the logic that a stable and peaceful continent is in South Africa's direct national interests (Landsberg, 2006). This prioritisation can be understood within the

vision of a new Africa, which is the idea of the African Renaissance (Adebajo, 2007).

Various foreign policy analysts (such as Adebajo, 2007; Barber, 2005; Buhlungu et al, 2007; Kabema, 2007; Landsberg, 2006; Schoeman, 2000; Solomon, 1997; Streamlau, 2006; van Nieukerk, 2006 and Venter, 2001) have described a number of South Africa's relations with different parts of the continent e.g. Nigeria, DRC, Lesotho, Zimbabwe, Rwanda, Uganda among others. There is however, little material focusing on its relations with Kenya. Kenya is the dominant economy in the East African region and is also relatively stable compared to most of its neighbours[1] (especially before the violence which erupted after December 2007) (Barkan, 2007).

Given Kenya's position in the region, one would expect that in pursuit of its foreign policy which emphasises the promotion of democratic peace, South Africa would drift towards Kenya as a partner. This has not been an obvious case. The study will investigate why this is so. The history of relations is that Kenya, compared to Tanzania for example was not very supportive of the South African liberation struggle (Communist Journal, 1982), (Ogweno, 1986). It was against this background that relations between South Africa and Kenya were not very warm during the early days of post apartheid. Post- 1994 relations started on a lukewarm or even 'tense' atmosphere; but relations have gradually improved, especially since 2002. The thesis will analyse these evolving relations.

South Africa has strong albeit unequal economic relations with Kenya and indeed the rest of the continent. South Africa is however able to have

[1]"Why Kenya" http://www.information.go.ke/docs/Why%20Kenya.pdf- Accessed 10/ 07/2007

meaningful relations with other countries such as Nigeria where relations are not limited to economic engagement and bi-lateral commissions (Adebajo, 2007). South Africa and Nigeria, especially under President Olusengun Obasanjo expressed a mutual commitment to the New Partnership for Africa's Development (NEPAD) and the African Union (AU), work closely to help find solutions in conflict ridden areas (Daniel et al, 2005), (Hattingh, 2007). For instance, South African negotiators played roles behind- the- scenes in Cote d' Ivoire even before they were invited by the AU to help find solutions to the political impasse in 2004 (Lamin, 2005). The thesis will pay attention to how the South Africa and Kenya have interacted with each other in the South Sudanese peace process, where General Sumbeiywo suggested that South Africa was overtaking a process that Kenya had invested in over a long period (Waihenya, 2006).

This thesis asks relevant questions which will help broaden our understanding of South Africa's Africa foreign policy by examining whether:

- Historical factors have a strong bearing on South Africa's post 1994 foreign policy direction or not.
- South Africa- Kenya foreign relations are affected by economic issues,
- South Africa and Kenya are political and economic rivals, or
- Whether there is a tacit consensus on the division of labour between South Africa and Kenya when it comes to the resolution of conflicts in the East African region or,
- Whether the two countries have different ideals which make co operation less likely or whether there are other forces at play (e.g. leadership and personality).

Theoretical background:

According to Nossal (1998), theory helps us make sense of the world, shaping assumptions and thereby helping us understand complex phenomena by simplifying it. The way one perceives South African foreign policy towards the rest of Africa largely depends on ones theoretical positioning.

The next section shall provide a brief explanation of traditional international relations theories and how they assist in the comprehension of South Africa's Africa foreign policy. As far as traditional international relations is concerned, some (Dunn and Shaw, 2001) have argued that these theories are inadequate in helping us understand African international relations and by extension, foreign policies. The thesis shall however draw from traditional international relations theories to help in the investigation of South Africa's relations with Kenya specifically but also to reflect on relations with Africa in general. The thesis shall thus show what traditional theories can and cannot explain with regard to South Africa's Africa relations.

Realism:

Sabine and Thorson (1973), explain that realism perceives international relations as being comprised of competing nation states and that aggressive competition between states can lead to war. Although African states do not wage war against each other (Dunn and Shaw, 2001), tension has been evident in the economic front especially in the late 1990s, which was named by the media as beer wars. Realists would argue that issues of national interests and competition for regional markets have been that cause for 'lukewarm' relations between South Africa and Kenya.

Nossal (1998) asserts that realism portrays the world realistically, where each state pursues its own interests and should always be on guard against other self-interested (state-) actors in international relations. Realists would note Kenya's cautiousness about South Africa's involvement in diplomacy within the region, as was the case in South Sudan (Waihenya, 2006).

Jackson and Sorensen (2003) argue that this is a pessimistic view of international relations, wherein national security and state survival are the most important foreign policy considerations. Jackson and Sorensen suggest that for realists, power is very important and the state is a central player in world politics. It should be noted however that African states are weak, especially with regards to global politics (Dunn and Shaw, 2001). Regional 'powers' like South Africa and Kenya are, however, important actors in the continent, especially with the rise of rhetoric on the African century.

The primary aim of foreign policy is to "project and defend the interests of the state in world politics" (Jackson and Sorensen, 2003: 68). Landsberg explains that the realist interpretation of South Africa's Africa foreign policy show that South Africa is in search for a regional hegemonic position (Landsberg, 2006). Realist thinking places issues of national interests above all other considerations.

Hattingh (2007) argues that African National Congress' foreign policy is based on the ambition to expand and promote South Africa's business interests in the rest of the continent and not on Pan- Africanism nor anti-imperialism, this he argues is because the state's interests are fused with those of the business class. Indeed le Roux (2004) explains that some

have questioned whether the African Renaissance which drives South Africa's foreign policy is a genuine Pax Africana (where African solutions to African problems are found) or whether it is merely a Pax Pretoriana (i.e. an extension of South Africa's Africa policy) disguised, which implies a realist engagement with the continent.

According to Nel and van der Westhuizen (2004), South Africa's commitment to the promotion of human rights has been largely questioned due to its involvement in the arms trade with countries in conflict like Rwanda and Uganda. This view places emphasis on South Africa's national interests as contradicting its commitment to peaceful conflict resolution. It seemed at this point that claims to 'morality' fall off when national interests are at stake. Realists in this sense have concluded that South Africa is a normal state whose primary concern is the security of its national interest.

South Africa is however cautious of the 'big- brother' perceptions on the continent and has opted to act within a multilateral environment. In South Sudan their involvement was through the invitation of the AU and was in support of regional initiatives such as the IGAD, especially as an observer (Institute for Security Studies, 2003). Pure realist explanations of South Africa's foreign policy towards Kenya and indeed Africa are thus inadequate.

Liberalism:

Liberalism puts emphasis on individual rights, which form the bases for a modern civil society, democratic state and capitalist economy (Jackson and Sorensen, 2003). International relations is thus not about power struggles between nation states but states, groups and individuals. The

significant difference is that societies are able to cooperate for the common good. Some (like Ezeoha and Uche, 2005) have located South Africa's aim to promote democracy through the African renaissance project within a liberal school of thought.

Compared to the realists, liberals generally take a more optimistic view of human nature, thus an inherent belief in human progress (Jackson and Sorensen, 2003; Nossal, 1998). Jackson and Sorensen explain that sociological liberalism holds that international relations cannot be limited to state interactions but also involves transnational groups and international institutions. According to Landsberg, the liberal view of South Africa's foreign policy relations with Africa sees South Africa as acting in 'good faith to promote peace and prepare the way for democracy (Landsberg, 2006). Hughes (2006) notes that policymakers in South Africa believe that the democratic experience can be exported through the promotion of negotiations and accommodation as a means of resolving differences and finding peaceful resolutions in conflict areas such as the DRC and Sudan.

Post apartheid South Africa's foreign policy (especially under Mandela) has been articulated as prioritising issues of human rights. Van Nieuwkerk (2006) argues that the move away from Mandela's universalism towards the promotion of neo-liberal norms and values positions South Africa to be able to prioritise its national interests. It is thus possible to pursue national interests through co operation and negotiation as opposed to war. It is in this context that the idea of the African Renaissance and the multilateral strategy can be understood. For some, South Africa has emphasised the promotion of norms and values through the African Renaissance project (Baregu and Landsberg, 2002); (Gelb, 2002).

Schoeman (2000) cites Robert Cox's conceptualisation that middle powers like South Africa are closely linked to international organisation as a process. They have an interest in a stable and orderly environment and thus help sustain the system, though they do not have the power to (unilaterally) impose any of their own preconceived ideas on the system. He explains that middle powers can only exert power at a multilateral level, building consensus on issues. South Africa as a middle power supports peace and security initiatives, is active in international organisations, acts as bridge builders and often feels that it needs to be a 'good global' citizen since its foreign policy has a focus on conflict resolution, promotion of democracy and the protection of human rights (Hughes, 2006). South Africa is able to work with other actors in the continent. Liberal conceptualisations of South Africa's foreign policy on their own, unfortunately, are not able to adequately capture the issue of national interests which ultimately drives foreign policies.

Marxism:

According to Sabine and Thorson (1973), Marx's theory elaborates on class struggles in the production and distribution processes. The means of production are owned by the capitalists, who then keep the profits to themselves. Jackson and Sorensen (2003) explain that Marx believed that capitalism was inherently exploitative i.e. that the bourgeoisie class depended on the exploitation of the proletariat to accrue profits. The Marxist conceptualisation shows that political struggle exists not just between states or people but between the different classes, so inequalities exist within and across states (Nossal, 1998). For Marxists, imperialism is understood as the last stage in capitalist development, allowing the imperialist to pay better wages at home hence neutralising the domestic proletariat by exploiting the poor in foreign lands (a form of colonialism). Democracy is viewed as an 'effective' way of dealing with contradictions of factors of production. Politics and economics, though not separate form the contesting ground for class struggles (Sabine and Thorson, 1973).

Landsberg explains that for Marxists South Africa's foreign policy and valued diplomacy with the rest of the continent is viewed merely as preparing the way for the capitalist class to reap profits (Landsberg, 2006). Tleane (2005) makes reference to South African companies, media, and information communications technologies which are making the 'Great Trek' north of the Limpopo in search for profits. Although Kenya is an economic powerhouse in the East African region, South Africa's relatively advanced products pose a threat to both its domestic and regional markets.

Swatuk (2000) noted that even within the region, South Africa is once again emerging as the "bully of the block" where opinions from beyond its own borders are disregarded. The point expressed by Swatuk shows that although there are vociferous claims of acting within multilateral structures by South African foreign policy makers, as a regional hegemon the country finds it hard to operate in an atmosphere where there are disagreements on the direction of regional and continental locomotives. The regional hegemonic role exposes South Africa's ambition to lead the continent into its desired future. This view holds that South Africa has defined interest which it aims to pursue, using African Renaissance rhetoric.

According to Buhlungu, South African companies have done little to observe ethics in the DRC. South African companies were extracting resources while the country was embroiled in war during 1996 and 1998 (Buhlungu, et al., 2007). Simon (2001) explains that South African firms have been accused of exploitation and neo-colonialism. This for neo-Marxists is not surprising since capitalism is inherently exploitative and disregards local people in its search for profits. Those who hold the view that South Africa is a sub-imperialist (such as Patrick Bond) are thus not

'deceived' by the African Renaissance project. Infact its deep consistency and compatibility with the neo-liberal project proves to them that global capital acts in unity to achieve profit maximization, through partnerships of the bourgeois class throughout the world at the expense of the proletariat. The Marxist conceptualization of South Africa's foreign policy towards Kenya and indeed the rest of Africa unfortunately limit the question of national interests to class struggles. Furthermore; it undermines the efforts for multilateral engagements and partnerships in promotion of peace and development.

Background and Context:

Post apartheid South Africa has consciously chosen to relate to the continent differently from its predecessors. Pfister (2005) explains that apartheid South Africa's policy towards the Southern African region was one of 'destabilisation' following from its domestic policy since it wanted to punish those in the frontline states that supported the liberation movements. During apartheid, the Southern African region was useful to South Africa only in so-far-as it provided the country with 'labour reserves' in the mining, agricultural and industrial sectors (Adebajo, 2007).

Hentz (2005) explains that during the Cold War era, South Africa posed as a 'buffer zone' against communist penetration in the region and continent. Pfister (2005) explains that relations with the continent were further influenced by the desire to neutralise anti- apartheid sentiments, articulated in the Organisation of African Unity (now African Union). Neutralising support was aimed at helping the country's damaged international reputation and to hopefully motivate the international community to relax sanctions against the apartheid regime. At this stage, the ANC (a key liberation movement) was also lobbying for African support against the apartheid regime which was founded on undemocratic principles. Although Kenya was a member of the

African Union, its involvement in the promotion of sanctions against apartheid South Africa was weak, compared to that of Tanzania (Ogweno, 1986) and Nigeria (d' Orville, 1995). This was complicated by the fact that during the cold war, Kenya's leanings were more towards the West, complicating relations with South African liberation movements which were branded as communists.

As the Cold War drew to an end, political dynamics in South Africa also shifted. F. W de Klerk announced the release of political prisoners like Nelson Mandela. Chhabra (1997) explains that soon after his release, both Mandela and de Klerk engaged in meetings with leaders in Africa and abroad, lobbying for different conditions. De Klerk wanted the relaxation of sanctions and the acceptance of the National Party's legitimacy; while Mandela argued that sanctions were necessary until real democratic transition took place in South Africa.

It was during this time in June 1991 when South Africa's F W de Klerk and his delegation visited Kenya for a meeting with President Daniel arap Moi. The visit was described by the South African media as the "biggest top- level" meeting with another African state since 1948. At an OAU Meeting in Abuja, Moi was among the leaders who argued for a more flexible approach to South Africa as a result of the political changes that were already taking place (Wren, 1991).

At home, the leaders continued to hold different talks on the nature of the transition. The talks culminated in 1994 when the country had its first democratic elections and the ANC emerged as the victor. Since 1994, the 'new' South Africa presented itself as being part of the rest of the continent and not different from it. The thesis will analyse this re-integration project and how relations, specifically Kenya can be understood. The South African

political leadership expressed that the country's destiny is no longer separated from that of the region and continent (Barber, 2005).

During the Mandela era (1994- 1999), South Africa's foreign policy was often criticised for lacking a clear structure (Chhabra, 1997). Given its domestic experience, issues of human rights became central to South Africa's foreign policy. Mandela was primarily concerned about the idea of universal human rights (Barber, 2005). During this period, South Africa took a strong stance against dictatorial and abusive regimes. In 1996 Mandela called for sanctions against Sani Abacha's Nigeria after the execution of Ken Saro Wiwa and other Ogoni environmental activists (Vale and Maseko, 1998; Baregu and Landsberg, 2003). South Africa's position was, however, not welcomed by other African leaders. South Africa which had withdrawn its High Commissioner in Nigeria was, in reality, embarrassed when the West continued to buy Nigerian oil and the African countries ignored its voice (Barber, 2005). Soon after that incident South Africa was largely excluded from peace initiatives in the continent.

South Africa was also viewed as a unilateral actor, posing as having a moral high ground. Kabemba explains that when other Southern African states sent troops to intervene in the Democratic Republic of Congo to help Laurent Kabila from being ousted by invading forces, South Africa chose to remain neutral (Kabemba 2007). Its non-action in the DRC is often contrasted with its intervention (albeit within the frameworks of SADC) in Lesotho to abort a military coup in 1998. Some like Bond have gone on to question South Africa's motives in Lesotho; thus denying South Africa's proclaimed moral imperatives in the practice of foreign policy (Leys, 2005). Others (Baregu and Landsberg, 2003; Nel and Van der Westhuizen, 2004; Landsberg, 2006) have questioned why South Africa would supply arms in conflict areas, as it did in Rwanda and Uganda. While Mandela relied on his "personality and aura", Mbeki relied on quiet diplomacy, engaging warring factions behind the scenes (Landsberg, 2006: 122).

The Mbeki administration has gone beyond Mandela's focus on human rights, integrating issues of human rights with democracy and good governance (Barber, 2005). Some (like Hughes, 2006) describe how issues of international political and economic inequality have become more significant under the Mbeki regime. During South Africa's early years of democracy until 2002, Kenya was undergoing a period of internal political transition when people demanded democracy from the regime of President Daniel arap Moi (Bujra, 2005) and was thus largely internally focused.

While Kenya is home of most international organisations, South Africa is viewed as the bridge builder between the North and South in international relations (Schoeman, 2000). While South Africa under Mbeki has contributed to peacekeeping missions, it has also been active in calling upon the United Nations Security Council and the G-8 to fund peace missions in Africa while most of the troops are provided by African countries (Landsberg, 2006). South Africa has also committed to supplying peace troops and by 2005, it had already committed 3, 000 troops in African peace missions (Barber, 2005). Kenya is active in the East African region and it is thus important to consider how it has perceived South Africa's role in that region.

