



**Constitutional Conundrums: Judicial Pragmatism And The Paradox Of Prolonged Unconstitutionality In Kenya's NG-CDF Judgement**

The intersection of constitutional law and public finance management has long been a subject of intense scholarly debate and judicial scrutiny. As noted by eminent legal scholar Yash Ghai in his seminal work "Constitutionalism and the Challenge of Ethnic Diversity" (2000)

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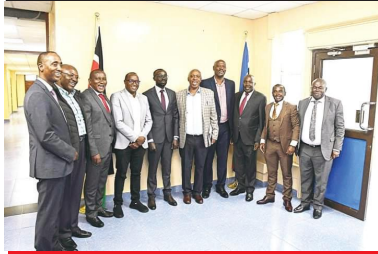
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**News >> Nyeri MPs In Consultative Meetings With CSs Muuga and Chirchir**

**P. 8.** Members of Parliament from five constituencies in Nyeri County yesterday held consultative meetings with two Cabinet Secretaries over various development projects.



**News >> Wildebeest-Borne Viral Disease Poses Serious Threat To Livestock In Trans Mara**

**P. 12.** Wildebeest migration across the Mara River from the Serengeti National Park in Tanzania to Maasai Mara National Reserve in Kenya and back is a spectacular phenomenon that attracts millions of tourists every year.

# Ruto Calls For Reforms At UN Security Council

**President William Ruto has called for bold reforms at the United Nations Security Council to tackle the rapidly evolving global challenges. The President said the current multilateralism system has proven inadequate in addressing crises such as climate change, inequality and debt, and continues to falter in providing any, let alone timely, solutions.**



President William Ruto

STORY ON PAGE 9

MAGICAL KENYA **Travel expo**

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# The Journey of Sobriety, Courtesy Of Pastor Dorcas

By: ODP

## Worth Noting:

- “Our aim is to get as many men free of addictions as possible. And some also want to start smokie businesses and other hustles, and if one is assisted, we are all empowered,” said Mr Gachara.
- Equipped with cleaning equipment that include face masks, brushes, gloves, and wheelbarrows, which they received soon after rehabilitation from the Boy Child Rehabilitation Program under the spouse of the Deputy President Pastor Dorcas Rigathi they are happy to add value to the hospital and community.



The group helping to clean the health facility. Photo/ODP

Thirty men are celebrating one year sober, and free from alcohol and drugs in Dagoretti, Nairobi County.

The Dagoretti Kaa Sober group helps in cleaning the Riruta Level IV Hospital, chief’s and police station grounds, as a way of giving back to the community, which formerly saw them as deviant and a misfit in their homes and environment.

The group’s number has increased to 50 as they have reached out to 20 more from the area who were also indulging in alcohol and drugs.

Laban Gachara, chairman of the Dagoretti Kaa Sober, said that they had reached out to more men following the knowledge they had gained from the ASK Showground camp against addictions.

They had also registered a CBO and opened a bank account where they were saving with a goal of opening small businesses for members of Kaa Sober.

“Our aim is to get as many men free of addictions as possible. And some also want to start smokie businesses and other hustles, and if one is assisted, we are all empowered,” said Mr Gachara.

Equipped with cleaning equipment that include face masks, brushes, gloves, and wheelbarrows, which they received soon after rehabilitation from the Boy Child Rehabilitation Program under the spouse of the Deputy President Pastor Dorcas Rigathi they are happy to add value to the hospital and community.

Hassan Sebit, the Deputy In charge at the Health facility appreciated the Kaa Sober Group for the work they had volunteered to do. “Since they came, we only give them water and soap, but they have aprons, gumboots and all cleaning items. They come once a week, and we appreciate their work. They have something to do, that keeps them busy and they impact society positively,” said Mr

Sebit.

Clement Kisanya, one of the members of the Kaa Sober has changed both physically, socially and spiritually since joining the program in September 2023.

“I am the spiritual leader of the group, and we pray and read the Word together. When I joined the program, my life changed. From the ASK showground camp, we continued with this unity and formed this Kaa sober ground and have even reached others here in this community. We also started the cleaning program, as an opportunity of giving back to the community, following what we have gained and what we have been saved from by giving back voluntary cleaning services,” said Mr Kisanya.

He, however, added that most of them were still unemployed and hoped that such volunteer opportunities would help them get job opportunities and other ways to earn an income.

“We are grateful to Pastor Dorcas for this vision of transforming the lives of men in society, and we shall continue pushing on. She told us we are the first ambassadors from the ASK showground camp, and we shall continue to press on despite challenges we find on our way. We believe our lives will be brighter because of the rehabilitation program that changed our lives, and look forward to more support from other agencies and other organisations,” said Mr Kisanya.

Mr Kisanya has reunited with his family, wife and children, post-rehabilitation. “Life is something important, and Pastor Dorcas returned to us life. Getting back to life is not something easy, and this is why we are doing what we are doing because of the life she returned back to us,” said Mr Kisanya.

Editor’s Desk

The Mt. Kenya Times



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IN BUSINESS

# The Mount Kenya Times

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## NEWS IN BRIEF



Environmentalists in Mombasa County are urging the County government to intensify efforts against pollution, particularly along local beaches. During a cleanup event for World Cleanup Day in Mikindani, Alfred Sigo, CEO of Pwani Youth Network, emphasized the need for awareness campaigns on responsible waste management. Sigo advocated for youth inclusion in conservation initiatives, such as the “Kazi Mtaani” program, to foster a healthier environment. The event, themed “Arctic Cities and Marine Litter,” attracted over 200 participants, including youth, students, and local peacemakers. “Mombasa generates significant solid waste, which often ends up at dumpsites, encroaching on our beaches and impacting living conditions,” Sigo noted. He urged the national government to enforce stricter plastic regulations, as plastic pollution threatens marine life and the economy.



A crack team of detectives drawn from the Anti-Narcotics Unit Mombasa and DCI Diani have swooped down on two notorious drug traffickers in the bustling corner ya Chief area in Diani, seizing Marijuana worth over Sh9 million. Following a crucial tip-off, the officers swiftly apprehended a suspect Hamisi Omar, who led them to a nearby drug store where they uncovered 10 sacks of Marijuana weighing 314.05kgs with an approximate street value of Sh9, 421, 500. The pursuit then led to the arrest of the main suspect, Irene Auma, aged 30 years in a nearby house. In a similar operation at Luore shopping Centre in Rusinga West location, another team of officers raided a suspected illicit drug den, seizing sacks of unrolled bhang with a street value of Sh1,749,000, along with 30 jerry cans of illicit brew (Chang’aa) valued at approximately Sh240,000. The main suspect, Kevin Barasa alias Kevo, managed to evade capture.



Residents of Sogoo in the newly created Narok Amalo Sub County are set to benefit from electricity connectivity through the ongoing Last Mile Connectivity Project! Narok South MP Kitilai Ole Ntutu expressed gratitude to the government for funding the initiative, which will connect over 200 homesteads to electricity at no cost. “Residents only need to handle the wiring in their homes, and the government will bring electricity right to their doorstep,” he said at a recent public baraza. The MP also shared plans for a water project that will provide clean water to every home in the area, enhancing living conditions for all residents. “The Sogoo water project will be completed soon, ensuring access to clean water,” he assured the community.



Yesterday, in honour of World Rivers Day, Nyeri Water and Sanitation Company (Nyewasco) Managing Director, Eng. Peter Kahuthu, and Board of Directors chairman Gathogo Mwangi took part in planting bamboo seedlings at the firm’s Kangemi Sewer Treatment Plant near Nyeri town. This year’s theme, “Waterways of Life,” emphasizes the crucial role rivers play in our ecosystems and communities. The team noted that by planting the seedlings, they were not only contributing to the health of the local environment but also promoting sustainable practices to protect the area’s vital waterways.

Over 100 residents from Viwandani ward in Makadara Sub County were sensitised on the importance of food safety and the management of diabetes and other non-communicable diseases by the Diabetes Awareness Trust (DAT). This community dialogue is part of DAT’s ongoing campaign to raise awareness among the general public about the importance of consuming safe, produced foods through agroecology and organic farming and linking with general human health and the management and prevention of diabetes and other Non-Communicable Diseases (NCDs). The dialogue was organised in partnership with the Makadara Sub County Department of Health Management in the Mukuru Skills Training Centre. The event targeted residents from Lunga Lunga Square, Ridon, Donholm, Daima, Riverside, Kingstone, and Uchumi units of Viwandani Ward, a vibrant low-income settlement nestled within Nairobi County.





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# Decker Medical Trust Hosts Health Camp Focused On Neglected Women's Diseases At Mbagathi District Hospital



By: Aoma Keziah  
@themkenyatimes



Decker Medical Trust Health Camp on Neglected Women's Diseases at Mbagathi District Hospital

## Worth Noting:

- According to the World Health Organization (WHO), over 800 million women globally lack access to essential healthcare services, leading to millions of preventable deaths annually. In low-income communities, such as those in Kenya, NWD contributes to one-third of all preventable deaths among women.

- "Neglected Women's Diseases remain one of the most critical yet overlooked issues in global healthcare. Through this initiative, we hope to not only offer essential services but also spark dialogue and action among policymakers, healthcare providers, and the wider community to prioritize women's health." Said Alexander Irungu, CEO, Mbagathi District Hospital

The Decker Medical Trust an organization that aims to promote sustainable, essential and low cost surgical care and to save lives, held a special health camp at Mbagathi District Hospital, aimed at raising awareness and providing essential medical services for Neglected Women's Diseases (NWD). The health camp is part of Decker Medical's ongoing efforts to address the severe gap in healthcare services for women, particularly those in underserved and low-income communities.

According to Brian Decker, Chairman Board of Directors Decker Medical, Neglected Women's Diseases encompass a wide range of underfunded and under-researched health conditions that disproportionately affect women, including cervical cancer, reproductive health issues, and maternal mortality.

According to the World Health Or-

ganization (WHO), over 800 million women globally lack access to essential healthcare services, leading to millions of preventable deaths annually. In low-income communities, such as those in Kenya, NWD contributes to one-third of all preventable deaths among women.

"Neglected Women's Diseases remain one of the most critical yet overlooked issues in global healthcare. Through this initiative, we hope to not only offer essential services but also spark dialogue and action among policymakers, healthcare providers, and the wider community to prioritize women's health." Said Alexander Irungu, CEO, Mbagathi District Hospital

During the camp, Decker Medical Trust offered free health screenings, medical check-ups, and counseling sessions for women. Key services provided included reproductive health consultations, cervical cancer screen-

ings, and maternal care advice. The event also featured workshops that educated attendees on the importance of early detection and treatment of NWD, emphasizing how timely intervention can save lives.

One of the camp's key moments was a discussion with Peter Macon, Renowned American Actor and Global Advocate for Women's Health, involving local healthcare providers and women's health Advocates. The discussion focused on mobilizing support for NWD, highlighting how the lack of funding and research continues to affect millions of women in underserved areas.

Currently, only 20% of women in these regions receive regular reproductive health services, contributing to the staggering number of preventable deaths.

Decker Medical Trust's health camp also aimed to mobilize policymakers

and community stakeholders to prioritize NWD in national healthcare agendas. Despite progress in other areas of healthcare, women's reproductive health and maternal care remain severely underfunded, particularly in low-income countries like Kenya.

In conclusion, Decker Medical Trust reaffirmed its commitment to continuing these efforts, emphasizing that addressing NWD will require coordinated action across sectors to bridge the vast gaps in women's healthcare services.

Through this health camp and future initiatives, Decker Medical Trust hopes to bring much-needed attention and resources to Neglected Women's Diseases, ensuring that more women have access to the healthcare they deserve.

