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Master's Thesis

**New Roads, Old Patterns: Examining the Belt and Road Initiative through a  
Neocolonial Lens**

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## **Abstract**

Since 2013, China's Belt and Road Initiative (BRI) has reshaped development finance across Africa, fuelling debate over whether its infrastructure financing constitutes neocolonial dependency or an alternative partnership model. This thesis examines that question through Kenya's engagement with the BRI, asking how Chinese development finance reproduces dependency, whether that dependency amounts to neocolonial influence or asymmetric interdependence alone, and how Kenya's own backlash against Western development conditionality shapes the extent and character of the outcome. Combining Neocolonialism Theory with Norm Backlash Theory, the thesis argues that Kenya's turn toward China was an agency-driven response to decades of IMF and World Bank structural adjustment, and that this same agency operated within institutional arrangements that subsequently narrowed Kenya's room to manoeuvre: Kenya bore concentrated financial and legal exposure that China's own institutions did not reciprocally bear. Using Kenya's Standard Gauge Railway (SGR) as an in-depth case study, the thesis applies critical discourse analysis and thematic analysis to primary loan agreements, Chinese and Kenyan official statements, a curated Hansard corpus, judicial records, bilateral trade statistics, and civil society sources. The findings show Kenya's dependency on China is clear – financial risk, legal imbalance, and trade deficits were established by initial agreements. However, whether this dependency counts as neocolonialism is less certain: official “win-win” language hides inequality at the executive level but is criticised in Parliament. Legal challenges came too late to change outcomes, while reliance on foreign contractors has been partly reversed by domestic efforts. Ultimately, Kenya's agency and dependency coexist: the government challenged Western conditions but is now restricted by its own deals with China.

**Key Words:** Belt and Road Initiative (BRI); China–Kenya Relations; Neocolonialism; Norm Backlash Theory; Standard Gauge Railway (SGR); Development Finance.

## **List of Abbreviations**

|          |                                                                   |
|----------|-------------------------------------------------------------------|
| Afristar | Africa Star Railway Operation Company                             |
| AIIB     | Asian Infrastructure Investment Bank                              |
| AU       | African Union                                                     |
| BRI      | Belt and Road Initiative                                          |
| CDA      | Critical Discourse Analysis                                       |
| CIETAC   | China International Economic and Trade Arbitration Commission     |
| CRBC     | China Road and Bridge Corporation                                 |
| EPC      | Engineering, Procurement, and Construction                        |
| FOCAC    | Forum on China–Africa Cooperation                                 |
| FSD      | Financial Inclusion and the Financial Sector Deepening Initiative |
| GDP      | Gross Domestic Product                                            |
| GFC      | Global Financial Crisis                                           |
| GNI      | Gross National Income                                             |
| IMF      | International Monetary Fund                                       |
| KRC      | Kenya Railways Corporation                                        |
| Ksh      | Kenyan Shilling                                                   |
| LIBOR    | London Interbank Offered Rate                                     |
| LTSA     | Long-Term Service Agreement                                       |
| MDB      | Multilateral Development Bank                                     |
| MFA      | Ministry of Foreign Affairs                                       |

|      |                                                                  |
|------|------------------------------------------------------------------|
| MP   | Member of Parliament                                             |
| NEMA | National Environment Management Authority                        |
| NYS  | National Youth Service                                           |
| ODI  | Overseas Development Institute                                   |
| RAWU | Railway and Allied Workers Union RDF<br>Railway Development Fund |
| RMB  | Renminbi                                                         |
| SAP  | Structural Adjustment Programme                                  |
| SEZ  | Special Economic Zones                                           |
| SGR  | Standard Gauge Railway                                           |
| SOE  | State-Owned Enterprise                                           |
| UN   | United Nations                                                   |
| US   | United States                                                    |
| WITS | World Integrated Trade Solution                                  |

# **1. Introduction**

## **1.1 Background of the Study**

Since its emergence in 2013, China's Belt and Road Initiative (BRI), often referred to as One Belt One Road, has become one of the most far-reaching infrastructure and development projects of the contemporary global economy. The initiative was introduced through a sequence of policy announcements made by Chinese President Xi Jinping in 2013. During a state visit to Kazakhstan in September of that year, Xi proposed the idea of the Silk Road Economic Belt as a new approach to regional economic cooperation. This proposal was followed in October 2013 by a speech in Indonesia, in which he advanced the concept of the 21st Century Maritime Silk Road and advocated for the creation of the Asian Infrastructure Investment Bank (AIIB) to facilitate large-scale infrastructure financing. These initiatives collectively were later consolidated under the framework now known as the Belt and Road Initiative (Huang 2016, p. 314).

The BRI encompasses extensive investments in transport networks, energy systems, logistics corridors, and digital infrastructure, with the stated objective of enhancing connectivity across Asia, Africa, and Europe through a combination of bilateral and multilateral partnerships. Official Chinese narratives present the initiative as a platform for mutually beneficial cooperation, grounded in principles of non-interference, respect for state sovereignty, and South–South cooperation.

At the same time, the BRI has prompted sustained debate within academic and policy circles concerning its longer-term implications for participating countries, particularly those characterised by colonial legacies and structural economic vulnerabilities. Critics contend that Chinese development finance may reinforce dependency through debt-funded infrastructure projects, unequal trade relationships, limited technology transfer, and the concentration of strategic assets under foreign control. This has led to comparisons between contemporary Chinese engagement and the forms of neocolonial influence historically associated with Western powers and international financial institutions. These forms of

neocolonial influence operate through indirect economic, political, and ideological leverage, and are treated here as structurally comparable, since Western-linked financial leverage over Kenya continues alongside, and not just prior to, its engagement with China.

Kenya represents a particularly salient case through which to examine these dynamics. As one of China's most significant partners in East Africa, Kenya has received substantial Chinese financing for flagship infrastructure projects, including the Standard Gauge Railway (SGR) and the Nairobi Expressway, both of which are closely aligned with Kenya's Vision 2030 development strategy (Nedopil 2024, p. 19; [Rarieya and De Vicente 2024](#)). These projects have delivered visible improvements in connectivity and short-term economic stimulus, yet they have also raised concerns regarding debt sustainability, environmental disruption, contractual opacity, and long-term economic sovereignty (Hurley et al. 2018, pp. 7–20; Carmody 2013, pp. 27–46; [Bächle 2025](#)). Importantly, Kenya's engagement with China cannot be understood in isolation from its historical experience with Western-led development models. During the 1980s and 1990s, Kenya, like many African states, was subject to International Monetary Fund (IMF) and World Bank-mandated structural adjustment programmes (SAPs), which imposed austerity, privatisation, and governance conditionalities that were widely perceived as undermining social welfare and national policy autonomy (Selim 2026, pp. 4–24). Disillusionment with these reforms has contributed to a broader backlash against Western liberal norms and development practices, creating political and ideological space for alternative partnerships (Deitelhoff and Dasse 2020, pp. 124–129; Alden 2005, pp. 154–155).

This context complicates binary interpretations of China's role in Africa as either benevolent development partner (Addis and Zuping 2018, pp. 357–369; Himmer and Rod 2022, pp. 264–266; Hinga, Yun and Yiguan 2013, pp. 26–31) or straightforward neocolonial power (Kamoche and Siebers 2015, pp. 2718–2719; French 2014, pp. 1014–1015; Carmody 2013, pp. 27–46; Boateng 2017, pp. 177–192). Kenyan actors (including state officials, political elites, and institutions) exercise agency in seeking Chinese investment as a strategic response to Western conditionality and development fatigue. Yet the outcomes of these choices may nonetheless reproduce structural dependencies that resemble neocolonial relations, even in the absence of explicit political coercion.

This thesis addresses this tension directly. The thesis is not asking whether China's engagement in Kenya is or is not neocolonial in a categorical sense, it examines *how* Chinese

engagement through the BRI has already reproduced dependency in the documented case examined in Chapter 5 (Kenya's SGR, not a prospective risk) and the extent to which that dependency constitutes neocolonial influence, as opposed to asymmetric interdependence alone, shaped by Kenya's own normative and political backlash against Western governance models.

## **1.2 Research Questions and Objectives**

The primary objective of this thesis is to analyse China's engagement in Kenya under the BRI through a neocolonial lens, while accounting for the agency of Kenyan actors and the broader context of norm backlash against Western development paradigms. Drawing on Neocolonialism Theory and Norm Backlash Theory, the study explores how economic structures, political choices, and discursive practices interact to shape the contemporary Kenya-China relationship. It seeks to move beyond simplified moral or binary judgements by examining the structural conditions, power asymmetries, and legitimising narratives that underpin Chinese-funded development projects.

The thesis is guided by the following primary research question:

How does China's BRI engagement with Kenya reproduce dependency, and how does Kenya's agency (rooted in its backlash against Western development conditionality) shape whether that dependency constitutes neocolonial influence or asymmetric interdependence alone?

This overarching question is addressed through the following sub-questions:

1. How does norm backlash theory help explain Kenya's strategic turn toward Chinese development finance over Western-led institutions? In particular, does Kenya's dissatisfaction with conditional aid, governance reforms, and austerity policies amount to contestation of the conditionality norm's underlying legitimacy and at what level of the Kenyan state, executive/diplomatic or parliamentary, is that contestation visible?
2. To what extent do Chinese-financed infrastructure projects in Kenya generate economic dependency, and to what extent does that dependency constitute neocolonial influence specifically? This includes analysis of debt structures,

reliance on external technical expertise, and asymmetrical trade and investment patterns, assessed against the sovereignty-constraint and convergence criteria developed in Chapter 3.

3. How are Chinese development projects discursively framed by Chinese and Kenyan political elites, and what role does this discourse play in legitimising or obscuring power asymmetries? Discourse is analysed not as proof of neocolonialism, but as a mechanism through which particular development narratives are normalised, contested, or resisted.
4. What social and environmental consequences have accompanied flagship BRI projects in Kenya, and how do these outcomes affect local communities and long-term sustainability?
5. What are the broader implications of Kenya's engagement with China for political sovereignty, economic autonomy, and postcolonial development trajectories?

### **1.3 Rationale for the Study**

By focusing on Kenya as a single in-depth case study, this thesis does not seek to generalise across all China–Africa relations. Instead, it provides a context-sensitive analysis of how neocolonial dynamics may emerge within contemporary South-South cooperation frameworks. The study contributes to ongoing debates on Chinese engagement in Africa by integrating structural political economy analysis with norm backlash theory, thereby highlighting how resistance to Western dominance can coexist with new forms of dependency.

In doing so, the thesis advances a more nuanced understanding of neocolonialism in the twenty-first century: one that recognises agency, contingency, and complexity rather than assuming domination or benevolence as fixed outcomes.

### **1.4 Structure of the Thesis**

This thesis is structured into seven chapters, followed by bibliography. Chapter 1 introduces the research topic and situates it within broader debates on China's BRI,

development, and post-colonial political economy. It outlines the research problem, research questions, and objectives, and explains the relevance of the study. The chapter also provides background on China's growing engagement in Africa and the rationale for focusing on Kenya as a case study.

Chapter 2 reviews the existing literature on China's engagement in Africa through multiple analytical lenses, focusing on whether it constitutes neocolonialism or an alternative development partnership, how it is operationalised through initiatives such as the BRI, and how it reshapes global development finance. It traces the historical evolution of China–Africa relations, highlights competing interpretations of its economic and political impacts, and analyses key issues such as debt sustainability, structural dependency, and governance. The chapter also explores how China's model contrasts with Western approaches, particularly in terms of conditionality and institutional frameworks. It concludes by identifying key gaps in the literature that this thesis seeks to address.

Chapter 3 presents the theoretical framework guiding the analysis. It introduces neocolonialism as an analytical framework for examining structural dependency, financial leverage, and indirect political influence, drawing on classical and contemporary theorists. The chapter then outlines norm backlash theory as a means of explaining state agency and the rejection of Western conditionality. The final section links these two frameworks by distinguishing between agency-driven engagement and structurally produced outcomes, establishing a clear bridge between theory and empirical analysis.

Chapter 4 outlines the methodological approach adopted in the study. It explains the qualitative and interpretive research design, justifies the selection of Kenya as a single case study, and details the data sources used, including policy documents, reports, and media material. The chapter also describes the analytical methods employed, particularly thematic analysis and critical discourse analysis, and discusses the limitations of the study.

Chapter 5 presents and analyses the empirical findings. It examines Kenya's engagement with China under the BRI, focusing on debt, infrastructure development, environmental and social impacts, and political discourse. The chapter applies the theoretical frameworks introduced earlier to assess whether Kenya's turn toward China reflects increased agency, reproduces patterns of dependency, or combines elements of both.

Chapter 6 discusses the findings in a broader analytical context. It reflects on how the empirical results contribute to debates on neocolonialism, norm backlash, and development

partnerships, and considers the implications for understanding China's role in Africa beyond the Kenyan case.

Chapter 7 concludes the thesis by summarising the main findings, answering the research questions, and reflecting on the study's theoretical and empirical contributions. It also highlights the limitations of the research and suggests directions for future studies.

The bibliography follows the conclusion and lists all sources cited throughout the thesis.

## 2. Literature Review

### 2.1 China in Africa: Neocolonialism or Alternative Partnership?

Deborah Bräutigam's *The Dragon's Gift* (2009) provides a significant contribution to the discourse on China–Africa relations. The book offers a historical analysis that challenges simplistic portrayals of China as either a neo-colonial power or an entirely benevolent partner. Bräutigam explains that cooperation between China and Africa evolves over time, influenced by shifting economic priorities, political considerations, and shared, albeit unequal, interests.

China's engagement with Africa has progressed through distinct phases. In the 1960s and 1970s, the emphasis was on diplomatic objectives, such as securing recognition of Taiwan, notably through projects like the Tan-Zam Railway. In the late 1970s, under Deng Xiaoping, China adopted a more pragmatic approach, describing aid as “mutually beneficial cooperation” that encompassed trade and investment, while maintaining a policy of non-interference in the domestic affairs of partner countries. From the 1990s onward, China consolidated its strategy through initiatives such as the 1995 “Great Economic and Trade Strategy,” the establishment of the Forum on China–Africa Cooperation (FOCAC) in 2000, and the implementation of resource-backed infrastructure financing (Bräutigam 2009, pp. 34–87). During this period, Chinese leaders sought to distinguish their approach from Western and Japanese models by employing “win-win” rhetoric to frame China's economic engagement as a partnership rather than exploitation (*Ibid.*, pp. 86–87).

By the 2000s, this hybrid approach of integrating aid, trade, and investment through infrastructure-for-resources arrangements had become institutionally consolidated. This development provided relief from Western aid conditionality while also generating debate regarding transparency, governance, and debt sustainability (*Ibid.*, pp. 1–31). Alden identifies four factors that shaped Beijing's approach to Africa during this period: resource security, new markets and investment opportunities, symbolic diplomacy, and the establishment of strategic partnerships (Alden 2005, p. 148).

The 2008 global financial crisis (GFC) marks a pivotal shift in the scale of Chinese development finance. Lending peaked at approximately \$50 billion in 2009 before stabilising at around \$40 billion annually. Over 70% of post-crisis funding was allocated to infrastructure, and lending patterns were not closely correlated with the political stability or rule of law in recipient countries (Dollar 2018, pp. 2–29). This expansion had significant consequences, as the debt-to-GNI ratio for major borrowers rose from 35% in 2008 to 50% in 2015 (*Ibid.*, pp. 2–11) and it coincided with a broader strategic reassessment in Beijing, as the crisis exposed China’s limited influence over global resource pricing and its over-reliance on increasingly protectionist Western markets, prompting a more proactive stance in shaping international economic governance (Ohashi 2018, pp. 86–93).

These post-crisis dynamics set the stage for the BRI, launched in 2013 when President Xi Jinping proposed the Silk Road Economic Belt and the 21st Century Maritime Silk Road. The initiative has since moved through several stages: an initial framework-building phase (2013–2018), a shift toward results-oriented implementation (2018), and, from 2021, an increased emphasis on risk management and sustainability (CICC Global Institute 2024, p. 8).

Against this historical backdrop, more critical strands of the literature label China’s engagement as a “new colonising power” (Kamoche and Siebers 2015, pp. 2718–2719). French (2014) contends that China pursues a deliberate “grand strategy” in Africa to secure resources for its own interests, reflecting historical patterns of resource extraction and political dominance (Wang and Elliot 2014, pp. 1014–1015; Alden 2006, p. 148). Carmody argues that China’s methods of financing, contracting, and trading with African nations frequently foster dependency at the expense of autonomous industrial development. Mechanisms such as resource-backed loans, state-led investments, and the absence of local-content requirements reinforce a system of “geo-governance” that primarily benefits foreign state-owned enterprises and local elites, while neglecting broader development (Carmody 2013, pp. 27–46). Furthermore, Carmody asserts that this arrangement restricts technology transfer and perpetuates colonial-era divisions of labour, whereby African countries export raw materials and import manufactured goods. This dynamic results in a “strategic-relational coupling” between foreign interests and African governments, thereby constraining local agency (*Ibid.*, pp. 35–72). Boateng describes this relationship as “new world order neo-colonialism,” arguing that China’s “aggressive multilateralism” conceals a focus on resource extraction that prioritises Chinese export growth over local development (Boateng 2017, pp.