The Mbeki administration has made a conscious decision to be a part of the continent and to engage with other leaders before making decisions. This has resulted in a shift away from unilateral decisions towards a multilateral foreign policy (Buhlungu, et al., 2007). It is in this sense that South Africa's quiet diplomacy towards Zimbabwe can be understood. South Africa has made it clear that foreign policy decisions concerning the region and the continent will be made within the structures of the SADC and the AU. Some foreign policy writers have focused on South Africa's relations with Nigeria and the partnership towards realising the vision of a new Africa (Baregu and Landsberg, 2003). This vision presupposes that good governance and sound economic policies must be implemented in line with the New Partnership of African Development.

Both the Mandela and Mbeki administrations have viewed the promotion of democratic peace and stability in the continent as paramount. Peace, stability and democracy are necessary for development in the continent (DFA, 2007). Democratic peace in South Africa alone is not sufficient for Africa's development (Landsberg, 2006). South Africa has been active in peace missions in the Democratic Republic of Congo (with successes in the Inter-Congolese Dialogue in 2002, and the elections in 2006), Sudan (through an African Union invitation), and Burundi, specifically in the Arusha process in 2000 and beyond (Hughes, 2006).

Throughout the continent, South Africa has been active in the promotion of conflict resolution through negotiation to promote democratic peace (Adebajo, 2007). It is important to note that South Africa under Mbeki engaged other African leaders in promotion of peaceful resolution, as was the case when DRC, Rwanda, Uganda and Tanzania were involved in helping brokering peace in Central Africa (Landsberg, 2006).

The East African region is one of the areas which present disconcerting challenges for peace and stability in Africa. The effects of September 11th, 2001 have worsened security dynamics in East Africa. The end of the cold war has created a security vacuum since Western powers have withdrawn their intervention as was evident in Somalia(1993) and Rwanda(1994), thus creating an opportunity for African 'hegemons' to play active roles (Adebajo, 2007). Though South Africa's post- 999 foreign policy has been largely multilateral, Mbeki considers strategic partnerships with key countries as important (Adebajo, 2007).

Kenya has shown a willingness to be part of the African revival by participating in the African Peer Review Mechanism (APRM) which aims to improve the quality of governance in the continent (APRM country report, 2006). Kenya has through the Inter- Governmental Authority on Development (IGAD) been an active participant in promoting peace and stability in the region (ISS, 2004).

While South Africa argued that Tanzania be included in the DRC talks because it is affected by conflict in the Great Lakes (Landsberg, 2006), the same case was not made for Kenya which is also affected by conflicts in neighbouring countries, including Sudan and Somalia. It however makes sense that South Africa naturally engages with Tanzania and the DRC because they are members of SADC and hence constitute foreign policy priorities. Kenya is already very active in mediating talks in Sudan and Somalia. The fact that Kenya is pivotal and occupies a position similar to that of Nigeria in West Africa (economic strength and relative political stability, prior to December 2007), forms the basis of the investigation into South Africa's relations with Kenya.

Given the new membership of Rwanda and Burundi into the East African community, one would assume that Kenya will have an even bigger role to play in the promotion of peace and stability in those countries. Given Kenya's relative political stability and economic strength in the region, as well as its leading role in promoting conflict resolution, one would expect that South Africa and Kenya would be natural partners. This has not been the case. It is against this backdrop that the thesis will investigate foreign relations between South Africa and Kenya.

Method:

This will be an investigative thesis on the nature of South Africa's foreign policy with Kenya. A general analysis of South Africa's Africa foreign relations will be provided in this thesis. The thesis will thus rely on primary and secondary sources, as well as media reports. Traditional international relations theories will be reflected upon to see if they are able to explain South Africa's foreign policy relations with Kenya.

Given the fact that there is a dearth of information pertaining to South Africa's specific relations with Kenya, the paper will make use of interviews. Interviews were conducted both in South Africa and Kenya. Interviews were conducted with journalists, researchers and government officials. A set of questions designed to probe the political and economic dynamics were used.

Interviewees were able to provide information about the study that is not abundantly available in the primary sources. It should be noted however that due to the unstable political condition in Kenya during the period of writing, some of the potential interviewees were not available for the interviews.

The thesis also made extensive use of media reports in order substantiate primary sources and interviews. The media plays an important role in capturing information about relations between nations and thus a proper analysis of international relations would have to consider the media reports of the day.

Chapter 2: The evolution of South Africa's Africa foreign policy relations, with reference to Kenya.

This Chapter will provide a historical overview of South Africa's relations with Kenya. The Chapter shall explain the evolution of South Africa- Africa foreign relations. It shall thus provide an analysis of South Africa's post apartheid foreign policy towards the rest of the continent.

The story of how Kenya became a protectorate for the British Empire is very similar to that of South Africa where the White settlers fought the indigenous people, alienated them from the political system and then chose the best lands for themselves (Ndegwa, 2006). Ndegwa describes how the Crown Lands Ordinance of 1902 gave the protectorate authority over Kenyan lands, leaving a lot of Africans 'landless'. The land question formed the background for liberation struggles in both Southern and Eastern Africa. The Tomlinson Commission in South Africa, Morris Carter Commission of Zimbabwe and Kenya's Swynnerton Commission all sought to protect White commercial interests (Kariuki, 2004). Indeed the land question remains a thorny issue not just for Zimbabwe and Kenya but also South Africa.

Wheeler (2005) explains that in 1927, R. B. Turner (of the Union of SA Trade Commissioner for British East Africa Territories') advised Hertzog on the new

commission to investigate closer association between territories. Links between South Africa and the East Africa region, specifically Kenya grew stronger in 1928. Bilateral trade was also to be promoted to cater for South African interests. Exports from South Africa to Kenya and the rest of East Africa were in 'mining equipment, wine and dried fruit; while imports were in sisal fibre, twine and rubber latex liquid' (Wheeler, 2005: 157).

The relations between the two British protectorates were reinforced by the fact that there was movement of White South Africans into Kenya. According to Ndegwa (2006), the White settlers who moved into Kenya included ruthless South Africans who according to Ndengwa used sjamboks and racist language to dispossess and force people to work on their farms. Wheeler (2005) confirms that after the treaty of Vereeniging, some farmers left South Africa for the East African highlands. He notes that by 1938 rough estimates showed that South African settlers contributed 20% of the European population in Kenya, most of who were farmers.

When Kenya became independent in 1963 most White South Africans were quick to return to South Africa where much had not changed at the time. About 100 farmers and their families were reported to have migrated from the Kenya White Highlands, with even more were expected to follow (DFA Archives, 1962). The general feeling was that these White farmers felt betrayed by the British and were welcome in Verwoerd's (racist) South Africa (DFA Archives, 1962). Before independence Black South Africans and Black Kenyans experienced a similar kind of domination. It is against this backdrop that one would have expected that independent Kenya would have played a more prominent role in the liberation of South Africa. The next sub- section focuses specifically on the relations between apartheid South Africa and independent Kenya and Africa.

Pan Africanism, non- interference and sovereign integrity:

As mentioned above, Kenya became politically independent from Britain in 1963. According to Pfister (2005), newly independent state' expressed a willingness to support fellow Africans who were still living under domination. He explains that within the UN, these independent states formed what was called the *African Group* to push for a UN arms embargo against the apartheid regime. After the Sharpville killings in South Africa, the group demanded that the Security Council set an arms embargo which was amended in United Nations Security Council Resolution 181. Pfister (2005) explains that the apartheid governments' response was to appease African countries to defuse the Pan Africanist voice.

With regard to Kenya, Howell (1968) argues that newly independent Kenya's foreign policy was built on three pillars, which can be identified as 'non-alignment', the promotion of 'African unity' and the 'eradication of colonialism' in other parts of the continent, in line with the principles of the Organisation of African Unity. From independence, the Kenyan foreign policy was analysed to fall under the following pillars: 'good neighbourliness and peaceful co-existence, non- interference in another country's internal affairs, respect for sovereignty and territorial integrity, national security, peaceful settlements of disputes, non- alignment and adherence to the Charter of the United Nations and the African Union. Perhaps it was the principle of 'non- interference' which limited Kenya from playing a more robust role in South Africa's liberation struggle. Foreign policy has evolved to focus on 'economic diplomacy, peace diplomacy and environment diplomacy' (MFA, 2007).

Pfister (2005) explains that even the issue of dialogue with apartheid South Africa was extensively debated within the ranks of the Organisation of African Unity and was rejected on grounds that South Africa needs to first put its house in order by giving equal rights to the Black majority before it could be accepted by other African states. Leopold Senghor for instance insisted that

dialogue between South Africa and the rest of the continent 'must only' occur if South Africa was prepared to enter into a dialogue with its Black majority.

The Pan Africanist voice was perhaps most typified by Ghana's Kwame Nkrumah and Tanzania's Julius Nyerere, despite their differences in strategy. Pan Africanism was an ideology that promoted African Unity and solidarity with those who were still in bondage, as was the case in most of Southern Africa (Agyeman, 1992). Though Nkrumah's voice (and support) resounded in most parts of the continent, Nyerere was the most active African leader supporting liberation movements in Southern Africa.

Agyeman (1992) explains that the East African Pan Africanists differed with Nkrumah on the nature of regionalism with Nkrumah seeing it as a threat to continental unity and uncalled for when most of the continent was still under domination. While he envisioned immediate union, Nyerere and the leaders in East Africa preferred a gradualist process.

Another point of difference between Nkrumah and the East Africans, particularly Kenya was the nature of non- alignment. For Nkrumah, non-alignment was a means for protest against the East- West division in international relations (at least in the early stages). Initially, Africa was to avoid taking sides. Tom Mboya from Kenya on the other hand saw no problem with positive alignment where African states could have an affiliation with international trade unions. Mboya saw disaffiliation as actually isolation and not neutralism as Nkrumah did. At this point, the Kenyan Federation of Labour was funded by the International Conference of Free Trade Unions (ICFTU) with up to 12 thousand British pounds per annum. The ICFTU was itself a Western umbrella of trade unions (Agyeman, 1992), bringing into question the nature of the non- alignment.

According to Howell (1968), radicals like Jaramogi Oginga Odinga claimed that independent Kenya's foreign policy was very much influenced by imperial powers. The claim was supported by the fact that Kenya had adopted a

'hardening attitude' towards the Eastern bloc thus causing doubt among the radicals of the 'non- alignment' principle. He explains that the ruling party's response was that those making such claims were themselves influenced by foreign (communist) forces and did not represent the legitimate voice in Kenya.

Colonialism was not only exploitative but also prepared independent Kenya to become a neo- colony with leaders imitating the capitalist ruling class. Independent Kenya inherited an exclusive economy where only a minority (albeit multiracial in the post independence era) benefited from economic growth (Anonymous, 1982). Howell (1968) noted that independent Kenya's position was more compromising (especially on the issue of Rhodesia) towards the Britons because it was dependent on it for trade and aid. He continued to note that foreign policy in Kenya was such that it would not damage relations with important (aid- giving) countries. According to this analysis support for liberation movements was managed carefully so as to avoid offending strategic trade partners.

In the 1970s, Kenya had an obvious open policy towards international capital; militant nationalist voices were labelled as communist puppets. It is important to note that this was at a time when apartheid South Africa labelled liberation groups as communists and actually used the 'bulwark' argument to argue that South Africa was defending itself against communist penetration (Hentz, 2005).

Before independence Kenya was a member of the Pan- African Freedom Movement of East and Central Africa which became the Pan- African Freedom Movement of East, Central and Southern Africa (PAFMECSA) in 1962. One of the objectives of the movement according to its constitutional provision 2(b) was to unite Eastern, Central and Southern Africa against imperialism, domination and White supremacy through nationalist activities

intended to attain self- government (Cox, 1964). Although independent Kenya continued to profess commitment to the liberation of other Africans who were still under imperialism and minority rule, such a commitment was not as strong as that of radical nationalist states like Tanzania, especially with regards to Southern Africa. PAFMECSA was crucial in consolidating nationalist leaders in Zanzibar, Uganda and Rhodesia (Zimbabwe). It also led the boycott against apartheid South Africa and supported various Southern African refugee groups among other successes (Cox, 1964). Cox further explains that the movement was able to have a voice in the international system by advocating for the adoption of a UN resolution against South Africa.

It was through this movement that *"… Labour movements in East Africa were asked to submit detailed plans for a boycott by all the transport unions, and importers and manufacturers' agents to cease assisting in the sale of South African goods anywhere in East and Central Africa. Unlike some larger nations that have loudly proclaimed the boycott whilst having no South African trade anyway, the East African territories had an appreciable exchange of goods, and the boycott might in the end hurt them more than South Africa. The immediate plan agreed was a selective boycott starting in November and directed against imported hoes, wines, and spirits, tomatoes and other produce"* (Cox, 1964: 32-33).

What is most commendable about PAFMECSA as the quote above shows is that they were willing to support those under domination even when it was not in their best (economic) interests. Nye (1965) specifically pointed out that the trade boycott would hurt Uganda more than it would South Africa since it would shut it out of a market for its coffee. Although Kenya was a renowned capitalist state, it together with other East African countries in the Legislative Assembly supported the boycott against apartheid South Africa in 1962.[2] The leaders in East Africa decided on a ban against the South African Airways, denying it landing rights in the region in 1963.[3] This is despite the expectation

[2] DFA archives 24. 1/135/3, vol. 12
[3] The Star Johannesburg, Tuesday May 14, 1963, DFA archives 24. 1/135/3, vol. 12

by South Africa at the time that Kenya was likely to turn a blind eye when it comes to hard business.[4] There is no concrete evidence to show that that Nairobi did not boycott South African goods since the Pan Africanist leadership proclaimed anti- apartheid stances. Nationalists like Julius Nyerere were more willing to compromise possible national interests for the sake of liberation struggles in Southern Africa.

In response to continental alienation, the Botha regime (1978- 1989), was dominated by military action, against domestic dissenters but also the Front Line Sates who supported freedom fighters (Pfister, 2005). Pfister explains that in an economic move, Armscor (established after the 1963 UN arms embargo) became advanced in arms manufacturing and was keen to supply arms in conflict ridden areas such as Sudan and Somalia. Pfister (2005) notes that it was however hesitant to supply arms to Somalia because it did not want to jeopardise relations with Kenya and in 1981, the apartheid government resolved the issue by deciding that Somalia was not a priority. The implication of Pfister's analysis was that Kenya was an important African trading partner for South Africa.

According to Ogot (1995), in the 1980s Kenya went through a period of economic decline worsened by the oil crises in 1979, the collapse of the East African Community, drought contributing to food shortages and fluctuating prices given by the poor economic conditions. Kenya's response was to embrace structural adjustment policies to generally ensure self-sufficiency in food production in the hope to deal with the financial crises. The Kenyan Communists were quick to accuse Kenya of having economic contact with pro- capitalist regimes, at a time when government professed non-alignment. The supposed trade was in $ 30 million worth of food aid from the USA and imports in maize, wheat, rice and milk in 1982 from the USA, South Africa, Australia and other places (Communist Journal, 1982).

[4] The Star Johannesburg, 22 May 1963, DFA archives 24. 1/135/3, vol. 12

Their position can be contrasted against that of Nigeria which maintained a consistent stance even against its national interests. Nigeria's stance against the apartheid regime in particular was consistent throughout South Africa's liberation struggle. Most Southern African refugees and liberation leaders were given asylum in Nigeria, including South Africa's Thabo Mbeki who in 1976 was the ANC's chief representative in Nigeria (Hadland and Rantao, 1999).

Nigeria, an economically important African country at the time was particularly useful in pressuring the West against the apartheid regime. Given its status as the largest African oil supplier to the United States, large consumer base and growing economy at the time, it was able to press against trade and investment with apartheid South Africa by any state that desired to have trade and investment relations with it (Herskovits, 1977- 1978).

At a United Nations Conference against apartheid in Lagos, then Lieutenant Obasanjo expressed that: *"The intransigence of minority regimes [in Southern Africa] has created a situation whereby we have to use every weapon in our armoury to bring about majority rule in Rhodesia, Namibia, and South Africa. We are compelled in these circumstances to insist that those whose economic activities in these territories help to keep the minority regimes afloat cannot be our friends and should not expect to be able to profitably do business with us… We are screening all foreign contractors and business firms with a view to discriminating against all those who have business relations with Rhodesia, and South Africa… Such business firms are, however, free to discontinue this relationship or at least do nothing to expand it, if they feel their bread is better buttered on our side. Investors and businessmen are hardheaded calculators and I will leave you to decide and choose…"*- Adapted in (Herskovis, 1977-1978: 168).

