

Reconciling efficiency and accountability?

The Politics of the Standard Gauge Railway in Kenya

Yuan Wang

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Reconciling effective government with accountable government remains an enormous political challenge, especially in developing countries. Can a state be responsive and answerable to its citizen whilst demonstrating efficient infrastructure delivery? Or can infrastructural efficiency only be achieved in centralised, developmental states? To explain these puzzles, this research examines the trajectories of two phases of the Kenyan Standard Gauge Railway (SGR) project. The case studies are investigated using within-case process tracing and accompanied by cross-case comparison. This research primarily relies on over 80 interviews collected during field research in Kenya and China from 2014-2019. The Kenyan SGR-Phase 1 demonstrated a rare reconciliation of accountability and efficiency, under the condition that the project receives strong commitment from political leaders. When political commitment presents, opposition's contestation to the project further intensified executive's direct intervention in the project, guaranteeing efficient delivery. By explaining the variance in railway effectiveness in Kenya, this research challenges existing literature on regime and state capacity by proposing a conditional variable and innovative causal mechanism of how young and partial democracy can lead to strong state capacity.

Introduction

Ever since Huntington (1968) first emphasized the hazards of reverse sequencing, i.e. democratization before a strong state, during the second wave of democratization in the 1960s,¹ there has been a vibrant debate on democracy and state capacity. In cross-national analysis of regime type and state capacity, partial or young democracies have weak state capacity, especially compared to full democracies and autocracies.² This is also confirmed by case studies of developmental states in East Asia³ and Sub-Saharan Africa.⁴ Can partial democratic states be responsive and answerable to citizens whilst demonstrating efficient delivery of policies and projects? Or effective state capacity can only be achieved in centralised, developmental states?

Through the examination of the recent implementation of the Kenyan Standard Gauge Railway (SGR) project, this paper shows that partial democracies can demonstrate exceptional state capacity when the political leader show strong commitment to the project or policy. The railway was designed to relieve traffic congestion on East Africa's main transport corridor from Mombasa port to Nairobi and possibly as far as Kampala and Kigali. From construction to inauguration, the 472-kilometre SGR Phase-1 (SGR-1) took only 30 months to complete, halved the contracted schedule. On 16 October 2019, President Kenyatta launched the SGR Phase-2A (SGR-2A)⁵ linking Nairobi to Naivasha. The 120km line was completed in 25 months, with 10 months delay from the timeline set by the president due to delay in land

¹ Huntington, Samuel P. *Political order in changing societies*. Yale University Press, 2006.

² Montinola, Gabriella R., and Robert W. Jackman. "Sources of corruption: A cross-country study." *British journal of political science* (2002): 147-170. Bäck, Hanna, and Axel Hadenius. "Democracy and state capacity: exploring a J-shaped relationship." *Governance* 21, no. 1 (2008): 1-24. Sung, H-E. "Democracy and political corruption: A cross-national comparison." *Crime, Law and Social Change* 41, no. 2 (2004): 179-193. Charron, Nicholas, and Victor Lapuente. "Does democracy produce quality of government?." *European journal of political research* 49, no. 4 (2010): 443-470.

³ Amsden, Alice Hoffenberg. *Asia's next giant: South Korea and late industrialization*. Oxford University Press on Demand, 1992. Johnson, Chalmers. *MITI and the Japanese miracle: the growth of industrial policy, 1925-1975*. Stanford University Press, 1982. Öniş, Ziya. "The logic of the developmental state." (1991): 109-126.

⁴ Clapham, Christopher. "The Ethiopian developmental state." *Third World Quarterly* 39, no. 6 (2018): 1151-1165. Kelsall, Tim, David Booth, D. Cammack, and F. Golooba-Mutebi. "Developmental patrimonialism." *Africa Power and Politics Series, Working Paper*. London: Overseas Development Institute (2010).

⁵ The SGR Phase-2 is from Nairobi to Malaba, Phase-2A links Nairobi to Naivasha, Phase-2B Naivasha to Kisumu, and Phase-2C from Kisumu to Malaba.

acquisition. Two phases of the SGR are both financed by the Export and Import Bank of China (EximBank) and constructed by a Chinese state enterprise: China Road and Bridge Corporation (CRBC).

The SGR-1 is the first project in Kenyan history that was complete ahead of schedule. Its construction speed humbles Phase-2A and a neighbouring Chinese-funded and -constructed railway in Africa: the Addis Ababa-Djibouti Railway linking the capital city of Ethiopia to the port of Djibouti. Why did the SGR-1 demonstrate exceptionally high effectiveness? This is especially puzzling because the Ethiopian developmental state with publicly-owned land and minimal tolerance to dissidents is usually perceived as a more likely scenario for effective delivery of mega-infrastructure projects than Kenya, and that the SGR-1 passes counties of opposition strongholds while the SGR-2A passes counties supporting the incumbent Jubilee Alliance.

I argue that in developing countries, government responsiveness and accountability contributes to strong state capacity to the delivery of public goods when there is strong political leadership commitment to the effective delivery of the project or policy. Political commitment to the project or policy may generate politicization of grievances by the opposition, which further enhances the leadership commitment to the success of the project or policy. The SGR-1 was championed by president Uhuru Kenyatta, who instrumentalizes the SGR-1 as his campaign capital. The opposition leaders politicized the grievances during the initiation and implementation of the project, criticizing and obstructing the project as a way to oppose the incumbent Kenyatta government. This politicization further enhances Kenyatta's commitment to the success of the SGR-1. By directly intervening to the project implementation, the railway was completed with unprecedented efficiency. The SGR-2A did not receive political commitment from the president, thus grievance politicization caused delay in project implementation.

The exceptional effectiveness of the SGR challenges the developmental state literature that centralized, long-term rent management and bureaucratic autonomy are the basis for strong state capacity to deliver project and policy objectives. The findings from this case study challenge the conventional belief that young and partial democracies, which are vastly present in developing countries, are necessarily associated with weak state capacity. Rather, in democratic developing countries, state capacity can be volatile and idiosyncratic, corresponding to the political commitment from the leaders. The examination of the achievement of high effectiveness of the SGR allows for the identification of a new causal mechanism and its conditions that democracy enhances state effectiveness.

The rest of this paper is organised as follows. In the next section, I review existing literature on regime and state capacity, and propose my argument. This is followed by a discussion of methodology and case selection. Then, I process tracing the initiation, implementation, and operation of the SGR-1 and -2A. The final section concludes.

Theoretical framework

This paper seeks to explain how democracy affects state capacity of developing countries, i.e. the ability of states to achieve official objectives.⁶ In this section, I review three strands of literature on regime and state capacity and propose an alternative causal mechanism and its condition on democracy and state capacity in developing countries. The three groups of literature include theoretical explanations of why democracy is superior than autocracies in terms of state capacity, mixed empirical results in support of the democratic thesis, and the study of developmental states.

