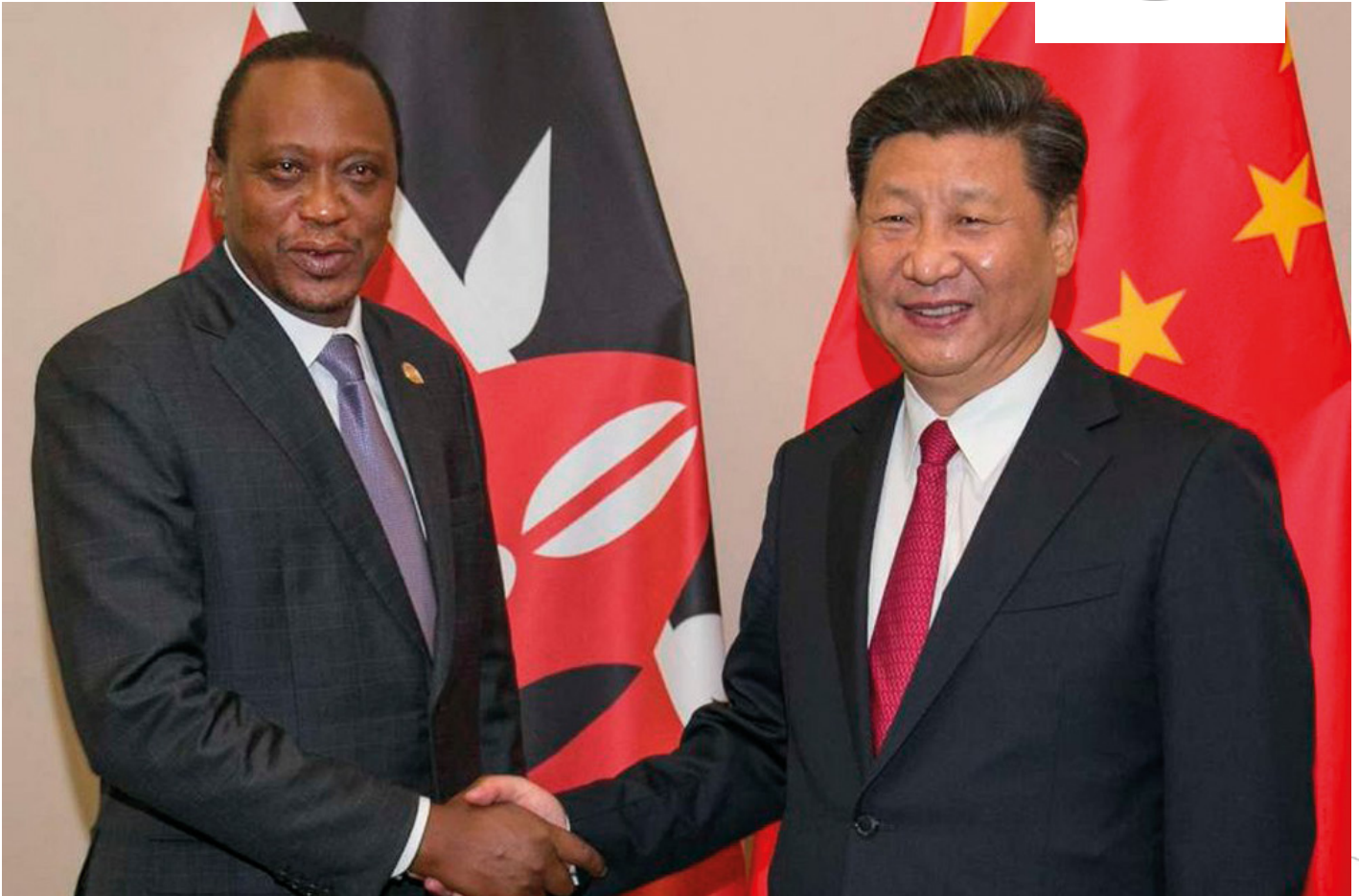


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5



***Sino–Kenyan Co-operation:
Whither the West?***

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UJ Centre for Africa-China Studies

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Sino–Kenyan Co-operation: Whither the West?

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Cover: Kenyan President Uhuru Kenyatta with Xi Jinping, President of the People's Republic of
China, in the Great Hall of the People in Beijing.

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Introduction

PRIOR to the publication, in 2014, of a document entitled 'Kenya Foreign Policy', this country had never explicitly set out its international relations policy. Previously, its foreign relations had been guided by various documents, executive pronouncements and circulars (Republic of Kenya 2014). According to the 2014 policy statement, Kenya's foreign policy rests on five planks, namely economic diplomacy, peace diplomacy, diaspora diplomacy, environmental diplomacy, and cultural diplomacy.

These issues have indeed been salient to Kenya's international relations since independence. Peace and security, territorial integrity, participation in multilateral bodies, and the attraction of foreign investment are central to its foreign relations. Since 1963, when Kenya broke free of British colonialism, Western capital, especially British and American, has strongly influenced Kenya's domestic and international politics. As Makinda noted in 1983,

Kenya's overwhelming dependence on Western capital is partly a result of her historical past, and partly a function of the local ruling class. She inherited an economic infrastructure developed along capitalist lines, and those leaders who took power at independence worked for the consolidation of that system. In an effort to attract more foreign capital into the country, the new leaders passed a law guaranteeing protection to foreign investment.

