

OPINION

TAKE IT OR LEAVE IT



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President must cut off those who are a liability to his rule

It's not uncommon for a great tennis player to beat themselves. We've seen the great Serena Williams, arguably the greatest female tennis player of all time, self-destruct. When Ms Williams plays, you know only she can beat herself. She's done that innumerable times by committing unforced errors. As an ardent fan, I've often been forced to turn off the TV when she starts to hurtle down the cliff. I can't bear to watch her lose—it's too painful. In a sport that's highly racialised, Ms Williams usually carries the weight of the entire black race on her broad shoulders. I can't say the same of Jubilee's Uhuru Kenyatta. But the son of Jomo—the Burning Spear—knows how to “self-immolate.”

Mr Kenyatta has become a master of unforced errors. His one singular accomplishment was getting himself tenancy in State House. Everything went south after the coronation. It's as if getting to the mountaintop was all that mattered. The man from Gatundu has forgotten

Uhuru's political problems due to his unforced errors

that he's Kenya's CEO—its numero uno. He's not a co-governor, entertainer-in-chief, or lecturer extraordinaire. He isn't Kenya's First Scolder, or the country's Chief Spanker. No—he's in charge of the state, even though I vowed never to recognise him. That's why—even I, the naysayer—am concerned that Mr Kenyatta has left Kenya on auto-pilot in severe turbulence. Bad things happen when human pilots leave auto-pilots completely in control. This is an emergency appeal.

That's because Kenyans can't do anything until 2017—even if Mr Kenyatta has gone AWOL [absent without leave]. I don't want to recount a litany of Jubilee's failures. Those are well known, and scream out everywhere. They've been broadcast not just in Kenya—on a daily basis—but are the subject of pundit tragi-comedy in The New York Times, BBC, National Public Radio, Washington Post, and other media of record. Commentators as far flung as Australia snicker with glee. There's nothing sweeter to the press in the West than a bubbling and buffoonish African regime. Call them racist, but Jubilee has given them plenty of material.

Methinks I know why Mr Kenyatta is acting impotent—ineffective. He went to Parliament with a tome of allegedly corrupt Mafioso in high places. He gave a stern 60-day dead-

line for swift justice against the suspects. Nothing has happened nine months later. That's abnormal. In the meantime, those fingered have mobilised ethnic anger and cried victim. In the melee, Mr Kenyatta has been hog-tied and can't seem to act. The man gives orders—sometimes angrily—but no one bothers to act on them. It seems the culprits, and the officials to whom the orders are directed, believe that Mr Kenyatta is all-talk, and no action. I will stick up for Mr Kenyatta here—he seems powerless against ruthless cartels.

One plausible explanation of Mr Kenyatta's dithering is his alliance with URP's William Ruto. I've maintained from Day One that TNA's yoking to URP was a marriage from hell. That's why Mr Kenyatta can't sack URP ministers that he suspended. Which means he can't sack those from his side of the aisle either without provoking opprobrium from his backyard. But let me remind Mr Kenyatta that he can simulate the biblical Lazarus—and come back from the dead. He only needs to be a student of Kibaki. Beset by the Anglo Leasing scandal, Mr Kibaki threw overboard his Mt Kenya inner cabinet—David Mwiraria, Kiraitu Murungi and Chris Murungaru. No trio was more pow-

erful than those under Mr Kibaki. But the man from Othaya guillotined his key lieutenants to save his regime. Mr Kibaki knew that it was either him, or them. He swiftly brought down the sword and restored balance to his listing regime. Except for Mr Murungi, the others never recovered. Mr Kibaki was both Machiavellian and utilitarian. He knew when to play and when to fold them. Politics is akin to poker. Mr Kibaki was a maestro. He would sit in a meeting—quiet—as if dozing. It was all a ruse. He was the smartest guy in the room. That's political ruthlessness. The man on top needs the tough skin of the crocodile and the agility of Amalinze the cat.

Mr Kenyatta is a young man—relatively. If he's lucky to succeed himself in 2017, he will still be young when he retires in 2022. But that won't come to pass if he doesn't take bold steps to salvage his political career—end unforced errors. He must swing hard—and connect. His opponents are within Jubilee, not CORD. He needs to sever his relationship with Mr Ruto—like yesterday. He must clean his cabinet and start afresh without URP's MoU. Otherwise, he can kiss 2017 goodbye.

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GUEST COLUMN

Protect public officers from victimisation

Karanja Kabage

The promulgation of the 2010 Constitution ushered a new paradigm in protection of public servants as it provides that one shall not be victimised or discriminated against for having performed the functions of the office in accordance with the Constitution or any other law; or removed from office, or subjected to disciplinary action without due process of law.

My concern has been prompted by what was reported last week regarding a decision by the Commission on Administrative Justice, the ombudsman, that urged the President to sack the Principal Secretary, Ministry of Lands, Housing and Urban Development over alleged inaction. The demand by the ombudsman, is contrary to the spirit and the letter of the Constitution. This is because the PS cannot be removed from office without the due process of law. It is therefore obvious the office of the ombudsman by making such a demand is assuming that the President is the “due process of law” which is certainly not the case. The best recommendation would have been that the PS be investigated where the ombudsman would provide evidence for the alleged acts, which would thereafter lead to appropriate legal action by the Director of Public Prosecution.