⁶ Centeno et al., 2017. Fukuyama, Francis, "What is governance?" *Governance* 26, no. 3 (2013): 347-368. Skocpol, Theda, "Bringing the State Back In: Strategies of Analysis in Current Research", pp. 3-37 in *Bringing the State Back In*, edited by P. Evans, D. Rueschemeyer, and T. Skocpol, (Cambridge University Press, 1985).

Theoretical studies have proposed several reasons as to why democracies should exhibit state capacity than autocracies, the empirical evidence in favor of the democratic hypothesis, however, is mixed at best.⁷ Scholars emphasize the following three reasons for democratic institutions as prerequisites for state capacity. First, they argue that institutional set-ups that check on predatory rule are necessary for economic development.⁸ At the heart of this argument is public accountability: governments are answerable to citizens and other public agencies, and the latter can punish governments that fail to perform their duties.⁹ Moreover, the integrity of property rights and contracts over time and space also promote trade and corresponding improvements to resource allocations and efficiencies, including through the development of financial systems.¹⁰ Douglass North notes that ‘successful economic performance, therefore, must be accompanied by institutions that limit economic intervention and allow private rights and markets to prevail in large segments of the economy.’¹¹ Finally, higher public expenditures brought about by popular and electoral pressures might serve to promote the delivery of public goods such as education, which have a positive effect on economic growth.¹²

Many Large-N studies on democracy and state capacity have identified a non-linear relationship: that state capacity is the highest in strong democracy, medium high in strong autocracies, and lowest in partially democratized states. This non-linearity has been defined as

⁷ Charron and Lapuente.

⁸ See Maxfield, Sylvia, and Ben Ross Schneider, eds. *Business and the state in developing countries*. Cornell University Press, 1997. Schedler, Andreas. "Conceptualizing accountability." *The self-restraining state: Power and accountability in new democracies* 13 (1999): 17. Cheibub, José Antonio, and Adam Przeworski. "Democracy, elections, and accountability for economic outcomes." *Democracy, accountability, and representation* 2 (1999): 222-250. O'donnell, Guillermo. "Horizontal Accountability: The Legal." *Democratic Accountability in Latin America* (2003): 34.

⁹ Schedler et al. 1999

¹⁰ *ibid*

¹¹ North, Douglass C., and Barry R. Weingast. "Constitutions and commitment: the evolution of institutions governing public choice in seventeenth-century England." *The journal of economic history* 49, no. 4 (1989):808

¹² Baum, Matthew A., and David A. Lake. "The political economy of growth: democracy and human capital." *American Journal of Political Science* 47, no. 2 (2003): 333-347. Stasavage, David. "Democracy and education spending in Africa." *American journal of political science* 49, no. 2 (2005): 343-358.

either a U-shaped,¹³ a J-shaped,¹⁴ or an S-shaped relationship.¹⁵ Authoritarian states' hierarchical structure and their repressive capacity can be effective at maintaining a firm grip of the administrative apparatus from above, while strong democracy has controls exercised by various actors in society.¹⁶ In new democracies, however, the top-down and bottom-up forces are both weak. From a supply-demand perspective, Charron & Lapuente (2000) argues that in newly democratized states, both the incentive for the rulers to provide bureaucratic efficiency and the demand from ordinary citizens on their government to mid-to-long term investments in state capacity is limited, generating weak state capacity.¹⁷

These quantitative empirical findings confirm with another strand of literature that argues for developmental states based on East Asian experience and proposes that autonomous bureaucracy are the basis of state capacity. The emergence of newly industrialised countries (NICs) in East Asia have drawn considerable scholarly attention. Developmental states share the following three main institutional characteristics.¹⁸ First, state autonomy — i.e. the state's insulation from particularistic societal pressures, particularly those originating from the private sector and the working classes.¹⁹ This has arguably been the key to the superior economic performance of the developmental states in East Asia and Latin America, and recently in some countries in Africa. This insulation from societal pressure has allowed these states to focus on growth-promoting investments rather than consumption. Second, Weberian bureaucracy, which is characterised by meritocratic recruitment and predictable, long-term tangible and

¹³ Montinola and Jackman.

¹⁴ Bäck and Hadenius.

¹⁵ Sung.

¹⁶ Bäck and Hadeniu.

¹⁷ Charron & Lapuente.

¹⁸ Among others, see Amsden. Wade, Robert. *Governing the market: Economic theory and the role of government in East Asian industrialization*. Princeton University Press, 2004. Evans, Peter B. *Embedded autonomy: States and industrial transformation*. Princeton University Press, 2012.

¹⁹ Huntington 1968. Przeworski and Limongi 1993's definition of 'state autonomy' has an element of the 'capacity' of the state to pursue developmental goals in addition to this 'insulation' element. I find the 'capacity' element fits better to the Weberian bureaucracy section. See Przeworski, Adam, Fernando Limongi, Salvador Giner, John E. Roemer, Salvador Barberà, Juan-Rafael Vargas, Amiya Kumar Bagchi et al. "2. Political Regimes and Economic Growth." *Democracy and Development* (1993): 1.

intangible career rewards, is effective at facilitating capitalist growth.²⁰ Third, establishing collaborative linkages between the public and private sectors is another crucial developmental institution. Many empirical analyses of East Asian late industrialisers find that business-state ties have a decisive impact on economic outcomes, and account for variations in economic performance.²¹ In Africa, countries that have maintained high growth rates since the 2000s, notably Angola, Ethiopia, and Rwanda, have also shared the developmental state characteristics. The leadership of Ethiopia explicitly refers to itself as having followed a developmental state model.²² Acknowledging the prevailing (neo)patrimonial nature of African states, Kelsall observes a model of ‘developmental patrimonialism’ in SSA, where centralised, long-term rent management has been key to delivering development.²³

Divergent from developmental states/bureaucracy, accountability and property rights, I argue that democracy in developing countries can generate strong state capacity if the project or policy receives leadership commitment.²⁴ I adopt a minimalist definition of democracy, i.e. electoral contestation.²⁵ Multiparty elections generate contestations between the incumbent government and their opposition. During this political contestation, grievances associated with salient projects or policies are politicized, instrumentalized by the opposition to criticize and challenge the incumbent. Leader’s commitment to the project or policy is treated as an exogenous variable. Should the commitment present, grievance politicization may drive up the leader’s commitment to the project or policy, leading to effective delivery. Specifically, these projects or policies are likely to be mentioned frequently in public speeches made by senior leaders, and high-level political officials may visit project sites more frequently than other

²⁰ *ibid*

²¹ Amsden, Johnson.

