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# Rails through rangelands: redefining infrastructure frontiers and patronage in Kenya's Maasai land

Evelyne Atieno Owino <sup>a</sup> and Conrad Schetter <sup>b</sup>

## ABSTRACT

Focusing on Suswa, this study analyses the impact of the Standard Gauge Railway (SGR) project on labour dynamics in local communities in Kenya's southern rangelands. Using the patron–client framework, we explore the complex relationship between the SGR, labour practices and contestations during its construction. Following a qualitative approach, data collection between 2021 and 2023 reveals how the elites promised jobs and claimed to follow labour regulations but covertly promoted patron–clients' interests, resulting in social disparities through inequitable labour distribution, power dynamics and violent protests by the local workers, predominantly from the Maasai ethnic and the broader labourers in Suswa.

## KEYWORDS

Patron–client; contested labour; Standard Gauge Railway; infrastructuring; Suswa; Kenya

## JEL

R42; R14; D72; D74; J15

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## 1. INTRODUCTION

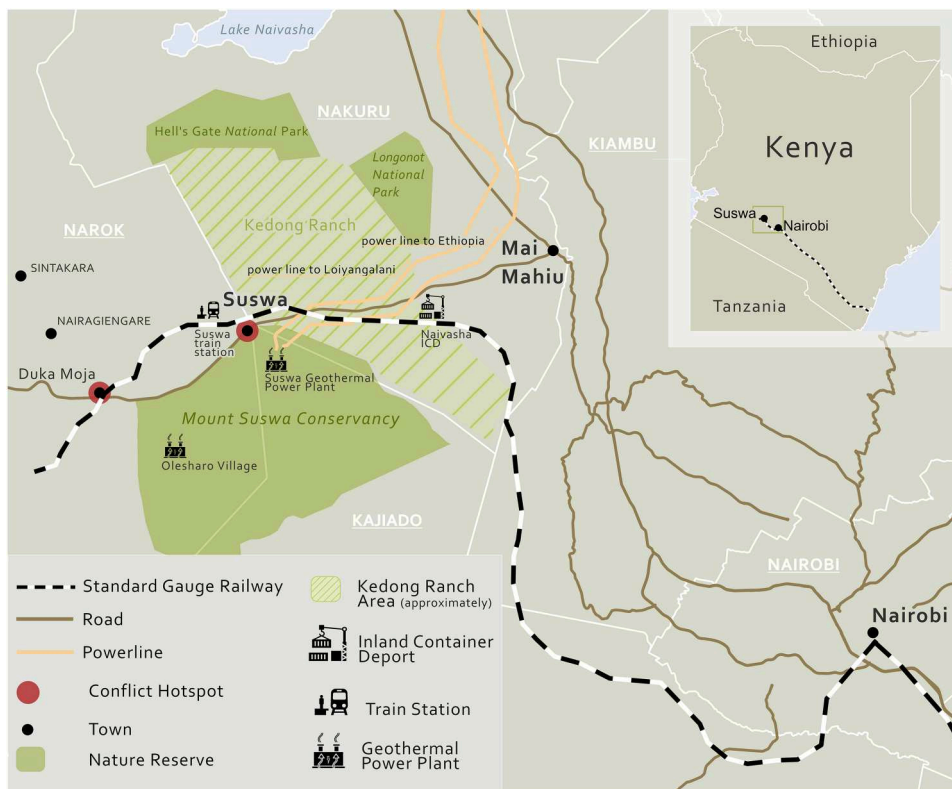
Large-scale projects costing >US \$1 billion involve multiple agencies stemming from public, private, international, local and national stakeholders (Flyvbjerg, 2014). In the Global South, such projects tend to attract global capital and are led by national governments with a vision to improve the socio-economic conditions of local communities (Aalders et al., 2021). However, research in Kenya (Flyvbjerg et al., 2016) has shown that such projects not only offer opportunities for local communities (e.g., generation of new jobs or training facilities) but also entail risks such as an increase in socio-economic disparities or conflicts over the concrete benefits of the project for the local population (Mkutu et al., 2021; Müller-Mahn, 2020). This article focuses on the role of patron–client relationships in providing labour opportunities during the construction of the SGR (Standard Gauge Railway) megaproject in Suswa, Kenya as shown in Figure 1.

Evidence from research on the Lamu Port South Sudan Ethiopia Transport Corridor (LAPSSET) (Mkutu, 2021) and the Lake Turkana Wind Power project (Drew, 2022) in

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**Figure 1.** A map of the region around Suswa, Kenya, highlights the Standard Gauge Railway (SGR), roads, power line, Suswa Geothermal Power Plant, and the Naivasha Inland Container Depot. The map also shows conflict hotspots. The inset shows the location of Suswa within Kenya, near the border of Tanzania and the end of SGR.

Notes: Data was collected between 2021 and 2023, with a follow-up in 2024. The boundary of Kedong used in this map does not imply official endorsement or acceptance by bicc.

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northern Kenya underlines the significance of patronage networks and labour in the context of rapid economic and political transitions in Africa and the central role of intermediaries, often mediated by politicians, in rural community's struggles for inclusion in large-scale infrastructure investments. The paper will focus on the second phase of SGR (phase IIA), which connects Nairobi to the Southern Rift Valley through Suswa, built by Chinese companies between 2017 and early 2020. Research shows how the construction of the SGR has affected the relationship between elites and local communities (Lesutis, 2022a) and has highlighted the consequent exclusion of the local population during the construction of the SGR. The role of elites (Alden & Otele, 2022) shows how local politicians have benefited from the SGR through rent-seeking. Mkutu (2023) examined how bureaucrats and local elites benefited from the construction of the SGR by receiving early information about the route of the SGR and by investing in land speculation. Research has also been conducted on the role of labour in the construction of the SGR from Mombasa to Nairobi. Wissenbach and Wang (2017) argue that the SGR generated controversy over its economic viability, opaque contracting practices and labour issues on the one hand and created development opportunities for locals on the other. Otele (2021) examined the

extent to which the construction companies complied with or ignored labour laws. Thus, patron–client relationships have been discussed in relation to the question of project management and government accountability (Wang & Wissenbach, 2019).

