

# Title: When Freedom in Kenya Kills

Kicker: A look into the culture of activism and police brutality in Kenya

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Like most democratic republics, Kenya's constitution contains a clause denoting the freedom of expression. [Chapter Four in the Kenyan Bill of Rights](#) states that "every person has the right to freedom of expression" so long as the spread of "propaganda for war, incitement to violence, hate speech, or advocacy of hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm" is not shared.

Clauses regarding the proliferation of hate speech are notorious for how contestable, narrow, or vague they are. In Kenya particularly, [the criminalization of criticism deemed as vilification](#) has harmed activists in the name of quelling anti-government propaganda. Just last year, the Kenyan Police Department, as well as the National Guard, [injured 361 people and killed 39](#) during the national #RejectFinanceBill2024 protests. This wave of demonstrations was one of the largest Kenya has seen since the [2007 election crisis](#), with protestors from [35 counties](#) participating in the movement. Kenyans in Nairobi, Mombasa, Kisumu, and more took to the streets to reject the government's proposed tax increase to pay off government debt to the International Monetary Fund. These tax reforms would have [increased the prices of everyday essentials](#), such as a 25 percent excise tax on vegetable oil and a 16 percent value-added tax on transportation. With [a poverty rate of 38.9 per cent. and many employed citizens belonging to the informal sector](#), the added financial burden of these taxes would have been detrimental for many Kenyan families.

The current president of Kenya, William Ruto, ultimately retracted the bill, as Kenyan mobilization proved to be stronger than its police, military, and governmental opposition. Through [social media](#), younger generations promoted popular education programs and organized crowdfunding initiatives to help those without transportation reach protest locations. With the help of Google, activists were able to [translate the bill](#) into local languages and [utilize artificial intelligence](#) to understand the bill's provisions that contained complicated legal jargon. However, employing the internet to combat oppression has seen its own set of complications, [such as the content moderation and systems of surveillance](#) that arose following the Arab Spring, a movement of protests and revolutions in North African and Levantine countries in the early 2010s. The enhanced governmental monitoring of [journalists and social media users](#) put many activists in danger, forcing them to alter their original methods of spreading awareness on social issues in fear of government retaliation.

Despite these consequences, the lessons from the Arab Spring uprisings influenced the current use of the internet to protect protestors today. In Kenya, [the internet and social media](#) have been utilized to simplify the sometimes intimidating entry into political activism. Activists such as Boniface Mwagi have become [outspoken](#) about the violence and intimidation the government has used against Kenyans who've exposed administrative

corruption. In addition, bloggers have routinely used their platforms to inform new protestors about [safety measures](#).

Despite these successes, this June, a year after the #RejectFinanceBill2024 movement began, the sight of stones thrown [in exchange for bullets](#) and the [sound of chants](#) for justice silenced by tear gas have once again flooded the streets of Nairobi. The current wave of protests has emerged to demand justice for Albert Ojwang, a father, teacher, and blogger who was found dead in the hands of the Kenyan police force this month.

On June 6, the Kenyan Police [arrested Albert Ojwang](#) in his hometown of Kakoth, near Homa Bay, and transported him to Nairobi as a result of Ojwang's social media posts criticizing the Kenyan Deputy Inspector General of Police, Eliud Lagat. The following morning, Ojwang was found unconscious in his cell, and after being rushed to the nearest hospital, he was pronounced dead. The same day, the Kenyan Police Department [announced](#) that Ojwang's death was a result of self-inflicted injuries. However, suspecting foul play, on June 9, thousands in Nairobi began to demonstrate, demanding justice for Ojwang and denouncing the police brutality in Kenya. [Chants exclaiming "Stop Killing Us"](#), accompanied by signs displaying the same words flooded popular streets. Soon after, on June 11, these statements were verified to be rooted in truth when a pathologist's report confirmed Ojwang died as a result of external injuries to the head, neck, and body. Investigators also verified that CCTV footage [was tampered with](#) on the night of Ojwang's death. As of June 16, Eliud Lagat has [stepped down](#) as deputy chief of police, [five officers have been removed](#) from active duty, and [23 have been questioned](#) for their involvement in Ojwang's murder.

The issue of police violence in Kenya, however, did not begin or end with Ojwang, nor did it arise as a result of Finance Bill protests. Kenya's administrative service police was [originally established in 1896 by the British Foreign Office](#) to act as a colonial police force and has historically used extreme violence to suppress human rights and protect taxation laws. During the colonial era, the police aggressively cracked down on land protection uprisings, placing many in [concentration camps](#). The police also [enforced hut taxes](#) on rural peasantry, which financed colonial infrastructure and administration. Over time, like most sub-Saharan countries, more Kenyans migrated to urban centers following rapid industrialization and as a result, police forces naturally began to subjugate those in large cities as well. In [their research](#) on the role of the police in Kenyan cities, Professor Kristine Höglund and Professor Emma Elfversson found that urbanites in Kenya tend to hold less trust in the police, as the over-policing of many communities has resulted in violent conflicts.

Today, the protection of the elite and the silencing of civilians is still a major concern amongst Kenyan society. Isaak Hassan, Kenya's Policing Oversight Authority chairman, [stated that the Independent Policing Oversight Authority \(IPOA\) has reported over 20 deaths in police custody](#) in the past four months. This, in addition to the [72 disappearances and the 104 cases of extrajudicial killings](#) that took place in 2024 — mostly including people outspoken about the repression in Kenya — raises serious concerns about the validity of freedom of speech that the state claims to protect.

While President Ruto [publicly denounced](#) the police brutality witnessed during the Finance Bill protests, the only changes in response to Kenyan police brutality have included the

[resignation and replacement](#) of individual officers, with few structural changes addressing the culture of police violence taking place. Still, despite the slow administrative changes to policing, the general conviction of Kenyans has remained unchanged. Protestors, activists, and all who have witnessed the impoverishment, disappearances, and extrajudicial killings at the hands of the police remain steadfast in their demands for justice, with the state's violent suppression doing little to curtail the stamina of Kenyan resistance.