

REPORT ON

The State of Life, Family & Faith in Kenya 2021 - 2022



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2021 - 2022**

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Faith in Kenya
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List of Acronyms

| | |
|---------------|--|
| ACHPR | African Charter on Human and Peoples' Rights |
| ACPF | African Christian Professionals Forum |
| AG | Attorney General |
| AU | African Union |
| BSK | Bible Society of Kenya |
| CBC | Competency Based Curriculum |
| CCDRC | Christian Counselling & Dispute Resolution Centre |
| CRC | Convention on the Rights of the Child |
| CRE | Christian Religious Education |
| EAK | Evangelical Alliance of Kenya |
| HIV | Human Immunodeficiency Virus |
| HRE | Hindu Religious Education |
| HRW | Human Rights Watch |
| ICCPR | International Covenant on Civil and Political Rights |
| IRE | Islamic Religious Education |
| IPOA | Independent Police Oversight Authority |
| JFLR | Journal on Family, Law & Religion |
| KCCB | Kenya Conference of Catholic Bishops |
| KCPF | Kenya Christian Professionals Forum |
| KDHS | Kenya Demographic Health Survey |
| KE | Kenya |
| KLR | Kenya Law Reports |
| KNBS | Kenya National Bureau of Statistics |
| LGBTQ | Lesbian, Gay, Bisexual, Transgender and Queer |
| MP | Member of Parliament |
| NCCK | National Council of Churches of Kenya |
| NCPD | National Council for Population and Development |
| NCRC | National Crimes Research Centre |
| NIV | New International Version |
| NKJV | New King James Version |
| NTSA | National Transport and Safety Authority |
| OHCHR | Office of the High Commissioner for Human Rights |
| PPI | Programme of Pastoral Instruction |
| SLFF | State of Life, Family & Faith |
| UDHR | Universal Declaration of Human Rights |
| UK | United Kingdom |
| UN | United Nations |
| UNICEF | United Nations International Children's Fund |
| US | United States |
| WHO | World Health Organization |

FOREWORD

Kenya Christian Professionals Forum, KCPF, is an organization with a mission to be witnesses contending for biblical values through advocacy, research, networking and mentorship. The campaign for the referendum on the Constitution of Kenya, 2010 provided an opportunity for the Church Leadership and Christian Professionals to collaborate in formulating the Christian position on contentious issues contained in the said Constitution.

KCPF's efforts in Research and Advocacy work substantively aids in identifying and tackling hindrances towards a morally upright society. To support its mandate to influence the society through Research, this report provides information on three important aspects, namely; Life, Family and Faith, which we consider central to human existence.

"And the Lord God formed man of the dust of the ground, and breathed into his nostrils the breath of life; and man became a living being." (Genesis 2:7, NKJV)

From the very beginning, we know that the sanctity of life, the inception of humanity, was the breath of God Himself. As such, life should be treated with utmost reverence, and all efforts should be made to preserve its sanctity.

By design, human beings were made to connect. As such, families play an important role in creating bonds and social circles, from which traditions and cultures arise. The family is the first social structure that human beings interact with, where desired values and virtues are first instilled and developed. The foundation of any stable society is therefore pegged on stable families.

With this in mind, we see an undeniable link between life, family and faith. Having an utmost supernatural origin, human beings inevitably seek a belief system. This implies a connection to their Creator, something to hold on to that shapes their decisions and choices, that brings fulfilment in their lives beyond successes in wealth, political breakthroughs and other endeavors. The practice of faith is therefore essential to individual and social life. We also believe in the unity of all Christians irrespective of the denominations. KCPF desires that religious freedom is promoted and protected in Kenya and that people publicly and peacefully express their faith through their speech, conduct and lives in general.

This report addresses various aspects of these core concepts: Life, Family and Faith. It discusses the theological and legal framework and delves into prevailing threats to the sanctity and dignity of life, stability of families and the belief and practice of faith. It then highlights what KCPF is doing to defend, promote and protect these core elements and makes recommendations on how to improve them.

MESSAGE FROM THE CHAIR



Since its inception in 2010, KCPF, has for the past decade endeavored to achieve its mission of advancing biblical values in the society. We have done that majorly through advocacy, law and policy making initiatives carried out at the national level.



Kenya Christian Professionals Forum (KCPF) brings together Christian Professionals from various denominations sharing common values on Life, Family, Religion, Values-Based Education and Governance. We provide professional and technical support in influencing the development of a legal and social environment that is supportive of biblical values in society through research, advocacy, mentorship and witnessing.

Since its inception in 2010, KCPF, has for the past decade endeavored to achieve its mission of advancing biblical values in the society. We have done that majorly through advocacy, law and policy making initiatives carried out at the national level.

During our 10th anniversary, in 2020, while envisioning KCPF's second decade, the Board agreed to broaden the organisational strategic focus. As a result, we settled on KCPF Version 2.0. initiatives, namely; Membership expansion & renewed engagement, Programmatic approach of our thematic areas and Evidence-based initiatives. These initiatives were hinged on three pillars detailed in KCPF's Strategic Plan, namely; Effective & Impactful Programmes, Membership Growth and Development and Institutional Growth & Development.

We thus refocused our energy and resources to these new strategies and initiatives. We have taken this agenda forward and a number of projects have been successfully implemented in each priority area. This State of Life, Family and Faith Report falls in the category of evidence-based initiatives. Through this publication, we hope to make a visible and impactful contribution to this sector of research and advocacy, whilst adding our unique edge-professionalism grounded in biblical values.

I wish to commend all the stakeholders who have provided invaluable inputs towards the success of this publication. The Board of Directors, Committee Conveners and members of the Secretariat team, who have worked hard to see the initial vision of this report in to reality.

The launch of this report gives us a momentum that is invaluable for the successful realization of KCPF Version 2.0.

**CHARLES KANJAMA
CHAIRMAN.**

ABOUT KCPF



KCPF brings together Christian Professionals from various denominations sharing common values in the thematic areas of Life, Family, Religion, Education and Governance.

The Kenya Christian Professionals Forum (KCPF) brings together Christian Professionals from various denominations sharing common values in the thematic areas of Life, Family, Religion, Education and Governance. Our key partners are Kenya Conference of Catholic Bishops (KCCB); National Council of Churches of Kenya (NCCK); and Evangelical Assemblies of Kenya (EAK).

The campaign for the referendum on the Constitution of Kenya 2010 provided an opportunity for the Church Leadership and Christian Professionals to collaborate in formulating the Christian position on contentious issues contained in the Constitution of Kenya, 2010. By providing their expertise in civic education, the Christian Professionals partnered with the Church leaders in articulating the position of the church on the five thematic areas aiming to see a society that is pro-life, pro- family, enjoys religious freedom, values- based education and good governance.

It is on this backdrop that the Christian professionals from all disciplines, denominations and counties came together through the Kenya Christian Professionals Forum to provide sustainable support to churches to influence the legal, social and religious environment of our society so that it reflects Biblical Values. Christian professionals are very interested in influencing and participating in the implementation of the Constitution of Kenya 2010, national laws and policies around the five thematic areas.



Vision:

An impactful community advancing biblical values in the society.

Mission:

To be witnesses contending for biblical values through advocacy, research, networking and mentorship.

Core Values

1. **Courage:** We are bold, steadfast, firm and consistent about our Christian faith and doctrinal basis and standing for what is right even in the face of persecution.
2. **Care:** We are concerned about our society and the issues we advocate for will work for a better society for all.
3. **Professionalism:** We adhere to the highest standards of conduct and carry our work with excellence and competence that is expected of a professional.
4. **Integrity:** We are accountable; responsible and transparent in our actions conduct and management of our resources, commitment to virtuous, moral, ethical and biblical principles.
5. **Stewardship:** We will prudently manage people, resources, finances, talents and skills

Our Priorities:

- Strategic Priority I: Preserving and Protecting Life
- Strategic Priority II: Promoting and Protecting the Family
- Strategic Priority III: Promoting Values-Based Education
- Strategic Priority IV: Defending and Promoting Religious Freedom.
- Strategic Priority V: Promoting Good Governance, Leadership and Integrity

CHAPTER ONE: LIFE, FAMILY AND FAITH -AN OVERVIEW



Most (if not all) religions teach that humans are essentially equal.

From both divine revelation and natural law, we know that there is something special about human life. All people hold a special value that is tied solely to their humanity. It has nothing to do with their class, race, gender, religion, abilities, or any other factor other than them being human. Most (if not all) religions teach that humans are essentially equal. The United States Conference of Catholic Bishops states that “as a gift from God, every human life is sacred from conception to natural death and that the dignity of the human person is the foundation of a moral vision for society.” Every life is sacred and that no life—born or unborn—is disposable.

Article 1 of the Universal Declaration of Human Rights states that: “All human beings are born free and equal in dignity and rights.” This dignity is not earned but it is something all human are born with. The life and dignity of the human person is foundational because without it, no other rights have meaning.

Human beings are inherently social. We strive for connection with other beings and to be part of a community and the first social structure that we interact with from the onset of our lives is the family. Here we learn to about ourselves, about others and how the world works. The virtues and values that we desire in the society are first instilled and developed in the family. In other words, families are responsible for the development of children into the adults who collectively form the society.

The International Federation for Family Development says that family is the “environment where ethical and cultural values are achieved in a natural way. Family is where the vast majority of people learn the fundamental skills for life.” The family is the tree from which all members of the society blossom and therefore ought to provide the most stable and nurturing environment within which to grow. Stable families lead to strong communities and stable communities lead to stable societies.

**Article 1 of the Universal Declaration of Human Rights states that:
“All human beings are born free and equal in dignity and rights.”
This dignity is not earned but it is something all human are born with.**

LIFE, FAMILY AND FAITH-AN OVERVIEW

Apart from family, religion is also an integral part of many people's lives. According to Pew Research Centre, 84% of the world's population identifies with a religious group¹. The values and the virtues that an individual or a society upholds is majorly pegged on the religious beliefs. Religion gives meaning and purpose to life. Even in today's highly scientific age, many things still remain difficult to understand, much of life and death remains a mystery. Faith therefore helps people make sense of things that science cannot.

Religion gives people a common set of beliefs and also brings people together through communal practice of religion such as worship and prayer which reinforces social unity and stability. It helps in building values like love, empathy, respect and harmony.

A deep reverence for the sanctity of life, respect for strong and stable families, as well as a vibrant practice of religion is crucial for an amiable, peaceful and sustainable society. However, statistics in Kenya and elsewhere show that these elements are facing unprecedented challenges.

Life, Family and Faith are central to human existence. Thus, this report discusses these elements with particular reference to the situation in Kenya, and demonstrates the relationship between them. It analyses the theological and legal context of each, underscores why they are crucial, and highlights existing and possible future threats.

Moreover, it outlines the efforts that KCPF has made to protect and advance these values, and crucially, it suggests what can be done to heighten advocacy and progress in this respect. Chapter one sets the pace by giving an overview of the three elements and why they are important for discussion. It also highlights the demographic situation of Kenya; Chapter Two discusses the State of Life, Chapter Three discusses the State of Family and Chapter Four will look at the State of Faith. Chapter Five concludes and outlines what KCPF is doing to conserve the gains on these values and its vision and mission in the future in this.



Religion gives meaning and purpose to life. Even in today's highly scientific age, many things still remain difficult to understand, much of life and death remains a mystery. Faith therefore helps people make sense of things that science cannot.



Life, Family and Faith are central to human existence.

LIFE, FAMILY AND FAITH-AN OVERVIEW

Figure 1.1: Map of Kenya with counties.



1.1 Demographic Situation of Kenya.

1.1.1 Population Size

a. Global

Today, the world’s population is estimated to have exceeded 7.9 billion, a growth from an estimated 2.5 billion people in 1950 and is estimated to grow to over 9.7 billion by 2050.² The world population growth rate has however declined from a high of 2.1% in 1962 – 1965 to a low of 1.1% between 2015 - 2020 and is projected to decline further in the course of the 21st Century.³ This reduced population growth can be attributed to reduced levels of fertility.

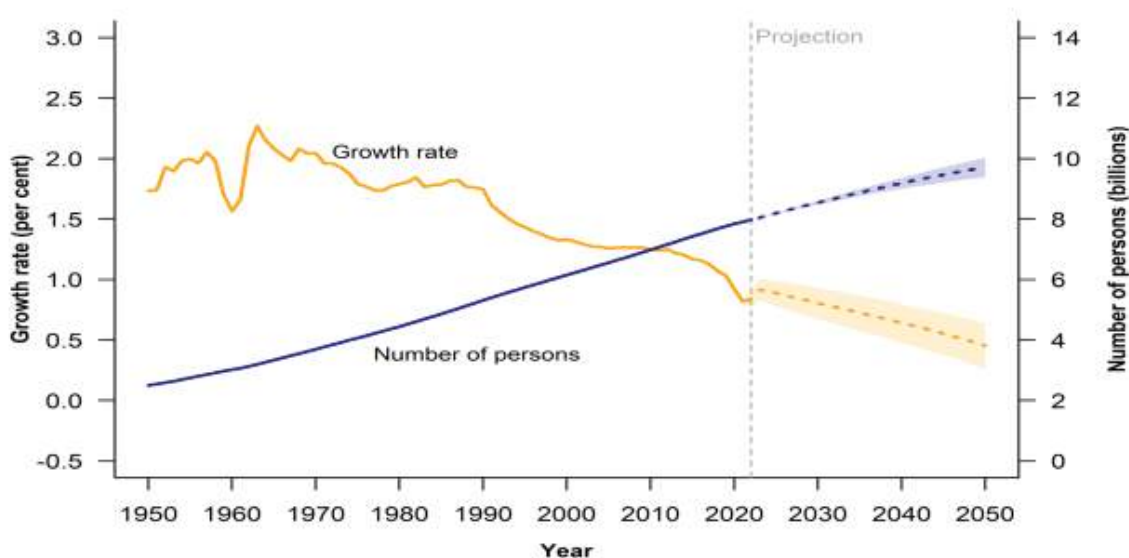


Figure 1.2: Global population size and annual growth rate: estimates, 1950 – 2022, an medium scenario with 95%prediction intervals, 2022 -2050. (Source: UN World Population Prospects)

b. Africa

The current population of Africa is estimated to be 1.4 billion, an equivalent of 16.72% of the total world population. This is a growth from the estimated population of 227 million in 1950. Africa ranks second after Asia, whose population accounts for 59.5% of the total world population. (Worldometer, 2022). According to UN estimates, the population of Africa may reach 2.49 billion by 2050 (about 26% of the world's total) and 4.28 billion by 2100 (about 39% of the world's total).In Africa, Nigeria has the largest population of about 217 million according UN Data in 2021. This closely followed by Ethiopia whose population is estimated at 115 million and Kenya is ranked the seventh, after Tanzania and followed by Uganda.