177–192). Taylor depicts China’s approach as “pragmatically realist,” grounded in “anti-hegemonism,” which enables Beijing to maximise benefits at minimal cost while safeguarding its global standing (Taylor 2007, pp. 3–15).

These critiques are further substantiated by broader concerns regarding the export of raw materials and the import of finished goods (Alaye and Fakoya 2024, pp. 7–16; Udegbumam 2020, pp. 69–72), the phenomenon of “debt-trap diplomacy” (Dollar 2018, p. 10; Matanji 2024, p. 6; Carmody 2020, pp. 2–3; Leslie 2020, p. 2; Bräutigam 2020, pp. 1–14), as well as issues including labour exploitation, lack of transparency, and the displacement of local industries (Wang and Elliot 2014, p. 1026; Alden 2005, p. 157; Lesch and Loh 2022, p. 7).

These interpretations remain the subject of significant debate. Addis and Zuping contend that accusations of Chinese neocolonialism are frequently based on speculative fears lacking systematic evidence, framing China’s engagement as fundamentally distinct from Western colonial practices and rooted in principles of equality, mutual benefit, and non-intervention (Addis and Zuping 2018, pp. 357–369). Himmer and Rod advance this argument by rejecting the notion of a coordinated Chinese strategy of domination, instead attributing debt issues and uneven outcomes primarily to domestic governance failures, project mismanagement, and global financial constraints. They find limited empirical support for the debt-trap thesis specifically (Himmer and Rod 2022, pp. 264–266).

Furthermore, several scholars caution that the term “neocolonialism” may be overly broad, potentially obscuring case-specific variation and diminishing recognition of African state agency. Addis and Zuping argue that accusations of Chinese neocolonialism are frequently based on speculative fears lacking systematic evidence, arguing instead that China’s engagement is fundamentally distinct from Western colonial practice and grounded in principles of equality, mutual benefit, and non-intervention (*Ibid.* 2018, pp. 357–369). Himmer and Rod go further, rejecting the idea of a coordinated Chinese strategy of domination altogether. They attribute debt problems and uneven outcomes primarily to domestic governance failures, project mismanagement, and global financial constraints, finding limited empirical support for the debt-trap thesis specifically (*Ibid.* 2022, pp. 264–266).

More broadly, several scholars caution that “neocolonialism” risks becoming too broad a label, obscuring variation across cases and understating African state agency. Proponents of

a more favourable reading point to substantial Chinese investment in transport, ports, power generation, and industrial zones as addressing long-standing development bottlenecks, alongside special economic zones and energy projects that may support industrialisation and technological upgrading (Hinga, Yun and Yiguan 2013, pp. 26–31). This perspective suggests that China’s diplomacy helps African nations diversify their international partners and amplify their voice in global governance institutions.

Steering clear of the simplistic debate on whether Chinese engagement “is” or “is not” neocolonial, the chapter now turns to how China’s alternative financing model has been theorised in its own right, before identifying where the literature’s remaining gaps lie in 2.5.

## **2.2 China, Development, and the BRI**

Since its launch in 2013, the BRI has been widely framed as a development-oriented project aimed at addressing infrastructure deficits across the Global South. During its first decade, over 200 cooperation agreements were signed with 151 countries and 32 international organisations, resulting in approximately \$1 trillion in investment, more than 3 000 projects, 420 000 jobs created, and poverty alleviation for roughly 40 million people (CICC Research 2024, p. v). Official Chinese discourse presents the initiative as a connectivity-driven platform linking Asia, Europe, and Africa through land-based and maritime corridors, later expanding into digital and technological domains, with stated objectives of stimulating trade, encouraging investment, and supporting economic recovery ([Belt and Road Portal](#) 2017).

China’s approach to development cooperation is often contrasted with the Washington Consensus model, which emphasises political and economic conditionalities. Grounded in the “Five Principles of Peaceful Coexistence,” China presents itself as a “partner” rather than an external authority. It prioritises physical connectivity, such as highways, railways, and ports, as essential for development. Within the framework of “South-South” cooperation, China presents itself as a developing nation that offers a model for successful reform and not imposing prescriptive measures (Ohashi 2018, pp. 3–5; Dollar 2018, p. 3; Odhiambo 2020, p. 384; Gu 2015, p. 5). Hurley et al. describe the BRI as a massive, Chinese-led infrastructure financing effort, supported by an estimated \$8 trillion in potential project lending and primarily driven by China’s policy banks. They argue that the initiative’s impact is significantly influenced by these institutions’ debt management practices, highlighting a

substantial risk of debt distress for several sovereign borrowers due to concentrated Chinese lending and limited transparency in loan terms (Hurley et al. 2018, pp. 1–4).

China's financing model differs structurally from that of traditional multilateral development banks. Funding is channelled predominantly through policy-based institutions such as the China Development Bank and China Exim Bank, complemented by the AIIB as an alternative to MDBs, which are often perceived as slow or bureaucratic (Summers 2016, p. 10; Dollar 2018, pp. 18–19). This approach is closely linked to China's "Going Global" strategy, which encourages state-owned enterprises to pursue overseas projects due to cost and speed advantages. Overall, the model is demand-driven and project-focused. Supporters say it gives recipient countries more policy freedom than Western finance, which often comes with governance conditions. These are the requirements Western donors and institutions typically attach to their finance, in contrast to China's demand-driven, project-focused model (Gu 2015, pp. 3–9; Ohashi 2018, pp. 91–92; Odhiambo 2020, p. 4).

A growing body of scholarship has shifted attention from purely developmental assessments, or whether projects are delivered on time or within budget, toward a more critical political economy analysis of how capital flows, contractual opacity, and long-term debt dependencies function as instruments of statecraft extending influence beyond stated development goals (Wang and Elliot 2014, p. 1015; Alden 2006, p. 148; Lesch and Loh 2022, p. 7; Kamoche and Siebers 2015, p. 2718; Dollar 2018, p. 4; Matanji 2024, p. vi). This literature converges on three critical aspects: first, a questioning of the "win-win" narrative, arguing that such financial relationships perpetuate historical patterns of dependency (Alaye and Fakoya 2024, pp. 7–11; Udegbumam 2020, pp. 69–81; Matanji 2024, pp. iv–28); second, scrutiny of governance arrangements that diverge from established World Bank or IMF norms, producing institutional asymmetries (Lesch and Loh 2022, pp. 2–7; Ohashi 2019, p. 99; Dollar 2018, pp. 2–22); and third, an analysis of financial flows as inherently tied to geopolitical objectives even when branded as developmental (Dollar 2018, pp. 2–11; Matanji 2024, pp. 55–56; Summers 2016, pp. 9–12; Kamoche and Siebers 2015, pp. 2718–2722). Rolland further argues that, beyond its economic framing, the BRI expands Chinese influence by shaping foreign perceptions through media, academic, and business networks. This strategy enables China to pursue long-term strategic objectives while maintaining an appearance of cooperation and development orientation (Rolland 2019, pp. 1–27).

Critical scholars caution against overly generalised assessments, noting that the BRI does not represent a uniform model. Outcomes vary significantly across countries, influenced by domestic governance capacity, negotiation power, and the extent to which projects align with national development strategies (Lesch and Loh 2022, pp. 1–7). This heterogeneity complicates binary portrayals of the BRI as either a development panacea or a neocolonial project, and highlights the significance of local political-economic conditions, power asymmetries, dependency risks, and long-term sovereignty, which are examined in greater detail in subsequent sections.

### **2.3 Dependency, Debt, and Structural Power**

A substantial body of literature examines China’s engagement in Africa through the lens of the political economy of development finance, focusing on debt sustainability, transparency, and long-term fiscal implications. This research analyses the material and institutional mechanisms through which financial relationships shape economic outcomes. Despite the fact that Chinese financing has contributed significantly to addressing infrastructure deficits, scholars stress the risks associated with large-scale borrowing, especially in countries with limited fiscal capacity and inadequate debt management frameworks.

A central debate concerns the validity of the “debt-trap diplomacy” thesis. Much of the recent literature rejects this narrative as overly simplistic and insufficiently supported by empirical evidence. Bräutigam and Carmody, among others, argue that claims of deliberate Chinese strategies to entrap countries through unsustainable lending are difficult to substantiate. Frequently cited cases, such as Sri Lanka’s Hambantota Port, are instead explained by domestic fiscal crises, policy decisions, and broader economic pressures, as opposed to orchestrated asset seizures (Bräutigam 2020, pp. 5–12; Carmody 2020, pp. 1–3; Himmer and Rod 2022, p. 265). The “debt-trap” narrative is seen as an oversimplified view that hides more complicated issues. Research points to a multifaceted political economy behind China–Africa financial relations. On the Chinese side, overseas lending is linked to domestic economic imperatives, including excess industrial capacity and the need to sustain growth through external markets (*Ibid.* 2020, pp. 5–6; *Ibid.* 2022, pp. 251–253). At the same time, recipient states are not passive actors. Many projects are actively requested by African

governments seeking infrastructure, political legitimacy, or economic opportunities, creating a reciprocal dynamic in which both sides shape outcomes (*Ibid.* 2020, p. 4; Jones and Hameiri 2020, p. 2).

Although some scholars reject the debt-trap narrative, most acknowledge that debt sustainability remains a legitimate and pressing concern. Hurley and others identify specific countries (including Djibouti, Ethiopia, and Kenya) as high-risk candidates where BRI financing significantly impacts debt-to-GDP ratio (Hurley et al. 2018, pp. 7–20). In these cases, Chinese lending may lead to unsustainable debt levels, particularly when the financed projects fail to generate sufficient economic revenue (*Ibid.*, pp. 3–13). In such cases, fiscal risks are compounded by factors such as foreign-currency denominated loans and exposure to exchange-rate volatility. Moreover, China's position as a major bilateral creditor can complicate debt restructuring processes. For the 50 most indebted countries to China, debts increased dramatically between 2005 and 2017. In these countries, China is not the sole creditor, but its role as a „dominant creditor“ in specific sectors creates challenges for debt restructuring, especially because China often functions outside traditional multilateral frameworks like the Paris Club (*Ibid.* 2018, p. 19; Sjöholm 2023, p. 11)

Issues of transparency and governance add yet another dimension to these risks. China does not systematically report project financing data, unlike Western-led multilateral institutions. Greater responsibility is placed on recipient governments to ensure project viability and fiscal discipline. The lack of transparency regarding loan terms, interest rates, and the present value of debt makes it difficult for policymakers and economists to accurately assess risks (*Ibid.*, pp. 20–21; Shaffer and Gao 2020, p. 620). Some studies note that this opacity may increase the likelihood of inefficient project selection and, in some contexts, contribute to corruption where institutional safeguards are weak. Empirically, while World Bank aid is correlated with growth, Chinese capital in some contexts may increase corruption if institutional safeguards are weak (*Ibid.* 2023, p. 12–13). Because Chinese lending typically lacks the „economic reform“, conditions mandated by the IMF or World Bank, the onus for project viability and fiscal responsibility rests heavily on the recipient government, which may lack the regulatory capacity to manage these complex deals (*Ibid.* 2020, pp. 608–610; *Ibid.* 2023, p. 12).

In the longer term, the literature suggests that Chinese development finance may generate forms of structural dependency, though not necessarily through deliberate coercion

(Chan 2018, pp. 2–5). Dependence can emerge through trade imbalances, the use of Chinese inputs and labour, and the integration of recipient economies into Chinese-centred production and financial networks. This model also provides an alternative to the Washington Consensus by prioritising infrastructure and state-led development strategies (*Ibid.* 2020, pp. 608–610). The long-term fiscal impact involves not just debt, but the integration of African economies into a Sino-centric economic sphere, potentially reshaping geopolitical gravity (*Ibid.*, pp. 608–616).

To conclude, China’s engagement in Africa is not a simplistic „debt-trap“. Yet, it does introduce distinct fiscal, governance, and transparency challenges. The future of this relationship hinges on the capacity of African states to regulate and manage these inflows, and on China’s willingness to align more closely with multilateral standards of sustainability and transparency.

## **2.4 Rejection of Western Models**

The literature also examines how China’s development model is positioned in contrast to Western approaches, particularly regarding financing conditionality and governance expectations. A primary theme in the literature is the „conditionality gap“ between Western and Chinese financing. African leaders are described as having grown weary of the „political ‘nanny’“ from the West, which often ties aid to rigorous demands for good governance, human rights, and democratic reform (Wang and Elliot 2014, pp. 1016–1020). Conversely, China’s model is presented as an alternative that prioritises non-interference in internal affairs (Tian 2018, pp. 22–26; Gu 2015, pp. 3–4). Chinese financing is therefore particularly appealing to governments that are subject to Western sanctions or perceive Western conditions as a threat to their sovereignty (Alden 2005, pp. 154–155; *Ibid.* 2015, p. 3). Thus, developing nations employ this alternative to increase their bargaining power, which allow them to reject the structural adjustment and policy reforms historically required by Western multilateral lenders (Ohashi 2018, p. 99).

More broadly, Western models are often viewed as gold-plated and overly bureaucratic, requiring extensive studies and stringent safeguards that delay development (Dollar 2018, pp. 14–19). In contrast, Chinese financing is perceived as faster, more flexible, and more focused on the immediate infrastructure and industrial needs of recipient countries (Bräutigam 2009,

pp. 10–11). Scholars argue that dominant theories of liberal institutionalism are grounded in Western-centric assumptions about legitimacy and authority, and often neglect how power functions through structural and material means (Deitelhoff and Dasse 2020, pp. 124–129). This means that what is frequently described in Western discourse as “backlash” against international institutions is reinterpreted as a form of contestation that reflects competing normative visions of global order, instead of just resistance to progress (*Ibid.* 2020, p. 716).

At the economic level, the BRI serves as a pragmatic counterpoint to the Washington Consensus. Unlike Western models that stress market-driven reforms and strong regulatory frameworks, Chinese development finance relies on state direction and minimal procedural barriers. Through state-owned enterprises, China builds financial infrastructure to pursue its own socio-economic goals, creating a distinct system shaped by its national priorities (Petry 2023, pp. 320–341). China’s model is recipient-driven and generally avoids the political and ideological conditionality typical of Western aid (Hameiri and Jones 2024, pp. 707–708; Lin 2024, p. 5).

Importantly, the literature does not portray this as a wholesale rejection of Western models but as a process of selective adaptation. China adopts elements from existing frameworks such as the WTO, World Bank, and investment arbitration, modifying them to align with state-led priorities and sovereignty principles. Additionally, China tends to favour flexible, negotiation-based arrangements over the formal legal commitments characteristic of Western dispute resolution (Shaffer and Gao 2020, pp. 606–612).

In summary, the move away from Western models is driven by both practical issues, such as the limited success of Western-led development finance, and strategic considerations. Through the establishment of parallel infrastructures, the advocacy of non-interference, and the adaptation of international institutional frameworks, global actors are offering a more heterogeneous international order. Through this shift, Western dominance is challenged and it moves away from the universal goals of liberal institutionalism, resulting in a more divided and competitive world (*Ibid.* 2024, p. 2).

## **2.5 Gaps in Existing Literature**

Although scholarship on China’s global engagement has expanded rapidly, significant analytical gaps persist, constraining a comprehensive understanding of the BRI and its

implications for development and dependency. A primary limitation of the existing literature is its tendency toward polarisation. Much of the discourse is organised around a binary opposition: some portray China as a benevolent development partner, while others critique its engagement as a contemporary form of neocolonialism. Both perspectives contribute valuable insights, but this dichotomy can obscure case-specific variation and divert attention from the political, economic, and institutional conditions that shape dependency dynamics.

Second, a key limitation in the literature is the lack of transparency and reliable data on Chinese lending, which forces many studies to rely on incomplete datasets or case-based evidence. This constrains cross-country comparison and precise assessment of debt and fiscal risks. Accordingly, this thesis does not attempt to overcome data limitations at the cross-country level, as doing so would require access to literature that is generally unavailable. Instead, it prioritises depth over breadth. Kenya's SGR represents a rare instance in which the underlying loan agreements are publicly accessible, and not restricted by the non-disclosure provisions typical of BRI financing. This accessibility enables claims to be substantiated with reference to specific contractual clauses, such as governing law, dispute-resolution forum, security mechanisms, and sovereign immunity. In other words, it is not relying on incomplete datasets or case-based inference that limit most existing studies. While this approach reduces cross-country generalisability, it enhances evidentiary precision regarding the construction of dependency within a single agreement.

Third, the relationship between Chinese and Western development models has not been fully explored in theory. Existing research points out a "conditionality gap" and new types of financing, yet it seldom looks at how these systems work together, compete, or blend in the same country, especially where several outside partners are involved at once.