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# Nyeri MPs In Consultative Meetings With CSs Muuga and Chirchir On Various Development Projects In The Area

By: MKT Correspondents

@themkenyatimes

Members of Parliament from five constituencies in Nyeri County yesterday held consultative meetings with two Cabinet Secretaries over various development projects.

The five discussed various methodologies that should be applied to speed up development in Roads, Water, Irrigation and Sanitation.

They met Cabinet Secretaries Davis Chirchir of Roads and his Water, Sanitation and Irrigation counterpart Eng. Eric Muuga at their respective offices, which are both situated at Community area in Nairobi.

The MPs who attended the meeting were Wambugu Wainaina (Othaya), Wainaina Njoroge (Kieni), Maina Mathenge (Nyeri Town), Geoffrey Wandeto (Tetu) and John Kaguchia (Mukurwe-ini). It is only Mathira MP Eric Wamumbi who was missing.

At Maji House, the MPs met Eng. Muuga chaired the meeting which, just like that of his colleague,



The MPs with Roads CS Davis Chirchir

Chirchir was a follow-up of a last week one where they met President William Ruto at State House, Nairobi. Eng. Muuga was accompanied by both Principal Secretaries Dr Julius Korir and CPA Ephantus Kimotho.

Sources at the meeting said the leaders had a positive engagement with the Ministry leadership on water projects as well as irrigation projects that are ongoing and requested for extra funding especially the upcoming AfDB projects and borehole

projects.

The CS thanked the MPs for visiting the Ministry to express their requests and that the Ministry will continue fast tracking the progress of ongoing projects and consider funding for higher priority planned projects when funds will be available.

Also present from the Ministry were Eng. Onyango, Eng. Mary Wamaitha, Eng. Martin Ng'aa, Eng. Bonface Mulama, Maurice Opondo and Ian Thande.



The MPs with Roads CS Eng. Eric Muuga

Tana Water Works Development Agency which is the Ministry's implementing agency on Water and Sanitation sectors in Nyeri county and several other counties was represented by its Chief Executive Officer (CEO) Eng. Philip Gichuki while National Irrigation Authority that caters for the Irrigation sector was represented by its CEO Eng. Mwasya CEO.

At the Ministry of Roads, CS Chirchir chaired the meeting where each MP presented a list of roads that they would like prioritised.

After the meeting, the leaders thanked the two ministries officials for giving them an ear and hoped funds would be made available for the proposed projects and others.

# Atwoli Weighs In On Gachagua Impeachment Debate, Calls For Re-Evaluation Of Deputy President's Role

By: Cynthia Masibo

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The ongoing political debate surrounding Deputy President Rigathi Gachagua's possible impeachment has taken a new turn, with Central Organization of Trade Unions (COTU) Secretary General Francis Atwoli weighing in. Atwoli has called for a critical re-evaluation of the position of the Deputy President, arguing that the current structure creates unnecessary tensions within the government.

In his remarks, Atwoli reiterated his earlier stance that the Deputy President's role should be an appointment by the President rather than a running mate elected alongside the Head of State. He argued that the current model gives the Deputy President a perception of equal authority to the President, which he believes contributes to the challenges being witnessed.

"The Deputy President should be an appointee of the President, because once he becomes a running mate, he

feels he is also a President," Atwoli asserted. He went further to suggest that the Deputy President should remain in the background unless directly instructed by the President to address any matters. "We can't have two Presidents at a time," he added.

Atwoli's comments come amidst heightened political tensions following the filing of a censure motion against Deputy President Gachagua by Tana River Senator Danson Mungatana. The Senator's motion, which was submitted to the Senate on Monday, accuses the Deputy President of engaging in divisive politics and betraying his oath of office.

Despite these developments, Gachagua's allies, including National Assembly Majority Leader Kimani Ichung'wah, have dismissed claims of an impeachment. Ichung'wah stated last week that there were no such motions being prepared, describing the speculation as political mischief. However, the political dynamics surrounding Gachagua have placed him in an increasingly isolated position within the government.

In recent days, the Deputy President



COTU Secretary General Francis Atwoli has hit out on DP Rigathi Gachagua for contradicting his boss and the government. Photo: Francis Atwoli.

has appeared to fight back against what he perceives as attempts to undermine his role. During an interview on Citizen TV last Friday, Gachagua lamented being removed from President William Ruto's WhatsApp group, an incident he referred to as indicative of his growing exclusion

from the inner workings of the administration.

In an effort to regain political footing, Gachagua has embarked on a series of public rallies aimed at endearing himself to voters.

As the debate over his position intensifies, Atwoli's call for a re-eval-

uation of the Deputy President's role raises questions about whether the current structure of government fosters the cooperation and unity necessary for effective governance.

# President Ruto Calls For Bold Reforms At UN Security Council To Tackle Global Challenges

By: PCS

President William Ruto has called for bold reforms at the United Nations Security Council to tackle the rapidly evolving global challenges.

The President said the current multilateralism system has proven inadequate in addressing crises such as climate change, inequality and debt, and continues to falter in providing any, let alone timely, solutions.

He pointed out that, without immediate action, humanity will face an unprecedented global crisis.

“Today, we have no choice but to reject outdated systems and re-imagine a framework of international cooperation that works for all 8 billion people,” he said.

President Ruto was speaking on Sunday during the Summit of the Future plenary at the United Nations General Assembly Hall in New York, United States.

The President said there was a need

to redesign the international financial system, strengthening partnerships for common security, bridging the digital divide and investing in human capacity.

He noted that it was unfortunate that only 17% of the United Nations Sustainable Development Goals (SDG) targets are on track largely due to unmet financial commitments.

“Developing countries, particularly in Africa and the Global South, are facing severe funding shortages, and the gap is widening,” he said.

The President explained it was time the historical injustice of Africa’s lack of permanent representation on the UN Security Council be addressed as a matter of justice in the ongoing UN reforms.

The President informed the General Assembly of the advancements made by the Kenya-led Multinational Support Mission in Haiti, saying that despite limited resources, the contingent has achieved tangible progress.

“What looked like mission impossible is now a present and real possibility for peace in Haiti,” he said.

President Ruto said Kenya is keen



President William Ruto

on increasing its forest cover to 30% in 2030 by planting 15 billion trees, an effort largely led by the youth.

“Two weeks ago, I launched ClimateWorX, a programme that will employ 200,000 young Kenyans in sustainable public works, focused on ecological restoration and infrastructure,” he said.

Earlier, during the Summit of the Future’s interactive dialogue session, President Ruto said there was a need to address structural and monetary issues that cripple multilateral financial institutions and disproportionately affect developing countries.

These, he said, will include limited fiscal capacity, rising debt, unfair

credit ratings and uneven interest rates that threaten the realisation of SDGs.

“The fourth International Conference on Financing for Development in Spain next year might be our last chance to make significant reforms to meet the SDGs,” he said.

# MP Wamuchomba Says Gachagua Was Ruto’s Choice Of Running Mate, As Fallout Between Them Boils Up

By: Sefu Sabila

@themkenyatimes

Githunguri Member of Parliament Gathoni Wamuchomba has defended the choice of President William Ruto’s of Deputy President Rigathi Gachagua.

Speaking yesterday at a morning breakfast show on Citizen TV, Wamuchomba said the DP wars began immediately he was nominated as the running mate for the Kenya Kwanza Alliance.

“The problems that the DP is going through right now started when he was nominated as the running mate,” she stated.

According to her, three meetings were held, with two failing to come up with the decision, forcing the alliance to come up with a nominee following the deadline set during the August 2022 elections.

“I attended three stormy meetings, the first we did not agree, the second meeting we did not agree. The third

meeting we had to agree by the timelines. The agreement was the running mate had to come from Mt. Kenya, where the members had to come to an agreement and nominate one person,” Wamuchomba explained.

She further disclosed that the preferred candidates included interior Cabinet Kithure Kindiki, Kiharu MP Ndindi Nyoro and CS Lands Alice Wahome and DP Gachagua.

Despite Kindiki winning both nominations round with 11 and 38 votes respectively, Wamuchomba stated that Ruto wanted Gachagua, while a majority of MPs wanted Kindiki, forcing a third meeting to justify their choice.

“The president himself wanted Rigathi Gachagua, majority of the members wanted Kithure Kindiki, so we had to justify why we wanted Kindiki over Gachagua. I was supporting Gachagua from the beginning and I had my own reasons,” she further disclosed.

Aside from Wamuchomba, earlier attending a church service together with the DP in Thika, former United Democratic Alliance Secretary Cleo-



Githunguri Member of Parliament Gathoni Wamuchomba .

phas Malala asked the president to be watchful on plans to impeach his DP, as it could affect his leadership.

Gachagua disclosed a possible fallout with his boss, following his revelations on an exclusive interview on Friday, which he said his tormentors

are being bought to humiliate him.

He further revealed that he was removed from accessing the president’s diary, which has since seen him missing on important matters of national interest.

During a church service on Sunday,

September 22 in Chuka, Gachagua reiterated Ruto’s promise, that he will not watch his deputy disrespected and harassed under his watch.

Gachagua urged the president to keep his promise, as failure could lead to lack of trust from Kenyans.

# Kenya Airways Opens Travel Center To Offer Tailored Travel Solution For Governments

By: John Kariuki  
@themtkenyatimes

Kenya Airways (KQ) has launched The Asante Executive Hub, a first-of-its-kind government travel centre at Kenyatta International Convention Center (KICC) in Nairobi.

This unique hub is designed to offer one-stop travel solutions for government and private sector executive travellers, offering a comprehensive range of travel options including ticketing, customer care while prioritising convenience, safety, and efficiency at the highest standards.

At the launch event, Kenya Airways Group Managing Director and CEO Allan Kilavuka reaffirmed our unwavering commitment to excellence. He stated, "The Asante Executive Hub is a testament to our dedication to delivering specialized and high-quality services to our government clientele.

This hub positions us as the go-to

partner for government travel management, bolstering our commitment to excellence and fostering a closer partnership with Government officials." Strategically nestled within the Kenyatta International Convention Center (KICC), The Asante Executive Hub is perfectly positioned to cater to international travellers attending global conferences and events.

This prime location not only enhances the convenience for our esteemed guests but also solidifies KQ's pivotal role in the executive and government travel space.

Julius Thairu, Chief Commercial and Customer Officer at Kenya Airways says, "As part of our customer-centricity, we are pioneering innovations and setting new benchmarks for customer satisfaction and loyalty within the travel industry.

We continuously explore innovative ways to enhance our services and create lasting customer value that aligns with our long-term growth strategy to drive our market expansion efforts, particularly within the government



Kenya Airways opens travel center to offer tailored travel solution for Governments

and executive travel sectors." In the coming months, The Asante Executive Hub will transition into a fully accredited IATA Billing and Settlement

entity.

This transition will allow Kenya Airways to offer expanded services, including ticketing services for other airlines, executive charter services,

and advanced online travel management.

# Boosting Health Care In Mitume Health Dispensary As Facility Receives Water Supply

By: Sefu Sabila  
@themtkenyatimes

Mitume Health Dispensary based in the largest slum of Trans Nzoia has received a major boost after the area Member of County Assembly Franis Were supplied the facility with water yesterday.

The facility which has been struggling with water issues for over a year, serves the residents of both Maatisi and Tuwan wards, Making it a crucial facility in the region.

Speaking during the exercise, Were said water is an essential commodity in any running health facility, and has kept his promise of ensuring the facility has adequate water supply.

"Water is a very basic necessity in our lives and its even much more important in our health facilities. Mitume Health Dispensary has been grappling with the issues of water

for over the past one year. I can now confirm to the general public that the issue has been sorted out," Were said.

