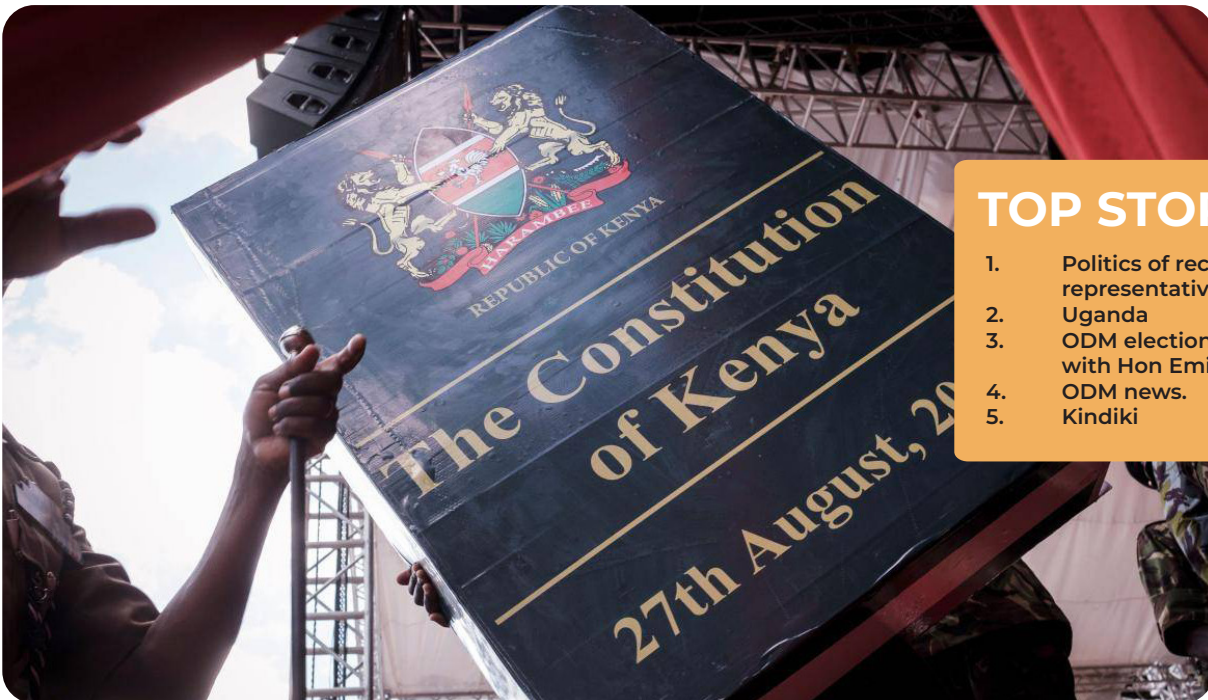


The ORANGE

Volume 3 Number 11 | November 2024

NEWSLETTER OF THE ORANGE DEMOCRATIC MOVEMENT PARTY OF KENYA



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The Politics of Recalling Representatives

According to the Constitution of Kenya 2010 the people are the supreme source of sovereignty. For that reason they can remove their elected representatives in the legislature before the end of their term if dissatisfied with their performance. The politics of the recalling or removal of elected representatives is therefore rooted in the philosophy enunciated in Article 1 of the Constitution of Kenya 2010 which provides that: (1) All sovereign power belongs to the people of Kenya and shall be exercised only in accordance with this Constitution. (2) The people may exercise their sovereign power either directly or through their democratically elected representatives. >> Pg2



ODM NEWS

The ODM party has objected to the proposed amendment to the constitution seeking to increase the presidential term from the current five years to seven years. In a letter addressed to the Clerk of the Senate, Mr. Jeremiah Nyegenye, the party's Executive Director, Mr. Oduor Ong'wen, says the proposed amendment to the constitution by the Senator for Nandi, Mr. Samson Cherarkei, is in contravention of the law that requires matters as weighty as this to be subjected to a referendum for Kenyans to decide. >> Pg 9

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(1) All sovereign power belongs to the people of Kenya and shall be exercised only in accordance with this Constitution. (2) The people may exercise their sovereign power either directly or through their democratically elected representatives.