²² Clapham.

²³ Kelsall, Doctor Tim. *Business, politics, and the state in Africa: Challenging the orthodoxies on growth and transformation*. Zed Books Ltd., 2013.

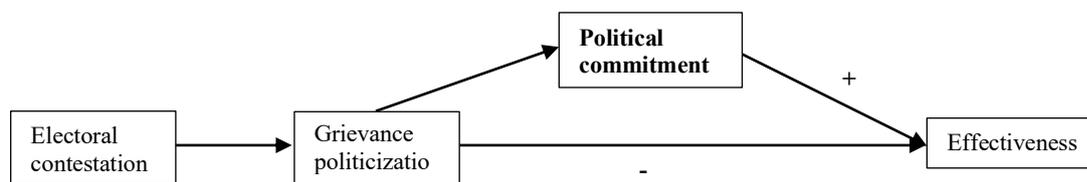
²⁴ Why leaders choose to commit in specific project is addressed in another working paper: Wang, Y. Individual agency and state capacity: Comparing Sino-African railway development in Kenya and Ethiopia.

²⁵

projects that are similar in nature. Incumbent governments may also increase their involvement to facilitate solutions to technical problems encountered during the construction and operation of these projects.

Without political commitment, however, grievance politicization by the opposition reduces effectiveness by causing obstacles for project or policy implementation. Politicized obstacles are usually beyond the technical solutions of bureaucrats and usually involves elected politicians. Lacking commitment from incumbent politicians, delivery is delayed. The causal mechanism of this argument is illustrated in Figure 1.

Figure 1. Causal mechanism



In this paper, state capacity is operationalized through mega-infrastructure projects' effectiveness. Large infrastructure projects have both material and symbolic functions, and therefore they are frequently instrumentalized politically as state-building and power projection tools.²⁶ Transport infrastructure such as roads and railways facilitates connectivity, shapes the movements of people and goods, connects sites of production and consumption, enhances international trade, and promotes national economic growth. Beyond these material functions, infrastructure projects are also state-sponsored imaginaries of modernity, transformation, and development.²⁷ Precisely because of their materialist and ideological functions, mega-infrastructure projects are often instrumentalized by the state to fulfil specific political agendas. Famously, Herbst argues that transport infrastructure, such as railways and

²⁶ Monson, Jamie, *Africa's Freedom Railway: how a Chinese development project changed lives and livelihoods in Tanzania*, (Indiana University Press, 2009).

²⁷ Harvey, Penny, and Hannah Knox, *Roads: An anthropology of infrastructure and expertise*, (Cornell University Press, 2015). Dye, Barnaby, "Ideology matters: Political machinations, modernism, and myopia in Rwanda's electricity boom," *Energy Research & Social Science*, (2020).

roads, served as colonial tools of power projection in Africa, enabling state administrations to exercise control over a large but less populous landscape and enhance policy reach.²⁸ Some historians have proposed a notion of “railway imperialism” and argue that colonial railways carried the symbols of imperialism and modernization.²⁹ Mega-infrastructure cannot be apolitical, and examining the politics of infrastructure is a way to unpack state capacity.

Railways are particularly politically salient and the implementation effectiveness of railway projects is a proxy of state capacity. *Effectiveness* is the fundamental purpose that the railway is designed and expected to fulfil. This dependent variable is measured by timely completion: whether the railway was completed within the contract and politically-assigned schedule. Although narrowly defined, railway effectiveness assumes broader political and economic implications. The railway construction involves a set of changes to their surrounding social, economic, and environmental landscape. I focus on short-term outcomes because having an operating railway is a precondition for loan repayment and any long-term economic and social implications. Successful completion of railway construction and initiating operations are within the control of the state, making it a more direct proxy of state capacity than the long-term developmental impacts of the railway, which are determined by a wide range of other factors.

Methodology and case selection

In the following section, I closely examine the case of the Chinese-financed and -constructed SGR project in Kenya, to show that political commitment is a necessary condition for the electoral contestation to contribute to effectiveness. The railway project is divided naturally into two phases: SGR-1 (completed in May 2017), and SGR-2A (commenced in September

²⁸ Herbst, Jeffrey, *States and power in Africa: Comparative lessons in authority and control*, Vol. 149, (Princeton University Press, 2014).

²⁹ Davis, C.B., K.E. Wilburn, and R.E., Robinson, *Railway imperialism*, (Greenwood Pub Group, 1991). Robinson, Ronald E. “Introduction: railway imperialism,” in Davis et al. (eds) *Railway imperialism* (1991): 1-6.

2017), and the two phases are divided by the Kenyan presidential election on 8 August 2017. After the election, the president's commitment to the railway project reduced. This is a theory-building, rather than theory testing exercise. The purpose of this case study is to uncover an innovative causal mechanism that previous studies does not find. I conduct within-case process tracing to identify the causal mechanism by which political contestation leads to high effectiveness in SGR-1 through high presidential commitment. The SGR-2A provides a counterfactual analysis of how, without political commitment, the project was absorbed in the political contestation and resulted in low effectiveness.

The two subcases demonstrate stark variation in effectiveness, which is defined by timely completion. The Kenyan SGR-1 was completed ahead of the contracted schedule and met the completion date set by the president on 1 June 2017. The SGR-2A from Nairobi to Naivasha was also completed ahead of contracted schedule but did not meet the timeline set by the president, which was December 2018 – a delay due to difficulties in land acquisition.

Evidence for the process tracing was collected through a combination of in-depth interviews and participatory observation during fieldwork, as well as second-hand documents. The 17 weeks of fieldwork stretching from 2017-2019 were spent in Kenya (10 weeks) and China (7 weeks). During fieldwork, I conducted over 88 interviews. I compensate this with secondary works on the railway published by the Chinese contractor and by scholarly work on the country. This research also relies on a good number of second-hand documents. This diverse sources of evidences allow me to triangulate, i.e. to cross-check the causal inferences derived from the process tracing by drawing upon distinct data streams.³⁰

³⁰ Bennett, Andrew, and Jeffrey T. Checkel, eds. *Process tracing*. Cambridge University Press, 2015. Kapiszewski, Diana, Lauren M. MacLean, and Benjamin L. Read. *Field research in political science: Practices and principles*. Cambridge University Press, 2015.

