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FREEDOM



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Preface

There is a proverb I hold in high esteem: My freedom to swing my fist ends at the other person's nose. Or, even better, three inches before that, so that the nose feels a slight draught at most.

Anyone who imagines what freedom might look like in Kenya today, almost two years after the Gen Z protests, would do well to bear this proverb in mind. Freedom that takes no account of others and disregards their needs does no good to any society. The fist that does as it pleases because it can, because no one stops it, and because the others' nasal bones are a *quantité négligeable* to it – is a danger to democracy and to social cohesion. Whoever clenches their fingers and throws them through the air as if they could not care less about the noses of their fellow citizens will have to reckon with the resistance of those noses unless those clenched fingers are of steel.

Now, anyone with even a passing knowledge of dialectics knows that noses sometimes become fists themselves as soon as they fight back. The freedom to turn a nose into a fist therefore comes with responsibility. It is not enough to hit the one who threw the first punch, and it is certainly not enough to linger in this moment and praise it repeatedly. My hypothesis is: a society needs something quite different from fists to move forward, for instance reliable, accessible information, civic education, knowledge of the constitution as well as the ability and the willingness to organize politically.

"Imagine Freedom" is a project by the Goethe-Institut Kenya. We planned it in the aftermath of the 2024 protest, and the brilliant young curator, Wanjeri Gakuru, brought it to life with great dedication and admirable passion. Its aim is to create a space where fists shall rest, and noses will find a haven. A space of reflection: how can we think of freedom in present-day Kenya? What has happened since the pivotal moment the country experienced in May, June, and July 2024? What has not? What might have, what should have happened?

I hope this reader provides us with a vision of a country of relaxed hands and unbroken noses.

Cristina Nord

Director

Goethe-Institut Kenya

Editor's Note

Kesho vyema uirai, kabla haijafika
You have to persuade tomorrow before it arrives
- Abdilatif Abdalla, Sauti ya Dhiki (1973)

Kenya has a rich history of political protest and resistance. Whatever tyrannical force arrived at our shores was always met by those who declined to comply, barter or assimilate. This was true of disparate, self-governing indigenous communities and modern citizens of the new republic. Each one building economic, political and cultural institutions to challenge the status quo.

In this way, the vehicles of objection have come to be varied; spears and bullets; go-slows and strikes; texts and performances all proving to be just as powerful and effective. This anthology before you is a collection of informed, artistic and theoretical takes on the state of democracy in Kenya. It arrives hungry and inquisitive about new possibilities around governance for both the state and wananchi. This collection of dialogues, stories and art pieces is inspired by the June-July 2024 protests but benefits from two years of steeping in the realities of the aftermath. The call seems to be both to linger and to leap forward. Adequately attending to these competing truths took the Goethe team and I much time to navigate. In the end, a combination of public barazas, podcast sessions and art commissions produced a vast array of outlooks. The consensus being that this was not the time for small-mindedness.

As the 41st President of the Law Society of Kenya, Faith Odhiambo puts it: "Fighting against something is not enough, we must fight for something too. Fight for an ideal, for the future you're longing for." Her conversation alongside journalist Christine Mungai, and writer Keith Ang'ana shed new light on why the "Gen Z protests" did not catapult into a political movement. We held illuminating discussions regarding the judiciary and the state of democracy worldwide with human rights lawyer Marion Ogeto and cultural worker Wairimu Gathimba, and feminist lawyer Marilyn Kamuru and political commentator, Patrick Gathara; respectively. A session on civic education and citizen responsibility with political commentator, Dr. Mamka Anyona and Katiba Institute Executive Director Nora Mbagathi and another with satirist Justine Wanda inspired spirited responses from audience members.

Interspersed throughout the journal are thought-provoking artworks by Muthoni Mwangi, Jeremiah Onyango, Wanini Kimemiah, Juliet Muiruri, Gabriella Wauye and Ivy Muturi. They skillfully employ satire, mythology and frank documentation to honour the past and fashion a new future. Also featured is 2022 Caine Prize for African Writing winner, Idza Luhumyo who transports us into a world where time has stopped. This is a series of reflections shaped by a sense of history. It asks its readers to urgently, critically and simply employ their imagination to envision a Kenya beyond this version.

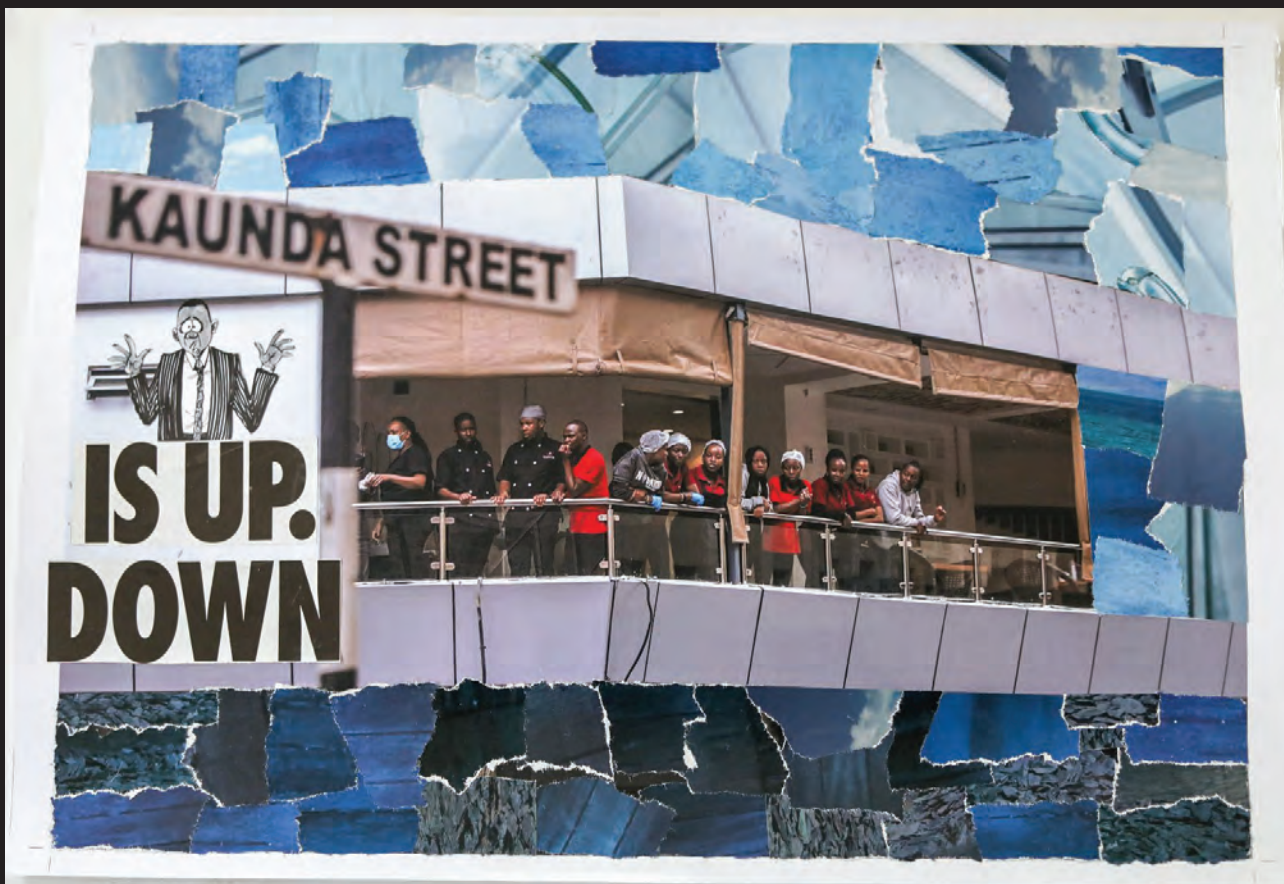
Wanjeri Gakuru
Curator

Re-Imagine Freedom

Muthoni Mwangi & Jeremiah Onyango



Upendo Kweli?



KAUNDU JUU CHINI?



UKO HURU ARE YOU FREE?

"In June 2024, the streets of Kenya pulsed with resistance as citizens rose against the proposed finance bill. Through this series, Imagine Freedom, I reflect on those historic protests not just as moments of conflict, but as sites of dreaming of imagining what freedom could look like when birthed through struggle. Collaborating with photographer and creative director Jeremiah Onyango, who documented these protests firsthand in the streets of Nairobi, Kenya as they unfolded, I used his photographs as the base for reimagining these scenes through collage. Each piece is layered with textures, color, symbolism, and speculative imagination, drawing from intertwined stories that surfaced on the streets. The youth form the heartbeat of this series their bodies in motion, fists raised, and faces cloaked in determination and urgency. In one frame they march through torn skies of blue and violet, beneath a fractured mirror symbols of reflection and rebellion. They carry the weight of the present but also dream of a future not yet arrived, but deeply yearned for. Behind the chaos, silent observers watch from windows and shadows. They are the working middle class, the media, the bystanders, the authorities, witnesses who neither speak nor act, but whose gaze shapes the narrative. Their silence is deafening, their distance a commentary on privilege, fear, or complicity."

- Muthoni Mwangi -

Where do we go from here?

This is a transcript of a panel discussion featuring **Christine Mungai**, News Editor of Pan-African newspaper, “The Continent” and former Curator at Baraza Media Lab; **Keith Ang’ana**, a writer & founder of Bunge la Mayut, & **Faith Odhiambo**, an advocate and the 41st President of the Law Society of Kenya (LSK). They spoke to **Wanjeri Gakuru**, the project curator.

Wanjeri Gakuru: I want to start by going back in time. It’s May 13th, 2024. The 2024/2025 Kenya Finance Bill has been tabled in parliament with proposals to raise or introduce taxes on everyday products and services. The people are angry, but at that point civic education begins to occur as the Bill is broken down and demystified. Tell us about your different roles at that time? Starting with Christine.

Christine Mungai: I was the curator at Baraza Media Lab. Baraza is a community space for public-interest storytelling and strengthening the media ecosystem. During this period, our community was examining how the Finance Bill’s proposals would affect creatives and anyone working in the digital space. We submitted our proposals to parliament and did other community organising. A lot of that organising happened organically in many different spaces that coalesced together the week of 18th June.

Wanjeri Gakuru: What about you, Keith?