In pursuit of the direct exercise of this power the people may therefore withdraw their delegated authority and power by recalling their representatives before serving their full term of service for failure to exercise the delegated powers in account with the satisfaction of the majority of their electorate.

The Constitution of Kenya 2010 provides at Article 104(1) that: The electorate under Articles 97 and 98 have the right to recall the member of Parliament representing their

constituency before the end of the term of the relevant House of Parliament.

According to Article 104(2) "Parliament shall enact legislation to provide for the grounds on which a member may be recalled and the procedure to be followed." Consequently Parliament enacted the Elections Act 2011 and the County Government Act 2012 to meet the obligatory constitutional requirement.



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Sections 45, 46, 47 and 48 of the Elections Act 2011, and Sections 27, 28 and 29 of the County Government Act 2012 provide for the recall of a member of Parliament or the County Assembly respectively. These provisions were however crafted in such a manner as to make the removal of MPs and MCAs practically impossible.

Consequently in 2016 the Katiba Institute and the Transform Empowerment For Action Initiative (TEAM) moved to Court to have the recall law declared unconstitutional. The High Court substantially agreed with them and therefore invalidated substantial sections of the recall provisions.

In their ruling the Court declared as follows: The upshot is that the petition is partially allowed in the following terms:

- a) A declaration is issued declaring sections 45(2)(3) and (6), 46(1)(b)(ii) and (c) and 48 of the Elections Act and Sections 27(2)(3) and (6) and 28(1)(b)(ii) and (c) of the County Governments Act are meaningless and superfluous; or, that they fail far short of the constitutional imperative in Article 104 of the Constitution and to that extent are unconstitutional
- b) A declaration is hereby issued

declaring sections 45(1)(b)(ii) and 45(6) of the Elections Act and Sections 27(6) and 29(1)(b)(ii) of the County Governments Act discriminatory and therefore unconstitutional.

How To Carry Out The Recall Process

The recall process begins when a registered voter or voters within the constituency submit a petition to the Independent Electoral and Boundaries Commission (IEBC). The recall petition must be signed by at least one-third of the registered voters of the affected constituency. The rules require that the signing petitioners be spread widely across the constituency. This threshold ensures that the petition has substantial support from the electorate before proceeding further.

The application which must be in writing must be accompanied by the fee prescribed for an election petition which is equivalent to the fees paid to courts by anyone petitioning against the election of an MP or a member of the County Assembly which is currently Kshs thirty thousand and fifteen thousand for an MP and MCA respectively.

Verification

Upon receipt of the recall petition, the IEBC undertakes a verification process to confirm the validity of the signatures and the compliance with constitutional requirements. The IEBC verifies the signatures within THIRTY days of receiving the petition. After this the Commission must issue a Notice of Recall to the Speaker in fifteen days. This verification phase is crucial to ascertain the authenticity and sufficiency of voter support for the recall. However this does not mean that the MP has been recalled.

The Recall Election

If the IEBC verifies that the petition meets the threshold of one-third of registered voters' signatures the Commission conducts a recall election within THIRTY days. This election gives constituents the opportunity to vote on whether they wish to remove the MP from office. The recall election is conducted in accordance with electoral laws and procedures established by the IEBC, ensuring transparency and fairness.

This recall election is a sort of referendum where voters will be asked to answer "yes" or "no" to their MP being recalled. A simple majority (50% + 1) of the votes cast is

required for the recall to succeed. If the majority votes "yes", the MP will lose their seat.

If this happens, then the IEBC will conduct a by-election in the Constituency within 90 days. This is like any other by-election and the outgoing MP is free to run.

It is worth noting that a recall petition cannot be filed against an MP more than once during their term. Similarly a recall petition cannot be filed within the first 24 months after the election of the MP or within 12 months of the next general election.