Addressing these gaps, this thesis moves past the binary framing identified in the first gap above by examining how China's engagement through the BRI reproduces dependency in Kenya, and the extent to which that dependency constitutes neocolonial influence specifically, not just asymmetric interdependence alone. It further asks how Kenya's own agency (expressed through its backlash against Western development conditionality, both in its turn toward China and in its continued contestation of the relationship's terms) shapes the extent and character of that dependency. Agency and dependency are treated here not as sequential or mutually exclusive conditions, where a state either chooses freely or is

subsequently constrained, but as outcomes that can and do operate concurrently within the same relationship.

### **3. Theoretical Framework**

This thesis adopts a dual theoretical framework combining Neocolonialism Theory and Norm Backlash Theory to analyse China's engagement in Kenya through the BRI. These frameworks allow the study to examine both the structural mechanisms of dependency and the normative and political context in which development partnerships are legitimised and contested. Neocolonialism Theory offers tools for assessing economic, financial, and ideological forms of external control; Norm Backlash Theory explains why post-colonial states may actively turn away from Western development models and engage with alternative partners such as China. The integration of these approaches enables a nuanced analysis that avoids both intent-based explanations and binary assessments of cooperation versus domination.

#### **3.1 Neocolonialism as an Analytical Framework**

This thesis adopts neocolonialism as its primary analytical framework for examining the implications of Chinese development finance in Kenya. Neocolonialism is often discussed within the broader postcolonial intellectual tradition. This thesis follows Huggan's distinction between neocolonialism as a material condition and postcolonialism as a critical discourse. As Huggan argues, neocolonialism refers to the continuing political, economic, and cultural structures of imperial domination that persist after formal independence, whereas postcolonialism functions as an intellectual and cultural framework that seeks to analyse, critique, and resist those ongoing conditions. Importantly, the "post" in postcolonialism does not signal the end of colonial power; it names an ongoing struggle against its contemporary manifestations (Huggan 1997, pp. 19–24).

The thesis uses neocolonialism in a narrow, structural sense to analyse material mechanisms of dependency (debt, trade asymmetries, and institutional leverage) while drawing selectively on postcolonial insights where they make ideological and cultural dimensions of power clear. This approach avoids treating postcolonialism as a comprehensive analytical framework, in line with Huggan's caution that postcolonial critique can itself

become entangled in commodification and abstraction, and instead grounds the analysis in observable political-economic structures functioning under conditions of formal sovereignty.

Neocolonialism explains how external economic engagement may reproduce structural dependency without presuming that power is exercised through direct political rule. The framework does not ask whether Chinese engagement is inherently beneficial or harmful, but examines whether specific forms of cooperation generate dependency, asymmetrical influence, or constraints on long-term autonomy; nor does it assume that China consciously pursues a strategy of domination. The central question is not whether China acts as a colonial power, but whether specific financing arrangements, infrastructure projects, and economic relationships reproduce patterns of dependency and unequal power relations commonly associated with neocolonial structures.

### **3.1.1 The Concept: From Critique to Analytical Tool**

Neocolonialism emerged in the mid-twentieth century to explain why newly independent states remained economically and politically constrained despite formal sovereignty, building on Marxist and anti-colonial critiques of imperialism developed by Césaire, Sartre, and Rodney, and extended into the psychological and cultural dimensions of domination by Fanon and Said, before being embedded within world-systems theory by Wallerstein. The most systematic and enduring formulation is provided by Kwame Nkrumah, who defines neocolonialism as a condition in which states retain juridical sovereignty, yet their economic systems, policy choices, and development trajectories are externally shaped. Control is exercised not through direct political rule, but through financial dependence, aid structures, trade patterns, and elite alignment (Nkrumah 1965, pp. 4–12). The operational criteria outlined below are designed to detect this form of control without formal political rule.

### **3.1.2 Operationalising Neocolonialism in This Thesis**

This thesis employs neocolonialism as an analytical framework for identifying specific mechanisms through which dependency may be reproduced. Neocolonialism is understood

here as a condition in which formal sovereignty coexists with structural constraints that limit a state's capacity to pursue independent economic and political strategies. This approach recognises that neocolonialism does not eliminate state agency, but instead conditions and constrains it within unequal structural relationships.

To move beyond abstract claims, the thesis operationalises neocolonialism through a set of analytically observable criteria derived from Nkrumah's original formulation and refined to allow direct empirical identification in the case material examined in Chapter 5. Each criterion is paired here with the type of evidence that would indicate its presence, so that claims about neocolonial dependency can be traced to specific findings, as opposed to generalised assertions:

- (1) financial dependency, reflected in persistent reliance on external capital, debt exposure, and concentrated borrowing from a single creditor or creditor bloc, identifiable in loan volumes, interest structures, and debt-to-GDP trajectories;
- (2) contractual and legal asymmetry, arising where financing agreements impose governing law, dispute-resolution forums, or immunity waivers that systematically favour the lender, identifiable in the specific clauses of loan contracts (governing-law provisions, arbitration venues, sovereign immunity waivers, and security mechanisms);
- (3) limited transfer of knowledge, where investment delivers infrastructure or technology without corresponding skills transfer or institutional strengthening, identifiable in the composition of technical and managerial staff, the presence or absence of enforced local-content requirements, and post-project retention of local technical capacity;
- (4) dependency on foreign contractors, where the execution, operation, and maintenance of major projects remain structurally tied to firms from the financing country, identifiable in contractor selection, subcontracting patterns, and the duration of foreign operational control;
- (5) trade imbalance, reflected in a persistent asymmetry between the export of raw materials or primary commodities and the import of manufactured or higher-value goods, identifiable in bilateral trade composition and its trajectory over time;
- (6) political influence without formal colonial control, whereby development priorities and policy choices are shaped through economic incentives, financing leverage, or elite, identifiable in policy shifts that track financing relationships;

- (7) discursive convergence of asymmetry, whereby official language (particularly “win-win” and partnership framing) presents structurally unequal arrangements as mutually beneficial cooperation, identifiable through comparative discourse analysis of official statements issued by both parties to a given project.

The seven criteria refine and extend the four broader categories identified in Nkrumah’s work (economic dependency, financial leverage, limited capacity-building, and indirect political influence) into a framework precise enough for direct application to contract terms, trade data, staffing records, and official discourse, instead of depending on broad impressions of dependency. This distinction is intentional. Financial leverage, previously understood in a broader sense, is separated into financial dependency, defined as the scale and structure of debt, and contractual and legal asymmetry, referring to the specific terms governing that debt. A loan may be substantial without legal asymmetry, or relatively small yet contain highly asymmetrical contractual provisions. This differentiation is significant for determining the type of evidence required to support each claim. Similarly, limited capacity-building is split into limited transfer of knowledge and dependency on foreign contractors, since the first concerns whether skills and institutional capacity move to the recipient state, while the second concerns who physically executes and operates the project regardless of any formal transfer commitment.

The first two criteria find additional theoretical grounding in Harvey’s account of accumulation through debt and dispossession, in which lending terms can themselves function as a mechanism of external control (Harvey 2003, pp. 137–147).

These criteria closely align with Nkrumah’s original conceptualisation of neocolonialism as a system where external control is maintained through economic dependence, financial mechanisms, and elite cooperation, rather than through direct political governance (*Ibid.*, 1965, pp. 8–188). This approach treats neocolonialism not as a sweeping explanation, but as a focused analytical framework. Each claim in Chapter 5 regarding neocolonial dependency in the SGR case is linked to one or more of these seven criteria and to specific supporting evidence, such as loan clauses, contractor records, trade figures, or discourse.

### **3.1.3 Neocolonialism Beyond the Western Context**

Neocolonialism was initially conceptualised as a critique of Western post-imperial influence. However, recent scholarship shows that dependency structures extend beyond former colonial powers. This reconceptualisation is increasingly pertinent within a multipolar global order, where multiple external actors interact with post-colonial states concurrently. In the global capitalist system, new actors may occupy positions of structural dominance without replicating the formal institutions or territorial practices of classical empires. Therefore, neocolonial relations are most effectively analysed through the structural consequences of economic engagement under asymmetrical power conditions, instead of focusing on the identity or intentions of external partners (Mlambo et al. 2024, p. 5). From this perspective, China's engagement in Africa through initiatives such as the BRI can be analysed using neocolonial theory without presuming either benevolent partnership or deliberate exploitation. The analytical focus shifts away from intent and toward outcomes: whether patterns of engagement reproduce dependency through trade asymmetries, financial leverage, or constraints on domestic development pathways.

World-systems and dependency theorists provide important insight into this dynamic. The persistence of core–periphery relations suggests that changes in dominant external partners do not automatically dismantle hierarchical structures within the global economy. In this context, South–South cooperation does not inherently constitute a break from global inequality. It may coexist with, or even reinforce, structural asymmetries when development partnerships rely on external financing, concentrate value capture outside the host economy, or entrench extractive and low-value production roles (Wallerstein 1974, pp. 612–615). This conceptualisation allows neocolonialism to be applied to China's engagement in Africa in an analytically restrained manner: not as a claim that China replicates Western colonialism, but as a framework for evaluating whether new development partnerships produce autonomy-enhancing transformation or reproduce dependency under altered institutional and normative conditions.

### **3.1.4 Ideological and Cultural Dimensions of Dependency**

Neocolonialism also functions through cultural and discursive channels that legitimise economic dominance, extending beyond Fanon's point that post-colonial elites may internalise external development models in ways that strengthen dependency (Fanon 1961,

pp. 217–219). Postcolonial and, more recently, digital-colonialism scholarship extends this insight to language, education, and technological infrastructure as further channels through which dependency can be reproduced without direct political control ([Ngũgĩ 1986](#), pp. 87–108; Mbembe 2001, pp. 77–89; Liu and Song 2026, pp. 3–10). China does not promote an explicit civilising mission, but its growing presence in education, media, and digital infrastructure still raises questions about elite alignment and normative influence. This thesis treats such cultural influence as a contextual factor interacting with the seven criteria above, most directly the discursive convergence of asymmetry criterion.

### **3.1.5 Scope and Limits of the Neocolonial Framework**

Despite its analytical utility, some critics criticise neocolonialism for its conceptual breadth and its tendency, in some applications, to obscure domestic political dynamics by attributing outcomes primarily to external forces. Neocolonialism explains much of Africa’s dependency, but scholars have noted that internal factors such as corruption, governance failures, and elite decision-making, also play a significant role in producing and sustaining dependency. In this regard, critics argue that the concept has at times been used by postcolonial leaders to shift responsibility away from domestic mismanagement, transforming neocolonialism into a broad explanatory device that can obscure issues of internal accountability (Udegbumam 2020, p. 72). A brief but useful corrective here is Bayart’s concept of “extraversion”, which holds that African political elites have historically been active agents in mobilising external resources and relationships, including asymmetrical ones, to serve domestic political objectives, rather than just absorbing externally imposed influence (Bayart 2000, pp. 217–226).

Accordingly, neocolonialism is used here to assess structural outcomes<sup>1</sup> without presuming the absence of domestic agency or reducing complex political processes to external domination alone. This approach recognises that post-colonial states retain meaningful, though constrained, decision-making capacity within unequal global structures.

Crucially, the neocolonial framework is well suited to evaluating the effects of external engagement. However, it does not (on its own) explain why states actively pursue particular

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<sup>1</sup> Outcomes such as: patterns of economic dependency, financial leverage, limited capacity-building, and indirect political influence.

development partners or legitimise specific forms of external involvement. That explanatory task is addressed through norm backlash theory in the following section, which captures the agency-driven, normative, and political processes through which dissatisfaction with Western conditionality shapes state preferences and strategic realignments.

### **3.2 Norm Backlash Theory**

Neocolonialism theory explains *how* external economic engagement may reproduce structural dependency, but it does not fully account for *why* post-colonial states actively seek alternative development partners. Neocolonialism is primarily outcome-oriented: it assesses how power operates through economic structures, financial arrangements, and long-term patterns of dependence. What it explains less well is the political and ideological processes through which states come to view particular external partners as legitimate, desirable, or preferable in the first place.

To address this limitation, this thesis employs Norm Backlash Theory as a complementary framework. Drawing on Finnemore and Sikkink's norm life cycle model, as well as subsequent refinements by Deitelhoff and others, norm backlash theory explains how dissatisfaction with dominant international norms generates resistance, reinterpretation, and strategic realignment. This approach emphasises normative power; it shows how ideas regarding appropriate development, governance, and sovereignty are constructed, contested, and rejected within international politics. Consequently, it provides insight into why states may deliberately distance themselves from Western-led institutions, even when alternative partnerships entail risks and constraints of their own. Engagement with alternative partners, such as China, thus constitutes a normative response to perceived limitations inherent in Western-led development frameworks.

#### **3.2.1 Theoretical Foundations: Norms, Diffusion, and Contestation**

Early constructivist scholarship on norm diffusion emphasised a linear, top-down process of international norms being transmitted to and internalised by states. Critical constructivist scholarship has since challenged this view, arguing that norms are contested,

resisted, or reshaped according to local political and cultural context, and not just passively received (Lantis 2017, pp. 1–21).

Finnemore and Sikkink define norms as shared expectations regarding appropriate behaviour, which evolve through three stages. The first stage, emergence, involves powerful actors such as the IMF and World Bank promoting new standards of “sound” economic policy and governance. The second stage, cascade, occurs as these standards spread through mechanisms such as conditionality, peer pressure, and elite socialisation. The final stage, internalisation, is reached when norms become embedded within domestic institutions and policy frameworks (Finnemore and Sikkink 1998, pp. 887–917). This model has been widely criticised for an implicit linearity and liberal bias that portrays norm diffusion as a unidirectional process driven by Western actors (Bloomfield and Scott 2017, pp. 6–13), prompting a shift in the literature from norm diffusion toward norm contestation, in which norms are treated as inherently political and continuously negotiated, and not just neutral or universally accepted (Lantis 2017, pp. 1–21).

A crucial analytical distinction is provided by Deitelhoff and Zimmermann, who differentiate between applicatory contestation, concerning debates over how a norm is used, and justificatory contestation, in which actors challenge the very existence of the norm (Deitelhoff and Zimmermann 2013, pp. 5–6). This distinction is central to this thesis, since norm backlash corresponds primarily to justificatory contestation. Subsequent research by the authors contends that norm research is constrained when it constructs narratives of emergence and diffusion solely from Western perspectives. Furthermore, they assert that justificatory contestation, rather than contestation in general, specifically undermines a norm’s acceptance and factual status (Deitelhoff and Zimmermann 2019, pp. 2–14).

Finally, Acharya foregrounds non-Western agency, arguing that norm diffusion is mediated through localisation: norms are not passively internalised but reconstructed by local actors to fit local political culture, and resistance becomes more likely where such adaptation fails (Acharya 2004, pp. 240–253). Norm circulation extends this to the global level through iterative contestation and norm subsidiarity, in which less powerful states adapt norms to safeguard themselves against the dominance of stronger actors (Acharya 2013, pp. 469–479). Together, this scholarship views norms as evolving and often subject to contestation. It does not see them as spreading in a straightforward, linear fashion. This perspective lays the

groundwork for understanding norm backlash as a structured and politically significant form of resistance.

### **3.2.2 Western Development Norms and Conditionality**

This thesis links norm backlash to resistance against Western-led economic governance institutionalised since the late twentieth century. During this period, the IMF and World Bank promoted neoliberal development norms such as market liberalisation, fiscal discipline, privatisation, governance reform. These norms were embedded through SAPs and conditional lending. A key mechanism here is conditionality itself. Critics argue that successive waves of externally driven development prescriptions imposed rigid policy frameworks that undermined domestic policy autonomy and entrenched long-term dependency (Moyo 2009, pp. 24–48), with IMF adjustment programmes frequently perceived as externally imposed interventions that weakened programme ownership and failed to account for local economic priorities (Khan and Sharma 2006, pp. 119–129).

From a constructivist perspective, this reflects justificatory contestation: as Lesch and Loh argue, challenges to the liberal international order are most consequential when they target a norm's underlying validity, not only its application (Lesch and Loh 2022, p. 2). The increasing attractiveness of Chinese development finance can be contextualised by widespread dissatisfaction with existing options. Dollar observes that infrastructure projects financed by multilateral banks have become progressively slower and more constrained by safeguards aligned with advanced-economy preferences. This has led many developing countries to turn to Chinese financing, which is perceived as more expedient and less burdened by conditional requirements (Dollar 2018, pp. 21–23). Norm backlash theory interprets this as a shift from compliance to rejection of normative authority, i. e. resistance to Western conditionality reflects a broader rejection of Western-led development paradigms' authority, and the resulting erosion of legitimacy creates space for alternative narratives emphasising sovereignty and state-led development.

### **3.2.3 Norm Backlash and the Appeal of Alternative Development Models**

Alternative development partnerships acquire normative as well as material significance in this context. China's development engagement has often been framed as an attractive contrast to Western governance-driven models, emphasising non-interference, infrastructure-led growth, and state-centred development (Moyo 2009, pp. 96–108; Filippaios 2016, pp. 1–22), so that engagement with China reflects both pragmatic calculation and symbolic distancing from Western normative dominance. The theory does not assume that alternative models are inherently emancipatory or ideologically coherent. Rejection of Western norms does not necessarily lead to the adoption of a unified alternative. Backlash may prompt selective alignment and hybrid strategies driven by dissatisfaction as opposed to ideological conversion. Norm backlash accounts for the political legitimacy and appeal of alternative models, but does not determine whether these models enhance autonomy or perpetuate new forms of dependency. This analytical openness is essential for evaluating China's role without presupposing either benevolent or malign intentions.