Keith Ang’ana: As an active Twitter user, I saw harsh criticisms of the Bill and rising emotions online during that period. I felt people needed a physical space to share their views so I organised a forum called Bunge La Mayut i.e. the Parliament of the Youth. Like parliament, we had an opposition and a proposition. Everyone was tasked to read the entire Bill so they could defend or oppose it with prior knowledge. We ran those sessions from mid-May until June when the protests began.

Wanjeri Gakuru: What about you, Faith?

Faith Odhiambo: The Law Society of Kenya (LSK) was called in to review the Bill and consulted with colleagues, fellow lawyers, and allied professional bodies including the Kenya Private Sector Alliance (KEPSA). We agreed on who would push on which issue, each with our bare minimums. I appeared on TV where LSK was criticised for opposing much of the Bill but our position remained consistent. We met with the head of state before the Bill was tabled a second time, and held firm on our concerns: unless the sections that were our bare minimums were removed, our position would not change.

Wanjeri Gakuru: You’ve been working as an advocate for a long time before you were elected LSK president. What are your observations about how much Kenyans know about their rights and how they can push back?

Faith Odhiambo: Kenyans are an interesting lot. We have many who know their rights and a large number who don't. From 18th June, it was clear that even those I thought would understand didn't fully grasp the limits; they didn't know how long police can hold them, that they must be booked in, or that they have the right to a phone call. We decided we had to represent the young people who came out to raise concerns about economic freedom, because most likely they did not know their rights.

What I find encouraging in the younger generation is that when directed to information, they fact-check rigorously. But there's a lot of disinformation online that can place people in dangerous situations. Civic education is critically lacking in Kenya. IEBC used to do civic education for elections but we no longer have a commission doing that. It's up to us as citizens to read our rights and disseminate that knowledge. If we wait for public institutions, it won't happen in good time.

Wanjari Gakuru: Public protest is not new to Kenyans. This is something we've been doing for a long time. Keith, you've written an essay around the Saba Saba protests, could you tell us about some of the strategies those protesters used and how they pushed for multipartyism?

Keith Ang'ana: Let me take us back to the early 1900s and the first student strike in Kenya at Maseno School. Students, including Elly Daniel Ojijo Oteko, Benjamin Owuor and Simeon Nyende were unhappy with the discriminatory, lower-quality education provided to Africans. They boycotted and left the school to protest around Maseno. The protest succeeded and the education system for Africans changed significantly. When they left school and encountered further discrimination i.e. hut tax, poll tax etc., they organised the Young Kavirondo Association (YKA) and presented demands directly to the colonial governor, Sir Edward Northey, reaching an agreeable outcome. Through this we can see that mobilising works, but organisation is equally critical.

After that students strike, came the 1922 protest outside Central Police Station for the release of Harry Thuku. It drew in 8,000 people but resulted in the death of many Kenyans despite his successful release. There was the 1957 Mombasa dock workers' strike, led by Tom Mboya, which successfully fought pay discrimination. Africans were being paid four times less than their Asian counterparts and ten times less than Europeans for the same work. Their boycott paralysed businesses and the government eventually ceded to their demands.

What changed in 2024 is that all of us chose to come to the forefront. Before, we had delegated protesting to particular activists i.e. kina Boniface Mwangi and Okiya Omtata. In 2024, everyone chose to come forward and voice their demands. The Saba Saba protest is another one to note - seven politicians mobilised people to march for multipartyism on 7th July 1990, showing what collective action can achieve.

Wanjeri Gakuru: Christine, what do you think keeps Kenyans stuck in narrow narratives around ethnic identity and political behaviour?

Christine Mungai: Everyone here knows the answer. It's apparent to everyone who benefits. That's how power works, it's used to achieve ends that benefit certain people and exclude the majority. What Keith described, the movement from mobilising to organising, is a step that's actually very difficult to make. The Mwakenya Movement from the '80s was underground, leaderless, tribeless, pushed down by repression, abductions, detentions without trial – like now.

What's happening now clarifies our political consciousness. It makes us angry but it also makes us clear on what we want. Last year certain Gen Zs emerged as leaders only to betray the movement, and were cancelled immediately. When we decide what we want, that's when we get to organising.

I should add that back in 1990 during Saba Saba, there was a reactionary Youth For Kanu '92 movement used to suppress the protest. They were state-sponsored goons at the time. The result was that Moi took another 10 years to be removed from power. The same tactics are being used today, by the same people who deployed them back then.

Faith Odhiambo: A worrying trend that could kill the Gen Z Movement is tribalism. The Gen Zs were leaderless, classless, tribeless, their solidarity with their peers, even against their own families, was admirable. Now we're seeing tribalism weaponised to turn the youth against each other. My message to them is this: 'Don't allow yourself to be used for tribalism purposes. Do not allow yourself to be weaponised, for someone else to open an opportunity for themselves to take a seat at the table at your expense.'

Being leaderless has positive and negative attributes. The positive being that they could not kill the movement because they could not identify one particular leader. But the negative was, after all was said and done, others pulled the seats and sat down and the rest were left out. Unified, you are stronger and able to push for economic change, fight corruption, and advance policies that grow the country. Shun tribalism or being used for someone's personal gain.

Christine Mungai: Let me add one more thing about ethnicity to my fellow millennials. There is a season of tribalization in every Kenyan's life journey, most critically in your 20s and early 30s, when you're building relationships and community. People start treating you according to your ethnicity during that period, and many are unable to return to their earlier way of thinking. So when you see younger people saying they are tribeless, don't dismiss them. Take those values seriously. For those of us who are older, let's hold our ethnic identities lightly, because we know what happens when we hold on too tight.

Wanjeri Gakuru: Can we talk about the role of the media in this phase of political agitation? What is your role and inversely, citizen journalism?

Christine Mungai: Most people here are already media critics in their own right. They know when the media is doing its job and when it isn't. What's clear is that in a hyper-connected digital world, mainstream journalists are often not the gatekeepers of information, we're the ones chasing it, because ordinary citizens are doing the work. Remember the Civic Rise social media page? They translated the Finance Bill into many different languages and created civic education at a scale the media couldn't have achieved. What's different about this moment is that our work is getting marked in real time now, which makes it easier to course-correct. Consistently getting it wrong is an intentional choice, because we have real-time feedback telling us what good journalism looks like.

Wanjeri Gakuru: What structures do you think Kenyans need to safeguard their civil and political rights?

Keith Ang'ana: My favourite analogy from Adam Smith's *The Wealth of Nations* is this: a single pin maker produces 10 pins a day, but a factory of 10 people with divided roles produces 48,000. That's the power of organised division of labour. In Darius Okolla's book *Generation #Occupy*, he identifies five groups who participated in last year's protests:

- Public sector reformists: educated professionals frustrated by bad policy; they would be the brains of any organised structure.
- Tactical clusters: those who dedicated their skills such as medics treating the injured, lawyers securing releases, security people providing intelligence.
- Redistributionists: trade unionists and NGO players with a background in organising.
- Revolutionaries: those committed to direct action and ready to sacrifice their lives for the cause.
- Militant groups: The looters who take advantage of the protests to steal, as well as the gangs for hire who are brought in by specific individuals to cause chaos and discredit the movement.

Each person plays a different role. We also need a think tank, like the Kenya African Study Union (KASU), formed to advise Eliud Mathu in parliament. And cell-based organising, like Tom Mboya's People's Convention Party (PCP). Small cells of at least six people, organised locally, where if one is discovered the rest can continue. This model was replicated by Mwakenya and the DTM Movement.

Christine Mungai: We need space for imagining freedom. Those cell groups have historically kept movements alive. The ANC maintained its movement through decades of repression because it was organic in communities. Artists, musicians, and creatives also have a real role: it's easy to see what we're fighting against, but harder to imagine what we're fighting for.

Christine Mungai: The South African anthem is actually a dirge, sung for those killed under apartheid, yet it sounds like a song of joy and life. Even in grief, we can find the joy in the life we are living, the life we dreamed for.

Faith Odhiambo: We need to reclaim the rule of law as a tool for the people. Fighting against something is not enough, we must fight for something too. Fight for an ideal, for the future you're longing for. Our constitution is strong; the pain is seeing atrocities committed in its shadow. We need civic education, public interest litigation, budget monitoring, community organising, and political alternatives. And lastly, we need to create political alternatives. We need to change the leaderless to the leaders. We need to develop different leaders. No more tribalism, tokenism, or buying votes. Know that the choice you make, is something you will live with for the next five years. We need leaders who serve, not ones who see the office as an escape from poverty.

Audience Member 1: As a storyteller, Christine, when this history is written, whose life will we study to understand the Gen Z revolution? Before the history is manipulated, which individual's story will capture the immensity of what happened?

Christine Mungai: Honestly, we don't know yet. Those who were part of the Mwakenya movement in the '80s, who got their political education in underground cells and faced detention, grew up to be political leaders. Some of them are not our heroes today because, once they came into power, they aligned with power. In the fullness of time we'll know. But it won't be one person, it's going to be many different voices. We're so inundated in the digital space that people's choices are more visible than ever. We're going to have a rich cast of characters to learn from.

Audience Member 2: How do we sustain a revolution individually and collectively, given how exhausted we all are?

Keith Ang'ana: Look at the Mau Mau revolution, which lasted about five years. The generals in the forest were sustained by supply lines from people in the villages. Today we've seen fundraising and donations serve a similar role, support from people who can't be on the streets but can provide resources and motivation. I also think the movement needs clearer intermediate goals. Right now it's too focused on the final destination without steps to get there.