Grounds For Recall

Parliament in the amended County Government Act has provided that the grounds for removing an MCA includes incompetence, gross misconduct and gross violation of this Constitution. Parliament has deliberately failed to enact a similar amendment to the Elections Act 2011 similar grounds as those meant for the removal of the MPs. Nevertheless the amendments to the County Governments Act ought to be applied in the removal of the members of parliament.



Advantages of The Right To Recall

Because voters tend to vote along party lines more than the candidate's profile it may be necessary to have a fallback mechanism, when the representatives fail to deliver as expected.

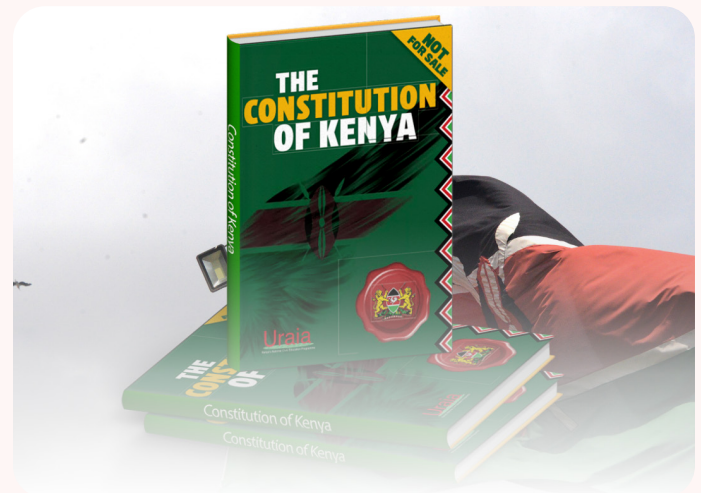
Gradual marginalization of the role of representatives due to non-participation, lack of debate and questionable ethics and unclear records.

The right to recall is believed to check corruption and check the criminalization of politics.

It seeks to justify the idea that the Right to Elect a representative can necessarily entail de-electing the same.

Putting in place a system of de-electing the representatives in the long term is believed to infuse greater accountability among representatives.

It has also been argued that the system of recall may deter candidates from spending too



much money in campaigning for elections, owing to fear of recall.

The recall is also an option to correct the wrongs by representatives without waiting for five years.

Article 1 is important because it shows that the people have the ultimate word on how delegated constitutional power is to exercised. However recent political events

in Kenya especially around the Finance Bill 2024/25 have shown that representatives are prone to misuse and abuse their delegated authority and power. For that reason it is high time the people tried out the recall petition route to discipline wayward and rogue representatives. For this reason there is an urgent need to reconstitute the IEBC so that voters who desire to get rid of such MPs can exercise their Article 104 rights

Uganda: Putting Democratic Challenges in Perspective



As a senator in Kenya attempts to test the country's constitutional resilience by introducing a bill to tamper with office terms of elected leaders, particularly the President, we are reminded of Uganda's political landscape, where recently the presidential term was a moving target until it was removed altogether. One of Uganda's prominent intellectuals and constitutional lawyer Prof. Oloka-Onyango once asked Kenya to decide whether they wanted a "Bedford" constitution or a "Toyota" one. Bedford was a heavy steel British-made bus whose body parts were sturdy and durable, while Toyota, a Japanese automobile is reputable to be handy, made of light metallic body and easy to maintain.

For the last 36 years, Uganda has been under the leadership of Yoweri Museveni, who came to power following a protracted guerrilla war. His rise to leadership has roots in a tumultuous history of political alliances, ethnic tensions, and revolutionary class struggles. The country once even had what was cheekily referred to as "pigeon-hole constitution," where parliamentarians went to the House only to find copies of draft

national constitution tuck in their pigeon holes to debate and pass.

Evaluating Uganda's progress since its independence in 1962 reveals a duality: the glass can be seen as half full or half empty, depending on the perspective one adopts. Uganda's political journey is a testament to the complexities of governance in a country grappling with its historical

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Uganda's political history of state did not begin with the introduction of the colonial state construct like many in many African countries where the communities were prefeudal. There were well established feudal states in Buganda, Busoga, Toro, Bunyoro and Busoga to mention a handful.

legacies. The narrative of progress is intertwined with stories of conflict, betrayal, and the ongoing quest for identity.

