

Leaders from across the entire spectrum of our Nation,

Members of the Diplomatic Corps,

Ladies and Gentlemen,

Fellow Kenyans,

Happy Jamhuri Day!

Today, we commemorate 57 years of our independence and nationhood as a People.

On this day, in 1963; the Union Jack of Britain came down and we hoisted our beautiful National Flag. On the same day in 1964, the Dominion of [Kenya](#) became an independent Republic. And that same night, the British Governor of Kenya departed from our land, marking the end of 78 years of colonial rule. On that memorable day, the journey to create, build and nurture a nation commenced.

As we celebrate our independence day today, we must also pay allegiance to the two symbols of our nationhood. Both our National Anthem and the National Flag were gifted to us by the Founding Fathers as representations of our nationhood.

The National Anthem was composed from a Pokomo lullaby as a prayer by an expectant nation; a celebration of the fertility of our land; and a call to action whenever anything Kenyan is threatened. And this is why each time the nation gathers, our opening act is always the singing of this beautiful anthem.

On its part, the National Flag is a symbol of our national wounds and the scars we bear from the struggle we started 100 years ago in the 1920s.

It is a picture of the battles we fought; those we won and those we lost. It is a picture of the dreams our Founding Fathers held dear and the price they had to pay for us to realize them.

Let the record reflect, therefore, that our National Flag is not just a piece of cloth decorated with ink; or a sentimental display of colours without history. Our National Flag is, indeed, a historical record of our nationhood, its origins and the aspirations of our Founding Fathers.

Each time we salute and pay allegiance to the Black Band of our flag, we must do it as a mark of our dignity. Indeed, the struggle for independence was primarily a struggle for dignity. And dignity was not about skin colour; it was about a state of mind.

In their documented memoirs, our Founding Fathers did not define 'blackness' in reference to skin colour. They defined 'blackness' as an attitude. An attitude that rejected the elevation of one race over another.

A state of mind that scorned at the thought that one human being could be termed better than the other because of race, class or gender. And this is the mantra of blackness that defines us as a people to-date; unifying us in our ethnic, racial, religious and cultural diversity.

We also pay homage to the Red Band of our National Flag. It symbolizes the boldness of those who stepped into the arena, did a duty to country, and paid the ultimate price. Today, we salute and acclaim those Heroes of our liberation that died to give us this Jamhuri Day.

Similarly, we salute and hail our fallen Heroes in the defence and security forces who have paid the ultimate price in order to preserve our peace, sovereignty and way of life.

May the God of all creation bless the departed souls of all our Heroes. May He give their families and descendants comfort and pride, knowing that the sacrifices they made are a badge of honour in the making of our nationhood.

We salute and pay allegiance to the Green Band of our National Flag. It is a prayer made by our Founding Fathers; that the future of our nation will always have plenty within its borders. And that at all times, Kenya will be a bountiful, fruitful and fertile nation.

But fundamentally, the Green Band on our flag is an instruction from our Founding Fathers for each generation to hold in trust the bounties of our nation and to leave a just inheritance for our children and their children.

On this day, we also salute and pay homage to the two Bands of White on our National Flag. They are the glue that holds all the other bands together, symbolizing our unity and oneness. They remind us that, although we are 44 separate nations, we are one people; a rainbow nation of many colours.

The two Bands of White on our National Flag are therefore a symbol of our nationhood. They remind us that whenever we hoist the National Flag, we must not see the Flag; we must only see the nation of many colours.

But our National Flag has one more image: a shield and two spears mounted in the middle. It is a symbol that instructs us to stand firm and defend our Homeland of Kenya, the “Heritage of Splendor”, against any threats internally and externally.

Fellow Kenyans,

Today, the day we hoisted our independence flag 57 years ago, we are called upon to reflect on the extent to which we have delivered on the dreams and aspirations of our Founding Fathers.

They taught us that our nation is not a finished work; it will always be a work in progress. And our nationhood is not a static idea frozen in time. It is an evolving project that needs constant re-engineering. Every so often, we are called to re-imagine it and adjust it to a higher ideal.

To do this, we cannot be comfortable with the allure of the status quo. If, indeed, our nationhood is good, we must strive to make it better. And when it gets better, our children must not rest until they move it from better to best.