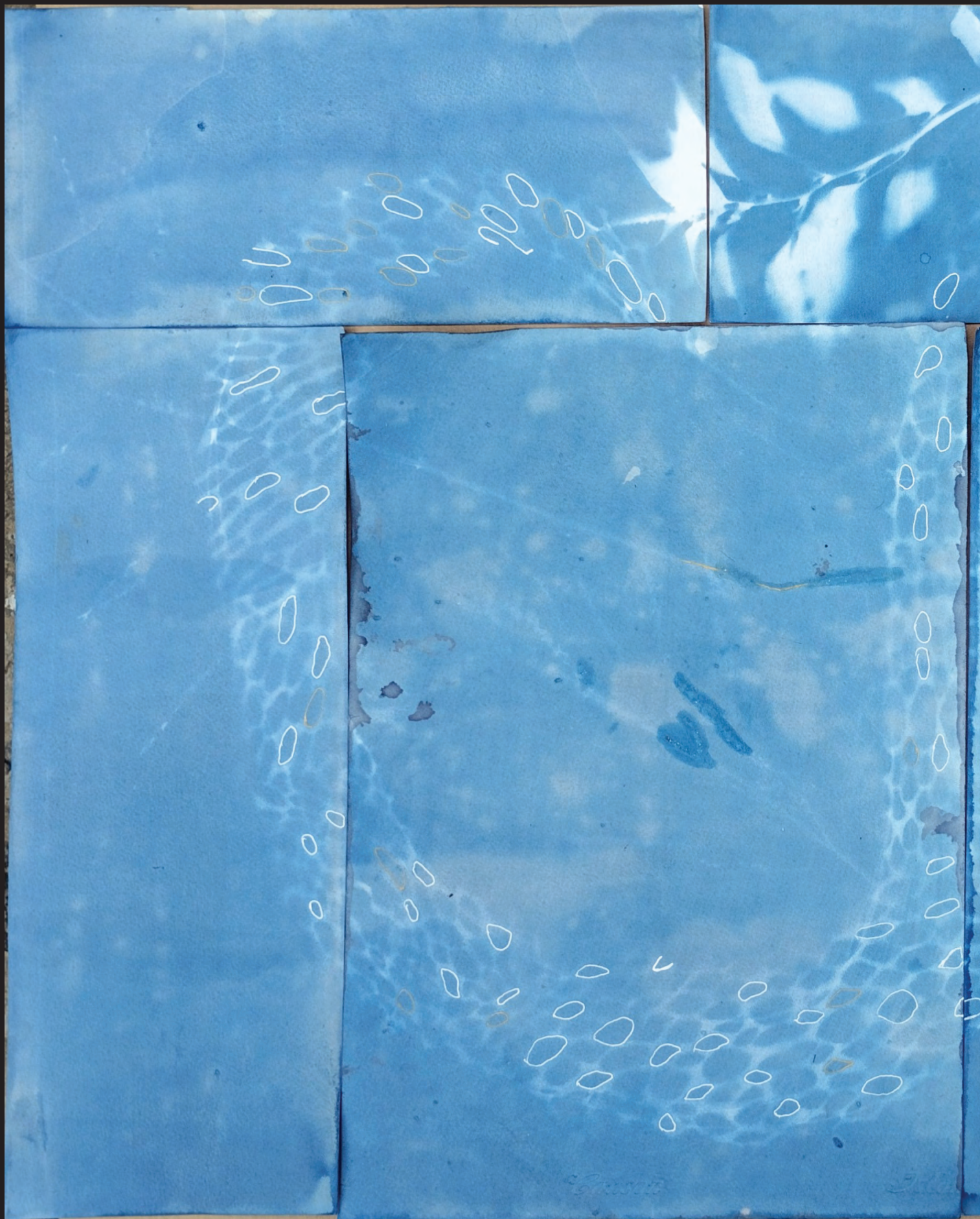
Christine Mungai: For individual sustenance there must be joy in the struggle. Spend time with people you love. Go and do something fun. There is no way we can stay in crisis mode all the time. Our parents were throwing birthday parties and making families in the chaos of the '80s. Find your joy, and protect it with everything you have.

Audience Member 3: The current system of governance is over 2,500 years old. The values being built by the Gen Z movement are abstract and fragile. What small, concrete narratives would you teach to establish a proper foundation for change?

Faith Odhiambo: The movement has to be authentic. You can't fake commitment to something you don't believe in. Help people identify their strengths and focus there without burning out. Revolutions require patience, tolerance, and sacrifice. The Gen Zs were clear when they had one goal i.e. the Finance Bill and they achieved it. When that clarity was lost, there was room made for interference and fragmentation. We need to stay focused on the problem, not the individual. Individuals change, but constructs remain. We need a parliamentary seat/office to feel like service, not a seat of luxury. You must account for the time that you're in that office. When leaders are held accountable, we have seen ex-presidents be prosecuted, Prime Ministers using public transport out in the West, their systems have been made in such a way that every citizen is comfortable and no one gets preferential treatment in lieu of any wrong-doing. That is the ideal we should fight for.

Itûika

Wanini Kimemiah





"I had been thinking about how during the protests, the spirit of change/revolution was palpable. It strengthened and emboldened the people on the streets, and I felt as though it was also our ancestors standing with us and lending us their strength. I did some research and found out about Itũika, a handing over of generational leadership to the young people that happened every 30 years in the Gikuyu nation.

It was a two year nationwide gathering involving much preparation in the first, and many handing over ceremonies in the second year where people would decide from clan level who would represent them. Every single member of the community had their obligations of participation.

One of the main ceremonies involved getting a feather from the tail of the river serpent of the Mathioya river in Murang'a. I felt compelled to remember this ancestral spirit by making these images. It is a 6-piece cyanotype series of the river serpent moving through what could be the water or the air. This entire cultural practice was outlawed by the British occupation, of course. The last one was held sometime in the mid-1920s.

The individual fragments of the piece can stand on their own, but must be seen together to form the full image, which feels true to the repair that must happen for us to come back into our sovereignty as the people under the shared context of "Kenya".

-Wanini Kimemiah-

How independent is the judiciary as a pillar of the state?

This is a transcript of a podcast session recorded in September 2025. The conversation featured **Wairimu Gathimba**, a writer and cultural worker within Kenya's social justice movement. She is a member of Ukombozi Library and its offshoot the Kenya Organic Intellectuals Network and **Marion Ogeto**, a human rights lawyer and Gender Specialist, with a Columbia Law School LL. M., where she was a Human Rights Fellow. They spoke to **Wanjeri Gakuru**, the project curator.

Wanjeri Gakuru: Let's start by giving people a brief overview of Kenya's judicial system.

Marion Ogeto: The Judiciary is one of the three arms of government. The Legislature makes laws; the Executive implements them; and the Judiciary enforces them. So the judiciary essentially settles disputes and interprets the law to ensure the rule of law comes to life. No one is above the law, and the Judiciary is meant to ensure that.

The court system runs from the highest court i.e. the Supreme Court down to the magistrate's court. The Supreme Court is the only one that handles presidential elections. The High Court is the only court that interprets the constitution. There are also specialised courts like the Employment and Labour Relations Court. From the 2010 constitution, we got the Judicial Service Commission (JSC), who are mandated with appointing judges and ensuring the independence of the Judiciary.

Wanjeri Gakuru: This is a system we inherited, right?

Marion Ogeto: Yes, and it's so important for people to understand that. Since colonialism, we never had a moment to sit down and think carefully about what we were inheriting and whether it actually works for us. Even as Kenya gained independence in 1963 there wasn't an opportunity to develop systems that matched our own needs. Common Law jurisdictions i.e. the states colonised by the British essentially inherited everything. Through the years, we have gradually started adapting those laws to work better for us. For instance, the Public Order Act is a colonial law, which is why it's so restrictive. A demonstration is supposed to be disruptive by nature, but the Public Order Act inhibits this.

Wanjeri Gakuru: Some have called the Judiciary the last bastion of defence for the rule of law in Kenya. How important is that independence, and can you give examples from recent memory that highlight it?

Marion Ogeto: Independence is everything for the Judiciary. For contentious issues that come before a judge for instance, something the president has an interest in, like the Finance Bill, the judge must handle the matter without any external influence.

If there's a fear of retaliation, they may hold back or not adjudicate at all. We saw this during the Kenyatta and Moi eras, the president appointed and fired judges and easily manipulated the system to their will. That is exactly why judicial independence is so crucial.

Wanjeri Gakuru: Gathimba, does this equally concern you?

Wairimu Gathimba: I'm not a lawyer, so I tend to interpret these things from an ideological perspective. I agree that the institution should provide checks and balances but I think there's a way we divorce these institutions from the socio-political and socio-economic context they operate within. Without addressing the fundamental structuring of Kenya as a country, who it was meant to serve, who got into power at independence, and how those dynamics continue to manifest, I think there's only so much that judicial independence alone can give us. There are fundamental structural issues that need addressing alongside it.

Marion Ogeto: That's 100% true.

Wanjeri Gakuru: Democracy should be experienced on a daily basis. Law-making does facilitate public participation, but it seems to be only on paper. Gathimba, how do you feel the voice of citizens can be better heard?

Wairimu Gathimba: It's about fundamentally making governance something everyone feels invited to participate in. This country has evolved into a situation where governance seems to be the work of a certain class, particularly for politicians and is understood to serve the accumulation of wealth for them rather than bettering people's daily conditions. We need to invite people back into governance by working with grassroots spaces. There are about 43 social justice centres in this country. By working with those spaces, bringing in lawyers and experts to translate policies into everyday language, and incorporating civic participation into their existing work on things like reproductive health, we can give people a real chance to engage.

Beyond that, public participation results should be made public. If the Legislature makes a decision contrary to what people said, there should be reasons given. There should be good engagement with public opinion, and we should be able to hold them accountable to that.

Wanjeri Gakuru: We've always raised our voices when unhappy. Are you seeing civic engagement increasing or decreasing?

Marion Ogeto: The constitution provides avenues such as, you as a citizen, can go to the High Court and argue that a bill violates your rights or wasn't properly subjected to public participation. Before the 2010 constitution, the right to protest existed but was far easier to violate.

Now the constitution protects the freedom of assembly and provides parameters for how that right can be limited.

Previously there was a level of apathy that has been slowly dying. The protests last year reinvigorated people to realise that hope is not dead. You can move to the streets and have an impact. You can call out your MP. People are realising there are so many mechanisms within our laws to demand accountability. Whether it's working as much as it should is a whole other conversation.

Wairimu Gathimba: The fights we're engaging in today are built on fights that came before. Movements like Mwakenya, initiatives like KPU, pushing back against Kenyatta's regime. The generation to come will have their own struggles, because liberation is a continuing project, and so is injustice. Those who subject us to these things have a lot to benefit, so they won't quit easily. But I hope future generations will look back at our moment and feel that what they have is more expansive than what we had.

Wanjeri Gakuru: Can you mention some highlights where the court system has pushed back meaningfully?