Grievance politicization and political commitment during SGR-1

Initiation and tendering

The SGR was originally a private sector initiative that was contracted and received government endorsement under Mwai Kibaki. In 2008, Jimmy Wanjigi, a Kenyan billionaire with political clout, came up with the idea along with Du Fei, the then CEO of CRBC Kenya,³¹ to jointly deliver a modern railway for Kenya through public-private partnership (PPP).³² 'We don't need government.' Wanjigi said, 'the design was to spend KES50 billion to adjust the old rail. It was more of a renovation to straighten the existing railway line and thus increase the speed. We [Du Fei and I] calculated the investment would return in 18 years...Kibaki got this idea, and Museveni liked it.' Wanjigi said.³³ This refers to a State House communiqué from 2008 by Kibaki and Museveni on joint construction of the SGR from Mombasa to Kampala.³⁴

The SGR first drew Uhuru Kenyatta's attention during his 2013 electoral campaign. Since 2010, Wanjigi brought together Uhuru Kenyatta from Kikuyu and William Ruto from Kalenji for the 2013 presidential election. The billionaire bankrolled the joint UhuRuto's Jubilee Alliance campaign, and in exchange Kenyatta made developing a modern rail network a key campaign message, with an emphasis on PPP,³⁵ as clearly shown in the Jubilee Coalition Manifesto 2013:

The Coalition Government will...enact new Public Private Partnership legislation to encourage private investment in public projects, speeding up the delivery of infrastructure urgently needed to achieve Kenya Vision 2030.

...Improve the rail network to upgrade the links between major cities. This will include building a new Standard Gauge Railway from Mombasa to Malaba with a branch line to Kisumu in line with the [East African] Railway Masterplan.³⁶

³¹ Interview with Jimmy Wanjigi, Nairobi 26 July 2019. Later, Du Fei was promoted to the General Manager of CRBC Headquarter.

³² Daily Nation, 26 June 2017. Confirmed by interview in Nairobi, Jimi Wanjigi, 26 July 2019.

³³ Interview with Jimmy Wanjigi, Nairobi, 26 July 2019.

³⁴ Ministry of Transport and Infrastructure, 2013.

³⁵ Interview with Jimmy Wanjigi, Nairobi, 26 July 2019

³⁶ Jubilee Coalition, *Transforming Kenya: Securing Kenya's Prosperity 2013-2017*. (2013)

Wanjigi recalled: ‘When the Jubilee Manifesto was being done, one thing we put in it was the railway. I still hoped for it to be PPP. In fact, a big emphasis in the Manifesto was on PPP, less government, and more private sector.’³⁷

The selection of CRBC as the SRG contractor lacked a competitive tendering process. CRBC came to Ministry of Transport (MOT) with a proposal to do a free feasibility study in 2008 and was awarded a commercial contract to construct the SGR and provide locomotives in 2012 at a cost of \$3.8bn, the largest amount of single project Kenya has ever taken since independence. Since the SGR contract was awarded to CRBC, GoK had heated internal debate on the non-competitive tendering of SGR contract, arguing unlawful procurement process and the exorbitant cost resulted, and later the project’s environmental impact assessment (EIA) was called into question. The contention was first between KRC and Public Procurement Oversight Authority (PPOA)³⁸ and later with the Public Investment Committee (PIC) of the National Assembly. The conclusion of PIC is to continue with the SGR with recommendations including an independent consultant to be procured and feasibility study of SGR Phase 2 be fast tracked.

This governmental debate is the normal procedure of the check and balance in Kenya, not subject to politicisation; and the SGR politicisation started with Jimmy Wanjigi, the Kenyan initiator of the SGR. After Uhuru Kenyatta took office in 2013, Wanjigi suddenly found himself sidelined from the SGR. Wanjigi said: ‘In 2013, Uhuru got into power, I don’t know what happened, suddenly this [the SGR] is what the president wants. I told him I wanted to do the PPP, I further recommended a three-lane highway from Mombasa to Malaba with the use of those Chinese funds. The President told me: “You must let go.”’³⁹ Wanjigi repeatedly clashed with Kenyatta over the cost and financial model of the project:

³⁷ Interview with Jimmy Wanjigi, Nairobi, 26 July 2019

³⁸ KRC admitted that it initially used a wrong procurement method – direct procurement, but this was corrected with its termination and substitution with the Government to Government transaction. Nduva Muli, MD of KRC, withdrew the contract award letter to CRBC (1st July 2012 at a cost of \$1.15bn). KRC and CRBC re-entre into contract on 4th October 2013. This contract is now beyond the application of the PPD Act 2005 and review by PPOA.

³⁹ Interview Jimmy Wanjigi, Nairobi, 26 July 2019

The feasibility study was delivered by the CRBC. Even the bill of quantities was changing all the time. Imagine you build a house and the contractor does everything for you, and at the end of it they just hand you an invoice. What's going to happen? You are highly likely to be overcharged. Every time I mentioned this, Uhuru pushed back. It is his project! I told Uhuru: 'This is not viable. Only PPP will work.' Uhuru said: 'Let's not discuss this again.'⁴⁰

It seemed that President Kenyatta was well aware of the high cost implication in this SGR deal with China, but this only reinforced his determination for the project to succeed: such an expensive project would be a disaster, and would damage the country's relationship with China, were it to fail.

Bearing the grievances of losing control of the SGR to Kenyatta, Wanjigi explained how the war between himself and Kenyatta was spread to the public sphere.

I said I wanted a public divorce from this project. He [Kenyatta] told me to go ahead. So I commissioned a politician, Alfred Keter, to speak against it [the SGR]. The media was involved, lawyers involved, [Keter] attacked [the SGR] in Parliament and Transport Committee. Uhuru knew it was me. So he called me and asked me to stop.⁴¹

Alfred Keter, MP for Nandi Hills went to the media as a whistle-blower of the SGR financial arrangement on 4 January 2014. He revealed that the contract price of the SGR was three times what it should have been according to international standards, and the Kenyan government had undertaken an unlawful non-competitive tendering process to procure CRBC as the contractor on the SGR.⁴² Keter framed the SGR as a scandal concerning a sum larger than Anglo Leasing Scandal and Goldenberg Scandal,⁴³ two most notorious scandals in recent Kenyan history, combined.⁴⁴ On 15 and 22 January, Keter was summoned to adduced evidence at the Public Investment Committee's investigation into the procurement and financing of the SGR. Apart from the inflated price and flawed procurement process, he also challenged the

⁴⁰ Ibid

⁴¹ Ibid

⁴² Standard Digital. *Nandi Hills MP Alfred Keter vows to continue speaking the truth*. (Standard Digital, 4 January 2014).

⁴³ The Anglo Leasing scandal refers to 18 contracts signed between the Kenyan government and several domestic and foreign phantom companies for security equipment and services totalling \$770 million. Refer to Wrong (2009) for more information on both scandals.