The making of our nation is not a destination; it is a journey. Each generation must travel this journey and leave Kenya better than they found it. And our Founding Fathers taught us this by example.

In 1965, the independence government led by Mzee Jomo Kenyatta put its dreams on paper. They called it Sessional Paper No. 10 on “African Socialism and its Application to Planning in Kenya”. This blueprint inspired Sessional Paper No. 1 of 1986 on “Economic Management for Renewed Growth” under Mzee Daniel arap Moi.

In June 2003, Mzee Mwai Kibaki improved on the previous development blueprints and came up with a national strategy paper known as Economic Recovery Strategy for Wealth and Employment Creation. This strategy was transitional running between 2003 and 2007. And on 10th June, 2008, it gave birth to the Vision 2030.

Each generation of leaders in this process understood that Kenya was a work in progress. They built and improved on the platforms left by the previous leader. They had to make better what others had done.

And this is the logic behind the Big Four. It is not a project; it is a process. It is a framework, which I have used to organize the delivery of Government services in order to improve on what previous Presidents did.

And as I explained during my State of the Nation Address on 12th November, 2020, the Big Four builds on the intentions of previous administrations. It singles out the intents that run through our history, and are relevant today. It focuses on four intents of our liberation struggle and the aspirations of our Founding Fathers.

The first one is liberating our people from the poverty of dignity caused by inadequate services. The second is transitioning our people, especially the youth, from being ‘earners of wages’ to ‘owners of capital’ no matter how rudimentary. And this is why I am investing in the *Boda Boda* movement whose plan is to build capital through a ritual of daily savings they have called *Kidogo Kidogo*. The third is jump-starting the shift from being a country of net consumption to one of net production. And the fourth is building a holistic base of human capital that is food secure and health assured.

On liberating our people from the poverty of dignity and making them health assured, a good example is the work of the Nairobi Metropolitan Services. During one of my inspection visit to Mukuru kwa Reuben, an informal settlement in Nairobi, I was saddened to learn that 500,000 people were being served by a private health facility, which had only eight maternity beds.

A woman giving birth in this facility cannot be admitted for more than two hours. In fact, after giving birth, she has to get out in one or two hours in order to give way for other patients. The only time she can stay for a day is if she has complications and cannot be transferred immediately to a better facility. If this is not poverty of dignity, what is it?

To resolve this embarrassment, I instructed the Nairobi Metropolitan Services to build 24 level two and three hospitals in the informal settlements. I note with satisfaction that NMS is on course to deliver the facilities by end of January, 2021. The idea is to take health services as close to the people as is possible. And with the completion of the 24 new hospitals, we will have increased the bed capacity in Nairobi’s informal settlements by 280.

But nationally, and as I said during my 24th September, 2020 Address to the Nation on COVID-19, we have done more. When we were afflicted by the COVID-19 pandemic in March this year, we had only 8 infectious diseases ICU beds countrywide. Seven days after the first

COVID case was discovered, we were able to increase this bed capacity to 60. Today, we have 827 infectious diseases ICU beds up from 8 beds in March this year.

During my Twelfth Address on Coronavirus Pandemic on 24th September, 2020, we had 7,411 isolation beds nationally. And this was achieved in only six months. But three months later, in December, 2020, this number has tripled and now stands at 20,910 isolation beds. These achievements cannot be gainsaid.

In fact, in a very short period, we have installed medical equipment never seen in this country since independence. And by March 2021, once the K.U. Hospital's Integrated Molecular Imaging Centre is completed, there will no longer be need for any Kenyan to travel abroad in search of specialized Cancer Treatment. Our capacity will handle most medical conditions treated abroad.

Coupled with the expanded county healthcare infrastructure, we intend to use our new capacity to promote medical tourism from neighbouring countries, and to roll out Universal Healthcare under the Big Four Programme.

Although we have some challenges in the health sector, we must remember that our endeavours are a work in progress. Building a robust healthcare infrastructure at the county level has to go hand in hand with protecting our health workers as well. And my Government is working on it.

I will never tire of thanking our healthcare workers for their dedication and selflessness, amid the greatest public health challenge of the modern era. Their professionalism, excellence, unflinching commitment to their sacred oath and their sacrifices, must be reciprocated by Kenyans acting responsibly amid the COVID-19 Pandemic.