Together with the county water supply Trans Nzoia Water and Sewerage Company (TransWASCO), the MCA said this will reduce the facility's budget on purchasing water. Present with the MCA were the facility's sister-in-charge and the Chairperson Otsiula Tonny,

"I made coordination with our water company and they have solved the water issues affecting the dispensary. Mitume Health Facility is receiving reliable and clean water hence cutting down on their costs of purchasing water," he said.

Were also gave additional financial support to the facility committee to facilitate further purchase of additional pipes to fit within the facility to the water tank, to act as water reservoir for the facility.

Besides from the facility, the ward



Mitume Health Dispensary

also is the home of the mother-baby hospital being built at Tom Mboya Health Center in the county, which the public health officer at Tom Mboya Health Facility Jane Mwen-

jwe said will reduce infant mortality and home birth in the slums around.

The facility is near completion, which will ne operationally as from November, according to the coun-

ty's governor George Natembeya. The county has made major strides in boosting health access to the residents.

# Gachagua Asks President Ruto To Avoid Reviving Politics Of Betrayal



By: Joseph Mutua Ndonga  
mutuandonga@yahoo.com



## Worth Noting:

- One of thing I expect him to do is to tell his close allies to stop disrespecting and belittling me. These people ought to know I'm the Deputy President and I was elected by the People of Kenya on the same ticket with President William Ruto.
- We recall President Ruto made a raft of promises to the people of this region during the campaigns. As the DP, I still believe the President is committed to fulfill these promises.
- President Ruto has chosen to remain quiet ever since Gachagua pulled out the gloves. Up to date, the two leaders have been demonstrating a good working relationship whenever they share the same podium.



Deputy President Rigathi Gachagua on Sunday made a stopover at Githurai

Deputy President Rigathi Gachagua has escalated the war between him and President William Ruto.

Addressing the residents of Thika town after attending a Church Service, the DP once again left no doubt that he believed President William Ruto is behind his woes.

You people are well informed and you know what is happening.

I have reliably learnt they have hatched a plot to impeach me. I have not committed any crime but they have a bone to pick with me because of calling for unity of the Mountain.

Let me ask you. Is calling for this unity a crime?

I remain firm and unapologetic. I will not stop doing this because I believe this is the only way our voice can be heard.

You voted for this government to the last man and woman. So we are entitled to demand our share and this should not be misconstrued to mean being tribal.

The DP once again declared that he was the senior-most leader in the region. The DP further told the residents. I'm sure you know some of the leaders from this region were being used by outsiders to divide and weaken our political bargaining power come 2027 polls.

They will be in for a rude shock if they fail to read the ground.

Imagine some of these leaders were part of those drafting a motion to impeach me.

For now, the DP stated that all is not lost stating that President Ruto can still steady the ship of the Kenya Kwanza Government.

One of thing I expect him to do is to tell his close allies to stop disrespecting and belittling me. These people ought to know I'm the Deputy President and I was elected by the People of Kenya on the same ticket with President William Ruto.

We recall President Ruto made a raft of promises to the people of this region during the campaigns. As the DP, I still believe the President is committed to fulfill these promises.

President Ruto has chosen to remain quiet ever since Gachagua pulled out the gloves.

Up to date, the two leaders have been demonstrating a good working relationship whenever they share the same podium.

It is therefore hard to tell whether the President is really behind his woes.

The DP wants to believe he has failed to tame his allies but one thing remains clear.

The President has no power to stop a member of parliament from drafting and filing a motion of impeachment against the DP.

Even if the President convenes a meeting of Parliamentary Group meeting of the ruling party, he cannot force or coerce the MPs on how to vote.

So, If the Speaker approves the motion, fate of the DP would squarely lies with the MPs.

Joseph Mutua Ndonga Is A Writer And Social Commentator Based In Nairobi



President William Ruto

# Wildebeest-Borne Viral Disease Poses Serious Threat To Livestock In Trans Mara

By: MKT Correspondent

[@themkenyaintimes](#)

**Worth Noting:**

- The farmers lamented of a viral disease released in the environment in the place where the wildebeest calve. They said when their cattle feed on the grass at the place of calving, they become weakly to the point of death.
- Abraham Tobiko, a livestock farmer at the Emati area in Trans Mara West Sub County, observed that not all wildebeest return to the Tanzanian side to calve.
- “Some wildebeest are left behind in Kenya, where they calve. If our cattle happen to feed on the grass where a wildebeest has calved, it becomes sickly to the point of death,” he said.



Wildebeest migration across the Mara River from the Serengeti National Park in Tanzania to Maasai Mara National Reserve in Kenya.

Wildebeest migration across the Mara River from the Serengeti National Park in Tanzania to Maasai Mara National Reserve in Kenya and back is a spectacular phenomenon that attracts millions of tourists every year.

During the season, millions of wildebeests and zebras journey from Serengeti starting in the month of July and returning towards the end of the year.

Experts say that their movement is mainly because of breeding purposes, as they come to the Kenyan side for mating and return back to Tanzania to calve.

Recently, Narok County Governor Patrick Ntutu revealed that approximately 3 million wildebeest crossed from the Serengeti to Mara this year, a number he considered higher than the previous years.

He said the Mara is the main source of local revenue for the county government, as it generates up to Sh3.5 billion annually, owing to the in-

creased number of tourists that visit the resource.

However, despite the huge amount of revenue that the phenomenon attracts, cattle farmers around the Maasai Mara National Reserve ecosystem are not a happy lot.

The farmers lamented of a viral disease released in the environment in the place where the wildebeest calve. They said when their cattle feed on the grass at the place of calving, they become weakly to the point of death.

Abraham Tobiko, a livestock farmer at the Emati area in Trans Mara West Sub County, observed that not all wildebeest return to the Tanzanian side to calve.

“Some wildebeest are left behind in Kenya, where they calve. If our cattle happen to feed on the grass where a wildebeest has calved, it becomes sickly to the point of death,” he said.

He lamented that he had lost his cow that is believed to have eaten grass where the wildebeest had calved, hence contacted a virus and died after

a few days.

“When we find pregnant wildebeests in our premises, we chase them away so that they don’t calve near our homesteads,” he reiterated.

Narok West Veterinary Officer Dr. Matthew Nchoko confirmed the viral disease as Malignant Catarrhal Fever (MCF), that lead to death in cattle.

He said the disease causes depression, diarrhoea, loss of appetite, high fever, and nasal discharges and finally leads to death in cattle.

Dr. Nchoko said approximately 3 to 12 per cent of the number of cattle that have come in contact with the wildebeest calving area have died of the disease.

He advised farmers to be careful not to graze their livestock at such points so as to avoid losing their animals, as the disease has no known cure.

Assistant Director Kenya Wildlife Service (KWS) in charge of Narok Ecosystem Ibrahim Osman said wildebeest mostly feed in the protected areas, and advised farmers to protect

their cattle from moving to the wildlife protected areas without someone to escort them.

“Before, the wildebeest used to loiter in a very wide range, but because of human settlement, they are constrained in the national reserve and conservancies, which is their natural habitat,” he said.

Osman reiterated that the pastoralist community has lived with wild animals for years and has never complained of the disease.

“I have heard of the disease, but I am not sure if it is scientifically proven. However, I advise farmers to keep off the wildlife protected areas, where the wildebeest are found and mostly breed,” he said.

# NFDK Donates Sh3.1 Million To PWDs In Kiambu

By: MKT Correspondent

@themkenyatimes

The National Fund for the Disabled of Kenya (NFDK) is rolling out an economic empowerment program in Kiambu County, providing vital support to 94 individuals with disabilities from nine sub-counties.

The initiative includes donations of wheelchairs, welding kits, barber and salon kits, farming tools, carwash machines, and sewing machines worth Sh3,128,800 million.

The sub-counties benefiting from this programme are Limuru, Kikuyu, Githurai, Kiambu Town, Kiambaa, Ruiru, Juja, Gatundu North, and Gatundu South.

The Deputy County Commissioner in Kiambu subcounty, Tabitha Mihari, a representative of the Fund in charge of Advocacy urged beneficiaries to be aware of their fundamental rights and privileges and challenge societal stereotypes in their quest for inclusion.

She stated, "The Fund exists to support PWDs with assistive devices and tools of trade towards their inclusion and economic empowerment."

"All the items we are distributing today are as per the individual request when they filled out their forms; for the first time, we are going to give a bank cheque worth Sh20,000 to individuals who sought to have a goat instead of a device," Mihari added

NFDK's Assistant Manager, Isaac Aliyah, urged beneficiaries to wisely utilise the support provided, emphasising that all items are designed to help kickstart their businesses without extra costs.

The World Health Organisation (WHO) observes that globally, more than 2.5 billion people need one or more assistive devices. And with an ageing global population and the increase in non-communicable diseases, an estimated 3.5 billion people will need assistive technology by 2050.



# Twenty Egerton University students Awarded Chinese Gov't Sponsorship

By: MKT Reporter

@themkenyatimes

The Chinese government has expanded its partnership with Kenya by sponsoring 20 Egerton University students through the Chinese Ambassador's scholarship programme.

The program, which targets undergraduate students under the Government Sponsored category, was initiated in 2013 and aims to improve society by being agents of positive change.

The Chinese Ambassador to Kenya, Zhang Zhizhong, emphasized that these students will be the driving force behind stronger China-Kenya relations.

"Despite challenges you are facing while pursuing your education, stand out and be the ones who transform not only Kenya but also Africa at large," the ambassador advised.

Egerton University has had cordial relations with the Chinese govern-

ment for over 12 years, leading to the establishment of the Confucius Institute in 2012.

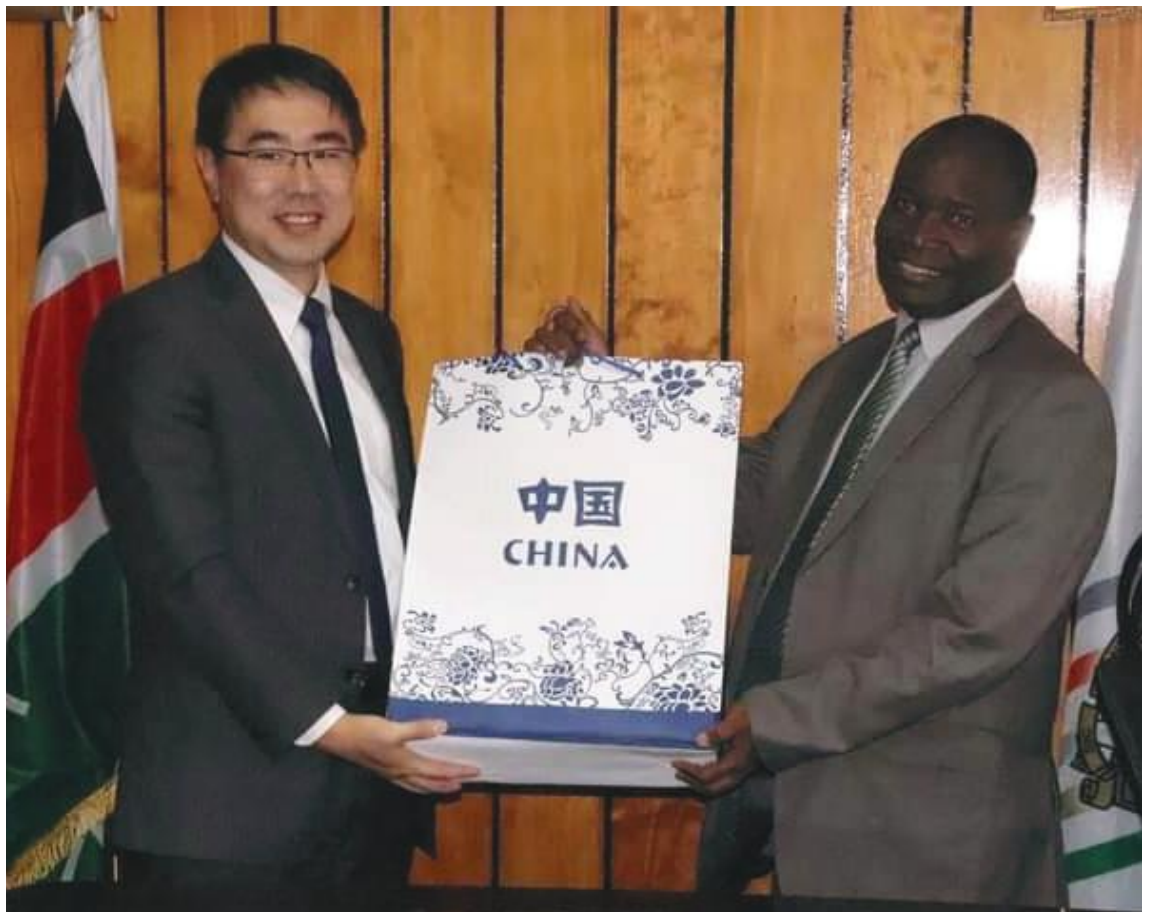
The institutes provide students with networking, job opportunities, and internships, particularly in Chinese businesses operating in Kenya.