### **3.2.4 Operationalising Norm Backlash in This Thesis**

Operationalising norm backlash requires more than showing that Western financing carried conditions, that Chinese financing carried fewer, and that Kenya preferred the latter: that sequence establishes strategic preference, not a normative process, and the two are not interchangeable. A state can rationally prefer cheaper or faster financing without that preference amounting to a rejection of the norm underlying the alternative it declines. Three questions therefore need answering before backlash can be claimed: which specific norm is being contested; at what level of the Kenyan state that contestation occurs; and what would count as evidence that Kenya understood its own conduct as a rejection of that norm's validity.

The norm at stake is the conditionality norm itself: the claim, embedded in IMF and World Bank lending since the 1980s, that development finance should be contingent on the recipient's governance, fiscal, and market-liberalisation reforms. Following the applicatory/justificatory distinction developed in 3.2.1, evidence that Kenyan actors object to how conditionality was applied in a specific programme supports a grievance-based reading; evidence that they reject the norm's underlying legitimacy supports backlash in the stronger

sense this thesis requires. This distinction is applied here as an interpretive question put to the evidence in Chapter 5, not as a separately coded variable.

This contestation is also not confined to a single register, and the thesis does not treat Kenya as a unitary actor making one normative choice at one point in time. Chapter 5 finds that the executive and diplomatic register (presidential statements, Ministry of Foreign Affairs communiqués, joint statements with Chinese counterparts) consistently reproduces partnership and non-interference language that also echoes principles already present in Kenya's own foreign policy tradition since independence, namely non-alignment, non-interference, and good-neighbourliness, which suggests alignment with a pre-existing normative commitment. The parliamentary register operates differently: Hansard debate repeatedly and directly contests the material terms of the relationship, on grounds that do not track a simple West-rejected, China-embraced narrative. This divergence is treated as a finding in its own right, and not a complication to resolve. Normative reorientation toward China operates through legitimation at the diplomatic level and contestation at the parliamentary level simultaneously, which is more consistent with strategic appropriation of a compatible sovereignty norm than with a single, linear transition away from Western conditionality.

Empirically, this is examined in Chapter 5 through two indicators, both read against the applicatory/justificatory distinction above rather than treating that distinction as a third, independently coded variable:

- (1) register – executive and diplomatic legitimation compared against parliamentary contestation of the same financing instruments;
- (2) vocabulary – whether the partnership and sovereignty language used at each register echoes Kenya's own prior foreign-policy commitments or is adopted without precedent.

This is a narrower empirical basis than the discourse-strategy-institutions triad used in an earlier version of this framework. It is intended to prevent the analysis from collapsing strategic preference into normative rejection by default, and to allow the finding that Kenya's reorientation toward China can legitimise the relationship at one register while it is simultaneously contested at another. It is necessary to make this limitation explicitly clear. Although the discourse and institutional decisions in Kenya are in line with a norm-backlash explanation, this does not rule out other possible reasons for the shift towards China. Such

alternative reasons might be a desire to diversify financing sources in order to reduce reliance on a single lender, the practical choice of the most straightforward and least procedurally onerous form of financing, or a wider aim of achieving policy autonomy which does not mean rejecting any specific norm. This thesis does not attempt to definitively decide between these explanations just on the basis of discourse. Instead, it argues that the evidence given (for example, official statements that explicitly mention non-interference and sovereignty, and Parliament's consistent way of describing the relationship in terms of legitimacy rather than cost) fits the norm-backlash interpretation better than the alternative explanations, while at the same time acknowledging that evidence based on discourse cannot completely rule out those alternatives.

### **3.3 Analytical Framework**

This thesis integrates norm backlash theory and neocolonialism theory to describe both the motivations behind Kenya's engagement with China and the structural consequences of that engagement. Each framework addresses a distinct analytical dimension, but their combination enables a more comprehensive assessment of contemporary development partnerships than either could provide independently.

Norm backlash theory is employed to explain why Kenya actively reoriented its development strategy away from Western financial institutions and toward China. It focuses on the role of dissatisfaction with Western development norms in shaping state preferences. The aforementioned norms include particularly policy conditionality, governance reform, and austerity measures. This means that Kenya selects Chinese financing as a strategic approach to preserve its political independence and address constraints imposed on its sovereignty.

In contrast, the theory of neocolonialism is applied in order to evaluate the actual nature of China's involvement and the effects it has, using the seven-criterion approach set out in 3.1.2: financial dependency, contractual and legal asymmetry, limited transfer of knowledge, dependence on foreign contractors, and a trade imbalance create asymmetry and dependency. It is only when there is political influence without formal control together with the convergence of that asymmetry in discourse that the dependency in question can be described as neocolonial. It is this framework that decides whether Chinese-funded infrastructure projects reproduce the kind of sovereignty-constraining influence which this thesis regards as

neocolonial dependency, even if the projects are presented as mutually beneficial cooperation.

Neocolonialism theory, by contrast, is used to estimate how China's engagement functions in practice and what effects it produces. This directs attention to structural outcomes, including patterns of economic dependency, financial leverage, limited capacity-building, and indirect political influence. It also enables an assessment of whether Chinese-financed infrastructure projects reproduce asymmetrical power relations characteristic of neocolonial dependency, regardless of their framing as mutually beneficial cooperation.

The analytical distinction between *choice* and *outcome* is central to this thesis. Norm backlash theory explains how Kenya's engagement with China becomes politically legitimate and strategically desirable, while neocolonialism theory, via the framework above, examines whether this engagement translates into structural transformation or reinforces dependency. Together, these frameworks prevent binary interpretations of China's role as either emancipatory or exploitative by recognising that agency and dependency can coexist.

In Chapter 5, this combined framework guides the empirical analysis by distinguishing between agency-driven engagement, visible in the register and vocabulary of Kenyan discourse per 3.2.4, and structurally produced dependency, observable in financing arrangements, trade patterns, and capacity-building outcomes per 3.1.2. Through this approach, the thesis evaluates whether Kenya's participation in the BRI represents a meaningful expansion of economic sovereignty or a reconfiguration of neocolonial relations under a different normative and institutional context.

## 4. Methodological Approach

### 4.1 Research Design

This thesis adopts a qualitative, interpretive research design to examine how Kenya's engagement with China under the BRI is constructed, justified, and contested, and how that engagement reproduces dependency and, to varying degrees, neocolonial influence. The epistemological basis is interpretivist – political and economic realities are treated here not as independently measurable facts awaiting discovery, but as constructions produced and reproduced through discourse, institutional practice, and historical context, consistent with the theoretical frameworks developed in Chapter 3 (Creswell 2003, pp. 14–18; Grix 2002, pp. 175–186). The aim is not to establish *causal effects* but to trace structural outcomes and the discursive processes through which they are legitimised or concealed, or more precisely: asymmetrical contractual exposure, discursive convergence, and the absence of meaningful knowledge transfer are shaped by language and institutional design in ways a purely quantitative design would not capture.

This study is theory-driven. The seven operational criteria of neocolonialism from section 3.1.2 and the norm backlash theory from Chapter 3 guide how evidence is selected and interpreted, but do not determine the conclusions in advance. In Chapter 5, norm backlash theory is used as a general interpretive lens, focusing on agency in choosing China, substantive bargaining instead of passive acceptance, and domestic institutional contestation, and not a set of separate sub-tests. The same seven-criterion structure is used to organise section 5.2, with each of its four subsections (5.2.1–5.2.4) matching a specific pair or single criterion. Because there was no fieldwork, the study uses only secondary data from the seven source categories listed in section 4.3. These are analysed using the two methods described in section 4.4. This approach was chosen because the main claims concern contractual terms, policy discourse, and overall trade and debt patterns, which can be examined through documents and are unlikely to be reliably confirmed through interviews with people who probably do not have direct knowledge of confidential contracts or debt details.

## 4.2 Case Selection: Kenya and the SGR

This study employs a single-case design, with Kenya selected as a strategically significant case for examining China's engagement in Africa under the BRI. Case study methodology allows in-depth analysis of context-specific processes that are difficult to capture through broader comparative designs (Ebneyamini and Moghadam 2018, pp. 1–3).

Kenya is selected for four reasons. It is one of the largest recipients of Chinese development finance in East Africa (Himmer and Rod 2022, p. 255), with flagship projects such as the SGR and Nairobi Expressway offering a rich empirical basis for examining financing, debt sustainability, and implementation outcomes (Parker and Chefitz 2018, pp. 35–36). Its prolonged exposure to IMF/World Bank structural adjustment in the 1980–90s makes it a compelling case for norm backlash (Sandbrook 2000, pp. 3–4; [Omer](#) 2024, pp. 18–19), supplying the contextual foundation for why alternative development models became politically attractive (Finnemore and Sikkink 1998, pp. 887–917). Its position as a regional trade, logistics, and financial hub amplifies the significance of Chinese infrastructure investment (Odhiambo 2020, pp. 386–389). And its colonial legacy under British rule supplies a critical historical backdrop against which to assess whether contemporary partnerships reproduce dependency, extraction, and elite mediation reminiscent of earlier colonial arrangements, strengthening the case for applying Neocolonialism Theory.

Within Kenya, the SGR is the primary empirical case for Chapter 5. Its three loan agreements are among the few BRI-financed contracts public enough to permit clause-level analysis (it is important to bear in mind that most BRI agreements carry non-disclosure provisions) which is what makes the financial dependency and contractual asymmetry criteria addressable through primary evidence. Its scope, financing, contracting, labour, trade linkages, litigation, and public discourse, touches all seven operational criteria at once, which is why Chapter 5 anchors its analysis in this single case. Other projects, such as the Nairobi Expressway and Huawei's telecom contracts, are referenced for context but not analysed to the same depth. Kenya is treated here as a case for analytical, not statistical, generalisation (Yin 2018, pp. 40–45): the aim is to refine and test the theoretical framework through close engagement with one rich case, not to represent the BRI's broader project portfolio.

### 4.3 Data Sources

The study draws on seven categories of secondary source, selected for triangulation: no single category is sufficient evidence for any of the seven criteria in 3.1.2 on its own, and convergence or divergence across categories is itself analytically significant. Table 4.1 summarises the categories, methods, and criteria each feeds; the categories are described briefly below.

*Kenyan state documents.* Vision 2030, the 2014 and 2024 “Twiga Diplomacy”<sup>2</sup> strategy papers, and Kenyan parliamentary (Hansard) records and ministry statements on the SGR and BRI. The Hansard material is a purposive selection of roughly 96 National Assembly excerpts, spanning 2006–2024 and concentrated in 2013–2024 (not a full-archive keyword pull) and this bounded scope, not the full universe of parliamentary discourse, is what Chapter 5 describes.

*Chinese official statements.* MFA communiqués (2013–2024), BRI white papers, and FOCAC declarations, read comparatively against Kenyan state documents to identify discursive convergence, and particularly the recurrent “win–win” framing, applied directly in 5.2.4.

*Financial and contractual documents.* The SGR’s Preferential Buyer Credit and Buyer Credit Loan agreements for the Mombasa–Nairobi section, as well as the Buyer Credit Loan Agreement for the Nairobi–Naivasha extension. These documents form the main evidence for section 5.2.1, allowing for direct review of clauses such as governing law, dispute forum, immunity waivers, and security mechanisms, instead of relying on secondary commentary.

*Media sources.* Reports from major Kenyan national commercial newspapers (the Daily Nation, The Star), regional news agencies (The East African), local digital news websites (Kenyans.co.ke, The Trading Room), and specialist trade publications (International Railway Journal, Kenyan Foreign Policy). Since they are traditional print media and also cover a large amount of online traffic, these organisations belong to the main level of the Kenyan media and therefore take in a major share of the public's discussion on labour practices, the handing over of projects, debates about debt, and concerns regarding the environment. When acting as

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<sup>2</sup> Foreign Affairs Principal Secretary Korir Sing’Oei described the updated foreign policy framework from 2024 as “Twiga diplomacy”. It is supposed to symbolise foresight, adaptability, and dignity. See more at: <https://kenyanforeignpolicy.com/kenya-launches-updated-foreign-policy-framework-for-2024/>.

a secondary, corroborating layer (Sections 5.2.2 and 5.3), their reporting is examined with due regard for the editorial limitations and the political sensitivities associated with state infrastructure projects.

*International organisation reports and trade statistics.* Chapter 5 mainly uses bilateral trade data from UN Comtrade, WITS, and Trading Economics. It also refers to one World Bank source on local-content lending norms and independent debt-risk research (Hurley et al. 2018). In practice, trade-statistics databases are used much more than institutional reports. No separate reports from the IMF, African Union, or UN are analysed. Instead, this category mainly serves as an external check on state and Chinese discourse for the trade imbalance criterion in section 5.2.3, and plays a smaller role in sections 5.2.1 and 5.2.2.

*Civil society sources.* Advocacy organisations and submissions from civil society to review and litigation processes, such as WildlifeDirect and the Kenya Coalition for Wildlife Conservation and Management for the environmental strand of 5.3, and the Railway and Allied Workers Union (RAWU) for the labour-rights strand of 5.2.2. The union material is a single, self-reported case, so the knowledge-transfer and foreign-contractor-dependency criteria in 5.2.2 continue to rely primarily on contractual documents, media reports, and self-reported operator information, corroborated where available by this civil society evidence, consistent with the weaker evidentiary weighting set out in 4.5.

*Judicial and tribunal records.* The National Environment Tribunal, High Court, Court of Appeal, and Supreme Court have all issued rulings on the SGR's procurement and environmental approval. These decisions are authoritative on specific legal questions, such as whether the contract was competitively tendered and whether NEMA's licence was properly issued. In section 5.3, these rulings are used to examine whether legal accountability leads to practical results, rather than to judge the broader claims of the thesis.

| Source category                        | Primary method applied                                                                          | Feeds which Ch. 5 criterion / section                                                                        |
|----------------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Kenyan state documents (incl. Hansard) | Critical Discourse Analysis (legitimation framing) + Thematic Analysis (policy-strategy themes) | Political influence without formal control; discursive convergence (5.2.4); corroboration across 5.2.1–5.2.3 |
| Chinese official statements            | Critical Discourse Analysis (comparative framing against Kenyan discourse)                      | Discursive convergence of asymmetry (5.2.4)                                                                  |
| Financial and contractual              | Thematic Analysis (clause-level                                                                 | Financial dependency; contractual and legal                                                                  |

|                                                         |                                                                                               |                                                                                                              |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| documents                                               | coding of contractual terms) + descriptive financial analysis                                 | asymmetry (5.2.1)                                                                                            |
| Media sources                                           | Thematic Analysis (contractor practices, labour disputes, operational handover)               | Limited transfer of knowledge; dependency on foreign contractors (5.2.2); social/environmental context (5.3) |
| International organisation reports and trade statistics | Thematic Analysis (independent verification of financial claims; bilateral trade measurement) | Financial dependency; trade imbalance (5.2.3)                                                                |
| Civil society sources                                   | Thematic Analysis (social and environmental impact themes)                                    | Limited transfer of knowledge; dependency on foreign contractors (5.2.2); environmental impacts (5.3)        |
| Judicial and tribunal records                           | Documentary review of rulings and procedural history                                          | Practical leverage of legal accountability mechanisms (5.3)                                                  |

*Table 4.1. Source categories, methods, and operational criteria.*

The data span 2000–2024: from Kenya’s post-SAP period and the introduction of Vision 2030, through the establishment of FOCAC and the 2013 launch of the BRI, to current debates on debt sustainability and restructuring. 2024 is the cut-off because it is the most recent year for which BRI-related financing and debt data are sufficiently consolidated in the time of the writing; so later developments remain in flux and are analytically indeterminate for a structured case study.

#### **4.4 Analytical Methods**

The analysis employs two complementary methods: critical discourse analysis (CDA), applied to Kenyan state documents and Chinese official statements, and thematic analysis, applied across all seven categories. CDA examines how language constructs and legitimises power relations; thematic analysis identifies patterns of structural outcome. Together they address the discursive and material dimensions of the neocolonial criteria, and the normative and institutional dimensions of the norm backlash argument.

## Critical Discourse Analysis

CDA draws on Van Dijk's socio-cognitive model, which examines how discourse reproduces, normalises, or contests power relations through lexical choice, framing, and the selective activation of social cognitions (Van Dijk 2015, pp. 466–485). It is used here to analyse legitimisation, not to establish causality. It cannot prove that a contractual arrangement is asymmetrical (that requires the contractual documents), but it can show how an asymmetrical arrangement is framed as partnership. The analysis proceeds in three steps, applied in 5.2.4: identify recurring frames in Chinese official discourse (win–win, South–South cooperation, non-interference, mutual benefit); examine Kenyan state documents for the presence, adaptation, or contestation of the same frames; and treat convergence (Kenyan discourse reproducing Chinese frames) as evidence for discursive convergence, for instance where CIETAC arbitration and the sovereign immunity waiver are both framed as equality-based partnership.