Marion Ogeto: The one that probably shocked people the most was the 2017 presidential election ruling. That was the first time in Kenya, and I believe in Africa, that a court nullified a presidential election on grounds of irregularities. That showed the court system can push back, even on the most sensitive of matters. On public participation, there has been enormous litigation. We've seen cases of governors calling people to a hotel, ticking attendance, and claiming that counts as public participation. County budgeting processes are a major issue, sometimes people are called two hours prior and given a rough explanation, with no Swahili translation so most people don't even know what's going on. Courts have really pushed back on how public participation must happen.

The LAPSSET Project in Lamu is another example. Katiba Institute and other organisations fought because proper public participation wasn't conducted for a project with grave impact on local communities and the courts responded. Our Bill of Rights is very expansive and progressive, the courts have even interpreted it to protect reproductive health rights and strike down regressive laws.

Where I'd like to see more is litigation around Chapter 6 on leadership and integrity, and Chapter 12 on financing. When the Auditor General releases reports showing billions missing, we move on within two weeks. We need courts pushing back harder on accountability there.

Wanjeri Gakuru: Gathimba, you work in an area that looks at maintaining and disseminating knowledge. A lot of information about important Kenyan figures and ideas that contribute to safeguarding democracy aren't readily available. Could you talk about Ukombozi Library and that work?

Wairimu Gathimba: We call ourselves the people's library. We're in town on Moktar Daddah Street, opposite Naivas, GMC Mansion, 3rd Floor. It's free entry so if you're in town and don't want to spend money at a café, pass by.

Ukombozi came out of the need to present an alternative to people's histories. There are gatekeepers of political memory who ensure that only specific narratives, those that serve their interests, make it into our curriculums and daily conversations. We try to make this knowledge alive and wrestle it from being the exclusive domain of a professional class with resources. We do this through teachings, like the one we're having later today on the constitution with Omtatah.

We've also held exhibitions in the past, as part of the Until Everyone is Free podcast and also Ukombozi. Last year at the University of Nairobi (UoN), we put up a small exhibition on Makhan Singh. With the podcast, we put up an exhibition at Nairobi Art Gallery on Pio Gama Pinto. There's also a play happening soon on Bildad Kaggia at the Kenya National Theatre (KNT). It's all about finding ways, through podcasts and events people are excited about, to make these stories accessible to everyone.

Wanjeri Gakuru: The Judiciary has produced important moments. Although, we can't forget that in 2024, surveys by Afrobarometer and InfoTrak found Kenyans expressing distrust for the Judiciary. A journalist was recently detained after following up on graft allegations involving a judge. Is judicial reform possible? Can this system reflect us in our complexity?

Marion Ogeto: There's a principle in law that states - justice must not only be done, but must be seen to be done. If people don't trust the system, they won't use it. Ask most Kenyans whether they'd go to court if they had a case, most would say no. That's probably what those survey numbers reflect.

We've come a long way though, and independence is a double-edged sword. Judges must be free to interpret the law without influence, but they must also be held accountable. If the JSC functioned as intended, it would provide that accountability you'd be able to report suspicions of misconduct and expect action. There are just judges and unjust judges; that's human nature. I work in gender justice and I've seen instances where lawyers, prosecutors, and judges have worked together to ensure someone isn't held accountable. But there are also judges before whom you know if you just prove your case, you'll get a fair hearing.

Beyond individual cases, citizens can be more involved by doing things like following judicial appointments. The Supreme Court nominees are usually posted online, do we watch? Do we know how much is allocated to the judiciary? We can track those budget allocations especially because politicians are known to routinely threaten to cut judicial funding as a control measure. The media also must do more, investigative journalism should enter the courts and examine what happens behind those doors.

Wanjeri Gakuru: People turn up in court in large numbers for high-profile cases. Does that physical presence have a bearing on outcomes?

Wairimu Gathimba: Yes, I believe so. Public interest shapes how things are executed even outside court.

The reason Ruto didn't sign the Finance Bill, despite it being passed in the House, was because we mobilised shared public opinion, from Twitter to emails to petitions to the streets to parliament. Public interest definitely registers. What's needed is channelling that opinion into organised forms, which is what social justice centres are able to do, mobilising people, arranging transport, and making information accessible.

Wanjeri Gakuru: The constitution turned 15 in 2025. Human rights groups have observed court orders being disobeyed, erosion of judicial independence, and a weakened parliament. Yet the High Court has also played a significant role in pushing back proposed constitutional amendments and Bills. How robust is Kenya's constitution and how can we better use it as a tool to preserve democracy?

Marion Ogeto: The constitutional text is strong. When people see it not being applied, they assume there's a problem with the text but that's not the case. The Bill of Rights is expansive, covering socio-economic rights like healthcare and education that you don't find in many other constitutions. Access to courts is open to any citizen on a public interest matter. Constitutional commissions exist to ensure accountability and monitoring of frameworks.

Devolution, for me, is one of the constitution's most powerful provisions. It's just not being used as the drafters intended. It was created to bridge the disconnect between the national government and people on the ground. Counties develop strategic plans every five years that shape budget allocations. As a gender justice practitioner, for example, if a county allocated a percentage of its budget to healthcare and safe houses for survivors of sexual violence, that problem could genuinely be addressed. The framework exists. The problem is political will.

Wanjeri Gakuru: What kind of governance should Kenya cultivate, especially regarding the rule of law?

Wairimu Gathimba: The constitution offers a framework, but rights are not self-executing. It always goes back to the people. What sort of people are we allowing into these institutions? We need people who are people-centred, whose values and politics are rooted in the well-being and humanisation of Kenyans. When we say “Ruto must go” the question we must also ask is, who replaces him? That’s the work our civic spaces need to be doing together.

Marion Ogeto: Kenya has always considered herself a democratic state, but that has been in question at key moments, especially during the Moi era, and again from 2022, where press freedom and freedom of expression have been under pressure in ways we haven’t seen in a long time.

Looking at the three arms of government, we’ve already spoken about the Judiciary. With respect to parliament, we’ve really put these people on pedestals, yet they are there to serve us. Many countries have remodelled political positions to make service the core mandate, not personal interest. Last year people said, “They need to remember we hired them.” That reframing matters. If parliament is rogue, and the Executive is unchecked, then save for the Judiciary, almost the whole government is rogue.

What we’ve done in the last year has been fantastic. People have woken up and realised they have a level of power. As a citizen, you can write to your governor and ask how much has been allocated to healthcare, and why nothing has been allocated elsewhere. There are avenues to push back on. We need to come together and recognise the power we hold, and channel it wisely.

The Willing and the Able*

by Idza Luhumyo

The morning after the big protest was still morning, time having ended right after the country changed. They called us into the cavernous room, asked if we were part of the willing and the able. We said we were. They told us they wanted it all: dreams of where we wanted to be, all we wanted to see. We said we would need time. They said no problem, and hadn't we seen? So gracious was time, because we could not stop for it, it had stopped for us. Time was all we had. We asked: as we sift through the rubble, the hallowed shadows, shall we also include everything the country had been? They said: no, no, no, no—we want new, we are trying to build something new.

It was three of them sitting behind the yellow worktable. One was muzzled, one was blindfolded, the other's ears had been stopped. The tables were littered with what we immediately recognized as the implements of nation-building: maps, blood, languages, terse manifestoes, battle chants, stories, contested histories. Their voices were strained, edged by the pious irritation of the heavy-crowned. Yes, time was all we had, but they were busy, you see. Outside was an orange moon, a day that did not end, and long, winding queues of the willing and able, patiently waiting to receive and carry out orders commensurate with their talents. There was a new country to unbuild.

A leaderless movement to lead. Exactly fifty-seven point five million voices to unison into a new consensus. We were willing. We were able. We were quickly shuffled out of the room. Outside, the orange moon, and the day still unfurling in the whorl of time. Then a tiny voice, whinnying in our direction. We turned but saw nothing. In our hands: little red pills. Then the same voice from before, now clipped, a plea in it: please take these, please close your eyes, please tell us what you see.

At first, we saw nothing.

To tell you the truth, we were not trying very hard. We were too busy enjoying the suspension of time, the novel uselessness of clocks, the fact that aging and disease and death and tension and belief, itself, had stalled. Wasn't today yesterday and tomorrow today? We had no use for calendars, for alarms, for appointments, for dates, for rigid identities.

We were everything, we were nothing. We were at once forever Kenyan and never Kenyan, and we let the taste of that possibility sit on our tongues, savoring the chance to be, to not be. Everything of our country's antecedents—the bloodbirth, the bloodbath—clarified into a single moment, a perpetual now.

We contemplated the now we had: no country, no counties, no president, no precedents, no opposition, no positions, no imprisonment to a founding story, no certitudes, no masses to delude, no centers, no margins, a blank slate, and the blessing of no time and all the time in the world.

We went back and forth between calm confusion and confused calm. We remarked at the audacity of fruit staying fresh, menses forever allayed. Whatever was bland persisted in its blandness, and whatever was good was consistent in its goodness. We understood that where there was good, evil was also bound to be there, but we only trained our eyes on goodness, rejoicing in this new normal: if nothing got better, then nothing could get worse. We took comfort in the fact that evil, if it existed, if it persisted, could be overcome by a surplus of the good, the honorable, the admirable.

How drunk we got on stasis. We stayed still for hours. We talked for hours. We danced for hours. Yesterday was not only today but also tomorrow. And when we looked outside, we sighed with incredulous pleasure at the sight of that moon, still orange, and at life, which still did not go on.

Then we started to dream.

Slowly at first, nothing came into full focus: only colours and sounds, that sort of thing. What we saw, and what we heard, was fluid, florid, like something floating towards the ether. Then the sounds clarified. A hum in the air. Lifting sopranos sustaining the fervent hope in the opening gambit: E Mungu nguvu yetu. The sopranos, the contraltos, and tenors merging hesitantly, chaotically, and then ever so harmoniously, through the song's terrain. Justice be our shield and defender. A question: did we need an orienting song to remind us of things we should know by heart? May we dwell in unity. Things we ought to practice unprompted? Heritage of splendour. This word, splendour. We rummaged through our past dreams. We found bits and pieces of that splendour, that magnificence, here, there, but so buried it was under layers of the old country's corruption, exclusion, delusion, confusion, that we struggled to catch enough of it to propel us into the future.