On creating a robust population of 'Owners of Capital' who are more than the 'Earners of Wages', my Administration has made its attempts, especially during the COVID-19 crisis.

We began by cushioning small-scale businesses through fiscal and monetary policy measures. These include the implementation of the Eight Point Economic Stimulus Programme of KSh. 56.6 billion. I unveiled this as part of the national response to the COVID-19 Pandemic. And, together with other fiscal policy measures, it has mitigated the adverse economic effects of the pandemic on businesses.

These interventions bolstered purchasing power and increased earnings. Similarly, businesses were saved by our reduction of the corporate tax rate; incentivizing them to retain their staff establishment. But fundamentally, these fiscal measures, coupled with monetary policy measures have had a positive impact on businesses in many ways.

Lowering of Central Bank rate from 8.25% to 7.0% has made credit easily available to businesses. And, the lowering of the cash reserve ratio from 5.25% to 4.25% has provided extra liquidity to the banking sector. This has availed liquidity to the tune of KSh. 35 billion, further enhancing greater access to credit.

The dividends of these monetary policy interventions are manifest in the general reduction in the cost of credit, which now stands at its lowest rate at 11.7% compared to 1980 when it was 12%, shuttering a forty-year record.

Further, my Administration recognizes the significant contributions made by micro, small and medium-sized businesses enterprises towards our economy; with the sector accounting for nearly 80% of our country's employment and output.

It is, however, evident that lack of adequate and affordable credit is a significant encumbrance for MSMEs. Due to their inability to raise collateral, it has been difficult for these enterprises to expand and realize their full potential.

Aware of this fact, and working together with our commercial banks, the Government has established a KSh. 100 Billion Credit Guarantee Scheme to provide partial mitigation of the default risks associated with micro, small and medium-sized business enterprises. The aim of this initiative is to enable these business enterprises access affordable credit and protect the jobs they have created.

To share in the benefits of the shared risk between the Government and the participating banks, I urge the partnering financial institutions to levy interest at single digit on all facilities extended to Micro, Small and Medium Enterprises under the Credit Guarantee Scheme.

Additionally, and to make it easier for our micro and small traders to engage in international trade, we have established a dedicated Transit Shed at the Kenya Railways, Nairobi; dedicated as the clearing point for cargo imported specifically by micro and small traders. This will not only eliminate delays in clearing of goods which lead to higher costs, but will also allow easier push to market as well as joint importations. With these interventions, micro and small traders will realize higher turnovers and have an even greater opportunity to thrive and expand.

Fellow Kenyans,

Being mindful of the benefits of devolution to our people, my Administration has strived to empower the county governments. Indeed, since the dawn of devolution in 2013, over KSh. 2.1 trillion has been disbursed to the county Governments in form of equitable share from revenues raised nationally, conditional allocations from the National Government share of revenue, as well as from proceeds of loans and grants from development partners. All these interventions have not only strengthened devolution, but also served to build local business enterprises.

Regarding the Big Four aspiration of shifting Kenya from a net consumer to a net producer as aspired by our Founding Fathers, we have made some good progress.

To ensure that Kenyan exports continue to have access to the foreign markets, as a Government, we have successfully concluded negotiations for an Economic Partnership Agreement with United Kingdom that will secure long-term duty free and quota-free access to the UK for our products.

To expand the frontiers and opportunities for our people, negotiations are also underway for a Free Trade Agreement with the United State of America. Once concluded, that Free Trade Agreement will be the first between US and a country in Sub-Saharan Africa. And, as testament that this is a shift in a profitable direction, earnings from Tea from January 2020 to October 2020 placed Kenya as the 3rd largest tea producer in the world. As we seek to diversify our agricultural portfolio, we have also supported new cash crops such as avocado; where we are now the 7th largest producer globally and the top country on the continent.

But, we cannot achieve all of this if we do not have a holistic base of human capital. You cannot build a nation without building its people first. A holistic nation is one that is secure in its basic needs. Food security, safe drinking water, decent housing and quality education are basic needs that are also critical planks of the Big Four.