Herskovis notes that on another occasion Nigeria was reported by a South African Journalist to have required a West German company which wanted to secure a contract in Nigeria to first show proof that it was cutting back investment in South Africa. Nigeria further provided financial support through what was known as the South African Relief Fund which provided non-military support (Herskovits, 1977- 1978). It is such scrutiny which reflected seriousness about the liberation of Africans who were still under minority rule.

Nigeria's commitment to the liberation of South Africa was further noted by (then General) Obasanjo's willingness to Chair the Commonwealth's Eminent Persons Group on South Africa in 1986 which was formed to help find a peaceful solution to the political problems related to racial exclusion and was able to form a background which paved the path for domestic negotiations (d' Orville, 1995).

Tanzania's support also deserves special mention. Ogweno (1986) argues that European powers with interests in South Africa turned a blind eye to minority rule in South Africa, an attitude which Nyerere adamantly opposed. Ogweno further explains that Tanzania sacrificed financial support for development by its harsh attitude against the West (Britain, USA, West Germany and France). Tanzania went as far as breaking diplomatic relations with Britain over the Rhodesia crises and pushed for the expulsion of South Africa from the Commonwealth. He argued that Rhodesia and South Africa violated the Commonwealth's principles by their racist and apartheid policies that denied human dignity and respect to the majority of the people's in those countries.

For Tanzania, apartheid was a threat to international peace and security. Ogweno explains that by pursuing such a foreign policy, Tanzania was able to

use ideological considerations (African unity, Pan Africanism, advancing the liberation of Southern Africa and morality) over narrow self- interests. Tanzania's strategy, however, did not achieve assurance from other African states that they will do the same. The OAU decision in 1965 was not binding, hence other African states such as Kenya, Nigeria, Sierra Leone, Uganda and Zambia as well as non- Common Wealth African states did not cut diplomatic relations with Britain. Consistent with its support for liberation struggles in South Africa, Tanzania offered 'diplomatic and moral support to ANC and PAC freedom fighters (Ogweno, 1986).

This sub- section showed that the concept of Pan Africanism promoted the idea of genuine liberation for all Africans. It was however too broad, allowing African states to make their own foreign policy decisions. Kenya's role was affected by its close contact with the West and its capitalist posture. Kenya's role in South Africa's liberation struggle was thus minimal compared to that of Nigeria and its own neighbour, Tanzania. Given the background of similar struggles that the Africans in both countries endured, one would have expected that Kenya would be at the forefront of the support for liberation in South Africa. Current relations between post apartheid South Africa and Kenya are described by the foreign Affairs Departments as 'cordial' but foreign policy analysts have not focused much on Kenya. To assume that this is because of Kenya's historical lukewarmness would be a poor analysis. It is therefore important to understand the nature of post apartheid South Africa's Africa foreign policy before any analysis of its current relations with Kenya is made.

The nature of South Africa's post apartheid Africa foreign policy

It is important to briefly indicate that the pre- 1994 South African foreign policy was characterised by the desire to end sanctions and isolationist policies adopted by other states. This desire was particularly important for South

Africa's trade and commerce. Pfister (2005) shows how South Africa acted as a middle power by wanting to be a bridgehead of Western civilisation in Africa during the period. South Africa wanted to maintain the permanent white minority rule domestically while it needed to co – exist and co operate with other African states, but this end was frustrated by both domestic insurgencies and the support they received from the Front Line states (Henwood, 1997) and the Organisation of African Unity (now African Union) as a whole.

Post apartheid South Africa was in a position where the above mentioned conditions were no longer active. The post apartheid South Africa which was domestically legitimate and internationally accepted was eager to play a meaningful role in the continent and the world.

According to Henwood (1997) South Africa's post apartheid foreign policy as declared by the then Foreign Affairs minister Alfred Nzo, in 1994 was committed to:

- the respect for human rights as well as the political, economic, social and environmental circumstances conducive to these;
- promote freedom and democracy worldwide;
- uphold the principles of justice and international law in international relations;
- promote international peace and the resolution of conflicts through internationally agreed mechanisms;
- position Africa's interest in global affairs and
- to enhance regional and international economic co-operation.

Post apartheid South Africa wanted to establish its position within the continent by playing a meaningful political and economic role. Landsberg and Monyae explain that policymakers in South Africa believe that the democratic experience can be exported through the promotion of negotiations and accommodation, as a means of resolving differences and finding peaceful

resolutions in conflict areas (Landsberg and Monyae., 2006). Venter shows that before the ANC even got to power it articulated the prominence of human rights. According to Venter, Mandela in 1993 stated that the promotion of democracy, justice and respect for international law and human rights would be at the centre of South Africa's future foreign policy (Venter, 2001).

According to Henwood (1997), Nzo disclosed that foreign policy was guided by the need for security, the well-being of South Africans, respect for international justice, promotion of peace and economic stability, as well as regional cooperation, although he also said that South Africa has no intention to overstretch itself in international politics because of limited resources.

South Africa's foreign policy priorities include the promotion of peaceful coexistence and economic development in the region, constructive interaction with the rest of the continent, and the commitment to multilateralism (Landsberg, 2006). Landsberg explains that Pretoria/Tshwane was able to push Kabila's DRC to join SADC so as to allow better control and influence in a multilateral sphere. He further explains that when Mbeki entered the scene in the DRC (taking over from Mandela), he was able to involve all the main actors behind the scenes (Landsberg, 2006). According to Stremlau (2007) the suffering of the Congolese people was the focus of Mbeki's strategy which brought in a moral dimension to diplomacy. In April 2002, the Congo Peace Accords were signed by the main antagonists in the Congolese conflict, which prepared the way for the 2006 vote for peace. Landsberg suggests that in Burundi, Zuma (South Africa's then, Vice President) in 2002 also kept in touch with all the players. Talks led to the March 2005 referendum and an election in June 2005 (Landsberg, 2006).

Botha concurs that the 1997 discussion document of the ANC highlighted the foreign policy priorities that defined South Africa as part of the continent and that its economic development was linked to occurrences and events in the continent (Botha, 2000). This means that economic development in South Africa is not sustainable if the rest of the continent continues to be plunged in wars and conflicts. This concern is justifiable given the nature of refugee spillovers which occurs when one's neighbours are going through periods of destabilisation. When peoples' countries are destabilised, they often flee to the nearest place of safety but the unfortunate challenge is that they could put pressure on the fragile economic and sometimes political climate in the neighbouring countries wherein they seek refuge worsening regional security dynamics.

The post apartheid policy was arguably a decisive break from apartheid policy in its respect for human rights for all and seeking Africa's interests; given that a peaceful and prosperous Africa is in South Africa's interests. Van der Ross (2004), points out that South Africa hoped to bring a reconciliatory spirit derived from its relatively peaceful democratic transition. In recognising its own diversity, South Africa believes that other religiously, and ethnically diverse countries could also achieve unity and overcome their differences. South Africa's aim was expressed in the desire to promote an environment where the fundamental human rights of all peoples, including minorities are protected (Hughes eds., 2006). In this way the country hopes to promote and encourage democratic governance, where the will of the people is respected.

Landsberg and Monyae argue that the post apartheid South Africa has consciously taken the role of a diplomat, promoting peaceful negotiations and putting emphasis on 'preventive diplomacy' (Landsberg and Monyae, 2006). An example was given of Mandela's attempts to broker peace in Angola in 1994, and in Lesotho (1998), when South Africa together with Botswana and Zimbabwe encouraged elections, employing 'Operation Boleas' militarily

intervening when other strategies failed. They note that since 1999, South Africa has been active in efforts to bring peace, succeeding in ensuring the Inter-Congolese Dialogue in 2002 followed by elections in 2006. In Burundi, South Africa sought to promote peace by strengthening the Arusha Process and also acting as a broker in 2004, negotiating a power sharing arrangement in 2005, allowing the country to adopt a referendum leading to elections in June that year.

Landsberg and Monyae explain that as a bridge-builder, South Africa adopts the role of building partnerships with both the North and the South (Landsberg and Monyae, 2006). South Africa joined the Non-Aligned Movement as part of desiring to negotiate better terms for the countries of the south in the existing global order. South Africa encourages South-South bilateral and multilateral relations. It is also explained that South Africa engages with the G8 to ensure support for NEPAD which is part of an attempt by African leaders to solve their own problems Gelb (2002).

In pursuing its foreign policy, South Africa chose to adopt a *"commitment to active multilateralism"*. South Africa challenged institutions like the World Trade Organisation, by lobbying for better trade terms for the global South. South Africa has been committed to acting within multilateral bodies such bas SADC, AU and the United Nations (Hughes, 2006:140).

According to Gelb (2002), South Africa's post-1994 Africa foreign policy has been shaped by among others, the African state's weakness and their failure to economically develop. Gelb further explains that the failure of the African state has its foundations in maintaining colonial boundaries which prevented the African state from developing from a domestic political process as was the case in the West.

South Africa is an advocate for a better Southern Africa, a better Africa, a better South and a better world in which the interests of the continent would be secured. Landsberg and Monyae distinguished between the Mandela administration, which was said to *"strive for a just world order"* (Landsberg and Monyae, 2006: 133), placing supremacy on international law; and the Mbeki administration which sought for a more equitable political and economic world.

South Africa as a mediator- integrator sought to address Africa's marginalised position in the world while promoting 'regional integration and development' (Landsberg and Monyae, 2006). Contrary to the apartheid predecessors, South Africa aimed to play a cautious role in the promotion of mutual regional development. South Africa played a key role in the negotiation of the New Partnership for Africa's Development (NEPAD), promoting good governance and encouraging sound economic policies in the continent. Gelb (2002) explained that state weakness in Africa has been worsened by the global unequal distribution of power and globalisation which necessitates the need for better governance. Gelb further said that NEPAD was a major driver of South Africa's foreign policy and has been used to promote Africa's significance in global security and welfare.

Naidu (2007) asserts that the triumph of neo- liberalism meant that the continent was going through a period of de- regulation; investors were withdrawing from Africa and moving into Eastern Europe, which paved the way for South African capital to enter the African market from which it was historically excluded.

A realist understanding of South Africa's post 1994 foreign policy does not see beyond narrow interests given by relative economic and military

capabilities. This view basically believes in the mercantilist continuation of apartheid policies in the region and continent. Core interests are defined in terms of increased trade and investment with the aim of enhancing domestic growth and job creation (Gelb, 2002).

This view is supported by the evidence that since 1990, South Africa's trade with the continent has increased, with exports to SADC increasing by 15.4% per annum in the years between 1992 and 1996 and by 24.2% in the rest of Africa. South Africa became Kenya's largest source of imports in 1997, replacing the United Kingdom. The trade deficit between South Africa and the rest of the continent has however widened. The trade deficit between Kenya and South Africa, for instance, grew from R734 million in 1995 to R1. 5billion in 1999. The realist/ mercantilist view advocates that the region and continent are markets for South African firms to dispose of the surplus which is not absorbed domestically (Gelb, 2002).

If one considers the articulation of South Africa's foreign policy, it would be evident that there is no denial of the fact that national interests play an important role in the direction of foreign policy (DFA, 2007). Post apartheid South Africa extended its presence economically in the continent beyond mining, retail and related industries. According to Roger Southall, South Africa is one of the largest investor in Africa, with companies like Checkers, Game, Makro, Truworths, Woolworths, MTN, Transnet, ESKOM, AngloGold Ashanti, Randgold Resources, Sasol and PetroSA to name but a few actively involved in the rest of the continent (Southall, 2007).

Post-apartheid South Africa emerged as a military and economic powerhouse in the region with most neighbouring countries dependent on it. Marxist conceptualisations go beyond seeing South Africa as a major investor in the

region and continent. Tleane (2005) asks whether South Africa has become the regional hegemon in Southern Africa and beyond. Tleane makes reference to South African companies, media, and information communications technologies which are making the 'Great Trek' north of the Limpopo.

Although the middle power position is correct in observing that South Africa has been largely involved in peacekeeping operations throughout the continent, its engagement in the continent go beyond altruism. The Deputy Minister of Foreign Affairs, Mr Aziz Pahad confirmed that the promotion of conflict resolution in Africa is related to sustaining South Africa's economic growth *and ensuring expansion into new markets* (emphasis added). Indeed South Africa has turned out as the biggest investor in Africa at a time when Western investors were hesitant to invest in the continent. Between 1990 and 2000, South Africa's investment to the rest of the continent was estimated to be approximately US $ 1.4 billion annually (Schoeman, 2000).

The criticism given against the realist view is that South Africa is able to produce more efficiently than most other firms in the continent, and when they sell their surplus to those countries, they destroy local firms and increase levels of unemployment. The realist' counter argument is that increased trade from South Africa to the rest of the continent serves as a 'growth engine' and within SADC is aimed at 'development integration' (Gelb, 2002).

The above mentioned conceptualisations reflect on South Africa's broad foreign policy considerations. South Africa's post apartheid foreign policy is neither merely driven by vested national interests nor purely by altruistic reasons. South Africa does behave like a normal state, whose interests is promoting national interests, but it is also a state whose specific past gives it a

disposition towards promoting global equality and the respect for universal human rights. Landsberg also concludes that South Africa's role cannot be simply understood as Realist, Liberalist or Marxist but should be understood in the broader Pan- African regional geo- strategic context. There is an understanding that African development will come with peace, democratic governance and growth (Landsberg, 2006)

The African Renaissance and South Africa's foreign policy

Globalisation places an imperative on states to cooperate in an interdependent world especially to deal with cross- border spillages such as refugees, illegal immigrants, and climatic change. For Gelb, the problem of spillages transcends both the realist and liberal/moralist arguments. He further argues that the poor economic and political governance in sub- Saharan Africa creates a negative image which leads to low investment in the region as a whole including South Africa. South Africa's investment probabilities are thus affected by the "Africa dummy", which the country has an interest in addressing; hence the need to promote governance through the African Renaissance project (Gelb 2002). Venter says that the African Renaissance is part of South Africa's strategy to promote African renewal and solidarity with other African states as well as the rest of the global South to seek fair market access (Venter, 2001).

Botha (2000) argues that the African Renaissance contrary to the European counterpart is not a celebration of the past but an aspiration of the future. The African Renaissance is a feasible 'project' to return the people's destinies into their own hands after being told on a continental scale that they did not have anything valuable. Botha argues that politically, the idea of an African Renaissance aims to promote democratic ideals and a system of 'good governance' throughout the continent. Economically, the challenge is to remove political and economic corruption and prepare the way for the regeneration of African economies (Botha, 2000).

Venter and Neuland (2005) however point out that the word renaissance was coined by Jules Michet (a French Historian) and used in contrast to the Dark/ Middle ages. In the 20th Century, there were views that Renaissance was perhaps one of a series of enlightenment movements. As a result current discussion on the renaissance became more specific i.e. the English Renaissance, the Italian Renaissance e.t.c. In this way, Renaissance is often used interchangeably with the word 'civilisation'.

Venter and Neuland (2005) further identified a series of Renaissance in Africa as; 'the Ancient Egyptian period (3100- 343 BC), Ancient Carthage (814BC-697AD), Trans- Sahara Trade and Development of African Empires (800-1100AD), Songhai period (circa 1464- 1600), Mossi Kingdoms (11th- 15thc AD), Hausa City States (circa 10th century AD onwards), Karem- Bornu (circa 8th- 15th centuries AD), the Iron Age South of the Sahara (from 1400 BC), Greater Zimbabwe and Mapungubwe (around 1000 AD). They argue that common denominators for periods of awakening included political and economic structures, social systems and religion, trade and commerce, legal systems, architecture, science, technology and manufacturing, writing, transport and art. In this way it was obvious to see that Africans have also contributed to human civilisation.

President Mbeki's call for an African Renaissance can be understood as part of the series of awakenings in the political, economic, technological, social and cultural development of the continent so that it can be meaningfully incorporated in the global system. The African Renaissance ideology recognises the gruesome past the people of the continent experienced under domination but also reaffirms that the peoples of Africa could determine their own destiny (Venter and Neuland, 2005).

Maloka shows that the ANC's strategic perspectives on South African foreign policy identified the following essentials of the African Renaissance: 'continental recovery, establishing political democracy, breaking dependency on world economic powers, mobilising people to take ownership of their

future, and the need for development and growth which actually improves people's lives' (Maloka, 2000).