Before time—being oh so kind—stopped for us, we had called the hum in the air the national anthem. Wimbo wa taifa. But that was before the big protest, you see. Before the young, the restless, the knowers and wanters of more, the despondent and desiring, the ones caught so haplessly in the modulations of an expanding global stain said: we reject.

The clamor, the rallying cry, the hashtag: we reject.

The new language transmitted as if by ancient code through the wild wide web, clarifying what we knew in truth, and in spirit: we reject.

So, in this spirit of rejection, in this new world where time had died, did we have a need for a national anthem?

We kept dreaming.

What we saw: in this new non-country, this new place we were uncountryping and unbuilding, where time was no more, where time had gone off and died, we needed not one but several national anthems. An assorted catalogue of tones and moods, a sonic range roomy enough to capture the country's teeming variousness. Were we not Many-hued? Many-principled? Look: here, the Rift Valley. There, the scorch of the desert. Then the mighty Swahili seas. The loftiest of highlands. Placid plateaus. Coastal plains. Had time stopped or had we stopped time? Had the country changed, or had we changed the country? We were only but the dreamers of the country's future, and time—time being so kind—had stopped so we could get our act together. And weren't we the willing, and weren't we the able, lucky to be gifted with purpose, lucky to put our talents to build this our nation together?

We took our red pills. We kept our eyes closed. We kept our ears open.

What we heard: in the new country we were unbuilding—the same song. Oh God of all creation. It was still true. Bless this our land and nation. A thousand tenors and baritones suspended in time. Let all with one accord. A million voices gliding headlong through sound. And the glory of Kenya.

Last long leap, sentient sentiment, a boisterous bursting into a resigned gladness, a guarded hope for the new: Kila siku tuwe na shukrani.

No, we want new, the three people behind the yellow worktable had said to us. We are trying to build something new. But time was dead. And wasn't the anthem timeless anyway? There was a use, yet, for the old. We thought of the bird from the land of the speakers of Twi, christened Sankofa, turning back in order to go forward. Time was dead.

Time was not a straight line. What we lived we were always at the risk of reliving, and what we did not remember we were fated to repeat. In our dreams, the national anthem was imbued with meaning, rousing immense feeling. Its words hung like a provocation off the lips of the hummers, the country-owners, the rejectors of old dispensations. What a world we saw, what a country. More. More.

There could be more, is what the rejectors, the nay-sayers, the shoe-throwers, were saying. And all the blood shed on the streets, and the altars overflowing with the tears of the wailing mothers: it had not been in vain. The blood sang out and cried out and bloated us—we, the willing, and the able—with weighty purpose. And here we were, unbuilding, uncountryping, and redreaming what was left of a country that had refused to be collaged into coherence.

More dreams.

We saw ourselves as we really were, now that we were free from the tyranny of foreign solar calendars, free from the frantic chasing of the sun. Time was dead. We could think. We could dream. We saw how, in the old country, we had been resigned to repetitions, living what our grandparents had lived, and our children, unborn, unknown, already knowing—and rejecting!—the swarm terrors into which they would be born. We saw how tired we had been, how frustrated we had been, how we'd survived the absurdity of our countrymen's pillaging by jesting, by enclaving, by deceiving, by constructing emotional carapaces unmoved by evil. Two camps, we created for ourselves: those who ate, and those perpetually waiting their turn to eat. And in between the two camps: a chasm exactly fifty-seven point five million people wide. Meanwhile, the years flew past—for time in those days had not stood still—but we did not get a day older. At the beginning of the twentieth century, still in its infancy, the country had basked in the glory of the pronouncements: This child-country will exhibit the greatness of the horn of Africa; This child-country will be spoken of for generations and generations; This child-country will be a refuge for those wearying for succor, an oasis of tranquility, leader and model of what it meant to be imbued with heritage of splendour.

The pronouncements about the child-country were all factual. But how they lied. What was closer to the truth was blinding, an overwhelmingness that the country-owners flinched and inched away from. And so on in a daze the country went. Through the phases of childhood, it went. Crawling, and then tottering, and then terrible-two-ing, and then finally taking its first uncertain steps into the past it was fated to keep repeating. What we lived we were always reliving, and what we forgot to remember fated to repeat. How fast the country moved.

How resolutely it stayed still. And so round and round in circles it went, seduced by its own cloying mythology, enthralled by the binding spell of unending adolescence. It sulked, this child-country, and it lurked and leeches and mooched, laughingly desperate in its search of unworthy people on whom to unleash the burden of the power it was too childish to exercise. And this would have been the story of the country, yarn of its own callous making. But then the big protest. The young, the restless, the knowers of more, the wanters of more, saying: we reject perpetual adolescence. We reject the miasma of arrested development. We reject infantile fixation, regression, repression, undue adulation. And so the country went up in flames.

And the moon, brilliant in its orange, brilliant in its occupation of the sky on that day in June when blood flowed through the streets, stayed put. And time—time being so gracious—died, so we might be born anew.

Had time stopped or had we stopped time?

Had the country changed, or had we changed the country?

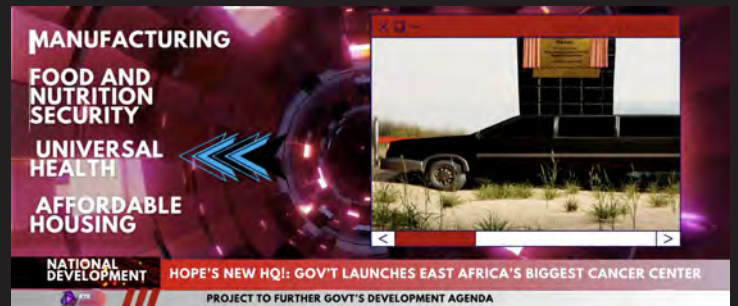
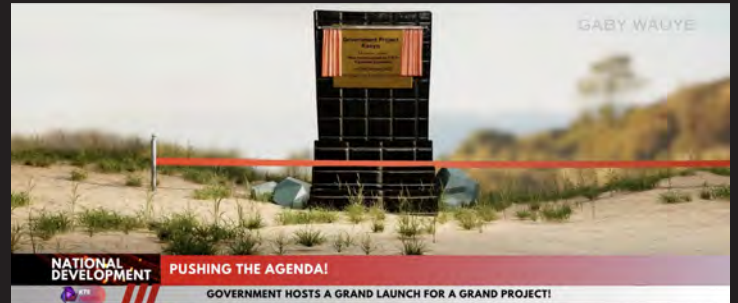
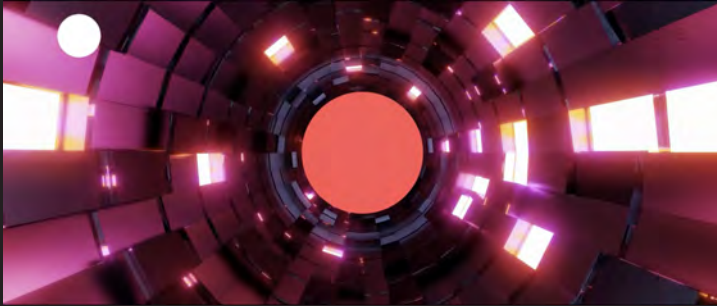
But why were our dreams about the past? We want new, hadn't the three people seated behind the yellow worktable said? We are trying to build something new. Time was dead. We were leaderless. We were much storied and teeming with history. We were the willing and the able. We had clear orders.

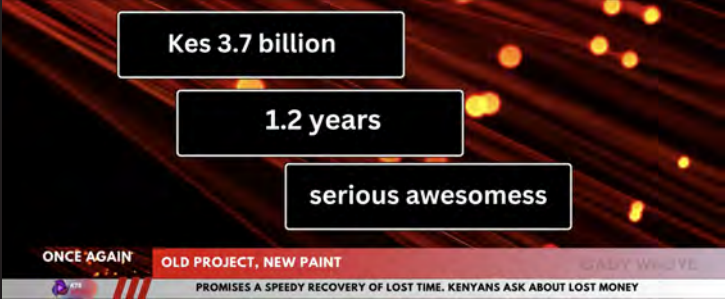
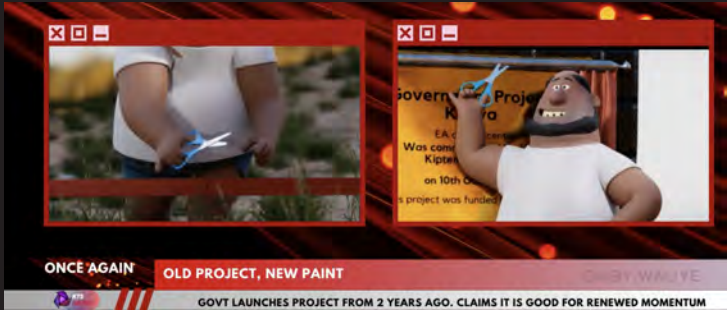
So we started to conjure the new.

If today was yesterday and tomorrow today, then we had all the time in the world to find new maps, to find new modes of authority. We dreamt about dignity. We dreamt about the uses of self-regard. We dreamt about the heritage of splendour, of grandeur, of the solid and stolid pride in our country-self, a heritage fit to be passed down to our young, a heritage to hold us strong and steady when we tripped and swayed. And yes, our dreams made it clear, we would trip and sway. Our future, being borne of our past, would not be perfect. But we would handle it, for time—being so gracious—had stopped for us who were willing, and who were immensely able.

News Flash

Gabriella Wauye







Citizen Responsibility & Civic Education

This is a transcript of a panel discussion recorded in September 2025. The conversation featured **Nora Mbagathi**, Executive Director of Katiba Institute and **Dr. Mamka Anyona**, a public political commentator and host of the podcast, 'A Certain Amount of Madness', which provides in-depth analysis of political and economic issues from a Pan-African perspective. They spoke to **Wanjeri Gakuru**, the project curator.

Wanjeri Gakuru: How informed are Kenyans on their rights and responsibilities with respect to rural and urban populations? And, has the digital space changed the access and dissemination of knowledge?

Nora Mbagathi: I actually think that in Kenya people are a lot more engaged than one would expect given the lack of formal civic education in that space. I think people really rely on networks, on informal networks, in order to build civic education within communities, within different communities.