According to UN estimates, the population of Africa may reach 2.49 billion by 2050 (about 26% of the world's total)

² "World Population Prospects - Population Division - United Nations". population.un.org. Retrieved 15 August 2022.

³ "World Population Prospects 2019, Population Growth Rate file, estimates tab". United Nations Department of Economic and Social Affairs. 2019.

LIFE, FAMILY AND FAITH-AN OVERVIEW

c. Kenya

The 2022 Economic Survey indicates that the population of Kenya was at 49.4 million in 2021. According to the 2019 Census, Kenya’s population was enumerated at 47,564,296, out of which 24,014,716 were females accounting for 50.5% of the total population, 23,548,056 were males, and 1,524 were intersex. This was an increase of about nine million over the 38.6 million enumerated in 2009, recording an inter-censal population growth rate of 2.2%. From independence in 1963 up to 2019, the country’s population has increased five (5) fold as shown in Figure 1.3

Figure 1.3: Trend in Kenya’s Population 1969 -2019 (Millions) (KNBS,2019)

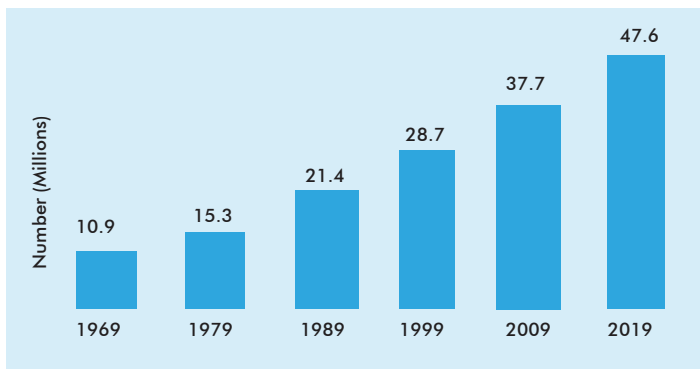
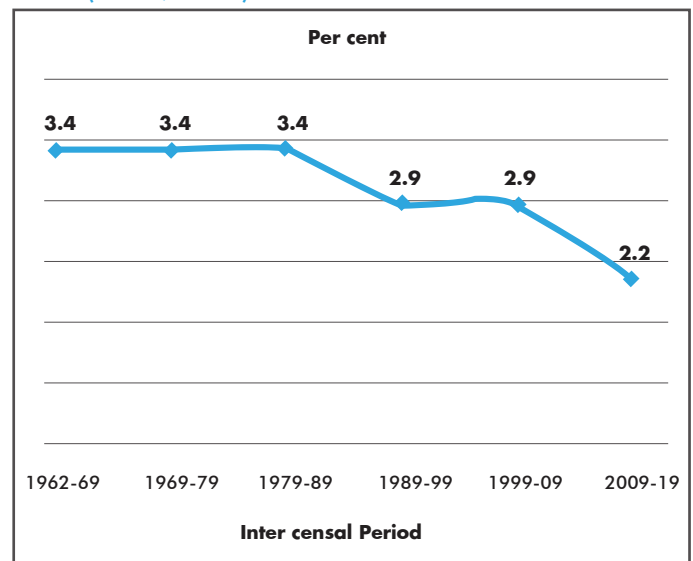
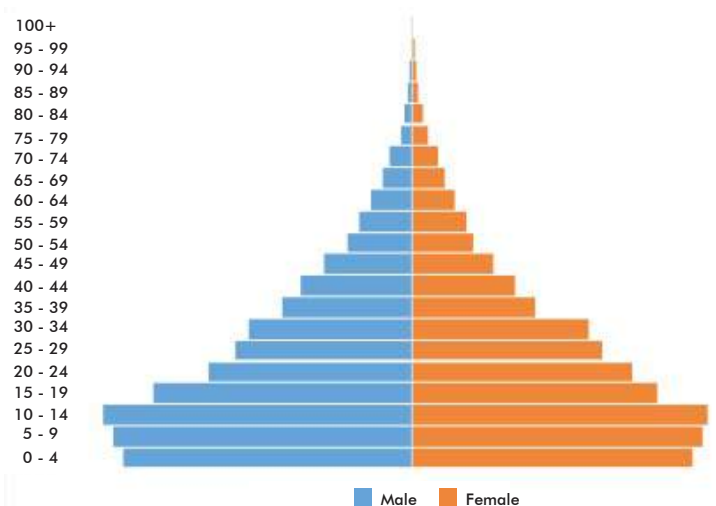


Figure 1.4: Inter- Censal Population Growth Rates (KNBS, 2019)



Kenya’s 2019 population pyramid shown in Figure 1.5 is typical of a population that is predominantly youthful. From the 2019 census, Kenya’s labor force (15 – 64 years) accounts for 57% and youth constitute 29% of the total population. The elderly (age 60 and above) are 6% of the total population. The pyramid shows that the population of those in the age cohort 0-4 and 5-9 years is less than that of those in the 10-14 years cohort. This is a reflection the country’s declining fertility over the years and hence a reduction in the proportion of the population below 15 years when compared to previous censuses. The fertility rate is said to have declined from 4.48 children per woman in 2009 to 3.42 children per woman in 2019 hence the decline in the population growth rate.

Figure 1.5: Population pyramid 2019 (KNBS,2019)



LIFE, FAMILY AND FAITH-AN OVERVIEW

Figure 1.6: (KE) Population Indicators (Statista, 2022)

| Indicator | 2019 |
|---|----------|
| Population Size ('000s) | 47,564.3 |
| Male ('000s)..... | 23,548.1 |
| Female ('000s) | 24,014.7 |
| Inter Sex ('000s) | 1.5 |
| Sex Ratio (No. of Males per 100 Females)..... | 98.1 |
| Population Density (No. per sq. Km)..... | 82 |
| Number of Households ('000s)..... | 12,143.9 |
| Average Household Size..... | 3.9 |
| Inter-Censal Growth Rate (%) | 2.2 |

Figure 1.7: (KE) Top ten counties with the largest and least population (KNBS, 2019)

| NO. | COUNTY | POPULATION | NO. | COUNTY | POPULATION |
|-----|----------|------------|-----|-----------------|------------|
| 1. | Nairobi | 4,397,073 | 1. | Lamu | 143,920 |
| 2. | Kiambu | 2,417,735 | 2. | Isiolo | 268,002 |
| 3. | Nakuru | 2,162,202 | 3. | Samburu | 310,327 |
| 4. | Kakamega | 1,867,579 | 4. | Tana River | 315,943 |
| 5. | Bungoma | 1,670,570 | 5. | Taita Taveta | 340,671 |
| 6. | Meru | 1,545,714 | 6. | Tharaka Nithi | 393, 177 |
| 7. | Kilifi | 1,453,787 | 7. | Elgeyo Marakwet | 454,480 |
| 8. | Machakos | 1,421,932 | 8. | Marsabit | 459,785 |
| 9. | Kisii | 1,266,860 | 9. | Laikipia | 518, 560 |
| 10. | Mombasa | 1,208,333 | 10. | Vihiga | 590,013 |

Largest Population

Least Population

CHAPTER TWO: THE LIFE SITUATION

2.1 Introduction

This chapter focuses on the sanctity of life. It discusses the centrality of human life, and analyses its theological and legal framework. It gives an overview of the situation of life in Kenya, and highlights the efforts that KCPF has made in defence of its sanctity. Finally, it outlines the present and future challenges that life face, and offers a few proposals about what can be done to secure the sanctity of life.



2.2 The Sanctity of Life: Theological & Legal Foundations

2.2.1 Theological Foundations

Life is precious and sacred. In Christian theology, life emanates from God who is the author of life. As it came from God, life ought to be treated as inviolable, and must be defended because of its intrinsic worth. Similarly, human beings are precious. In the scriptures, God created man in his own image and likeness. The account of creation suggests a design that God thought through before bringing into being. 'Let us make man in our own image and likeness.' This suggests the intrinsic worth of human beings as creatures that reflect God's own image and likeness.

The implication of the sanctity of life and the special worth of the human person is that once human life has been conceived, it must be preserved, and it is only God who may take it away at His own time. Thus, human beings have no right to take away human life, and to do so is to usurp God's prerogative. Similarly, it is the responsibility of government and every person to do whatever is in their power to uphold the sanctity of life.

For government, this means creating and implementing policies and laws that uphold life, punishing infractions, and leading by example. This obligation includes making available the highest standards of healthcare for its people, reducing preventable deaths, and generally bringing down mortality on all fronts.

The implication of the sanctity of life and the special worth of the human person is that once human life has been conceived, it must be preserved, and it is only God who may take it away at His own time. Thus, human beings have no right to take away human life, and to do so is to usurp God's prerogative.

THE LIFE SITUATION

From a biblical perspective, life is not just a right to be exercised by those who have it. It is a trust. Since it comes from God who alone is entitled to take it, we become stewards charged with the responsibility to preserve it. In this regard, the scriptures are instructive:

“Do you not know that your bodies are temples of the Holy Spirit, who is in you, whom you have received from God? You are not your own;” (1 Corinthians 6:19, NIV)

Thus, the question of the right (of human beings) to die, the right to live as they please or the right to take away life do not arise since stewards are duty-bound to preserve and protect, and account for what is bestowed on them.

2.2.2 Legal Foundations

Article 26 of the Constitution guarantees the right to life. It states:

- (1) Every person has the right to life
- (2) The life of a person begins at conception
- (3) A person shall not be deprived of life intentionally, except to the extent authorized by this Constitution or other written law
- (4) Abortion is not permitted unless, in the opinion of a trained health professional, there is need for emergency treatment, or the life or health of the mother is in danger, or if permitted by any other written law.

The right to life is also protected by international law that find its application through Article 2(5) of the Constitution of Kenya (2010). The right to life finds its most general recognition in Article 3 of the Universal Declaration of Human Rights (UDHR). It states that: **Everyone has the right to life, liberty and security of person.**

Article 6 of the International Covenant on Civil and Political Rights recognizes the inherent right of every person to life, adding that this right "shall be protected by law" and that "no one shall be arbitrarily deprived of life". In accordance with Article 2 of the Universal Declaration of Human Rights and Articles 2 and 26 of the International Covenant on Civil and Political Rights, and pursuant to several other United Nations declarations and conventions, everyone is entitled to the protection of the right to life without distinction or discrimination of any kind, and all persons shall be guaranteed equal and effective access to remedies for the violation of this right.

Article 2 of the African Charter on Human and Peoples' Rights states that: **"Every individual shall be entitled to the enjoyment of the rights and freedoms recognised and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or any status."** [Emphasis added].

Article 4 of the African Charter on Human and Peoples' Rights states that: **Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.**

Further, the Preamble of the Convention on the Rights of a Child states; **"Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth."** [Emphasis added]

The international instruments recognize that the life of the unborn child is as important as that of the born child.

Article 6 of the Convention on the Rights of the Child mandates the state parties to recognize that every child has the inherent right to life and that they shall ensure to the maximum extent possible the survival and development of the child.

The right to life has crucial importance both for individuals and for society as a whole. It is most precious for its own sake as a right that inheres in every human being, but it also constitutes a fundamental right, the effective protection of which is the prerequisite for the enjoyment of all other human rights and the content of which can be informed by other human rights.

The Kenyan Penal Code prohibits the taking away of human life. Section 203 of the Penal Code provides that:

"Any person who is of malice aforethought causes the death of another person by an unlawful act or omission is guilty of murder."