NEPAD which could be understood as the technical wing of the African Renaissance project has been viewed by some as a pan African Marshall plan to half poverty by 2015, reverse factors that hinder growth and move away from aid dependency towards investment promotion with engagements between states based on mutual interests (Venter and Neuland, 2005). NEPAD views conflict resolution, peace and security as conditions for sustainable development. It is also acknowledged that there cannot be sustainable development without democracy, respect for human rights and good governance. African leaders have thus committed themselves through NEPAD to meet these principles. The African Peer Review Mechanism (APRM) is a voluntary process created to assist states to speed up the operation of NEPAD priorities and programmes (Venter and Neuland, 2005).

Venter reiterates that the African Renaissance is part of South Africa's strategy to promote African renewal and to promote solidarity with other African states as well as the rest of the global South to seek fair market access (Venter, 2001).

Van der Ross however thinks that it is just *"heady talk"* for the political bigwigs in the continent, while the majority still live in dire poverty. He however makes use of Fanon's hypothesis that after being oppressed and taught to have a low self-esteem, the oppressed will develop their own intellect, challenging the colonialists' version of reality and constructing their own *(*Van der *Ross,* 2004: 15).

As a foreign policy goal the African Renaissance aims to promote 'genuine' democracy, and good governance which would enable the adoption of sound economic policies, promote anti- corruption and guard against human rights violations in order to attract investment in the continent (Venter, 2001). Landsberg and Monyae (2006) concur that the African Renaissance is a banner under which South Africa thinks it can promote democracy, respect for human rights and peace and security. The African Renaissance project could also be understood as a response to globalisation and an attempt to improve Africa's geopolitical positioning in the world (Botha, 2000).

Botha adds that these elements also include promoting interdependence and regional integrated development, promoting respect for human rights and justice as part of the African agenda, democratisation and reform of the United Nations Security Council and International Financial Institutions such as the WTO and the IMF. The African renaissance thus offers a challenge to globalisation. The African Renaissance is also a commitment to the promotion of gender equality and the empowerment of African women who had been the most marginalised in the past (Botha, 2004). It is important to note that this requires acting within a multilateral framework.

Chapter 3: Kenya's position

This Chapter shall begin by briefly explaining Kenya's geographical location and population dynamics. It shall reflect on the current political ambience, the political and economic position that Kenya occupies in the East African region. The Chapter shall also reflect on Kenya's global geo-strategic position.

Geographical location and population

Kenya is located in East Africa and borders Somalia, Ethiopia, Sudan, Uganda and Tanzania. The climate varies from tropical along the coast and arid in the interior (CIA, 2008). Kenya has a population of 34.7 million, with

diverse religious and ethnic groups.[5] The large population itself presents a wide market for both domestic and foreign investors. Kenya has a land area of 219, 788sq mi (569, 251sq km) and a total area of 224, 961 sq mi (582, 650 sq km).[6] Approximately 8.8% of the land is arable, 0.98% is used for permanent crops and 90. 94% goes to other uses (Sebei, 2006). It would be evident later in this thesis that agriculture plays a very significant role in the Kenyan economy.

Kenya is a demographically diverse nation; sociolinguistic groups include the Bantu (67%), Nilotic (30%), and the Cushitic (3%). Approximately 80% of Kenyans are Christians, 10% Muslims and another 10% follow traditional African beliefs.[7] Kenya is home to more than 40 ethnic groups and had previously been able to accommodate these different groups with no inter-ethnic violent conflicts. The largest group is the Kikuyu (22%), followed by the Luhya (14%), Luo (13%), Kalenjin (12%), Kamba (11%), Kisii (6%), Meru (6%), other African (15%), Asian, European and Arab (1%). English and Kiswahili are the official languages; other indigenous languages are also spoken.[8]

According to Nyaga (et al. 2004) there are about 42 million people living with the HIV/AIDS virus in the world and 29.4 of these live in Sub- Sahara Africa, with 8 million orphans in the region. In Kenya the figure was estimated to be 2.5 million people, Kenya has the ninth highest prevalence rate in Africa.

[5] Historycentral.com. Nation-By- Nation. Population. http://www.multied.com/nationbynation/Kenya/Population.html- Accessed 11/02/2008

[6] "Kenya" http://www.infoplease.com/ipa/A0107678.html- Accessed 24/01/2008.
[7] "Kenya" http://www.infoplease.com/country/profiles/kenya.html- Accessed 24/01/2008.
[8] "Kenya" http://www.infoplease.com/ipa/A0107678.html- Accessed 24/01/2008.

The Kenya Economic Survey for 2003 revealed that HIV prevalence in Kenya declined from 13% to 10.2% in 2002. HIV/AIDS has negative effects on the economy (such as reducing labour productivity) since it mostly affects the economically active group. The decline in prevalence percentages has been attributed to governments' and other organisations' vigorous campaigns. These included information campaigns, coordination and mobilisation of funds to cope with the pandemic, counselling and support for patients, promoting the prevention of prenatal infection, and effective blood screening (Nyaga et al., 2004).

The Kenyan government identified HIV/AIDS as a developmental problem, thus necessitating incorporation into the Seventh National Development Plan and other documents as well as the National Aids Control Council in the office of the Presidency. The concerns of gender specific aspects are dealt with by the Kenya National HIV/AIDS Strategic Plan 2000- 2005. The efforts date as far back as 1999, when government declared that HIV/AIDS was a national disaster (Nyaga et al. 2004).

Politics and governance

Kenya has a unicameral National Assembly with 210 members elected from single member constituencies over a period of 5 years and 12 additional members chosen by political parties on the basis of proportional representation. The Vice President and Cabinet members are chosen by the President from those in the assembly.[9]

According to Tamarkin (1978) Kenya enjoyed relative political stability and economic growth which in the early years was attributed to Jomo Kenyatta's (country's first independence President) personality. This is despite domestic

[9] "Kenya" http://www.infoplease.com/country/profiles/kenya.html- Accessed 21/01/2008.

ethnic tensions fuelled by what most people perceived as the ruling class being predominantly from Kikuyu ethnic group. When Daniel arap Moi became President, he sought to redress the ethnic imbalance by mostly favouring his Kalenjin and other 'disadvantaged' tribes from the Rift Valley (Barkan, 2004).

A pseudo multiparty democracy was introduced in 1991 due to internal and external pressures on the Moi regime. The 1992 and 1997 elections were not free and were followed by a number of irregularities (e.g. opposition leaders were often arrested and were denied permits for rallies, granting the ruling party (KANU) presidential and parliamentary majority (Mbugua, 2002). During this period views contrary to those of the political leadership under Moi were repressed, especially in the mid- 1980s with the MwaKenya crackdown which undermined the judiciary system and was characterised by torture. Mbugua (2002) explains that power was concentrated in the office of the Presidency.

Barkan (2004) explains that Moi tightened his grip on power moving towards repressive governance after the 1982 failed coup attempt. This was also a period of economic decline, which lasted until 2002, when multiparty democracy was introduced, ending the long-term reign of the KANU government. It was only when the opposition united under President Mwai Kibaki's National Rainbow Coalition (NARC) in 2002 that the opposition was able to topple KANU which was then campaigning under the leadership of Uhuru Kenyatta (Barkan, 2004).

Kenya went into violence after the contested December 27th 2007 election results. Pre- election results showed that opposition leader Raila Odinga was on the lead with 57% and President Mwai Kibaki trailing behind with 39%. Election results, however, announced that Kibaki has won by 46%, while Raila

had 44%. The results sparked violence and conflict among the Kikuyu and Luo tribal groups, Mr Kibaki belongs to the kikuyu tribe while Mr Odinga belongs to the Luo. The violence intensified in January 2008 when 50 Kikuyu's were killed seeking refuge in a church by what was believed to be a Luo mob.[10]

In the run up to the 2007 elections, the opposition failed to form a united coalition. Although the ODM started with bigwigs like Uhuru Kenyatta, Kalonzo Musyoka and Raila Odinga, it could not 'hold together' for long. Uhuru Kenyatta, Chairman of KANU first announced that KANU would elect its own parliamentary and civic candidates outside of ODM. He announced that the party would support a democratically elected ODM representative; provided party followers were allowed to decide on their leader. Although internal Presidential competition was evident from the beginning, some like Mudavadi insisted that what seemed like infighting in the ODM was only a symbol for democracy.[11] The ODM finally nominated Raila Odinga as their Presidential candidate while Kalonzo Musyoka decided broke away from the ODM and contested the presidential polls from an ODM- Kenya ticket.[12]

The pro- Kibaki re- election parties formed a coalition named on the 23rd August 2007 as the Party of National Unity (PNU). Parties which formed the unity include Narc- Kenya, Ford- Kenya, Ford- People, Democratic Party of Kenya, Safina, Sisi Kwasisi, Shirikisho, Spark, Agang Mazingira and other small parties.[13] Those who supported Kibaki's re- election bid were mostly motivated by his development record.[14] KANU under Uhuru Kenyatta left the

[10] "Kenya" http://www.infoplease.com/ipa/A0107678.html- Accessed 24/01/2008.
[11] Mazera Ndurya. Daily Nation, News. "Tension and hecking in ODM unity rally" http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=1&newsid=101945- Accessed 9/07/2007.
[12] News 24. "Kenyan fireband to face Kibaki" http://www.news24.com/News24/Africa/News/0,,2-11-1447_2175787,00.html- Accessed 03/08/2007.
[13] Muchemi Wachira and Lucas Barasa. "Now pro- Kibaki party registered" Daily Nation. http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=1&newsid=106361- Accessed 12/09/2007.
[14] Nation Correspondents. Nation Media. "MPs root for VP post after coming polls" http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=1&newsid=105830- Accessed 04/09/2007.

ODM coalition to join other Kibaki friendly parties in the PNU.[15] KANU's move was indeed a historical one because it was a case in which a major opposition party decided to join the ruling party in the run- up to national elections.

Fierce competition involved each party promising the electorate what changes they would bring to build a better Kenya. President Kibaki launched what he called the 'contract with Kenyans' as part of the PNU campaign. He pledged to improve prosperity, security and equity in the next 5 years by making sure that every Kenyan had access to basic education, decent shelter, enough food and a decent job with decent pay. Kibaki said he would ensure 6.3% economic growth, double investment and infrastructure. Other plans included improving job opportunities for women and eradicating corruption.[16] Kibaki had reached out to the youths in his campaigns which focused more on development, national unity and building a better economy. President Kibaki promised to promote regional federation in the East African Community which would ensure free movement of persons, goods and services.[17]

Opposition leader Raila Odinga on the other hand promised to transform the Jua Kali sector for job creation by integrating it into the mainstream economy. Mr Odinga said that his party would promote Small and Medium Enterprises (SMEs) for sustainable job creation and provision of goods and services for the local market. The party also promised to increase the participation of women and youth in decision- making and government. Mr Odinga also promised the provision of free primary and secondary education as well as increasing investment in infrastructure.[18]

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[15] Lucas Barasa and Bernard Namunane. "Uhuru: why I will campaign for Kibaki" http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=1&newsid=106481- Accessed 13/09/2007.

[16] Lucas Barasa. Sunday Nation. "My contract with Kenyans" http://www.nationmedia.com/eastafrican/current/News/news121020078.htm- Accessed 16/11/2007.

[17] Nation Team. Daily Nation. National News. "Kibaki asks for votes from the youth" Monday November 26, 2007. No 15636, pg. 2.

[18] Jeff Otieno. Daily Nation. "I will take Kenyans out of bondage, says Raila" http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=2&newsid=110331- Accessed 11/11/2007.

The election campaigns were characterised by what the media said was 'pockets of violence' in some areas ahead of the December 2007 elections. President Kibaki condemned acts of violence during the election period.[19] Violent protests also followed when there was a complaint around the nominations of Parliamentary candidates in the ODM, ODM- K and PNU, especially in Kisimu and Mombasa.[20]

During the campaign period, ODM candidate Mr Raila Odinga said that he would accept election results if he was beaten fairly.[21] As already mentioned above, Kenya plunged into conflict[22] soon after the announcement of Kibaki's victory. It is clear then that Mr Odinga did not think that he was beaten fairly.

Mediators were trying to help the two opposing parties find a lasting solution that would end the violence. Mr Kofi Annan, former Secretary General of the United Nations and others (such as Graca Machel and Benjamin Mkapa) is currently mediating for peace and order. Before Mr Annan arrived, talks were headed by Ghanaian President John Kufour, in his capacity as the chairperson of the African Union.[23] Progress was made as Mr Annan persuaded Mr Kibaki and Mr Odinga to meet face- to- face.[24] Ugandan President Yoweri Museveni also flew into Kenya to mediate between the contenders. His arrival sparked concern by the Forum for Concerned Kenyans and Friends in South Africa who pleaded with President Museveni in an open

[19] Daily Nation. Politics.
http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=2&newsid=110694- Accessed 16/11/2007.
[20]The Nation Team. " ECK vows to act as more losers protest"
http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=1&newsid=111028- Accessed 21/11/2007.
[21] Mugo Njeru and George Munene. "I will accept defeat if beaten fairly, says Raila"
http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=1&newsid=105429- Accessed 29/08/2007.
[22] News24. Africa News. "Kenya ethnic clashes continue"
http://www.news24.com/News24/Africa/News/0,,2-11-1447_2259741,00.html- Accessed 28/01/2008.
[23] Berbard Namunane. "Anan urges leaders to 'make hard choices'"
http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=1&newsid=115498- Accessed 28/01/2008.
[24] Voice of Africa Radio. "Ex- UN chief gets Kenyan rivals to meet"
http://voiceofafricaradio.com/Newsreel/news_read.php?nid=186- Accessed 28/01/2008.

letter that he retracts his pre-mature recognition of Mr Kibaki's Presidency and that he withdraws from mediation since is not impartial.[25]

The ANC's newly elected President Jacob Zuma condemned what was happening in Kenya as "absolutely not right". Zuma saw his own ascendance to ANC Presidency after the Polokwane Conference in South Africa as a sign of how democracy was deep rooted in an African country.[26] While South Africa's Desmond Tutu was met with lukewarm response in his efforts to intervene; the Kibaki government refused intervention by Cyril Ramaphosa saying that they "did not trust South African' intervention".[27] This was disappointing for a country that hopes to play a meaningful role in mediation efforts in Africa. Desmond Tutu's visit was perhaps too early in the conflict to expect any positive progress. Ramaphosa was not only a high- level ANC member but also as a prominent businessman, he might have been suspected to have vested interest.

The open letter written by a group of Kenyan academics residing in South Africa (the Forum for Concerned Kenyans and Friends in South Africa) pleaded President Museveni not to mediate in Kenya. This group believed that President Kibaki had 'stolen' the election. One would assume that the government might have suspected that this group might inform the South African mediator about what they think is happening in Kenya, a judgement the government would not trust. It seems that there is more into Kenya's 'mistrust' of a South African mediator than just dislike for the South African/s.

According to the International Foundation for Election Systems (IFES), Kenyan elections were important for the international community because of the country's stability (prior to the December 2007 elections) inside a troubled (Sudan, Somalia, Uganda, Ethiopia) region, its role in mediation, its relatively

[25] Ogode, j. (2008). The Forum for Concerned Kenyans and Friends in South Africa. Open letter to President Yoweri Museveni. "A plea to Yoweri Museveni's government".
[26] Dan Perry. Associated Press. "Davos tests Zuma's African leadership" http://ap.google.com/article/ALeqM5jOoKkze0gFp_Au8cqbsEspvmBvfQD8UDQ9D00- Accessed 28/01/2008.
[27] Fiona Forde. The Star. "Annan livid after hotel room bugged" Wednesday 6 February 8, 2008.

advanced finance and trade sector in the East African region, and the production of high quality products especially in coffee, tea and flowers.[28]

One may note that Kenya's role in the region with regard to the promotion of peace and democratic governance was almost threatened by domestic tensions. The violence damaged Kenya's economy, which was relatively strong compared to others in the region. The government, led by Mwai Kibaki and the opposition, led by Raila Odinga reached a power sharing deal early (February) in 2008 when the opposition leader settled for the powerful Prime Minister post. The Cabinet positions were divided between government and opposition.[29] The power-sharing agreement if honoured by both parties, in practice can help Kenya recover from its political and economic crisis and find its way as a major player in the region and indeed the continent.