To be eligible for the Chinese Ambassador's scholarship programme, students must be registered and regular needy students with an excellent academic record and impeccable character.

The Chinese government has also offered 30 Chinese Ambassador Scholarships for the academic year 2023/2024 for Kenyan undergraduate students studying at the University of Nairobi.

The ambassador emphasized China's policy on Africa is based on working with the continent to pursue shared interests.

He said China will continue supporting the education and agricultural sectors to help Kenya grow its food basket.



14 POEMS

# Earth-Damaging Plastics!

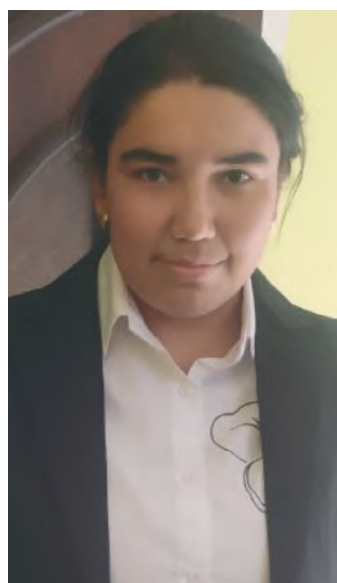


The earth was created in such a way that the living beings and creatures in it get food from it, live in it and continue their life in it. But as a result of not rationally using nature and its blessings, we humans have been allowing changes in the environment and uneconomical use of things and food. So who is to blame? First of all, everyone should not be indifferent to the changes happening around them. In particular, we should not allow nature to be polluted, filled with harmful waste and plastics. When you are walking on the street, if someone is throwing garbage in his hand, waste that is harmful to nature, instead of the

designated place, reprimand him. Or, as an example, remove this waste yourself and put it in special boxes. Cleanliness starts with the family. Our Uzbek people have such values and customs that they are followed when raising a child. For example, from the age of 1, children should be taught to put things in their place, keep their hands clean, eat food with the right hand, not reach for food before adults, pray after eating, eat they are taught to give thanks for their favors, to thank their parents, to throw waste in special buckets. They are not taught directly, but are taught by example and example. One of the most important factors in the pollution of our nature is plastics. It takes years for them to decay before causing damage. Plastics should be disposed of in special waste containers, recycling them will help reduce waste. We must protect nature and earth from harmful waste. I think that pollution of nature will decrease if every person uses natural resources effectively.

Tuliyeva Sarvinoz  
Uzbekistan

# Dear Teacher



(To my teacher Nargiza Rahmonova)  
In this five-day little world,  
Master without the pattern of circles  
Our name is known to all the heavens,  
You are the best teacher.  
Let every Muslim know

A teacher like you is alone in the world  
Unbelievable in knowledge,  
It even shakes the heavens.  
The lessons are very beautiful  
You will be surprised to see it.  
His knowledge is not lost  
You will know what you don't know.  
Focusing on topics  
If you have a question, the answer is ready.  
Ayamas added all his love,  
God bless you in everything you do.  
His students stand in a row,  
At every step my teacher says,  
There is another rule as great as you,  
He eats the sorrow of the student.  
The best teacher in the world,  
He spent all his wealth,  
Of course, this teacher is Nargiza,  
Ziya opened the door for the first time.  
By: Sobirjonova Rayhona

# Uzbek Guards



You are the guardians of the country's trust,  
You are the guardians of the country,  
Without you, peace is inevitable,  
This is why you are called glory.

You are the ever-vigilant guards at the border,  
you are the guardians who don't know sleep  
You are the guardians who stand by their oath.  
This is why it is called, glory to you.  
To keep the peace of this country,  
You are the soldiers who sacrificed their lives.  
There are no words to describe you.  
This is why it is called glory to you.

Bobonazarova Gulzoda Alisherovna.  
Student of Uzbek Philology Faculty of Urganch State University. Author of more than 30 popular scientific articles. His creative works are regularly published in international newspapers. Author of 6 books. Kazakhstan, Argentina are members of international organizations.

# You Can't Understand



You can't really understand a person at a glance.  
They say that the appearance is deceiving.  
The person you think is the worst.  
Maybe you are better than the good you know.  
True love is also true inner beauty.  
cannot understand, those who put their hearts on the glittering fabric of the world.

Bobonazarova Gulzoda Alisherovna.  
Student of Uzbek Philology Faculty of Urganch State University. Author of more than 30 popular scientific articles. His creative works are regularly published in international newspapers. Author of 6 books. Kazakhstan, Argentina are members of international organizations.

# DO YOU WANT TO GET PUBLISHED?

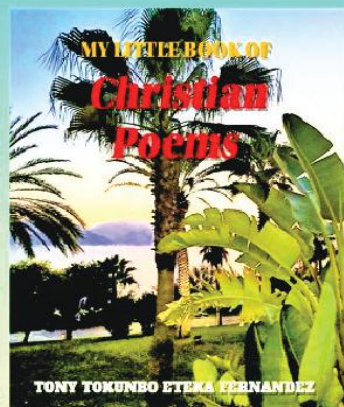
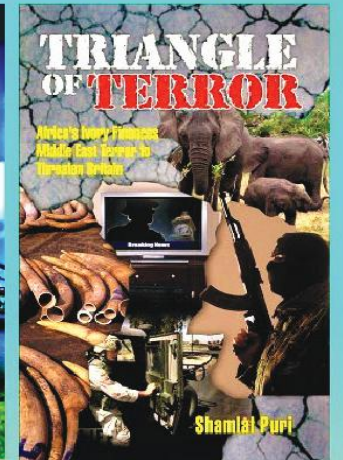
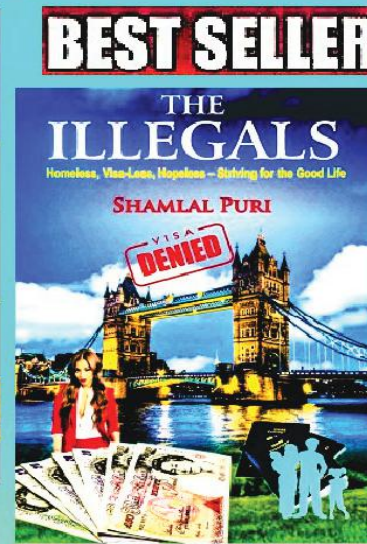
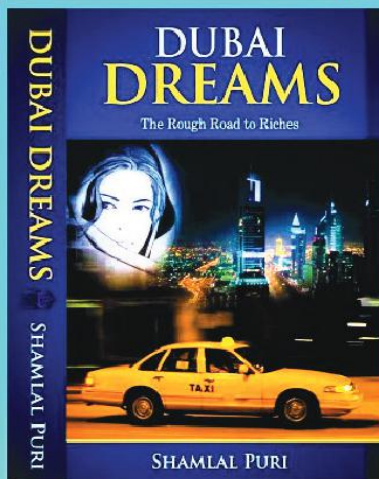
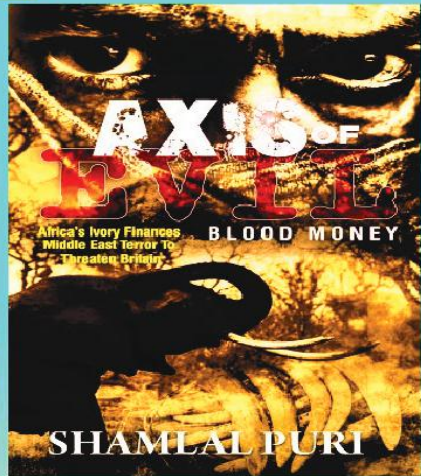
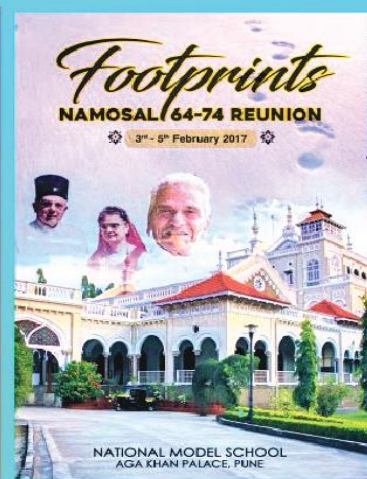
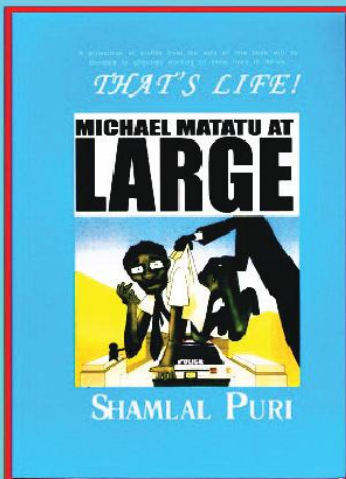
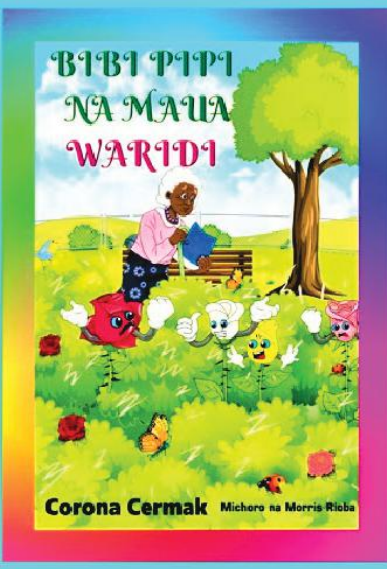
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## MUSIC

## Michael Wekesa: A Player By Voice, Designer By Hand



By: Peter Aowa  
@themtkenyatimes

## Worth Noting:

- While being careful not to discourage those who aspire to be in the art industry, Michael advises that there's need to have a strong faith, hold dearly Christ principles to be able to remain relevant in this dynamic industry often influenced by age and time
- Michael, who is currently a lead worship singer and trainer at Chrisco Fellowship, Donholm has written and recorded a bunch of songs with the latest releases being "Mazuri" and "Count Your Blessings," which reflects his unwavering desire to connect people with Christ through music.
- Yet, Michael's journey is not solely about music. The first born in a family of five is also the founder of Glacè Confectionery, a venture born from his love for baking and the desire to bring sweetness into people's lives.