In the immediate post-independence period, Kenya's foreign policy was described as 'ambivalent', 'pragmatic', 'pro-West', and an example of 'quiet diplomacy' (Howell 1968; Khaponya 1980; Okumu 1977). In a nutshell, Kenya exemplified equivocation. Khaponya noted in 1980 that 'Kenya tended to wait and see what other nations were going to do before taking a position on most issues', and Makinda wrote in 1983 that its economic interests and the security of its borders were the 'cardinal planks' of its foreign relations. 'Indeed, from the beginning, Kenya's foreign policy was shaped by the need to attract more foreign capital, maintain commercial links with neighbouring states, ensure the security of her borders, and consolidate the domestic political power base.'

Kenya was non-aligned in respect of the bipolar East-West politics of the time, and played an active role in the OAU. However, non-alignment and pan-Africanism were subsidiary issues (ibid). Unlike some African states that espoused and practised pan-Africanism, Kenya under Jomo Kenyatta and Daniel Moi did not join Africa's progressive forces in combating the last frontier of colonialism in southern Africa, specifically Southern Rhodesia (now Zimbabwe) and apartheid South Africa (*Daily Nation* 2013). Kenya's flaccid approach to those issues echoed its ambivalent approach to inter-

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national politics in general in its post-colonial period. Specifically, this ambivalence pointed to the lack of a cohesive ideology that could unite Kenyans across ethnic and religious divides, and transcend the fear of falling foul of Britain and the US.

In 1980, Kenya abandoned its pretence to non-alignment and signed a military treaty with the US that provided the latter with access to 'military bases (air and naval facilities) in return for military aid (Barkan 2004). This treaty earned Kenya an 'American satellite' tag (Khaponya 1980). Close economic and military ties with the US was attributed to what Makinda described as 'Russophobia', a reference to the morbid fear of the Soviet Union that Jomo Kenyatta and his allies had inherited from the British colonialists. As a result, a few years into independence, all the leftist elements and those perceived to be leftist were hounded out of government. Kenyatta, Moi, and their sycophants dismissed all criticism of government policies as Soviet-inspired communism or Marxism, thereby delegitimising genuine grievances, justifying crackdowns on dissidents, and proscribing alternative political views (Makinda 1983). Efforts by Kenya's ruling elite to delegitimise the calls by some opposition politicians for redistributive politics, equity, democratisation, and justice by describing this as 'populist communism' became the leitmotif of Kenyan politics.

Daniel Moi, Kenya's second president, 'liberated' Kenya from the stranglehold of Britain, its former colonial master and traditional ally, and openly supported the US (ibid). That Britain and the US are allies, and the foremost embodiments of Western hegemony, is not in question. As such, Kenya's open identification with the US was hardly a diplomatic shift. The military treaty it signed with the US, however, marked a shift from a cautious approach to international relations to openly siding with the US. Writing in 1980, Khaponya noted that 'Moi has only shown greater forcefulness and candour in declaring Kenya's interests and positions - but this does not represent any substantive change.' Moi continued on the same diplomatic trajectory as his predecessor, while being less circumspect about Kenya's ties with the US.

The US and Britain supported Moi when he cracked down on dissidents at the peak of his single-party dictatorship, as he was a Western ally in the East African region during the Cold War. After the collapse of the Berlin wall, the US and the donor community – a global term for the Western nations that underwrite part of the Kenyan government budget – reinforced the local efforts that compelled Moi, in 1991, to accede to multi-party politics under the rubric of democracy, good governance, and the observance of human rights. The then US ambassador to Kenya, Smith Hempstone, had no time for diplomatic niceties and protocol, and publicly criticised Moi over human rights violations, backed the opposition, and even offered some opposition activists refuge in the US Embassy while they were on the run from state security agents (*New York Times* 1991). When it seemed doubtful that Moi would step down at the end of his second

term in 2002, US government representatives, including former president George W Bush, met him on various occasions between May 2001 and November 2002, and asked him to hold elections and retire (Barkan 2004).

This Policy Brief analyses co-operation between China and Kenya against the backdrop of Kenya's international relations from independence to the present. It places this co-operation in the ambit of Kenya's security and infrastructure development, in line with Kenya's Vision 2030, the African Union's Agenda 2063, and Kenya's democratisation.

Terrorism and Kenya's international relations

When the al Qaeda terrorist organisation bombed the US Embassy in Nairobi in 1998, it plunged Kenya headlong into the US-led 'war on terror', and substantively influenced its subsequent foreign relations. The foreign policy document referred to earlier takes cognisance of the threat posed by terrorism, noting that, 'with international terrorism now elevated into a foremost threat to global security, combating this scourge has become a crucial agendum of Kenya's external relations, and a subject of its strategic partnerships' (Republic of Kenya 2014). In 2002, the al Qaeda attack on an Israeli-owned hotel in Kenya's port city of Mombasa and the firing of two surface-to-air missiles at an El Al plane carrying mostly Israeli tourists while taking off from an airport in Mombasa accentuated the terror threat to Kenya.

When, in the same year, Mwai Kibaki rose to power, his administration was essentially defined by the war on terrorism, displaying US influence that put the Kenyan government on a collision course with Muslim communities, especially in the coastal region. This resulted in a backlash, and ratcheted up anti-American sentiment. Kenyan Muslims accused security forces of religious profiling, and blamed the brutality directed against them on the government embracing anti-terrorism laws at the behest of the US (Barkan 2004). These draconian laws contravened basic human rights, and were unconstitutional. While Kenya participated in the war on terrorism, Kibaki signed business agreements with China at the expense of Kenya's Western trading partners. Consequently, China funded numerous infrastructural programmes, specifically road construction, under the 'Look East Policy'.