Economic position

Mwega and Ndung'u (2002) 'periodised' Kenya's economic performance from 1960 to 1997. The first decade of independence (1960- 1974) showed improved economic performance (from 0.38% to 3. 67% to 4.85%). The period from 1975 to 1984 (from 1.62% to -0.76% to 1.99%) was characterised by declining/ poor economic performance. The decline during this period was accredited to oil shocks in the global economy and bad domestic policies, with balance of payment problems. From 1985 to 1989 (1.99%), there was some recovery in the country's economic performance which was associated with the 1986 coffee boom, good weather, and decrease in oil prices. There was another decline in performance in the period between 1990 and 1997 (-1.83). Structural adjustment reforms which were applied to every sector of the economy in the 1980s and 1990s did not improve performance. The decline was worsened by the coup attempt of 1982 and the drought which followed in the two years after. The economy continued to perform badly under bad

[28] IFES. News and Events. "Kenyans prepare for contested elections". 30 November 2007. http://www.ifes.org/features.html?title=Kenyans%20Prepare%20for%20Contested%20Elections- Accessed 05/12/2007.

[29] International Herald Tribune. "Power- sharing agreement is reached in Kenya" 28 February 2008. http://www.iht.com- Accessed 1 March 2008.

weather, increased oil prices and political instability with ethnic clashes (Mwega and Ndung'u, 2002).

Kenya's real GDP has been steadily grew since 2002(-1.2%), with 0.8% in 2003, 6.0% in 2004, 7.0% in 2005, 5.8% in 2006 and it increased to 7.1% in the second quarter of 2007. The key sectors contributing to growth were manufacturing, hospitality (hotels and restaurants) and services (transport and telecommunications). Inflation also declined from 13.0 in the second quarter of 2006 to 7.7% in the first quarter of 2007 (Kenya National Bureau of Statistics, 2007).[30] Kenya is a dominant economy in the East African region, with a growing IT infrastructure.[31]

The evidence of Export Led Growth in East Asia influenced Kenya to adopt the Poverty Reduction Strategy Paper (PRSP) as a strategy towards industrialisation (Were, Ndung'u, Geda and Karingi 2002). During the 1980s, most of Kenya's exports were absorbed by regional partners in EAC and COMESA. Trade was expanded by membership to regional blocks such as EAC, COMESA, CBI and IGAD (Ng' eno et al., 2003). Exports to COMESA, for instance, increased from 15% in the period from 1990- 1992 to 34% in the period 1996- 1998. Besides tourism, Kenya's export structure is dominated by agricultural commodities, mainly, tea, coffee and horticulture; the export sector is thus very vulnerable to global prices. Kenya's major trading partners and export destinations are the European Union (in coffee, horticulture and tea), Asian countries (in tea and coffee) and COMESA for processed goods (Nyangito, 2003).

Agriculture contributes 19.3% of Kenya's GDP, employing over 75% of the population (excluding the informal sector). Agro- industries make- up 70% of all industrial production and more than 50% of export revenue comes from the primary commodities such as 'tea, coffee, sisal, pyrethrum, sugar cane, wheat

[30] Kenya National Bureau of Statistics. "Quarterly GDP Release. 2nd quarter GDP estimates" April-June 2007.

[31] Rising, from Nairobi, Kenya" http://dimensiondata.investoreports.com/dimensiondata_ar_2006/html/dimensiondata_ar_2006_9.html- Accessed 12/10/2007.

and cotton' (Sebei, 2006: 7). According to Sebei, Kenya is able to produce more than 70% of its demand for wheat. Tea is the most important cash crop and its dominance in the market has been attributed to the improved skills of small scale farmers. Sebei explains that other than India and China, Kenya now produces more tea for the world market. Coffee, sisal (Kenya is ranked as the second world producer), and cut flowers (fourth) are also an important cash crops. Kenya's imports also include 'cashew nuts, fruits and vegetables, beef and dairy' (Sebei, 2006: 8).

According to a World Bank Group report, Kenya (on eighth place) is ranked as one of the top 10 business regulatory reformers. This means that the country was rated as one that is better able to attract foreign investment.[32] Kenya is reported to have launched a determined licence reform programme, eliminating 110 business licences and simplifying 8 more. These changes have cut both business time and costs of start- up. The programme promises to eliminate or simplify about 900 of the 1, 300 licences. Property registration has speeded- up and the Private credit bureau is more efficient, making it able to collect a wider range of data.[33] The World Bank Group study revealed that Kenya provides the best trade logistics in the region and is among the best in the continent, with South Africa ranked the best in Africa. Countries with low logistics costs are better able to take advantage of trade in an increasingly globalizing world.[34]

At a time when the country was preparing for the December 2007 polls, domestic investment in Kenya was promising.[35] The Kenyan government in its

[32] International Finance Coporation. World Bank Group. "Doing business 2008: making a difference" http://ifc.org/ifcext/media.nsf/Content/Doing_Business_2008- Accessed 10/10/2007.

[33] International Finance Coporation. World Bank Group. "Top reformer in Africa 2007" http://www.doingbusiness.org/documents/Press_Releases_08/DB_08_Africa_english.doc- Accessed 10/10/2007.

[34] Benon Herbert Oluka. The East African. "Study ranks Kenya the best in trade logistics in EA" http://www.nationmedia.com/eastafrican/current/News/news1911200719.htm- Accessed 21/11/2007.

[35] Wahome, M. "Investors happy with economy"http:www.allafria.com/stories200704270813.html- Accessed 28/04/2007.

determination to present Kenya as a preferred investment destination identified 424 licences for elimination and 604 for simplification. The procedures that businesses had to go through to meet tax filings obligations were also reduced. The move was a joint operation by the Ministry of Finance and the World Bank and the Foreign Investment Advisory Service. Since the reform started in 2005, it takes 31 days less 'to start a business' with the implementation of the Government's Rapid Results Initiative. The approval process which could take 80 days or more is still one of the areas which are behind in the reform process. The use of electronic instead of manual filing is seen (especially by business) as a move in the right direction, since it saves time.[36]

Participation in the multilateral regime:

Kenya became a signatory member of the WTO in 1995 and some of its objectives are the promotion of a more open trade regime, the expansion access to overseas markets, and further integration into the global economy (Nyangito, 2003). According to a World Trade Organisation report (Odiambo, Kamau and McComick, 2008) Kenya gained a valuable experience particularly in the agricultural trade negotiations. Kenya has also been active in trade in services and intellectual rights related issues.[37]

Stahl (2005) explains that EAC members (Tanzania, Uganda and Kenya) finalised a Customs Union protocol in January 2005. The Customs Union protocol of 1 January 2005, provided for Kenya to eliminate its tariffs on imports from Tanzania and Uganda while imports from Kenya would have to be phased out steadily over a period of five years. Kenya is a member of the COMESA Free Trade Area which allows it to enjoy free trade preferences with 10 other member countries. Kenya imports (a mere 3.2% of its world import) less from the region, compared to Uganda (26.8%, with 97% of it from Kenya)

[36] Turana, O. Business Daily. "State to ease business registration rules" http://bdafrica.com/index.php?option=com_content&task=view&id=962&Itemid=3587-Accessed 10/05/2007.
[37] Walter Odhiambo, Paul Kamau, and Dorothy McCormick World Trade Organization. Managing the challenges of WTO participation: case study 20. "Kenya's participation in the WTO: Lessons Learned" http://www.wto.org/English/res_e/booksp_e/casestudies_e/case20_e.htm- Accessed 28/01/2008.

and Tanzania (5.3%, 95% of which is from Kenya). It is clear that Kenya's neighbours are dependant on Kenyan imports.

Rwanda and Burundi have since the 18th of June 2007 been accepted into the East African Community. Their membership was agreed at a summit attended by Yoweri Museveni (Uganda), Mwai Kibaki (Kenya), Jakaya Kikwete (Tanzania), Paul Kagame (Rwanda), and Pierre Nkurunziza (Burundi). According to media reports, the new membership is beneficial for Kenya because it has better infrastructure and a stronger economy in the region. Kenya mainly exports to the region, which gives it a more expanded market. Mr. Tom Ojenda, President of the East Africa Law Society said the countries needed to adopt a trade protocol for the free movement of goods and services for the region' expanded trade regime. The expectation is that the region would have a common market by 2010.[38] The common market would allow for the free flow of goods and services as well as the free movement of persons. So far Kenyans, Ugandans and Tanzanians can travel without visas using an EAC passport.[39]

According to a study by the Steadman Group Survey (conducted in capital cities), Kenyans were more eager about EAC and the inclusion of the new members. In Kenya, there was an awareness of EAC of about 91%, while Tanzania and Uganda followed by 89%. The popularity poll demonstrated that 46% Tanzanians, 10% Kenyans and 16% Ugandans were not in favour of the regional block. Analysts pointed to Kenya's relative economic position as a motivation for the eagerness to the regional formation.[40] Speaking at the African Union summit in Accra (2007), Kenyan President Mwai Kibaki said that though a political and economic union of Africa can be achieved in a short time, there must be a clear direction of the integration process. Furthermore citizens and other non-state actors should also be considered if a 'United

[38] Lucas Barasa. Daily Nation. News Extra. " EAC goodwill high as approval widens" http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=39&newsid=101150- Accessed 27/06/2007

[39] Kaburu Mugambi. Daily Nation. Business. "Team seeks views on EA Common market". http://ww.nationmedia.com/dailynation/nmgcontententry.asp?premiumid=0&category_id=3&newsid=101143- Accessed 27/06/2007.

[40] Mwaura Kimani. "Kenyans more keen on EAC than neighbours" http://www.bdafrica.com/index.php?option=com_content&task=view&id=1849&Itemid=5813- Accessed 10/07/2007.

States of Africa' is to be realised. Kibaki said that regional economic blocks were important for integration, pointing to the widened EAC which is already making regional economic strides and aims to achieve political federation by 2013. The advocates of a common Africa argue that such a state would have more bargaining power in international negotiations and would be more capacitated to deal with conflict and insecurity problems in the continent. Expectations are that there would be free movements of goods, services and people and the continent would be able to jointly achieve accelerated growth and development.[41] Whether the citizens of the continent are ready for such a union or not remains an issue of debate.

Regional co operation in EAC covers 'trade, investment, industrial development, monetary and fiscal affairs, infrastructure and human resources, science and technology, agriculture and food security, environment and natural resource, management, tourism and wildlife management, health, social and cultural activities' (Sebei, 2006: 5). The community also cooperates in the free movement of production factors, political issues, defence, security, foreign affairs and legal and judicial matters.

Kenya is a member of the Preferential Trade Agreement (PTA) of the Common Market for Eastern and Southern Africa (COMESA), which has a population of 400 million.[42] Members of the PTA enjoy preferential tariff rates and aim to eventually establish a common trade area. Under the Cotonou Agreement, Kenya has trade and aid agreements with 77 other countries in Africa, Caribbean Pacific countries and the European Union (Sebei, 2006).

Nyangito(2003) argues that Kenya would benefit more if there were strong rules that protect the country against powerful nations and if rules would help improve domestic trade and policies. Trade and agriculture reform in particular is important to Kenya because this sector dominates the economy,

[41]Macharia Gaitho. Daily Nation.News. " Kibaki for a united African state" http://nationmedia.com/dailynation/nmgcontententry.asp?category_id=1&newsid=101543- Accessed 03/07/2007.

[42] Business guide. Internet edition. Africa Business Pages. Promoting your business in Africa. "Kenya in focus" http://www.africa-business.com/kenyainfocus.html- Aacessed 16/ 01/2008.

employing 75% of the work force and contributing 25% to total GDP. Agriculture as mentioned before is Kenya's major foreign exchange earner. Nyangito (2003) explains that like other developing countries, Kenya faces barriers such as the Technical Barriers, the Sanitary and Phytosanitary Standards which are required by the developed world but hard to implement often because of lack of the technical capacity to do so. Major exports produce such as coffee and tea however; do not have problems accessing European markets.

Since 1997, EAC has been Kenya's main export destination. Trade with COMESA has also been increasing. The benefits of regional integration have been evident in increased trade with Africa. Kenya's imports are dominated by industrial goods (34.5%), machinery and capital (32.4%) and fuel and lubricants (15.5%) (Ng' eno et al., 2003).

Kenya offers preferential tariff treatment subject to rules of origin to COMESA members and also enjoys preferential tariff treatment by other EAC members (notably Tanzania and Uganda) from 2004. All imports to Kenya pay a declaration fee (2.75%) and a further 1% is collected from agricultural imports on the Cost Insurance and Freight (Sebei, 2006).

Kenya being a signatory of the United Nations and African Union conventions offers refugee asylum to persons fleeing conflict in neighbouring countries. Crisp (2000) explains that the majority of refugees in Kenya were located in the North- West (Kakuma) and North- East (Dadaab) regions, and that they were mostly from Sudan and Somalia respectively. Refugees suffer violence in the form of beatings, rape, assault, and armed robberies often executed by bandit groups. The activities of the bandit groups challenge security in the refugee camps and sometimes in the surrounding areas. According to Crisp (2000), most of the violent crimes are committed by other members of the refugee community. Crisp argues that the Kenyan government since independence has been preoccupied with state security with the perception that refugee presence threatens state security.

Kenya's need to prove its commitment to human rights and democracy in order to attract foreign aid obligates it to receive refugees. The flow of small arms from neighbouring countries (especially Somalia, South Sudan and Northern Uganda) creates a form of insecurity for the Kenyan government. Somali refugees are often criminalised because of suspected links to terrorist groups but it also makes the protection of asylum seekers difficult. Kenya for instance was reported by the media to have prevented 7000 Somali refugees from entering its borders in 2007. [43]

The events of September 11th 2001 when the United States of America was attacked by suicide bombers changed the international political climate where non- state actors were able to invade nation states. The United States of America (U.S.) identified Kenya together with other countries (Ethiopia, Djibouti, Somalia, Eritrea and Sudan) in the Horn as sources of terrorism.[44] Kenya experienced acts of terror first in 1980 when a bomb was planted in Nairobi at the Norfolk Hotel (related to the Israeli- Palestinian conflict), then the truck bomb attack at the U.S. embassy and a car bomb attack at the Kikambala paradise Hotel in 2002 and 1998 respectively (both allegedly connected to the Al Qaeda group).

In response to these attacks, the Kenyan government has cooperated with the U.S. Government in the fight against terror. Ten months after he was sworn into Presidency, Mwai Kibaki visited the U.S. and expressed Kenya's willingness to cooperate in the war against terror (Barkan, 2004). Barkan explains that beyond West leanings, Kenya's position must be understood as wanting to protect itself from terrorist attacks targeting Americans in Kenya. Kenya thus plays an important role in the stability of the region, serving as a platform for United States operations. To supplement these relations, Kenya has the largest U.S. embassy in Africa. Specific areas of cooperation include the use of the Mombasa port and Kenya's international airports by the US navy agreed in 1981. This facilitates the US in its naval operations, food aid

[43] Patrick Muthai. Daily Nation. News Extra "Africa insight-Africa can't run away from Somalia" http://www.nationmedia.com/dailynation/nmgcontententry.asp?category_id=39&newsid=101298- Accessed 29/06/2007

[44] United States Institute of Peace. Special Report. "Terrorism in the Horn of Africa" http://www.usip.org/pubs/specialreports/sr113.pdf- Accessed 10/08/2007.

missions to Somalia, Rwanda and South Sudan (Barkan, 2004). This shows that despite concerns by the local Islamic community, Kenya occupies a geo-strategic position in international politics as an 'ally' for the US in the war against terrorism.[45] Kenya's leanings towards the West can be contrasted with South Africa's rhetoric on Africa's turn to solve its own problems expressed in the African Renaissance vision. The complexities of conflicts in the horn as well as the challenge on states by non-states actors however; drive states towards cooperation to deal with common problems in an increasingly globalising world.

Buzan and Waever (2003) argued that regional security in the Horn is weakly structured and blurry. The countries involved in the regional complex are: Uganda, Sudan, Central Africa, DRC, Rwanda, Kenya, and Tanzania and their insecurities are often affected by outside intervention and support. Buzan and Waever further view regional security as the interdependence of a group of states or other actors. African states are 'weak' and intervention by neighbours is widespread with kinship and religious alliances making it easy for conflicts to spill over to neighbours. The East African countries have relatively similar cultures and history (Ajulu, 2005). The conflicts between Ethiopia, Somalia and Sudan in the 1990s for instance drew Uganda and Kenya into the politics of the region. This was because kinship and religious ties transcended national boundaries making it hard to distinguish between national and regional factors (Khadiagala and Lyons, 2001).