⁴⁴ Standard Digital, 4 January 2014

integrity of CRBC: CRBC and its parent company China Communications Construction Company (CCCC) were debarred by the World Bank from participating in any of its projects for the period January 2009 to January 2017 due to fraud, corruption, and flouting procurement regulations for a road project they undertook in the Philippines.⁴⁵

The grievance politicization over the initiation and flawed tendering process strengthened Kenyatta's commitment to the success of the SGR, and he even utilized the SGR as his campaign capital in the 2017 election. During his first visit to the SGR construction site in January 2015, Kenyatta set a new completion timeline for SGR-1, shortening the scheduled completion time by half. While Phase-1 of the SGR had been contracted to be completed within 60 months, Kenyatta now set a deadline to finish the project within 30 months. SGR construction commenced on 12 December 2014.⁴⁶ Kenyatta's primary site visit was on 23 January 2015 to Sections 3 and 6. After this visit, he signed the Kenyan Railway Corporation's visitor's book: 'Keep up the good work. Let's all ensure we complete the works on time by June 2017.' Kenyatta's rationale for setting the completion date to June 2017 was election-driven. This completion date was scheduled two months before the August 2017 national elections when Kenyatta was seeking a second term. Kenyatta wanted to deliver the largest (and most expensive) infrastructure project the country had ever undertaken prior to the election. By launching the SGR during the peak of campaigning for the August election, Kenyatta's party, the Jubilee Alliance, openly used the railway as campaign capital. The railway project was presented as an example of the stewardship of the Jubilee Party, a railway that, according to the president, 'would begin to reshape the story of Kenya for the next 100 years,' in contrast to the colonial 'Lunatic Express' that had been 'kicked off to nowhere...'⁴⁷ Kenyatta christened the new line the 'Madaraka Express,' named after the 1 June holiday that

⁴⁵ Public Investment Committee, 2014

⁴⁶ China Road and Bridge Corporation, *Social Responsibility Report 2016 on Mombasa-Nairobi Standard Gauge Railway Project*, (CRBC, 2016).

⁴⁷ BBC, "Kenya opens Nairobi-Mombasa Madaraka Express railway," (BBC, 31 May 2017).

marks the day in 1964 when Kenya attained self-governance from Britain, ahead of full independence.⁴⁸ One of the Jubilee's running slogans for the 2017 election — 'We deliver!' — was printed on the skywalks of Mombasa Road. The opposition leader, Raila Odinga, who ran against Kenyatta in the August election, warned: 'Jubilee should not use the SGR as a campaign agenda ... This project is for Kenyans, and not just for the Jubilee Party.'⁴⁹ Odinga made these remarks after receiving a delegation of leaders who had decamped from Jubilee to his Orange Democratic Movement party.⁵⁰

Land acquisition

Railway construction and operation generates interactions with local communities, the environment, and administration which may present obstacles to project execution. The most common challenges during construction are land acquisition and compensation. Land-related issues in Kenya are historically very politically sensitive.⁵¹ The second strong wave of SGR opposition largely concentrated on land compensation, resettlement, and acquisition. Residents and local politicians challenged National Land Commission's (NLC's) unfair evaluation of land values and the corruption involved in compensation distribution. The opposition took the form of public debate in media, criticising Kenyatta administration's unfair handling of land issues and the SGR project in general; affected local residents may even stop CRBC and KRC's work on the ground, causing project suspension. Successful navigation of these potential obstacles was crucial to the delivery and operation of the project. Although posing obstacles to project execution, this grievance politicization further strengthened Kenyatta's intervention in the SGR. To guarantee the success of the project, Kenyatta took a personalistic approach and directly intervened in the construction and operation of the SGR. The opposition's criticism

⁴⁸ Reuters, "Kenya inaugurates Chinese-built railway linking port to capital," (Reuters, 31 May 2017)

⁴⁹ Standard, "Raila: We will jail those who inflated SGR cost," (Standard, 31 May 2017).

⁵⁰ Ibid.

⁵¹ Boone, C. Politically allocated land rights and the geography of electoral violence: The case of Kenya in the 1990s. *Comparative Political Studies*, 44/10 (2011), 1311-1342. Boone, C. Land conflict and distributive politics in Kenya. *African Studies Review*. 55/1 (2012), 75-103.

and politicization of SGR grievances only intensified the president's commitment. The president used the railway as campaign capital, and allowed grievances to be expressed politically throughout the project, and such politicization was heightened during election times. He directly intervened in the problems resolution during SGR-1 implementation and was not even hesitate to intervene in an ongoing court case. In the rest of this section, I will explain Kenyatta's commitment and intervention in detail.

In Mombasa County, land compensation disputes posed significant obstacles to the railway's construction. According to the Daily Nation, CRBC accused the Mombasa County Government of interfering in the acquisition of land and the construction process.⁵² Muhammad Swazuri, the Chairman of the NLC, blamed problems relating to project compensation on local political leaders, who agitated people to get involved.⁵³ Joho argued that resettlement and compensation should be viewed as a historical issue, and that 'ancestral interest' should be included in evaluations by NLC and KRC.⁵⁴ This dispute over who owns the land – the traditional local community without title deeds, or migrants from other parts of Kenya who were issued title deeds – was a long-standing political grievance along the Coast. It was unrelated to the specific project which merely ignited the conflicting compensation demands.

Joho's criticism to the SRG was most vehement when the SGR embarked in 2014 and before the 2017 election. Funny enough, Joho himself was forbad to participate in the SGR inauguration ceremony in May 2017 in Mombasa by Kenyatta.⁵⁵

However, my interview in Mombasa shows that people have doubted the genuineness of his criticism. 'Joho's past voice didn't impact on anything. [He criticises the SGR] Just because he was opposition. He was not in the system in the past, so he made a noise; now he

⁵² Daily Nation. "Swazuri tells off politicians on railway project." (Daily Nation, 2 July 2015)

⁵³ *ibid*

⁵⁴ Interview in Mombasa, August 2015

⁵⁵ The Star, "Blocking Joho from SGR launch totally unacceptable - Raila." (The Star, 31 May 2017)

is in the system.’⁵⁶ A civil society practitioner said. Another Mombasa citizen who used to work in the county government also said:

Regarding land issue, Joho was not addressing land issues. In Miritini and Dongokundu areas, land was not properly compensated. Joho was speaking for the people, but more as political rhetoric to appeal to the elections. But after he was re-elected, there were no follow up — If he wanted to, it would be easier for them to address these land issues as an elected governor, he could ask county ministry in charge of land. They went for meetings with community, but no result came out. Which means that Joho didn’t mean to address land issues.⁵⁷

Kenyatta personally intervened in the resolutions of SGR-related obstacles, and even created SGR-specific mechanisms to fast-track problem solving. Instead of relying on existing weekly cabinet meetings held at the State House, Kenyatta established a four-level escalation mechanism for the SGR, so that obstacles to project implementation were brought to the attention of the president. Kenyatta also intervened in a court case on land acquisition by ordering relevant political actors to solve the issue in parallel to the legal procedure.