Michael Wekesa, otherwise known by stage name as Michael Murzz, plays by voice and designs by hand.

Born in Kenya's capital over two decades ago, Michael started off his academic career at Borderfarm Primary school and later to Umoja's Unity Primary before proceeding to Highway secondary for his post primary education.

The singer - cum baker in an exclusive interview with this reporter credits his long for music to his walk in faith.

From a young age, Wekesa had personal conviction that he would be a singer but kept off making it known to his peers for what he calls being shy.

"I was a little shy to show my friends that I could sing." He notes adding that as he grew up, he gained more confidence in expressing it.

It was not until he was in form two that he sang in public. He later would join the Christian Union choir, a decision that greatly shaped his future in the music industry.

After his secondary school education, Michael gave himself a great challenge and did a trial audition with the Kenya Boys choir and passed.

He thereafter joined the choir in March 2017 and is a proud member of seven years.

His music journey he says, has been greatly shaped by this band

"They have played a very big role in who I am today as a musician, from writing and arranging to stage presence and performance." he says

Wekesa says that his passion and interest for church music ministry has always been present in his heart, to create music of excellence that glorifies the Lord Jesus Christ and connects people to Him was and still is my desire.

But this journey has never been a smooth walk.

While being careful not to discourage those who aspire to be in the art industry, Michael advises that there's need to have a strong faith, hold dearly Christ principles to be able to remain relevant in this dynamic industry often influenced by age and time

Michael, who is currently a lead worship singer and trainer at Chrisco Fellowship, Donholm has written and recorded a bunch of songs with the latest releases being "Mazuri" and "Count Your Blessings," which reflects his unwavering desire to connect people with Christ through



Michael Wekesa

music.

Yet, Michael's journey is not solely about music. The first born in a family of five is also the founder of Glacè Confectionery, a venture born from his love for baking and the desire to bring sweetness into people's lives.

Inspired by a dream to create unique and delightful pastries, Michael started with just a small oven and two bowls. Despite the economic challenges and rising costs of production, his faith and determination have kept the business thriving.

Glacè Confectionery, with its elegant

cakes and pastries, serves as a sweet testament to his entrepreneurial spirit.

Balancing a flourishing music career with running a business is no easy feat. Michael has learned to manage his time meticulously, dedicating specific days to baking and others to music. His vision includes expanding his business and bringing in more help to ensure he can continue to grow both his musical and entrepreneurial pursuits.

Mr. Wekesa draws his strength from the scriptures, particularly Matthew 6:25-34, which remind him not to

worry about material concerns. This faith-driven perspective keeps him motivated amidst the challenges of life and work.

As we come to the conclusion of this interview, Michael envisions his music touching lives not just in Kenya, but across Africa and the globe.

"I believe my music will have reached thousands and thousands of people not just in Kenya but throughout Africa and all around the globe. All by God's grace." He concludes.

# Northern Collector Tunnel Water Finally Reaches Nairobi

By: MoWSI

The Cabinet Secretary for Water, Sanitation, and Irrigation, Eng. Eric Mugaa inspected the Northern Collector Tunnel Bulk Water System as treated water from the Kigoro Water Treatment Plant has begun flowing to Nairobi via the 55km treated bulk water pipeline. The project is a key milestone in enhancing water supply for the Nairobi Metropolitan region and beyond.

The Northern Collector Tunnel (NCT1) is part of the Nairobi Water Master Plan, which aims to improve water access to over 1.2 million residents by providing an additional 140 Million litres of clean water per day.

The project is a critical component of the Fourth Nairobi Bulk Water Supply System, which involves the construction of several vital infrastructures, including the Northern Collector Tunnel 1 (NCT1) which

is a 11.8km raw water transfer tunnel now complete and operational, the Kigoro Water Treatment Plant (KWTP) which is an ultra-modern facility designed to treat 140 million liters of water daily and Water Transmission pipelines from Thika Dam to Gigiri reservoirs in Nairobi, including 55km of steel pipes that convey both raw and treated water.

During the inspection last Friday, the CS highlighted the project's impact, which extends beyond Nairobi to benefit counties like Murang'a, Machakos, Kajiado, and Kiambu.

The project forms part of the Ministry's broader interventions aimed at addressing water shortages in Nairobi city and its surroundings, including laying transmission pipelines to the Western and Eastern regions of the metropolis.

The construction of the water transmission pipelines is largely complete, with 45km tested and flushed up to Kiambu.

The remaining 10km section from Kiambu to Gigiri is set for comple-



Cabinet Secretary Eng. Eric Mugaa with other officials during the Friday tour.

tion by end of this week.

Once finalized, this system will ensure a steady and equitable water supply to Water Service Providers (WSPs) in these counties.

For instance, Nairobi will receive 136,500 cubic meters of water daily, while other counties, including

Murang'a, Kiambu, Machakos, and Kajiado, will also see significant improvements in water distribution.

During the tour, the CS was accompanied by among others; the Principal Secretary for Water and Sanitation Julius Korir, Athi Water Works Development Agency (AWWDA)

Board chairman Charles Karondo and directors Dr. Boaz Cheluget and Simon Mukhwana as well as the agency's director for Infrastructure Development Eng. Bonnie Nyandwaro.

# The Cradle Launches Just Rights Project To Combat Child Abuse In Kenya

By: Cynthia Masibo  
@themkenyatimes

The Children Foundation, in partnership with key justice sector stakeholders, has launched the JUST RIGHTS Project in Nairobi. This initiative is designed to address the widespread issue of crimes against children, aligning with both the United Nations Convention on the Rights of the Child (UNCRC) and Kenya's Constitution. The project aims to tackle various forms of abuse, including Female Genital Mutilation (FGM), sexual and gender-based violence (SGBV), child trafficking, and child marriages.

During the launch event, Michael Wasonga, Executive Director of The CRADLE, expressed the urgent need to address these crimes, which continue to impact children across the country. "Despite various interventions, crimes against children continue to evolve," he stated. Wasonga emphasized the complexity of child abuse issues and highlighted the importance of collaboration between state and non-state actors in creating a safer environment for children.

"Our commitment to strengthening partnerships among civil society organizations is essential to effectively tackle these challenges," he added.

The Just Rights Project is structured around several key initiatives aimed at combating child abuse. A significant focus is the fight against FGM, a practice that remains prevalent in some parts of Kenya. To combat this, the project will provide pro bono legal representation to victims, alongside offering psychosocial support to help them recover from the trauma of abuse. Additionally, the project will conduct research to identify gaps in current FGM-related legislation, ensuring that legal frameworks can be strengthened to protect children more effectively.

Addressing Sexual and Gender-Based Violence (SGBV) is another critical component of the Just Rights Project. The project will engage in legislative advocacy, working with lawmakers to push for amendments to the Sexual Offences Act of 2006, with the goal of making the law more robust in tackling various forms of SGBV against children. The need for enhanced protection in this area has been underscored by rising cases of child abuse, especially during the COVID-19 pandemic,



Michael Wasonga, Executive Director of The CRADLE Organization.

which exposed more children to violence and exploitation in their homes.

In addition to FGM and SGBV, child trafficking remains a significant issue in Kenya. The Just Rights Project seeks to address this by providing technical assistance to the Directorate of Criminal Investigation's Child Protection Unit. This assistance aims to improve the unit's capacity to investigate and prosecute child trafficking cases, ensuring that perpetrators are held accountable

and that justice is served for victims.

Another critical component of the project is a rapid assessment of child marriages across the country. The findings from this assessment will guide future interventions and policy recommendations. Alongside this, the project will implement community training programs to create local champions who can advocate against harmful practices such as child marriage. By empowering local communities, The CRADLE hopes to create long-term, sustainable change in the

fight against child abuse.

The CRADLE's mission is rooted in promoting and protecting the rights of children through legal representation, advocacy, and community outreach. The JUST RIGHTS Project reflects a collective resolve to enhance institutional cooperation and address the evolving challenges children face. As Wasonga highlighted during the launch, "The future of our nation depends on the protection of our children. We must act now to safeguard their rights."

# Constitutional Conundrums: Judicial Pragmatism And The Paradox Of Prolonged Unconstitutionality In Kenya's NG-CDF Judgement



By: Odhiambo Jerameel Kevins Owuor  
@themkenyatimes



Constitutional Conundrums.

aligns with the scholarly perspective of Tom Ginsburg and Aziz Huq in “How to Save a Constitutional Democracy” (2018), where they argue that “the separation of powers is not merely about institutional design but about preserving the integrity of democratic governance.”

Furthermore, the Court’s analysis of the NG-CDF’s impact on devolution drew heavily from the constitutional architecture of revenue allocation and the functional distinctiveness of the two levels of government. The judgment referenced the pivotal case of “Council of Governors & 47 others v Attorney General & 3 others” [2020] eKLR, where the Supreme Court of Kenya emphasized the importance of maintaining clear boundaries between national and county functions. In applying these principles to the NG-CDF, the High Court found that the fund’s operations encroached upon functions constitutionally reserved for county governments, thereby undermining the spirit and letter of devolution. This reasoning resonates with the scholarly work of Nic Cheeseman in “Democracy in Africa: Successes, Failures, and the Struggle for Political Reform” (2015), where he posits that “effective devolution requires not just the transfer of resources but also the respect for constitutionally mandated spheres of autonomy.”

The Court’s examination of the public finance management aspects of the NG-CDF was equally incisive. Drawing parallels with international best practices, the judges referenced the South African case of “Glenister v President of the Republic of South Africa and Others” [2011] ZACC 6, which underscored the importance of transparent and accountable public finance systems in upholding constitutional democracy. The High Court found that the NG-CDF’s structure and operations fell short of the constitutional standards for public finance management, particularly in terms of oversight and accountability mechanisms. This finding aligns with the scholarly perspective of Migai Akech in “Administrative Law” (2016), where he argues that “public finance management is not merely a technical exercise but a fundamental aspect of constitutional governance.”

## Worth Noting:

- The High Court’s decision, spanning over 50 pages, offers a meticulous examination of the constitutional issues at stake. The judges, drawing upon a rich tapestry of constitutional principles and comparative jurisprudence, concluded that several aspects of the NG-CDF Act, 2015, were indeed unconstitutional.
- Central to their reasoning was the principle of separation of powers, a cornerstone of constitutional democracy eloquently articulated by Justice Jackton Ojwang in the landmark case of “Speaker of the Senate & another v Attorney-General & 4 others” [2013] eKLR, where he stated, “The Constitution of Kenya, 2010, just as much as the Constitution of any other country, is not to be perceived as an abstract concept, floating in the air as a piece of pure legitimacy-theory.”

## Introduction

The intersection of constitutional law and public finance management has long been a subject of intense scholarly debate and judicial scrutiny. As noted by eminent legal scholar Yash Ghai in his seminal work “Constitutionalism and the Challenge of Ethnic Diversity” (2000), “The allocation of public resources is not merely a technical exercise but a profound statement of a nation’s values and priorities.” This observation resonates profoundly with the recent High Court of Kenya’s judgment on the constitutionality of the National Government Constituency Development Fund (NG-CDF). The decision, represents a significant milestone in Kenya’s constitutional jurisprudence, particularly concerning the separation of powers, devolution, and the management of public finances. The judgement, while laudable in its affirmation of constitutional principles, raises complex questions about judicial pragmatism and the unintended consequences of well-intentioned legal interventions. As we delve into this analysis, it is imperative to consider the words of Justice Albie Sachs of the South African Constitutional Court, who posited in “The Strange Alchemy of Life and Law” (2009) that “Judges must remember that the authority of the courts is derived from the Constitution and the people... We are not a third chamber of Parliament, we are not a super-legislature.”