But overall, I would say personally, even at Katiba Institute, Kenya is an incredibly litigious society. So people also really go to court to enforce their rights. There's demonstrations. There is actual engagement. I'm always quite inspired by the fact that when you walk into a room, a number of people frequently have copies of the Constitution with them. And you can tell that they're really well-read copies of the Constitution as well. And I don't think that's very common, so I find that quite inspiring.

Dr. Mamka Anyona: I think fundamental to even understanding your civic education is political education. So civic education is what are your rights, what are your responsibilities as a citizen. But you're a citizen within a certain sort of nation-state. That nation-state was not created by God in the form that it is in. The way that it exists, and the laws, and even the Constitution within it came from somewhere. This follows from history. And I think what is more fundamental is for Kenyans to understand from where did we receive these roles, responsibilities, and rights that we have? What is the limit of the rights that we have today? The creation of spaces for political education has to be subversive. It is never going to be some process that is going to be supported by a State that is very intent on ensuring you never have that education. And that's why you will find that most spaces constantly talk about civic education.

Because civic education will only teach you what you need to know to continue to be a good enough citizen to maintain the system as it is today. Get your voter's ID, show up every five years to vote, and do public participation in your county or whatnot. But never challenge the system. Never challenge the system.

So I think in terms of the way in which the absence of political education affects us, it means that even when you have this buildup of very genuine, very grassroots-driven anger at the system and despair, and this pushback because people can sense that there's something that is happening that is wrong in their lives, they don't have a framework for analysis. They will just defer to the rights and the Constitution. There's something that's still not landing. And that's the absence of political education.

However, the other thing is that in the absence of political education, there's also absence of political organizing. So then you have people going to the streets saying we are leaderless, we are organizationless, we are whatever. But when has any leaderless organization or leaderless movement ever taken power or changed anything fundamentally? Never. And it's the absence of political education that led people to go to the streets saying we are leaderless. Because if you had political education, you'd understand you actually need a leader because you need to be able to articulate your demands. You need to be able to have some sort of organization that is going to push for those demands.

Wanjeri Gakuru: In 2022, 14 million votes were cast but 8 million registered voters did not participate and approximately 18 to 23 million did not even register.

Dr. Mamka Anyona: It's Noam Chomsky who said that the American electoral system provides two parties that are indistinguishable from one another, but they're just distinguishable enough to create enough debate within the period of four years for people to feel like they're making an actual choice. Because nothing fundamentally changes. And there's a reason why even in that country there has been such apathy towards the political process- because there's very little that changes.

In a recent town hall discussing 15 years of the Constitution, we had Okiya Omtatah—we'd actually wanted both him and Maraga because they are running electoral campaigns around the Constitution. Maraga's very explicitly being called Ukatiba. While the Constitution may provide for these fundamental rights, it is politics that determines the way in which they're going to be enacted, and whether or not they're going to actually, and who they're going to serve.

Nora Mbagathi: I think it is really refreshing to see Okiya Omtatah be driven by the Constitution and have that be the driving force and the thing around which to organize. I think there's a bit of a chicken-and-egg situation in the sense that I agree about political organizing and how can that be done with certain processes in place?

But I do believe that civic education still forms a basis for some of this. And therefore the engagement as well around civic education, the engagement around the democratic processes that we do have is quite important in part also because we don't want to hear the response, "Well, you're not using the Constitution and the rights that you have."

Wanjeri Gakuru: Do you think citizens can shift from being apathetic to being active citizens? And if so, what needs to be done?

Nora Mbagathi: Firstly, people aren't apathetic. I think apathy really is a sign of disillusionment and disappointment. And I think it's even interesting to see the transition that we've seen in what is being organized around. We've seen a lot of organizing opposing police violence, opposing what's happening in certain spaces.

I do think knowing what your rights are and what you want to call for and what you want to see implemented is really crucial. It goes beyond that civic education piece and does go into the political.

Dr. Mamka Anyona: I think the apathy that you see in a lot of countries in the world has the same root; this sense that nothing we do will make anything fundamentally change.

Evidence shows that when you have uprisings, and those uprisings are not organized, whatever happens after the uprising is always more repressive. Where we were in 2023 was a much more open society than the one we are in today, where you can post something online and get abducted and disappeared. The consequences of uprisings that are unorganized and leaderless is that the most organized forces (which will always be the State or the Military) will take over, and you'll always end up in a worse place.

Ultimately, the only way we're going to break past this is to politically organize. There's just no other answer.

Audience Member 1: There's been such an escalating level of violence in politics, not just in Kenya, globally. In my own village, people went to our member of parliament's house and they tore up the flooring. I imagine how a lot of potential candidates would be scared off by looking at that kind of violence.

Nora Mbagathi: I do think it is important to look at how violence is being used as a tool. It is the fact that we're not just saying people are angry and therefore there's violence. It is that we now have goons; people who are being paid in order to take those actions. This has become a real problem.

Audience Member 2: Everything is interconnected. I see us separating politics from what we eat, from the environment. There are many other ways we can protest and protect ourselves. We can group ourselves in a way that the government and authority will be ashamed of. Like what the Gen Zs did when they went up there; that's one kind of protest, a huge one. We really have to rethink because we have seen that the Constitution alone can't help us.

Dr. Mamka Anyona: That is dialectical and historical materialism and this is the value of political education. It argues that the fundamental layer of what it means for a human being to exist and all the actions that they're going to take up, the thoughts that they're going to have, are based on their material conditions.

Karl Marx very famously said, religion is the opium of the masses. It is hope in a hopeless world. It is what people go for when their material conditions are not met, when the conditions within which they live are dehumanizing. Poverty is dehumanizing.

When you're organized you can provide each other with mutual aid, have a basis for political education to form political parties. It means you form active political parties that also participate in elections.

Use those as centers for mutual aid so that we can try and provide each other with what the State denies us and also be a bulwark against a repressive State. But it also means that should an uprising happen, then those young people who are organized and who are forward-thinking and who want a progressive country, if they take power, then you have a revolution. Because then now you move from where we are to a much better place of being.

Audience Member 3: How do you conceive the progression from civic education and political consciousness to the ideal State?

Nora Mbagathi: I'm not sure the ideal State as such exists or that I see a pathway to it in part because the powers that be, the structures are not designed necessarily for us to have what we might consider an ideal state. However, an ideal state to me is the Constitution, those rights and a system of laws that we are framing things around and that we're relying on.

Dr. Mamka Anyona: I don't think there is such a thing as an ideal State because the idea of dialectical materialism is that at every stage you get, there are new problems to be solved and then that generation has to solve those problems to get you to a different stage where new problems emerge and then you solve those problems.

For example, if you fight for multiparty democracy and then get it, then the next thing is to fight for an even more democratic opening of that space. And once that is solved, there will always be another problem to solve. I think the human condition is such that we'll be continuously striving for a better state of existence as individuals and as a society.

We just need to be doing the very best we can at whatever stage we find ourselves and be able to correctly identify the problems, correctly identify the methods and the forms of the sort of organization that will lead us to where we want to go.

DER

Juliet "Koi" Muiruri





"DER has a two fold meaning; it is an acronym for Dare to Empower a Republic and its Red spelt backwards with the color red as the main motif of the docu-short."

- Juliet "Koi" Muturi -

Examining the state of democracy worldwide

This is a transcript of a podcast session featuring **Marilyn Kamuru**, a feminist lawyer and political strategist, working at the intersection of law, politics and women's rights and **Patrick Gathara**, a journalist, political commentator, and cartoonist whose work interrogates power, governance, and global justice. They spoke to **Wanjeri Gakuru**, the project curator.

Wanjeri Gakuru: Let's start with a temperature check. What is the state of democracy in Kenya and more broadly the Greater East Africa region?

Patrick Gathara: Power is never given up easily. The people who have it will respond, and we've already seen terrible atrocities across the region, in Tanzania and in Kenya. But the fact that people are still willing to challenge, still willing to push back, is a real point of hope.

Wanjeri Gakuru: How would you say citizens in this region are actually being governed?

Patrick Gathara: How we are governed is changing. Pressure from citizens is forcing accountability and making politicians think differently about how they engage with people. We have to take the long-term view where things that are now seen as normal i.e. people walking out with banners, holding demonstrations, were unthinkable in the '80s and '90s. The 2024 protests tied to the Finance Bill have made tax policy a fixture of our political calendar in a way that never existed before. Politicians are being forced to respond and explain themselves. That, for me, is a sign that we are on a positive path.

Wanjeri Gakuru: Is the digital space contributing to this shift? We saw language like "we are one, we are tribeless" during the 2024/2025 protests. Is that surprising to you?

Marilyn Kamuru: Not surprising at all but it's very challenging to power, because political power in Kenya is so organised around tribe. Hearing "we are tribeless" was a shock to politicians who only know how to do politics through an ethnic lens. They're being forced to rethink their strategies, but they're not learning well.

The test for us as citizens is to stop thinking about democracy as a destination. We're working at being more democratic. As Kenyans, we live in a more democratic country than we ever have before, and that is our work and our sweat. What we need to get better at is boomeranging when we're pushed back. Part of how power works is killing momentum. We have to start using opportunities for backlash to push forward, not retreat.

Patrick Gathara: Democracy becomes a cultural moment, not just a matter of setting up political institutions. It's about what those institutions mean for us as Kenyans. Coming from Moi's time, the explosion of expression in the 2000s was transformative.

Politicians have been trying to shut it down since 2003 and have found enormous resistance from people who now think of themselves differently. Part of being Kenyan is that we can speak openly about those in power, that's how you entrench democracy and help people understand themselves in relation to power.

During the 2024 protests, people could tell Raila Odinga to step aside, this is our thing. Moments like those create opportunities to build ways of engagement that are not mediated by the political class, but come from our own understanding of where we stand in relation to those who wield power.

Marilyn Kamuru: Younger Kenyans are really taking back power and grounding it in the constitution, in where sovereign power actually lies and I think this is where the politicians are really struggling. Their approach to people in authority is - you work for me, you have delegated authority, power is mine. For somebody who grew up in the '80s and '90s, that's a language I understand intellectually, but it's not something I've internalized in the way that I see young people have. That language is completely threatening to the establishment, and rightly so.

Wanjeri Gakuru: We're uniquely positioned as a country, given our neighbours are unfortunately caught up in civil conflict. Is there anything happening around us that we should be paying attention to regarding democracy?

