

Like

Tweet

Peace Brigades International

Kenya Project

making space for peace

Rights vs. Rites: The Moral Turbulence in Legal Storms



Thousands protest against increasing violence on women in Kenya as they march in Nairobi

Greetings! We are already done with the first quarter of the year, how are the 2024 resolutions coming along?

At the outset of the year, we were jolted by the disturbing trend of extreme utterances against the judiciary emanating from the executive branch, threatening the very foundation of our legal system and raising concerns about the erosion of democratic principles. Yet, our national human rights script took an even darker turn with a surge in cases of femicide, exposing the harsh realities of gender-based violence and underscoring the urgent need for concerted efforts to address systemic inequalities and protect the rights of all individuals.

These dual crises became an emotional battlefield, that laid bare the stark

divisions that exist in our society through the factions grappling with the moral imperative versus the protection of rights. While one faction argued that if a court order is a proceed of corruption, then the executive is right to disregard it, the other group asserted that the protection of individual rights and the rule of law must take precedence over any moral imperative. They emphasized that even if certain actions are deemed morally objectionable, it is imperative to uphold legal principles and due process to ensure justice and safeguard fundamental rights for all individuals, regardless of their perceived vices. As PBI-Kenya, we believe that circumventing legal procedures undermines the integrity of the legal system and sets a dangerous precedent that could erode civil liberties and the rule of law. This period forced us to confront uncomfortable truths and ponder over the sobering complexities of human rights in our society.



Newspaper headline reporting on Ruto's promise to disregard 'corrupt' court orders

In Kenya's legal landscape, the judiciary stands as a guardian of impartiality, entrusted with the solemn duty of ensuring justice in accordance with our Constitution and laws. It is within this framework that we reflect on recent events that have shaped our nation's legal and political discourse.

In a significant milestone in 2021, Kenya celebrated the historic appointment of its first woman Chief Justice, marking a notable stride towards gender equality and recognizing the invaluable role of women in our society. This appointment underscored a commitment to inclusivity.

By appointing the six Court of Appeal judges that his predecessor had

disregarded, President William Ruto demonstrated his commitment to preserving the 2010 Constitution, emphasizing the supreme value of the rule of law over individual authority.

The commitment would however prove fleeting. In January, President Ruto launched into a tirade against the judiciary alleging collusion between corrupt individuals and judges. He accused them in obstructing his landmark projects in Universal Health Care and affordable housing and vowed to prioritize the implementation of government programs, even if it meant disregarding orders issued by 'compromised' courts.



Chief Justice Martha Koome, source Judiciary

This assertion sparked tensions and underscored the delicate balance between executive authority and judicial autonomy. In response, Chief Justice Martha Koome, issued a stout reminder about the sanctity of the rule of law, urging all stakeholders to uphold the principles enshrined in our Constitution or risk slipping into anarchy.

Amidst the turmoil, various stakeholders, including political, religious, and traditional leaders, alongside civil society organizations, united to defuse the crisis and guide the nation towards calmer waters.

As we navigate through these challenges, let us not forget the lessons of our past struggles. History reminds us that the path to democracy is fraught with obstacles, and our hard-won achievements must be safeguarded at all costs. It is a testament to our collective will and unity that we can overcome adversity and chart a course towards a brighter future for our beloved nation. Together, let us continue to uphold the principles of justice, equality, and the rule of law that form the foundation of our democracy.

Featured: The case that nearly put a stop to my activism- Judith Odhiambo, HRD



Judith Odhiambo, HRD from Kibera Social Justice Center, in their office in Nairobi

Stepping into the realm of human rights work, Judith Odhiambo's initiation was a baptism by fire that tested her resolve to its core. Reflecting on her journey, Judith recalls her pivotal moment vividly.

"In 2020, not long after I had settled in at the Kibera Social Justice Center office in Kibra, a distressed woman appeared at our doorstep," she recounted.

The woman had come to report a suspected case of defilement, and Judith's instinctive reaction was one of righteous indignation. She was determined to seek justice for the victim and hold the perpetrator accountable.

Judith visited the suspect's home in the company of fellow HRDs to speak with the victim and her mother. Armed with knowledge of legal provisions, she was prepared to take the case to the authorities. However, what unfolded at the home completely dimmed her hope for achieving justice.

The 11-year-old victim bravely recounted the harrowing ordeal of repeated defilement by her stepfather. Yet, to Judith's astonishment, the mother's response was apathetic. She noted that though her daughter had informed her of the violation, she was reluctant to report the issue to the authorities. As a solution, Judith said the mother promised to take her daughter to her rural home, away from her abusive husband. Despite Judith's impassioned pleas, the mother held onto her decision.

"If only we had a rescue center," Judith lamented, her voice heavy with frustration. "We could have intervened to protect the girl and pursue justice,"

she noted.



Judith Odhiambo, HRD from Kibera Social Justice Center, outside their office in Kibera, Nairobi

This experience rattled Judith, prompting her to question the very essence of her advocacy and wondered if she would ever bring any change to her community. Judith said she found solace and renewed determination through the support of her colleagues and mentors, realizing that victories and setbacks are inevitable in their line of work.

Today, at just 28 years, Judith is hailed as a heroine in her community. Her personal phone serves as the area hotline, not only for those seeking justice but for anyone facing challenges. From domestic disputes to urgent medical needs, Judith tackles each issue with unwavering dedication, bridging the gap between the community and justice.