## Factual and Legal Background

The NG-CDF, established in 2003 and subsequently modified through various legislative iterations, has been a contentious feature of Kenya’s fiscal landscape for nearly two decades. The fund, designed to spur grassroots development by allocating resources directly to constituencies, has been both praised for its potential to address localized needs and criticized for its alleged contravention of constitutional principles. The legal challenge to the NG-CDF Act, 2015, was brought by a coalition of civil society organizations, including The Institute for Social Accountability (TISA) and the Centre for Enhancing Democracy and Good Governance (CEDGG). The petitioners contended that the NG-CDF violated the principles of separation of powers, the division of revenue between national and county governments, and public finance management as enshrined in the 2010 Constitution of Kenya. The case’s journey through the judicial system, culminating in this High Court decision, reflects the complex interplay between legislative intent, constitutional interpretation, and the evolving nature of Kenya’s devolved governance structure. The petitioners’ arguments centered on the fund’s alleged encroachment on the functional and fiscal autonomy of county governments, as well as its potential to undermine the oversight role of the

National Assembly. Conversely, the respondents, including the National Assembly and the Attorney General, defended the NG-CDF as a crucial instrument for equitable national development, arguing that it complemented rather than conflicted with the devolved system of government.

## The Court’s Reasoning and Key Findings

The High Court’s decision, spanning over 50 pages, offers a meticulous examination of the constitutional issues at stake. The judges, drawing upon a rich tapestry of constitutional principles and comparative jurisprudence, concluded that several aspects of the NG-CDF Act, 2015, were indeed unconstitutional. Central to their reasoning was the principle of separation of powers, a cornerstone of constitutional democracy eloquently articulated by Justice Jackton Ojwang in the landmark case of “Speaker of the Senate & another v Attorney-General & 4 others” [2013] eKLR, where he stated, “The Constitution of Kenya, 2010, just as much as the Constitution of any other country, is not to be perceived as an abstract concept, floating in the air as a piece of pure legitimacy-theory.” The High Court found that the involvement of Members of Parliament in the administration and management of the NG-CDF contravened this fundamental principle by blurring the lines between legislative and executive functions. This finding



## LETTERS TO THE EDITOR

### Practice Smartphone Free Time To Expand Your Thinking

We are in a new dawn: an era of technological advancements and social media connectivity. Many people have an access to a smartphone and they are directly connected to social media platforms. Bravo to the new technology!

However, as it has become the swag of this new era, we are becoming too much obsessed with phones than people. We want to chat on all platforms but we cannot maintain a face to face conversation. I hear some people make jokes that we even want to get orgasm from phones. This is a pity. The way we remain glued on our phones all day, every day is such a disturbing thing.

Critical thinking has been replaced by Google and people can no longer think for themselves. Small issues that require solid thinking cannot be done because of our patterned way of looking at things and as such, thinking in the modern world has to be jumpstarted by a Google engine, and more worse, the AI tools such as Chat GPT.

It is even unfortunate that an ordinary citizen of this country, the one who is so much affected with phones cannot stand and address a group of people. They cannot make a speech and sometimes, they even Google how they can interact with people. A colleague shared with me about a teacher on teaching practice who googled her first address on the assembly during introduction.

These engines are available to help us ease the tension of our lives but are not entirely to be relied on as the Alpha and omega. When we use our phones, they create algorithms, in which the more we like and share and subscribe, these algorithms create a kind of a tribal belonging to us and we cannot think beyond that tribe. It therefore seems unreal to us getting the possibility of something beyond that created tribe happening. As such, it is the machine that does our thinking and not us. People should learn to have focused think-

ing where they they put a problem in perspective and look for the solution as the problem exists contextually and not theoretically. This can only be achieved when much time and attention is directed towards that direction.

Scientists have agreed that over-exposure to blue light leads to health-related effects. It could be possible that this light also affects and damages our brain cells.

People should embrace spending time in nature, taking part in their passions, talents and community development activities to help boost their creativity and thinking, inspire ambitions, meditate on issues and enhance a kind of responsibility.

By **Enos Odera**  
*Social critic*



## OVERCOME PHONE ADDICTION

## Restoring Order In Nairobi: Governor Sakaja's Bold Stand Against Hawking And Ethnic Mobilization

By: **James Kilonzo Bwire**

Nairobi Governor Johnson Sakaja has recently made headlines with his decisive actions aimed at restoring order and dignity in the Central Business District (CBD). His announcement to eliminate hawking on city pavements marks a significant step toward reclaiming public spaces that have been increasingly encroached upon by informal trading practices. This initiative is not just about enforcing regulations; it reflects a broader commitment to enhancing safety, accessibility, and the overall image of Nairobi as a thriving metropolis.

Sakaja's directive, which he emphasized would be enforced immediately, addresses the pressing concerns of both hawkers and motorists. By removing hawkers from the streets, he aims to create a safer environment for all, allowing pedestrians to navigate the city without obstruction and enabling vehicles to park freely. This move is crucial in a city where urban order has been challenged by unregulated street vending, which often leads to congestion and safety hazards.

Moreover, Sakaja's stance against ethnic mobilization by certain leaders in Nairobi underscores his dedication to fostering unity and inclusiv-

ity within the diverse population of the city. He recognizes that divisive politics can undermine progress and cohesion, particularly in a metropolis where ethnic affiliations can easily polarize communities. By advocating for an approach that prioritizes the needs of all residents over tribal politics, Sakaja is positioning himself as a leader committed to the greater good of Nairobi.

The governor's emphasis on professionalism among enforcement officers further highlights his intent to restore public trust in local authorities. By ensuring that officers are uniformed and held accountable for their actions, he aims to enhance the credibility of city management and instill confidence among residents that their concerns are being taken seriously. This move is essential for rebuilding trust between the government and its citizens, particularly in a city where perceptions of corruption and inefficiency have long plagued public service.

As Nairobi continues to grow and evolve, Sakaja faces the challenge of balancing economic opportunities for informal traders with the necessity of maintaining an orderly urban environment. While hawking provides livelihoods for many, it is essential to find sustainable solutions that do not compromise public safety or accessi-

bility. Effective communication and collaboration with all stakeholders—hawkers, residents, and law enforcement—will be critical in achieving this balance.

In addition to addressing street vending issues, Sakaja's administration has launched various initiatives aimed at improving urban infrastructure and public health. The introduction of the Breathe Nairobi initiative, which focuses on combating air pollution, exemplifies his commitment to enhancing the quality of life for Nairobians. This initiative aligns with global efforts to promote cleaner air and healthier living conditions, further solidifying Sakaja's vision for a sustainable urban environment.

Furthermore, Sakaja's recent budget allocation of Sh43.6 billion for the fiscal year 2024/2025 demonstrates his administration's commitment to addressing pressing issues such as healthcare, education, and infrastructure development. With significant investments earmarked for affordable housing and public health programs like the School Feeding Programme, Sakaja is taking tangible steps toward improving living standards across Nairobi.

In conclusion, Governor Sakaja's proactive measures to restore order in Nairobi's CBD are a necessary step toward enhancing the city's



livability. By addressing both the practical issues of street vending and the divisive nature of ethnic politics, he is positioning Nairobi for a more unified and prosperous future. His leadership reflects a vision for an inclusive city where all residents can thrive, free from the constraints of disorderly conduct and divisive rhetoric. As these initiatives unfold, it will be essential for Sakaja to remain steadfast in his commitment to restoring dignity and order in Nairobi

while fostering an environment that encourages collaboration among its diverse populace. With continued focus on public welfare and sustainable development, Sakaja has the potential to make a lasting impact on Nairobi's trajectory as a world-class city.

*James Kilonzo Bwire is a Media and Communication Practitioner.*

# Uhuru Kenyatta's Cautionary Tale: A Reality Check On Ruto's Reign



By: Midmark Onsongo  
@themtkenyatimes



Former President Uhuru Kenyatta.

## Worth Noting:

- Tongue twisters abound as Ruto's allies take jabs at Gachagua, questioning his loyalty and intentions: "Can he keep his house in order, or will he lose his grip on the mountain?" In the age-old dance of Kenyan politics, this seems like déjà vu all over again—a clash not unlike that of Kenyatta and Ruto during the latter part of their Jubilee reign. With every public spat and absence at key state functions, Gachagua's rift with Ruto becomes a ticking time bomb.
- Not even the sharpest Kiswahili idioms can mask the mounting discord—"Vita vya panzi furaha ya kunguru" (When grasshoppers fight, it's the crow that rejoices)—a fitting analogy as rivals in the political arena circle, waiting to capitalize on the chaos.

William Ruto's ascent to Kenya's highest office was a masterclass in political maneuvering, but beneath the veneer of a dynamic leader lies a presidency marred by contentious decisions, personal rivalries, and a growing sense of déjà vu for his predecessor, Uhuru Kenyatta. The irony is palpable—Kenyatta's former deputy, once viewed as the underdog, now seems to be treading a path eerily reminiscent of his old boss. This unfolding drama is not just political theater; it's a cautionary tale that Kenyatta likely never envisioned would play out so soon.

Ruto, dubbed the "Hustler-in-Chief," built his campaign on the promise of uniting a divided nation and empowering the ordinary Kenyan. Yet, just two years into his presidency, the very essence of this pledge appears to be unravelling. With Rigathi Gachagua, his Deputy President, sidelined in favor of other regional power players, the cracks in the Kenya Kwanza alliance are glaring. Gachagua's ambition to secure the Mt. Kenya vote has not only distanced him from Ruto but also painted him as a leader who, like Ruto during the Jubilee years, is too eager to campaign for the next election rather than focus on governing.

Tongue twisters abound as Ruto's allies take jabs at Gachagua, questioning his loyalty and intentions: "Can he keep his house in order, or will he lose his grip on the mountain?" In the age-old dance of Kenyan politics, this seems like déjà vu all over again—a clash not unlike that of Kenyatta and Ruto during the latter part of their Jubilee reign. With every public spat and absence at key state functions, Gachagua's rift with Ruto becomes a ticking time bomb. Not even the sharpest Kiswahili idioms can mask the mounting discord—"Vita vya panzi furaha ya kunguru" (When grasshoppers fight,

it's the crow that rejoices)—a fitting analogy as rivals in the political arena circle, waiting to capitalize on the chaos.

Ruto's management style, reminiscent of a chess grandmaster who plots moves with the cool confidence of a tactician, is beginning to show its flaws. His frequent travel, which critics say borders on neglect of domestic affairs, has led some to accuse him of being disconnected from the very grassroots he vowed to uplift. "If the king travels too often, who minds the kingdom?"—a rhetorical query that echoes through the corridors of power as citizens grapple with economic hardships and unfulfilled promises.

But it's not just the friction with Gachagua that signals trouble. The president's public flirtations with Raila Odinga's ODM, despite years of bitter rivalry, signal a potential political realignment ahead of the 2027 elections. This move has bewildered both allies and adversaries alike. To many, it feels like a betrayal of the very Hustler narrative that propelled him to power. Ruto's apparent willingness to forge alliances with old foes while sidelining close allies like Gachagua paints a picture of a leader who is willing to burn bridges as quickly as he builds them. As political pundits often quip, "You can't dance on two wedding days at once" — Ruto's balancing act could very well see him stumbling at the altar of public opinion.