Patrick Gathara: For a long time, there's been a self-serving narrative, pushed by Moi and those who came after him, that Kenya is an island of peace in a sea of chaos. I don't think it's true. Places like Malawi, Zambia, even Tanzania have had more peaceful changes of governance than we have, and a more entrenched tradition of challenging authority. We can learn from them rather than simply valorising ourselves as the torchbearers.

That being said, we also bring a lot to the table. Malawi would never have stopped a presidential election if we hadn't done it first. Our Supreme Court's 2017 ruling created space for others in the neighbourhood to say, well, that is possible. Tanzania under Nyerere was also building a nation not defined in strict ethnic terms, a nation that understood itself as a combination of all its people. That offers real lessons for how we build outside the frameworks of ethnicity that have been imposed on us by a political class for their own ends.

Marilyn Kamuru: We need to drop the exceptionalism narrative as it becomes a cleavage that can be used to undermine our own internal aspirations. Remember that democracy is a group project, not an individual one. Democracy is contagious, just as autocracy is, and that contagion is something we can harness culturally. By amplifying our wins and by drawing attention to issues like torture, cross-border abductions, and foreign interference in regional affairs. We can build a culture of democracy that doesn't depend solely on who happens to be in power.

We need relationships with each other as people committed to the democratic project, not relationships defined by our leaders.

Patrick Gathara: One of the striking things about this moment is that we no longer talk about democracy as a Western thing to be replicated. Looking at the US and UK right now, there is very little to admire democratically. Their direction of travel is not one we want to follow. That opens up space for imagination, for thinking about what a system suited to our own aspirations actually looks like, rather than looking for a template to emulate. The global situation is undoing the dominance of liberal democratic thinking as a one-size-fits-all prescription. It allows us to ask - what does it actually mean to be free? And to think of other ways of organising that are not tied to a global framework that says everyone has to look the same.

Wanjeri Gakuru: The recently released Global State of Democracy 2025 report shows democracy is on the decline worldwide across 173 countries analysed and 94 countries directly surveyed. To what degree do you think shifting political landscapes are driving these changes?

Marilyn Kamuru: I think what we're starting to see fissures in the illusion of democracy. People around the world are questioning the narrative they've been sold. The US claims to be a nation founded on freedom, yet the Voting Rights Act is only about 60 years old. We're seeing a critical mass of people are calling out those hypocrisies and asking structural questions. Some countries are choosing to live with the myth rather than face the reality. But the people in this moment come with different expectations, they're not just fighting to have things, they're fighting to keep things they already have, and they're demanding systems that are more internally coherent and more responsive. I think this can be something that strengthens us rather than weakens us.

Patrick Gathara: In many places, democracy and autocracy coexist within the same country. Kenya acts autocratically in many ways, but Kenyans behave as if they live in a democracy and expect the state to respond accordingly. I wouldn't divide the world into clean categories of democracies and autocracies, that kind of erases real complexity that layers within society. Even the coups in the Sahel, which a report like this would register as a diminution of democracy, are experienced by many people as an expression of what they want. If democracy is only about institutional forms and not about what people actually want, then something has gone wrong. We need a more nuanced understanding of how people experience accountability, even when it doesn't look like what it looks like in the West.

Wanjeri Gakuru: What's so special about democracy compared to other systems? Is there a shining example of it in action, historically or presently?

Marilyn Kamuru: Democracy as a system is evolving. As a feminist, democracy is preferable because it provides room for me to be a full citizen, with aspirations that exist independent of my relationship to men. Sometimes democracy is a path to somewhere else, it allows more people to do more, including, once they have it, to try and revert to other systems.

The narratives of democracy have been deeply Western, and that's the real problem, not the system itself. I go back to this point about these democratic indices and indicators and say again that the moment we're in also requires a change in the tools that we're using. The tools we're using to measure democracy were built for a post-World War II world and don't fit this moment. They lack the nuance to reflect both the challenges and the opportunities we're facing currently. We need new tools and new narratives. The US and UK are now being forced to create new narratives for themselves, and their retreat from democratic ideals no longer signals the direction the whole world is heading. Some of us are already quite clear about where we're going. It's the narratives of democracy that we really need to question more.

Patrick Gathara: We need to engage with the question of what democracy actually is. Autocracies have elections, we had them regularly under Moi. The question is whether these elections deliver the governance people want. We've reduced democracy to a system for electing people into power rather than for people ruling themselves. What does it actually mean to rule yourselves, not elect somebody to rule you? Our young people on the streets are pushing towards that and forcing us to re-imagine it. The West has had the luxury of pointing to places like Kenya to valorise their own systems. Now that their systems are challenged, they're forced to reckon with the fact that we are all in a mess in different ways.

I would actually argue that because we've had a history, at least in Kenya's case over the last 60 years, of constant pushing for reform, of constant thinking about these sorts of questions. We are actually a step ahead, we're able to recognize a problem and to say we need to fix it, we need reforms, we need to change laws, in a way that you find it impossible for the Americans to have the same discussion. I wouldn't look for a paragon of democracy. All societies have things they do right and things they do badly. We can learn from different systems without valorising them. In the end, you'll likely find many different versions of what democracy looks like.

What matters is whether it reflects how people want to rule themselves, and whether it provides space to course correct. That's the real argument for democracy over autocracy - it allows you to change direction without incurring the massive social costs of removing an autocrat. Though it will not always look the same across the world.

Wanjeri Gakuru: There are certain pillars I think that are crucial. Gathara, as a journalist, political commentator and cartoonist, how important is media freedom in a functional and dysfunctional democracy? And Marilyn, from your work on human rights and gender representation, what does meaningful representation look like?

Patrick Gathara: Media freedom is important, but not as a right reserved uniquely for journalists, it should be an expression of a freedom enjoyed by everybody. We shouldn't romanticise it. A lot of what passes for media freedom is really the freedom to propagate problematic narratives, to convert news into a product. Look at how democratic dialogue has been poisoned in the US, much of that was done using the tools of the media. Media being largely privatised, has an agenda, and it intentionally edits out what doesn't serve its interests. You can't reduce the world into 800 words. We have to be really careful about simply imagining that giving those players all the freedom in the world to do what they want, will always produce the sort of outcomes that we think.

Media freedom should serve a wider freedom within society to participate in debates about the direction the country is going. But why should that protection be reserved for someone who calls himself a journalist? Why isn't the same protection extended to any citizen who wants to share their views? We have to create ways to put pressure on media to ensure it's actually working in our interests. So yes, media freedom matters, but take it with a pinch of salt.

Marilyn Kamuru: Core to democracy is the participation and representation of all people. As a feminist, I would say a system that structurally excludes women is not a democracy, regardless of what other elements are present. For me, gender representation and representation of groups is super important.

I'll use the words participation and representation rather than 'inclusion', which has become tokenistic. Representation must be proportional. If women are half or more of the population, representation must reflect that. If an ethnic group is a third of the population, the political system must have a mechanism ensuring meaningful representation.

This representation challenge will intensify in the coming decades, partly because of the corporate concentration Gathara mentioned, a reflection of deep inequality and the power of an even small global elite shaping the world in their own interests.

When enough people are excluded from the system, the incentive becomes to conform to whatever is permissible within the ruling elite, even if that means acting in exclusionary or violent ways. That distortion of incentives is one of democracy's most serious threats.

Patrick Gathara: I'd add here the idea of rights and specifically, dignity. There has been a misrepresentation of what a rights-based approach to governance means.

Our constitution is clear that it recognises rights we already have, not that it grants them. But people focus on the enumeration rather than the substance. We need an idea of democracy that encompasses a human being in their fullness. Rather than a legalistic framework of what we are entitled to, think about what actually gives dignity?

What allows someone to operate in a dignified life? And then craft policies and laws around that. In our traditional societies, governance was approached this way - what does it mean to be a person within this community? Those societies weren't perfect, but there are things they understood that would be valuable to recover now, so that we stop building on a vision entirely mediated by Western experience.

Wanjeri Gakuru: What can you offer people to understand what democracy could look like? What could they borrow from or look at?

Marilyn Kamuru: I'd encourage people to focus on the public; public good and public services. In order for dignity to exist, I need the right to eat, to have shelter, healthcare, water, green spaces, the ability to associate with others. We've lost the understanding of public goods and our entitlement to them. The attempted privatisations happening in Kenya right now (a vast majority being unconstitutional and illegal), put people in a position of having to defend things like water or air as theirs. We should be rejecting the premise of those conversations entirely, not accepting them as legitimate debates. It is important to understand how the framing of certain issues is itself a way of denying us power and agency.

This retreat into individualism is partly a result of capitalism and an attempt to get us all thinking in survivalist terms. We're being co-opted into conceding things we never agreed to give away. We need to push back and insist that it is the State's role to provide the conditions for dignified lives. If it can't do that, it should exit stage left. At the end of the day, what we're asking is, what system allows us to live the most dignified lives, and how much are we willing to live in ways that give dignity to others? That's a humanity question, not a systems question.