2.3 Situation of Life in Kenya

2.3.1 Births

In the last five years, birth registration has generally improved with more births being registered in health facilities, an implication of improved skilled delivery and overall infant and maternal wellbeing. According to the KNBS Economic Survey 2022, the number of registered births increased from 1.1 million in 2020 to 1.2 million in 2021. Nationally, there were slightly more male births registered than female births between 2017 and 2021 where the male registered births accounted for 51.0% of births compared to 49.0% for females in 2021. The sex ratio (males per 100 females) also increased from 104.0 in 2020 to 104.2 in 2021.

| Year | Male | | Female | | Total (Number) | Sex Ratio (Males per 100 females) |
|-------|---------|----------|-----------|----------|----------------|-----------------------------------|
| | Number | Per Cent | Number | Per Cent | | |
| 2017 | 472,569 | 51.2 | 450,918 | 48.8 | 923,487 | 104.8 |
| 2018 | 582,895 | 51.2 | 555,759 | 48.8 | 1,138,654 | 104.9 |
| 2019 | 603,774 | 50.9 | 582,370 | 49.1 | 1,186,144 | 103.2 |
| 2020 | 575,657 | 51.1 | 551,105 | 48.9 | 1,126,762 | 104.0 |
| 2021* | 612,097 | 51.0 | 588,093.0 | 49.0 | 1,200,190 | 104.2 |

Figure 2.1: (KE) Registered births by sex in Kenya (2017 – 2021); KNBS 2022

Majority of births are registered among married women (85.9 %) compared to single women (13.5%). Women aged 20 – 24 years account for the highest proportion of registered births across all the ages followed by women aged 25-29 years at 29.4% and 25.1% respectively in 2021. Adolescents aged 15-19 years accounted for 12.3% of the registered births in 2021.

| Age of mother | 2017 | 2018 | 2019 | 2020 | 2021* |
|----------------|------------|------------|------------|------------|------------|
| <15 | 0.4 | 0.4 | 0.2 | 0.2 | 0.3 |
| 15 - 19 | 11.7 | 11.8 | 11.8 | 11.0 | 12.3 |
| 20 - 24 | 29.8 | 29.0 | 29.9 | 30.4 | 29.4 |
| 25 - 29 | 27.3 | 26.4 | 25.4 | 25.3 | 25.1 |
| 30 - 34 | 17.6 | 18.5 | 18.2 | 18.7 | 17.5 |
| 35 - 39 | 8.3 | 8.9 | 8.2 | 8.6 | 8.6 |
| 40-44 | 2.1 | 2.4 | 2.4 | 2.3 | 2.1 |
| 45+ | 0.5 | 0.4 | 0.3 | 0.2 | 0.2 |
| Age not stated | 2.3 | 2.2 | 3.6 | 3.2 | 4.5 |
| Total | 100 | 100 | 100 | 100 | 100 |

Figure 2.2: (KE) Registered births by age of the mother in Kenya; KNBS 2022

The number of births by single women increased from 11.9 % in 2019 to 12.2% in 2020 and 13.5 % in 2021.

| Marital Status | Per Cent | | | | |
|------------------------|------------|------------|------------|------------|------------|
| | 2017 | 2018 | 2019 | 2020 | 2021 |
| Married | 86.4 | 85.4 | 87.3 | 86.9 | 85.9 |
| Single | 12.0 | 13.5 | 11.9 | 12.2 | 13.5 |
| Divorced | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 |
| Widowed | 0.4 | 0.4 | 0.4 | 0.4 | 0.1 |
| Unknown/ Not Stated | 1.1 | 0.5 | 0.4 | 0.3 | 0.4 |
| Total (Percent) | 100 | 100 | 100 | 100 | 100 |

Figure 2.3: (KE) Registered births by the marital status of the mother, 2017 -2022 in Kenya. (KNBS, 2021)

2.3.2 Fertility rate

The total fertility rate in Kenya has recorded a declining trend over the years. In 1977, the fertility rate was 8.1 births per woman, but the current fertility rate is 3.416 births per woman. This can also be attributed to a number of factors that are health care related, social and economic.

The health care-related factors include reduced rate of maternal, infant mortality, increased use of family planning methods and improved maternal and infant health services. Study shows that the rate of fertility remains high when the rate of infant mortality is high, because parents are not sure about the survival of their children.⁴ Therefore with the improved health care services, particularly maternal health care, the chances of survival of children has increased.

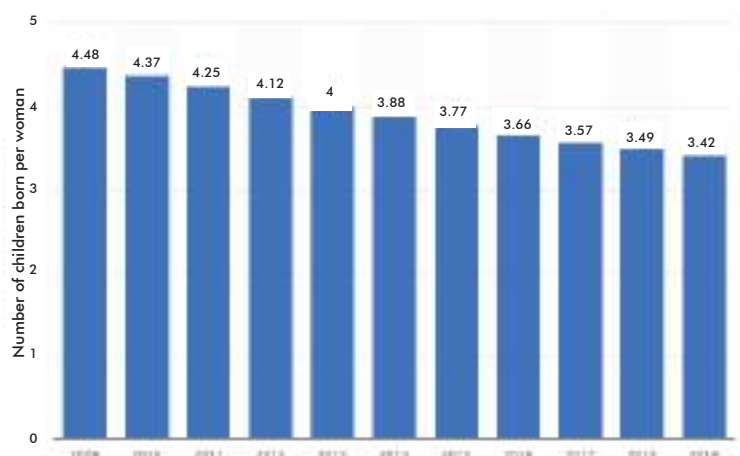


Figure 2.4: (KE) Fertility rate from 2009 to 2019 (Statista 2022)

Changes in the level of income and the high cost of living resulting to relatively high costs of child-raising may affect a couple's demand for having children. At the time of economic downturn, financial uncertainties and lower family income levels may lead to a decline in the fertility rate as parents may choose to have fewer children.

Similarly, education is also a factor for the decline of fertility rate. The KDHS 2014 shows that women with higher education and income levels tend to have lower numbers of children. As women advance to higher levels of education, there is a tendency to postpone marriage until the end of their studies. The survey also revealed that the total fertility rate is higher among rural women than urban women.

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⁴ Basu A, M. Why does education lead to lower fertility? a critical review of some of the possibilities. World Dev. 2002;30(10):1779-90. [https://doi.org/10.1016/S0305-750X\(02\)00072-4](https://doi.org/10.1016/S0305-750X(02)00072-4).

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Figure 2.5: (KE) Fertility Rate in urban and rural

Age-specific and total fertility rates, the general fertility rate, and the crude birth rate for the three years preceding the survey, by residence, Kenya 2014

| Age group | Residence | | Total |
|-------------|-----------|-------|-------|
| | Urban | Rural | |
| 15-19 | 81 | 106 | 96 |
| 20-24 | 164 | 248 | 206 |
| 25-29 | 149 | 214 | 183 |
| 30-34 | 119 | 170 | 148 |
| 35-39 | 73 | 116 | 100 |
| 40-44 | 23 | 45 | 38 |
| 45-49 | 6 | 10 | 9 |
| TFR (15-49) | 3.1 | 4.5 | 3.9 |
| GFR | 118 | 158 | 141 |
| CBR | 31.0 | 30.3 | 30.5 |

The KDHS 2014 report shows that the median age at first birth for women age 25-29 is 20.3 years. One quarter of Kenyan women age 25-49 have given birth by age 18, while about half (47%) have given birth by age 20. The median age however, varies across regions, the level of education and the wealth quintile. The KDHS, 2014 survey found that women in urban areas have a slightly higher median age at first birth than their rural counterparts. For example, women in Nyanza have their first birth about three years earlier than those in Nairobi (18.9 and 22.2 respectively). Also, women with at least some secondary education begin childbearing more than three years after women with no education (22.5 and 19.2, respectively).

Figure 2.6: (KE) Fertility rate against background characteristic of women aged 15 -29, 2014

| Background characteristic | Total fertility rate |
|---------------------------|----------------------|
| Residence | |
| Urban | 3.1 |
| Rural | 4.5 |
| Region | |
| Coast | 4.3 |
| North Eastern | 6.4 |
| Eastern | 3.4 |
| Central | 2.8 |
| Rift Valley | 4.5 |
| Western | 4.7 |
| Nyanza | 4.3 |
| Nairobi | 2.7 |
| Education | |
| No education | 6.5 |
| Primary incomplete | 4.8 |
| Primary complete | 4.2 |
| Secondary+ | 3.0 |
| Wealth quintile | |
| Lowest | 6.4 |
| Second | 4.7 |
| Middle | 3.8 |
| Fourth | 3.1 |
| Highest | 2.8 |
| Total | 3.9 |

| Background characteristic | Women age | | | | | |
|---------------------------|-----------|-------|-------|-------|-------|-------|
| | 25-29 | 30-34 | 35-39 | 40-44 | 45-49 | 25-49 |
| Residence | | | | | | |
| Urban | 21.6 | 21.2 | 21.4 | 20.9 | 20.7 | 21.3 |
| Rural | 19.4 | 19.5 | 20.0 | 19.9 | 19.7 | 19.7 |
| Region | | | | | | |
| Coast | 20.2 | 20.5 | 20.8 | 20.2 | 20.0 | 20.3 |
| North Eastern | 19.6 | 19.2 | 20.7 | 21.4 | 25.3 | 20.2 |
| Eastern | 20.2 | 20.1 | 20.5 | 20.4 | 20.1 | 20.3 |
| Central | 21.1 | 21.1 | 21.1 | 20.6 | 20.2 | 20.9 |
| Rift Valley | 20.1 | 20.1 | 20.3 | 20.1 | 20.0 | 20.1 |
| Western | 19.4 | 19.3 | 19.9 | 19.6 | 19.5 | 19.6 |
| Nyanza | 18.7 | 18.6 | 19.4 | 19.1 | 18.9 | 18.9 |
| Nairobi | 22.7 | 21.9 | 21.9 | 21.4 | 22.9 | 22.2 |
| Education | | | | | | |
| No education | 18.4 | 18.9 | 19.7 | 20.2 | 19.4 | 19.2 |
| Primary incomplete | 18.1 | 18.6 | 19.1 | 18.9 | 18.3 | 18.6 |
| Primary complete | 19.6 | 19.8 | 19.9 | 19.8 | 19.4 | 19.7 |
| Secondary+ | 22.9 | 22.6 | 22.5 | 22.1 | 22.0 | 22.5 |
| Wealth quintile | | | | | | |
| Lowest | 18.8 | 18.9 | 19.4 | 19.8 | 19.5 | 19.1 |
| Second | 18.8 | 19.4 | 19.7 | 19.3 | 19.2 | 19.3 |
| Middle | 19.5 | 19.4 | 20.1 | 19.7 | 19.0 | 19.5 |
| Fourth | 20.4 | 20.2 | 20.6 | 20.6 | 20.3 | 20.4 |
| Highest | 23.0 | 22.6 | 22.6 | 21.6 | 22.1 | 22.6 |
| Total | 20.3 | 20.2 | 20.5 | 20.2 | 19.9 | 20.3 |

Figure 2.7: (KE) Median age at first birth among women age 25-49 years, by background characteristic, KDHS 2014

The decline in fertility rates have contributed to a great decline in the population growth. This declining trend may lead to negative effects on a nation. One such effect is a rise in dependency ratio. Dependency ratio is the ration of those not in the labour force (0-14 and 65+) and those in the labour force (age 15-64). Population decline caused by reduced fertility rates means that every generation will be smaller than the one before it. Combined with longer life spans the result can be an increase in the dependency ratio which can put increased economic pressure on the work force.

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2.3.3 Life Expectancy

Kenya's life expectancy has been improving from a low of 60 years in 2010 to 67 years in 2020, compared with her neighbor Tanzania's 66 years, Rwanda's 69 years and Uganda having a lower life expectancy of 64 years (World Bank, 2019). However, this is still below the average world life expectancy of 72 years. (WHO, 2019). Nationally, data shows that the life expectancy at birth for females (66.5 years) is higher than that of males at 60.6 years; an indication that females live longer than males.

The same trend is seen at the regional and global level. The life expectancy in Africa is estimated at 61.7 years with the males at 59.7 years and women at 63.7 years. (UN, World Population Prospects, 2021)

Life expectancy varies per county. The lowest life expectancies at birth for males was recorded in Homabay and Migori counties both at 50.5 years while for females the lowest was in Tana River at 58.8 years. Females in Nyeri county have the highest life expectancies of 75.8 years, followed by Kiambu at 72.8 years.



Figure 2.8: Life Expectancy (1950 – 2020); (Statista,2020)

2.3.4 Deaths

A total of 231.9 thousand deaths were registered in 2021 compared to 185.4 thousand in 2020 with more than half of the reported deaths occurring in a health facility. The Economic Survey, 2022, show that the number of registered deaths has been high among males compared to females across all age groups and across the years (Figure 2.6). In 2021, the registered male deaths accounted for 56.7% of the total deaths registered.

| Year | Male | | Female | | Total (Number) | Sex Ratio (Males per 10 Females) |
|-------|---------|------------|---------|------------|----------------|----------------------------------|
| | Number | Proportion | Number | Proportion | | |
| 2017 | 105,278 | 55.2 | 85,599 | 44.8 | 190,877 | 123 |
| 2018 | 106,318 | 55.4 | 85,701 | 44.6 | 192,019 | 124 |
| 2019 | 106,315 | 55.5 | 85,180 | 44.5 | 191,495 | 125 |
| 2020 | 104,832 | 56.5 | 80,553 | 43.5 | 185,385 | 130 |
| 2021* | 131,599 | 56.7 | 100,345 | 43.3 | 231,944 | 131 |

Figure 2.9: (KE) Registered death by sex, 2017 – 2021 (EC 2022)

“ The Economic Survey, 2022, show that the number of registered deaths has been high among males compared to females across all age groups and across the years ”

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| Year | Male | Female | Total |
|----------------|----------------|----------------|----------------|
| Under 1 | 10,462 | 9959 | 20,421 |
| 1 - 4 | 3,870 | 3205 | 7,075 |
| 5 - 14 | 3,618 | 2828 | 6,446 |
| 15 - 24 | 6,878 | 4128 | 11,006 |
| 25 - 34 | 11,812 | 7324 | 19,136 |
| 35 - 44 | 14,710 | 8611 | 23,321 |
| 45 - 54 | 14,455 | 8565 | 23,020 |
| 55 - 74 | 35,120 | 23980 | 59,100 |
| 75+ | 28,065 | 29900 | 57,965 |
| Age not stated | 2,609 | 1845 | 4,454 |
| Total | 131,599 | 100,345 | 231,944 |

Figure 2.10: (KE) Registered death by age and sex in 2021, (EC, 2022)

2.3.5 Infant and Maternal Mortality Rate

Studies show that more than half of the world's maternal deaths occur in Sub-Saharan Africa (WHO). The Sub-Saharan African region alone accounts for about 45% of global infant and child mortalities. In Kenya, despite the improved health care system and services, infant and maternal mortality rate are still high.