One of the central arguments made in this Policy Brief is that, despite Kenya's perceived shift to the East – a byword for China – the West still exerts significant influence over its domestic and international affairs. Besides the war on terrorism, the West exercises direct influence over Kenyan politics, as evidenced by US, British and EU interventions in the aftermath of the violently disputed 2007 presidential elections,

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and during the protracted 2017 electioneering period. In 2008, those powers helped to broker a power-sharing agreement between Mwai Kibaki and Raila Odinga, resulting in the formation of a grand coalition government. They also threatened to impose sanctions such as travel bans on recalcitrant politicians on either side of the dispute. Odinga had accused Kibaki of stealing his presidential victory with the connivance of the electoral commission, the judiciary, and the security forces, this sparking mass protests in opposition strongholds, demonstrations of tribalism, poverty-motivated violence, and state-sanctioned extrajudicial executions of opposition supporters.

In the wake of the disputed general election in August 2017, Western powers, specifically the US, Britain, and the EU, openly sided with Uhuru Kenyatta, and dismissed allegations of fraud raised by the opposition against the results. When the Supreme Court annulled the presidential results over 'irregularities and illegalities', Western envoys urged Odinga to participate in fresh presidential elections despite the electoral commission publicly stating that it could not guarantee credible elections in accordance with the constitution and other relevant laws. Odinga and his supporters then boycotted the fresh elections held in October 2017, arguing that the very people within the electoral commission that had rigged the elections could not be entrusted with organising fresh elections. Although some fringe candidates participated, Uhuru Kenyatta basically ran alone. Owing to the ethnically polarised Kenyan polity, tribes supportive of Odinga stayed away from the polls. Subsequently, Odinga vowed not to recognise Kenyatta and his government. In January 2018, he held a mammoth rally in a park in Nairobi's Central Business District, and was sworn in as 'the people's president' in defiance of a threat of arrest and prosecution for 'high treason'.

Western envoys called for dialogue to defuse the careening crisis, and, asked Odinga to recognise Kenyatta as validly elected, upon which Odinga dismissed them as interlopers exhibiting a paternalistic attitude who should desist from talking down to Kenyans. In March 2018, shortly before the arrival of the then US Secretary of State, Rex Tillerson, in Kenya in the course of an African tour, Odinga dramatically met Kenyatta at the latter's office, upon which they held a press conference, and fantastically declared that their rapprochement marked the end of Kenya's fractious postcolonial politics couched in tribalism and the beginning of healing and reconciliation. Tillerson later praised the two politicians. The timing of the truce reinforced America's influence over Kenyan politics, and the recognition of Kenya as a partner in the US-led 'war on terror'.

In 2011, Kenya's coalition government dispatched soldiers to Somalia in pursuit of Al Shabaab Islamists who had attacked tourist centres in the coastal region. The alleged Al Shabaab kidnapping of two Spanish women working for Médecins Sans Frontières in the Daadab refugee camp in the north-eastern region bordering on Somalia forced

the government to act. It cited the need to defend Kenya's territorial integrity against Islamists and protect the tourism industry as reasons for a military incursion into Somalia. However, it was not hard to discern the link between this military deployment and Kenya's participation in the war on terrorism. The presence of Kenyan soldiers in Somalia became a sticking point after a backlash in which Kenya suffered a series of terror attacks, causing heavy civilian and military casualties. The Al Qaeda-linked Al Shabaab terrorist group claimed responsibility for those retaliatory attacks.

Responding to a popular demand among a cross-section of Kenyans, predominantly his supporters, Raila Odinga had promised to pull the soldiers out of Somalia if elected, arguing that the Kenyan government's responsibility was to secure its borders and guarantee the security of its citizens, but not to stabilise Somalia. Critics of Kenya's 'invasion of Somalia', the term used by Al Shabaab, averred that pulling soldiers out of Somalia would pre-empt a drawn-out occupation of Somalia, as had happened in Iraq and Afghanistan. Odinga's pledge to recall Kenyan soldiers did not sit well with the US and EU, which were providing technical support and funding to the AU Mission to Somalia (AMISOM). Odinga seemed to have opportunistically changed his mind, because he was prime minister when the soldiers were sent to Somalia, and did not oppose the move despite it being unconstitutional in the sense that Kibaki had taken a unilateral decision.

The media suddenly turned nationalist, urged Kenyans to rally behind the decision, and smothered voices opposed to Kenya's military intervention in Somalia. Uhuru Kenyatta resisted calls for the withdrawal of the soldiers, and vowed that they would stay put until Somalia was pacified and stabilised. This was a proxy war waged at the behest of the US, which changed its policy of intervening in African conflicts following the humiliation it had suffered at the hands of tribal militias in Mogadishu in October 1993, immortalised in the film *Black Hawk Down*.

Kenyatta, who has been in office since 2013, has maintained Kenya's alignment with the US-driven 'war on terror'. Kenya's international relations during his first term in office were defined by charges against himself, his deputy, William Ruto, and four others at the International Criminal Court (ICC). The 'Look East Policy' embraced by Kibaki remained in place under Kenyatta, given that the latter signed a raft of bilateral agreements with China, the most prominent involving construction of the Standard Gauge Railway (SGR) line from the port city of Mombasa to Western Kenya. Initially the SGR was meant to run into neighbouring Uganda and Rwanda as well, but Rwanda pulled out, citing high costs. Rwanda then opted to connect to the Tanzanian rail system instead, on the grounds that this route would be shorter and cheaper than the Kenyan SGR. Rwanda's minister of finance and economic planning, Claver Gatete, declared: 'We opted for the route transiting to Tanzania during the construction of

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our railway line because [building] the Kenyan route would be expensive and time-consuming' (*Sunday Nation* 2016b).