On food security, the country is inching slowly towards sufficiency. As of this year, maize production is projected to rise by 12.7% while that of potatoes is projected to go up by 19.8%. Regarding safe drinking water, the record is even better. When we started the Nairobi Metropolitan Services, for instance, we learnt that each household in the informal settlements consumes an average of 80 litres of water per day at the average price of KSh. 40 per day. Water consumption alone represented about 10% of the daily earnings of the settlement dwellers.

Then, I instructed the Nairobi Metropolitan Services to sink 93 boreholes in 100 days so that we can provide free water to the settlement dwellers. The demand for this service pushed us to sink an extra 100 boreholes, bringing our total boreholes in the Nairobi Metropolitan area to 193.

These boreholes have a capacity to produce 41 million litres of water a day and are currently serving two million informal settlement dwellers with free water. Collectively, this saves them millions of shillings liberating their finances for better use. And this is how transformative the work of NMS has been to the residents of our nation's capital.

But nationally, we are on course to foster access to safe water and by 2021, the national water coverage will stand at 80% while sewerage coverage will be at 40%. In 2021, the area under irrigation will be 450,000 acres; significantly boosting our agricultural output.

Regarding land and housing, yesterday, I assented into law the Sectional Properties Bill, which seeks to deepen the reforms we are undertaking in the lands sector and thus improving the vibrancy of land as a factor of prosperity and development in Kenya.

By promoting sectional ownership, we are empowering more Kenyans to own homes by reducing the unit cost of housing, especially in our urban areas where land pressures are highest, further fueling a sector that continues to redefine the skyline of our cities and townships across the country.

On education as a critical plank of a holistic population, we have done a lot. But because of the challenges of COVID-19, we have been slowed down. And that is why the Ministry of Education, in consultation with the Ministry of Health, has developed sector-specific protocols and guidelines to facilitate the re-opening of all learning institutions.

We remain on course for the resumption of learning in all classes effective 4th January, 2021; with the safety of our young learners being our top priority. In that regard, and in line with the policy of the Government on universal and compulsory basic education for all children of up to 18 years, all parents and guardians are required to facilitate their children to resume learning in January 2021.

To ensure compliance with this directive, and to guarantee that no child is left behind, I hereby order and direct as follows:

- That the Ministry of Interior and Co-ordination of National Government shall, through all Chiefs and Assistant Chiefs, account for all children within the jurisdiction of those officers and also ensure that all children report back to school in January 2021;
- That the Ministry of Education shall receive reports from all primary and secondary schools in Kenya, regardless of the system of education they deliver, on the identity and details of any child or children who have not reported back to school as directed; and
- That the Ministry of Education shall re-issue and publicize the Education Policy on School Re-Entry; so as to facilitate the re-admission of all those who may not be able to report back due to pregnancy.

Fellow Kenyans,

I have spoken about our history and our nationhood; and, I have given an account of where we are today. But now, you must allow me to talk about the future. The future of any nation is built on its history. And, this is so because history is a faithful compass to the future. As one statesman said, "...the further backward we look, the further forward we are likely to see".

When the Founding Fathers put together our nation, they did it by entering into a nationalist covenant. This covenant was an unwritten understanding on what they believed to be good for Kenya.

It was a dream and a prayer; but above all, it was the embodiment of the spirit of the nation. It bound one to all and all to one. And, it demanded that all of us pay duty and allegiance to this informal agreement.

Then at Lancaster House, in the 1960s, this unwritten covenant between the 44 nations of Kenya was put on paper as our independence Constitution. But our Founding Fathers cautioned us that, what was put on paper was the Letter of the Constitution. It must never become more important than the Spirit behind the Constitution. They further emphasized that, the Spirit of our Constitution was Justice. And that Justice was also the Spirit of God. The guiding light for our nationhood must, therefore always remain the Spirit of Justice. And, when the Spirit behind our Constitution disagrees with the Letter used to write it, the Letter must be changed.

Our Founding Fathers believed that Kenya will become a great nation if we serve only the Spirit behind our Constitution. If we become prisoners to the unbending and time-bound Letter of the Constitution, we will invite discord and chaos in the midst of our nation. And this is because Kenyans are not made to serve the Constitution. The Constitution is made to serve Kenyans.

Fellow Kenyans,

If change is indeed inevitable at appointed intervals, how shall we discern the moments that call for change? How shall we know that our nationhood is in crisis and that the Letter of our Constitution is out of touch with the Spirit of our Nation?