2.3.5.1 Infant Mortality Rate

The Economic Survey 2022 reveals that at national level, infant mortality is at 35.5 deaths per 1,000 live births while under five mortality is 52.0 deaths per 1,000 live births. The rate differs across the counties; Migori county recorded the highest infant mortality rate at 67.2 per 1,000 live births, followed by Homa Bay at 57.5 per 1,000 live births. (KNBS, 2022).

| NO. | COUNTY | IMR (per 1,000 live births) | U5MR (per 1,000 live births) |
|-----|------------|-----------------------------|------------------------------|
| 1. | Kenya | 35.5 | 52.0 |
| 2. | Migori | 67.5 | 107.2 |
| 3. | Homabay | 57.5 | 92.2 |
| 4. | Tana River | 47.5 | 73.5 |
| 5. | Vihiga | 45.4 | 73.4 |
| 6. | Garissa | 42.1 | 64.5 |
| 7. | Wajir | 41.9 | 63.5 |
| 8. | Siaya | 41.8 | 67.4 |
| 9. | Mandera | 41.3 | 63.5 |
| 10. | Busia | 40.9 | 65.9 |

In Kenya, despite the improved health care system and services, infant and maternal mortality rate are still high.

”

Figure 2.11: (KE) Counties with the highest infant mortality rate.

2.3.5.2 Maternal Mortality Rate

Maternal mortality refers to deaths due to complications from pregnancy or childbirth. In June 2013, the Government of Kenya abolished the user fee for maternity care in all public health facilities under the Free Maternity Service Policy, a move to make maternity services accessible and affordable, and to reduce maternal and perinatal mortality. However, maternal and perinatal mortality still remain a major public health concern. The EC Survey 2021, reveals that at the national level, the maternal mortality ratio is 355 maternal deaths per 100,000 live births, a decrease from 488 in 2008/09 and 362 that was recorded in the KDHS, 2014. This decrease can be attributed to improved maternal health care, increased births in the hospital and increased training of birth attendants to reduce mortality.

| NO. COUNTY | MMR (per 100,000 live births) |
|---------------|-------------------------------|
| 1. Kenya | 355 |
| 2. Garissa | 641 |
| 3. Tana River | 586 |
| 4. Bomet | 554 |
| 5. Kericho | 543 |
| 6. Narok | 522 |
| 7. Homabay | 516 |
| 8. Kajiado | 495 |
| 9. Makueni | 479 |
| 10. Nyandarua | 466 |

Figure 2.12: (KE) Counties with the highest maternal mortality rate

According to the EC Survey 2022, only one county, Nyeri, has reached the ratio which is within the recommended Sustainable Development Goal 3 target of less than 70 maternal deaths per 100,000 live births. It recorded a maternal mortality ratio of 67 deaths per 100,000 live births. Six counties (Narok 522; Kilifi 532. Kericho 543, Bomet – 554; and Tana River 586) had maternal mortality ratio above 500 maternal deaths per 100,000 live births with Garissa having the highest rate of 641 maternal deaths per 100,000 live births. (KNBS, 2022).

2.4 Prevailing Threats to Life

2.4.1 Natural Causes of Death

a. Malnutrition & Diseases

According to WHO, causes of death can be grouped into three categories: communicable (infectious and parasitic diseases and maternal, perinatal and nutritional conditions), noncommunicable (chronic) and injuries. Globally, the leading cause of death are noncommunicable diseases which accounts for 73% of all deaths. In 2019, 7 out of the 10 leading causes of death were noncommunicable diseases. This is followed by communicable, reproductive or nutritional complications which account for 18% and injuries at 8%. These perils have been increasing and at times fluctuating

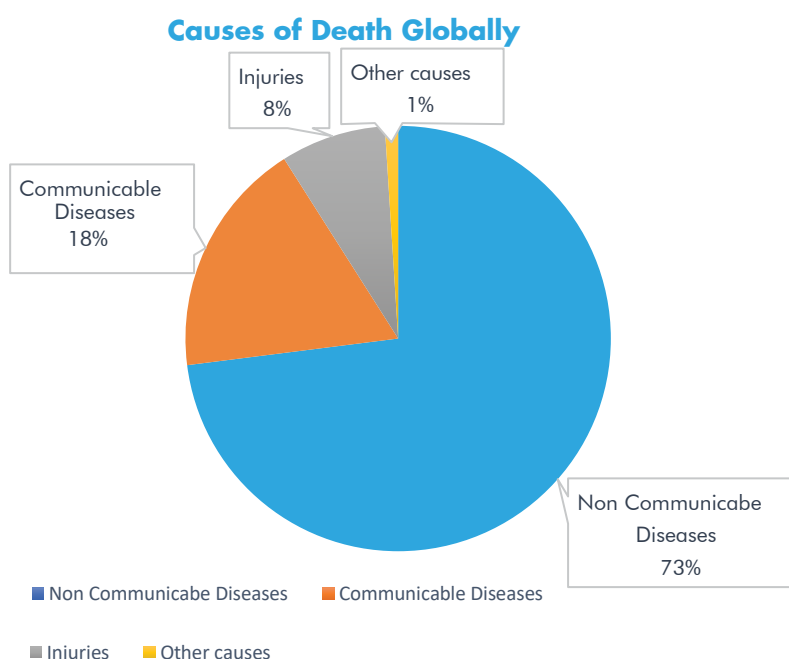


Figure 2.13: Causes of death globally (WHO, 2019)

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In Africa and Low-Income Countries (LICs), the WHO Global Health estimates shows that communicable diseases account for over one half (52.9%) of all deaths while in High Income Countries (HICs), the Non-communicable diseases account for 87.8% of all deaths.

Figure 2.14: Causes of death: Non-communicable diseases, communicable diseases and injuries (WHO,2019)



In Kenya, approximately 54% of deaths are due to communicable, maternal, and neonatal causes, while injuries accounted for 7% of deaths. Approximately 39% of deaths in the country are as a result of NCDs, up from 27% in 2014 (KNBS,2019). It is projected that deaths from NCDs will increase by 55% while those from injuries will increase by 25% by 2030 (WHO). The risk factors which are the drivers of NCDs are tobacco use, unhealthy diets, insufficient exercise and alcohol misuse. The main types of NCDs are cardiovascular diseases (like heart attacks and stroke), cancers, chronic respiratory diseases (like asthma) and diabetes.

In Kenya, breast and cervical cancer are the leading cause of cancer deaths in women, and prostate cancer is the top cause of cancer deaths in men.

What causes the most deaths?

- Communicable, maternal, neonatal, and nutritional diseases
- Non-communicable diseases
- Injuries

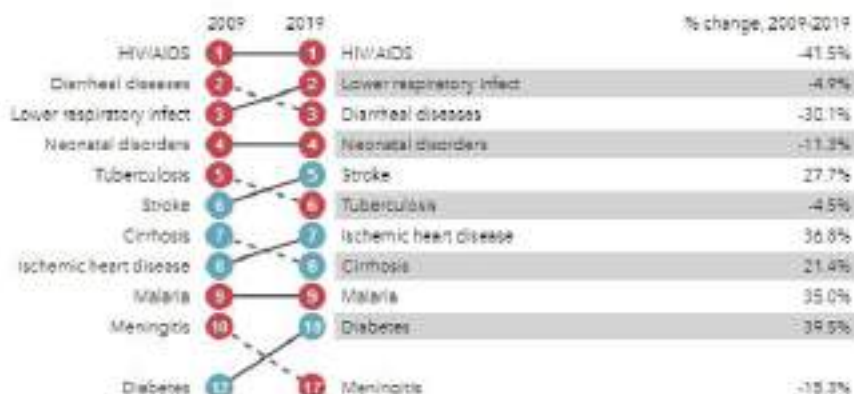


Figure 2.15: Causes of death in Kenya (Comparison between 2009 and 2019)

In Kenya, breast and cervical cancer are the leading cause of cancer deaths in women, and prostate cancer is the top cause of cancer deaths in men

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b. COVID-19

COVID -19 captured the world scene in December 2019. The first case in Kenya was reported in March 2020 and the government took several measures in preparation to combat the disease. These measures included training health workers, creation of COVID-19 treatment and quarantine centers, and educating the public on the disease, closing down of learning institutions and certain types of businesses, restriction of movement across the country's international borders and across the borders of certain counties, and introduction of daily curfew hours.

There have been many infections and deaths caused by the pandemic. Nationally, the cumulative number of confirmed COVID-19 cases as of December 2021 was 297,279 while cumulative deaths were 4,835 during the same period. As at May 2022, the Kenya Health Report showed that there were 323,846 confirmed positive cases and 5,649 reported deaths. More infections and deaths were reported among men compared to women (NCPD, State of Kenya Population Report, 2020).

What is clear is that the number of mortalities can come down significantly with improved healthcare and other interventions to support life.

We now focus on 'unnatural causes' of death. The last ten years has seen rising threats to the sanctity of human life. These include rising cases of suicide, homicide (including femicide), abortion, extra judicial killings by security agencies, terrorism, grisly accidents, and ethnic or politically-instigated skirmishes among others. These are human-driven affronts on the sanctity of human life. These prevailing threats and other emerging threats such as euthanasia and assisted suicide have continued to undermine the sanctity of human life.



What is clear is that the number of mortalities can come down significantly with improved healthcare and other interventions to support life. We now focus on 'unnatural causes' of death.

2.4.2 Unnatural Causes of Death

a. Homicide

Intentional homicide is defined as unlawful death purposefully inflicted on a person by another person (UNDOC). It covers the intentional killing by individuals or small groups motivated by domestic or interpersonal violence, dispute over resources such as land, ethnic or political violence, and similar factors (Macrotrends 2020). These killings take different forms such as murder, manslaughter, femicide, infanticide and other forms of violence leading to death of a victim. Homicide has been rampant in the country, increasing with increasing social and economic pressures. Femicide, defined simply as the killing of women, has also been a growing problem alongside other forms of gender-based violence (WHO 2012). The spike in incidences of women and girls dying in the hands of men including intimate and former intimate partners has caused concerns in Kenya in the recent past, attracting demonstrations and heightened media attention. (The Standard 2019).

Similarly, infanticide, the killing of infants, is also a rampant problem in Kenya, with hundreds of children being killed by parents or their close relations every year, especially those born with disabilities. (BBC 2018; The Standard 2020). A report by the Disability Rights International, 2018 found that 45% of mothers faced pressure to kill their babies born with disabilities. This was attributed to cultural pressure where children with disabilities are considered cursed or possessed, and the belief that having such a child is punishment for the sins of the mother.

According to KNBS Economic Survey 2022, there has been an increase in the number of homicide cases reported to the police. The total number of persons reported to have committed homicide went up by 9.3 per cent from 2,494 in 2020 to 2,726 in 2021.

| YEAR | 2017 | 2018 | 2019 | 2020 | 2021 |
|--------------------------|-------|-------|-------|-------|-------|
| Number of homicide cases | 2,774 | 2,856 | 2,971 | 3,111 | 3,281 |

Figure 2.16: (KE) Number of homicide cases reported to the police (KNBS,2022)

Intentional homicide has ripple effects that go beyond the loss of life. Beyond its direct impact, homicide has serious negative effects on the lives of surviving family members, particularly children. Psychological effects include anxiety, depression, post-traumatic stress disorder, aggression, guilt and a heightened sense of vulnerability. Socio-occupational effects include problems in school and at work. Homicide may also lead families to incur expenses they can ill afford, such as funeral costs and lawyer fees. If the victim was a breadwinner, families may find it hard to cope financially. Homicide can generate a sense of insecurity in society, and when high rates occur in countries with weak, inefficient and corrupt criminal justice systems, it can undermine social and economic development.

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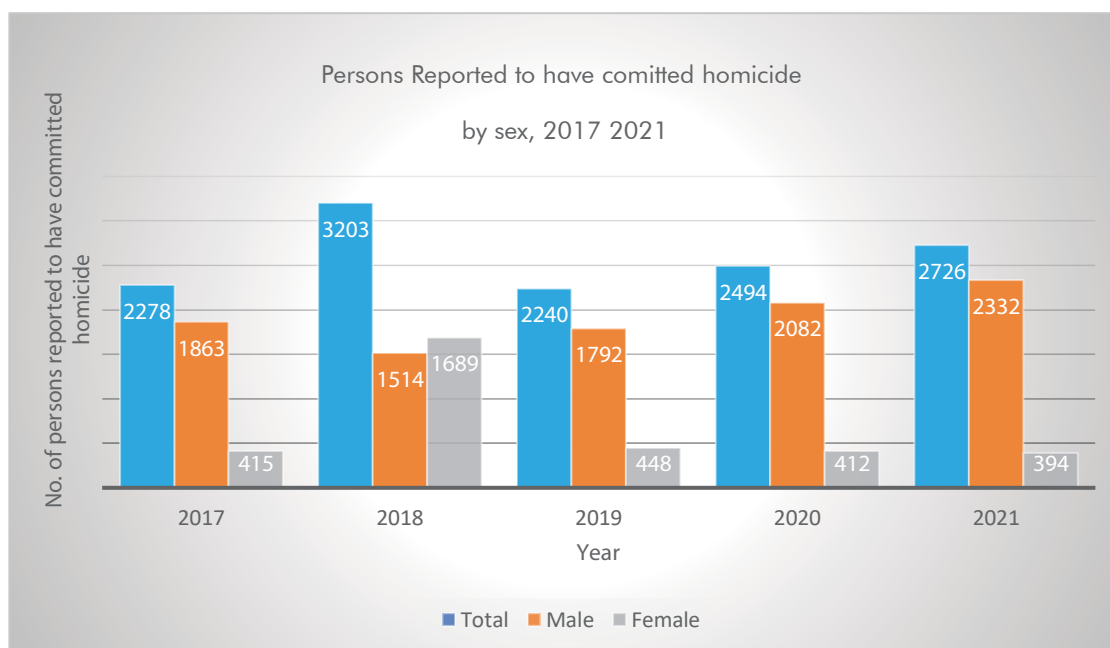


Figure 2.17: (KE) Number of persons reported to have committed homicide by sex, 2017-2021 (Economic Survey, 2022)

b. Suicide

According to World Health Organisation (WHO), an estimated 800,000 people commit suicide every year and it is the leading cause of death for young people between 15 – 29 years (WHO 2020). In Kenya, the number of suicide and attempted suicide cases has been rising steadily. Speaking during the 2021 World Suicide Day on 10th September, the Health Cabinet Secretary, Mutahi Kagwe, stated that the suicide rate in the country was 6.5 suicides per 100,000 people, with a male to female ratio of 3.1. In fact, World Population Review ranks Kenya at position 114 among the 175 countries with the highest suicide rates. A report by WHO indicated that the number of suicides reported across the country rose by 58% between 2008 and 2017 where 421 suicide cases were reported, 330 of which involved men. In 2021, the Department of Operations at DCI reported that at least 483 people had committed suicide between March and June in the same year, representing a sharp increase, considering only 196 suicide cases were reported in 2019 according to the Kenya National Bureau of Statistics.