Public servants are important in maintaining the bureaucratic governance of any country. More often than not, they will follow laws, rules and procedures that are cumbersome in the eyes of consumers of service and inevitably delay in responding to us. Nevertheless, they provide the link under which the state craftsmanship of a nation is managed.

It is a necessary inevitability which the country cannot dispense with, but must constantly invest in their efficiency through delivery of quality of service. In a nation with the prevailing public discourse where proliferation of allegations, proven or otherwise, is the order of the day, we must entrench a culture where facts and reasons matter most. It has literally become a past time for people to stand in public forums and allege this or that without concrete evidence being availed to the public/audience.

We cannot afford to throw mud at people, destroying their careers, families, as if anything goes, when it is spoken by anybody about everybody without taking responsibility and consequences thereof. This is not consistent with the doctrine of the due process and the rule of law in a civilised nation. When we make allegations, without proof, we must realise that we not only undermine the dignity of those we accuse, but we in turn create a future where either us or our offspring will suffer the same indignity. It is time Kenya accorded each other the decorum we all deserve.

It is against this background that conceivably the architects of our Constitution provided specific constitutional safeguards to protect public officers from being victimised or discriminated against in execution of their duties in accordance with the law. This is buttressed by Article 35, which states that every person has the right to the correction or deletion of untrue or misleading information.

Parliament should initiate a comprehensive review of the existing law, the Leadership and Integrity Act, 2012 to clearly provide how those in public and private sectors shall be held to account for their alleged acts of irregularity and or illegality. This should facilitate for self executing process when one is accused of an alleged commission or omission. Equally, those who spread falsehoods against others must be held accountable in law irrespective of their public status.

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Pope's visit should serve to unify Kenyans



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In just a few days Kenya will host yet another key dignitary, the Roman Catholic Church pontiff—Pope Francis. The significance of Pope Francis' visit lies, not just by the fact that the Catholics form the single largest Christian community in Kenya, but more so that this particular Pope is emerging as a most influential leader in the world. In the short time he has held office, Pope Francis has distinguished himself as a focused and courageous leader in the world arena. He has not been afraid to express his views and convictions on various matters of concern, sometimes controversially. His stand on spiritual, social, and political matters has thus earned him friends and foes alike.

On the spiritual front, Pope Francis has been refreshingly different in his approach to matters of faith and practice. Having read some of his writings, I can confess that though, like they said of the Apostle Paul, “his

bodily presence is weak, his letters are weighty and powerful.”

In one of his letters, he has articulated the power of the evangel in a manner that has to get the evangelicals, like myself, thinking seriously about the centrality of the gospel in all that we do. Speaking to Church ministers, the Pope advises that we cannot live without having a vital, personal, authentic and strong relation with Christ. Anyone who “does not nourish himself daily with that food will become a bureaucrat (a formalist, a functionalist, an employee): a shoot that dries up and little by little dies and is thrown away.” This is such a vital warning to the Church leadership, especially in our times when Church is increasingly becoming like ordinary business enterprise.

In his Kenya visit, he is anticipated to address himself to, among other things, matters of peace. Globally, peace is becoming increasingly elusive, especially with the reality of terrorism that is now entering into nations hitherto considered secure.

The recent heartless murder of innocent people in France and in Mali is a wake-up call that all is not well on our planet. Whereas the traditional approach has been to let every affected nation address its own threats and consequences, it is now incumbent on the international community to forge a united front in

order to deal with a people who have wrongly chosen to hide behind religion to murder the innocent. Meanwhile, our prayers and condolences go to the people of France and Mali.

But peace is also obviously an urgent subject in our nation. Judging from the fierce political rhetoric that has dominated our leadership space, there is every indication that we are not nurturing an environment conducive to peaceful co-existence—especially as we head towards the 2017 elections.

The language and tone of our public discourse is increasingly reminiscent of that which preceded the 2007 elections—a stark indicator that Kenyans never learn. Perhaps we need to be reminded, as the Pope has previously stated, that it is only “the living relation with God [that] also nourishes and reinforces communion with others, that is, the more we are profoundly joined to God the more we will be united among ourselves, because the Spirit of God unites and the spirit of the Evil One divides.”

This reminder is critical because, whereas Kenyans are notoriously religious, one wonders whether our spirituality is founded on the vital transforming relationship with God. Our deep-seated ethnic animosity and cancerous corruption, seem to

reflect a serious disconnect between faith and praxis.

Of course Pope Francis has also not shied away from political engagement, especially with the tough issues of international relations.

Elizabeth Dias of Time magazine tells how the Pope personally encouraged President Barack Obama of the USA and the Cuban President Raul Castro to overcome decades of distrust and confrontation. Obama and Castro took up the offer and in the privacy of the Vatican, their representatives hammered out a deal that saw the two presidents seal a historic pact to end years of animosity.

He has similarly ventured into matters to do with ISIS, Israel, and Palestine. He has spoken on Burundi and has also wept with Kenya during our low moments of terrorist attacks. One can therefore hope that he will put a strong voice on some of our pressing issues such as ethnicity, corruption, and the ICC. But whether he does so or not, we extend a warm welcome to Pope Francis. Your visit is yet another testament to the fact that Kenya *yetu hakuna matata!*

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