A governing premise is that the absence of explicit neocolonial framing is analytically significant. Power often operates through discursive silence (Hansen 2006, p. xvi). Kenyan official discourse is therefore read as situated within transnational discursive structures that may originate in Chinese official framing, which is why the comparative step matters. Parliamentary (Hansard) discourse is treated as a distinct register: because backbench and opposition MPs are positioned to contest executive framing, divergence between the executive and parliamentary registers (and not convergence) is the analytically relevant pattern there, as 5.2.4 shows.

## Thematic Analysis

Thematic analysis identifies recurring patterns across documents, contracts, and reports, tracking where material outcomes and discursive framing converge (([Naeem et al. 2023](#)), organised around four themes:

- *Debt and financial leverage*: financial/contractual and statistical sources; the financial dependency and contractual asymmetry criteria. Codes clause-level terms (interest rate, maturity, governing law, arbitration forum, immunity, security, default triggers) and aggregate terms (debt-to-GNI trajectory, share of Chinese lending, IMF risk classification).

- *Sovereignty and policy autonomy*: Kenyan state documents and Chinese statements; the political influence and discursive convergence criteria. Codes for self-determined versus externally shaped framings of development strategy, and whether Kenyan policy discourse tracks the timing of Chinese financing decisions.
- *Capacity-building and labour practices*: contractual, media, and civil society sources; the knowledge-transfer and foreign-contractor-dependency criteria. Codes for enforceable local-content/skills-transfer provisions, contractor staffing composition, and disputes over local employment commitments.
- *Environmental and social impacts*: civil society and media sources, corroborated by the judicial record; the contextual evidence for 5.3. Codes for compliance disputes, displacement/compensation claims, and whether they were institutionally resolved.

Thematic recurrence alone is not treated as sufficient evidence. A pattern in media sources is a lead for cross-checking against contractual or statistical sources, not just confirmation. Claims are weighted by source category: primary contractual text and statistical data outweigh media or advocacy sources, and judicial rulings are authoritative only on the specific question decided.

#### **4.5 Limitations and Mitigation Strategies**

Several limitations follow from the design. The absence of fieldwork restricts access to lived experience, or the informal dimensions of the relationship that do not appear in documentary sources. Questions such as whether Kenyan negotiators saw the CIETAC clause as unusual, or communities experienced SGR labour practices as exploitative, cannot be answered from documents. The thesis is scoped accordingly to institutional and structural claims addressable through documentary evidence, consistent with the research question as stated. Discourse analysis, separately, cannot establish causality: showing that “win-win” framing conceals contractual asymmetry does not prove that asymmetry produces dependency, and mirrored discourse does not confirm structural pressure over genuine agreement. The mitigation is triangulation across the seven categories: convergent findings across discourse, contract, and statistical evidence are treated as more robust than any one source; divergence (partnership claimed, asymmetry contracted) is itself treated as a finding about discursive convergence.

The seven criteria are not equally accessible. Financial dependency, contractual/legal asymmetry, and trade imbalance rest on primary contractual text and consistent statistical series (2010, 2021, 2026 snapshots) and are the most robustly evidenced; knowledge transfer and foreign-contractor dependency rest on media, civil society, and self-reported operator claims that are triangulated but thinner; discursive convergence depends on a CDA comparison that is rigorous but bounded by the primary text available. Chapter 5 states this evidentiary weight explicitly per subsection, and 5.4 does not treat all seven criteria as equally supported. The judicial record used in 5.3 is authoritative only on the narrow legal question decided. For example, the fact that the SGR was procured unlawfully is not itself evidence of neocolonial dependency. Its relevance is to what happens after a legal challenge succeeds, which is analytically distinct from whether it succeeds at all.

Finally, the systemic opacity of Chinese development finance constrains the whole field: policy banks do not consistently disclose country-level lending data (Dollar 2018, p. 6), forcing reliance on estimates and partial disclosure. The SGR agreements are unusual precisely because they are public; most comparable contracts are not, which is why the SGR was selected for evidentiary accessibility as much as substantive significance; that they are available to this thesis describes access after the fact, not the agreements' own terms. Indeed 5.2.1 finds that the Nairobi–Naivasha facility contractually binds Kenya, not the Lender, to confidentiality ([The Export-Import Bank of China, and the Government of the Republic of Kenya 2014](#), p. 36, Article 17.7). Therefore, the limited public availability of BRI loan terms is not just a data-access problem for outside researchers. Based on the evidence from this instrument, it is also an obligation that the borrower agreed to. This finding strengthens, rather than weakens, the discursive convergence argument discussed below. Accordingly, the thesis restricts its contractual claims to what the SGR agreements actually disclose, avoids generalising to BRI financing norms (generalisation is hedged in Chapter 6), and treats the opacity itself as evidence relevant to the discursive convergence criterion. This is a financing model whose terms are systematically non-public is not equivalent, on that criterion, to one whose terms are disclosed and accepted on full information.

## 5. Empirical Analysis: China–Kenya Relations under the BRI

### 5.1 Kenya’s Turn to China: From Western Conditionality to the BRI

After decades as a British colony, Kenya gained independence on 12 December 1963, and shortly thereafter established diplomatic relations with the People’s Republic of China. The foundation of this early relationship was anchored in the “Five Principles of Peaceful Coexistence”: mutual respect for sovereignty, territorial integrity, non-aggression, non-interference, equality, and peaceful coexistence; all enunciated by Premier Zhou Enlai in 1953, a framework that appealed to newly independent states seeking to counter Western-dominated global governance structures. Relations cooled significantly in the mid-1960s amid rhetorical disputes over the relevance of socialist revolution to Kenya, and remained frozen for roughly a decade before thawing following the deaths of Mao Zedong and Jomo Kenyatta. President Daniel Arap Moi’s 1980 state visit to China reopened embassies and re-established confidence-building mechanisms (Chege 2008, pp. 20–22).

Economic engagement during the Moi era remained modest (state-managed trade, technical assistance, and a small number of high-profile projects) before Chinese imports began rising sharply in the mid-1990s alongside Kenya’s own economic liberalisation (*Ibid.*, pp. 22–25). The relationship gained structural momentum with the establishment of FOCAC in October 2000 ([MFA China](#) 2012), which formalised China–Africa relations through a recurring mechanism for high-level dialogue, trade facilitation, and development assistance. Sustained high-level diplomatic engagement followed through the 2000s, including state visits by Premier Zhu Rongji in 2003 and President Hu Jintao in 2007, consolidating political trust ahead of the BRI era (MFA China [2002](#), [2006](#), [2008](#)). Presidents Kibaki and Kenyatta subsequently pursued a “Look East” policy explicitly framed as an alternative to Western loans and investment, oriented toward China, Malaysia, and Iran (Ahmed 2016, p. 4).

China–Kenya relations were formalised in 2013 through the establishment of a comprehensive cooperative partnership based on equality, mutual trust, mutual benefit, and a win-win outcome during President Uhuru Kenyatta’s state visit to Beijing ([MFA China](#)

[2013](#)), language whose analytical significance is examined directly in 5.2.4 below. Kenya became a flagship BRI partner, anchored by the Mombasa–Nairobi SGR and the Nairobi Expressway, with Chinese ICT providers, notably Huawei, extending the partnership into telecommunications and digital infrastructure (MFA China [2014](#), [2015](#); [Belt and Road Portal 2024](#)).

By 2023, China was Kenya’s largest bilateral lender, with Chinese loans reaching approximately \$9.6 billion, accompanied by a marked trade imbalance and growing concern over debt sustainability (Kiriti-Nganga 2025, pp. 327–335). In 2024, the two countries marked sixty years of diplomatic ties, with official discourse continuing to frame the relationship around the shared goals of the “Chinese Dream” and “Kenyan Dream” (Vision 2030) (MFA China [2024](#), [2018](#); MFA Kenya [2024](#)).

This trajectory is read here through norm backlash theory: Kenya’s pivot toward China was not externally imposed but actively pursued, following decades of exposure to IMF and World Bank structural adjustment conditionality. The agency exercised at the point of choosing China as a partner is not in dispute. What that choice produced in practice, i.e. whether it expanded Kenya’s economic autonomy or reproduced dependency through different institutional channels, is the question the remainder of this chapter addresses.

## **5.2 The SGR as the Central Case**

The SGR is treated as the central empirical case for three reasons, consistent with 4.2. It is Kenya’s largest single BRI-financed project (Otele 2021, p. 4) and the clearest material expression of the partnership narrated in 5.1. Its loan agreements are also unusually public ([Okoa Mombasa 2026](#)) by comparison with most BRI-financed contracts, which are typically governed by non-disclosure provisions. This allows the analysis below to ground claims in specific contractual clauses instead of grounding it in inference from secondary commentary. And the project’s scope (financing, contracting, labour, trade linkages, litigation, and public discourse) touches all seven operational criteria developed in 3.1.2, allowing the case to anchor the chapter. The sections that follow are organised around those seven criteria instead of being organised around topic headings such as “debt” or “trade” in isolation, so that each piece of evidence is explicitly connected back to the framework developed in Chapter 3 and the design set out in Chapter 4.

### 5.2.1 Financial Dependency and Contractual Asymmetry

The financing of the SGR shows how development loans can create long-term leverage without overt political coercion. The project was funded through the Export-Import Bank of China, and the publicly available documents include the Preferential Buyer Credit Loan Agreement for the Mombasa–Nairobi SGR project, the Buyer Credit Loan Agreement for the same project, and the Buyer Credit Loan Agreement for the Nairobi–Naivasha SGR project ([Okoa Mombasa](#) 2026). These agreements tied the railway to external borrowing conditions and placed Kenya in a prolonged repayment relationship with its Chinese lender.

**The Preferential Buyer Credit Loan Agreement** ([Export-Import Bank of China, and The Government of the Republic of Kenya](#) 2014, pp. 1–42) establishes a facility of up to US\$1,600,000,000 (Article 2.1, p. 6), applied exclusively to finance 42.06% of the Commercial Contract for the Line Section (Article 2.4, p. 7). The Commercial Contract itself, held entirely by China Road and Bridge Corporation (CRBC) as EPC Contractor under both Civil Works and Supply/Installation contracts signed July and October 2012, totals US\$3,804,192,784.92 (Article 1.10, 1.14, p. 3). The combined facility from both loan agreements therefore financed the majority of a contract awarded in its entirety to a single Chinese state-owned enterprise, with no competitive tendering from non-Chinese contractors visible in the agreement.

Interest on the Preferential facility is fixed at 2% per annum, with a management fee of US\$4,000,000 payable within 30 days of effectiveness (*Ibid.*, p. 7, Article 2.6,) and a commitment fee of 0.25% per annum on the undrawn balance (*Ibid.*, p. 7, Articles 2.2, 2.7). Maturity runs 240 months from effectiveness, comprising an 84-month grace period (interest-only) followed by a 156-month repayment period in 26 equal instalments (*Ibid.*, pp. 7–10, Articles 2.3, 4.3). The grace period coincides with the Availability Period (*Ibid.*, p. 4, Article 1.21), meaning Kenya’s principal repayment obligation commences precisely when construction ends and revenue generation must begin. This financial risk is built into the repayment schedule. Since 2017, the SGR’s performance has made it a serious issue when project revenue is insufficient to service the debt.

These terms support the financial dependency criterion in two ways. At scale, a combined US\$3.6 billion obligation to a single bilateral lender, denominated in US dollars

and payable regardless of the project's revenue performance (*Ibid.*, p. 14, Article 6.2: obligations are “unconditional under all circumstances”), concentrates Kenya's external debt exposure in a way multilateral lending portfolios are specifically structured to avoid. At structure, the 2% fixed rate on the Preferential facility appears concessional, but the management fee, commitment fee, and the additional floating-rate exposure reported for the Buyer Credit Loan in secondary sources collectively increase the effective cost of borrowing beyond the headline rate (Export-Import Bank of China, The Government of the Republic of Kenya [2014](#), [2015](#)). This is consistent with Hurley et al.'s (2018) finding that headline rates in Chinese infrastructure finance can understate total borrowing costs.

The Preferential Agreement also contains a cluster of provisions that together constitute systematic legal asymmetry favouring the lender, each a distinct element of the contractual and legal asymmetry criterion. Governing law and dispute resolution (*Ibid.*, p. 20, Articles 8.4–8.5): the agreement is governed exclusively by the laws of China; any dispute unresolved through 30 days' friendly consultation goes to the China International Economic and Trade Arbitration Commission (CIETAC) in Beijing, with the award final and binding. Any dispute about Kenya's obligations, including whether an Event of Default has occurred, would therefore be litigated in Beijing under Chinese law, with no access to Kenyan courts or international forums. Service of process (*Ibid.*, p. 20, Article 8.6): Kenya irrevocably designates its Beijing Embassy as agent to receive legal documents “in China,” with service deemed complete on delivery regardless of whether the Embassy notifies the Kenyan government. Sovereign immunity waiver (*Ibid.*, p. 13, Article 5.5): Kenya represents that signing and performing the Agreement “constitute commercial acts,” and that neither Kenya nor its assets are “entitled to any right of immunity on the grounds of sovereignty or otherwise” from arbitration, suit, or execution “in any jurisdiction”. This waiver is comprehensive enough that an arbitral award could be enforced against Kenyan assets in third countries without a sovereign-immunity defence.

As for the security mechanisms (*Ibid.*, p. 16, Article 6.11): repayment is secured through four interlocking arrangements: the Railway Development Fund (RDF), applicable in priority to repay the loans; a Lender-appointed escrow payment account; a revenue account collecting project revenues “in favour of the Lender”; and a Long-Term Service Agreement (LTSA) with take-or-pay minimum freight guarantees, required to be in “form and substance reasonably satisfactory to the Lender”. This structure grants the Lender effective approval rights over the railway's own operating contract. Article 6.12 further requires Kenya to

procure “preferential policies, regulations or approvals” keeping the RDF, LTSA, and project revenues prioritised for repayment (*Ibid.*, p. 17). Repayment schedule (*Ibid.*, p. 10, Article 4.5) is prepared by the Lender; Kenya is deemed to have confirmed it if it does not comment within 30 days, and the schedule is then “conclusive and binding.” Chinese sourcing (*Ibid.*, p. 7, Article 2.5) requires that goods, technologies and services financed by the facility be “purchased from China preferentially”. This requirement constitutes a contractual condition of the financing, not just a consequence of CRBC’s role as contractor. No comparable-terms clause (*Ibid.*, p. 16, Article 6.10) has Kenya undertake not to seek from the Lender any terms comparable to those in agreements with other creditors, foreclosing that avenue of renegotiating leverage. Events of Default (*Ibid.*, pp. 17–18, Article 7.1) are broadly drawn: beyond payment failure, they include any unremedied breach of the security covenants, “significant changes” that “in the opinion of the Lender” could have a material adverse effect, and any change to an Article 6.12 policy without the Lender’s consent (*Ibid.*, p. 17). To put it simple, it gives the Lender unilateral discretion over what counts as default.

**The Buyer Credit Loan Agreement for the Mombasa–Nairobi SGR Project ([The Export-Import Bank of China, and the Government of the Republic of Kenya 2014](#))** closely follows the same structure as previous agreement, showing that these terms are standard in the Exim Bank lending template and not unique to the Preferential facility. It includes Chinese governing law and CIETAC arbitration (*Ibid.*, pp. 35–36, Articles 15.1, 15.3), a requirement to serve legal documents through the Beijing Embassy (*Ibid.*, p. 37, Article 15.6), and an even more explicit immunity waiver, which is covering suit, arbitral jurisdiction, judgment, service, execution, set-off, and pre- and post-judgment attachment “in any legal action or proceedings” (*Ibid.*, p. 36, Article 15.5). The agreement also refers to Kenya’s Government Proceedings Act to define the transaction as commercial, which prevents Kenya from claiming immunity in the future. The same credit-enhancement measures appear again (*Ibid.*, pp. 31–32, Article 12.2), and the promise not to offer better terms to “official creditors, Paris Club creditors or other creditors” is repeated (*Ibid.*, p. 32, Article 12.4). The Events of Default clause is even broader, adding a cross-default provision that applies to “any other agreement involving the borrowing of money” (*Ibid.*, p. 33, Article 14.1(c)). In both facilities, Kenya also promises not to make any significant changes or end the Commercial Contracts without the Lender’s consent (*Ibid.*, pp. 10–32, Articles 3.1, 12.3(f)–(g)), which means the same restriction on Kenya’s ability to negotiate with CRBC is included twice.