Building on the above previously conducted research, this article aims to combine the general question of social exclusion with the specific question of employment provision. In doing so, we identify patron–client relationships as the missing link in this debate. We aim to capture this by investigating the role local elites play in promising and providing labour during the construction of the SGR. For our research, we chose the case study of Suswa, an area crossed by phase IIA of the SGR from Nairobi to the Southern Rift Valley. To explore the impact of infrastructure–labour relations in Suswa, we seek to answer the following research questions. First, how did Suswa's infrastructure through the SGR build hierarchies between skilled and unskilled workers among the local ethnic Maasai population? Second, how did patron–client relationships lead to labour disputes during the implementation of the SGR project?

The research was undertaken in Suswa ward, it borders Narok, Nakuru and Kajado counties, which border each other to the northeast of Suswa town. Our main regional focus was the sub-locations of Enoosupukia and Suswa locations, where we conducted ten transect walks. The paper draws on qualitative data collection approaches, including observation, focused group discussions, and semi-structured interviews complemented with key informant interviews conducted between June 2021 and March 2023. We adopted a people-centred approach, using snowballing, convenience and, in some cases, purposive sampling to identify our interview partners. Our inclusion criteria considered the project's location and proximity to those affected, their occupation and their age bracket of 18–82 years. Out of the 63 interviewed, 39 were workers from all the SGR construction site camps within Suswa, most of whom were from the local ethnic Maasai community. We also interviewed the SGR junior and senior management team at the construction camps at Suswa station, senior civil servants, national government administrative staff, and county officers. We held nine focus group discussions with elders, women and youths in villages inhabited by Maasai communities. The 42 interviews conducted were with ethnic Maasai community representatives in Suswa, while the other 21 interviews were with representatives of different ethnic groups living in Suswa (e.g., business owners) to gain their perspectives on the impact of the SGR and labour relations. We also interviewed representatives of civil society organisations (e.g., local community and faith-based organisations, grassroots trade unions and youth groups). Finally, we analysed national and international media data from newspapers, reports and television sources, such as *Citizen* and *K24 News* on the SGR.

The article is structured as follows. First, we provide a conceptual introduction to patron–client relationships, which play an essential role in large-scale infrastructure projects. Second, we present the case of the SGR and Suswa, problematising labour policies and contestations during its construction in Suswa. Third, we shed light on the controversies over labour at Suswa, unfulfilled promises and political influence over labour. Based on this, we will show in the central part of the article how violent protests of the Maasai against labour conditions were organised via patron–client relations. The conclusion summarises the infrastructure and labour relations, particularly during the construction of the SGR in Suswa, and recommendations for future research.

## 2. PATRON–CLIENT RELATIONSHIPS

Patron–client relationships, particularly in Africa, are also known as 'big man syndrome' (Shawa, 2012), 'bigmanism' (Salafia, 2014), 'prebendalism' (van de Walle, 2007), 'big man politics' (Daloz, 2003), 'politics of the belly' (Bayart, 2009), 'clientelism' (Muno, 2010) or 'neopatrimonialism' (Erdmann & Engel, 2007). Due to historical, cultural and socio-economic contextualisation, this terminological plurality already reflects that patron–client relationships lack a general

definition and are characterised by a high degree of vagueness. For this reason, terms such as clientelism, patronage or neopatrimonialism are often used interchangeably (Muno, 2010).

In its narrowest sense, patron–client relationships describe a reciprocal but unequal relationship between the patron of higher socio-economic status and his client (Lemarchand, 1972). It is characterised by dyadic, asymmetric, face-to-face, voluntary and ongoing relations (Landé, 1983, 1977; Mainwaring, 1999). On the one hand, this relationship between the two actors is based on the ability of the patron to provide his clients with protection and access to resources, while, on the other, the clients offer support and loyalty to the patron. The patron has power, skills, capital and information that the client does not have. The client allows the patron to control and protect the flow of specific resources. In return, the patron expects the client to be willing to be mobilised for the patron. As a result, it is a lopsided relationship, the patron has the power but depends on the client's mobilisation network for his agenda.

Patron–client relationships seem to be very successful in contemporary politics and resistant to the establishment of non-personalised relationships, which are the fundamental idea of modern statehood. In many democratic systems, patrons can guarantee vote banks for a political candidate. Other forms of mobilisation are the organisation of different kinds of protests (e.g., rallies, demonstrations, occupations), social media campaigns or the exertion of direct violence (Vogel, 2021; Woods, 2019; Iwuoha, 2021). In response, public resources are not transparently utilised; however, they are channelled into clientelist networks, leading to social disparities and marginalisation. The 'social glue' linking the two is the key to understanding patron–client relationships. For example, a pure exchange of material benefits would be grounded in fragile social ties between the patron and the client. In this case, the mutual relationship dissolves immediately when the interest vanishes. At the other end of the scale are extreme forms of patron–client relationships, such as serfdom or repression. Customary laws or legal frameworks here sanction patron–client relationships and hinder the dissolution of such ties (Bailey, 2014). In Africa, patron–client relationships are often grounded in social group identities such as kinship, clanhood or ethnicity, which emerged as guiding principles of social organisation with the advent of colonialism (Berman, 1998); (Mbembe, 2001). The essential belief in a common identity, shared history, customs (e.g., rituals), and cultural practices (e.g., language) provide the basis for intimacy between patron and client (Berman, 1998). It guarantees a solid, maintained relationship even when conflicts arise between the patron and client. The patron thus sees himself as the defender of the interests of a particular social group, with a reputation for speaking and making demands on behalf of the group.

In modern societies, patron–client relationships are seen as dysfunctional rent-seeking. Patron–client relationships are identified as the main obstacle to economic growth (Mkandawire, 2015) to the well-functioning of liberal democracies (Kelsall, 2012; Kolstad & Søreide, 2009; Kolstad & Wiig, 2009), and to the implementation of the principles of good governance (e.g., accountability, efficiency and effectiveness). This general critical stance towards clientelism in research is that clientelist practices focus on short-term gains, divert resources away from essential public services, impede merit-based decision-making and hinder broader socio-economic progress (van de Walle, 2007).<sup>1</sup> Patron–client relationships are significant in the provision of public goods. Berman (1998, pp. 334–335) points out that many African states operate patronage systems built on triangular links between state officials, local intermediaries and global capital. Megaprojects are, therefore, of particular interest for patron–client relationships, as we will argue in this article.