Specifically for SGR-1, Kenyatta installed a coordination scheme that proved very effective. Atanas Maina, former Managing Director of the Kenyan Railway Corporation, explained the four-level SGR coordination mechanism in detail: First, the KRC board and CRBC met regularly in Nairobi. At working level, KRC and CRBC staff had day-to-day interaction, and when issues arose, the first level they reported to was the KRC board of directors. From 2011 to 2017, the board was chaired by General Kianga, appointed to this position by President Kibaki after retiring from 43 years’ service in the military. Kianga met with CRBC many times, sometimes in informal settings. Second, permanent secretaries’ meetings, where permanent secretaries of the 12 relevant ministries gathered in Nairobi at meetings chaired by the permanent secretary of the Ministry of Transport when issues arose. Third, inter-ministerial committees, or cabinet secretary meetings, where cabinet secretaries of

⁵⁶ Interview with Hassan Abdille, 13 July 2019

⁵⁷ Interview with Mathius Shipeta, Haki Africa, 12 July 2019

the 12 relevant ministries gathered quarterly in Nairobi. These meetings were chaired by the cabinet secretary of the MOT.

Finally and most importantly, there were on-site cabinet sub-committee meetings chaired by the president himself. The president's site visits were not ceremonial. During each site visit, Kenyatta held working meetings with relevant ministers to listen to briefings regarding the construction progress and challenges.⁵⁸ The president would open each meeting by asking CRBC: 'Are we on time?', to which CRBC would reply: 'Yes, except...' Land acquisition was a concern frequently raised during the meetings, as recalled by James Macharia, cabinet secretary for Transportation: 'The president asked the Minister for Land to explain what had been done to clear the land... If there were a problem, the president would give direct orders to the CEO of the National Land Commission regarding land acquisition and compensation.'⁵⁹ Through these on-site working meetings, issues including land acquisition, power supply, environmental protection, security, etc., were brought to the awareness of the president. The permanent secretary of Transport, Duncan Hunda commented on the President's site visit: 'You may not have to solve problems, just your presence would make everyone alert. No one wants to show that he is not doing a good job when in front of the President.'⁶⁰ Both Macharia and Maina, as well as many other people I interviewed in the Kenyan government and CRBC, found this SGR-specific coordination mechanism very effective. 'It took two and half years [to complete the SGR] rather than five years as planned in the contract. The SGR is the only project in this country that has finished ahead of time!' Maina exclaimed proudly.

This four-level coordination mechanism is not a standard procedure for project implementation in Kenya. The standard procedure under the Uhuru Kenyatta administration is that cabinet secretaries make decisions which are then implemented. Cabinet meetings which

⁵⁸ Interview with two Kenyan anonymous interviewees on 9 July 2019, and 9 July 2017 respectively, Chinese managers of CRBC, and interview with James Macharia, Kenya's Minister for Transportation, Nairobi, 18 July 2017.

⁵⁹ Interview with James Macharia, Nairobi, 18 July 2017.

⁶⁰ Interview with Duncan Hunda, permanent secretary for Transport, Nairobi, 15 August 2019

discuss all kinds of issues are held every Thursday at the State House. Although the president receives daily briefs on all matters involving the cabinet, he only chairs full cabinet meetings when a major item is on the agenda.⁶¹ For the SGR-1, Kenyatta explicitly showed his commitment to the project, and was able to marshal relevant ministries and organisations and created innovative and effective mechanisms for SGR-specific coordination that bypassed existing bureaucratic arrangements.

The Patrick Musimba case is one of the most famous court cases during SGR-1 implementation. Kenyatta directly intervened in this case before the ruling of the court, and set timelines for the solution of the land acquisition issue in parallel to the legal process. The construction of the SGR involved the acquisition of land, resettlement, and compensation for residents. The Kenyan government oversaw these issues, and 15% of the \$3.8 billion from the Kenyan government was allocated to resolving land acquisition.⁶² In Kenya, land-related issues are historically very politically sensitive.⁶³ The National Land Commission's land valuation process was where most disputes were generated: each property that the railway line passes through was given a price by the NLC, and when residents compared prices, complaints arose. Residents might appeal to the court, which took months or even years to resolve while railway construction continued during the appeal. One outstanding case that attracted nation-wide attention was filed by Patrick Musimba, MP of Kibwesi West in Makueni County, on behalf of his constituents to the High Court at Nairobi in 2014 challenging the integrity of the SGR land acquisition process, environmental protection, and information disclosure.

Upon announcement of the SGR in 2013, Musimba was newly elected as MP for Kibwezi West, and he was frustrated with the lack of public participation of the SGR project in his constituency. Musimba said: 'People all focus on getting the project through, but not the

⁶¹ The Star, "*Matiang'i takes charge of weekly Cabinet meetings.*" (The Star, 17 July 2019)

⁶² Railway Technology, "*Mombasa-Nairobi Standard Gauge Railway Project.*" (Railway Technology, 2016)

⁶³ Boone, 2011; 2012

soft part of the project.’⁶⁴ Before going to court, he drafted letters to the NLC, Ministry of Land, Ministry of Transport, Makueni County Governor, and the Office of the President. The NLC clearly expressed to Musimba: ‘We are under statutory clock. We cannot do things that are cosmetic in nature.’⁶⁵ It seemed that, according to the NLC, re-evaluating land acquisition and compensation and environmental impact assessment, as well as increasing transparency of the SGR are issues reduced to ‘cosmetic in nature.’ The passive attitude of relevant bureaucrats motivated Musimba to file a case in court with Mutula Kilonzo, Senator of Makueni. The Senator and the MP raised the following three issues to the High Court: first, the compulsory acquisition of land for the SGR was not done in a manner that complied with statutory and constitutional provisions; second, the SGR was not being undertaken in compliance with environmental laws and principles; third, there was a violation of the petitioners’ right to access information relating to the SGR.⁶⁶

The court ruled in favour of a two-week suspension of SGR construction in Kibwesi West, which was perceived as a big success for Makueni, a county that voted by 90.73% in support of the opposition leader Odinga according to the results of the 2013 election.⁶⁷ This, however, infuriated the president. Senator Kilonzo said to me: ‘We managed to have the court stop the construction of SGR for two weeks. Two weeks!’ He said triumphantly and repeated ‘two weeks’ twice, indicating that it was a big success to be able to suspend the SGR for this long. Indeed, although the SGR was involved in over three hundred court cases,⁶⁸ this was the only case in which the court ruled a suspension of construction, almost all other cases went along while the construction was going on. But this suspension did not cause much disruption

⁶⁴ Interview with Patrick Musimba, MP, Nairobi, 30 July 2019

⁶⁵ Ibid

⁶⁶ Patrick Musimba v National Land Commission & 4 others, Petition No 613 of 2014, 2014

⁶⁷ 2017 election results are not included because Kenya went through two presidential election, the result of the first election was annulled and before the second election, Odinga drew out and proposed ODM supporters to boycott voting. Thus the 2017 election result shows predominant support for Kenyatta.