A third instrument, **the Buyer Credit Loan Agreement for the Nairobi–Naivasha SGR Project** ([The Export-Import Bank of China, and the Government of the Republic of Kenya 2014](#)), confirms that this architecture is not confined to the Mombasa–Nairobi section. The facility finances up to 85% of a US\$1,482,745,029.43 EPC contract between Kenya Railways Corporation and China Communications Construction Company Limited, in an aggregate amount not exceeding US\$1,397,927,373.27, with Kenya required to fund the remaining 15% (at least US\$222,411,754.41) as a “Self-Raised Fund” before disbursement begins (*Ibid.*, pp. 8–10, Articles 2.1–2.2, 4.1(11)). Unlike the Preferential Agreement’s fixed 2% rate, this facility carries a floating rate of six-month LIBOR plus a 300 basis-point margin (*Ibid.*, pp. 14–15, Article 6.3): Kenya, not the Lender, bears the interest-rate risk directly, and the “concessional” framing attached to SGR financing in official discourse (5.2.4) does not describe this instrument. The same 0.5% management fee and 0.5% per annum commitment fee recur (*Ibid.*, p. 17, Articles 6.7–6.8), as does a 20-year overall term structured as a 60-month grace period followed by a 180-month repayment period in 30 instalments (*Ibid.*, pp. 8–18, Articles 2.3, 7.1).

The contract’s legal structure is almost identical to the previous ones. It uses Chinese law and CIETAC arbitration in Beijing (*Ibid.*, p. 33, Articles 15.1, 15.3). There is a broad immunity waiver that also refers to Kenya’s Government Proceedings Act, treating the deal as commercial instead of governmental (*Ibid.*, p. 34, Article 15.5). The Kenyan Embassy in Beijing acts as the process agent (*Ibid.*, p. 34, Article 15.6). The RDF and project revenues are prioritised for loan repayment, with Kenya agreeing to ensure government policies keep these funds committed (*Ibid.*, pp. 28–29, Articles 12.1(j), 12.2). There is a cross-default clause that applies to any other borrowing agreement with any bank or financial institution (*Ibid.*, p. 31, Article 14.1(c)). Finally, there is a general default clause for any situation that, “in the reasonable judgment of the Lender,” could affect the Commercial Contract or the Agreement (*Ibid.*, p. 32, Article 14.1(l)). The no-comparable-terms undertaking appears again and is now clearly extended to “official creditors, Paris Club creditors or other creditors” (*Ibid.*, p. 29, Article 12.4). Before any funds are released, Kenya’s Attorney-General and appointed counsel must certify in advance that the entire structure (the choice of Chinese law, the CIETAC clause, the immunity waiver, and the enforceability of any resulting award against Kenyan assets) is valid under Kenyan law (*Ibid.*, pp. 10–51, Article 4.1(9); Form 6).

This agreement also discloses a provision which is not identified in the Preferential or Mombasa–Nairobi Buyer Credit Agreements: an explicit confidentiality clause binding

Kenya, not the Lender, to secrecy. Article 17.7 requires that “the Borrower shall keep all the terms and conditions hereunder or in connection with this Agreement strictly confidential,” and bars Kenya from disclosing any information about the Agreement to a third party without the Lender’s prior written consent, “unless required by applicable law” (*Ibid.*, p. 36). When considered with the opacity of Chinese development finance discussed in section 4.5, this clause matters beyond just this facility. It shows that the limited public access to BRI loan terms is not only a challenge for outside researchers, but also a contractual duty that Kenya agreed to. This extends the convergence criterion from section 5.2.4 into the loan agreement itself. The fact that the same set of clauses appears in three separate agreements, covering two project phases, is stronger evidence that this is a standard Exim Bank lending template than if it only appeared in paired loans for a single project.

Kenyan parliamentary debate independently confirms that this structure operates in practice exactly as the contracts specify. SGR revenues are systematically redirected into a designated escrow account instead of going into the general government funds: one MP explained that operational funding shortfalls arose specifically “because the money that is the proceeds from the SGR cannot be used because it goes to [the] Escrow Account, which is used to pay for the loan,” while confirming “we have not defaulted; we have already started paying our loan” ([Kenya National Assembly 2020](#), p. 37). Because escrow revenue is earmarked for debt service, the SGR’s own operating costs generated a separate pending bill MPs put at Kshs 37 billion (*Ibid.*, p. 33), prompting Parliament to legislate a Railway Development Levy specifically to cover what the repayment mechanism could not ([Kenya National Assembly 2023](#), p. 31). Debate on that levy showed the same fiscal-risk concentration playing out as a live governance problem, with one Member objecting that funds legislated “for purposes of repaying the loan” were being redirected, and another noting the project “cannot pay for itself” ([Kenya National Assembly 2020](#), p. 33; *Ibid.* 2023, p. 68). A 2016 supplementary-budget episode, in which Treasury sought Kshs130 billion in additional, off-cycle SGR expenditure days before the financial year’s close, drew objections that this bypassed the constitutional 10% ceiling on in-year budget variance, with one MP calling the project a “cash cow” ([Kenya National Assembly 2015](#), p. 26). This parliamentary record corroborates, from an independent domestic source, the same picture the contract text establishes: debt service is structurally protected through escrow, while the residual fiscal burden and oversight strain fall on Kenya.

### 5.2.2 Limited Transfer of Knowledge and Dependency on Foreign Contractors

The Preferential Agreement names CRBC as sole EPC Contractor, holding both the Civil Works and the Supply/Installation contracts ([Export-Import Bank of China, and The Government of the Republic of Kenya 2014](#), p. 3, Articles 1.10, 1.14). Under this turnkey structure the contractor assumes full responsibility for engineering, procurement, and construction, concentrating all technical design, procurement decisions, and construction management in a single Chinese state-owned enterprise, with no structural mechanism in the financing agreement requiring subcontracting to Kenyan firms or transfer of technical capacity.

The financing agreement contains no local-content, skills-transfer, or technology-transfer provisions. This absence is in itself analytically significant, since World Bank infrastructure financing typically includes local-content benchmarks and training requirements as conditions of disbursement ([The World Bank 2017](#)). Their complete absence here means the financing structure imposes no contractual incentive, and therefore no enforcement mechanism, for building Kenyan technical capacity through the project; whether CRBC trained Kenyan workers was entirely at CRBC's discretion. The LTSA required under Article 6.11 (p. 16) of the Preferential Agreement compounds this: it must be between Kenya Railways Corporation and "users of the Railway," in "form and substance reasonably satisfactory to the Lender," meaning the operational contract governing the SGR's revenue must itself be approved by China Exim Bank (Article 1.26, p. 5). When implemented, the LTSA became the operating agreement that allowed Africa Star Railway Operation Company (Afristar), a CRBC subsidiary, to manage SGR operations starting in 2017. This means that Chinese entities continue to handle ongoing management as well as construction.

One construction-phase staffing figure appears in the Chinese official record: Ambassador Liu Xianfa stated in August 2015 that the project had, by then, "hired 94% ordinary workers and 64% of skilled workers from local" labour ([MFA China 2015](#)). If this information is correct, it would make a simple dependency reading more difficult. The report does not break down the data by role or seniority, and it does not mention the operational phase, where Afristar's ongoing management is more important for this criterion.

From a Kenyan parliamentary perspective, the issue appears less favourably. On the Expressway, raised on the same local-content grounds and later applied to the SGR, one MP

asked pointedly, “Where is the local content?” when “the people sweeping the roads and the streets are Chinese casual workers” ([Kenya National Assembly](#) 2021, p. 33). On SGR procurement specifically, one MP calculated that of a roughly Kshs500 billion project, some Kshs100 billion went toward imported “nuts and bolts” alone, and asked why the Chinese had not been required “to set up an industry to manufacture nuts and bolts in Kenya” before construction began ([Kenya National Assembly](#) 2016, p. 38): tracking precisely the absence of local-content requirements already identified in the financing agreement. On the operational phase, one MP objected to a proposed levy expansion on the ground that “the SGR’s operational costs are being run by a private entity. They are not being run by Government” ([Kenya National Assembly](#) 2020, p. 34), confirming Afristar’s role as the entity actually running the railway. None of this amounts to a systematic staffing audit, but it is independent, Kenyan-sourced testimony pointing toward the same picture the embassy figure is silent on: visible low-skill Chinese labour, no contractual manufacturing-transfer requirement, and continued private operational control.

Independent civil society evidence adds a further, specific data point on the same question. In July 2018 the RAWU attempted to raise a formal discrimination complaint with CRBC after receiving reports from local staff, concentrated among locomotive drivers; RAWU’s general secretary stated that CRBC’s human resources management dismissed the complaints when he raised them, and that 40 local locomotive drivers were paid approximately Ksh 30,000 per month against roughly Ksh 100,000 for their Chinese counterparts performing comparable work ([Business and Human Rights Resource Centre](#) 2018). Kenya Railways responded publicly, giving CRBC 72 hours to submit a report and stating that the alleged conduct, if substantiated, would be “completely unacceptable” (*Ibid.* 2018). As with the Matangini petition in 5.3, no subsequent public account of the investigation’s findings appears in the available record. The claim is a single, union-sourced allegation rather than an independently audited pay study, and is weighed with the same caution applied to the embassy’s hiring figures; but it is the one point in this evidentiary base where a non-governmental, non-operator civil society actor speaks directly to the wage terms on which local and Chinese staff were employed, and it points in the opposite direction from the embassy’s 2015 localisation claim.

Kenya Railways’ own account of the operational handover substantially updates a picture the 2015 embassy claim, covering construction only, could not address. Afristar’s ten-year operation-and-maintenance contract, awarded in 2017, allowed revision or termination

every five years. KRC chose not to renew it at the first review point and announced termination in March 2021, beginning a phased takeover ([International Railway Journal](#) 2021). A parliamentary transport committee report the previous September had already found KRC owed Afristar more than US\$340 million in outstanding operation-and-maintenance fees and recommended renegotiating those costs down by half, ahead of the termination decision ([International Railway Journal](#) 2021). Progress since has been substantial but has repeatedly missed its own deadlines: KRC had taken over ticketing, security and fuelling by March 2021; it reported 90% of functions taken over by 2024, supported by 962 staff transferred from Afristar in addition to 1,280 inherited from the defunct Rift Valley Railways concession ([Daily Nation](#) 2024); and it reported 98% by February 2025, with its Managing Director confirming that remaining functions, including safety-critical locomotive operations, were still not fully localised, citing persistent “technical gaps, particularly in locomotive safety” ([Kenyans.co.ke](#) 2025). This is independent, KRC-sourced evidence that safety-critical operational roles (not just construction-phase labour) remained under Chinese management for at least seven years after Phase I opened, and that KRC’s own repeated deadline slippage suggests a genuine capacity gap rather than a formality.

A further claim requires the same caution applied to the embassy’s 2015 figure: a 2025 account citing Afristar states the operator supported “roughly 74,000 jobs at various stages” and that “more than 2,800 Kenyan technicians, engineers and managers have undergone instruction in SGR technology” in Kenya and China ([The State Council Information Office](#) 2025). As an operator-sourced claim reported by a single outlet, it does not establish whether such training was a contractual obligation or an informal practice, and it sits awkwardly next to KRC’s own 2025 admission of continuing locomotive-safety gaps. Hence, either the reported training did not reach the safety-critical roles where Chinese staff remained longest, or the claim overstates its practical effect. It is not possible to determine from the available sources whether the Commercial Contract or the Afristar operating agreement includes specific local-content or training requirements, separate from the self-reported figures. As explained in section 4.5, this is considered an evidentiary limit on the knowledge-transfer criterion, not a gap in the analysis.

### **5.2.3 Trade Imbalance**

Article 2.5 of the Preferential Agreement states that goods, technologies, and services purchased using the facility “shall be purchased from China preferentially” ([Export-Import Bank of China, and The Government of the Republic of Kenya](#) 2014, p. 7). This is analytically significant beyond the general China–Africa trade-pattern literature reviewed in Chapter 2: it shows that Kenya’s import dependency on Chinese goods for this project is a contractual condition of the financing itself, i. e. the mechanism through which BRI infrastructure finance can reproduce trade asymmetry at the project level regardless of whether the borrowing government diversifies imports elsewhere.

The literature already establishes the general pattern: African states export raw materials and primary commodities while importing manufactured, higher-value goods (Alaye and Fakoya 2024, pp. 7–16; Udegbumam 2020, pp. 69–72), and 5.1 notes that by 2023 Kenya faced a significant bilateral trade imbalance alongside its Chinese debt burden (Kiriti-Nganga 2025, pp. 327–335). Article 2.5 connects this aggregate pattern to a specific contractual mechanism in the SGR case.

Kenyan parliamentary debate adds texture without confirming a purely one-directional narrative. On imports, one MP complained that “tooth-picks are imported from China; spoons are imported from China and socks are imported from China,” describing Kenya as “a dumping ground for cheap and counterfeit products” ([Kenya National Assembly 2016](#), p. 26), while another gave a specific value-chain example: Kenyan scrap metal shipped to China, processed, and exported back as steel priced below Kenyan-made steel ([Kenya National Assembly 2018](#), p. 19). On exports, one MP’s account of the macadamia trade complicates a simple asymmetry reading: prices paid to Kenyan farmers, below Kshs20/kg before 2010, rose to about Kshs100/kg once Chinese buyers entered the market, to the point that domestic trading cartels began “fighting the foreign investors” over the resulting competition ([Kenya National Assembly 2014](#), p. 10). This does not bear on the SGR financing mechanism specifically, but is a reminder that Chinese demand does not uniformly depress prices Kenyan producers receive.

Quantitative bilateral data confirms the aggregate pattern across the full 2000–2024 period, in three snapshots. Compiled from UN Comtrade by Onjala (2010) for the period to 2008, the earliest shows the structure later criteria identify at the contractual level: Kenya’s exports to China were dominated by raw hides and skins, sisal fibre, tea, fish and scrap metal, while imports were led by electrical and electronic equipment, vehicles, iron and steel, and

textiles and footwear. These manufactured goods have contributed to the displacement of Kenya's own footwear, ceramics and textile industries (Onjala 2010, pp. 1–4). The same study notes a significant side effect that appeared before the SGR. By 2008, Chinese demand for scrap metal was already causing theft of copper and aluminium from Kenya's own infrastructure, "including... the railway lines which suffered the greatest impacts" (*Ibid.*, p. 4). The old metre-gauge system was stripped for scrap and exported to China years before China financed the new standard-gauge line to replace it.

An ODI/FSD Kenya analysis of WITS data covers the clearest mid-period snapshot, 2015–2019 (Raga, Mendez-Parra and te Velde 2021). Kenya's imports from China rose from roughly \$3.3 billion in 2015 to \$3.6 billion in 2019, while exports ranged narrowly between \$86 million and \$149 million. This makes a \$3.4 billion deficit in 2019 alone, with exports equal to only about 4% of imports that year (*Ibid.*, p. 1). Titanium and zirconium ores and concentrates alone accounted for 60% of exports to China over 2015–2019; by contrast, electrical machinery (19%) and machinery/mechanical appliances (18%) made up around 40% of imports, with iron/steel and plastics a further 13% (*Ibid.*, p. 1). Among Kenya's top ten import categories from China in this period were "rail locomotives and locomotive tenders," "covered railway goods vans and wagons," and "rails" themselves (*Ibid.*, p. 2). It shows that the SGR's rolling stock and track materials were not a one-off procurement but a recurring, ordinary-course import category years into the railway's operation, consistent with the absence of manufacturing-transfer obligations found in 5.2.2.

The most recent snapshot shows the imbalance persisting at larger absolute scale. In 2024, Kenya's exports to China were \$196.55 million against imports of \$4.31 billion, which is roughly 22 imported dollars for every exported dollar ([Trading Economics 2026](#)); China accounted for 35.7% of Kenya's total exports by value ([MFA Kenya 2026](#), [The Trading Room 2026](#)). The commodity breakdown confirms the same pattern granularly: ores, slag and ash accounted for \$62.95 million (32.0%), followed by coffee, tea, mate and spices (\$27.93m, 14.2%), copper (\$27.11m, 13.8%), and edible fruits, nuts and citrus peel (\$25.87m, 13.2%). Together, this is 73.2% of everything Kenya sold to China in 2024, and every category an unprocessed or minimally processed primary commodity. A January 2026 early-harvest arrangement granting duty-free access to 98.2% of Kenyan exports ([MFA Kenya 2026](#)) bears watching but falls outside this chapter's data; no post-agreement trade data yet exists to evaluate it.

Over the entire period, quantitative data confirm the trade-imbalance criterion independently of both Hansard records and the Article 2.5 sourcing clause. The import-to-export ratio has worsened in China's favour, shifting from a deficit pattern evident by the late 2000s to approximately 24-to-1 in 2019 and 22-to-1 in 2024. Throughout this period, the commodity composition has remained structurally consistent: unprocessed minerals and agricultural commodities are exported, while machinery, equipment, and railway materials are imported.

#### **5.2.4 Political Influence and the Discursive Convergence of Asymmetry**

The recurring win-win framing in Chinese official statements cited in section 5.1, such as the reference to a “comprehensive cooperative partnership of equality, mutual trust, mutual benefit and win-win outcome” ([MFA China 2013](#)), is analysed as a subject in its own right, in accordance with the CDA method outlined in section 4.4. The premise established there is that the absence of explicit neocolonial framing within Kenyan discourse is analytically significant in its own right: unequal power relations are characteristically expressed through the language of partnership.