Yet, amidst her tireless efforts, Judith admits to the struggle of maintaining a balance and often burdening herself with the weight of others' traumas. The constant exposure to injustice and suffering takes a toll on her mental wellness, leaving her grappling with feelings of frustration, compassion fatigue, and occasional burnout. Despite these challenges, Judith remains steadfast in her commitment, seeking solace in moments of self-care and the supportive network around her.

In recognition of the immense psychological toll of their work, organizations like Peace Brigades International (PBI-Kenya) prioritize the psychosocial well-being of HRDs. Through peer support sessions and professional counselling, we aim to fortify HRDs against the threats they face and ensure their long-term impact.

Basque Agency for Development Cooperation of the Basque government supports us in telling the stories of HRDs

Human Rights Defenders Unite Against Femicide



HRDs and activists protest against femicide in Nairobi

Thousands of men and women marched on January 27 in Nairobi and other major Kenyan cities, demanding an end to violence against women and femicide.

" Stop Killing Us! Say Their Names!" they shouted as they marched towards Parliament building and displaying banners with the same message inscribed on them.

Responding to the harrowing rise in femicide incidents across Kenya activists and HRDs united in a powerful protest against gender-based violence. During the march, PBI-Kenya accompanied the WHRDs in a show of solidarity. Prior, WHRDs organized town hall meetings in Nairobi and Kilifi to raise awareness and advance dialogue on gender-based violence, fueled by a collective resolve to challenge the systemic roots of this crisis. These gatherings cultivated a deeper understanding of the complex dynamics perpetuating femicide, while forging resilient networks of solidarity and support within their localities.

Against the backdrop of entrenched gender inequalities and cultural norms that normalize violence against women, these initiatives represent critical strides towards dismantling systemic barriers and catalyzing societal transformation.

Celebrating International Women's Day Across Kilifi and Nairobi Counties



Kilifi toolkit organizers during a football match on International Women's Day

We commemorated the International Women's Day with vibrancy and inclusivity in Kilifi and Nairobi Counties. Toolkit organizers in Kilifi showcased women's talents and provided economic empowerment opportunities, while Nairobi focused on empowering women in small-scale trade.

Additionally, we unveiled our WHRD photobook online, launching a spirited campaign under the hashtag #CelebratingHerStory. This campaign served as a platform to spotlight the narratives and accomplishments of toolkit organizers, aiming to cultivate mentorship and amplify the voices of HRDs, promoting awareness and recognition of their invaluable contributions to human rights advocacy.

This event aims to further elevate the stories of women HRDs, inspiring collaborative action and reaffirming our commitment to supporting their vital work. Join us in celebrating the resilience and achievements of women HRDs as we continue to strive for gender equality and justice for all.

Dialogue in Action: HRDs Inspiring Change in Communities



HRDs from Kibra pose for a photo with a police officer after a joint dialogue

#MakingSpaceForDialogue initiative has become more than just a concept in some urban settlements in Nairobi. Most of the actors, recognizing the importance of the joint police dialogues, are now actively participating in the dialogue. The conversations with the police are now less confrontational and more solution-oriented.

In one of the meetings in Mathare, a member of the council of elders narrated how ‘Nyumba Kumi’ members worked with police to whisk out a gang that had plagued their community for months. He said the younger members were offered a lifeline, a chance to choose a different path.

The echoes of this collaborative effort reverberated throughout Kosovo, sparking a glimmer of optimism among its residents. The project received positive feedback from community and police officers alike, signalling a mushrooming spirit of mutual understanding and cooperation. It was a testament to the power of dialogue and collective action in forging a safer and more harmonious community. The sentiments are the same across Kibra and Kayole where this project runs.

Condolence Note; It is with heavy hearts that we extend our deepest condolences on the passing of Kibra OCS Samuel Chiro. As a valued member of ‘#MakingSpaceForDialogue project, Chiro played a crucial role in promoting understanding and cooperation between the police, HRDs and the local community. His presence will be deeply missed, and his legacy of compassion and collaboration will continue to inspire us all. PBI Kenya family stands with

you in solidarity during this difficult time. With heartfelt sympathy,

HRDs Lead the Way in Identifying Key Actors



A facilitator guides Kibra HRD on actors' mapping

Recently, HRDs spearheaded the review of key players and stakeholders, analyzing their interests and influence within the *Making Space For Dialogue* project's realm. From the steadfast presence of the police and the wisdom of village elders to the sway of religious leaders and the entrepreneurial spirit of business moguls, each sector played a pivotal role in shaping the project's trajectory. Even the political landscape and the shadowy presence of certain factions, like gangs, were not overlooked.

Armed with this intricate web of influencers, each social justice center strategized methods to navigate potential opposition, devising engagement strategies tailored to the unique dynamics of their respective locales. With every meeting and discussion, the resolve to champion justice grew stronger, fueled by the collective determination to forge a path toward meaningful change.

Thank you for your support and solidarity!



Federal Foreign Office



**Institut für
Auslandsbeziehungen**

This newsletter is supported with German Federal Foreign Office's funds by ifa (Institut für Auslandsbeziehungen), zivik Funding Programme



©2024 Peace Brigades International - Kenya Project | Nairobi

Unsubscribe

Powered by [Mad Mimi®](#)
A GoDaddy® company