

The current political altercation between the two political divides is a clear indication of an outright political sabotage to the reform program. Indeed, statements and conduct of our members of parliament is not geared to any reform but to confuse, prolong, and obstruct the reform agenda. This state of affairs is not by chance or coincidence, but a conscious joined enterprise by the politicians to frustrate any reform agenda and perpetuate themselves in power and maintain the status quo.

The situation leaves one wondering whether the much needed reforms that are supposed to bring about national cohesion and economic growth can thrive in the current political situation. So helpless is the president and the prime minister that they appear held hostage by the pillars of impunity that is the bulwark of their support and survival.

The current situation of impunity, lack of essential commodities such as water and food, dwindling job opportunities, wanton environmental degradation and the total collapse of the rule of law are clear indicators that this country is fast moving to the status of a failed state.

Kenya is awash with reports of various commissions of inquiries dating from the 1990s and the recommendations thereof are never implemented. This is putting paid the enormous tax payer's money and other resources expended in such commissions of inquiry.

The current debate on how to punish the perpetrators of the post-election violence leaves one wondering whether Kenyans feel obligated to correct the wrong that flowed from the atrocities committed during the post election violence. We wish to state in no uncertain terms that the jurisdiction of Local Tribunal on the one hand and the Truth, Justice and Reconciliation Commission on the other, are mutually exclusive. However, in the absence of the Local Tribunal, the International Criminal Court (ICC) can complement its jurisdiction. It is therefore a waste of time for anyone to suggest that the truth commission can be called upon to do prosecutorial work which is reserved for the local tribunal or the ICC. Our position has been in favour of a local tribunal because of the high threshold required by ICC to come in, and the number of suspects that the ICC can try. We also root for a local tribunal for Kenyans to own the process that will punish both the financiers and their surrogates who committed the actual offences on the ground and bring an end to impunity.

We feel that the politicians and rich businessmen whose guilty conscience makes them think that their names are in the Waki envelope are using any opportunity and resources to sabotage the likelihood of an institution that will bring them to justice. This game of musical chairs is manifest in the tag of war and indecisiveness of the cabinet.

We are therefore calling upon all Kenyans to move with commensurate haste to be proactive in demanding for their rights. Kenyans must be more assertive in their demand for accountability and social justice and must know that the most sustainable reforms must emanate from them and they should not sit back and expect reforms from without.

We are also calling for a deliberate effort by the media, civil societies and private sector to address this problem and set the agenda for the Kenyan people.