Five Chinese statements about the SGR specifically illustrate this framing in practice. When the Buyer Credit Loan Agreement was signed on 11 May 2014, Premier Li Keqiang described the financing as achieving “mutual benefits and win-win results” ([MFA China 2014a](#)). This is the same instrument whose Article 6.9 imposes default-interest penalties and Article 12.4 insulates from comparison with terms offered to other creditors ([Export-Import Bank of China and The Government of the Republic of Kenya 2014](#)). At the construction site in August 2015, Ambassador Liu Xianfa called the project “a railway of friendship, cooperation and mutual benefits” while citing the 94%/64% local-hiring figure examined in 5.2.2 ([MFA China 2015](#)). Most directly relevant to discursive convergence, when a March 2022 interview put Kenyan public concern over the SGR contracts’ “secrecy” and “debt trap” risk to Ambassador Zhou Pingjian, he responded that “there is no secrecy issue here,” that the loan was reached “through consultation on a voluntary basis,” and that “China has no capacity to impose any loan, any contract on any country” ([MFA China 2022](#)). By 2023 to 2024, official discourse increasingly featured overlapping terms such as “mutual respect,”

“win-win results,” and “comprehensive strategic cooperative partnership” (MFA China [2023](#), [2024](#)).

Kenya’s own foreign policy documents provide a useful counterpoint, showing that this vocabulary is absent from the general foreign-policy framework Kenya has set out independently of its relationship with China. It appears only when the subject is China. The Kenya Foreign Policy document (2014, revised 2024) shows a clear evolution. The 2014 framework was organised around five pillars: peace diplomacy, economic diplomacy anchored in Vision 2030, diaspora diplomacy, environmental diplomacy, and cultural diplomacy ([Republic of Kenya](#) 2014). The 2024 revision expands this to eight pillars: peace and security diplomacy, economic and commercial diplomacy, oceans/blue diplomacy, global governance and multilateral diplomacy, environmental and climate diplomacy, science, technology and innovation diplomacy, diaspora diplomacy, and socio-cultural diplomacy ([Government of Kenya](#) 2024; [Republic of Kenya](#) 2024).<sup>3</sup> Alongside these, Kenya continues to uphold Cold War-era principles of non-alignment, non-interference, good neighbourliness, and South-South cooperation ([Republic of Kenya](#) 2014; MFA Kenya [2024](#)). None is phrased as “win-win partnership”; that vocabulary enters Kenyan official communications only in statements about China. Meeting Wang Yi in July 2023, President Ruto stated Kenya “highly appreciates China for always upholding the attitude of mutual respect” and sought to “achieve mutual benefit and win-win results” (MFA China [2023](#)); welcoming Wang Yi to Nairobi in early 2024, Cabinet Secretary Mutua described China as “a pillar of friendship and consistency” ([MFA Kenya](#) 2023); and Kenya’s MFA framed SGR-related financing agreed at the September 2024 FOCAC Summit in explicitly Kenyan developmental terms, describing an accompanying rural-roads credit facility as aligning “with Kenya’s Vision 2030 goals” ([MFA Kenya](#) 2024).

This is direct evidence of the convergence the CDA method anticipates. Kenyan officials do not develop an independent vocabulary for describing SGR and BRI financing; they adopt, almost verbatim, the reciprocity language first articulated in Chinese statements, even though it is absent from Kenya’s own foreign-policy pillars. The convergence does specific analytical work against the contractual evidence in 5.2.1: Ambassador Zhou’s 2022 characterisation of the financing as achieved “through consultation on a voluntary basis”

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<sup>3</sup> Note: several December 2024 launch reports described seven pillars, folding oceans/blue diplomacy into the economic pillar; eight appears to be the figure that held once the policy was tabled before Parliament as Sessional Paper No. 1.

([MFA China](#) 2022), implying equal footing, is not supported by the loan agreements. Provisions such as exclusive Chinese governing law, mandatory CIETAC arbitration, comprehensive immunity waivers, and the undertaking not to seek comparable terms are all one-sided and lack reciprocity. When Kenyan officials adopt the same reciprocity vocabulary in their own voice, instead of contesting or neutrally describing this asymmetric legal architecture, the discourse performs the work neocolonialism theory predicts: presenting a legally asymmetrical relationship as a relationship between equals, without any actor needing to state that this is what is happening.

This is not, however, straightforward capture of Kenyan discourse by Chinese framing. At the same 2024 FOCAC Summit, President Ruto used the platform to press substantive demands that implicitly acknowledge the asymmetry the “win-win” language elsewhere obscures: deeper concessional funding, greater International Development Association contributions for low-interest African financing, and debt restructuring with longer grace periods and extended terms ([MFA Kenya](#) 2024). A government that fully accepted the equal-footing framing would have no occasion to request more favourable terms than it already holds. A government negotiating within a structurally unequal relationship, while continuing to describe it in the vocabulary of partnership, is closer to what norm backlash theory would predict.

Kenya’s Parliament supplies a further, sharper complication that the executive-level discourse above does not capture. Where Ruto, Mutua, and the Ministry consistently restate the reciprocity vocabulary, backbench and opposition MPs regularly reject it outright in domestic Hansard debate. One Member described a proposed easing of parastatal-sale oversight as creating conditions under which “Kenya Railways... which owns the SGR... can be privatised in the morning for a song,” predicting “two months of bloodbath” and calling the proposal “not a Bill but a theft scheme” ([Kenya National Assembly 2017](#), pp. 32–33). Another person referred to the SGR as “a cash cow,” prompting a point of order about whether that phrase should be included in the official record. The language was chosen to compare the SGR to the NYS and Goldenberg corruption scandals ([Kenya National Assembly 2015](#), p. 26). A third pointed to a documented cost overrun: “the expectation was that it was going to cost about Ksh27 billion, but it is Ksh84 billion”, and to Ethiopia’s comparable line being built for substantially less, as proof that the higher cost is due to waste and not a fair price ([Kenya National Assembly 2022](#), p. 23). This is not the language of partnership. It coexists with the executive’s “win-win” framing documented above, the two

registers addressed to different audiences: the diplomatic-executive register faces outward, to Beijing, and does the legitimising work neocolonialism theory predicts. The parliamentary register faces inward, to domestic accountability, and does the contesting work norm backlash theory would associate with an institution testing the limits of executive discretion. Both exist within the same state simultaneously.

This dual reading is consistent with the combined framework in 3.3, and the parliamentary evidence sharpens. The norm backlash reading is supported by Ruto's substantive debt-restructuring demands at FOCAC and Parliament's domestic contestation of SGR costs and governance; the neocolonialism reading is supported by the discursive convergence documented above and the gap between Ambassador Zhou's "equal footing" framing and the contractual asymmetry in 5.2.1. What the parliamentary record adds is a location for that dual reading within the Kenyan state itself: the same government that legitimises the relationship abroad in the vocabulary of partnership tolerates, and is periodically confronted by, a domestic legislature that describes the same project as a "cash cow" and a "theft scheme".

### **5.3 Social and Environmental Consequences**

This section is intentionally concise, serving to provide contextual support for the dependency and agency argument developed in Section 5.2. It does not function as a co-equal analytical pillar, in accordance with the source-category weighting established in Sections 4.3 and 4.5.

Land compensation generated the more numerous, if individually smaller-scale, disputes. Residents of Kajiado North alleged that Ministry of Lands "comparable rates" for SGR-affected parcels, issued in March 2018 after a land-value survey along the Phase II(A) corridor, were internally inconsistent, and petitioned the Departmental Committee on Lands to review them ([Kenya National Assembly 2018](#), pp. 1–2). A separate Member reported unresolved SGR compensation claims in Taita Taveta continuing well after the corridor was built ([Kenya National Assembly 2023](#), p. 3); and another described losses of roughly Kshs2 billion attributed to fraudulent SGR land-compensation payments ([Kenya National Assembly 2018](#), p. 26). A recurring related complaint is that compensation values were themselves distorted by the project's arrival: one MP observed that claimed land value routinely

“skyrocket[ed]” once a route was announced, since owners had every incentive to inflate figures ([Kenya National Assembly 2019](#), p. 15). A formal petition on behalf of Matangini Primary School in Kibwezi East, filed April 2015, shows how such disputes could combine land, environmental, and constitutional claims. Petitioners alleged CRBC had installed a stone crusher within one kilometre of the school in contravention of NEMA regulations, then reneged on relocating the school to permanent facilities in favour of temporary *mabati*<sup>4</sup> structures, framing this as an infringement of the Article 42 constitutional right to a clean and healthy environment ([Kenya National Assembly 2015](#), p. 2). The petition was referred to the committee. The Hansard record consulted here shows no subsequent public account of its outcome and its absence is consistent with a broader pattern in which grievances are referred to committee without a documented resolution appearing in the public record.

The proposed routing of SGR Phase 2A through Nairobi National Park became a significant source of controversy. The Kenya Coalition for Wildlife Conservation and Management challenged the project’s environmental approval before the National Environment Tribunal (*Okiya Omtatah Okoiti v. Republic of Kenya* 2018), and WildlifeDirect convened a multi-stakeholder forum in October 2016 calling for an alternative alignment ([WildlifeDirect 2016](#)). NEMA nonetheless issued a licence on 13 December 2016 for an elevated-bridge route through the Park ([WildlifeDirect 2017](#)), and construction proceeded. Cabinet Secretary for Transport James Macharia dismissed opposing conservationists as “busybodies” attempting to “abuse the process meant to benefit Kenyans” ([The East African 2018](#)), and one MP described demonstrators as wanting Kenya to “stay the way we were staying 500 years ago” ([Kenya National Assembly 2016](#), p. 21). A related, less publicised dispute concerns the Tsavo Conservation Area, which the railway also crosses: one MP raised in Kiswahili that the line disrupts elephant migration routes, forcing animals onto farmland where they damage crops and endanger residents (Kenya National Assembly [2016](#), p. 23; Kenya National Assembly [2018](#), pp. 1–4). This is corroborated by an independent environmental-impact study reporting Kenya Wildlife Service observations of communities using the railway’s wildlife underpasses to move livestock into Tsavo East, causing soil degradation (Daily Nation [2017](#), [2019](#)).

The Nairobi National Park dispute’s legal history is instructive. The National Environment Tribunal issued a stop-work order after Okiya Omtatah and the Kenya Coalition appealed NEMA’s handling of the route in September 2016 ([The Star](#) 2019), and an

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<sup>4</sup> Corrugated iron sheeting, used as a building material. See more at: <https://en.bab.la/dictionary/english/mabati>.

academic study independently confirms the Tribunal “ruled in their favour” and that the High Court “overruled” a subsequent government amendment aimed at the ruling ([Bächle](#) 2025); NEMA nonetheless issued its licence for the elevated-bridge route regardless on 13 December 2016 ([WildlifeDirect](#) 2017). Separately, from 2014, Okiya Omtatah and the Law Society of Kenya argued in the High Court that the entire SGR contract had been single-sourced without competitive tender, in violation of Article 227 of the Constitution and the Public Procurement and Disposal Act 2005; directly on point for the “no competitive tendering” finding in 5.2.1. The High Court dismissed this in 2014, but the Court of Appeal reversed on 19 June 2020, holding Kenya Railways “failed to comply with, and violated” Article 227(1) and the 2005 Act (Supreme Court of Kenya 2023). This is a genuine judicial finding, three years after Phase I opened, that the flagship agreement examined in 5.2.1 had been unlawfully procured. By then the railway was substantially complete, so the ruling carried a declaration but no practical remedy. Three years further on, the Supreme Court reversed the Court of Appeal on 16 June 2023, holding the procurement was in fact a lawful government-to-government transaction exempt from the 2005 Act.

Read across both venues, petitioners did not always lose: they won real, substantive rulings at intermediate stages, including one finding the central financing agreement of this chapter unconstitutionally procured. But in neither case did a win survive to the end of the process or change the railway’s route, schedule, or legal footing. NEMA’s 2016 licence stood despite the stop-work order, and the Supreme Court’s 2023 judgment is now the final word restoring the government’s position. Read together with 5.2, this section’s contribution is accordingly not that legal challenge is futile (the Court of Appeal ruling shows it can succeed on the merits) but that the same asymmetry of practical leverage identified in the financing relationship recurs in the litigation itself: construction, once underway, proceeds fast enough, and the ultimate appellate word arrives late enough, that a state willing to keep building can generally outlast a successful challenge before it takes practical effect.

This section’s cast of actors also cautions against reading “the state” as a single, undifferentiated party. The National Environment Tribunal and the Court of Appeal ruled against the executive’s own procurement and licensing decisions; NEMA, an executive agency, issued the licence regardless; and the petitioners (Omtatah, the Kenya Coalition for Wildlife Conservation and Management, WildlifeDirect) are civil society actors distinct from all of the above, just as Parliament’s contestation of the SGR in 5.2.4 is distinct from the executive’s framing of it. Kenyan institutions articulate different relationships to China, to

sovereignty, and to the state's own development priorities, and it is specifically executive commitment to construction, not an undifferentiated national consensus, that outlasts legal challenge here.

#### **5.4 Synthesis: Agency at the Point of Choice, Dependency in the Outcome**

Section 5.1 established that Kenya's turn to China was agency-driven, representing a deliberate strategic response to dissatisfaction with Western conditionality and aligning with norm backlash theory. It is not being externally imposed in the sense of coercion, though that agency was exercised within a narrow choice-set. Western multilateral and bilateral financing for infrastructure at this scale had receded since the SAP era, and the absence of a comparable financing alternative is itself not unconnected to the colonial and post-colonial economic structures examined in Chapter 2. Choosing China *was* a genuine choice, made from a narrower menu than the language of agency alone conveys. The evidence assembled in 5.2 and 5.3 examines what that choice produced. According to the most directly and robustly supported criteria, namely financial dependency and contractual and legal asymmetry (5.2.1), the SGR case reflects a financing structure in which Kenya assumes significant legal and financial risk. These risks are embedded in provisions such as Chinese governing law, CIETAC arbitration, a comprehensive sovereign immunity waiver, and broadly drawn default clauses, all of which were agreed to as part of the financing relationship. Again, it is not imposed through separate political conditionality. The trade-imbalance criterion (5.2.3) is comparably well supported, resting not on a single contract but on a consistent statistical record across three independent snapshots spanning 2000–2024: Kenya's exports to China remained overwhelmingly unprocessed primary commodities against a persistent, and if anything worsening, volume of imported manufactured goods, with Article 2.5's Chinese-sourcing requirement showing precisely how a single financing agreement can operationalise that aggregate pattern at the project level. Financial dependency, contractual asymmetry, and trade imbalance are accordingly the three criteria this thesis can defend with the least qualification, since each rests on primary contractual text or an independent, quantifiable data series.

The remaining criteria are less uniformly supported, and the unevenness is itself analytically significant. It is not a weakness to be smoothed over. Discursive convergence

(5.2.4) is the most interpretively demanding of these criteria, and the inference deserves care: that Chinese and Kenyan officials both use “win-win” language while the underlying contract is asymmetrical does not, on its own, establish convergence, since positive framing of this kind could equally reflect routine diplomatic rhetoric, strategic legitimisation, or selective emphasis. What supports the convergence reading here is a more specific pattern than the mismatch alone. The vocabulary is strongly evidenced at the executive-diplomatic register, is absent from Kenya’s own independently authored foreign-policy pillars, and describes a legal architecture that is not reciprocal by any reasonable reading of 5.2.1, suggesting the adoption of an externally sourced frame, and not just routine diplomatic convention. The same subsection shows this convergence is, in any case, neither total nor uncontested. Ruto’s substantive debt-restructuring demands at the 2024 FOCAC summit, and Parliament’s recurring characterisation of the SGR as a “cash cow” and a “theft scheme,” show the Kenyan state simultaneously legitimising the relationship abroad and contesting it domestically. Political influence without formal control is therefore the criterion where the two theoretical frameworks in Chapter 3 most directly overlap. The executive register does the legitimising work neocolonialism theory predicts, while the same government’s parliamentary register does the contesting work norm backlash theory would anticipate, both operating concurrently within a single state.

Limited transfer of knowledge and dependency on foreign contractors (5.2.2) is the criterion for which the evidence is thinnest and most contested, alongside contractual silence and independent Hansard testimony. It rests substantially on self-reported operator and embassy claims that 4.5 flags as unverified, and on a single, union-sourced civil society allegation that could not be independently verified either. What can be said with more confidence is the trajectory: an EPC turnkey contract containing no local-content, training, or technology-transfer obligations produced an operational arrangement in which a Chinese subsidiary retained management of the railway for its first four years, and safety-critical functions for at least seven; Kenya Railways’ own gradual, repeatedly delayed takeover between 2021 and 2024 shows this dependency was neither permanent nor absolute, but also that unwinding it required sustained institutional initiative on Kenya’s side rather than following automatically from the passage of time or the terms of the original agreement.