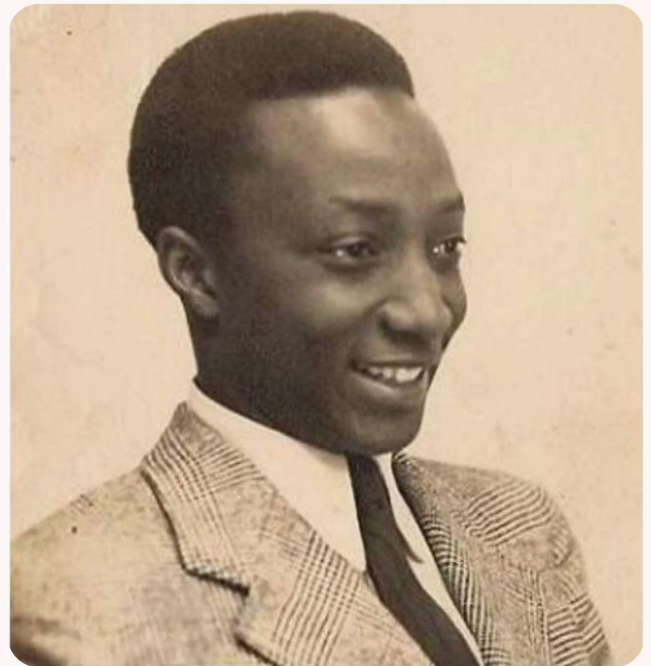
Uganda's political history of state did not begin with the introduction of the colonial state construct like many in many African countries where the communities were prefeudal. There were well established feudal states in Buganda, Busoga, Toro, Bunyoro and Busoga to mention a handful. However, the roots of Uganda's post-independence political landscape can be traced back to the late 1950s, when Apollo Milton Obote, inspired by his experiences in mass political mobilisation in Nairobi alongside Kenyan nationalists, returned to Uganda to spearhead its struggle for independence.

In 1960, he founded the Uganda People's Congress (UPC) to contest the emerging political scene. When Uganda was "granted" internal self-government in 1961, Obote running in the UPC party, lost to the Democratic Party (DP) led by Benedicto Kiwanuka, a Catholic from the Buganda region. From this election, role of religious identity became an important

consideration in Uganda's politics. It has remained to date.

Learning from this defeat, Obote sought an alliance with King Mutesa and the Kabaka Yekka party, leveraging a religious and ethnic platform that resonated with the electorate. The UPC-KY "Protestant" alliance won the April 1962 elections, leading to Obote becoming Prime Minister and Mutesa serving as President when Uganda attained independence on October 9, 1962. This initial coalition underscored the fragility of Uganda's political framework, which was built on ethno-religious alliances rather than a cohesive national identity.

Despite their initial success, the Obote-Mutesa alliance rapidly began to unravel within two years. Tensions escalated significantly and things came to a head over the "lost counties" referendum in 1964, which strained relationships between the UPC and the Buganda kingdom. By 1966, the situation had hopelessly deteriorated, leading to Obote's military overthrow of Mutesa, who was exiled to the UK where he later died. Leading the coup was



Col. Idi Amin, who thereafter became a highly influential political force. This pivotal moment marked the beginning of a militarized political landscape in Uganda. Obote rapidly promoted Amin through the military ranks such that by 1971, Amin was at the rank of Major General.

Obote's shift away from Western influences towards a leftist agenda with the "Common Man's Charter" alienated him from both the Baganda and Western powers. His increasingly authoritarian rule led to an assassination attempt in 1969, which further destabilized his government.