⁶⁸ A quick search at <http://kenyalaw.org/caselaw/> with input: ‘standard gauge railway’ and ‘construction’ showed 344 results.

to the SGR project as a whole. The railway construction was divided into eleven sections and only the section passing this area was suspended. Because of the time sensitivity of this project, the Musimba case drew attention from the president. Before the court's final ruling, this case was brought to the attention of the president. Kilonzo shared with me how Kenyatta directly intervened in this issue during his site visit:

On 23 January 2015, Uhuru Kenyatta came to the launch of our county's section, in Mtito Andei town. When he got off the plane, I think someone had briefed him about the court case, and he was furious. People are afraid of Uhuru Kenyatta. It was me and Patrick Musimba that took the issue to court, but Musimba was not there when I met with the president. The president said angrily: 'how can you stop a presidential project?' ... Then I explained the issues we were facing. The president said: 'This seems to be a simple issue.' He then called on the cabinet secretary for Land and said: 'These senators are not elected as furniture. I need this issue solved in seven days with a report.' ...

We never had another meeting with the president. We had to follow up with CRBC through the KRC by ourselves which was very difficult. The railway was not yet handed over, so we could still get some repairs done. You cannot bother the president with the issue that the school in my county was not repaired. It was too small an issue. I have written thousands of letters to follow up, asking when it will be done, who will be in charge, etc. Even today, I was writing a letter regarding compensation for destroying a school.⁶⁹

Phillip Mainga, the current Managing Director of KRC reiterated Kenyatta's ownership of the SGR when I asked him about the Musimba case: 'The president himself is the leader of this project. How can he [Musimba] confront the president's project? This MP said he was fighting for the people, but also personal issues were involved.' Later interviews revealed two 'personal issues' that motivated the MP filing this case: his own land was trespassed by the railway (later he filed another case against the SGR for his own land). Musimba intended to use this court case to impeach the Governor of Makueni for not speaking up for the people, and advance his own political career but the impeachment attempt failed.⁷⁰

⁶⁹ Interview with Mutula Kilonzo Junior, Senator, Nairobi, 30 July 2019

⁷⁰ Interview with anonymous interviewee in Nairobi, 22 August 2019

In 2016, the court ruled against Musimba, stating that the SGR's land acquisition followed the law. Musimba recalled the impact of this court case to his career:

I was re-elected in 2017, with even higher margins than 2013. But it [the court case] hurt in the way that I was greeted coldly in national government... there was a lot of political backlashes. I was not a popular guy in government. People in my constituency were made to accept the railway and the compensation. The subtext was 'don't pursue this issue.' In fact, the [then] cabinet secretary of Transport, Kamau, said that if he had had a gun, he would have shot me. Now the court has ruled, I did what I could... My constituency was a bit numb on this. People were disappointed but they had to move on. Looking back, I was newly elected in 2013, so I took a more private-sector approach. I look back and see those politicians raising voices for their individual interests rather than community interests.⁷¹

In this case, land grievances of Musimba himself and his constituents were politicised to challenge the SGR. 'The president's project' was stopped by this young MP Musimba, which enraged Kenyatta. The president directly intervened and set a timeline for problem resolution during his site visit, in parallel to the legal procedure. The atmosphere in the Kenyan government was also against opposition to the SGR. The Kenyan SGR is more precisely a 'Kenyatta project', and opposition to the project is considered as opposition to the president himself.

The project was completed by 31 May 2017. On 1 June, passenger service commenced. Direct train links Nairobi and Mombasa, taking only five hours and costing KES700 (\$7). A ticket for the very uncomfortable, seven-hour bus journey was KES500 (\$5), and the flight ticket was usually over \$100. The SGR was so popular that in July 2017 when I visited Kenya, I had to book three days in advance to be sure of securing a train ticket.

Kenyatta's support and the opposition's criticism of the SGR reinforces each other and reached an ultimate height by the August 2017 election. The president, seeking a second term, used the SGR openly as his campaign capital, while Odinga, Wanjigi, and other opposition leaders vehemently criticized the SGR as a way to condemn Kenyatta and his Jubilee Alliance.

⁷¹ Interview with Patrick Musimba, Nairobi, 30 July 2019

The SGR occupied major newspaper headlines every week since its successful launch in May, and investigative journalists were motivated to dig into the stories behind this controversial project. As Maina, former MD of KRC concluded: ‘The SGR project encountered oppositions from government, those with Kibaki, like Raila Odinga, and others. Needed political will available for us to be successful. We have government on our back.’

SGR-2A

After the 2017 election, Kenyatta’s commitment to the SGR dwindled. No longer seeking re-election in 2022, Kenyatta’s priority shifted to power consolidation. Politically, he shook hands in rapprochement with the veteran opposition leader, Raila Odinga, to address ethnic antagonism, corruption, and devolution.⁷² Policy-wise, he proposed the Big Four Action Plan: enhancing manufacturing, food security, health coverage, and affordable housing. In the meantime, continuing the SGR to the Ugandan border as originally planned implied adding another \$3.68 billion to the already mounting debt to China.⁷³ Kenyatta returned from Beijing in April 2019 without securing new SGR financing; informants from EximBank shared that it was Kenya’s decision not to take out new loans given existing debt levels and other policy priorities.⁷⁴

The construction of SGR-1 and SGR-2A was managed and constructed by the same Kenyan bureaucracies and Chinese contractors, but Kenyatta’s diminished commitment to the SGR-2A resulted in a 10-month delay to construction. The delay was due to prolonged land acquisition in Rongai, Ngong areas, and Nairobi National Park. For Phase-2A, Kenyatta set a completion date of December 2018. ‘The president wanted to launch Phase-2A at a Kenyan

⁷² BBC, “*Letter from Africa: Is Kenya building bridges to nowhere?*” (BBC, 2 December 2019).

⁷³ The East African, “*Kenya fails to secure \$3.6b from China for third phase of SGR line to Kisumu.*” (The East African, 27 April 2019)

⁷⁴ Interview with anonymous interviewee in EximBank Kenya office, Nairobi, 23 July 2019

festival in December,⁷⁵ according to a CRBC informant. But the project was delayed until October 2019. Apart from the launch and inauguration ceremonies of SGR-2A, the president only visited the construction site once, at the Nairobi National Park, and the rest of the quarterly working meetings were held at State House. In contrast to Phase-1, land acquisition for SGR-2A was left up to the coordination of the Kenyan Railway Corporation, the National Land Commission, and the Ministry of Transport, without frequent on-site interventions from the president. Lacking a political champion, similar obstacles in SGR-2A were not solved as effectively as during SGR-1. When Kenyatta's attention to the project diminished, SGR-2A was delayed.