We must go back to Lessons from Lancaster and use history as our compass. Our Founding Fathers taught us to discern such moments. They taught us that, you know you have a constitutional moment when the soul of the nation is constantly in turmoil. If there is national

‘instability’ every five years because of an election, this is a sign that the nation is on the edge of a new constitutional frontier.

If it takes an absurd 123 days to conduct an election or one-third of a year, like we did in 2017, this is a sign that the moment calls for change. If the country loses 1 trillion shillings during this 123 days of an election, or an equivalent of one-third of our national budget, this is a sign that a moment of reckoning is approaching.

And, if every five years we lose life and property, including our young ones, this a pointer to constitutional decay. It is a sign that the Letter of our Constitution has become rigid and is not in tandem with the deep-seated aspirations of our people.

My question to the nation is therefore this: What is wrong with trying to fix such anomalies? If Kenyans are not made to serve the Constitution; but the Constitution is made to serve Kenyans, why imprison ourselves with models that are not working? Why run an election for 123 days, with potential to have it extend to one year if the results are nullified repeatedly?

And why drain 1 trillion shillings in loses or an equivalent of one billion shillings every working hour electing a leader for 123 days?

Our Founding Fathers urged us to aspire for constitutions of hope and to reject constitutions of fear. A Constitution that elicits compliance by creating fear can only cause disturbance to the soul of the nation. And indeed, when we adopted the 2010 Constitution we were driven by fear.

Our national spirit had been wounded and we were afraid of repeating the 2007 post-election violence. But, in running away from one crisis, we created another. And, now is the moment to correct this and make a shift from a constitution of fear to a constitution of hope, a constitution that ensures our nation remains stable; and therefore, attractive to both local and foreign investors.

Fellow Kenyans,

BBI proposes amendments to our Constitution to give Kenyans hope for a better nation. It seeks to align the Spirit of our nation with the Letter of our Constitution so that obedience to the Letter of the Constitution is driven by hope and not fear. BBI intends to complete what we started when we adopted the 2010 Constitution and promised to change it later.

In fact, BBI is the driver to the First Amendment to the 2010 Constitution. And BBI is not a ‘one-size-fit-all’ that promises to settle all the constitutional questions through a singular amendment. It is a starting point to a continuous process of constitution-making for our young nation.

Even our Founding Fathers had to freeze certain thorny questions at independence, in the hope that subsequent constitution-making processes would resolve them.

Their logic then and my rationale today is that, a constitution is a living document; it cannot be rigid. And, to build our nationhood, we must embrace the ideal of a continuous process of constitution-making.



BBI will not resolve all our constitutional grievances of the day. It is just a First Amendment to the 2010 Constitution. It only attempts to make the 2010 Constitution better. And as we improve on it, we must remember that there will be a Second Amendment, a Third Amendment and many more as our young nation continues to grow.

We must therefore be guided by the Spirit of the First Amendment to the 2010 Constitution as we debate the BBI proposals. It is a discerning spirit that seeks to align our national aspirations with the Letter of the Constitution. And to be discerning, the Spirit of the First Amendment has to be a questioning one. The Spirit of the First Amendment is also a spirit of inclusion, co-creation and justice.

On the spirit of inclusion, it does not augur well for our nationhood to have two occupants at the apex of the Executive in the persons of the President and Deputy President. More so, in an ethnically diverse nation as ours, this creates an environment of 'political exclusion' resulting in the cyclic violence we have witnessed in every election.

But if we increase the positions at the apex of our Executive from two to five by introducing a Prime Minister and two Deputies, more communities will be accommodated at the apex. This was the Kofi Annan Consensus of February 2008 that gave us peace. And, if it worked then, it means there was something right about it.

And yes, five positions at the apex of the Executive means that some people will be left out. This is why BBI proposes to re-introduce the position of Leader of Official Opposition, that was so successful under the former constitutional order.

If the opposition carries a large portion of the country and the winner in an election carries another, isn't there a compelling national interest in giving official recognition to the opposition leader and supporting his office to form a shadow cabinet?

An expanded Executive and constitutional recognition of the opposition will reduce the notion of 'political scarcity' and the propensity for electoral violence every five years. Similarly, it will enhance the doctrine of a constitution of hope over a constitution of fear.