The social and environmental findings in 5.3 reinforce this same pattern of partial, procedurally-bounded accountability. Civil society and parliamentary petitioners secured genuine wins on the merits (a National Environment Tribunal stop-work order, a Court of

Appeal finding that the SGR was procured unlawfully) but neither survived long enough, procedurally, to alter the railway's route, schedule, or legal footing before the state's position was restored on appeal. The asymmetry identified in the financing relationship in 5.2.1 therefore recurs in a different institutional register: not the absence of legal recourse, but a structural mismatch between the pace of construction and the pace of adjudication that consistently favours whichever party is already building.

The seven criteria do not support a uniform verdict, and this thesis does not offer one. Financial dependency, contractual asymmetry, and trade imbalance are strongly and independently evidenced; discursive convergence is strongly evidenced at the executive register but openly contested within the same state, at the same time, in Parliament; and knowledge transfer, contractor dependency, and the practical leverage of legal accountability are evidenced as partial and improving-but-incomplete rather than as fixed conditions. This pattern supports the thesis's central proposition: agency at the point of choosing China, which 5.1 established and which this chapter does not dispute, did not extend to the financial, contractual, and trade terms that choice produced, which remain concentrated and asymmetrical regardless of the agency exercised in reaching them. Dependency here is not imposed against Kenya's will. It is embedded in terms Kenya's own institutions signed, and it is unwound, where it is unwound at all, only through sustained and uneven Kenyan institutional effort after the fact, and not through the partnership vocabulary in which the relationship continues to be publicly described. This synthesis is the hinge between the empirical findings above and the theoretical reflection that follows in Chapter 6: where this section states what was found, Chapter 6 asks what the finding means for neocolonialism and norm backlash theory as analytical frameworks more broadly.

## **6. Discussion**

The previous chapter established what Chinese engagement with Kenya under the BRI produced, criterion by criterion. This chapter does not restate those findings. Its purpose is to ask what they mean: what the SGR case adds to Neocolonialism Theory and Norm Backlash Theory as analytical frameworks, where it sits within the wider China–Africa debates reviewed in Chapter 2, and what its implications are for understanding China’s role in Africa beyond this single case.

### **6.1 Dependency as Differentiated, Not Uniform**

The clearest theoretical contribution of the case concerns the internal architecture of neocolonial dependency itself. Nkrumah’s original formulation of neocolonialism describes a condition of external control that coexists with formal sovereignty (3.1.1), and the seven criteria operationalised in 3.1.2 were designed to detect that condition empirically. What 5.4’s synthesis shows, however, is that the criteria do not move together. Financial dependency, contractual and legal asymmetry, and trade imbalance are all clearly present. These issues share a structural feature that the other criteria do not. They become fixed at the moment the contract is signed, through provisions such as the no-comparable-terms undertaking in Article 6.10 ([Export-Import Bank of China, and The Government of the Republic of Kenya](#) 2014, p. 16), the comprehensive immunity waiver, and the Chinese-sourcing requirement. These terms are specifically designed to make later renegotiation difficult. Limited transfer of knowledge and dependency on foreign contractors, by contrast, proved partially reversible: Kenya Railways’ gradual, self-initiated reclaiming of operational functions between 2021 and 2024 shows that this form of dependency, unlike the contractual terms underlying it, was not fixed for the life of the agreement. Discursive convergence sits somewhere between the two: strongly evidenced at the executive-diplomatic register, but openly and continuously contested within the same state at the parliamentary register.

This unevenness is a finding about the structure of neocolonial dependency itself, not a limitation of the case. It suggests that neocolonialism, at least as it manifests in a case of this kind, is better understood as a bundle of mechanisms with different durability than as a single condition that either holds or does not. Some mechanisms are, in effect, hard, meaning that they are fixed at signing, resistant by design to unilateral revision. Others are soft – they are shaped by ongoing institutional capacity and political will, and therefore open to gradual correction. If we ignore this distinction, as a simplistic view of neocolonialism might, we risk overlooking important examples of domestic agency. For instance, Kenya Railways reclaiming Afristar’s functions and Parliament’s ongoing challenges to procurement and costs are cases in point. Critics like Udegbuma (3.1.5) warn that these actions can be missed when neocolonialism is used as a catch-all explanation for African dependency. A differentiated, criterion-by-criterion account, of the kind this thesis develops, keeps that agency analytically visible.

This pattern also makes Bayart’s concept of extraversion (3.1.5) more concrete at the project level. It shows how external, unequal relationships can be used strategically for domestic political goals, not just a passive response to outside influence. Ruto’s use of the September 2024 FOCAC platform to press for deeper concessional funding and debt restructuring, alongside Kenya Railways’ unilateral decision not to renew Afristar’s contract, are not instances of a state accepting the terms it signed as final. They are instances of a state working the asymmetric relationship it entered for further concessions after the fact. Bayart’s argument was made at a general continental level. The SGR case provides a clear, documented example of the same dynamic within one specific, traceable financing relationship.

## **6.2 Procedural Asymmetry: A Temporal Dimension the Framework Does Not Name**

The case also reveals a mechanism that the seven criteria in section 3.1.2 do not mention directly. There is a difference in timing or process between how quickly construction happens and how quickly decisions are made. The judicial history examined in 5.3 points to a mechanism the seven criteria in 3.1.2 do not explicitly capture. The National Environment Tribunal’s stop-work order did not halt construction. The Court of Appeal’s 2020 finding that the SGR had been unlawfully procured arrived three years after Phase I opened and carried a

declaration but no practical remedy. Additionally, the Supreme Court's 2023 reversal restored the government's position as the final word. In neither case did the absence of legal recourse produce the outcome. Recourse existed, and succeeded on the merits at intermediate stages. What produced the outcome was a structural mismatch between the pace of construction and the pace of adjudication, such that a state willing to keep building can generally outlast a successful legal challenge before it takes practical effect.

This dimension sits alongside the seven criteria in 3.1.2, not inside them, since it would be invisible to a framework that only asks whether legal accountability mechanisms exist. They existed here, and were used, and partially succeeded. What mattered was not their existence but their timing relative to implementation. Future applications of this framework, to other BRI-financed projects or to development finance more broadly, would benefit from treating the relative speed of implementation and adjudication as an explicit object of analysis.

### **6.3 Norm Backlash as an Ongoing Posture**

Norm backlash theory, as developed by Finnemore and Sikkink and refined by Deitelhoff and Zimmermann's distinction between applicatory and justificatory contestation (3.2.1), is built to explain a state's rejection of a prevailing international norm-setter. Applied to 5.1, it explains Kenya's turn to China convincingly: a deliberate, justificatory rejection of Western conditionality following decades of structural adjustment, and not a relationship imposed from outside. What the case adds is that this contestation did not conclude once the reorientation occurred. Ruto's FOCAC-platform demands for better financing terms, and Parliament's sustained domestic characterisation of the SGR as a "cash cow" and a "theft scheme" documented in 5.2.4, show Kenya continuing to direct a justificatory-contestation posture at the substitute relationship itself, years after the initial switch. Norm backlash, when it produces a substitute partnership, is therefore better modelled as an open-ended and renewable posture than as a completed transition from one normative alignment to another.

A second implication follows from the executive/parliamentary divergence identified in 5.2.4. Norm backlash theory, as currently formulated, tracks a state's stance toward an external norm-setter. It is not designed to track variation within a state. Yet that is exactly what the Kenyan case shows: the executive completed the switch of external partner and

stabilised around a legitimising vocabulary borrowed from Beijing, while Parliament remained unsettled about the terms of that same switch, continuing to contest cost, procurement, and governance long after the reorientation was politically final. A state, in other words, can complete an external realignment while remaining internally divided about it. This is a distinction the theory's state-level unit of analysis does not currently register, and one that a multi-institutional extension of the framework could usefully capture.

#### **6.4 Agency and Dependency as Concurrent, Not Sequential**

The combined framework set out in 3.3 distinguishes analytically between the moment of agency (Kenya's choice to engage China) and the structural outcome that choice produces. This distinction was necessary to avoid a binary reading of China's role in Africa, and 5.1–5.4 confirm that it is the right distinction to draw. But the empirical record does not support treating agency and dependency as sequential, with agency exercised once, at the point of choice, and dependency following afterward as a comparatively static condition. Kenyan agency recurs throughout the relationship's life: in Kenya Railways' phased reclaiming of operational control, in Ruto's demands for improved terms at FOCAC, and in Parliament's and civil society's sustained procurement and environmental challenges. Each is an exercise of agency within, and against, an already-existing asymmetric relationship, not agency confined to the relationship's inception.

The accuracy of the framework increases by viewing agency and dependency as ongoing, concurrently negotiated processes, opposed to a static state established at a lone decision point. This refinement does not overturn the central distinction between choice and outcome that 3.3 establishes; it clarifies that the "outcome" side of that distinction is not a terminal state but an ongoing site of contestation, in which the balance between agency and dependency can shift, unevenly and incompletely, well after the original choice was made.

#### **6.5 Situating the Case within the China–Africa Debate**

The case bears directly on the debt-trap diplomacy debate reviewed in 2.3. It does not support the strong version of that thesis: nothing in the contract text, the Hansard record, or the judicial record indicates that China engineered SGR financing to enable coercive leverage

or asset seizure, and Kenya has continued to negotiate, contest, and partially claw back terms, but not occupying a static, trapped position. But the case equally does not support Himmer and Rod's more permissive reading, which attributes debt and dependency problems primarily to recipient-side governance failure (2.3). The asymmetric provisions examined in 5.2.1 are not evidence of Kenyan mismanagement. They are standard features of the lender's own template, reproduced nearly clause-for-clause across both loan agreements, agreed to as the ordinary cost of financing. They are not negotiated away through error or neglect. The case therefore supports a position between the two poles the literature sets up: dependency that is structurally embedded and contractually ordinary, produced without deliberate coercion and without simple recipient-side mismanagement, which is closer to Harvey's account of accumulation operating through the ordinary terms of lending (3.1.2) than to either the debt-trap thesis or its dismissal.

The case also speaks to the gap identified in 2.5: the absence of systematic analysis explaining why similar Chinese-financed projects produce divergent outcomes across countries. A single case cannot close that gap, but the differentiated, criterion-by-criterion evidentiary grading developed in 5.4 <sup>5</sup> offers a transferable analytical structure. Applied comparatively, it could help explain why two countries facing similar Chinese financing terms might diverge in outcome not because the contracts differ, but because domestic institutional capacity and political contestation, of the kind Kenya Railways and Kenya's Parliament supplied here, differ.

On generalisability beyond Kenya, the evidence supports a cautious claim. The Buyer Credit Loan Agreement reproduces the Preferential Agreement's asymmetric provisions nearly clause-for-clause (5.2.1), which is itself evidence that these are standard features of the Exim Bank lending template rather than terms specific to Kenya's negotiation. This gives reasonable, evidence-grounded basis to expect similar contractual architecture in other Exim Bank-financed BRI projects. However, it does not extend to outcomes. This case shows that what happens after signing depends heavily on domestic institutional capacity and sustained political contestation, which will vary considerably across recipient states, and which this thesis's single-case, secondary-data design (4.5) is not positioned to measure comparatively.

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<sup>5</sup> Distinguishing hard, contractually locked-in dependency from softer, more reversible operational and discursive dependency.

## 7. Conclusion

This thesis set out to answer a question: how does China's BRI engagement with Kenya reproduce dependency, and how does Kenya's agency (rooted in its backlash against Western development conditionality) shape whether that dependency constitutes neocolonial influence or asymmetric interdependence alone? The evidence assembled in Chapters 5 and 6 supports a qualified answer. Dependency itself is most robustly established, and least ambiguous, where it is embedded in binding legal and financial instruments agreed at the outset (governing law, dispute-resolution forum, sovereign immunity, sourcing requirements) that are specifically designed to resist later renegotiation. Whether this dependency rises to specifically neocolonial influence, in the sense 3.1.2 defines, is better evidenced than settled. Legitimising partnership language does real concealing work at the executive-diplomatic register, but Parliament's continued, open contestation of the same relationship shows this influence is neither total nor uncontested. Dependency is least entrenched, and most reversible, where operational capacity and technical control are concerned, since these have proven responsive, however slowly and incompletely, to sustained Kenyan institutional pressure over time.

Kenya's backlash against Western conditionality is the condition that made this specific configuration possible in the first place. Decades of exposure to IMF and World Bank structural adjustment supplied the political legitimacy for choosing a financing model whose terms differ structurally from multilateral norms, and whose appeal rested precisely on the absence of the governance conditionality Kenya had grown to resist. But that backlash operated at the point of choosing a partner, not at the point of negotiating the specific terms on offer from that partner. This is why the resulting relationship reflects both Kenyan agency, which is evident in the initial decision and in ongoing contestation and partial correction, and structurally produced dependency embedded within the terms. This dynamic does not resolve neatly into a narrative of either imposed dependency or unconstrained sovereign choice.

Four findings anchor this answer. First, the evidence is consistent with a norm-backlash reading of Kenya's turn to China, though it does not rule out rival explanations such

as strategic diversification or pragmatism (3.2.4). What favours the norm-backlash interpretation specifically is that Kenya's own discourse does not stop at cost or convenience. It invokes non-interference and sovereignty in terms that track a legitimacy critique of conditionality, consistent with Finnemore and Sikkink's account of justificatory contestation and with Kenya's own "Look East" policy discourse.

Second, dependency is real in the SGR case and robustly evidenced, though unevenly distributed across mechanisms. Whether it rises to specifically neocolonial influence, as distinct from dependency alone, is addressed separately below. Financial dependency, contractual and legal asymmetry, and trade imbalance are strongly and independently evidenced, resting on primary contractual text and a consistent statistical record spanning 2000–2024. Limited transfer of knowledge and dependency on foreign contractors are evidenced more thinly and proved partially reversible, as Kenya Railways gradually reclaimed operational functions between 2021 and 2025.

Third, discourse performs genuine legitimising work but is not hegemonic across the Kenyan state. Kenyan officials adopt Chinese partnership vocabulary absent from Kenya's own independently authored foreign-policy pillars, presenting a legally asymmetrical relationship as a relationship between equals. But this convergence operates specifically at the executive-diplomatic register; Kenya's Parliament simultaneously and openly contests the same relationship in markedly different terms, showing that discursive convergence and domestic political contestation coexist within a single state.

Fourth, formal accountability mechanisms can succeed procedurally without altering outcomes. Civil society and parliamentary petitioners secured genuine wins on the merits, including a Court of Appeal finding that the SGR had been unlawfully procured, but in no case did a win survive long enough, procedurally, to change the railway's route, schedule, or legal footing, because construction consistently outpaced adjudication.

This thesis is a single-case study, and its findings are not intended to generalise statistically across the BRI's broader project portfolio; Kenya and the SGR were selected for analytical depth and evidentiary accessibility, not representativeness (4.2). The absence of fieldwork restricts the analysis to institutional and structural claims addressable through documentary evidence, and cannot speak to lived experience, i. e. whether Kenyan negotiators regarded specific contractual provisions as unusual, or whether affected

communities experienced SGR labour and compensation practices as exploitative, falls outside what this design can establish (4.5).

The seven criteria examined are not equally supported by the available evidence. Financial dependency, contractual asymmetry, and trade imbalance rest on primary contractual text and independent statistical series; limited transfer of knowledge and dependency on foreign contractors rest on media, civil society, and self-reported operator and embassy claims that could not be independently verified. Discourse analysis, more generally, can show how an asymmetrical arrangement is framed, but cannot on its own establish that such framing causes the dependency it accompanies. Finally, the SGR's loan agreements are unusually public by the standards of BRI financing; most comparable contracts remain non-disclosed, which is precisely why this case was selected, but also why its contractual findings cannot be assumed to hold, in their specifics, across BRI projects whose terms have never entered the public domain.

Three extensions follow directly from these limitations. A comparative, multi-case study applying the same seven-criterion structure to other BRI-financed projects, in Kenya and elsewhere, would test whether the differentiated pattern of dependency found here (hard contractual and financial terms, softer and more reversible operational terms) holds more generally, and could help explain the cross-country variation in outcomes that the existing literature has so far struggled to systematise (2.5). Fieldwork-based research, interviewing Kenyan officials involved in negotiating the SGR agreements and personnel from Kenya Railways and Afristar directly, would supply the lived-experience evidence this documentary design could not reach, particularly on whether specific contractual provisions were understood as unusual at the time of signing.

Two additional lines of inquiry emerge directly from the findings of this case. Given that the Buyer Credit and Preferential Agreements contain nearly identical asymmetric provisions, a systematic comparison of Exim Bank loan templates across multiple BRI recipient countries would directly test whether the inference that these terms represent standard practice is valid beyond this single case. And longitudinal research tracking the effect of the January 2026 Kenya–China early-harvest trade arrangement on Kenya's export composition would extend the trade-imbalance findings in 5.2.3 past this thesis's data horizon, testing whether that agreement represents the first genuine structural shift in a bilateral trade pattern that has otherwise remained consistent for a quarter of a century.

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