Meanwhile, Kenyatta, observing from the shadows, must find this unfolding saga bitterly ironic. The very deputy he once chastised for early campaigning is now mirroring those same mistakes in his leadership of the country. Gachagua's current plight echoes Ruto's own past grievances when he felt marginalized in the Jubilee administration. The lesson here is as sharp as it is simple:

power dynamics shift, but political treachery is a tale as old as time. Kenyatta's silence may speak volumes, a reminder that in the realm of power, today's kingmaker can easily become tomorrow's scapegoat.

The stakes are high as the nation watches Ruto navigate his presidency amidst economic turbulence, high inflation, and a debt crisis that continues to burden the common mwananchi. The president's economic policies, while ambitious, are facing the litmus test of public approval, and so far, the reviews are mixed at best. "When the cow stops giving milk, you change the pasture, not the cow"—a local proverb that seems increasingly relevant as Ruto's administration grapples with the harsh realities of governance. Furthermore, whispers of discontent from within his administration, accusations of sidelining certain regions, and a rising tide of criticism over unmet promises have fueled the narrative that Ruto's governance is a mirror image of his predecessor's, only with a different cast.

The former president's critique goes beyond mere words; it's a subtle, yet stinging reminder that leadership is not just about power, but also about listening—a rare quality in today's political cacophony. Uhuru's call for calm and dialogue strikes a chord in a country grappling with economic hardship, rising living costs, and a growing sense of disillusionment with the government. His message is not just a critique of Ruto, but a broader plea for the political class to reconnect with the realities of ordinary Kenyans. Uhuru's relationship with Ruto can be likened to a dance that lost its rhythm; once harmonious, it now stumbles awkwardly under the spotlight of public scrutiny. Ruto's bold, almost brash style of leadership, where the ends seem to justify the means, clashes violently with Uhuru's tempered call for patience and reflection. It's a political pas de deux where both partners are out of sync, stepping on each other's toes in a public display of discord.

The tension is not just personal; it reflects the broader socio-political landscape of Kenya today. Ruto, once the kingmaker in Uhuru's government, is now the king himself, but his throne is precarious, beset by public discontent and a turbulent economy. Uhuru's criticism isn't merely about taxes or policies—it's about the soul of leadership. It's about the narrative that power is a public trust, not a private playground, a tenet Ruto's administration seems to increasingly sidestep. Ruto's insistence on pushing his

agenda, often at the expense of public consensus, reveals a leadership style that prioritizes speed over substance. His refusal to yield to public pressure on the Finance Bill, coupled with his dismissive attitude towards peaceful protests, paints him as a leader at odds with his people. This, in stark contrast to Uhuru's more conciliatory tone, underscores the philosophical divide between the two: one sees leadership as command, the other as conversation.

The struggle between Uhuru and Ruto is not just a political rivalry; it's a contest of visions for Kenya's future. Ruto's push for rapid change and economic restructuring might resonate with some, but it also alienates those who feel unheard in his race to reform. Uhuru's call for dialogue and understanding, meanwhile, appeals to a nostalgic view of governance where leaders, at least in theory, answer to the people. In this clash, the stakes are high. The tongue twisters tighter with every headline: Ruto rattles, Uhuru reflects, Kenya writhes. It's a battle that goes beyond personal grievances, touching on the fundamental question of what kind of leadership Kenya needs in these trying times. Uhuru's reality check on Ruto is not just a critique; it's a cautionary tale of the dangers of disconnect between the rulers and the ruled.

The rhetoric is rich with alliteration and irony: a former president preaching patience to a leader in a hurry, a call for listening from a voice once accused of silence. The contradictions swirl like a rhetorical rollercoaster, each turn sharper than the last. Ruto's administration faces a reality where power without purpose becomes perilous, and Uhuru's reminders echo like ghostly guides from a governance gone by. As Kenya watches this unfolding saga, the question lingers: will Ruto's relentless pace propel the country forward, or drive it into deeper division? And will Uhuru's appeals for dialogue and restraint resonate in a political climate increasingly defined by speed over strategy? In this dance of discord, only time will tell whose steps will ultimately shape the nation's path.

For now, the stage is set, the actors are in motion, and the plot thickens. Uhuru's reality about Ruto's behavior is a reflection of the broader crossroads Kenya faces—a nation pulled between the impulse to act

# Uhuru Kenyatta's Cautionary Tale: A Reality Check On Ruto's Reign

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swiftly and the wisdom to pause and listen. The tongue twisters continue, the stylistic devices dance, and the narrative unfolds: a story of power, politics, and the ever-evolving reality of Kenyan leadership. Uhuru's reality about Ruto's behavior is one marked by sharp observations and cautious criticisms, especially in the wake of rising tensions fueled by anti-tax protests and controversial policies. Uhuru, speaking from the sidelines, does not mince words—he urges the current leadership to “listen to the people” instead of

bulldozing through dissent. It's a call steeped in irony, as Uhuru himself was often accused of selective hearing during his tenure. Yet, in the game of politics, yesterday's silence can become today's sermon.

Ruto's approach is akin to a runaway train, speeding through reforms and directives, often with little regard for the cautious brakes of public sentiment. His unapologetic stance on the Finance Bill 2024, which has sparked outrage due to perceived burdensome taxes, is a case in point. Labeling protests as “treasonous,” Ruto dismisses the very essence of democracy that Uhuru now champions from his

perch of former power. It's a jarring tongue twister of tyranny trying to taste the fruits of transformation: Ruto rushes, Uhuru urges, reality twists, and truth tortures the nation. Ruto's mantra is simple: get things done, no matter the cost. His public appearances brim with charisma and a dash of defiance, painting him as a leader unbothered by the whispers of discontent. But behind the scenes, the former allies' rivalry is as palpable as a Shakespearean tragedy—each move, a strategic thrust in the long duel of Kenyan political drama. Ruto's recent clashes with his own deputy, Rigathi Gachagua, who oddly sought reconciliation

with the Kenyattas, further highlight a brewing storm within the corridors of power.

The former president's critique goes beyond mere words; it's a subtle, yet stinging reminder that leadership is not just about power, but also about listening—a rare quality in today's political cacophony. Uhuru's call for calm and dialogue strikes a chord in a country grappling with economic hardship, rising living costs, and a growing sense of disillusionment with the government. His message is not just a critique of Ruto, but a broader plea for the political class to reconnect with the realities of ordinary Kenyans.

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*This article was scripted by: MIDMARK ONSONGO (Sustainable economist, Geopolitics strategist)*

# Constitutional Conundrums: Judicial Pragmatism And The Paradox Of Prolonged Unconstitutionality In Kenya's NG-CDF Judgement

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## The Paradox of Suspended Declarations of Unconstitutionality

Despite the Court's unequivocal finding of unconstitutionality, the judgment takes an unexpected turn by suspending the declaration of invalidity till 30th June 2025 (for Justice Mugure) and 30th June 2026 (for the Majority decision). This decision, while seemingly pragmatic, raises profound questions about the nature of constitutional supremacy and the role of the judiciary in enforcing constitutional norms. The practice of suspending declarations of unconstitutionality, while not unprecedented, has been the subject of intense scholarly debate. As noted by Mark Tushnet in “Weak Courts, Strong Rights: Judicial Review and Social Welfare Rights in Comparative Constitutional Law” (2008), such suspensions can “create a temporal space in which unconstitutional laws continue to operate, potentially undermining the very constitutional order courts are meant to protect.” The High Court's justification for this suspension, citing the need to avoid a legal vacuum and allow for legislative rectification, echoes similar reasoning in cases like “Attorney General v Dickson Munene & 9 others” [2019] eKLR. However, this approach raises critical questions about the immediacy of constitutional remedies and the court's role in bal-

ancing legal principle with practical governance considerations.

The suspension of the declaration of unconstitutionality in this case is particularly problematic given the nature of the constitutional violations identified. As argued by Richard Albert in “Constitutional Amendments: Making, Breaking, and Changing Constitutions” (2019), “When courts identify fundamental breaches of constitutional architecture, immediate remediation should be the norm, not the exception.” The Court's decision to allow the continued operation of an unconstitutional framework, albeit temporarily, could be seen as an inadvertent endorsement of constitutional infringement. This approach stands in stark contrast to the more robust stance taken by the Constitutional Court of South Africa in cases like “Executive Council of the Western Cape Legislature and Others v President of the Republic of South Africa and Others” [1995] ZACC 8, where the court emphasized the need for immediate cessation of unconstitutional practices, even in the face of potential administrative challenges.

The paradox created by this suspension is further compounded by the Court's simultaneous issuance of conservatory orders restricting the further disbursement of funds under the NG-CDF Act. This juxtaposition of suspending the declaration while also limiting the Act's operation creates a legal limbo that could potentially exacerbate rather than alleviate the constitutional crisis. As noted by

Jill Cottrell and Yash Ghai in “The Role of the Courts in the Protection of Economic, Social and Cultural Rights” (2004), “Judicial remedies in constitutional cases must be clear, consistent, and capable of immediate implementation to maintain the integrity of the constitutional order.”

## Implications for Constitutional Interpretation and Judicial Role

The NG-CDF judgment, while significant in its affirmation of constitutional principles, raises important questions about the evolving role of the judiciary in Kenya's constitutional democracy. The Court's approach reflects a tension between what Rosalind Dixon and Tom Ginsburg term “engaged minimalism” in their work “Comparative Constitutional Law in Latin America” (2017) and a more activist judicial posture. On one hand, the Court's detailed analysis and clear findings on unconstitutionality demonstrate a commitment to robust constitutional review. On the other, the suspension of the declaration suggests a reluctance to fully embrace the consequences of such a review.

This tension speaks to broader debates about judicial restraint and activism in constitutional adjudication. As argued by Theunis Roux in “The Politico-Legal Dynamics of Judicial Review: A Comparative Analysis” (2018), “Courts in young democracies often find themselves navigating treacherous waters between principled decision-making and pragmatic

consideration of political realities.” The High Court's decision in the NG-CDF case exemplifies this navigation, attempting to balance constitutional fidelity with concerns about governance continuity and legislative prerogatives.

However, the Court's approach also risks undermining the very constitutional principles it seeks to uphold. By allowing an unconstitutional mechanism to persist, even temporarily, the judgment may inadvertently weaken the normative force of constitutional supremacy. This concern is eloquently articulated by former Chief Justice Willy Mutunga in his dissenting opinion in “Communications Commission of Kenya & 5 others v Royal Media Services Limited & 5 others” [2014] eKLR, where he warns against judicial decisions that “create a penumbra of constitutional uncertainty.”

## Conclusion

The High Court's judgment on the NG-CDF represents a significant milestone in Kenya's constitutional jurisprudence, offering a nuanced examination of the interplay between development initiatives, devolution, and constitutional governance. While the Court's analysis of the fund's unconstitutionality is commendable for its depth and clarity, the decision to suspend the declaration of invalidity introduces a problematic element of constitutional ambiguity. This approach, while perhaps motivated by pragmatic considerations, risks set-

ting a precedent that could erode the immediate enforceability of constitutional norms.

As Kenya continues to grapple with the complex challenges of implementing its 2010 Constitution, decisions like the NG-CDF judgment serve as critical points of reflection on the role of the judiciary in shaping constitutional democracy. The tension between legal principle and governance practicalities evident in this case underscores the need for ongoing scholarly and public debate on the nature of constitutional remedies and the limits of judicial discretion. As we move forward, it is imperative that courts, legislators, and citizens alike remain vigilant in upholding the supremacy of the constitution, even when doing so requires difficult transitions in governance structures.

In the words of Justice Albie Sachs, “The Constitution is not simply a structure of government, it is a commitment to values.” The challenge for Kenya's judiciary, as exemplified by the NG-CDF case, is to ensure that this commitment is honored not just in principle, but in the immediate and tangible realities of governance and public resource allocation. Only through such unwavering commitment can the transformative potential of Kenya's constitutional order be fully realized.