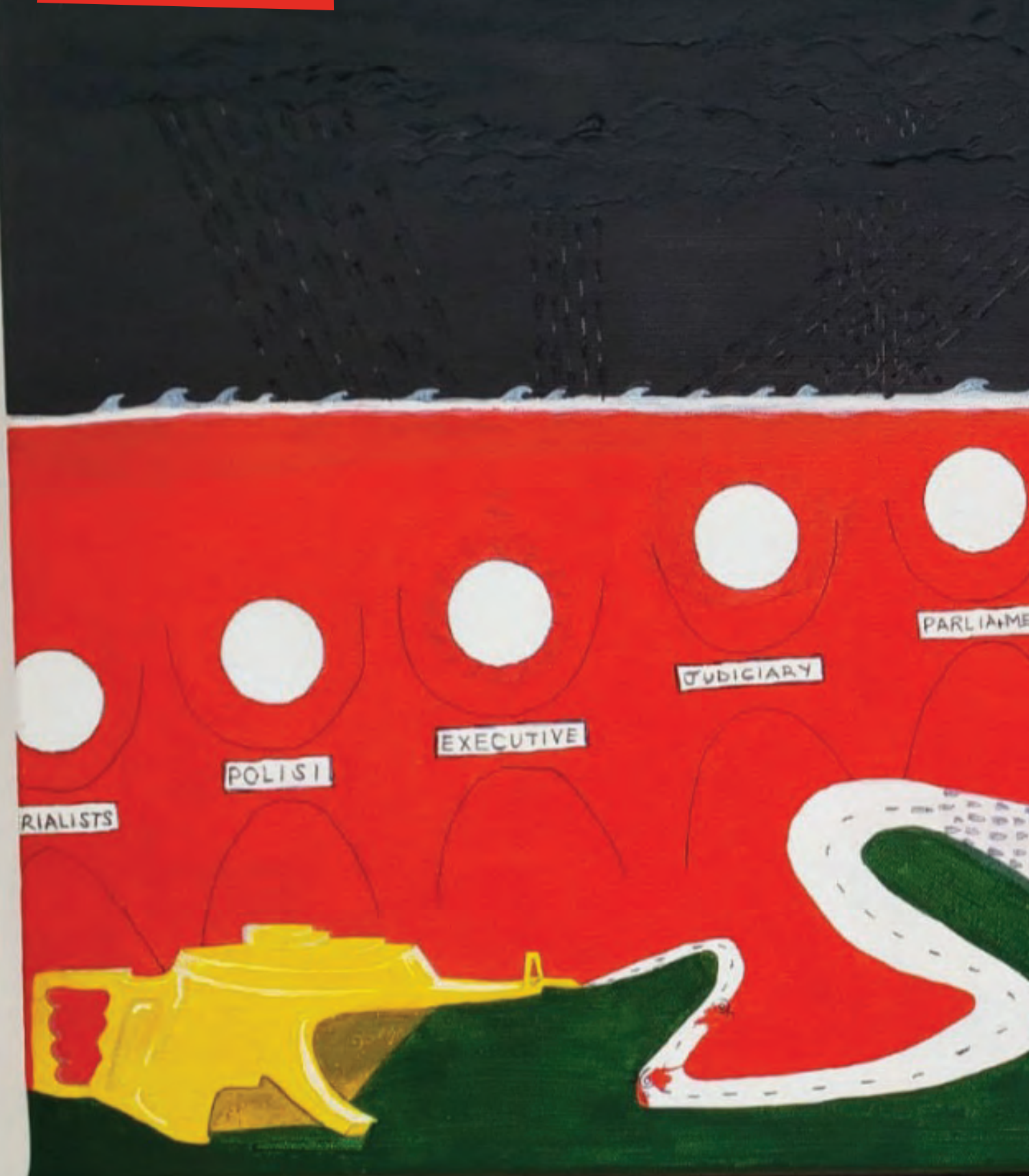
Patrick Gathara: Democracy is a journey. A difficult journey. You'll never reach a point where you say we've achieved it. One of Kenya's mistakes in 2003 was thinking that getting rid of Moi meant the work was done. It wasn't. I love this quote by Wendell Phillips that says the person who holds public power is the necessary enemy of the people. Once you wield power, you've crossed over to the dark side. You might have been a good person, we might have elected you, but you now have to be held to account.

We also need to stop framing governance as a zero-sum competition where I get my rights at the expense of yours. We can imagine communities not competing for finite resources but collaboratively figuring out how to use them in ways that benefit everyone, the idea of the Commons. We can reimagine what government and laws are for, not to produce winners and losers but to create spaces where everyone can live a dignified life. When the Western framework of democracy falls away as the default template, it creates exactly that space. A space to think differently, to ask what we actually want to achieve, and to build towards dignity for all, not a mediated competition between groups.



Return the Genie

Ivy Muturi



"This is an artistic commentary on the state of existence in Kenya in 2025. It tells the story of how we got to this situation—our choices and the consequences. The nation rubbed a glittery gold lamp (ie: ideas of a hustler & bottom-up economy) hoping for a good genie, instead what came out was a murderous genie



feigning purity and faking wisdom of how to run a nation. Return The Genie was created on 40cm by 60cm canvas using biro, acrylic and oil paints."

- Ivy Muturi -

Biographies

Jeremiah Onyango is a social justice artist and documentary photographer raised in Kibra. With an unwavering passion for visual storytelling, he has dedicated his life to capturing the essence of surroundings through the lenses of his camera. Jeremiah strives to chronicle everyday lives, shedding light on the unique character of his community.

Muthoni Mwangi is a visual research collage artist whose work examines time, memory, migration, and the histories embedded within communities. Using collage and archival materials, she weaves together fragments of everyday life to create layered works that explore identity, human connection, and the ways people inhabit and remember place.

Christine Mungai is a writer, journalist, and was a 2018 Nieman Fellow at Harvard University. Her work has been published in The Africa Report, Adi Magazine, The Washington Post, The Boston Globe, Harvard Public Health Magazine, The New Internationalist, and The Elephant. Until recently, Christine was the curator for Baraza Media Lab in Nairobi, a co-creation space for public interest storytelling and a resource centre for journalists and creatives. She is now the News Editor for weekly pan-African newspaper The Continent, is also a part-time media trainer with the Thomson Reuters Foundation.

Keith Ang'ana is a writer, researcher and historian whose work focuses on the intersection between people, cities and the quiet politics of everyday life. He is also the Founder and Executive Director of Qwani.

Faith Odhiambo is a distinguished advocate with 14 years of experience, currently practicing as a partner at Ombok & Owuor Advocates LLP. Beyond her legal practice, Faith is a committed educator, serving as a lecturer at the University of Nairobi. Her leadership capabilities and dedication to the legal community are evident in her tenure as a council member and board secretary for FIDA-Kenya, as well as her impactful service as the Nairobi Representative and Vice President of the Law Society of Kenya. Faith was the 51st President of the Law Society of Kenya—only the second woman in the Society's long history to hold this office.

Wanini Kimemiah is a visual artist and writer from Nairobi. Their artistic practice is a research and process-based exploration of the idea of the sensorium. Using a variety of media as sensorial tools that range from painting, collage, lens-based media, textile-based media, and alternative processes in cyanotypes, they cultivate an awareness of the world they inhabit and examine how it functions especially outside of that which human-centric

Wairimu Gathimba is a writer, researcher and cultural worker within Kenya's social justice movement. She is a member of Ukombozi Library and its offshoot the Kenya Organic Intellectuals Network.

Marion Ogeto is a human rights lawyer and Gender Specialist, with a Columbia Law School LL.M., where she was a Human Rights Fellow. She has worked with Equality Now and other organizations on advocacy, litigation, and policy reform around gender justice. Grounded in Pan-African feminist thought, she is dedicated to advancing legal and institutional reforms that confront the root causes of gender-based violence.

Idza Luhumyo studied law at the University of Nairobi, earned an MA in Comparative Literature at SOAS--University of London, and an MFA in Creative Writing from Texas State University. Her writing has appeared in various publications, including Transition Magazine, African Arguments, the Masters Review, and the Porter House Review. Her short story, Five Years Next Sunday was awarded the 2021 Short Story Day Africa Prize and the 2022 Caine Prize for African Writing. Other awards include the Margaret Busby New Daughters of Africa Award and the Civitella Ranieri Writing Fellowship. She currently lives and works in Austin, TX.

Gabriella Wauye is an award-winning 3D generalist with over five years of experience in character creation and animation. She has worked with clients like Fallohide Africa and Mintari Kenya, and was a tutoring resident during Nafasi's launch of its first digital art space. Gabriella is also a trained writer through the Writers' Guild Kenya and often blends animation with storytelling to explore themes close to her heart. Her work seeks to humanize complex realities and give voice to untold narratives. She has received recognition through awards such as Jukwaa Arts' Art Competition and the Africa Comicade Game Jam. In her spare time, she enjoys reading, writing, and experimenting with new ways to tell stories that resonate.

Nora Mbagathi is the Executive Director at Katiba Institute. She holds a JD from the George Washington University Law School, an M.Sc. in Global Politics from the London School of Economics, and a B.A. in Middle Eastern Studies from the American University in Cairo. Nora is a qualified solicitor of England and Wales and a member of the New York Bar. She has worked in human rights campaigning and strategic litigation for over ten years. Nora has participated in cases relating to digital ID, platform accountability, criminal justice, and the right to nationality in Kenya. Prior to joining Katiba Institute, Nora was a senior lawyer with the Open Society Justice Initiative and a caseworker with the UK charity Reprieve, based in London. Nora has a background in human rights and technology, focusing on non-discrimination and equality. She serves on the board of a number of charities and organisations.

Dr. Mamka Anyona is the founder of AROSE Africa, an organization dedicated to building women's political power across the continent. She is also the host of A Certain Amount of Madness, a pan-African political analysis podcast offering commentary on a range of political and economic issues. A clinician and global health expert, she advises various international institutions, including the World Health Organization, on chronic illness and health systems.

Marilyn Kamuru is a feminist, entrepreneur, lawyer, writer and policy adviser. She is an ardent advocate for women and gender equality and equity. Among other things she has: been the lead petitioner in precedent setting cases against the State on gender equality and women's inclusion; served as an adviser on legislation and public interest litigation on gender equality; served as an adviser to the Cabinet Secretary on Gender; co-authored a seminal report analyzing women's influence post 2010 Constitution; and is a founding

Juliet "Koi" Muiruri is a filmmaker, documentarist and creative professional in the digital rights, activism and campaign space. She specifically makes documentary shorts, video art concepts and short films to articulate the impact of social, corporate and non-profit organizations in Kenya. Juliet is a ForumCiv activism fellow, alumni of the Digital Disruptors Amnesty International network and is an Assistant Director on television series, MTV Shuga Mashariki.

Ivy Muturi is an activist who often merges her activism with her talent of drawing and predominantly works with acrylic paints in creating her art works. Raised between Nairobi's city life and Gatundu's slow country life, her art skills are branched — her works are not subject-specific; hence they include landscapes, animals, people, social commentary, surrealist creatures, and abstract concepts. She believes her works are meant to be studied as she aims to inspire creativity and thought through her works.

Patrick Gathara is a Kenyan journalist, political commentator, and cartoonist whose work interrogates power, governance, and global justice. He is the senior editor for inclusive storytelling at The New Humanitarian and co-chair of the Pledge for Change's Authentic Storytelling Advisory Panel. Known for his sharp analysis and satirical illustrations, Patrick has been a leading voice on democratic accountability, media freedom, and the legacies of colonialism in shaping today's political systems. His writing and commentary—featured across international forums and journalism festivals—offer a critical, decolonial perspective on how democracy is practiced, defended, and undermined around the world.

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