The Inter- Governmental Authority on Development (IGAD) was established in 1996. It took over from the Intergovernmental Authority on Drought and Development (IGADD) which was formed in 1986 to deal with natural disasters. IGAD's expanded regional cooperation includes areas in

[45] Alisha Ryu. (27 November 2006). "Kenya's Muslim leaders will not co operate in war against Somalia" http://www.globalsecurity.org/military/library/news/2006/11/mil-061127-voa03.htm-Accessed 12/ 08/2008.

'agriculture and environment, economic cooperation and social development, peace and security and gender affairs.[46]

According to Buzan and Waewver (2003) IGAD connects Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan and Uganda can be viewed as a security forum and not a developed regional security complex.

Although East Africa and the Horn are often considered as weak regional communities, Kenya plays a significant role, especially through IGAD in promoting negotiations between the warring parties within different countries. The Juba talks between the LRA and Ugandan government in Kenya for instance continue amid allegations of 'poor organisation.'[47] South Africa, Kenya and Mozambique have been invited by the UN envoy, Joaquim Chissano, to observe the Ugandan peace talks which are ongoing.[48]

IGAD has been playing an important role in the area of peace and security in East Africa and the Horn. The thesis shall return to its activities in the next Chapter using a case study on Kenya's role in the signing of the Comprehensive Peace Agreement (CPA) in South Sudan. Kenya is a strategically important country in the East African region. Economically it serves as a gateway for trade with the rest of the region. Politically it helps in the promotion of democratic peace and stability. Given South Africa's foreign policy priorities, one may wonder why there hasn't been active collaboration between South Africa and Kenya. The next Chapter focuses on the political and economic dynamics of South Africa- Kenya relations.

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[46] IGAD. http://www.igad.org/index.php?option=com_content&task=view&id=43&Itemid=53&limit=1&limitstart=1- Accessed: 30/01/2008.

[47] Zachary Ochieng. "LRA peace talks marred by poor organization" http:nationmedia.com/eastafrican/current/News/news07520079.htm- Accessed

[48] The Ethiopian Herald "Uganda: South Africa, Kenya, Mozambique agree to mediate Uganda peace talks" http://allafrica.com/stories/200704050611.html- Accessesd 05/04/2007.

Chapter 4: Political and economic dynamics of South Africa- Kenya relations.

This chapter shall begin by explaining the current nature of political relations between South Africa and Kenya. The reception or resentment of South African businesses in Kenya shall also be explored in this chapter. The chapter would investigate whether there are economic tensions which could be hindering robust relations between the two countries. It shall then consider how the two countries have conducted themselves and related to each other, specifically on mediation in South Sudan.

Bilateral political and economic relations

The history of Kenya and the ANC (which became the ruling party in South Africa in 1994), was shaky and it formed the background of current relations. According to a researcher, in the early years of his Presidency, Mandela 'avoided' Kenya; a position which was then thought as due to Moi's dictatorial leadership. Personalities thus affect foreign policy relations, an aspect which is not adequately explained by international relations theories explained earlier in this thesis. Post 2002, there was change of leadership on both sides, which, for some helped improve relations.[49] According to a Kenyan reporter, the history of KANU's liberal/ West- leaning policies prevented it from showing leadership in actively helping the South African liberation parties.[50] As indicated earlier, Kenya welcomed De Klerk at a time when Mandela was lobbying for the non- recognition of the apartheid state. According to a South African official, South Africans had difficulties accessing KANU Ministers, until 2002, which negatively affected foreign policy relations at the time. The official also noted that relationships were lukewarm until 2002; with obvious economic tensions in the late 1990s.[51]

[49] Interview with researcher, Nairobi, November 2007.
[50] Interview with Reporter, Nairobi, November 2007.
[51] Interview with officials. Nairobi, November 2007.

Reflecting on South Africa- Kenya relations, one researcher commented that though relationships started on a shaky path in 1994, South Africa (being the largest African economy) seems to be looking for new partnerships. Kenya is one such identified partner and relationships were said to be growing. Politically, post 1994 South Africa came with an admirable/ good constitution which was a model for Kenya's own constitutional draft. The change of power from KANU to NARC contributed to the democratisation process (Interview with Researcher). The researcher noted that Kenya could still learn from South Africa's democracy.[52]

High level visits are often an indication of the nature of relations that countries enjoy with each other. Although the Ministries of foreign Affairs in both countries have described relations as cordial[53], there do not seem to be satisfactory visits by particularly, the head of states. Although Kenyan President Mwai Kibaki visited South Africa in 2003, the South African President at the time (Thabo Mbeki) never returned the favour. One Kenyan journalist said "people (in Kenya) perceive South Africa to only behave 'African' when they are looking for something for themselves" (Interview with journalist). For some, the 'Big- brother' attitude does not go unnoticed, especially considering that then President Thabo Mbeki never visited Kenya, despite its strategic importance in the East Africa and Horn of Africa region(s)[54]

Some South African officials have however argued that President Mwai Kibaki's visit to South Africa has in itself improved relations between the two countries, which in principle speak volumes in foreign policy relations. High level visits are a mode of communication and encourage dialogue which is an important political/ diplomatic tool.[55] It was noted that official visits are themselves a diplomatic breakthrough. The South African officials have noted that relations have improved and indeed moved beyond official visits since

[52] Interview with researcher. Nairobi, November 2007.
[53] DFA
[54] Interview with journalist. Nairobi, November 2007.
[55] Interview with officials. Pretoria. November 2007.

President Kibaki's visit t South Africa.[56] South Africa's then Deputy President, Phumzile Mlambo Ngcuka visited Kenya in July 2007 before the signing of the Joint Commission of Co operation.[57]

In fact the Foreign Ministers' continual engagement on different platforms may suggest that relations are indeed cordial. In his August 2003 official visit to South Africa, Hon. Kalonzo Musyoka, Minister of Foreign Affairs and his South African counterpart, Dr Nkosazana Dlamini Zuma signed a Memorandum of Understanding (MOU) to strengthen bilateral relations. According to media reports, the agreements broadly outlined a framework for cooperation in "economic, political, technical, scientific, security and cultural fields based on the principles of equality and reciprocal advantages".[58] It should be noted that while the MOU is too broad, it certainly allows for an enabling environment for deeper engagement in the future.

After the signing of the agreement, President Thabo Mbeki said he valued the role that Kenya was playing in the affairs of the continent and the East African region in particular. Mbeki hoped that economic relations would be strengthened and that more needed to be done to address the trade disparities.[59] The issue of trade imbalance is a sensitive area whose impact on general South Africa- Kenya relations cannot be ignored. A Reuters report commented that mistrust between the two countries has previously harmed relations. Kenya was said to be 'anxious' about the trade imbalance, wanting to change it and had also previously accused South Africa for flooding its markets with surplus goods while blocking Kenyan goods from entering its markets by imposing tariffs and other barriers.[60]African countries in general,

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[56] Interview with officials. Nairobi, November 2007.
[57] Interview with officials. Nairobi, November 2007.
[58] Bua News. " SA, Kenya sign trade pact"
http://www.safrica.info/what_happening/news/sakenya-deal.htm- Accessed: 16/01/2008
[59] Bua News. " SA, Kenya sign trade pact"
http://www.safrica.info/what_happening/news/sakenya-deal.htm- Accessed: 16/01/2008.

[60] Manoah Esipisu, 2003. Reuters. " Trade tops agenda for Kibaki's SA tour"
http://business.iafrica.com/news/259716.htm- Accessed: 16/01/2008

and Kenya and South Africa in particular need to abandon uncompetitive behaviour so as to promote intra- Africa trade.

Despite complaints about tariff barriers for their products entering South Africa and the trade imbalance, Kenya is South Africa's 6th most important trading partner outside of SADC.[61] Kenya and South Africa entered into an agreement to improve trade and investment relations. This followed President Mwai Kibaki's visits to South Africa. Prior to the visit, there were concerns of South Africa's use of non-tariff barriers against Kenyan goods investigated by a joint Commission for Cooperation. The key sectors included in the agreement were: 'investment, sports, culture, security and processing of travel visas'. Onyango(2007) has argued that post apartheid South Africa has become one of Kenya's top sources of Foreign Direct Investment.[62]

On the Kenyan side however, the revised 1968 Trade Licensing Act requires that all domestic and international traders in Kenya register with the Attorney General Chambers in order to operate. Sebei (2006) explains that although trade is open to all, foreigners are not allowed to conduct business in certain areas or trade in certain goods and licensing fees varies with the type of business and or where it operates. Imports to Kenya are subjected to 'quality and quantity inspection and price comparison' (Sebei, 2006: 9). Kenya's border charges contribute up to 54% of total tax revenue. Sebei shows that the manufacturing sector with an average tariff of 18.2% is the most protected, followed by the agricultural sector and mining and quarrying with averages of 16.7% and 13.5% respectively. Sebei argues that the agricultural sector is the most protected sector when one considers the mean tariff rate of 21.3%, using the Uruguay definition. Sebei (2006) says that there are barriers to market access for South African goods in Kenya. The most affected products include vegetables, cereals, milling products, fats and oils, sugars,

[61] News24. "Kenya: trade and terrorism" http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_1397202,00.html- Accessed 16/01/08

[62] Jim Onyango. Business Daily. "Kenya, South Africa finalise talks on trade" http://www.bdafrica.com/index.php?option=com_content&task=view&id=1852&Itemid=5813- Accessed 10/07/2007.

miscellaneous preparations, and beverages, which have an average tariff of almost 25% .

South Africa has an advantage in its trade with the rest of the continent given its relatively developed economy. Only about 7.8% of South Africa's imports are from the rest of Africa. SADC and COMESA however supply 80% of South Africa's African agricultural imports (Daya and Rantao, 2006). It is argued that the application of high tariffs for agricultural products by each region, tariff and other non- tariff barriers impede greater intra- Africa trade. Other barriers to trade in Africa include 'poor infrastructure, including transport, political instability, import and export restrictions, customs formalities and export procedures, technical regulations and standards' (Daya and Rantao, 2006).

South Africa's imports and Exports to Kenya

Annual	**Imports**	**Exports**
2004	**R328 464 000**	**R2961 124 000**
2005	**R203 565 000**	**R2976 695 000**
2006 (August)	**R120 012 000**	**R2 0732 219 000**

Source: DFA[63].

The trade imbalance trend is not unique to Kenya as far as South Africa and other African countries' trade is concerned. In 2002, South Africa exported 16% of its total exports to Africa but imported only 4% from the rest of the continent in the same year.[64] In 2004 Kenya was the fourth largest export

[63] http://www.info.gov.za/speeches/2006/06111617151002.htm- Accessed: 16/01/2008
[64] South Africa.info Reporter.
http://www.southafrica.info/doing_business/sa_trade/agreements/trade_africa.htm- Accessed 16/02/2008.

destination for South African agricultural products in Africa accounting for R416 million worth of revenue. Exports to Kenya that year made up 2% of South Africa's total exports in agricultural products; whilst imports accounted for only 0.2% in total. The problem of trade imbalance lies with the fact that Kenya is primarily an agricultural economy while South Africa is advanced in manufacturing, service and technology, which makes it able to produce high value at low costs.[65] Sebei (2006) explains that the wide disparity and trade advantage that South Africa enjoys in relation to Kenya was given by South Africa's more diversified production as well as the production technical 'know-how' which gives South African farmers a competitive advantage.

The total value of South African agricultural exports to Kenya was estimated to R414.5 million (1.83% of total Kenyan agricultural imports) in 2004. Leading export products are 'cereal, sugars, miscellaneous edible preparations and beverages' (p. 15). Cereals (major ones being maize corn, rice, oats, wheat and meslin) alone account for 51% of South Africa's agricultural exports to Kenya (p20).

Although South Africa is the world 8th maize exporter, in Kenya it is the leading supplier (supplying 57% of maize corn in 2004). The major competitor is the USA (8% in 2004) which is the second maize corn supplier in Kenya. In 2004, Kenya was the leading importer (46%) of refined sugar from South Africa. Miscellaneous edible preparations (food preparations, extract of coffee, soup, broths, ice cream, yeasts and baking powder) accounted for 6% total exports to Kenya in 2004 (Sebei, 2006).

The importance of focusing on agriculture when analysing African economies is mainly because given the levels of development in most African countries, agriculture contributes 60% of employment in Africa as a region and 20% of total GDP for Africa as a region (Sebei, 2006). Sebei argues that South Africa's dominant economic position in the continent gives it a lot of responsibility with regard to driving African development, trade and

[65] Interview with official. Nairobi, November 2007.

investment which he thinks the country is already committed to through the NEPAD initiative.

Major imports from Kenya to South Africa in 2004, were 'sugar and sugar confectionary, coffee, tea, mate and spices, edible vegetables, and certain roots and tubers' (Sebei, 2006:19). Sugar alone accounted for 32% of total agricultural imports from Kenya and 4% of total South African import of the same product in 2004. South Africa was the 8th largest importer of the same product from Kenya. Coffee, tea, mate and spices imports to South Africa were estimated to be R8 million in 2004, with imports dominated by tea. In the three year period (2002- 2004), Kenyan tea export grew by 242% and South African import of Kenyan tea also grew by 19%. Kenya is a leading exporter of this product and supplies 29% of it to the world market. Malawi (55%) is the biggest exporter of tea to South Africa. Malawi and Zimbabwe (second largest importer) enjoy 'preferential tariff treatment under SADC agreement' (p. 22).

Trade Map estimates were conducted to identify trade opportunities between SACU and Kenya in agricultural products which show the most potential. 'Sugar and sugar confectionary, miscellaneous edible preparations, beverages, and cereals had the greatest export potential. In food preparation, South Africa enjoyed 47% market share of total Kenyan import demand. In 2003, South Africa was the leading exporter to Kenya in sources, preparations, mixed condiments, and seasonings, enjoying a market share of approximately 47%. In maize corn, South Africa's (35%) Kenyan market share came only second to that of the USA (59%) (Sebei, 2006).

According to Sebei (2006), Kenya's raw tobacco (partly or wholly stemmed and not stemmed/ stripped), export to SACU was 49%, which is 5% of Kenya world export for this product. The major exporter of the product to South Africa is Zimbabwe (38% share). South Africa imported 5% of not stemmed un-manufactured tobacco from Kenya. Leading suppliers of the same product to South Africa are China (29%) and India (12%) while major markets for Kenya are Egypt (44%) and Colombia (18%). The biggest export destination for Kenya's sugar and confectionary without cocoa is Tanzania (42% total export), South Africa consumed only 2% in 2003. Major suppliers to South

Africa are Brazil (47%) and Colombia (16%). South Africa's total imports in raw hides and animal skin constituted 7% of Kenya's total exports. Major exports of this product to the South African market are Australia (30%) and the UK (12%). Sebei argues that there is potential for trade in raw bovine skin, currently South Africa imports most of this product from Australia (74%) and Brazil (32%), while Kenya mostly exports to Hong Kong (71%). Other products with potential for trade growth are edible vegetables. Imports from Kenya rose by 48% in 2004 compared to the previous year. The largest importer of these products was Zimbabwe (52% market share). Kenya's biggest exports destinations were the UK (74%), and the Netherlands. China supplied over 90% of leguminous vegetables to South Africa. In 2004, Kenya had a 4% share of the South African market in beans; the South African market was dominated by the China (44%) and USA (39%) (Sebei, 2006).

Sebei (2006) concluded that the bias in trade relations between South Africa and Kenya is obvious because South Africa exports almost 15 times more than it imports from Kenya. As noted before, the imbalance has been a concern for Kenyan officials. To overcome this disparity, Sebei suggests that both countries need to trade in those products in which they have a comparative (and not only competitive) advantage.

South Africa's advantage is in 'cereals, sugars, miscellaneous edible preparations and beverages while Kenya's is in tobacco, sugar, raw hides and vegetables' (p. 29). As an African country, South Africa has a strategic advantage over most of its agricultural competitors (UK, USA and the Netherlands) in Kenya. Sebei recommended that there needs to be a focus on reducing trade barriers and improving infrastructure between the two countries. This would ensure that African countries are able to intensify trade with each other and not overly depend on imports from the North.

Nieuwoudt (2007) observed that although there are South African goods (such as cereal, instant coffee, soup, toiletries) in Kenyan retail stores, consumers wanting to purchase these have to pay three times more than they would have to pay for in South Africa. This view is contrary to the belief that South Africa is able to flood other African and indeed Kenyan markets with its

cheap products. This could mean that although South Africa is able to export surplus production, this does not necessarily mean that those products were the cheapest in the Kenyan markers.