Fellow Kenyans,

The Spirit of the First Amendment is also a spirit of co-creation. And this is demonstrated by the system of devolution, which is one of the brilliant designs of the 2010 Constitution. The devolved system was engineered by the framers of our Constitution to be a system where the National Government co-creates solutions with county governments. And the fight against COVID-19 has demonstrated the power of this partnership.

The First Amendment, therefore, proposes to strengthen this model of co-creation by doing three things. One, increasing fund allocated to counties by the National Government from 15% to 35%. More money to the counties means more money to the people.

Two, creating a Ward Development Fund. And the intention here is to take development as close to the people as we can. But the third element of co-creation is probably the most compelling. We cannot co-create the devolved system if it is dominated by men. Devolution without women is like a seedless field where nothing grows. That is why the First Amendment proposes a 50:50 'shareholding' of Senate by men and women.

If 50% of Senate will be made of women, their contribution to a robust devolved system will be felt. This means that they will control half the Senate decisions, including how the upscaled 35% of national resources sent to the counties will be spent.

And, this is why we must ask the following question here: Who loses if women control 50% of the Senate, its resources and its decisions? Is strengthening devolution through a 50:50 co-creation formula between men and women good for country? Does this formula support a constitution of fear or does it create a constitution of hope?

Fellow Kenyans,

The Spirit of the First Amendment is also a spirit of justice. And by this I mean, justice in representation and justice under the law. Justice in representation is also about inclusion. Every Kenyan must have a just and fair avenue for participation in the actions of government. This is not a luxury; it is at the core of our democratic ethos. And that is why the First Amendment proposes an alignment in our representation model to ensure that everyone is accommodated justly.

Justice under the law is about the Judiciary as the third Arm of Government. To ensure that the will of justice spins fairly for all, and to reduce the distance between the disadvantaged and the law, the Judiciary must be subjected to the will of the people. It must have an oversight body that is a direct expression of the spirit of the nation.

If the Executive and Parliament, which are Arms of Government, are a direct expression of the will of the people, whom is the Judiciary accountable to? Where are the Judicial checks and balances located outside of the Judicial Service Commission led and dominated by the officers of the court?

The First Amendment proposes the setting up an independent Office of the Judiciary Ombudsman to oversight judicial action on behalf of the people. With this formula, the people win and the distance between the disadvantaged and the law is reduced.

Fellow Kenyans,

As I end my address today, I appeal to all within our nation to unshackle our nationhood from the bondage of fear; and to boldly seize this moment of hope. It is time to embrace hope.

In a triumph of hope over fear, in March 2018, I began the journey of improving our nationhood by extending a 'handshake' to the Right Hon. Raila Odinga. The 'handshake' was a temporary solution to a long-term search. Our joint intention was to have BBI provide us with a roadmap to a long-term solution. And even then, this solution was not to become an end in itself. It was meant to be a continuous work-in-progress.

More so, because at the core of the 'handshake' were the words of Prophet Isaiah when he declared: "...Come, let us reason together!" This mantra of rivals reconciling and reasoning together in the interest of the nation, is what led to BBI.

And if this 'handshake' endures, I anticipate it will become our New Normal and many future BBIs and 'handshakes' will continue to refine our nationhood and ensure that we dwell in unity, peace and liberty.

In pondering this initiative of reconciliation, we were further inspired by the teachings of Saint Francis of Assisi when he said "...start by doing what is necessary, then it will lead you to what is possible and before you know it, you will find yourself doing the impossible". The handshake was necessary as a first step to national healing and constitutional alignment. BBI was construed as the possible next step towards reinforcing our nationhood. And once we accomplish the necessary and the possible, then the impossible effortlessly becomes our reality.

Fellow Kenyans,

As we come to the end of what has been an incredibly difficult year, let us exercise caution more so as we interact with family. As we seek sanctuary in family, let us remember that COVID is real. Men, women and children are dying. The best gift we can give to our loved ones this Christmas is the gift of life today and the promise of hope and a joyful tomorrow.

Fellow Kenyans,

Merry Christmas. Stay home. Stay Safe. And together let us pray for a new year that sees an end to COVID-19 and delivers for us a bright and prosperous 2021.

**MAY GOD BLESS YOU ALL AND MAY HE BLESS THIS OUR LAND AND NATION.**