During this period of the 1960s, the western region of Ankole in Uganda experienced significant social upheaval, influenced by the spread of Christianity and colonial education, which altered the dynamics between the high-status Bahima cattle-keepers and the lower-status Bairu

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cultivators. Land conflicts arose from cash-cropping and enclosures, while politics fractured along religious and ethnic lines. During this period, a young Yoweri Museveni was a schoolboy in the region, where he developed a deep revulsion for the sectarian politics that characterized the region, which he later viewed as emblematic of Uganda's broader political issues.

Upon enrolling at the University of Dares Salaam in 1967, Museveni found intellectual frameworks to understand his experiences, engaging with socialist and pan-African ideologies. Influenced by thinkers like Walter Rodney and Frantz Fanon and participating in study cycles with young intellectuals like Dani Nabudere, Adhu Awiti, Issa Shivji and Yash Tandon, he adopted a teleological view of societal progression from "backwardness" to "modernity." He emphasized the dangers of local divisions that facilitated imperialist exploitation and impoverished peasants.

On January 1971, Obote was overthrown by Idi Amin, whose regime was marked by brutality and widespread human rights abuses, supported at first by Western powers. Amin's rule turned Uganda into a site of terror, leading to significant loss of life and instability. A student at the University, Museveni was influenced by and was actively involved with Mozambican revolutionary movement (FRELIMO) and engaged in political discussions with radical intellectuals. In 1973, Museveni's manifesto through the Front for National Salvation (FRONASA) condemned Amin's government, citing atrocities and economic mismanagement. However, his earlier first attempt at armed resistance in 1972 was unsuccessful.

Amidst this backdrop, Yoweri Museveni emerged as a significant political figure. In 1978, he joined the Tanzanian army in its invasion of Uganda, which ultimately led to Amin's fall in April 1979. By then, Museveni had built a force of about 9,000 volunteers, many of whom hailed from his native southwestern Uganda.

Post-Amin Political Struggles

Following Amin's fall, Uganda faced a power vacuum filled by various factions. In December 1980, Uganda held its first elections since independence, which were marred by accusations of fraud. Obote, having returned to power, was declared the winner. However, Museveni, who was a presidential candidate under the Ugandas Progressive Movement (UPM) party disputed the legitimacy of the elections and mobilized his followers and initiated a guerrilla war against Obote's government, known as the People's Resistance Army (PRA), which later became the National Resistance Army (NRA).

The conflict, characterized by guerilla warfare, underscored deep-seated ethnic and class divisions. The war highlighted the complexity of Uganda's political fabric, with various factions and interests vying for power. By 1986, after a protracted and bloody



struggle, Museveni succeeded in capturing Kampala, becoming the president of Uganda.

Museveni's Leadership and Governance

Museveni's presidency has been marked by a focus on economic reforms, stability, and a push for national unity. His government has faced criticism for authoritarian practices and human rights abuses, yet he has maintained a significant level of support due to improvements in infrastructure and economic growth.

However, Uganda's political landscape remains polarized, with ongoing tensions between various ethnic groups and political factions. The legacy of past leaders like Obote and Amin continues to influence contemporary politics, as does Museveni's own consolidation of power.

Museveni dreamt of ushering Uganda through the doorways of history, but his politics was premised on an economic transformation which never came. His earlier Marxist proclamations have been called to question. The blame lies partly in his own policies and partly in the international economic



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order which has moulded them. He continues in power through inertia and intrigue, still chasing a vanished future. In his self-righteous violence and petty machinations, he evokes both Napoleons at once: the blood-soaked general and the wily schemer. This time as tragedy. This time as farce.

Despite his continued advocacy for modernization and unity, the repercussions of his leadership remain contentious. The legacy of his long conflict against the Lord's Resistance Army (LRA) has left trauma and dispossession in northern regions, while



past military actions have fostered resentment, particularly towards the Bahima, who dominate security forces. As a result, divisions and grievances continue to persist across Uganda.

The political landscape has remained contentious, with allegations of authoritarianism, corruption, and human rights abuses. While some argue that Museveni's leadership has led to economic growth and stability, others point to the repression of

democratic dissent and lack of genuine political pluralism.