This sad state of affairs is attributed to a variety of reasons among them psychological, social and cultural crises. This number is thought to be grossly understated because many suicide cases go unreported. The number of attempted suicides far exceed this number such that there are not less than 20 suicide attempts for every suicide case (WHO 2020).

In recent years, there have been rising concerns about the increasing cases of suicide in Kenya, which is directly connected to mental health challenges engendered by socio-economic challenges. The increasing number of suicide and suicide attempts among all age groups including children and youth, is a threat to the sanctity of life. Therefore, the suicide menace calls for urgent redress.

This number is thought to be grossly understated because many suicide cases go unreported. The number of attempted suicides far exceed this number such that there are not less than 20 suicide attempts for every suicide case (WHO 2020).

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The Penal Code criminalizes attempted suicide. The rationale for this is that suicide (like other ways of taking away human life) undermines the sanctity of human life, which the state has a duty to protect. The question of whether human beings have the right to die as much as they have the right to live is one that has been going on in intellectual spaces. In some jurisdictions such as the United Kingdom from where Kenya inherited its Penal Code, attempted suicide has been decriminalized on different justification including the fact that people attempting suicide require help rather than punishment. At an extreme liberal sense, decriminalization of attempted suicide has been justified from a liberty and autonomy perspective. That is, that life belongs to the individual, and the state has no justification to prevent or punish one for choosing to end their life. Suicide itself is not an offence because the offender will be dead and not available to be held accountable. In Kenya, the offences on suicide are attempted suicide and aiding suicide. (Penal Code, Cap 63) Section 225 and 226 of the Penal Code provides that:

225 -Any person who –

- a) procures another to kill himself; or
 - b) counsels another to kill himself and thereby induces him to do so; or
 - c) aids another in killing himself,
- is guilty of a felony and is liable to imprisonment for life.

226 - Any person who attempts to kill himself is guilty of a misdemeanor.

c. Abortion

Abortion, simply understood as the termination of pregnancy, continues to be a threat to the sanity of life in Kenya and elsewhere especially when performed outside the guidance of the Hippocratic oath and medical ethics. Abortions are a significant cause of deaths and health complications for women in Kenya. According to the Kenya Demographic and Health Survey 2014, there were about 488 maternal deaths per 100,000 live births. There has been no scientific study on the number of abortions although there are reports have been done using contested methodology. The KDHS 2014 revealed that 18% of women aged between 15 and 19 are mothers or pregnant with their first child. The Report found that 11% of girls and 20% of boys aged 15-19 had engaged in sex by 15 years of age.

In Kenyan legal system, abortion is illegal. Prior to 2010, the Constitution did not expressly mention abortion but it recognized the right to life. However, the Penal Code expressly stated that abortion is illegal.

The Constitution of Kenya, 2010 protects the right to life, expressly, including that of an unborn child by recognizing that the life of a person begins at conception. (Article 26(2) of the Constitution, 2010). This makes our Constitution special in that it confers personhood to the unborn child in no uncertain terms. Article 26(4) of the Constitution provides that;

Abortion is not permitted unless, in the opinion of a trained health professional, there is need for emergency treatment, or the life or health of the mother is in danger, or if permitted by any other written law.



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This provision is broad. It is clear that termination of pregnancy is illegal except where in the opinion of a trained health professional (a) there is need for emergency treatment, (b) the life of the mother is in danger, (c) the health of the mother is in danger, or (e) if allowed by a written law.

The medical officer of health or doctor is the only health professional in Kenya trained to the proficiency to give an opinion on termination of pregnancy. Since termination of pregnancy can only be done on the opinion of a trained health professional, all mothers with concerns about their pregnancy are encouraged to seek the opinion of a trained health professional and not to take matters in their own hands. It is however expected that when an opinion is reached to terminate a pregnancy, the method used and place where the delivery is performed must give both the mother and the unborn child the best chance of survival in keeping with providing both the highest attainable standard of health care. To this end, section 158 of the Penal Code penalizes attempts to procure abortion, while section 160 punishes any attempt to supply any drugs or instruments intended for use in abortion.

In Kenya, the general understanding has been that termination of pregnancy is only legal if performed based on the opinion of a trained health professional with the aim of saving the life of the mother and/ or the unborn child. The term 'health' mentioned in Article 26(4) has been perceived as not restricted to physical wellbeing of a person. This open-ended phrasing as well as the power given to Parliament to pass laws permitting termination of pregnancy remain a source of concern must remain in the reform agenda. It is paramount that all health professional must consult a medical officer to collaborate any opinion on termination of pregnancy.

The Constitution of Kenya, 2010 protects the right to life, expressly, including that of an unborn child by recognizing that the life of a person begins at conception (Article 26(2) of the Constitution, 2010).



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d. Road Accidents

According to global status report on road safety in 2018 by World Health Organization (WHO), fatalities emanating from road traffic accidents (RTAs) have increased to 1.3 million per year. More than 93% of these accidents, occur in low-income and middle-income countries. The report also identified road traffic deaths (RTDs) as the leading cause of death for people groups between 5 and 29 years of age.

In Kenya, over 3,000 people die in road accidents every year. In 2021 for example, it is estimated that 4,579 people were killed in road accidents while thousands more suffered injuries (EC Survey, 2022). This figure is thought to be an under-estimate because some fatalities go unreported while the National Transport Safety Authority tends to pick dead on the spot incidences with no follow up on subsequent connected fatalities. (Muguro, Sasaki, Matsushita & Njeri, 2020). Majority of these accidents are attributed to human factors and neglect of safety practices among drivers, riders and pedestrians.

According to 2022 Economic Survey, the total number of victims increased from 16,970 in 2017 to 20,625 in 2021. Between 2017 and 2021, deaths caused by road traffic accidents increased by 57%, while injuries almost doubled from 8,296 in 2017 to 16,046 injuries in 2021. These fatalities translate into over 30,000 people, which is a cause for alarm, especially given that majority of accidents are preventable.

Data by the Kenya Police, Traffic Department revealed that pedestrians accounted for the highest number of those killed, with 1557 deaths, followed by motorcyclists at 1271 while passengers were third at 767, with drivers coming fourth at 446.



Majority of these accidents are attributed to human factors and neglect of safety practices among drivers, riders and pedestrians.

REPORTED TRAFFIC ACCIDENTS, 2017- 2021

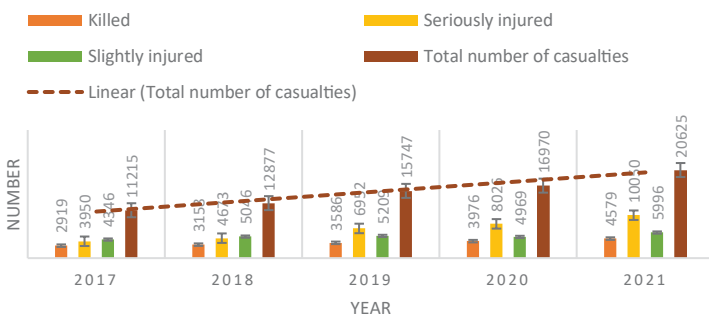


Figure 2.18: (KE) Reported Road Traffic Accidents, 2017 – 2021 (Source: EC Survey, 2022)

Passengers accounted for the highest number (37%) of the casualties at 7,587, followed by motor cyclists at 4,336 and pedestrians at 3670.

Reported Road Accident Casualties in 2021

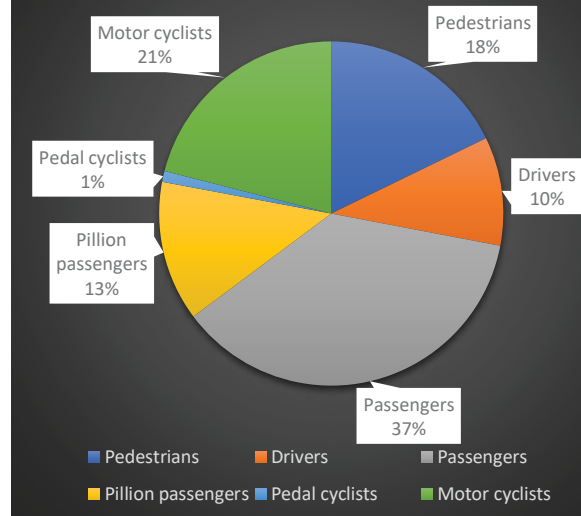


Figure 2.19: (KE) Reported Road Accidents Casualties in 2021 (EC survey, 2022)

Data by the Kenya Police, Traffic Department revealed that pedestrians accounted for the highest number of those killed, with 1557 deaths, followed by motorcyclists at 1271 while passengers were third at 767, with drivers coming fourth at 446.

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This increased road carnage has partly been caused by crossing of roads by pedestrians at undesignated places, overloading goods and excess passengers and failure to observe traffic rules, exceeding speed limits, late night travel, drunk driving, driving while fatigued, untrained and inexperienced motorbike riders and un-roadworthy vehicles.

Figure 2.20: (KE) Number of people killed in Road Accidents in 2021 (EC Survey 2022)

e. Extra Judicial Killings by State Agents

For decades now, Kenya has not had a good reputation as far as extrajudicial killings carried out by security agents is concerned. On average, extra judicial killings of suspects by police run into hundreds of people very year. (HRW 2019). At the height of partial lock down of the country to prevent spread of COVID-19, dozens of people were killed by the police while enforcing restrictions. (IPOA 2020). Extrajudicial killings and forced disappearance of terrorist suspects has been going on for a while now. These incidences point to a dire need for change in policing approach in Kenya, and reveal an underlying failure to cherish the sanctity of human life.

As per the 2017 Human Rights Report by Amnesty International, Kenya ranked top in Africa in cases of police shootings and killing of civilians. At the same time, in 2017, the Independent Medico Legal Unit (IMLU), an organization that investigates police brutality, reported 152 deaths at the hands of police.

In 2020, with the enforcement of curfew to curb the spread of Covid-19 pandemic, citizens increasingly faced threats and violations of their rights from law enforcement officers. (KHRC – 2020/2021). According to Missing Voices, an initiative of 18 Kenyan Civil society organisations who collect, verify and publish data on police brutality, 167 people were killed or disappeared in 2020 against the backdrop of COVID – 19 enforcement measures. This was recorded on their report titled, 'A Brutal Pandemic'. This number increased to 219, out of which 187 were as a result of police killings and 32 disappeared in police custody.

In 2019, Missing Voices documented 145 cases of police killings, and 158 cases in 2020. Cases of Extrajudicial Killings also went up by 51 between 2020-2021 and 74 cases between 2021 and 2019, a trend that has human rights groups worried.

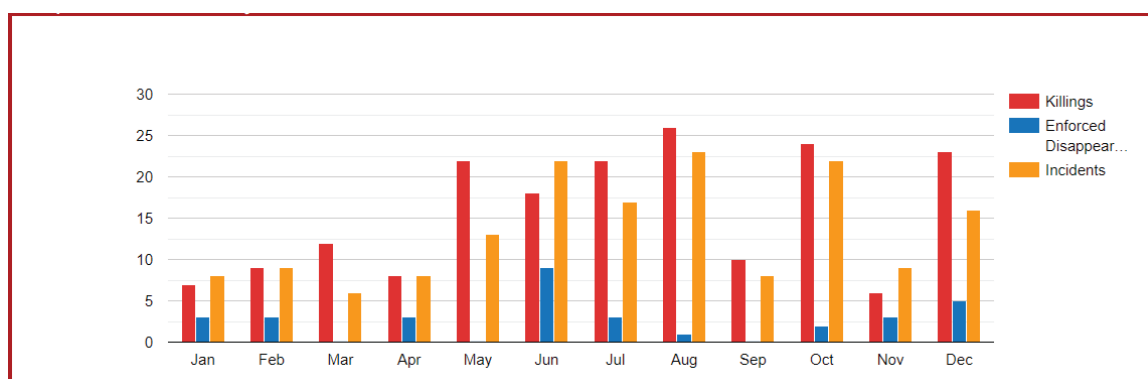


Figure 2.21: (KE) Number of people killed/ disappeared in 2021 from Jan – Dec. (Missing Voices,2020)

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f. Terrorism and War



Terrorism, motivated by religious extremism continue to pose a serious threat to Kenya's security and to lives of many innocent people. The last ten years saw tens of terrorist attacks concentrated mainly in Nairobi, the Coast and in North Eastern region. In these attacks, hundreds of people lost their lives. The most outstanding of these attacks were; Mpeketoni in which about 60 people were killed in 2014, Garissa University in which about 150 were killed (2015), West Gate Mall that left over 70 people dead (2013) and Dusit D2 attack in

which about 21 people were killed (2019). On 4 December 2021, two police officers were shot dead and at least 12 other officers injured when Al-Shabaab militants ambushed a lorry carrying 20 officers on the Rhamu- Manderu Road. Later on the same day, a suspected militant was killed by Kenyan special forces in the Bambo area of Manderu County (The Star) In January 2022, six Christians were killed in a suspected Al-Shabaab attack in Widhu village, Lamu West, Kenya (Persecution.org). There are numerous other attacks that claimed dozens of lives both civilians and security personnel. Hundreds more suffered injuries. Although government's efforts to suppress terrorism has improved the security situation, terrorism remains a serious threat to the country, and to the lives and well-being of Kenya.

g. Ethnic Conflicts

Ethnic or politically instigated skirmishes are common in Kenya. Often these skirmishes lead to death. For instance, election violence occurring during election period has become a perennial occurrence. In addition, there are other incidences of violence pitting members of different communities fighting for resources such as land, water and pasture. Although these incidences are sporadic, they are, sadly, predictable and bound to recur. Examples are the cattle rustling related violence in Baringo, West Pokot, and Turkana; inter clan or ethnic violence in Manderu, Isiolo and Marsabit, land conflicts in Narok, Nakuru and other counties.

