

KEY NOTE ADDRESS BY THE SPEAKER OF THE NATIONAL ASSEMBLY, HON. KENNETH MARENDE, E.G.H., ACIArb, M.P. DURING THE NATIONAL DIALOGUE AND RECONCILIATION SEMINAR, CROWNE PLAZA NAIROBI, 5-6 DECEMBER 2011

- **H.E. Kofi Annan, for whose presence we are grateful for at this National Reflection Seminar**
- **James Orenge, Minister for Lands of the Republic of Kenya**
- **Excellencies Olusegun Obasanjo, Former President of Nigeria; and**
- **Benjamin Mkapa, former President of Tanzania and Member of the African Union Panel of Eminent Personalities**
- **Eliud Wabukala, Anglican Archbishop of Kenya**
- **Julius Kipng'etich, Director, Kenya Wildlife Service**
- **Gichira Kibara, Ag. Permanent Secretary, Ministry of Justice**
- **Distinguished Guests**
- **Ladies and gentlemen,**
- **All protocols observed**

"Independent Institutions as backbone for a Prosperous Kenya"

It is my privilege and honour to address you on this auspicious occasion when we have the opportunity to ponder and reflect on what it would take to build and grow our Country, Kenya.

Allow me at the outset, to appreciate the entire team that comprise the Panel of Eminent African Personalities and renowned friends of Kenya with whom we have worked and walked the journey to inspire a new thinking and take measures to deliver prosperity to the People of Kenya. I further acknowledge the re-affirmation and commitment of the African Union and the International Community to Kenya as

demonstrated by among other things, underwriting Kenya's reform agenda and being determined that it stays on course. From where I serve, I assure you that your invaluable contribution is not in vain and that Kenya will overcome the challenges that confront her and progressively become stronger in key respects and even more strategic in the Community of Nations.

In a somewhat small departure from convention, I would like to request all of you to take a minute and visualize about the Kind of Country we wish to have. We may see it as our only cow whose milk we depend for our livelihood, or a baby who is crawling, but who is just about to start walking? How do we encourage the cow to produce more? Or the baby to stand up and walk on its own?

This leads me to pose the question - What can each of us do to

deliver a prosperous future for our beloved country?

There are key ingredients which I recognize as central in the development of Kenya, some of these have been mentioned by Mr. Olusegun Obasanjo and Akin Mabogunje in their article *Elements of Development*, (1991, African Leadership Institute) as comprising of strategic and visionary leadership, manpower, women and youth economic empowerment, leveraging on Information communication and technology, proper administration and management of natural resources, and provision of affordable health and education. Henceforth, I propose to focus on the centrality of key Governance Institutions in the development of Kenya.

It is noteworthy that this assembly has on board a reasonable mix of key and influential players in our national engineering. The

programme too has commensurately made an effort to embrace our tribulations and seek, if not identify, remedies. Kenya, like most post-colonial African countries has endured a dull spell of poor governance, occasionally marred by civil strife. Despite the gravity of the violence after the 2007/2008 General elections, the story of conflict and strife within Nations is not exclusive to Kenya, it is one that has been witnessed in a plethora of other jurisdictions around the globe in countries in the throes of national self discovery and in many cases consequently led to cohesion and growth. Given that we can't be, or perhaps shouldn't be, an exception, we surely must be on this path.

Those of my generation will remember that Kenya experienced high economic growth in the first two decades after Independence but all that changed from the 1980's when

economic performance deteriorated and per capita incomes started to decline. By 2001, over half of the Kenyan population lived below the poverty line, a situation persisting to date with the inflation rate standing as of 6th December 2011 at 18.9%.

A glaring realization arising out of an examination of this period is the fact that there was an underlying streak of weak public institutions and an authoritarian executive. One underlying causes of the 2007/2008 violence in Kenya was the manifestation of the fact that the presidency is seen as economic empowerment to the tribe and cronies of the presidency– as opposed to all the citizenry. Before 1991, Parliament was a department in the office of the President while the Judiciary took and obeyed instructions therefrom. The concept of separation of powers and independence of institutions of Governance were alien. Before 15th January 2008,

Parliament had not undergone any democratic process to elect a national Assembly Speaker. He was largely hand picked away from Parliamentary dynamics

While we may have mused over our failings and at times blamed the colonialists and their techniques e.g. divide and rule, in time we realized that our destiny lay in our hands. The future was beckoning. The promulgation of the constitution of Kenya 2010 is a landmark in our history.

The three arms of Government, the Executive, Parliament and Judiciary must be visibly separate in mandate, by law and fact and the process of appointment of officer holders thereat must reflect the endeavour to practice that Independence. In the last three years we all have seen how the separation of powers principle has played out in Kenya pitting Parliament against the Executive and

Judiciary and only last week, perhaps for the first time in the History of Kenya, the Judiciary against the Executive with the decision of the High Court to order issuance of warrants of arrest against the President of Sudan, H.E. President Omar Albashir

Other important Institutions include financial sector bodies, namely the Central Bank, Kenya Revenue Authority and Stock Exchange, Political Parties, Media and the International Community. Kenya has taken appropriate steps to create open, pluralist and participatory institutions of governance which are set to become more effective, accountable, transparent, technologically savvy and responsive to the needs of the citizenry.

I urge all of you to mentally retreat into your specific Institutions and reflect on individual measures that you will put in place to

ensure better services which will translate to improved welfare for the people of Kenya. With the increase in internally generated revenue, there is an urgent need for more transparent and accountable Institutions to guard against corruption. From my position as Speaker of the Kenya National Assembly, I pledge to support the new anti-corruption commission team as I hope all of you will. Further where justice, peace and stability prevail, investor confidence is built, and so is the Country.

Ladies and Gentlemen,

As I conclude, I would like to briefly highlight what I see as a national yet necessary burden with respect to the Independent constitutional commissions. The constitution creates several independent commissions each with an average of nine (9) commissioners and Salaries to commissioners averaging one

million Kenya shillings a month. Without more; it is my view that this is more than we bargained for even as we pursue Independence of Institutions. Wouldn't it be, with benefit of hindsight more financially sound and practical to limit the number of commissioners in each commission to perhaps two and empower the commissions with competent technical staff or otherwise merge some commissions? This is food for thought even as we continue with implementation of the constitution.

Further, I wish to take this opportunity to plead with my colleagues politicians to work together and exercise restraint in their pronouncements and conduct during this reform and/or unprecedented change era that we are compelled to undergo as a nation, particularly in light of the 2012 elections, because if we do not do so we risk losing the gains we have made and could easily slip to anarchy unnecessarily so.

Finally, I hope that all who have travelled have enjoyed your stay and interaction with the people of Kenya. My gratitude goes to the organizers of this workshop, H.E. Kofi Annan and his team for their dedication and to all of you for listening to me. Brothers from Cameroon have cautioned us against asking questions by thus,

“He who asks questions, questions cannot avoid the answers”

With all these remarks, I hope I have set the stage for deliberations which I am sure will be fruitful.

Thank you.