Rwanda took this decision despite a prior agreement with Uganda and Kenya to link all three countries to the Indian Ocean through the SGR at a cost of US\$13 billion (KSh1.3 trillion). Competition among multinationals and donors for lucrative infrastructural projects and a lack of shared norms among regional states pose a challenge to integration efforts in the East African region. Large-scale corruption in Kenya that massively raised the cost of constructing the Kenyan section of the SGR influenced the decision by Rwanda, the least corrupt country in the region according to Transparency International, to reconsider its partnership with Kenya. It was also claimed that the French Total Petroleum company had helped to persuade Uganda to opt for the Tanzanian route, since it was also drilling for oil in Tanzania. China was ready to fund the Ugandan section of the SGR as well, provided this country hired a Chinese contractor. In the event, the prohibitive cost of the Kenyan section, coupled with the influence of the French oil giant, put a damper on what had been billed as a major new transport corridor in the region.

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In the meantime, the region had also launched another ambitious transport corridor, the Lamu Port South Sudan Ethiopia Transport Corridor (LAPSSET), intended to connect the East African hinterland to the Kenyan port of Lamu. Despite Uganda being a landlocked country, and Kenya's largest trading partner, it pulled out of LAPSSET, opting to transport its crude oil to the Tanzanian port of Tanga rather than to Kenya, as was initially planned. Kenya's mercurial politics was a consideration.

Uganda's economy was affected by the violence following the disputed presidential elections in 2007-8. Opposition protestors uprooted a section of the railway line in Nairobi, while tribal militias blocked roads, thereby disrupting road transport. This made it virtually impossible for Uganda to receive its imports from and through Kenya, its economic lifeline. The shortage of petroleum supplies, through the port of Mombasa, crippled Uganda's economy, prompting a frantic effort by its president, Yoder Museveni, to mediate in the conflict. This demonstrates how political instability in Kenya tends to spill over onto neighbouring Uganda.

Thus Uganda's decision to divert its crude oil pipeline to Tanzania was informed by security concerns. This further demonstrates that, for the LAPSSET and SGR projects to become viable and sustainable, the East African Community (EAC) needs to become a cohesive and stable political and economic entity, which is currently prevented by mutual suspicions; political instability, especially in South Sudan; normative incoherence; and the resultant disparate regimes in the region, all of which except Tanzania are undemocratic.

Kenyatta regarded the SGR as his regime's flagship project, despite the fact that it was first mooted during the controversial grand coalition government's tenure. The SGR reinforced the perception of a shift towards China and a snub of the West, specifically the US, Britain and France, three of the Permanent Five members of the United Nations Security Council (UNSC) that had endorsed the ICC charges against Kenyatta and numerous others, including William Ruto, later deputy president under Kenyatta, of crimes against humanity, and opposed the deferral or referral of their cases to Kenya, an option punted by its government. The charges arose from the post-election violence in 2007-8, in which 1 200 people died, and some 600 000 were displaced (BBC News 2014). Kenyatta was accused of inciting ethnic violence in support of the then President Mwai Kibaki. The ICC indicted six suspected masterminds of the post-election atrocities in 2010, including Kenyatta. Thereafter, Kenyatta regularly attacked Western powers, and upon ascending to power, dismissed them as diminishing imperialists for their stance on the ICC cases, and only toned down this rhetoric when the charges against him collapsed.

Despite perceptions to this end, however, Kenya has not made an ideological turnaround. The current and envisaged multi-billion-dollar infrastructural projects undertaken by China are idiosyncratic, rather than evidence of a definitive ideological shift. Kenya's politics are still influenced by local capital, largely a surrogate of Western capital, which has a stake in Kenyan real estate, agriculture, oil, infrastructure, health, education, security and tourism.

With the backing of Western capital, the most reactionary cohort among the country's political elite has monopolised political and economic power since 1963. The human rights, democracy and governance mantra propagated by the West in the wake of the collapse of the Soviet Union has worn thin and finally fallen away. In its stead, Kenya's relations with the West are defined by Western interests and the war on terrorism. Wary of losing out on mega projects to China, Western powers have had to either pay lip service to normative politics, or abandon it altogether. This is why, despite evidence of extrajudicial executions, electoral fraud, exclusionary politics, impunity, and state interference in the ICC cases, the West has not been hard on Kenyatta.

In 2013, the then US president Barack Obama launched a legacy project called Power Africa, which was intended to provide electricity to 60 million new consumers and generate 30 000 megawatt of new and cleaner power in Africa, where poor access to electricity has stifled development. It was a public-private initiative, with US business moguls lurking on the fringes.

In July 2015, Obama undertook an historic state visit to Kenya, the first by a sitting US president. Given Obama's ancestral roots in Kenya, the visit was seen as a kind of

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homecoming, and provoked an emotional response among Kenyans. Significantly, Obama conferred a sense of legitimacy on Kenyatta and his deputy, William Ruto, who had been dogged by illegitimacy issues stemming from the ICC legal challenges and the disputed elections in 2013. At the time, Ruto was still facing charges of crimes against humanity, while the case against Kenyatta had collapsed for lack of evidence. Obama publicly upbraided the opposition politicians led by Odinga, who had asked him behind closed doors to raise issues involving human rights, governance and democracy with Kenyatta. He argued that it was the responsibility of Kenyans to hold their governments to account, and recalled that those very politicians had dismissed the West as meddlers in Kenyan politics while serving in the government themselves.

The Obama visit gave Kenyatta and his supporters the confidence they needed to resist the barrage of calls for him to withdraw from the 2013 elections due to the charges he had faced at the ICC, and engage with the rest of the international community.

Ultimately, in pursuit of its national interests, Kenya initiates multilateral relations with other powers, especially in the Global South, and under the rubric of pan-Africanism, in order to create a multipolar world, and try to chip away at Western hegemony. However, it has no intention of turning its back on its Western allies, which its foreign policy document affirms in the following terms:

In order to strategically place the country in the international arena, the architects of Kenya's foreign policy charted a pragmatic approach, informed by several principles; which have stood the test of time. This approach [has] ensured that Kenya successfully forges mutually beneficial alliances with the West while constructively engaging the East through its policy of positive economic and political non-alignment (Republic of Kenya 2014).