Cattle rustling or raiding is no longer a cultural practice, but a form of organised crime committed by international criminal networks. It is facilitated by an increasing proliferation of weapons. According to a study by ENACT Transnational organised crime researchers at the Institute for Security Studies, cattle raiding in 2017 and 2018 was characterised by high-intensity conflicts that left dozens killed or maimed, and negatively affected human security and development in the region. According to the study, 30 people were killed in West Pokot and Elgeyo - Marakwet counties, during the first five months of 2019.

h. Lack of Access to Health Care

There are other threats that continue to undermine the sanctity of human life. These include lack of access to healthcare services for those in need. Lack of healthcare services continue to contribute to loss of life on annual basis. The reducing trends in both infant and maternal mortality over the last 10 years is attributable to improved access to maternal and child health services in the country. This is positive development as it has led to fewer mothers dying during or soon after giving birth and more children living beyond the fifth birthday. Despite these improvements however, the rates still translate into thousands of deaths every year, some of which could be prevented through better access to healthcare services. (NCPD 2015)

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i. Euthanasia and Assisted Suicide

There are emerging threats to the sanctity of life such as euthanasia and assisted suicide. Euthanasia refers to the intentional killing of a human being in order to end suffering brought about by a terminal medical condition. (Singh 2020) The procedure may or may not be consented by the subject. In situations where the subject is unable to consent, the consent of next of kin would be taken. This is to be distinguished from removal of life support for patients who cannot survive without it. Assisted suicide occurs where the subject takes their own life but with the assistance of someone else such as a doctor who aids the subject of the procedure. The difference between euthanasia and assisted suicide lies in who performs the act that results in death. Euthanasia and assisted suicide raise deep questions that transcend medicine, ethics, morals and law.

Under Kenyan law, taking away human life intentionally amounts to murder, unless otherwise sanctioned by law. (Penal Code, section 225). At the moment, there is no law that permits such an act, even if it were to help alleviate suffering. Whether the patient or next of kin consents or not is irrelevant because consent is not a defence in a charge of murder. Similarly, assisted suicide would be an offence of aiding suicide under the Penal code. Under section 225, procuring another to commit suicide, counselling or encouraging suicide or assisting one to end their life is a felony that carries a maximum of life imprisonment.

Assisted suicide and euthanasia are however merging threats to life, and anyone keen on the sanctity of human life should be cognizant of developments in this regard. Many countries around the world have made euthanasia and assisted suicide legal to varying degrees and for varying justifications such as the right to die (as a constituent element of the right to life), the right to dignity and autonomy of the human person. Others lack laws that prohibit, thereby accommodating these practices. These countries include Switzerland, Netherlands, Belgium, Colombia and some states in the United States. (The Guardian 2020) The details of the extent of law and practices in this regard are beyond the scope of this report. However, it suffices to say, that the fact that there has been a shift elsewhere in the world makes these emerging threats real and we ought to be aware.

2.5 KCPF in Defence of Life

Guided by Article 26(1) of the Constitution of Kenya, KCPF believes that every person has the right to life and inherent dignity. Further to that, Article 26(2) adds that “the life of a person begins at conception”. In recognition of these articles and the mission of Jesus in John 10:10: “...I have come so that they may have life and have it in abundance”, KCPF continues to work tirelessly to defend the sanctity of life. As such, life is the first of its core pillars, driven by the Life Committee in collaboration with other pro-life organizations under Linda Uhai Consortium to promote and protect human life and dignity. KCPF has made significant contributions towards the defence of life through advocacy and clamour for reform, among other measures. Enumeration of a few of activities in this respect deserve mention:



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2.5.1 Policy Engagements

a. Position Paper on the Right to Life and Championing Reforms

KCPF has adopted a position paper on the right to life. Dubbed the 'Position on Human Life for the Body of Christ in Kenya,' this paper guides KCPF on its agenda for defence of the sanctity of life. It addresses issues of the worth of the human life, the self-contradicting right to life provision in the Constitution and the problematic abortion clause, and champion for reform in this regard, and flags the perils posed by the Reproductive Health Bill.

b. National Reproductive Health Policy (2022-2032)

KCPF participated in the drafting of the National Reproductive Health Policy (2022-2032). The policy addresses age specific needs of the entire life spectrum of the Kenyan population including maternal health, family planning, adolescence and young adults' reproductive health; reproductive health needs of persons with disability and reproductive health of the older persons such as menopause and andropause. It contains the steps meant to achieve universal quality reproductive health care and services in line with the right to the highest standards of health as enshrined in Article 43 of the Constitution.

2.5.2 Annual Life Week

KCPF conducts an annual Life Week on the fourth week of March around the time when we commemorate the conception of Jesus, nine (9) months before his birth. During this week, we raise awareness on the sanctity of life and rally various players on the need to cherish and uphold life. The week of awareness is concluded with a March for Life where KCPF and the Linda Uhai Consortium march in the streets of Nairobi CBD. Through the annual March for Life, KCPF has managed to mobilise churches and pro-life organisations on the need to raise voices in support of life and counter movements that seek to undermine life through abortion and similar practices.



2.5.3 Intervention in Court Cases

In *Federation of Women Lawyers (FIDA – Kenya) & 30 others v Attorney General & 2 Others*; Court Appeal No. 594 of 2019, KCPF filed an appeal challenging a High Court judgement that allowed the use of health guidelines that were being to train health professionals on abortion.

In *Network for Adolescents and Youth of Africa & Another* (High Court Constitutional Petition No.428 of 2018), KCPF participated in the Constitutional petition supporting Kenya Film Classification Board's decision that banned the airing of an advert promotion abortion.

In *PAK & Another vs AG & Others (Malindi Case)*, KCPF filed an appeal against the decision of the High Court of Malindi that sought to legalise abortion.

2.6 What Needs to be Done

The future is still fraught with perils as far as life is concerned. The threats to life such as abortion, infanticide, homicide, suicide, ethnic and politically instigated violence, preventable deaths caused by accidents and curable diseases, among others are bound to rise. Thus, the Christian community must arise and play its part in defending the sanctity of life, inculcating a culture of responsibility among all players, and assuaging the psychological, social and economic crises that are the root cause of many of these perils. In this regard, KCPF will do the following:

- Widen the engagement with churches and pro-life institutions and people to raise awareness of the perils that the sanctity of life faces and evoke action.
- Raise the profile of the Annual March for Life to become a nationwide event with significant impact in shifting the attitude of various players in the pro-life direction. This includes training and equipping of Linda Uhai Ambassadors.
- Use print media and social media to engage and mobilise support for pro-life laws, policies, attitudes and practices.
- Provide counseling and assistance of young pregnant girls in facilitation of a decision that is pro -life.
- Carry out (or intervene and participate in) strategic litigation in support of life and against laws, polices and decisions that undermine the sanctity of life.
- Participate through the public participation avenue to influence policies and legislation in a pro-life direction.
- Establish or vouch for the establishment of grass root Pro- Life Centers and call centers to support and assist those facing temptation to abortion and suicide.
- Work with other players to decrease unnatural causes of death such as accidents, ethnic and political violence, among others.
- Work with the Government (NTSA) to reform driving instruction curriculum to include content on the need for drivers to respect and focus on human dignity and life.
- Support family stability as a way of reducing domestic violence that often lead to homicide.
- Work with the Government to separate children from adults in data reporting as per the Reproductive Health Policy.

CHAPTER THREE: THE FAMILY SPACE

3.1 Why Family Matters

Family is the foundation of society and the nation. It is the building block, without which, there can be no society and nation. The Draft National Policy on Family Promotion and Protection defines the family as; a societal group that is related by blood (kinship), adoption, foster care or the ties of marriage (civil, customary or religious) of two persons of opposite sex.



The definition of marriage in orthodox Christian doctrine conforms to the long-held definition in English Law founded in the famous House of Lord's decision in *Hyde v Hyde* (1860). The highest court in England declared thus: "Marriage as understood in Christendom is the voluntary union for life of one man and one woman, to the exclusion of all others." This definition is consistent with the Christian notion of marriage and is recognized under the Marriage Act, 2012. This said, it is vital to recognize that there are nuances to the idea of marriage in reality especially in African contexts and consequently, the notion of family. These variances are similarly recognized by the law.

As an aspect of private law, the importance of family in the socio-economic stability of a nation is often underestimated. Yet studies show that family breakdown has disastrous socio-economic consequences.

In Britain for example, studies have shown that children who grow up in situations of family breakdown are twice more likely to suffer poverty, homelessness, delinquency, alcoholism and substance abuse, among other troubles than those brought up in stable family contexts (CSJ 2006). In the United States, similar outcomes are evident. Studies have shown a direct causal effect between problems such as delinquency, drug and other substance abuse, and academic underperformance on the one hand and family breakdown on the other. (Anderson 2014). In the same breath, children who experience family breakdown are more likely to experience family breakdown in their adult life and have less chances of success in family life. In Kenya, the situation is similar.

As an aspect of private law, the importance of family in the socio-economic stability of a nation is often underestimated. Yet studies show that family breakdown has disastrous socio-economic consequences

3.2 Theological and Legal Framework

3.2.1 Theological Framework

As the originator of marriage, God is the author of family. The creation of Adam and Eve is an account of the genesis of human life as is an account of marriage and family (Gen 1: 27). The words of Jesus in Mark 10 put more emphasis on this:

³ "What did Moses command you?" he replied. ⁴ They said, "Moses permitted a man to write a certificate of divorce" ⁵ "It was because your hearts were hard that Moses wrote you this law," Jesus replied. ⁶ "But at the beginning of creation God 'made them male and female.' ⁷ 'For this reason a man will leave his father and mother and be united to his wife, ⁸ and the two will become one flesh.' So, they are no longer two, but one flesh. ⁹ Therefore what God has joined together, let no one separate."(NIV)

From this passage, a number of points are worth noting. First, marriage is designed and originates from God. It was God's idea at the time of creating Adam and Eve. In creating them, he ordained them into a permanent union. Second, the union of Adam and Eve is a model of God's design of marriage. It is a union of one man and one woman. Third, procreation and the growth of the human race from Adam and Eve was to be a consequence of that union. (Genesis 1:27-28) Thus, any departure from the model offered by God is inconsistent with God's idea of marriage and undermines the orthodox notion of marriage and family.

According to God's design, family is supposed to be a source of comfort and support for the human person. It ought to be a place where love, encouragement, care and commitment by every member to others abound.

3.2.2 Legal Framework

The idea of family has attracted the attention of law and policy both at a domestic and international level. Adopted by the United Nations General Assembly in 1948, the Universal Declaration of Human Rights (UDHR) in Article 16 provides that the family is the natural and fundamental group unit of the society and is entitled to protection by society and the State. It underscores the right of every adult to marry and found a family based on free consent. Similarly, the UDHR requires assurance of the wellbeing of the individual and the family as well as the protection of the rights of children. These key protections on marriage and family subsequently found protection under International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The ICCPR at Articles 23 and 24 creates legal obligation on states to take legal, administrative and policy measures to protect marriage and family.

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Article 18 of the African Charter on Human and People's Rights (ACHPR) provides that;

1. The family shall be the natural unit and basis of society. It shall be protected by the State which shall take care of its physical health and moral.
2. The State shall have the duty to assist the family which is the custodian of morals and traditional values recognized by the community.

Kenya is a party to these international legal instruments that find application in our jurisdiction by vide of Article 2(5) of the Constitution of Kenya. ICCPR. As such, it has a legal obligation to protect the family. In this regard, Article 45 of the Constitution of Kenya makes specific provisions about family as follows;

- (1)The family is the natural and fundamental unit of society and the necessary basis of social order, and shall enjoy the recognition and protection of the State.
- (2)Every adult has the right to marry a person of the opposite sex, based on the free consent of the parties.
- (3)Parties to a marriage are entitled to equal rights at the time of the marriage, during the marriage and at the dissolution of the marriage.
- (4)Parliament shall enact legislation that recognises— (a) marriages concluded under any tradition, or system of religious, personal or family law; and (b) any system of personal and family law under any tradition, or adhered to by persons professing a particular religion, to the extent that any such marriages or systems of law are consistent with this Constitution.

From these provisions, a number of points deserve emphasis. First, the family is "the natural and fundamental unit of society and the necessary basis of social order." In other words, family is the building block of the society and the nation. As a 'basis of social order'the organization and progress of the society is dependent on the state of family.

The attendant obligation of the state to ensure the protection and realization of the bill of rights (including the family right) is paramount as it should create a legitimate expectation among the citizens for the advancement of this right through state action and policy. Second, it creates a positive obligation on the state to promote family and a negative obligation to desist from any action that undermines family. Third, it creates a societal obligation to support the welfare and advancement of family.

The UDHR spells out this obligation in unequivocal terms, noting that the family is "entitled to protection by society and the State." In furtherance of this, the United Nations promotes awareness of the global situation on families and supports family oriented policies and programmes through the Division for Inclusive Social Development (DISD) within the Department of Economic and Social Affairs (DESA). Through the instruments such as the UDHR and ICCPR and the proclamations of the International Year of the Family by the General Assembly of the UN, family has received the highest recognition. These noble steps, however, need to be continuously matched with more governmental action to help families realize their fullest potential and perform their roles. Players in the society including the church have an obligation to support the family as a way of securing the interests of the society, be they peace, security, law and order, and economic wellbeing, among others.