### 3. CLIENTELISM AND MEGAPROJECTS IN KENYA

At the time of writing, megaprojects in the Global South, funded by development agencies and investors, are in the midst of a debate about efficiency losses due to corruption, clientelism and

patronage (Wang & Wissenbach, 2019). In particular, the large scale of financial resources involved, legal weaknesses of states, and poor governance of governments and project management provide entry points for the diversion of economic resources into private pockets (Wang & Wissenbach, 2019). Kenya's pursuit of infrastructure megaprojects has consistently been heavily influenced by patronage (Drew, 2022). Historically, the construction sector in Kenya has been riddled with the misuse of public funds for personal gain (Lind et al., 2023). There is ample evidence that political elites use their positions and networks to benefit from the construction of large-scale projects in Kenya. For example, the LAPSET, whose objective was to link Lamu Port with special economic zones along the Isiolo route towards South Sudan and Ethiopia. LAPSET was designed to improve regional connectivity and trade as part of the China Belt Road Initiative.

However, LAPSET has been stalled for many years due to patronage politics and corruption, as the project has consumed large amounts of funding, though it has turned into a ghost project (Chome, 2023). Another case is the implementation of the Lake Turkana Wind Power project, which competing patronage networks have shrouded. Drew (2022) Argues that brokerage, often mediated by politicians, has played a central role in the struggles of pastoral communities in northern Kenya for inclusion in large-scale investments, leading to protests and stagnation in the construction of the wind project. Recent oil exploration in Turkana County has also been heavily influenced by politicians who acted as intermediaries between the local communities and the investors, using their patron–client networks to channel funds to benefit themselves and a few of their clients rather than the entire Turkana community (Lind et al., 2023). In all these cases, there was 'elite capture'. Patrons influenced investors' decision-making, awarded contracts and siphoned off public funds for project implementation to their client networks. The majority of local communities benefited only marginally from the projects and were often left with unfulfilled expectations (Drew, 2022).

The roots of patronage in infrastructure projects can be traced back to the structural adjustment programme of the 1990s in developing countries. It strengthened Kenya's liberal economy and made room for privatisation. Political elites entered the cycle of capital by creating private companies to win government tenders (Harrison, 2005). Politicians in Kenya have termed this 'tenderpreneurship' – the political class using their patron–client networks to win project contracts for private companies. The elites who benefited from the projects through their patron–client network supported the project, while in stark contrast, the excluded elites opposed the project and mobilised their clientele networks to protest the project's implementation (Wissenbach & Wang, 2017). The role of elite influence in these projects is critical for their success or failure to some extent. For instance, former Prime Minister Raila Odinga, leader of Kenya's opposition party, National Super Alliance (NASA), stated that 'SGR is our baby, but the Jubilee Alliance (a political party) hijacked it and inflated the prices up to shillings 130 billion to benefit from it corruptly with few individuals' (Mwamba, 2018). This is because Vision 2030 was established during former President Kibaki's regime when Raila was Minister for Infrastructure; hence, he felt he was the brainchild of SGR and President Uhuru was riding and campaigning on a vision that was not his. The former governor of Mombasa, Hassan Ali Joho who is a close ally to Raila and was the deputy party leader of Orange Democratic Movement (ODM), then Odinga's Political Party, opposed the SGR and publicly complained that the project was riddled with political patronage, from which only the elites in the central government would benefit (Mwamba, 2018).

Businesses in Kenya are often built on patron–client networks, particularly those with connections to national and local governments. These networks provide contracts and employment opportunities, with sub-contracts trickling down to local companies (Wang & Wissenbach, 2019). At the same time, the national government and the management of megaprojects use patron–client relationships to manage labour disputes (Wang & Wissenbach, 2019; Wissenbach

& Wang, 2017). Trade unions and manufacturing companies also use their patronage system to lobby for business opportunities, such as the supply of cement and employment (Wissenbach & Wang, 2017). Companies such as Landmark Logistics, a company owned by the current Kenyan President William Samoei Ruto, and the Mombasa Inland Containers Terminal, a company owned by former president Daniel Toroitich Arap Moi's son Gideon Moi, used their patron–client relationships to benefit from the SGR project (Wang & Wissenbach, 2019).

There is also a political dimension to infrastructure megaprojects such as the SGR. President Kibaki (2002–2013) once revived the railway project to gain political support in his constituency. President Uhuru Kenyatta's Jubilee Alliance also used the SGR to win votes. The first phase of the SGR began in October 2014 and was completed in 2017, just before the presidential elections (Otele, 2021). The then-former President Uhuru Kenyatta, heavily used the success of the SGR in his re-election campaigns to mobilise his patronage networks, promising that the SGR would create jobs for local communities if re-elected in 2017 general elections (Lesutis, 2021).

Kenyan politicians also instrumentalised the state apparatus to justify and legalise the implementation of mega projects such as SGR and LAPSET. Lesutis (2022a) shows how politicians manipulated the judiciary to silence the communities in SGR project areas that complained about the lack of public participation. Under pressure from politicians, the legal assessment conducted by the National Environmental Management Authority (NEMA) (NEMA, 2016) endorsed the SGR project. However, NEMA was accused of making little to no effort to monitor the compliance and fulfilment of the conditions of its licence by the Kenya Railways and the SGR project contractor, which proceeded to construct culverts and wild-life crossing points in areas that were not the natural wildlife routes (Ayaga, 2017). This, for instance, led to the blockade of elephant corridors in Tsavo East and Tsavo West National Parks, as well as Nairobi National Parks, causing human–wildlife conflicts with the local communities along the project route. The local communities along the project, belonging to ethnic minorities, also felt marginalised and were unable to influence national politics in matters relating to labour negotiations on the SGR route (Lesutis, 2022a).