Sino-Kenyan co-operation

China's relations with Kenya are as old as independent Kenya itself. China opened an embassy in Kenya on 14 December 1963, but downgraded it to chargé d'affaires level in 1965 in reaction to Kenya officially aligning itself with the West through the adoption of Sessional Paper No 10 of 1965 on African Socialism. The word 'socialism' in the document's title did not connote an adherence to left-wing ideology, as was the case in several other African countries. Instead, the paper definitively spelt out Kenya's Western orientation, in effect defining it as a capitalist country (*Sunday Nation* 2014).

China and Kenya have maintained economic, cultural and educational relations,

although this bilateral relationship is heavily weighted in favour of China. In 2015 Kenya's imports from China totalled KSh320.8 billion, and exports to China a paltry KSh8.4 billion (*Daily Nation* 2017b). Imports from China increased during the construction of the Chinese-funded and managed SGR, with the first phase from Mombasa to Nairobi completed just two months prior to the 2017 elections.

The fanfare accompanying the project and the opening of this part of the line pointed to the political capital that Uhuru Kenyatta wanted to derive from the project. It was the first railway to be built in independent Kenya, and construction of the second phase of the SGR to Western Kenya is ongoing. Arguably, the SGR is the highlight of Sino-Kenyan co-operation thus far, but also reveals the skewed nature of this relationship. China comprises a staggering market of about 1.3 billion people, but is not among Kenya's top 10 export markets (ibid), and Kenya's inability to take advantage of the opportunities offered by China has caused concern. Aly-Khan Satchu, Chief executive of Nairobi based Investment advisory firm Rich Management, has stated: 'This is the most lop-sided trade relationship in the world. In fact, if you stripped out titanium, the Kenya export pipe to China would read close to zero. Clearly, both governments need to re-energise their responses to this problem' (ibid).

China is second to Uganda as Kenya's largest trading partner, and Kenya's topmost investor and contractor. Kenya must start to develop its manufacturing sector in order to sell goods to China instead of merely consuming Chinese goods.

Culturally, Kenya is the headquarters of CGTN Africa, the African bureau of China Global Television Network, the English-language news channel run by the Chinese state broadcaster China Central Television, which covers the entire continent. It is also a destination of choice for Chinese tourists, who are the second most populous visitors after those from the US. The flip side of China's pervasive economic ventures in Africa is that Kenya's exports to its neighbours, Uganda and Tanzania, have declined because of the stiff competition from cheap imports from China. *Sunday Nation* (2016a) has encapsulated the Chinese stranglehold on Kenya's economy as follows:

A Kenyan today is likely to travel on a Chinese constructed road, buy Chinese goods from supermarkets, watch football in a Chinese built stadium, get treated in a Chinese built hospital, use a Chinese mobile phone and will soon travel from Mombasa to Nairobi on the Standard Railway Gauge (SGR) funded and constructed by the Asian giant.

Kenya is so indebted to China that the International Monetary Fund (IMF) has raised a red flag, warning that Kenya's seemingly insatiable appetite for borrowing both domestically and internationally, particularly from China, could affect its economic

Kenya must start to develop its manufacturing sector in order to sell goods to China instead of merely consuming Chinese goods.

prospects, largely due to its large and growing repayment burden (*Sunday Nation* 2016a). In 2016, the World Bank raised similar concerns. But the Kenyan government ignored this advice, and continued to borrow money from China. In early 2018, Kenya's debt surpassed the globally accepted threshold of 50% of Gross Domestic Product by 6%, and no less than 40% of national revenue was being diverted into offsetting public debts. This debt burden was cancelling out the expected economic benefits of the SGR and other ventures funded by foreign direct investment (FDI). In fact, it was threatening Kenya's long-term Vision 2030 for becoming a middle-income and industrialised country.

China understands that there is no better way of exerting influence in Kenya and Africa than spreading Chinese culture, and providing educational opportunities to as many Africans as possible.

Education and culture

China appreciates the centrality of culture in the making of a hegemony. It understands that there is no better way of exerting influence in Kenya and Africa than spreading Chinese culture, and providing educational opportunities to as many Africans as possible. This is an established approach by nations seeking to leverage their power over others. Africa's former colonial masters maintain influence and dominance over Africa not through military might, but through education and culture. In this regard, China has set up two Confucius Institutes in Kenya at the University of Nairobi and Egerton University, tasked – as elsewhere – with teaching Mandarin, spreading Chinese culture, and promoting people-to-people exchanges.

The Chinese government has offered scholarships since 1982, benefiting hundreds of thousands of Kenyan students. A total of 1 400 Kenyan students are currently studying in China, and the quota doubled in 2011. China also plays a significant role in skills transfers to Kenya. So far, 4 500 Kenyans have received professional skills training through the SGR, which officially opened on 1 June 2017 (*Daily Nation* 2017a). Since 2006, a total of 1 800 Kenyan officials, technicians, and other staff have received specialised training in China.

The politics of Sino-Kenyan co-operation

In contrast with its ties with Western countries, hard-nosed politics seem to take a back seat in Kenya's relations with China. It supports the 'One China' policy, and in return, China backed a UNSC resolution calling for a deferral of the charges against Kenyatta and Ruto at the ICC. The resolution was defeated in November 2013.

China's support of successive Kenyan governments has never been in doubt. In January 2018, Kenyatta invited the Communist Party of China to train members of his

Jubilee Party on democracy and party management, despite China not having defined itself as a democracy. As a permanent member of the UNSC, China safeguards its economic interests in Africa, and its opposition to the trial of the six Kenyans at the ICC was a case in point.