Moreover, the eight counties that the Phase-1 track passes through are opposition counties while most of the counties Phase-2A crosses support Jubilee. The 2013 presidential election results show that five out of eight counties are strong supporters of Odinga: Mombasa, Kilifi, Kwale, Taita-Taveta, and Makueni; Kajiado and Nairobi are more evenly divided between support for Kenyatta and Odinga; Machakos is the only county that strongly supported Kenyatta over Odinga. In the 2013 governor election, six out of eight governors elected are Orange Democratic Movement (ODM), while Makueni county, although the governor is Muungano Party, the county had 99.73% support for Odinga in the presidential election.

SGR-2A passed through five counties. Kiambu and Nakuru are strong supporters of Kenyatta. Nairobi and Kajiado was difficult for the SGR implementation before 2017 because the governor was from ODM. But the 2017 gubernatorial elections put two governors from Jubilee Alliance in Nairobi and Kajiado, so when the SGR-2A commenced construction, disagreement and grievance politicisation from local administration of these two counties were not strong. Narok was the only county that was not held by Jubilee.

⁷⁵ Interview with anonymous interviewee in CRBC, Nairobi, 29 July 2019

Table 3-4 SGR-1 and -2A passing county votes in 2013 presidential election⁷⁶

	County	Kenyatta	Odinga
SGR-1	Mombasa	23.79%	69.77%
	Kilifi	10.72%	83.74%
	Kwale	14.04%	80.74%
	Taita-Taveta	13.18%	81.56%
	Makueni	5.02%	90.73%
	Kajiado	52.36%	44.44%
	Machakos	55.41%	29.61%
	Nairobi	46.75%	49.00%
SGR-2A	Nairobi	46.75%	49.00%
	Kajiado	52.36%	44.44%
	Kiambu	90.12%	7.89%
	Nakuru	80.19%	17.14%
	Narok	46.38%	50.28%

Data Source: Independent Electoral and Boundaries Commission

Table 3-5 SGR-1, -2A passing county results in 2013 and 2017 gubernatorial election

	County	2013 Governor	2013 Party	2017 Governor	2017 Party
SGR-1	Mombasa	Hassan Ali Joho	Orange Democratic Movement	Hassan Ali Joho	Orange Democratic Movement
	Kilifi	Amason Jeffa Kingi	Orange Democratic Movement	Amason Jeffa Kingi	Orange Democratic Movement
	Kwale	Salim Mvurya Ngala	Orange Democratic Movement	Salim Mvurya Ngala	Orange Democratic Movement
	Taita-Taveta	John Mtuta Mruttu	Orange Democratic Movement	Joseph Jama Ole Lenku	Jubilee Alliance
	Makueni	Kivutha Kibwana	Muongano Party	Kivutha Kibwana	Muongano Party
	Kajiado	David K. Nkedianye	Orange Democratic Movement	Joseph Jama Ole Lenku	Jubilee Alliance
	Machakos	Alfred Nganga Mutua	Wiper Democratic Movement- Kenya	Alfred Nganga Mutua	Wiper Democratic Movement- Kenya
	Nairobi	Evans O. Kidero	Orange Democratic Movement	Mike Sonko	Jubilee Alliance
SGR-2A	Nairobi	Evans O. Kidero	Orange Democratic Movement	Mike Sonko	Jubilee Alliance
	Kajiado	David K. Nkedianye (Odm)	Orange Democratic Movement	Joseph Jama Ole Lenku	Jubilee Alliance
	Kiambu	William Kabogo Gitau	The National Alliance	Ferdinand Ndungu Waititu	Jubilee Alliance
	Nakuru	Kinuthia Mbugua	The National Alliance	Lee Kinyanjui	Jubilee Alliance
	Narok	Samuel Kuntai Tunai	United Republican Party	Samuel Kuntai Tunai	United Republican Party

Data Source: Independent Electoral and Boundaries Commission

SGR Phase-1 faced a higher level of grievance politicisation and political obstacles than Phase-2A. It would be assumed that the implementation of Phase-2A should be less challenging than Phase-1, especially with regard to land acquisition, the most frequently politicised issue.

⁷⁶ 2017 election results are not included because Kenya went through two presidential elections: the result of the first election was annulled and before the second election Odinga drew out and suggested ODM supporters to boycott voting. Thus the 2017 election result shows predominant support for Kenyatta.

However, SGR-2A failed to meet the timeline set by the president and project completion was delayed until October 2019.

Conclusion

Through investigating the two phases of the Kenyan Standard Gauge Railway project, this paper shows that political commitment is a condition for democratic institutions to reconcile with effective delivery of projects and policies in developing countries. I show that the multiparty political system and relatively free media and civil society allowed many grievances during the SGR's lifecycle to be politicised, creating obstacles to project execution. However, president Kenyatta's commitment to the SGR-1 was intensified by the heated grievance politicisation. Kenyatta directly intervened in the SGR-1 construction and operation by setting timelines for completion and problems resolution; established escalation mechanisms whereby obstacles to construction could be channelled directly to the president's attention; issued presidential directives to force cargo usage of the SGR; co-opted the opposition leader; and did not hesitate to intervene in an ongoing court case. Kenyatta's commitment to the SGR-1 and opposition leader's criticism and obstructions to the project reinforces each other and reached an ultimate height at the electoral campaign for the August 2017 election. The president instrumentalised the SGR-1 as his 2017 campaign capital, while the opposition criticized the SGR as a way to criticize the Kenyatta government. The president's commitment was largely reduced during SGR Phase-2A, and delays in project construction arose even though Phase-2A passes through more favourable socio-political landscape than Phase-1.

The findings of this paper challenges existing literature on regime and state capacity, which claims that in developing countries, partial and young democracies usually have weak state capacity. I show that these states may demonstrate exceptionally strong capacity in certain project or policy implementation. Examination of the SGR-1 case also allows me to identify a

conditional variable of political commitment and an innovative causal mechanism of how democratic institutions contributes to effectiveness. The paper also contributes to our understanding of Kenyan politics and Sino-African infrastructure cooperation by providing detailed documentation of the lifespan of the SGR project. The theory of this paper does not immediately travel to other cases. The purpose of this paper is to uncover a conditional variable and related causal mechanism of how partial and young democracies demonstrates exceptionally strong state capacity that previous studies have failed to find, rather than testing this theory's applicability to explain all democracies in developing countries.