#### 4. SUSWA CASE

The SGR corridor, a two-phase project connecting Mombasa via Nairobi to Lake Victoria, is a flagship project of Kenya's Vision 2030, focusing on the country's economic development through infrastructure development. The SGR project has been billed so far at US \$5.1 billion. It is one of the largest infrastructure megaprojects in Kenya's post-independence history (Kinyua & Mwenda, 2020; Lesutis, 2022b; Mkutu, 2023). The first phase (phase I) of construction of the 609 km line started in 2014 and was completed in 2017 at 3.6 billion USD, and phase IIA from Nairobi to Naivasha was started in 2017 and was done by early 2020 at 1.5 billion USD while the fate of the second phase (phase IIB) of construction is uncertain following China's refusal to grant Kenya an additional US \$3.8 billion loan for the Naivasha–Kisumu to Malaba route (Wang & Wissenbach, 2019). Impacted by patronage politics, state capture that led to the project's death and corruption scandals, some argue that SGR's initial budget was supposed to be 60 billion Kenya shillings and that it was inflated by top politicians in the Jubilee regime as the extra costs went into political class pockets.<sup>2</sup>

Currently, the destination of the SGR is a few kilometres past Suswa town (Mkutu, 2023), hanging in the bush, as some call it, from a game changer to railway to nowhere.<sup>3</sup> Suswa is in the Southern Rift Valley, an arid and semi-arid region. Suswa is a Maasai term meaning 'bare/plain' or 'desert-like'. The area is in the Narok East sub-county, bordering Nakuru, Kajiado and Kiambu counties. Suswa is approximately 80 km west of Nairobi City. It has a population of 14,000 inhabitants (Kenya National Bureau of Statistics (KNBS), 2020). Most of them are

Maasai, who practice agropastoralism. Suswa is also inhabited by other minorities and ethnic groups, including Kikuyu, Kamba and Somali, among others. They are mostly small-scale traders.

Initially, Suswa was a tranquil town with few commercial activities until the plans and construction of the SGR phase IIA began in 2016/2017. Those closer to the SGR line benefited from compensation for their land, and the locals benefited from compensation, which somewhat improved their livelihoods. The project's goal of infrastructuring Suswa town led to the town's rapid growth during the construction as feeder roads and water supply were made accessible by Chinese contractors (Mkutu, 2023). The real estate and hotel industries grew in large numbers, anticipating the continuous flow of workers and people that Suswa would attract. Land speculation was rife. However, Kenya struggles currently to escape the SGR debt trap as the project has not materialised its vision.<sup>4</sup> In the early stages of the SGR project, the Kenya Railway Commission compensated local Maasai landowners who gave up their land for the construction of the SGR. Investors from Nairobi and elsewhere also bought land in Suswa along the SGR corridor in anticipation of the SGR's benefits, such as the construction of hotels and the creation of businesses and jobs.<sup>5</sup> Expecting higher prices, the rush to buy land continued when the government announced the continuation of phase IIB to Kisumu for 2018 until 2021.<sup>6</sup> Even after the project stalled, people continued to purchase land, hoping that SGR construction would someday resume and that they would benefit.<sup>7</sup>

Since 2017, the Suswa region has become a hub of infrastructure megaprojects (see Figure 1). Besides the SGR, Suswa town is home to the headquarters of the Lake Turkana Wind Power project with the KENTRACO transmission line, which brings electricity from Loyangalani in Marsabit county to Nairobi and the Southern Rift Valley. Furthermore, the Geothermal Development Company (GDC) has shown interest in exploiting the geothermal energy of Mount Suswa, located south of Suswa town (Greiner et al., 2023; Mkutu, 2023). Finally, to the east of Suswa, a multi-billion-dollar Inland Container Depot (ICD) has recently been built on 1000 acres of pastoral land (Gitonga, 2019). All these future-making development projects aim to transform Suswa into a new economic hub through 'infrastructure' (cf. Larkin, 2013) and making the town into a new economic hub on the western traverse of Nairobi.

However, the site where all three mega projects in Suswa converge is politically highly contested. The SGR, the KENTRACO power line and the ICD are located on land known as Kedong' Ranch. This is 76,000 hectares of arid and unfertile land east of Suswa on the road to Nairobi. In 1905, in an agreement between the Maasai and an investor, a British family leased the land for 99 years (until 2004) but left Kedong' Ranch when Kenya became independent in 1963, and the lease was supposed to be transferred back to the Maasai. In this process, national elites close to the family of the first president of Kenya, the late Jomo Kenyatta, took the land with the help of government bureaucrats.<sup>8</sup> In an interview with a community activist fighting for Kedong's land ownership, he told us that:

Fifty per cent of the shares of Kedong' ranch belong to the Kenyatta family, I was shocked in 2004 when the lease came to an end ... I mobilised the community here to start demanding our land back only to see the lease stated 999 years ... we started demonstrations in 2005 and people invaded Kedong' and started establishing settlements in 1996 because we did not see the owners ... up to date, the owners of Kedong' are absentee landlords ... we don't know who they are, we just know that it is highly guarded by state security officials and now it is being fenced off with Maasais trapped inside ... between 2010 and 2015, the government tried to evict Maasais in Kedong' but the people refused to leave ... we went to court and lost, we appealed again and lost in 2019 ... so when SGR passed Kedong, we were not compensated but the first family and few individuals who own that land received that money ... inside the ranch, they were paid 10,000–15,000 USD per acre unlike outside the ranch on Maasai land that we were paid 5000–8000 USD per acre ... You can see how the politicians manipulated the whole process,



and we protested ... so many have been killed over the years following the Kedong issue ... as a Maasai community, we lost our land ...<sup>9</sup>

The Maasai community continued to make historical claims of Kedong Ranch and went to court. Following two failed attempts for the Maasai to win the case over Kedong, the court advised the investors to engage in an open dialogue with the community on how best to share the land. The Maasai were given 4000 hectares out of the 76,000 hectares they claimed were taken from them by the elites when the 99-year lease expired in 2004. Kedong Ranch remains to this day a symbol of social injustice and the marginalisation of Maasai pastoralists as no one has been settled in the 4000 ha and no one was compensated by Kenya Railways inside Kedong since it was contested at that time (Wesangula, 2016).