3.3 The Family Situation in Kenya

3.3.1 Number and Size of Household

According to the 2014 KDHS, a household is defined as a person or group of persons, related or unrelated, who usually live together, who acknowledge one adult member as the head of the household, and who have common cooking arrangements. The number of conventional households during the 2019 census was found to be 12,143,913, indicating a growth rate of 3.6% per annum. The average household size in Kenya is at 3.9, a decline from 4.2 in 2009. According to the census report, household size differs across the counties. The average household size in 60% of the counties is above national average size of 3.9. The highest number was recorded in Mandera at 6.9 people and the lowest in Nairobi at 2.9 people.

Average size of Households across counties

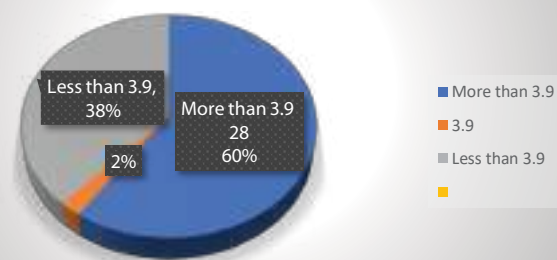


Figure 3.1: (KE) Average size of households across the counties (KNBS,2019)

The KDHS, 2014 indicated that rural households are relatively larger (4.4 people) than those in urban areas (3.2 people). The reduction of the family size can be attributed partly to declining fertility rate, economic difficulties, low levels of income, the high cost of living, the costs of education of children and the desire to maintain a better standard of living, which is best achieved within the more affordable smaller size family.

The total fertility rate in Kenya has decreased over the years. In 1977, the fertility rate was 8.1 births per woman. The current fertility rate is 3.416 births per woman, contributing to the lower population growth rate. Fertility varies across urban and rural areas and across counties.

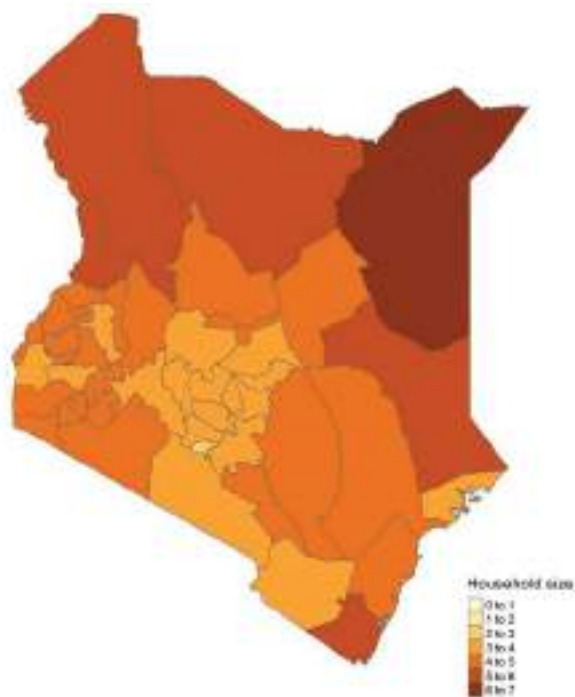


Figure 3.2: (KE) Average Household size per county (KNBS,2019)

According to the KDHS 2014, women in rural areas have almost 1.5 more children, on average, than women in urban areas (4.5 versus 3.1). Fertility also varies across counties from a low of 2.3 births per woman in Kirinyaga, to a high of 7.8 births per woman in Wajir. It was also noted that fertility decreases with education and household wealth. Women with no education have an average of 6.5 children, while women with secondary or higher education have an average of 3.0 children. Women from the poorest households have an average of 6.4 births compared with women from the wealthiest households who have 2.8 births.

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There has been an increase in the female headed households. Nationally, almost one third of the households are headed by women (KDHS, 2014). The Kenya National Bureau of Statistics in 2019 estimated that 32.4% of the 11.41 million households in Kenya were headed by women. A higher proportion of these were recorded in rural areas (36%) compared to 28.7% in urban areas. The highest number of female -run households was recorded in Turkana at up to 52.1% or 246,000 families. Other counties high in the list were Kitui at 46.4%, Migori (46.1%), Makueni (46%), Mandera (45.8%) and Siaya at 45.7%.

| Characteristic | Residence | | Total |
|---------------------------|-----------|-------|-------|
| | Urban | Rural | |
| Household headship | | | |
| Male | 72.7 | 64.2 | 67.8 |
| Female | 27.3 | 35.8 | 32.2 |
| Total | 100.0 | 100.0 | 100.0 |

Figure 3.3: (KE) Percentage of male and female headed households in urban and rural areas, KDHS, 2014

3.3.2 Marriage Status of citizens in Kenya.

The number of married couples increased from 12.6 million in 2014 to 16.7 million in 2020. 60% of women and 50% of men age 15-49 are currently married or living together. The statistics show that women get married earlier than men. Women marry at a median age of 20.2 (women age 25-49) while men marry about 5 years later, at a median age of 25.3 (among men age 30-49) (KDHS, 2014)

| Age | Marital status | | | | | | Total |
|--------------|----------------|---------|-----------------|----------|-----------|---------|-------|
| | Never married | Married | Living together | Divorced | Separated | Widowed | |
| WOMEN | | | | | | | |
| 15-19 | 86.8 | 10.5 | 1.5 | 0.3 | 0.8 | 0.1 | 100.0 |
| 20-24 | 38.8 | 47.6 | 7.0 | 1.0 | 5.0 | 0.6 | 100.0 |
| 25-29 | 14.0 | 69.2 | 5.5 | 2.0 | 7.4 | 1.9 | 100.0 |
| 30-34 | 8.0 | 73.4 | 5.7 | 2.5 | 7.1 | 3.3 | 100.0 |
| 35-39 | 6.7 | 70.3 | 6.4 | 3.5 | 7.5 | 5.6 | 100.0 |
| 40-44 | 5.0 | 67.0 | 5.5 | 3.7 | 8.1 | 10.7 | 100.0 |
| 45-49 | 4.8 | 66.8 | 4.8 | 4.2 | 5.5 | 14.0 | 100.0 |
| Total 15-49 | 28.9 | 54.6 | 5.1 | 2.1 | 5.6 | 3.7 | 100.0 |
| MEN | | | | | | | |
| 15-19 | 99.3 | 0.5 | 0.1 | 0.0 | 0.1 | 0.0 | 100.0 |
| 20-24 | 79.6 | 15.1 | 2.7 | 0.6 | 2.1 | 0.0 | 100.0 |
| 25-29 | 37.0 | 53.8 | 3.3 | 1.5 | 4.4 | 0.1 | 100.0 |
| 30-34 | 12.6 | 75.4 | 3.0 | 2.0 | 6.5 | 0.6 | 100.0 |
| 35-39 | 4.8 | 83.9 | 2.2 | 3.1 | 4.7 | 1.3 | 100.0 |
| 40-44 | 3.2 | 88.6 | 1.3 | 1.6 | 4.8 | 0.5 | 100.0 |
| 45-49 | 2.7 | 87.5 | 3.3 | 1.9 | 2.9 | 1.6 | 100.0 |
| Total 15-49 | 44.4 | 48.4 | 2.1 | 1.3 | 3.4 | 0.4 | 100.0 |

Figure 3.4: (KE) Percentage distribution of women and men aged 15-49 by current marital status according to age, KDHS, 2014

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According to the KDHS 2014 survey, age at marriage increases with education. Women with secondary or higher education marry almost 5 years later than women with no education (median age of 22.7 versus 17.9). Age at marriage varies widely by county of residence. Women living in Migori, Tana River, and Homa Bay marry the earliest, at just over 17 years. Women living in Nyeri marry the latest, at a median age of 21.8 years. Overall, more than one-quarter of women are married by age 18, while 8% are married by age 15.

| County | Age at first marriage/union | | |
|--------------|-----------------------------|----------------------------|---------------|
| | Child (Below 18 years) | Adult (18 years and above) | Never Married |
| No education | 14.2% | 3.7% | 15% |
| Primary | 67.7% | 43.3% | 23.7% |
| Secondary | 17.5% | 43.2% | 48.5% |
| Higher | 0.5% | 9.8% | 26.3% |
| Total | 100.0% | 100.0% | 100.0% |

Figure 3.5: (KE) Distribution of women aged 20 -24 by Education Attainment and Age at First Marriage (KDHS, 2014)

Polygyny

Polygyny is the practice of having more than one wife. The KDHS 2014 survey indicates that majority of the Kenyan women and men are in monogamous unions. Eleven percent of women age 15-49 report that they have at least one co-wife, that is, that they are in a polygynous union. Polygyny is most common among women with no education (32%), in rural areas and among women from the poorest households (24%). Six percent of men age 15-49 report that they have more than one wife.

| Background characteristic | Number of co-wives | | | | | Total | Number of women |
|---------------------------|--------------------|------------|------------|------------|------------|--------------|-----------------|
| | 0 | 1 | 2+ | Don't know | Missing | | |
| Age | | | | | | | |
| 15-19 | 95.7 | 2.9 | 0.3 | 1.1 | 0.0 | 100.0 | 301 |
| 20-24 | 91.9 | 5.6 | 0.5 | 1.6 | 0.4 | 100.0 | 1,465 |
| 25-29 | 89.5 | 7.7 | 1.0 | 1.6 | 0.1 | 100.0 | 2,171 |
| 30-34 | 86.6 | 9.1 | 2.0 | 2.4 | 0.0 | 100.0 | 1,717 |
| 35-39 | 82.2 | 12.6 | 2.7 | 2.5 | 0.1 | 100.0 | 1,365 |
| 40-44 | 77.9 | 14.3 | 4.6 | 3.0 | 0.2 | 100.0 | 923 |
| 45-49 | 78.4 | 13.4 | 4.1 | 4.0 | 0.1 | 100.0 | 768 |
| Residence | | | | | | | |
| Urban | 90.3 | 6.4 | 0.7 | 2.3 | 0.2 | 100.0 | 3,445 |
| Rural | 83.5 | 11.4 | 2.9 | 2.2 | 0.1 | 100.0 | 5,265 |
| Region | | | | | | | |
| Coast | 84.0 | 11.8 | 2.0 | 2.1 | 0.3 | 100.0 | 850 |
| North Eastern | 67.8 | 27.5 | 4.5 | 0.0 | 0.2 | 100.0 | 209 |
| Eastern | 82.3 | 5.1 | 0.7 | 1.8 | 0.1 | 100.0 | 1,268 |
| Central | 91.4 | 3.9 | 0.0 | 4.7 | 0.0 | 100.0 | 1,113 |
| Rift Valley | 84.5 | 10.7 | 2.5 | 2.3 | 0.0 | 100.0 | 2,171 |
| Western | 61.6 | 11.4 | 4.0 | 2.7 | 0.2 | 100.0 | 929 |
| Nyanza | 79.5 | 14.9 | 3.7 | 1.9 | 0.0 | 100.0 | 1,203 |
| Nairobi | 94.5 | 4.1 | 0.4 | 0.5 | 0.5 | 100.0 | 968 |
| Education | | | | | | | |
| No education | 66.8 | 25.0 | 6.8 | 1.3 | 0.0 | 100.0 | 795 |
| Primary incomplete | 62.3 | 12.4 | 2.8 | 2.3 | 0.1 | 100.0 | 2,274 |
| Primary complete | 88.9 | 7.1 | 1.5 | 2.3 | 0.2 | 100.0 | 2,465 |
| Secondary+ | 91.7 | 5.1 | 0.6 | 2.5 | 0.1 | 100.0 | 3,177 |
| Wealth quintile | | | | | | | |
| Lowest | 74.6 | 18.9 | 4.9 | 1.7 | 0.1 | 100.0 | 1,457 |
| Second | 85.4 | 10.1 | 2.1 | 2.3 | 0.1 | 100.0 | 1,567 |
| Middle | 87.9 | 6.9 | 2.5 | 2.4 | 0.3 | 100.0 | 1,663 |
| Fourth | 87.5 | 9.0 | 1.3 | 2.2 | 0.1 | 100.0 | 1,865 |
| Highest | 92.3 | 4.8 | 0.2 | 2.6 | 0.1 | 100.0 | 2,138 |
| Total | 86.2 | 9.4 | 2.0 | 2.3 | 0.1 | 100.0 | 8,710 |

Figure 3.7: (KE) Distribution of married women age 15-49 by number of co-wives, according to background characteristics, (KDHS, 2014)

3.4 Prevailing Threats to Family

The institution of family faces serious threats on our time. Media accounts are awash with heart-rending stories that point to a crisis in families and unprecedented social instability. Stories of domestic violence including homicide are commonplace. These pose a direct threat to family with pervasive social consequences. The family faces perils such as divorce and separation, waning attitudes towards of marriage, and homosexuality and other forms of sexual perversion, and domestic violence, among others. (Jane Rose M. Njue, Dorothy O. Rombo & Lucy W. Ngige, 2018)

3.4.1 Infidelity

Infidelity comes in a number of ways, that is, physical or sexual infidelity and emotional infidelity. This entails adultery, watching pornography and masturbation - eliciting sexual pleasure by oneself. Sex is a gift to be shared with one's spouse within the bounds of marriage; this is the proper order of sexual relations. Infidelity is therefore a violation of this order and a violation the commitment to sexual loyalty in a marriage.

Infidelity impacts negatively on relationship, functioning and stability of the marriages. It violates the integrity, trust, and commitment upon which marriage is based. It causes marital strife leading to divorce and separations, wife battering, prostitution, children born from different fathers and the spread of HIV and AIDS. Infidelity also causes feelings of loss, betrayal, loneliness, heartbreak and devastation, lack of trust, bitterness, anger, revenge and confusion to one or both spouses in a marriage. As a result, infidelity may lead to mental health problems such as depression, anxiety and suicidal feelings (Cano & O'Leary, 2000).