As Uganda continues to navigate its future, the challenge remains: can the nation reconcile its past and build a more inclusive and democratic society? The answer lies in the collective will of its people and leaders to learn from history while striving for a more equitable future. As the nation continues to navigate its challenges, the reflections of its past remain ever relevant.

One on One with Elections Committee Chairperson Ms. Awita on Party Grassroots Elections



Early this month, the National Executive Committee (NEC) of the Orange Democratic Movement (ODM) party held a retreat in the coastal city of Mombasa and attended by among others the Party Leader Mr. Raila Odinga.

During the meeting, a number of resolutions were made, among them, the appointment of the founder Secretary General of the party Prof. Peter Anyang' Nyong'o as the acting party leader as well as the ratification of the appointments of the three Deputy Party Leaders, the national chairperson and others.

The meeting also directed the National Elections Coordinating Committee (NECC) to conduct party grassroots elections in the month of November 2024 in accordance with the party constitution and the requirements of the political parties' act.

The NECC is in charge of party elections and nominations and



We need men and women of integrity and high morals in society and therefore we have carried out due diligence on anyone who has sent in their application before their consideration.

coordinates all activities involving these exercises with the assistance of the national secretariat which is charged with providing logistical support.

In this week's edition of the Orange Newsletter, our editor spoke with the Chairperson of the National Elections Coordinating Committee (NECC) Ms. Emily Awita on their preparedness for this

constitutional exercise and below is the full text of the interview;

Question: Madam Awita, a fortnight ago, the National Executive Committee (NEC) of the party directed the National Elections Coordinating Committee (NECC) to conduct grassroots elections in the month of November. Are you ready for this exercise?

Ms. Awita: We are very ready. We are prepared for this task subject to availability of funds. You know, this exercise will involve personnel and will also require material and other logistics and can only be achieved when funds are availed for it. We are also in the process of commissioning County Election Coordinators. Initially, we had commissioned coordinators in only eight counties and we have thirty-nine counties where we need to commission ahead of the grassroots elections. We have received applications from party members in the various counties,

verified them and recruited suitable officers who will undergo training before deployment to be ready for the exercise. These are the officers who will conduct elections at the county level with supervision from the national elections coordinating committee (NECC).

Question: What has been the criteria of appointing the county elections coordinators?

Ms. Awita: We need men and women of integrity and high morals in society and therefore we have carried out due diligence on anyone who has sent in their application before consideration. First, one must have at least a KCSE certificate and must be a registered member of the ODM party. We have also been checking their profile background with the local Chiefs and Assistant Chiefs because we do want to engage someone with questionable characters. They must have good conduct and should not



be planning to vie for any elective position in the 2027 general election.

Question: Where and when do you intend to hold these grassroots elections considering candidates are currently sitting their national examination and could stretch into November?

Ms. Awita: We are fully aware of the ongoing national examination and we are keenly monitoring. Immediately examinations get finished, we shall write to the identified institutions where we intend to hold the elections requesting to have them allow us conduct the exercise in their schools. If the examinations stretch into the better part of November, we shall be forced to conduct the exercise from the 27th of November or alternatively do it in the first week of December.

Question: Do you intend to carry out the exercise in one day?

Ms. Awita: We would really love to have it done in one day. This will save us a lot of resources. If it can be held on one day, preferably the 27th of November, the better for us. However, we shall be relying on the direction that the Party Leader will give.

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We are fully aware of the ongoing national examination and we are keenly monitoring. Immediately examinations get finished, we shall write to the identified institutions where we intend to hold the elections requesting to have them allow us conduct the exercise in their schools.

Question: Madam Awita, normally such exercises are marred with violence owing to different interest members have. What measures have you put in place to ensure the exercise runs smoothly?

Ms. Awita: We shall have sessions with members and will be asking them to avoid incidents that can cause disrepute to the party. As party leader said during the delegates conference in Mombasa two weeks ago, party elections should not be the reason to cause disharmony in



the party and that members must embrace democracy and accept the outcome of the exercise; we shall be spreading this message to our members to avoid violence and any cases of indiscipline during the exercise. However, we do not anticipate any ugly incidences during the exercise. We are optimistic that the grassroots elections will be peaceful, free, fair and transparent and that we shall not favour anyone and neither shall we have sacred cows.