China tends to avoid overt involvement in the domestic politics of African states, and Kenya is no exception. Despite being Kenya's leading trading partner, China has hardly been visible during Kenya's tumultuous multiparty elections. It was absent during Kenya's damaging 2007-8 elections, and the equally polarising ones in 2013 and 2017. It has also not commented on the ongoing 2017 electoral dispute, other than congratulating Kenyatta on his controversial victory in August 2017, which was later annulled.

China is, however, involved in peace and security co-operation, anti-terrorism, counter-piracy, and regional peacekeeping missions across Africa. Some analysts believe it supports the reform of the UNSC, while others believe it does not. China is also involved in issues surrounding climate change which, unless addressed, will affect Africa disproportionately. China's support for Africa's capacity to resolve its own conflicts was manifested through co-operation on conflict areas such as Burundi, South Sudan and Somalia. China's military base in Djibouti illustrates its influence over African security. It seeks to secure its economic interests in Africa, and the establishment of this base marks it as an ambitious global actor.

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Infrastructure programmes

The SGR, the Mombasa port terminal and Special Economic Zone, Thika Road, linking Nairobi to the industrial town of Thika, the Kenya- Ethiopia Highway, the Southern, Eastern and Northern Bypasses around Nairobi, the conversion of Lang'ata Road in Nairobi into a dual carriageway, and the expansion of the Outer Ring Road around Nairobi are some of the mega public projects that have demonstrated Chinese workmanship and timely delivery in Kenya. Kenyan contractors lack the technical know-how and professionalism to undertake such massive projects. These are some of the fruits of Sino-Kenyan co-operation. The China Communication Construction Company (CCCC) has built and manages the SGR, further highlighting the lop-sidedness of this relationship. Controversially, the company was selected through single sourcing despite an open call for tenders.

LAPSSET, the SGR, and the discovery of oil in the north west are expected to boost Kenya's GDP by some 9.5% a year. These projects are in line with Kenya's Vision 2030. Kenya's ambition is to attain middle-income status by 2030, and for that to happen,

its economy must grow by 7 per cent a year (*Sunday Nation* 2016b). Kenya's ambitious infrastructure is in line with the AU's Agenda 2063 adopted in 2013. Divided into ten-year action plans, this blueprint is aimed at realising a united, prosperous and peaceful Africa by 2063.

Besides being the largest trading nation in terms of goods, China holds the biggest foreign exchange reserves in the world, and accounts for between a quarter and a third of global economic development.

China's strategic importance to Kenya and Africa rests on a number of factors, as articulated by the Chinese Ambassador to Kenya, Liu Xianfa. It has been the world's fastest growing economy for the past 30 years, and its second largest economy since 2010. Its role and status in the global economy cannot be overemphasised. Besides being the largest trading nation in terms of goods, it holds the biggest foreign exchange reserves in the world, and accounts for between a quarter and a third of global economic development. Many supposedly Western goods and products are now manufactured in China. It has the most advanced and longest high-speed train in the world, and a robust e-commerce sector, marked by widespread online shopping (*Daily Nation* 2017b). All these factors turn it into a formidable global actor.

The SGR project has attracted its share of criticism. Among others, the newspaper columnist and opposition party strategist David Ndii has argued that the SGR is economically unviable, and that the Kenyan government should have concentrated on LAPSET and upgraded the current archaic railway line, thus ending up with two cheaper and more rapidly completed transport corridors (*Saturday Nation* 2017). The SGR has cost about \$6 billion, equal to one third of Kenya's foreign debt, before the extension to Western Kenya will be completed. It has contributed to the Kenyan government's borrowing spree, ballooning the country's foreign debt to almost KSh 5 trillion at the time of writing.

Ndii further argues that the SGR has not resolved the issues – including corruption – that have made rail transport in Kenya so inefficient. He claims that the colonial railway line became derelict because of endemic corruption that hollowed out the state, including parastatals such as Kenya Railways (*ibid*). In the meantime, politicians, influence peddlers and other well-connected individuals have invested in road transportation. Therefore, they would rather see railway transportation grind to a halt, thus boosting road transport of goods from Mombasa to the hinterland and to neighbouring countries. This is why the government intends to transport crude oil from Turkana to Mombasa by road instead of the SGR, or via a pipeline.

Ndii contends that the SGR will not improve carrying capacity or reduce costs, because railway cargo does not have to move fast, and so increasing the speed from 60kph to 80kph as is the case with SGR compared to the old railway line is inconsequential, and does not justify the colossal amount of money spent. Therefore, the SGR is a bad investment, because it cannot generate the revenue needed to offset the

US\$4 billion spent on building the line from Mombasa to Nairobi. Instead, he argues, investment should have been directed at LAPSSET instead of the SGR (ibid).

Kenya is held captive by the owners of local and international capital. Kenyatta's regime is opposed to devolution and the equitable distribution of national resources; hence the disquiet among members of the pastoralist Turkana community over the sharing of oil revenue. As the catchment community, it insists that 10% of the oil revenue must be allocated to it, but the government intends to allocate only 5%. There is currently no legislation that governs this issue, with the devolution of resources and power as the subtext. Until the discovery oil in Turkana, the Turkana tribe, which inhabits a semi-arid area, was among the most marginalised by Kenya's successive governments. Uhuru Kenyatta's resistance against devolution is informed by the desire of the ruling elite to maintain a centralised state that enables it to extract resources from the periphery for the benefit of those stationed at its centre, as was the practice before the 2010 constitution came into being.