## 5. HYPED LABOUR EXPECTATIONS IN SUSWA

The construction of the SGR attracted many workers. Local Maasai youth had high hopes of finding employment on the construction sites. In addition, large numbers of unemployed youths from across the country migrated to Suswa to find work during the construction of the SGR project. Such aspirations were encouraged by Kenyan policymakers. During the initial phase of the SGR project's construction, between 2014 and 2017, the cabinet secretary for transport and labour announced that the tender for the project would include specific clauses for the involvement of local communities, especially local contractors who were Kenyan citizens from diverse backgrounds. The Kenyan government promised that 60 per cent of the jobs created by the implementation of the SGR would benefit the local communities along the project route and that the remaining 40 per cent would be for experts and outsiders (Government of Kenya (GoK), 2014). This was to create 40,000 quality jobs and provide on-the-job training opportunities for 15,000 people (Government of Kenya (GoK), 2014). The government policy also announced that 40 per cent of the materials used in the construction of the SGR would be produced by local workers, creating at least 60 jobs per kilometre, with a total of more than 46,000 local jobs and vocational training for 45,000 youth along the track of the SGR (Githaiga & Bing, 2019). According to data obtained from the China Road and Belt Corporation (CRBC),<sup>10</sup> the SGR project has created 72,000 jobs in Kenya, including 39,000 managerial and technical positions, increasing the local employment rate to 94.73% (China Road and Belt Corporation (CRBC), 2021). Consequently, during the construction of the 33 stations along the railway line, most workers lived in the communities directly affected by the project. The State Department of Labour under the Ministry of Labour and Social Protection agreed with the locals to empower them through learning-by-doing. One of our interviewees from the SGR official management in Suswa affirmed the following:

'The SGR is an achievement because labourers learn by doing, and there is an agreement between the Chinese and the Kenyan government to employ the locals so that they can gain skills ... labourer can come here with no skills, but as they continue to work they get to know how to fix slippers, and other things so that they get skills and next time we won't employ them as casual workers ... they will have obtained skills for even better jobs and proper contracts. So, we are also empowering the locals so that next time, they will get better terms of employment in future projects ...'<sup>11</sup>

However, the Kenyan parliament expressed concern that the legislature's lack of knowledge about labour arrangements may have led to many Chinese workers being employed instead of Kenyan workers. Parliament referred to reports from areas where the SGR had already begun that Chinese workers were doing manual labour, jobs that Kenyan workers should be doing. Most Kenyans involved in the construction of the SGR were unskilled or semi-skilled labourers,

but even these jobs were taken up by Chinese workers, as local people complained (Githaiga & Bing, 2019). Wafula (2018) noted that although 40 Kenyans were trained in China for three years to operate locomotives for the SGR project, about 50 Chinese were trained for a week before being hired to operate the machines. Skilled Chinese workers were paid higher wages than skilled Kenyan workers trained in China. This created a wage gap and racial elements between local workers and foreign Chinese nationals. The reality in Suswa was that most of the locals employed by the SGR were on the unskilled labour payroll. This led to protests as locals felt there was no security of tenure and sustainability under such contracts.<sup>12</sup>

The relationship between the Chinese and local workers was also problematic, as there were reported cases of wage discrimination by the Chinese contractors, which led to many strikes in both phases of the project (Mwiti, 2018). The then Speaker of the National Assembly, Justin Muturi, stressed the need for the legislative committee to clarify and provide information on the employment aspect, including the percentage of labour allocated to different groups (Government of Kenya (GoK), 2015). He questioned whether the labour arrangement would be 30% for the outsiders and 70% for the locals or whether it would be 40/60 or 50/50, and he mentioned specific professions where the distribution of labour remains uncertain (Government of Kenya (GoK), 2015). The overall concern was that a significant number of Chinese workers would be involved in the project from its starting point to Malaba in Uganda, and they were apprehensive about the lack of clarity on labour commitments. At a focus group discussion with a community-based organisation group in Suswa, a young Maasai stated:

When SGR came, we were expecting better jobs ... we abandoned herding livestock, formed a youth group to lobby for employment and moved to Suswa town as Maasai, hoping that we would get employed ... the problem started when the Chinese demanded certificates to be given jobs ... we had to demonstrate because our leaders only promised us jobs, they did not tell us to bring papers which many of us did not have ... As a Maasai, why should I be asked for papers when the project passes through our land? We should automatically get jobs despite our skills ... So, we had to block roads, and then the Chinese contractor agreed to give some of us casual jobs ... our dreams of getting rich were dashed – some of us had wanted to get married with SGR money ...<sup>13</sup>

The local pastoralist communities in Suswa were employed in unskilled jobs, such as bricklaying, cleaning, or working as security guards, with no hope of permanence, as these jobs would not be available once the construction of the SGR was completed.<sup>14</sup> Semi-skilled jobs, such as track and excavator drivers, supervision and management work, were given to outsiders through social connections and, in some cases, through clientelism rather than merit.<sup>15</sup> The exaggerated dispute over the employment of local<sup>16</sup> labourers created a conflict between the pastoralists and the government. Most of the local Maasai interviewed in Suswa criticised the fact that they did not see the benefits of the SGR project even after the construction had stopped, as they had expected the Maasai youths to be employed at the SGR Suswa railway station, which was not the case unless they protested and blocked the roads.<sup>17</sup> A Maasai community activist stated:

We thought that having SGR, KENTRACO and the Naivasha Inland Container Depot here in Suswa would take us out of poverty ... we are shocked that none of the Maasai communities from as far as Eastern and Nyanza are employed at the desk office or any administrative jobs ... you will find as few as three security guards at the gate ... that is what we got as a community for hosting this railway that goes nowhere ... we are so angry with the government ... even our politicians, after eating with the Chinese and using their networks, they ran away to the city. Many youths who did casual jobs are now laid off and jobless ... many just roam around ... SGR has left our youths poorer ...<sup>18</sup>

In addition, the Railway Training Institute (RTI) was mandated to train formally certified skills in railway construction and maintenance in the region (Government of Kenya (GoK), 2014). The Narok county government wanted 70 per cent of the jobs to go to local Maasai, most of whom were pastoralists with no qualified skills, and 30 per cent to the outsiders, an expectation not met by the SGR contractors and the Kenya Railway Commission. While labourers from the Maasai community in Suswa anticipated and contested the project, triggering both class interests and politics of ethnicity in labour distribution, other ethnic communities who had lived in Suswa for many years also hoped to benefit from the project. One respondent voiced his frustration:

When the SGR came to Suswa, I had lived with the Maasai for more than 41 years; I considered myself part of the community because we always help each other in times of need ... So, when I took my papers to look for an administrative job ... I was chased away and labelled an outsider and non-Maasai ... I was told that if I had to get a job, I would have to pay 800 USD to the area politician to have my name added to the list ... As I did not have the money, I lost the opportunity even though I was qualified for a front office job ...<sup>19</sup>

As we have shown, the local communities, both Maasai and local non-Maasai, had unfulfilled promises and expectations about providing labour opportunities during the construction of the SGR. Despite assurances from the Kenyan government that jobs would be allocated to local communities along the SGR route, the actual distribution of labour often fell short of expectations. This discrepancy fuelled tensions and protests, highlighting the project's labour distribution, skills development, and patronage issues. Additionally, the lack of clarity and transparency in employment procedures, coupled with wage discrimination and nepotism, deepened the sense of disappointment among the local populace in the Suswa ward. The contestation demonstrates the dynamics of patronage within development projects where access to opportunities is often dictated by political connections and ethnic affiliation rather than the merit of a genuine community engagement. In such contexts, patron–client relationships were amplified, and it was crucial to organise the protest against the working conditions at the SGR, as we will show in the next section.