Question: Recently, Nominated Senator Ms. Hamida Kibwana was appointed to join you in place of Ms. Beatrice Askul who was appointed to the cabinet. Have you had a meeting with her to induct her into her new role?

Ms. Awita: Firstly, I want to congratulate my colleague Beatrice on her appointment as a cabinet secretary. This is a plus to the women of Kenya and our party. I wish her all the best in her

new national duties. Secondly, we have had two meetings already with Sen. Hamida and we have assigned her roles as we prepare for the grassroots elections. We are working together so closely the three of us, together with Mr. Tairo from the Coast.

Question: Thank you for your time Madam Awita, finally, what is your parting shot? I mean what would you want to tell party members as they prepare for this exercise?

Ms. Awita: As a mother, I like things being done the right way. My humble appeal to party members is that they should carry themselves with honour and dignity, participate in this election in a manner that will bring honour and respect to our party. They should observe the rule of law and stick to the rules of the game because after all, in every contest, there must be a winner and a loser and life has to go on.

ODM Rejects Attempts to Increase Presidential Term Limit



The ODM party has objected to the proposed amendment to the constitution seeking to increase the presidential term from the current five years to seven years.

In a letter addressed to the Clerk of the Senate, Mr. Jeremiah Nyegenye, the party's Executive Director, Mr. Oduor Ong'wen, says the proposed

amendment to the constitution by the Senator for Nandi, Mr. Samson Cherarkei, is in contravention of the law that requires matters as weighty as this to be subjected to a referendum for Kenyans to decide.

"We wish to here register our concern by expressing our total rejection of the proposed Constitution

of Kenya (Amendment Bill) number 2 of 2024 in its entirety", stated Mr. Ong'wen in his letter dated 25th October 2024.

He goes ahead to state that the rejection is based on the contravention of article 255 (1) of the constitution of Kenya and subversion of its basic structure.

He says the constitution is very clear on what is required of amendments relating to the supremacy of the constitution, The territory of Kenya, The sovereignty of the people, The national values and principles of governance, The bill of rights, The term of office of the President, The independence of the judiciary and independent offices, The functions of parliament and the objects, principles and structure of devolved government.

"Such amendments must be approved through a referendum", says Mr. Ong'wen in the letter.

He further goes on to say that article 255(2) mandates that such amendments require at least 20 percent voter participation in

half of all counties and a simple majority in the referendum.

"The proposed amendment (to increase the presidential term from the current five to seven years) seeks to bypass these crucial constitutional safeguards", says Mr. Ong'wen. He says the attempt to circumvent proper constitutional procedures threatens the very foundation of the country's democracy, undermines the people's sovereignty, and goes against the principle of public participation.

"We, therefore, urge the Senate to reject this Bill and uphold the principles of good governance, the rule of law, and the constitutional requirement for genuine public participation through a public referendum", he says.

During the NADCO proceedings at the Bomas of Kenya, ODM presented its case before the committee and stated that constitutional amendments must be subjected to the people for approval through a referendum.

ODM Council of County Chairpersons says No to Extension of Presidential Term Limit

The ODM County Chairpersons under the auspices of the Council of County Chairpersons (CoCC) has hit at the proponents of the idea of amending the Constitution to extend the term limit of the President from the current five years to seven years.

The Chairpersons who met in Nairobi on Wednesday (30th October) said they will not support any attempts to alter the constitution to have the President's term increased or reduced saying it should remain as it is.

In a statement read by the Council's Secretary Mr. Dickson Manyara, the Chairpersons slammed the Senator for Nandi Mr. Samson Cherarkei saying the proposed amendment to the constitution is unpopular and should not be supported by anyone.

"We are resolved to oppose any amendments to the constitution to extend the terms of elected leaders from five to seven

years and called on ODM MPs to shoot down the said proposals in parliament", said Mr. Manyara who is also the ODM Chairman of Nyandarua County.