William Ruto led his Kalenjin co-ethnics in campaigning and voting against the Constitution. Kenyatta also opposed the Constitution, and has constantly defied it by ignoring court orders, making appointments that do not meet gender and ethnic provisions, trampling on basic rights such as freedom of assembly, freedom of information, and freedom of the media, and being a generally divisive individual through inflammatory pronouncements and ethnically biased state appointments.

China and Kenya's democratisation

The war on terrorism and China's commercial interests have relegated issues of constitutionalism and democracy in Kenya and Africa to the back burner. The US has abandoned all pretence to upholding normative politics. Its mantra, 'the rule of law at home, and interests abroad' is in practice. China's pervasive economic interests in Africa, especially in infrastructure, has forced the West to react. In August 2012, then US Foreign Secretary Hillary Clinton embarked on an 11-day tour of Africa. In her first address in Dakar, Senegal, she characterised the US as committed to 'a model of sustainable partnerships that adds value rather than extracting it'. She further stated that 'America will stand up for democracy and universal human rights even when it might be easier to look the other way and keep the resources flowing'. These remarks were widely interpreted as a subtle criticism of China, which has been accused of exploiting Africa's natural resources and giving nothing in exchange – in much the same way the West has done over the ages.

Obama's 2015 tour of Africa included Ethiopia, a country with an appalling human

The war on terrorism and China's commercial interests have relegated issues of constitutionalism and democracy in Kenya and Africa to the back burner.

rights record, and whose prison population includes political detainees, journalists, and social media activists critical of the regime. As the seat of the AU, Obama found it hard to bypass Ethiopia, but his silence on human rights violations rendered hollow Clinton's earlier attempt to favourably compare the US to China regarding their exploits in Africa. In Zambia, she threw all caution to the winds, and openly criticised China:

In March 2018, the US Secretary of State, Rex Tillerson, criticised China and cautioned Africa before embarking on his five-nation tour of Africa.

We are however, concerned that China's foreign assistance and investment practices in Africa have not always been consistent with generally accepted international norms of transparency and good governance, and that it has not always utilised the talents of the African people in pursuing its business interest.

In March 2018, Rex Tillerson also criticised China and cautioned Africa before embarking on his five-nation tour of Africa. While acknowledging China's role in improving Africa's infrastructure, he faulted China for burdening Africa with debt while creating few local jobs. Although these remarks could not be dismissed out of hand, the US was not faring any better, and its engagements in Africa were hardly underpinned by the interests of Africans. It had maintained diplomatic and commercial links with the most autocratic regimes in Africa, even during the dark days of single party and military dictatorship. Tillerson's tour was themed on counterterrorism, democracy, governance, and trade and investment. Democracy and governance were meant to underline the fact that China did not invoke these issues in its relationship with Africa, but not to demonstrate US commitment to these norms.

Not to be left behind, the US Construction Company signed a KSh300 000 billion contract with the Kenyan government to build the Mombasa-Nairobi Highway. This agreement was sealed days before the 2017 general election, and replicated the SGR in that it was a single sourced project to be financed by the US government, backed by commercial loans. Opposition politicians cited this project when they accused the US ambassador, to Kenya, Robert F Godec, of meddling in Kenya's political crisis in favour of Uhuru Kenyatta during the protracted conflict stemming from the 2017 elections.

The US had clearly abandoned its historical rhetoric about democracy and governance in Kenya. In October 2017, Ambassador Godec led fellow Western envoys in openly taking sides in Kenyan politics. In a public statement, they urged the opposition leader, Raila Odinga, to recognise Kenyatta following the fresh elections in October that he and his supporters had boycotted. Earlier, they had urged the opposition to participate in the fresh elections despite concerns about the credibility and competence of the electoral commission.

Unlike China, the West has played an active role in Kenyan politics since the advent of multiparty elections. Western powers augment government spending in a broad range of sectors, including health, education, the judiciary, and security. They also assist the government as well as civil society to prepare for elections. Civil society involvement in human rights, democracy, justice, and poverty alleviation depend heavily on funding from Western countries.

Kenya is a deeply divided society, and so it is difficult to organise politics around sound ideological and policy positions. Cumulatively, these factors give Western countries the confidence and effrontery to intervene in Kenya's domestic affairs. China has long steered clear of local politics in African countries in which it has invested, and Kenya is no exception. It prefers back-room talks and has avoided taking sides in Kenyan politics, although its close relationship with the Kenyatta government and its investments in Kenya show that this co-operation cannot be entirely apolitical. In August 2013, soon after being sworn in as president, Uhuru Kenyatta undertook an extended state visit to China, during which he signed numerous bilateral agreements. China's economic interests in and loans to Kenya are so extensive that Kenyatta has been accused of auctioning off the country to the Chinese.

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Is this a relationship marked by mutual respect?

China seeks to define its partnership with Africa as a win-win one, based on mutual respect. It attempts to define this relationship outside the boundaries of the paternalism of Western relations with Africa, especially between African countries and their former colonial masters. This is indeed a skewed relationship that is often characterised by legacies of exploitation, oppression, and racial superiority. But China's relations with Africa are also in the paternalistic mould. Chinese companies in Africa have been accused of exploiting local workers, propping up autocratic regimes through arms sales, and Africans are widely portrayed in stereotypical terms in Chinese media and literature. In Kenya, Chinese nationals have been accused of running Chinese-only restaurants and other recreational facilities that local people are not allowed to patronise. Thus, like Westerners, the Chinese have been accused of denigrating black people.