## 6. VIOLENT PROTEST AND PATRON–CLIENT RELATIONSHIPS

Due to the unmet expectations of the SGR, the local Maasai escalated into violent protests in August 2019, orchestrated by the Maasai's patron–client relationships. Local Maasai youth attacked and injured Chinese railway workers looking for work. This was seen as a racist move and incitement to violence against Chinese workers in Suswa town and Duka Moja. Our interviews reveal complaints from Maasai pastoralist communities in Suswa that the Chinese employed people outside Narok County. The alleged jobs, including truck drivers and supply of materials, such as sand and stones, were supposed to be unskilled labour provided by the locals. However, such tenders were given to outsiders, such as non-Maasai communities.<sup>20</sup> One of the interviewees stated:

We protested and beat the Chinese because the Chinese never wanted to have anything to do with us, the local Maasai ... they even ferried in their food just to avoid extra costs and empower local Maasai ... during the construction of the SGR, but we never got any of these tenders ... even for sand, stones etc., they never used local businessmen. Thus, we had to protest to get our rights ... The Chinese would only listen to the Maasai's demands after we blocked the roads and disrupted the construction; we were forced to resort to violence to get what we rightfully deserved.<sup>21</sup>

In an interview, a local business owner in Suswa town who belongs to a non-Maasai ethnic group stated that the experiences of other ethnic groups during the construction of the railway were also horrific.

The Maasai locals (youths) were so violent towards other tribes seeking employment on the SGR construction sites ... they would go door to door in the town from 6 am to beat other ethnic groups and prevent them from going to the construction site ... there was a lot of intimidation and threats to non-Maasai living in Suswa ... I would say that jobs were given based on ethnicity and clan ... First, those from the area MP (member of parliament) clan and the area of an MCA (member of county assembly) were given priority, then other Maasai clans, then other ethnic groups who could afford to bribe the elites for the jobs ...<sup>22</sup>

According to our interview with a community liaison officer,<sup>23</sup> only 30% of the 1200 workers employed by the Chinese were locals from Suswa. Still, we did not find any government reports to substantiate this claim.<sup>24</sup> Locals protested the government's failure to honour the agreement. When the protests turned violent, one protester died because of the use of force by police attempting to stop protests at construction sites (Citizen TV Kenya, 2018).<sup>25</sup> Racist and violent attacks against Chinese workers increased during the construction of the SGR from the Duka Moja area adjacent to Suswa town – DK115 when angry Maasai youths stormed the Chinese construction (known as construction camp site 5), claiming that outsiders were getting jobs, primarily unskilled labour that had been promised to the locals (K24TV, 2016).

Most of these protests were organised by local Maasai patrons, such as community leaders and members of the county assembly (MCA) from Narok East sub-county, such as Kipas Lengus (MCA Suswa ward), who felt sidelined in the project (Murage, 2016). The patrons used their clients to push for contracts and employment for their support. In addition, despite public procurement policies and laws requiring competition and the selection of the highest bidder.<sup>26</sup> Most contracts were awarded to companies with links to the political class, some of which belonged to the local political and business elites.<sup>27</sup> A Maasai businessman stated:

As local Maasai, we were shocked that manual jobs were even given based on whom we knew ... A committee was formed, and a list went around ... everything regarding agreements and who would get tenders and jobs. Our area MCA and MP were at the centre of these negotiations at night, and then they would hire goons to collect money for those in need of jobs ... Some of us paid 300–500 USD to the committee to be employed even as drivers ...<sup>28</sup>

As a result, government officials involved in patronage, such as Member of Parliament Kenneth Aramat, who was accused of awarding tenders for supplying sand and stones to members of his clan and close relatives, were employed on the construction sites.<sup>29</sup> Local Maasai from competing clans felt that tenders and jobs were given based on clanism and the influence of bureaucrats on patron–client relationships. The construction of the SGR triggered clan politics and discrimination among the Maasai ethnic group, as jobs were allocated based on the ruling clans, followed by those loyal to local politicians in Suswa. Our interviews with government officials confirmed the patronage tendencies, stating that:

... the problem during the construction of the SGR was that the politicians fixed their clients ... those from their clans would be passed on to the contractor. Even as government, we were supposed to be on the interview panel to select candidates ... but we were pushed aside and told we were not Maasai ... so we did not interfere in their deals ...<sup>30</sup>

The complex knot we untangled was that even local Maasai politicians were whipping up racist sentiment against Chinese workers to be seen as fighting for and sympathising with their people.

On the one hand, they wanted to curry local political favour with their constituents. On the other, they were looking for ways to get a seat at the table with the Chinese to negotiate contracts and tenders on their behalf, using the community to send a message to the Chinese. An SGR senior staff interviewee stated;

We work with these local Maasai committees made up of the MP, MCA and other local officers like chiefs in providing jobs but on a divide-and-rule basis ... they agitate a lot and lack reasoning ... anything small, they block the road ... every day, we worked with them, we had to negotiate so that is why we take those who make the loudest noise and then we give them something small ... They keep quiet ... and the conditions they usually offer are so harsh and unreasonable ... but we realise that the youths are being used by the elites who want tenders ... they incite these youths to block the road and cause chaos ... Then, these elites/ leaders get tenders and leave these youths out or push for casual jobs for some of their clients ...<sup>31</sup>

The Suswa residents claimed that the Chinese came with their workers, most of whom had started during phase IIA of the railway construction.