*The writer is a legal researcher and lawyer.*

# SPORTS NEWS

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**Sports >>** \*The eagerly anticipated Football Kenya Federation (FKF) polls will be concluded by December 15, the newly inaugurated Electoral Board has announced

## FKF Elections To Be Concluded By December 15, Says Board Chair



The five member FKF Electoral Board (left to right): Dan Mule, Marceline Sande, Hesbon Owilla, James Waindi and Alfred Ng'ang'a. PHOTO/Raymond Makhaya

The eagerly anticipated Football Kenya Federation (FKF) polls will be concluded by December 15, the newly inaugurated Electoral Board has announced, adding it will release the road map in the next three days.

The Board, formulated and approved at the FKF Special General Meeting last month, was unveiled yesterday, and will be chaired by University Professor Hesbon Owilla.

"In the next three days, we will have everything ready and give a detailed road map to the election including timelines. We have to deliver elections before the end of the year and our projection is that before mid-December, we will be done with the elections. Hopefully there will be nothing to distract us from these timelines," Owilla said, speaking Monday morning.

The polls, initially set to be held early in the year, were finally

okayed after the SGM, and the board has promised to deliver a fair and credible process.

The board will also include former AFC Leopards chairman Dan Mule, lawyer Marceline Sande who will also be the Secretary, journalist James Waindi and Alfred Ng'ang'a.

"The five of us are united in one common goal, to deliver not only free, fair and transparent elections, but a credible and reliable process. This is very key for us. You can count on us to deliver," Owilla added.

The elections are expected to be competitive, with several figures having already declared their interest. Extreme Sports CEO Mohammed Hussein, former Kenyan Premier League CEO Jack Oguda, ex Kenyan international Sammy 'Kempes' Owino and Gor Mahia Secretary General Sam Ochola have already declared their interest.



FKF Electoral Board chairman Hesbon Owilla. PHOTO/Raymond Makhaya.

Incumbent Nick Mwendwa is expected to run for another term, though he is yet to declare officially his candidature.

*Capital Sport*

GET THE BEST OF WORLD

**Sports >>>** \*Manchester City forward Bernardo Silva said only one team came to play football in their 2-2 Premier League draw with Arsenal, who were accused of employing "dark arts" at Etihad Stadium.

## Man City Players Accuse Arsenal Of 'Dark Arts' As Arteta Hails 'Miracle'

Manchester City forward Bernardo Silva said only one team came to play football in their 2-2 Premier League draw with Arsenal, who were accused of employing "dark arts" at Etihad Stadium.

But Gunners manager Mikel Arteta claimed it was "a miracle" his side came so close to victory after playing the second half with 10 men.

John Stones' 98th-minute equaliser denied Arsenal what would have been a huge victory over the defending champions.

After winger Leandro Trossard was controversially sent off in first-half injury time, the Gunners had just 12.5% of possession in the second half.

City had 28 shots in the second period – a number eclipsed only by the momentous 'Aguero' title-winning second half against QPR in 2012.

"There was only one team that came to play football," Silva told TNT Sports Brazil. "The other came to play to the limits of what was possible to do and allowed by the referee, unfortunately.

"I'm glad we always enter the pitch to try to win every match."

Arsenal were seconds away from becoming the first away team to win at the Etihad since Brentford in November 2022 – and move top of the Premier League – before Stones snatched a point that instead returned City to the summit.

### A miracle with 10 men at the Etihad

"It is a miracle we played 56 minutes at the Etihad with 10 men," said Arteta. "It's unbelievable what we have done."

Asked if his side would have won had Trossard stayed on the pitch, Arteta said: "I have no clue. We would have tried for sure. But what I can tell you is 99 out of 100 times if you play 56 minutes against this team with 10 men, you're going to lose and you're going to lose by a lot of goals."

That Arsenal conceded so late given fourth official Andy Madley



Arsenal players confront the referee during their game against Man City. PHOTO/Irish Times.

had signalled there would be seven minutes of stoppage time just added to Arteta's frustration.

He said he was happy to let others draw their own conclusions on Trossard's red card.

The incident came just a week after Gunners midfielder Declan Rice served a one-match ban for getting a second yellow for kicking the ball away.

Trossard, having already been booked, barged Silva in the back, then kicked the ball away. The Premier League confirmed he was shown a second yellow for the latter offence by referee Michael Oliver.

Arsenal fans were quick to seize on City winger Jeremy Doku doing what they felt was the same thing earlier in the game and escaping without sanction.

But there did appear to be a fundamental difference in that Doku was kicking the ball into the general area in which Oliver wanted Arsenal to take their free-kick.

"I've seen it and it's that obvious so I'll leave it to you guys," said Arteta.

When it was pointed out kicking the ball away is a yellow-card offence, Arteta said: "I prefer not to comment. You analyse the situation and how long it takes."

Arteta refused to comment when he was quizzed about perceived time-wasting tactics, which were

the reason for game continuing longer than anticipated.

### Stones says Arsenal deliberately slowed the game down

However, speaking to BBC Match of the Day, City defender Stones was critical of Arsenal's approach.

"They slow the game down," he said. "They get the keeper on the floor so they can get some information on to the pitch. We had to control our emotions during those tough times.

"I wouldn't say they have mastered it but they have done it for a few years now so we knew to expect that. You can call it clever or dirty, whichever way you want to put it, but they break up the game which upsets the rhythm.

"They use it to their advantage and we dealt with it very well."

City captain Kyle Walker said on BBC Radio 5 Live: "As a football match, it is a great spectacle for the Premier League. Probably not so much certain stuff – I think it's part and parcel of the game and we'll say the dark arts.

"I think as a Manchester City fan or player, you are obviously frustrated. As an Arsenal manager, he is going to say well played and well managed."

After Erling Haaland gave City the lead, the hosts were upset at the build-up to Riccardo Cala-

fiori's equaliser. Arsenal were allowed to take a quick free-kick by referee Oliver as Walker was returning to his position after being summoned for a chat along with opposite number Bukayo Saka.

Manager Pep Guardiola kicked his chair in the City dugout in frustration and made his feelings known to fourth official Madley both at the time and the end of the game.

And, while he acknowledged his side should have taken control of the situation by shuffling their remaining defenders across the pitch to fill the space and standing over the ball to prevent a quick free-kick, he also said in future he would tell Walker not to go to the referee if such a situation occurred and ask the official to go to him.

### City lose Rodri to injury

City earlier lost midfielder Rodri to injury 21 minutes into the game when he appeared to twist his knee while tangling with Arsenal's Thomas Partey.

Rodri also went down following a collision with Kai Havertz in the opening seconds, but that was not deemed punishable by the video assistant referee (VAR).

BBC

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# SPORTS AS THEY HAPPEN



# Advocating For Inclusivity: A Spotlight On The ‘Sign Language Rights ‘Initiative

By: Daisy Moraa  
@themkenyatimes

As the International Deaf Awareness Week came to a close, the spirit of inclusivity and advocacy echoed throughout Rongo town, Migori County. The successful “Sign Up for Sign Language Rights” initiative, held at Kuja Primary School for the Deaf, marked a significant moment in the efforts to raise awareness about sign language and ensure the deaf community’s rights in Kenya are recognized and respected.

Spearheaded by Free a Girls World Network in collaboration with Community-Based Inclusive Development (CBID) and other organizations, the initiative showcased a dynamic approach to fostering understanding and promoting a more inclusive society. The event aimed not only to empower the deaf community but also to bridge the communication gap between deaf individuals and the hearing community by advocating for the widespread learning and use of Kenyan Sign Language (KSL).

The ability to communicate is fundamental to human interaction, and for the deaf community, sign language is a vital tool that enables expression and full participation in everyday activities. However, a lack of awareness about sign language rights and the difficulties deaf individuals face in accessing essential services such as education, healthcare, and employment continue to be major barriers to inclusivity. This initiative addressed these challenges by uniting educators, volunteers, non-governmental organizations, and community members, all of whom were committed to emphasizing the importance of sign language in achieving equal opportunities for the deaf.

Kuja Primary School for the Deaf, a long-standing beacon of hope for deaf children in the region, was an ideal venue for this event. The school has consistently worked to provide quality education while equipping its students with the skills necessary to succeed in a world that often overlooks their unique needs. Throughout the week-long initiative, the school became a center for various activities, including workshops, interactive sessions, and sign language lessons, all aimed at raising awareness about deaf culture. Participants had the opportunity to engage directly with deaf students, educators, and advocates, gaining insight into the challenges faced by the community and the critical role that sign language plays in fostering



Sign Up for Sign Language Rights initiative, held at Kuja Primary School for the Deaf

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a more inclusive environment.

One of the event’s standout features was the active involvement of Rongo University’s Rongo Writers Club. This group of passionate students, through their dedicated media team, played a vital role in covering the event and amplifying its message to a wider audience. Their presence added a professional touch to the event’s documentation, while also demonstrating the importance of youth involvement in advocacy efforts. By capturing stories of resilience and determination from the deaf community, conducting interviews, and sharing the lessons learned throughout the week, the Rongo Writers Club ensured that the message of inclusivity extended beyond the event’s borders, reaching people both locally and nationally.

The initiative was packed with meaningful activities, with one of the highlights being a series of workshops designed to teach participants the basics of Kenyan Sign Language. Led by skilled interpreters, these sessions offered educators, parents, and community members a hands-on opportunity to learn the language while also gaining a deeper appreciation for the patience, empathy, and understanding needed to communicate effectively with deaf individuals. In addition, panel discussions featuring deaf advocates allowed participants to hear personal stories and gain a more profound understanding of the everyday challenges the deaf community faces in

accessing essential services.

Volunteers played a central role in ensuring the event’s success, demonstrating extraordinary dedication and commitment to the cause. From managing workshops to coordinating logistics, these individuals worked tirelessly to make sure the initiative ran smoothly. Their enthusiasm for advocating for deaf rights was inspiring, and their contributions were essential in creating a welcoming and productive environment for all involved.

The event also attracted a diverse range of participants, including students, local government officials, and representatives from various organizations. Their collective involvement demonstrated a growing recognition of the importance of advocating for the rights of the deaf community and fostering inclusivity within society. Together, these individuals helped create a space that not only celebrated sign language but also advocated for its widespread acceptance and use in everyday interactions.

While the “Sign Up for Sign Language Rights” initiative was undoubtedly a success, it also served as a reminder that the journey toward full inclusivity for the deaf community is ongoing. As the event concluded, there was a call to action for all participants to continue advocating for the rights of the deaf and to promote the use of sign language in their daily lives. This message of continued advocacy is essential,

as true inclusivity will require sustained efforts from not only the deaf community but also from policymakers, educational institutions, and the general public.

Looking to the future, it is clear that initiatives like this must continue, with even greater support from government bodies, the private sector, and civil society organizations. The deaf community deserves equal access to opportunities, and the best way to achieve that goal is through advocacy, policy reform, and a societal shift toward embracing inclusivity.

In reflecting on the success of the “Sign Up for Sign Language Rights” initiative, it becomes clear that this event was more than just an awareness campaign. It was a celebration of the deaf community’s resilience and a powerful reminder of the importance of inclusivity. Thanks to the tireless efforts of the organizers, volunteers, and participants, the event succeeded in raising awareness, fostering greater understanding, and advocating for equal rights for the deaf.

As we move forward, the words of one of the deaf advocates from the event should resonate with us all: “Sign language is not just for the deaf; it is for everyone.” Let this message inspire us to continue advocating for the deaf community and to promote inclusivity in all aspects of society for years to come.