Early in 2018, there was an uproar when China's state television ran a prime time skit laced with racial undertones in celebration of the Chinese New Year. An actor in blackface and dressed like a monkey lampooned black people, and portrayed China as Africa's messiah. The skit attracted condemnation for pandering to racial stereotypes and for betraying a superiority complex within the psyche of Africa's alternative to Western dominance. Ironically, the skit was shot in Kenya during the construction

of the SGR, and was said to have been shot to celebrate Sino-African relations. The accusation of racism, however, is a low-hanging fruit. In 2016, a Chinese laundry detergent company was forced to issue a public apology after running an ad in which a black male was stuffed head first into a washing machine and emerged a moment later transformed into a fair-skinned Asian male.

In 2018, it was reported that China had been tapping into the servers at the Chinese-built AU headquarters in Addis Ababa for the previous five years.

In 2018, it was reported that China had been tapping into the servers at the Chinese-built AU headquarters in Addis Ababa for the previous five years. It was alleged that software had been installed on the AU computer system that automatically downloaded data onto servers in Shanghai late at night. China had built and paid for this computer network. If true, this is hardly evidence of a partnership characterised by mutual respect.

What is important here is that the skit, the racial advert, and the spying debacle foreground Africa's lack of agency in its partnership with China. Most African governments brutalise their own citizens, abet grand corruption, engage in predatory politics, disregard participatory governance, promote exclusionary politics, fail to uphold the rule of law, and exhibit a foreign complex. It is therefore counter-intuitive for these governments to expect external actors, including China, to treat Africa and Africans with any kind of dignity. It is axiomatic that local politics have a bearing on international politics. It therefore follows that a country mired in divisive domestic politics is almost certain to have a poor international standing.

Secondly, African governments tend to naively portray China as an alternative to the West as if international relations is an 'either-or' dichotomy. Neither is it tenable to assess the West and China on account of normative politics, as Hillary Clinton tried to do. Both China and the West are inspired by their respective interests that include exploiting Africa's natural resources. It is incumbent upon Kenya and, by extension, Africa to get its act together locally before it asserts itself internationally.

In Kenya, as in many other parts of Africa, local labourers often accuse Chinese companies of poor working conditions, low pay and racism. However, this is consistent with the failure of the Kenyan government to uphold fundamental rights, submit to the rule of law, and promote a sense of nationhood and national pride among the citizenry. Chinese companies entering Kenya discover that there is no clear legal and regulatory framework within which they are meant to operate, and encounter a people balkanised into meaningless tribal enclaves. As a result, they do as they wish. This is less a racial than a statutory and nation-building issue, compounded by corruption and tribal politics.

China has played a major role in transforming Kenya's infrastructure. However, this

process has not been problem-free. Among other things, Chinese nationals have been involved in illegal trade in wildlife trophies, particularly elephant tusks. Animal poaching is part of organised crime run by syndicates, some of which are based in East Asia. This has been a sore point in the relationship between China and Kenya, and has marred the latter's otherwise unparalleled record in sprucing up Africa's dilapidated infrastructure.

Having said this, the SGR has also been criticised as a blow to wildlife conservation in Kenya. With the backing of Uhuru Kenyatta and his security forces, the second phase of the SGR to Naivasha and Western Kenya has passed through Nairobi National Park. Conservationists have protested against the decision, to no avail. The relevant state bodies, including the National Assembly, the National Environmental Authority (NEMA), the Kenya Wildlife Service, and the National Environment Tribunal, which are meant to promote and protect the public interest, have combined to defeat objections against running the SGR through the park. Critics have accused Kenya's power mandarins of using the SGR to extend their control over part of the parkland, which would otherwise not have been possible.

China and Kenya have co-operated for quite a long time. While this has benefited both countries, it has greatly favoured China.

Conclusion

China and Kenya have co-operated for quite a long time. While this has benefited both countries, it has greatly favoured China. Therefore, Kenya needs to devise a strategy for getting more out of this partnership. As things stand, this is virtually a one-way arrangement. Kenya is the junior partner on account of the size of China's economy and population, but these attributes do not inevitably disadvantage Kenya, or give China an edge. Kenya's poor governance and its inability to assert itself, safeguard its interests, and take advantage of the opportunities offered by China are the main factors that have put Kenya in this disadvantageous position.

But China's stellar record in developing Kenya's infrastructure has come at a steep cost. Specifically, the debt burden accompanying the projects undertaken by China has provoked the concern of international ratings agencies such as Moody's, as well as the Bretton Woods institutions. Continued borrowing is running the risk of negating the benefits of these brick and mortar developments by indebting Kenyans far into the future. Kenya needs to reap the benefits of educational opportunities and skills transfer schemes between these two countries, and use them to develop its own capacity to undertake mega projects instead outsourcing them to China and the West. This would curb capital flight, and boost local skills in the many areas of specialisation needed to grow the Kenyan economy.

Kenya should assert itself in this relationship. Crucially, Africa must forge a common approach, much as this has proved elusive as individual Africa states prefer engaging China on their own, to their own disadvantage. Africa needs to stop romanticising its partnership with China, and comparing it unfavourably with its ties with the West. It has to be seen for what it is: an interest-based relationship among nations. Accusations of racism levelled at the Chinese media, Chinese contractors in Kenya, and the spying debacle at the AU headquarters are issues that Africa has to address in the same way that racial stereotyping in the West provokes outrage on the continent.

Kenya should be guided by the interests of its citizens instead of being preoccupied with whether it aligns itself with the West or with China.

In forging its international relations policies, Kenya should be guided by the interests of its citizens instead of being preoccupied with whether it aligns itself with the West or with China. Africa must disabuse itself of the notion that being in a partnership with either amounts to snubbing the other. Despite an apparent shift to China, Kenya is still an ally of the West, and the tremendous influence the West wields in Kenya's domestic politics and economy is testament to this. It is not in Kenya's best interests to choose between China and the West. Instead, it should constantly guard its own interests, and do so in the same way, regardless of which foreign power it is dealing with.

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