... They were of the Kamba ethnic group, who had started working in Mombasa and were later transferred to Suswa because they were more skilled than those living in Kajiado and Narok ... The Chinese preferred them to the local Maasai, who were seen as unskilled labourers and were new to the project, so extra time and resources were needed to train them ...<sup>32</sup>

The definition of 'local' became increasingly problematic as the Maasai continued to differentiate locals along ethnic and clan lines; this was contrary to the intended outcome of the SGR, which was supposed to benefit all residents in the area where construction was taking place. The weakness of the legal definition of locals, even in labour laws, is that it ignores pastoral communities, which are always on the move and borderless and leave room for manipulation by elites and clientelism. This led to further violence and resistance from various Maasai clans who believed they were entitled to employment under the labour management procedures.<sup>33</sup>

The violence and disruption of the SGR construction process forced local politicians to renegotiate labour terms with the Chinese companies, such as giving contracts to local business elites and more employment opportunities to locals. The Chinese eventually gave in to the locals' demands, giving incentives such as money to elites representing the local Maasai communities and promising more jobs and contracts. However, no permanent contracts were signed between the Chinese and local labourers. At the same time, some of the casual employment resulted from jobs negotiated through a patron–client relationship between politicians and their supporters. However, these casual labourers would be terminated and rehired after every three months.<sup>34</sup> The problem with these contestations was that they brought issues of ethnicity and identity politics into negotiating employment terms. For example, as one worker at a railway company explained:

The Maasai used to lay siege at 6 am because the foreign workers who lived in Suswa town would come to the site at around 7 am ... when they arrived, they would find roads blocked, these workers could not enter the camp ... and because the majority were from other tribes, they were constantly beaten and cut with machetes by the hostile locals. This continued for a while, disrupting construction because the locals wanted to force their way into the construction camps where most skilled workers stayed to chase them out ... They claimed that the employment was based on clientelism and that those with power and connections had pushed for their tribes' men and women to be employed on the project ...<sup>35</sup>

Between 2017 and 2019, Suswa residents complained that unskilled labourers were allocated based on clan politics, with clan leaders linked to the local political class getting more

opportunities for their supporters and clansmen, some getting jobs by bribing recruiters and contractors. As such, Maasai community grievances voiced by one interviewee confirmed that labour mobilisation and the infrastructuring process were based on patron–client relationships:

... The locals were only employed as casual workers ... this was not fair because what we had was a verbal agreement ... it was very different from the requirements of the government jobs in terms of qualifications and skills needed ... the Chinese involved chiefs who forwarded names for employment based on patron–client relationships ... if they had even given us tenders for the supply of food or meat, we would have appreciated it, but they did not ...<sup>36</sup>

Such social injustices and marginalisation had a significant impact on the 2017 general election, where the Maasai majority voted for the opposition in protest against such projects as the SGR (Independent Electoral Boundary Commission, 2020). Issues of employment and the SGR's effect on local people escalated grievances between the Maasai pastoralist community and the government. Despite the Chinese construction company paying standard wages to its workers and adhering to Kenyan labour laws in its contracts, protests and grievances arose from their employees, who felt discriminated against in terms of pay and the locals, who criticised labour inequality as the majority were not given any employment opportunity (Mwiti, 2018; Otele, 2021). Payment standards were 230 USD for unskilled labour and 330 USD for semi-skilled labour per month (Kenya National Bureau of Statistics (KNBS), 2023). Our interviews revealed that the Chinese paid 280 USD per month for unskilled labour; however, the number of those who got jobs was small compared to the demand and pressure the project placed on local Maasai youths who had no formal or sustainable livelihood support before the project.<sup>37</sup>

The casual labourers were given three-month contracts, which were then renewed.<sup>38</sup> This was done to avoid providing the benefits required by Kenyan law for contracts longer than three months. Most local people interviewed felt that this was a strategy to reduce the burden on the Chinese of providing permanent and pensionable benefits to the workers. The local youths formed a youth group called Kitet Youth Group (a community-based organisation, CBO) to fight for their labour rights. Ninety per cent of the casual workers employed in the construction of the SGR in Suswa were members of this CBO and fought against exploitation and for fair labour rights. This CBO confirmed that the national labour union was not working in the interests of local citizens, such as Maasai pastoralists. On the contrary, union leaders became part of the patronage of elites seeking rent and interest in the SGR project.<sup>39</sup>

Our findings have shown that the Chinese had entered a contract with the government and never wanted to get involved in Kenyan patron–client politics. Although workers' contracts had been signed according to labour laws, misinterpretation and misunderstanding of labour regulations, which were not followed in the local context, allowed the local recruitment of unskilled workers in Suswa to be dominated and manipulated by local political and business elites who seemed powerful and influential enough to negotiate with state bureaucrats on behalf of the locals. Patronage tenders with government offices were secretive, and only their impact could be justified as a social fact, as many were based on influence and networks. In our interviews, as illustrated above, local politicians who received contracts and jobs for their clients had positive things to say about the SGR project. At the same time, those who were ignored incited their clients to protest and complain about the project's negative impact on communities.

## 7. CONCLUSION

Our case of the SGR in Suswa ward serves as a poignant example of how infrastructuring peripheries previously neglected by the state can suddenly perpetuate existing and new layers of social inequalities rather than alleviate them from local communities impacted by the same

infrastructural development. State bureaucrats and vision planners often push for the promises of economic growth and job creation that awaken aspirations and anticipation of local communities. The reality from Suswa's case of infrastructuring reveals that such benefits are disproportionately enjoyed by local political elites and those entrenched within patron–client networks rather than most local communities. This misalignment not only undermines the legitimacy of development initiatives but also exacerbates dispossession and social injustices, leading to heightened violence and grievances among marginalised communities. The resultant violent protests and resistance among the locals reflect a broader discontent with governance structures prioritising elite interests over local needs in the infrastructuring processes of megaprojects.

Moreover, our findings indicate a significant gap between the legal frameworks designed to govern large-scale infrastructure projects and their actual implementation in peripheral areas. The legal protections intended to safeguard local communities are often circumvented and renegotiated, allowing local elites and external entrepreneurs, like the Chinese contractors, to exploit resources on 'free rein' while leaving local populations vulnerable. This dynamic was further complicated by the challenges faced by non-Maasai local labourers, who encounter hostility and ethnic identity discrimination, limiting their ability to equally benefit from employment opportunities that should have been made accessible to all. With the SGR project, ethnicity was territorialised and politicised as local politicians would negotiate for their ethnic communities first in the patron–clientele networks, not non-Maais who had lived in Suswa for over forty years, as findings reveal.