In March 2007, trade indexes showed that South Africa exported goods worth 57.6 million US dollars and imported only 1.86 million US dollars from Kenya. In a visit to Nairobi in 2006, Dlamini Zuma said trade imbalances can only be resolved in the long term. Commenting on the bilateral commission which was first discussed in 2003, when Kenyan President Kibaki visited South Africa, Stewart Henderson (from the South African Business Association of Kenya) said it would ease up red tape and opens the opportunity for exchanging human capacity.

In fact a delegation from the Limpopo Province's Department of Agriculture went to Kenya to learn about tea production. The aim was to improve production in the Tshivhase, Mukumbani, Grenshoek and Middelkop tea estates. This was part of concretising the MOU signed between South Africa and Kenya. The decision was made in 2005 to revitalise the tea estate in a sustainable manner after periods of disinvestment. According to an official, the South African tea industry was facing a lot of competition because of low protection (compared to the past), strong rand, high production cost structure, high worker minimum wages and the high expectation of returns by the Tea Board. While Kenya produces about 178 million kilos of tea per year, South Africa only produces 11million kilos annually, 5 million of which were from the Limpopo Province. For the official, it is clear that South Africa is too small to be a strong competitor for Kenya in that area. Although South Africa consumes 22 million kilos of tea, only 11 million of these were locally produced as already mentioned. South Africa lacks skills as far as value chain is concerned. The exchange programme with Kenya involved training (academic and operational), research, business and entrepreneual. The core of relations with Kenya in this area is about skills transfer for effective

production. During the time of writing (2007) there were Kenyan farmers in the Mukumbani estate assisting in the tea production.[66]

"While inviting foreign investments, Kenya also needs to hold out its own against aggressive moves by dominant financial markets like South Africa. A trade invasion by South Africa into the Kenyan market has seen a flood of South African manufactured goods into the country. This has had a bad effect on the local manufacturing sector, which is still trying hard to make a place for itself in the international market" - (Business guide, 2008).[67]

The quote above expresses concerns, mainly by the Kenyan business community that South African companies are monopolising the market and getting an unfair advantage. The report from Business Guide said South Africa is yet to eradicate some trade barriers which were adopted during the apartheid era because the protectionist policies have an impact on its trade with Kenya and indeed other countries. South Africa- Kenya trade was contrasted with that between Kenya and the United Arab Emirates. The latter enjoys a 'robust', "healthy, fair, and mutually beneficial relationship".[68] The relationship is solidified by high level contacts by governments, business and social organisations. South Africa and Kenya relations could also benefit from high level official visits, especially by heads of states, involving the business community and as well as social organisations.

Kenya is identified as the regional hub for trade and finance in East Africa but its development is affected by the reliance on primary goods whose price has remained low in global markets and corruption (Sebei, 2006). At this stage the country' position as a regional economic hub is fragile following the December 2007 contested election results. The post- election was a threat to Foreign Direct Investment but the political recovery was able to…

[66] Interview with official. Polokwane. January 2008.
[67] Business guide. Internet edition. Africa Business Pages. Promoting your business in Africa. "Kenya in focus" http://www.africa-business.com/kenyainfocus.html- Accessed 16/ 01/2008.
[68] Business guide. Internet edition. Africa Business Pages. Promoting your business in Africa. "Kenya in focus" http://www.africa-business.com/kenyainfocus.html- Aacessed 16/ 01/2008

As mentioned before, political and economic relations between South Africa and Kenya have improved since 2002. In 2004, a science and technology agreement was signed between the two. The signing of the Joint Commission of Cooperation (JCC) could be viewed as an umbrella agreement, politically revealing that relations between South Africa and Kenya were improving.[69] The purpose of the Commission was to enhance cooperation in "agricultural, cultural, economic, educational, political, security, sports, science, technical and trade fields; and to coordinate initiatives in this regard as well as to facilitate; and to coordinate initiatives in this regard as well as to facilitate contacts between civil, parastatal and private sector structures of the parties"[70]

The impression given by the business guide report was that relations on the economic front were not too pleasant. However; the trade imbalance by itself is not enough to suggest that South Africa and Kenya are rivalries, especially because the same challenge exists with all other African countries. The next sub- section reviews whether South Africa and Kenya are political or economic rivals, based on a few case studies.

According to a media report, released in April 2000, Uganda and Kenya entered into a pact to boost regional trade but also to challenge South Africa's presence into the region.[71] South Africa being a bigger economic actor was feared to dominate the market and leave a thinner slice for regional actors themselves.

[69] Interview with officials: South African High Commission, Nairobi.
[70] Official document: Agreement for the establishment of a joint commission of co operation between the government of the Republic of Kenya and the government of the Republic of South Africa.
[71] Sapa- AFP. "Kenya, Uganda trade pact bad news for South Africa" http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=qw95700918142B252 - Accessed 16/01/2008.

Some may argue that Kenya is able to pose as a 'competitor' for regional markets in the East African region, where it is an economic 'powerhouse'. The Great Trek of South African companies north of the Limpopo has helped define the country's agenda more clearly, with NEPAD used as a principle vehicle. According to a Kenyan journalist, when NEPAD was first launched, Kenya was slow to get involved because it was more focused on domestic affairs. According to these views the feeling was that the Kenyan leadership was not invited in the brainstorming of the concept and thus less interested in the NEPAD concept.[72]

Case studies:

The beer wars

In October 1998, the entry of the South African Breweries (SAB) into the Kenya and the East African market 'annoyed' the Kenyan Breweries Limited (KBL). The unenthusiastic reception was fuelled by Pretoria's protective high tariff wall against trading partners. The KBL wanted to bring in Tusker beer to South Africa but Tusker was refused entry into the South African market because its logo, (an elephant) infringed on the trade- mark rights of a local beer, the 'Elephant'. Kenya warned that it would use the same strategy to push South African goods outside of its markets. In Kenya, the SAB and KBL accused each other of spoiling billboards in aggressive advertising campaigns.[73] Local companies adopted cost cutting (including reducing staff) measures to ensure profits in a competitive environment where prices were dropping. The SAB had a larger market in Tanzania, relative to Kenya and Uganda because it managed to buy shares at the Tanzanian Breweries and enjoyed a market share of 80% in their joint venture. In 2000, the beer companies went as far as the courts. The East African Breweries Limited (EABL) and SAB battled over trademarks. SAB's claim was that it had

[72] Interview with journalist: Econews.
[73] SUNS 4332. Thursday 26 November 1998. " Beer war erupts in Southern Africa" http://www.sunsonline.org/trade/process/followup/1998/11260598.htm- Accessed 10/10/2007.

trademark rights to use an elephant tusk since it was a registered logo South Africa though the rule prevented EABL from using it.[74]

Njiraini explains that the penetration of South African Multinationals in Kenya was named by the media in the late 1990s; the BC and AC periods. The acronyms referred to the before and after Castle. Before then, few of South Africa's companies in the Kenyan market, such as the Stanbic Bank (owned by the Standard Bank Group) were not considered a threat to domestic companies. South African multinational corporations were before then largely involved in Uganda and Tanzania. When Castle entered the Kenyan market in 1998, it opened the door for other South African companies to do business in Kenya.

The wars described above led Castle to withdraw from the market with an agreement that EABL buys all its operations.[75] Some recall that the EABL's Tusker failed to penetrate the South African market because of propaganda that it was made of urine, alienating the beverage from potential consumers. When Castle came to Kenya, it was also met with animosity. According to a Kenyan journalist, Castle did not move out because of consumers, but its war with EABL. Infact some noted that consumers enjoyed lowered beer prices which were part of the competition. When they came in they even hired senior staff from EABL, the two battled each other to sponsor, and competed viciously. The disadvantage for Castle was that a new brand generally takes time before it's established and that EABL had diversified products, spending lots of money on advertising. It is said that the competition had intensified so much that it had taken a patriotic side with EABL making the connection between beer drinking beer and national pride.[76]

[74] BBC World Business Archive. "Breweries compete for market share in East Africa" http://www.bbc.co.uk/worldservice/business/story_fdh080900.shtml- Accessed 12/10/2007.
[75] John Njiraini. Engineering News. "SA companies penetrate deep into Kenya's corporate heartland" http://www.engineeringnews.co.za/article.php?a_id=79236- Accessed 21/11/2007.
[76] Interview with Journalist, Nairobi. November 2007.

Other investments

A lot of South African companies have actually gone under; the ones doing well are either mergers or acquisitions (using existing networks) which in themselves do not bring new innovation but stamps on existing business[77]

A Marketing Consultant based in Kenya, commented that within four years, "South African companies infiltrated all spheres of life in Kenya, and this is causing worry among local companies" South African companies doing business in Kenya include: banking (Stanbic), food outlets such as Steers, the pay- television service provider (Multichoice), and cinema (Numetro). One may argue that the suggestion that South African companies infiltrated 'all spheres' of the Kenyan economy was an overstatement given that South African goods still had to compete with local products.

Telkom South Africa was reported to be strategising on how it could acquire shares in Telkom Kenya. Still in the telecommunications industry, Econet Wireless, a South African company was in 2006 battling with the Kenyan government over its plans to roll infrastructure for mobile service provision. The company's award by the Communications Commission Kenya was later withdrawn when then Minister of Information, Raphael Tuju alleged that procedure was not followed in the issuing of the licence.[78] The 1998 beer wars brought fourth allegations that South Africa was using unfair tariffs to avoid Kenyan goods from entering their markets. There were also allegations from the state-owned Horticultural Crops Development Authority that Kenyan farm produce was deliberately kept out of the South African market.[79]

The EASSY network

Another challenge which captured media attention was the Eastern Africa Submarine Cable system (EASSy) project. The EASSy network project which

[77] Interview with Journalist, Nairobi. November 2007.
[78] John Njiraini. Engineering News. "SA companies penetrate deep into Kenya's corporate heartland" http://www.engineeringnews.co.za/article.php?a_id=79236- Accessed 21/11/2007.
[79] John Karuiki. Special Correspondent. East African. Regional News (November 18- 24, 1998). "Beer war threatens to erupt into trade dispute" http://www.nationaudio.com/News/EastAfrican/2411/Regional/Regional5.html- Accessed:16/01/2008.

managed to secure $70.7 million financing, is expected to deliver cheap connectivity by 2009.[80] Although South Africa's Director-General of Communications, Lyndall Shope-Mafole in 2006 said South Africa had no intension of dominating the Eastern and Southern African telecommunications project[81], there were concerns that smaller companies in less developed countries with fewer telecom operators may be disadvantaged as markets are liberalised. The 9900km East Africa submarine (EASSy) project aims to link African coasts along Durban and Port Sudan. The project has a bandwidth established to challenge the monopoly by SAT-3(dominated by Telkom) undersea cable, although other telecommunications have acknowledged that open access does not necessarily imply "access to equal capacity and prices." The New Partnership for Africa's Development and some internet service providers and regulators hold that the bandwidth prices would open access for all operators.[82] Kenya announced that it would launch a similar project, named the East African Marine, but also expressed readiness to cooperate for affordable network connections within EASSy.[83] According to officials at the Ministry of Foreign Affairs- Kenya, though there were politics around the EASSY network cable, it does not affect foreign policy relations.[84]

There are however South African companies that have consolidated themselves in Kenya. They include among others, Old Mutual, Marketing, Woolworths, Research and Advertising groups and DSTV. Some have argued that those who were not able to penetrate the Kenyan market had a low opinion of the market and made no effort to integrate Kenyan business people.[85] Indeed an Analyst from Old Mutual- Kenya argues that Old Mutual actually got to Kenya during the apartheid period but the reception was not 'particularly good' then. Over time it improved because it started incorporating

[80] Kui Kinyanjui. Business Day. "EASSy gets over financing hurdle with $70m boost" Business Day. Wednesday November 28, 2007. No: 187. pg. 10.
[81] Africa set for the big 'EASSY' http://www.fin24.co.za/articles/economy/display_article.aspx?Nav=ns&lvl2=econ&ArticleID=1518-25_1963975-Accessed 22/05/2007.
[82] Gedye, L. Mail&Guardian online. http://www.mg.co.za/articlePage.aspx?articleid=267024&area=/insight/insight__economy__business/-Accessed 22/05/2007.
[83] Mwamunyange, J. The East African. "East Africa: delays raise EASSy project cost to more than $440m" http://allafrica.com/stories/200705150702.html- Accessed 22/05/2007.
[84] Interview with officials, Nairobi. November 2007.
[85] Interview with researcher. Nairobi, November 2007.

locals and the people realised that it will be useful for the community. He explained that business picked up in the 1990s when local Directors were brought on board. This ensures that the products are tailor made for locals and people can identify the company as their own. The life insurance was famous for its life policies and the target group was initially for the minority high class because of the kind of services and pricing but now they've moved to cater for the middle class. Old Mutual was able to gain the confidence of the local customer but was also able to flourish because of little domestic competition.[86] A member of staff at Woolworths- Kenya added that beyond consultations with locals to fit their products with the local market, they offered clothing ranges that were not domestically catered for.[87]

Although there were cases of tensions on the economic front, there were also success stories and it would be advisable for South African multinationals with an interest in Kenya to learn from both experiences. The beer wars and issues surrounding the EASSy cable network above show that Kenya has not been an easy country for South Africans to work with. While it is true that these economic tensions have a bearing on the political environment, some (like Landsberg,) have argued that there should be a distinction between the South African businesses doing business in other African countries and South Africa's foreign policy as carried out by the government. The case in South Sudan is one in which relations between governments as opposed to the business sector will be reviewed.

South Africa- Kenya and the South Sudan peace process

"We could not pride ourselves, as a country, on having peace while our next door neighbours were languishing in bloodshed. It is thus a matter of great pride for me, for Sudan and for Africa in general, that it took an African to do what foreigners could not, and thereby reiterate the fact that solutions to Africa's problems will come from Africans themselves, from the rich recesses of the continent and not from outside of its borders"- forword by Daniel Toroitich arap Moi, former President of Kenya (Waihenya, 2006: vi).

[86] Interview with Analyst. Nairobi, November 2007.
[87] Interview with staff member, Woolworths. Nairobi, November 2007.

The acclaimed role was the successful mediation process facilitated by Kenya's special envoy to Sudan, General Lazaro Sumbeiywo. The sentiments expressed by former President Daniel arap Moi, are also reflected in Thabo Mbeki's vision for the African renaissance which was discussed in Chapter 2. Indeed the vision that Kenya (specifically within the region) and South Africa had for the continent is similar with regards to promoting democratic peace through processes which are driven by Africans themselves.

Both Kenya and South Africa have voluntarily agreed to be peer reviewed through the African Peer Review Mechanism. The two countries play important roles within their regions to advance the vision for democratic peace and development. Common to this vision and in line with the African Renaissance and its NEPAD action plan is the idea that military solutions cannot bring sustainable peace (Waihenya, 2006). South Africa was active in the NEPAD process which is an important way of showing that African leaders are serious about good governance.[88] It is in this context that we can understand South Africa's desire to be part of multilateral efforts to promote peace, stability and democratic governance in the continent.

Sudan is the largest African nation which neighbours Kenya, Ethiopia, Eritrea, Egypt, Libya, Chad, Central African Republic, Uganda and the Democratic Republic of Congo. Dunn and Shaw (2001) have described Africa as a continent with fluid boundaries where conflicts in one nation often affect neighbours whose populations share some form of kinship or religious affiliation with each other.

The conflict in Sudan that has been ongoing since independence has forced many outside of their homes.[89] Sudan is a nation that has been at war with itself over various complex and interconnected issues such as national unity and the desire for autonomy/ right to self determination by the South, power and wealth sharing, the fight for a multi- ethnic, multi- racial, multi- religion

[88] Interview with officials, Nairobi. November 2007.
[89] http://www.crisesgroup.org/home/index.cfm?=3060&1=2#C2. Understanding Darfur: The current situation.-Accessed 29/03/2007

Sudan, democracy and respect for the values of all of Sudan's people. Kenya's involvement in helping the Sudanese find peace is also because it has itself been affected by the spilling of the displaced into its northern borders (Waihenya, 2006).