The County Chairpersons also said they will continue to strengthen the party in their regions and make it popular ahead of the 2027 general election. They reiterated the need to maintain the identity and the ideology of the party which is founded on the principles of social democracy.

The Chairman of the ODM Council of County Chairpersons Mr. George Aladwa said they will continue engaging with the leadership of the party at different levels to ensure their strength of the party in their respective regions is maintained.

"We love ODM. ODM is a big movement. We shall work tirelessly to make it more visible in all areas of the country", said the MP for Makadara.



The meeting was attended by the Deputy Party Leaders Mr. Simba Arati and Mr. Godfrey Osotsi, National Chairperson Ms. Gladys Wanga, Secretary General Mr. Edwin Sifuna and the National Organizing Secretary Mr. Ahmed Abdusalan.

Wanga Organizes a Thanksgiving Ceremony for the New Role



The National Chairperson of the Orange Democratic Movement (ODM) party Ms. Gladys Wanga will on Sunday 10th November 2024 host family, friends, colleagues and residents of Homabay County at her home

area in Rangwe for a thanksgiving ceremony to celebrate her recent elevation to the position.

The Governor of Homabay County is the first woman leader to hold the position in the party

and will now be chairing high profile meetings of party organs.

Speaking to Orange Newsletter, Ms. Wanga said she has invited many people including the Party Leader, Mr. Raila Odinga, Acting Party Leader Prof. Anyang' Nyong'o, colleagues in the Council of Governors, Members of Parliament, party officials and wananchi to join her in celebrating this achievement.

"There will be interfaith and inter-denominational prayer session, where the clergy will pray for our party, party leadership and the country and then have speeches from selected leaders", she said.

The Chairperson said the main objective of the event, apart from

prayers will be to mobilize a mass membership recruitment into the party as a way of strengthening it. "We shall be reaching out to the younger general to enroll as party members and encourage them to participate in party elections by running for positions and be part of building of the party" she said.

"I am so passionate about building a stronger ODM. We need to come together through such forums, reach out to as many people as possible to be part of this Movement and make it much stronger, vibrant and attractive to the people" said Ms. Wanga.

The event will be held at Ligisa Primary School in Rangwe Constituency in Homabay County.

Kithure Kindiki Sworn in as Deputy President After Court Challenge

Former interior minister replaces Rigathi Gachagua who was sacked after parliament impeached him in October.

Kithure Kindiki took his oath as Kenya's new deputy president at the Kenyatta International Convention Centre in the capital, Nairobi [Monicah Mwangi/Reuters]

Kithure Kindiki has been sworn in as Kenya's new deputy president after a court lifted orders barring his inauguration following legal challenges by his predecessor, who was impeached by parliament.

On Friday, Kindiki took his oath before the chief registrar following weeks of legal tussles after former Deputy President Rigathi Gachagua challenged his appointment in court.

President William Ruto, who nominated Kindiki as his deputy, as well as diplomats and more than 100,000 people attended the event at the Kenyatta International Convention Centre in the capital, Nairobi.

Friday was declared a public holiday for Kindiki's inauguration. The senate removed Gachagua from office in October on charges of gross violation of the constitution and stirring ethnic hatred – accusations that he rejected and described as politically motivated.

Ruto named Kindiki, then the interior minister, as Gachagua's successor within hours of the impeachment.

The high court had put a hold on his inauguration after Gachagua and his supporters filed more than 30 legal challenges to prevent his firing and replacement.

But the stay order was lifted on Thursday, with judges saying that, according to the constitution, the position of deputy president should not remain vacant. Kindiki's nomination was confirmed by parliament on October 18.

Ruto appointed Foreign Minister Musalia Mudavadi as interior minister late on Thursday.



Gachagua's legal battles extended months of political turbulence in East Africa's largest economy, which began with nationwide protests against unpopular tax hikes in June.

Before becoming interior minister, the 52-year-old former law professor served as a senator from the vote-rich Mount Kenya region. (Al Jazeera)