Looking at the impact of large-scale projects, the implications often extend beyond Suswa ward, as the cases of LAPSSSET and Lake Turkana Wind Power have also demonstrated. Therefore, we suggest comprehensive policy reforms in planning and executing infrastructure projects across Kenya. Future studies should not only focus on comparative analyses of similar projects but also delve deeper into the intersectionality of ethnicity, gender, and socio-economic status accompanying such large-scale projects due to their nature of expansive land use changes and livelihood disruptions at the local contexts, which often result in contestations. Understanding how these factors influence access to employment and benefits can provide valuable insights into creating more equitable infrastructural development policies.

Thus, dismantling entrenched patron–client networks perpetuating inequality is imperative to promoting inclusivity in infrastructure development. Vision planners, therefore, should prioritise fair labour practices and equitable opportunity distribution to ensure that local communities derive tangible benefits from projects that significantly alter their landscapes as per the labour policies. This approach requires a commitment to public participation, transparency and adherence to legal frameworks that protect the rights of all stakeholders involved according to the 2010 constitution. Overall, our findings emphasise that ensuring local communities benefit from large-scale infrastructure projects requires addressing of the entrenched patron–client networks and implementing policies that promote fair labour practices and equitable opportunities in Kenya.

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## AUTHOR CONTRIBUTION STATEMENT

Evelyne Owino: Conception or design of the work, data collection, data analysis and interpretation, critical revision of the article and final approval of the version to be published.

Conrad Schetter: Conception or design of the work, data collection, data analysis and interpretation, critical revision of the article and final approval of the version to be published.

## DISCLOSURE STATEMENT

No potential conflict of interest was reported by the author(s).

## ETHICS

The primary data collected in this study involving the participants were in accordance with the ethical requirements of the National Commission for Science, Technology and Innovation (NACOSTI) license permit in Kenya and DFG guidelines and standards for ethical clearance.

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## NOTES

1. However, some authors (e.g., Aspinall & Berenschot, 2022) emphasise that in certain contexts, patron–client relations also generate positive outcomes. When formal social welfare systems are inadequate or absent, patrons may step in and enable the client's survival.
2. <https://nation.africa/kenya/news/jimi-wanjigi-kenya-s-most-feared-oligarch-415748>. Accessed on 30 June 2023.
3. <https://www.thetimes.com/world/africa/article/kenyan-train-to-nowhere-reveals-chinas-debt-trap-diplomacy-h2j0qrtqs>. Accessed on 13 June 2023.
4. <https://www.dw.com/en/kenya-struggles-to-manage-debt-for-railway-to-nowhere/a-50887431>. Accessed on 12 July 2023.
5. Interview with SGR landowner and businessman in Suswa town, 26 July 2021.
6. <https://www.thedial.world/articles/news/issue-5/kenya-sgr-train-chinese-investment>. Accessed on 4 April 2023.
7. Interview with retired civil servant in Suswa town, 29 August 2021.
8. <https://www.omct.org/en/resources/urgent-interventions/kenya-judicial-harassment-against-indigenous-maasai-human-rights-defenders>. Accessed on 10 June 2023.
9. Interview with community activist on Kedong in Suswa on 13 July 2021.
10. China Road and Belt Corporation (CRBC) is a subsidiary of China Communications Construction Company (CCCC), the main contractor for the SGR construction between Mombasa and Nairobi.
11. Interview with SGR management official in Suswa, 21 July 2021.
12. Interview with KenGen officer and SGR landowner in Suswa, 7 July 2021.
13. Focus group discussion with local community-based organisation in Suswa, 24 August 2021.
14. Interview with two youth groups working on sand harvesting in Kedong, 5 October 2022.
15. Interview with the community and Chinese contractor's intermediary in Suswa, 3 March 2023.
16. Focus group discussion with two sand harvesting youth groups who previously worked at the SGR construction site in Suswa on 20 and 21 December 2022.



17. Interview with Maasai community activist in Suswa town, 12 July 2021.
18. Interview with Maasai community activist in Suswa town, 12 July 2021.
19. Interview with a local business owner – a non-Maasai ethnic group, Suswa, 22 October 2023.
20. Focus group discussion with two sand harvesting youth groups who previously worked at the SGR construction site in Suswa on 20 and 21 December 2022.
21. Interview with two village elders (Narok East market official) in Suswa town, 26 July 2021.
22. Interview with a local business owner – a non-Maasai ethnic group, Suswa, 22 October 2023.
23. Interview with the community and Chinese contractor's intermediary in Suswa, 3 March 2023.
24. Interviews with a community activist in Suswa town on 14 July 2021, and a retired local administrator in Kedong' ranch, 14 July 2021.
25. Interviews with a retired local administrator in Kedong's ranch on 14 July 2021, and a local community-based organisation youth leader in Suswa town on 21 July 2021.
26. See Kenya's Public Procurement and Asset Disposal Act of 2015 and Public Procurement and Asset Regulations of 2020
27. Interview with a Maasai community activist and former local politician at Ewaso Kedong town on 14 July 2021
28. Interview with Maasai businessman and SGR landowner in Suswa, 29 July 2021.
29. Interview with a retired civil servant in Suswa town, 28 August 2021.
30. Interview with a local administrator in Narok East Sub County (Naire Kiangare) on 12 March 2022.
31. Interview with senior SGR staff in Suswa, 21 July 2021.
32. Interview with a Maasai youth working in one of the SGR construction camps in Suswa, 8 March 2022.
33. See Kenya's Public Procurement and Asset Disposal Act of 2015 and Public procurement and Asset regulations of 2020. The Labour Management Procedures (LMP) stipulated fair treatment, equal opportunities and non-discrimination of project stakeholders, staff, consultants and workers, see the Ministry of Labour and Social Protection Report. Accessed on 16 June 2023. <https://www.treasury.go.ke/wp-content/uploads/2021/09/FLLoCA-Labour-Management-Procedures.pdf>.
34. Interview with local Community-Based Organisation secretariat in Suswa town 21 July 2021.
35. Interviews with a senior official at the SGR station in Suswa on 20 July 2021, and a local administrator in Naire Kiangare on 27 July 2021.
36. Focus Group Discussion with landowners in Suswa town on 12 July 2021.
37. Interview with an SGR staff member at construction camp 6 in Suswa, 21 July 2021.
38. Interview with an SGR landowner, in Duka Moja, 28 July 2021.
39. Interview with local community-based organisation member in Suswa town, 24 July 2021.

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