Kenya as a forefront member of IGAD has been promoting talks between the warring factions in Sudan as far back as 1989. The process has indeed been a long one, bringing together members of IGAD in the interest of peace. Earlier initiatives included the Addis Ababa, August 1989; Nairobi December 1989; Abuja May/July1992; Abuja April May 1993; Nairobi, May 1993; and Frankfurt, January 1992. At the signing of the 1994 Declaration of Principles (DOP), the SPLM/A insisted on a "zero interim" period favouring the splitting of North and the South Sudan instead of national unity, while the government refused to sign until 1997 at a summit in Nairobi. The DOP later served as a guide to future negotiations between the warring factions. Provisions of the Comprehensive Peace Agreement signed in January 2005 include; the **Machakos Protocol** (20th July 2002: Kenya), **Power Sharing** (26th May 2004: Naivasha, Kenya), **Wealth Sharing** (7 January 2004: Kenya), **The Resolution Of The Abyei Conflict** (26th May 2004: Naivasha), **Resolution Of The Conflict In Southern Kordofan And Blue Nile States** (26th May 2004: Naivasha), and **Security Arrangements** (25th September 2003: Naivasha) (Waihenya, 2006). These provisions shall not be explained because what is important to this thesis is the way in which South Africa and Kenya related to each other in the bid to extend or encourage peace in Sudan.

When General Sumbeiywo accepted the call to be Kenya's envoy, it was a difficult time because IGAD member states were in conflict with each other (Sudan had taken sides in the Ethiopia- Eritrea conflict, Uganda supported the SPLM/A which was fighting against the Sudanese government while Sudan supported the Lords Resistance Army in Uganda). Furthermore, IGAD was experiencing financial difficulties, with the international community having lost faith in it. The implication is that Kenya did not only provide the diplomacy that 'oiled' the peace processes but as was evident in the venues of most talks, it

had to commit other resources at a time when only a few were interested (Waihenya, 2006).

Having demonstrated IGAD's and indeed Kenya's active role in the South Sudan peace process, Waihenya (2006) interestingly mentions the 'sudden' interest of other members at a critical stage of the talks just before the signing if the CPA. Waihenya explains that as weariness set in at the Machakos talks (June 2002), only Kenya, Uganda, Ethiopia and Eritrea were left in the negotiations. There were also those who gave practical and necessary support, such as former US President Jimmy Carter, Nicholas Haysom (Lawyer from the South African Constitutional Court) and Julian Hottinger (from the Swiss Federal Department of Foreign Affairs).

The Machakos Protocol (July 2002) was a major breakthrough and after its signing, Waihenya exclaimed that "All of a sudden, many more people wanted to come aboard. In the scramble for the cake of success, everyone wanted to be left holding at least a crumb. Letters began flying to the IGAD Secretariat and to the Government of Sudan" (Waihenya, 2006:92).

Kenya regards the East African region as its territory and guards it with resolve. Such was the case during the processes that led to the signing of the Comprehensive Peace Agreement (CPA) between the Government of the Republic of Sudan (GOSS) and the Sudan People's Liberation Movement/ Army (SPLM/A). Waihenya (2006) explains that among the newly interested parties were Egypt, Northern political parties (including the National Democratic Alliance), Sudanese Women's Association in Nairobi and the Sudan National Labour Party. France apparently sent an envoy with $100, 000 to the Secretariat in order to secure a seat. *South Africa*, as the Chair of the African Union also wanted to be in and so were the Arab League and the UN. Waihenya then says that Sumbeiywo was careful not to allow the peace process to be 'hi-jacked' by people who had "all along stayed on the fence" (p. 92) and were now only coming in because there was now a beacon of hope. Only the AU and the UN were invited as observers. Kenya guarded the South Sudan peace process jealously, with the intent of saving the process from collapsing with too many hands meddling. Beyond these reasons given by

Waihenya, there could also have been a desire for Kenya to be recognised as the champion of the peace process. A desire which might have been deferred if other actors who claim to have mediation skills were allowed to take part and thus overshadow Kenya's and indeed IGAD's hard work through the years.

It is easy to understand why the South Africans agreed. First the meeting was held in a multilateral setting, where they could get the support of other AU Members. When Dr Nkosazana Dlamini Zuma visited Nairobi on November 2006, she was briefed on IGAD, also because of South Africa's role in the United Nations Security Council. South Africa has reiterated that it supports Kenya and IGAD and would not interfere unless asked by a recognised multilateral body such as the AU. According to South African officials, there was no division of labour; South Africa was willing to support any initiatives through the multilateral engagement. Issues of resource capacities and belief that Kenya was rightly positioned for instance kept South Africa away from the Horn, unless it was there as part of a multilateral delegation/ mission. Although South Africa supported IGAD, it did not interfere unless was asked to do so. [90]

In July 2002, there was a meeting in Nakuru to mediate between the parties, attended by observers. The Government of Sudan refused to sign the document prepared by Sumbeiywo. There was an AU meeting at the same time in Maputo and it was at that meeting that the Sudanese Minister of Foreign Affairs in his presentation to the Council of Ministers praised IGAD's process but asked that South Africa takes over the negotiations, the South Africans agreed. Back in Nakuru the talks reached a stalemate (Waihenya, 2006).

[90] Interview with officials. Nairobi, November 2007.

"Earlier, Sumbeiywo had heard that the Sudanese government, which by now had come to regard Kenya as too pushy on the question of peace, had approached South Africa with a proposal that they take over the negotiations, the South Africans agreed" (Waihenya, 2006: 115).

Waihenya argues that from the Kenyan point of view, the reason why Sudan asked South Africa to mediate was merely to delay the peace process. This message was communicated to South Africa's Minister of Foreign Affairs (Hon. Dr Nkosazana Zuma) by her Kenyan counterpart (Hon. Kalonzo Musyoka). South Africa then agreed to drop their 'acceptance'. Waihenya commented that if South Africa took over the talks; previous gains would have had to be reversed and a fresh- start (which might undermine the IGAD peace process) would have had to begin. He adds that given that South Africa was suggested by the government of Sudan, there was no guarantee that the SPLM/A would have accepted their proposal. At the Maputo Ministerial meeting, it was agreed that IGAD would continue with negotiations and South Africa help in the implementation of the process, particularly in reconstruction.

On December 31st 2004, President Al Bashir was to witness the signing of the peace agreement, Thabo Mbeki was also present as a witness. The CPA was finalised and signed on January 2005. Some expected that South Africa would have been more prominent in South Sudan but IGAD was still active even after the signing of the CPA and this showed that South Africa had not entrenched itself while Kenya is still duly recognised.[91]

On her official visit to Kenya in November 2006, Minister Dlamini Zuma was briefed on developments in the Somalia, the Great Lakes Conference, Northern Uganda and relations between South Africa and Kenya. Regarding the Comprehensive Peace Agreement of Sudan, they noted that more still needs to be done for its enforcement. Dlamini Zuma said that South Africa

[91] Interview with Researcher. Nairobi, November 2007.

has so far helped in identifying areas of slow progress and is communicating with both the government of Sudan and the SPLM/A on a regular basis.[92]

Given the information presented above, the next chapter shall examine whether South Africa's foreign policy towards Kenya can be said to be informed primarily by realist, liberal or Marxist ideology. These theoretical conceptualisations are useful in our understanding of South Africa's foreign policy. It shall be concluded that neither of these theories are adequate in themselves and that a more accurate view of South Africa's foreign policy will take into account the different conceptualisations. This is because foreign relations are themselves complex and are often affected by other factors such as class interests or the leadership personalities and thus simplifying them into a single theory or school of thought may be inaccurate.

Chapter 5: Conclusion and Recommendations

South Africa's foreign policy towards Kenya: realist, liberal or marxist?

As noted earlier, South Africa's reintegration into the world community in 1994 came with a moral stature inherited from its transition to democracy from a system of white minority rule. Van der Ross (2004) pointed out that South Africa found itself in a continent which is still rife with conflict and poverty. South Africa hoped to bring a reconciliatory spirit derived from its relatively peaceful democratic transition. The African Renaissance is an important factor in understanding South Africa's Africa foreign policy.

Kenya is an important country in the continent because of its economic and relatively stable political position (until December 2007) in the East African

[92] Document. South African High Commission. Meeting between Foreign Affairs Ministers, Raphael Tuju and Nkosazana Dlamini Zuma.

region. The country's position as a regional economic hub and mediator is fragile since the violence erupted at the contestation of the December 2007 election results. It is important for Kenya to resolve its problems because neighbouring countries will also be economically affected since Kenya is a regional economic hub.

Nye (2003) argued that soft power is the only ability to achieve your goals by persuading others to also accept them. South Africa through the African Renaissance and the multilateral approach exercises soft power when it engages with other African partners. One can argue that South Africa's persuasiveness is, however, not very effective, considering the lukewarm attitude that its business sector and sometimes political figures have received from Kenya. This is in view of claims that Kenya observes how South Africa has behaved elsewhere in the continent.

Those who argue that South Africa is acting as a sub-imperial state in the continent and using its moral standing as an instrument to achieve its goals view South African companies' eagerness to enter into other parts of the continent as merely motivated by economic interests. In this view the reason why peace is so important to South Africa is to prepare the ground for its investors and big businesses whose interest is to squander resources. According to this argument South Africa (and Kenya's) active roles in mediation is motivated by the realist desire to secure market access for the business class. There have been accusations that South Africans only want to promote peace so as to better reap economic benefits. Two years after the signing of the Comprehensive Peace Agreement in South Sudan, both South African (PetroSA, SABMiller) and Kenyan (East African Portland Cement Company, Sameer Africa and Kenya Commercial Bank) companies have

moved into South Sudan to reap economic rewards.[93] It should be noted, however, that in an increasingly globalising world, there is nothing inherently wrong with encouraging the business sector to expand their activities outside of their borders. One would concur with Kabemba that it is the responsibility of every government to create an atmosphere for its corporate sector to invest in other countries (Kabemba, 2007). South Africa has on its part called upon its business sector to respect business ethics in their engagement with other African countries.[94] According to an official, perceptions of South Africa as a hegemon are mere 'irritations'. It is hoped that the recently signed Memorandum of Understanding between South Africa and Kenya will allow for bilateral trade agreements. Whatever agreements that South Africa and Kenya might sign in the future will have to be tied to SACU and EAC since both countries are important players in their respective regions.[95]

Advocates of Marxist arguments (like Harvey, 2004) believe that market liberalism will not deliver 'people- focused' growth for Africa but will increase the gap between the 'haves and the have nots'. Indeed, some trade researchers have noted that South African companies actually have anti-competitive practices such as buying- off smaller companies to get big market shares.[96] Some have argued that South African investments in Kenya (as in most parts of the continent) are not 'green ventures' but mergers, acquisitions and joint ventures. Acquisitions are met with resistance in Kenya, mergers and alliances probably work better because the benefits are supposedly shared. [97]

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[93] Martin Zhuwakinyu. Engineering News. Published 30 March 2007. "Southern Sudan unveils raft of new business incentives" http://www.engineeringnews.co.za/article.php?a_id=105881- Accessed 21/11/2007.
[94] Kalamu ya Kusini. The official newletter of the South African High Commission, Nairobi. September- December 2007. "Code of GOOD CONDUCT for SA COMPANIES in Africa"
[95] Interview with officials. Nairobi, November, 2007.
[96] Interview with researchers, Nairobi, November 2007.
[97] Interview with researcher. Nairobi, November 2007.

In Kenya, South African multinationals face tough competition for markets. It is ironical that it was the Kenyan business community and not the consumers or the so-called 'proletariat' who showed most hostility towards South African companies. A researcher has noted that in Kenya the political class has interests in the economy so national interests are often brought in to protect individual interests. The researcher brought into memory the case when Uchumi was facing mismanagement problems and Shoprite was coming in as a competitor, when the Kenyan government moved in to bail Uchumi out.[98]

Marxist explanations point to class struggles as the cause of conflict and the accumulation of wealth as the motive of foreign policies on behalf of the capitalist class. The situation between South African multinationals and the Kenyan business community shows contrary to Marxist thinking that conflict can actually erupt from the same class when they are in pursuit of the same goal (markets and consequently profits).

Although South Africa has a more developed infrastructure, technological 'know-how', and finances than Kenya, it has not been able to penetrate the Kenyan market. This is given by the fact that Kenya's own economic stance is relatively developed than those of its neighbours and it is able to present tough competition both within Kenya and in the East African region. Some interviewees have pointed out that big South African multinationals like Shoprite failed to consolidate themselves in the Kenyan market because of the competition they received from local retailers such as Uchumi (although Uchumi was backed by the government). Some also noted that Kenya prefers to maintain domestic market share over goods they can also produce at good quality.[99] Those who have been successful in Kenya e.g. Old Mutual and Woolworths have made an effort to integrate Kenyan business people and

[98] Interview with researchers. Nairobi, November 2007.

[99] Interview with researchers. Nairobi, 2007.

have come in with goods and services which do not have strong domestic competition.[100]

This thesis explained that although South Africa's relations with Kenya were insecure in the early 1990s, there have been improvements. Trade imbalance and economic competition informs problem areas but careful policy considerations can help deal with this problem. Both South Africa and Kenya are significant in the integration of Regional Economic Communities and the aim to achieve a political union of Africa in the future. [101] In fact whatever economic agreements that South Africa and Kenya might have will have to reflect on regional arrangements. Allegations of unfair trade practices need to be investigated and a way forward must be found by authorities from both countries. One may concur with Sebei (2006) that there is trade potential in products whose main suppliers or buyers are not African such as bovine skin. He noted for instance that South Africa imports most of its bovine from Australia (74%) while Kenya exports mainly to Hong Kong (71%).

South Africa was glad to participate on a multilateral level in South Sudan when it was invited as an AU observer. One can argue that by refusing to interfere as a unilateral actor when given the opportunity to do so by the Sudanese government, South Africa reaffirmed its commitment to multilateralism in Africa. In fact South Africa and Kenya can share mediation and negotiation experiences in order to help troubled countries find solutions to their problems. In the East African region, Kenya comes with a wealth of experience as well as the 'soul of the region' but also needs other actors who are willing to assist in a multilateral environment. Given the current instability in Kenya (which was active in peace initiatives in the region through IGAD), one would submit that there is a need to focus on interested multilateral actors as partners in promoting peace initiatives in East Africa and elsewhere in the continent for that matter. The issue of norms and values which are promoted by both South Africa (Solomon, 1997) and Kenya (through IGAD in east Africa

[100] Interview with researcher, Nairobi, 2007.
[101] Interview with Journalist. Nairobi, November, 2007.

and the Horn) shows that foreign policy is not primarily driven by 'real politik' self interests.

If the South Africa- Kenya foreign policy relations are to improve, then the heads of states need to show some seriousness. Official state visits by heads of states make a big difference especially in speeding up the consolidation and concretisation of MOUs. There also need to be more cultural exchanges to include not just the political and economic classes but also civic organisations.

Both South Africa and Kenya can learn from each other. According to an official at the South African High Commission in Nairobi, South Africa can learn from Kenya since they have been engaged in the region for a longer time. The official said South Africa is also willing to learn from Kenya on the science and technology around herbal medicines which may be useful in the fight against AIDS.[102] Indeed the Kenyan government has taken decisive steps to address the pandemic and South Africa which is often criticised for its AIDS policies can learn a great deal from Kenya.

There is room for more collaboration in agriculture and exchange of research, as confirmed by the Limpopo Department of Agriculture. [103] The two countries can identify other areas of collaboration and joint research so as to enhance mutual economic benefits. A possible area of future collaboration is in infrastructure development.[104] South African engineers can be brought in to help improve Kenya's road infrastructure but this has to be well managed. This would work not only as transfer of skills and improve Kenya's transport

[102] Interview with officials, Nairobi, November 2007.
[103]Interview with officials, Nairobi, November 2007. Interview with official, Polokwane, January 2008.
[104] Interview with researchers, Nairobi. November 2007.

system but also prepare the way for South African construction industries to invest in East Africa's most developed economy.

South Africa and Kenya do not have different ideals, they both want to promote business activities in the East African region and have been at the forefront of mediation efforts. It would be too simplistic to claim that they are political and economic rivals since South Africa is a much bigger economy, politically Kenya has a stronger hold in the region and also issues perceived dominance come into play. South Africa has to be careful how it projects itself not just in Kenya but also elsewhere in the continent. The fact that Kenya authorities do not 'trust' South African mediators is disappointing especially if relations are to be improved.

Each traditional theory captures an aspect of South Africa's foreign policy towards Kenya. The traditional theories however fail to account for historical background, personalities, the lack of trust, and the political will or lack thereof to concretise MOUs. Traditional international relations theories by themselves cannot explain the force of perception which affects the way South Africa's political and economic classes are received in Kenya. One can thus conclude that South Africa's foreign policy towards Kenya and indeed the rest of Africa is rather a combination of Realist, Liberal, Marxist and even other considerations which do not necessarily fit into the traditional schools of thought.

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4. Resa Imbuye

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Old Mutual

5. George Omondi

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6. Abraham Odeng

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7. Mr Richard Sindiga, HSC

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