A study on Infidelity Among Married Couples in Selected Mainstream Churches in Kikuyu Constituency, Kiambu County, Kenya (Journal of Sociology, Psychology & Religious Studies, 2020) found that working away from your spouse, marital conflicts, feeling unappreciated, low self-esteem, insecurity, living apart for extended periods of time, nature of environment, internet addiction, poor boundaries, lack of communication, emotional disconnect, incompatibility, frequency of sexual intimacy, lack of sexual satisfaction, wide age difference between couples influenced infidelity among couples.

3.4.2 Alcoholism and Drug Abuse

Alcohol and substance abuse have had diverse effects on the society. As concerning the institution of marriage, the community has been affected by the problem to the extent that it has threatened this highly valued institution.

First, alcohol and drug abuse cause adverse negative social and health consequences on the abusers. Most of these substances contain narcotic which attack the vital body organs causing diseases such as cancer, heart ailments, liver cirrhosis, kidney complications, mental retardation, learning disabilities, memory loss and ultimately death (Melgosa, 2004). These conditions reduce the abuser's ability to be efficient at work in that they may be incapable of sustained attention, concentration and putting in long hours of work. Besides, money spend on alcohol and drug abuse reduces one's resources, and may not leave the family with sufficient funds to buy nutritious food. A lot of family finances may also be used due to the hospital bills and rehabilitation programmes. The consumption of liquor is therefore harmful for every progressive and growing individual and society. It leads to wastage of national wealth for example the money which would have been invested for a productive purpose is spend on alcohol. (UNFPA, 2005) This hinders community development in any country.

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Another effect of alcoholism and drug abuse is aggravation of violence. According to research done by NACADA in Coast, Central and Western provinces between the period of May to October 2010 and January to May 2011, alcohol was associated with a substantial proportional of gender-based violence, for example, it was a key factor in 68% of manslaughter, 62% of assaults, 54% of murders and attempted murders, and 48% of robberies and burglaries. It also indicated a relationship between parental alcoholism and child abuse, incest, homicide, rapes and family violence within a large proportion of the Kenyan population.

Abuse of alcohol in a family does not give a conducive environment to the bringing up of children, most mothers and fathers with chronic alcoholism have poor parenting skills including abuse and neglect of their children, harsh punishment and inconsistent practices which persist into adulthood. It also affects the emotional development of children. It is estimated that almost a third of children whose parents are alcoholics will show signs of emotional disturbances such as anxiety, feeling of insecurity and may suffer disorder behaviours such as truancy (Davis, 1986). This is especially manifested during adolescence when they develop rejecting attitudes towards the parent.

3.4.3 Domestic Violence

Domestic violence, occasioned by rising levels of stress, financial difficulties and a myriad of other challenges, continues to be a leading factor undermining family. The violence takes different forms including physical and psychological abuse, sexual violence, and child abuse, among others. At worse, domestic violence often result in homicide.

The situation of domestic violence, including gender-based violence in Kenya is grim. Reports show that while both men and women experience domestic violence, women bear the greatest brunt (HRW 2020). Incidences of violence take the form of physical and sexual abuse as well as verbal and psychological.



3.4.3.1 Physical violence

Government statistics show that 45% of women and girls and 44% of men between the ages of 15 and 49 have experienced physical violence. The number of women who experience physical violence is higher than that of men except among the ages of 20-24 where more men have experienced physical violence (KDHS, 2014).

Among the married women, the most common perpetrators are their current or former husbands and partners and for the never married women, mothers/ step mothers and fathers/ step fathers are the most common perpetrators (KDHS,2014). Among the men, the most common perpetrators are fathers/ step fathers. This can be attributed to the fact that men rarely report that wives or partners are the perpetrators of the violence (KDHS,2014).

THE FAMILY SPACE

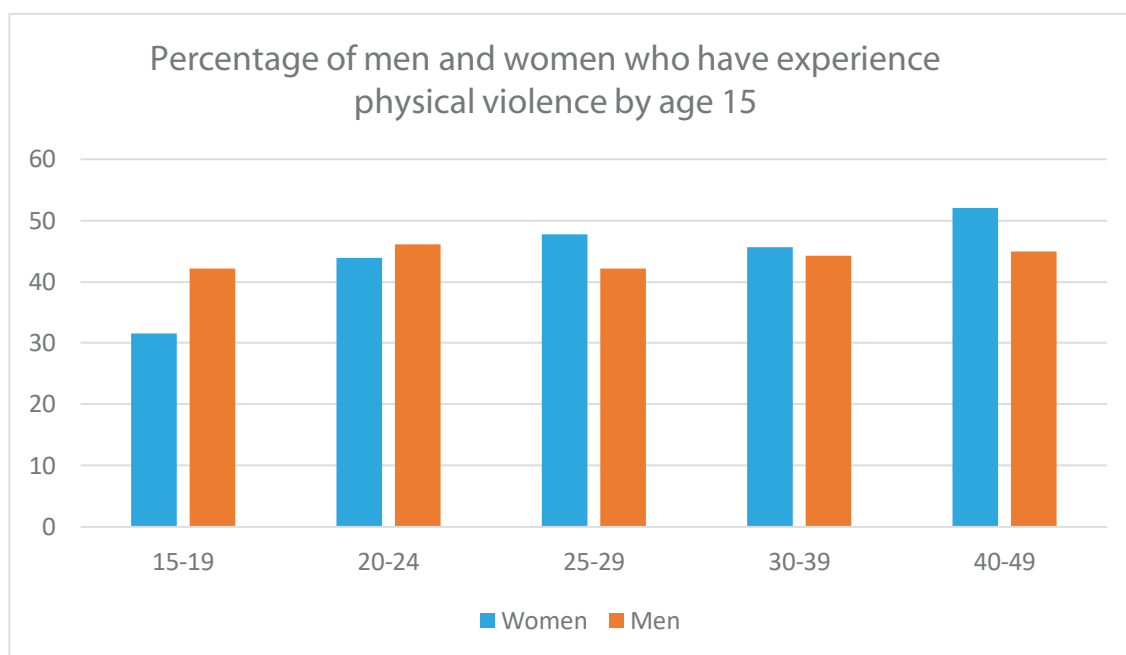


Figure 3.9: (KE) Percentage of men and women who have experienced physical violence since age 15 by age (KDHS,2014)

3.4.3.2 Sexual violence

14% of women and 6% of men age 15-49 years have experienced sexual violence since age 15. (KDHS 2014). The report showed that sexual violence among women is lowest in North Eastern at 6% and highest in Nyanza and Western at 22%. A similar trend was found for men.

The National Violence against Children (VAC) Report, 2019 found that at household level, 62.6% of females aged 13-24 years experienced multiple incidences of sexual violence in childhood. Majority of these abuses are perpetrated by intimate partners including spouses and close relatives within family context. (NCRC 2014). Data from the Healthcare Assistance Kenya (HAK), a GBV Rapid Response System reveal shocking information on incest among children aged below 18 years. Between 2018 and 2021, a total number of 660 cases were reported, 67 of which were male and 593 were female. The greatest number was recorded among the children between age 10 -14 yrs. The highest number of cases was recorded from Makueni with 67 cases, Homabay with 50 cases and Laikipia with 47 cases. That data shows that the greatest perpetrator are fathers.

| HAK 1195-GBV Data on Incest Per Perpetrator Relationship & Place of Violation | | | | | | |
|---|-----------------|---------------------|----------|--------------|----------------|-------------|
| Jan. 2018-June 2021 | | | | | | |
| Perpetrator Relationship | Survivor's home | Perpetrator's house | Bus h | Public Place | Unknow n place | Grand Total |
| Father | 48 | 4 | 1 | 1 | 5 | 59 |
| Uncle | 19 | 7 | 0 | 2 | 8 | 36 |
| Cousin | 12 | 3 | 0 | 1 | 0 | 16 |
| Grand Father | 6 | 2 | 0 | 1 | 5 | 14 |
| Step-Father | 14 | 2 | 2 | 0 | 2 | 20 |
| Brother | 5 | 0 | 0 | 2 | 0 | 7 |
| Brother In Law | 0 | 5 | 0 | 0 | 0 | 5 |
| Step brother | 1 | 0 | 0 | 0 | 0 | 1 |
| Step Grandfather | 1 | 0 | 0 | 0 | 0 | 1 |
| Step-Brother | 0 | 0 | 1 | 0 | 0 | 1 |
| Grand Total | 106 | 23 | 4 | 7 | 20 | 160 |

Figure 3.10: (KE) Data on incest per Perpetrator Relationship & Place of Violation

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Among the married women and men, the most commonly reported perpetrators of sexual violence are current spouses/partners (55% and 37% respectively), and former spouses at 28% and 25% respectively. For those who have never married, on the other hand, the most commonly reported perpetrators for among women and men are strangers (44% and 19% respectively) followed by friends or acquaintances (14% and 19% respectively).



Figure 3.11: (KE) Percentage of men and women who have experienced sexual violence since age 15 by age (KDHS,2014)

The Covid-19 pandemic significantly increased cases of domestic violence in Kenya (HRW 2020). In the wake of the pandemic the government imposed strict control measures including dusk to dawn curfew and restriction of movement from and into certain counties.

The pandemic also had ripple effect on people's livelihoods as a result of job losses and collapse of businesses. The net effect was an increase in domestic violence that was described as a 'shadow pandemic' happening alongside the Covid-19 pandemic. The public health measures aimed at flattening the pandemic's curve created extra opportunities of interaction between potential perpetrators and their victims. Idleness created by the 'stay at home' orders, economic desperation due to loss of economic opportunities as a result of the pandemic and limited access to outside support as a result of restricted movement heightened this risk.

It is undisputed that domestic violence exists and is increasing in our midst. It does not discriminate. It cuts across all age ranges, ethnic backgrounds and socio-economic levels. While women are more commonly victimized, men are also abused.

It is worth noting that domestic violence, including sexual violence is a leading precursor of family breakdown and divorce. Thus, any intervention to help families resolve conflicts amicably is essential in reducing domestic violence and forestalling consequent social crises.

14% & 6%
of women and men respectively by age 15-49
years have experienced sexual violence since
age 15

3.4.4 Divorce and Separation

In Kenya, the rates of divorce have been rising steadily over the years. The KDHS 2014 survey found that the rate of divorce cases among women is higher than men; whereby 11% of women are more likely to be divorced in comparison to 5% of men. An article published on Business Daily on February 2020 revealed that the rate at which Kenyans were filing for divorce had increased exponentially. In 2017, local courts in Kenya approved a total of 909 petitions for an official divorce. In 2018, this figure was 1009, and in 2019, 1108 divorce cases were recorded. In 2020, the figures went up to about 1,500 cases. This could be attributed to the change in the law on divorce where a High Court gave a ruling that nullified the legal requirement that couples can only divorce after three years of marriage.

Divorce is often difficult for all members of the family. It not only affects the relationship between the couple but also the relationship between parents and their children. It may create a distance between the parent and the child which might weaken and even damage the parent-child relationship (Marripedia, 2022). Studies show that divorce has diverse impacts on children. The confusion that comes with the divorce process may leave the children distracted and most likely not able to focus on their school work thus leading to poor performance in school. Research has also shown that children who have experienced divorce are more likely to participate in crimes and rebel through destructive behavior such as smoking and substance abuse and some may even consider committing suicide.

3.4.5 Cohabitation

According to Oxford Dictionary (2017) cohabitation is having intimate relationships between unmarried heterosexuals who live together. Globally, Waggoner, (2016) in his book 'Youth and Cohabitation' asserts that marriage is declining at a time when cohabitation is on the increase. He further observes that from 2001 to 2010, the American population increased by 9.71%, during which time official marriage increased by 3.7% compared to cohabitation which grew by 41.4%. In the year 2010, a study conducted in America by Strong and Cohen, (2016)

3.4.5 Cohabitation continued...

indicated that 39% of American Christians majority being Protestants felt that marriage was becoming obsolete, yet only 28% volunteered similar answers in the 1970s.

Cohabitations are colloquially referred to as 'come-we-stay' marriages in Kenya. The Draft National Policy on Family Promotion and Protection defines cohabitation as; an intimate union in which two consenting adults of the opposite sex stay together without any contractual agreements, with or without children.

One of the factors that that has led to an increase in cohabitation is the financial constraints that are associated with formal marriages (Pike, Mojola and Kabiru, 2016). Cohabitation is perceived as an arrangement that allows participants to enjoy companionship and conjugal rights without the economic constraints associated with marriage. It is viewed as a way to avoid marital norms and familial responsibilities. Kohm and Groen (2005) opine that family background affects marriage and union-formation decisions of young people, in that children who are born or have lived in cohabiting families are likely to accept cohabitation and adopt it later in life.

3.4.6 Teenage Pregnancy

Teenage pregnancy has remained a major health and social concern because of its association with higher morbidity and mortality for both the mother and the child. (KDHS,2014). It is estimated that in low and middle-income countries, 10% of girls become mothers before they are 16 years (WHO 2008). Every year, an estimated 21 million girls aged 15 to 19 years and 2 million girls aged under 15 years become pregnant in developing regions (WHO 2018). Sub-Saharan Africa region accounts for the highest adolescent fertility rate at 119.7 compared to the global average of 58.1 births per 1000 women aged 15-19 years (Lukale and Okande, 2012).

According to Kenya National Bureau of Statistics, (KNBS 2019), about 24% of the population is aged 10-19 years (adolescents). The 2014 KDHS found that 11% of girls and 20% of boys aged 15-19 engage in unprotected sex by 15 years of age. The teenage pregnancy and motherhood rate in Kenya stand at 18% (UNFPA,2016). This implies that 1 in every 5 girls aged 15-19 years had begun childbearing. The situation varies by county with some counties being disproportionately affected than others. Early childbearing is lowest in Murang’a, Nyeri, Embu and Elgeyo Markwet (less than 10%each) and highest in Samburu, Nyamira, Tana River, West Pokot, Homabay and Narok (more than 25% each).

Early childbearing also varies with level of education. The survey showed that one third of women age 15-19 with no education (33%) have begun child bearing as compared to those who have a secondary or higher education at 12%.

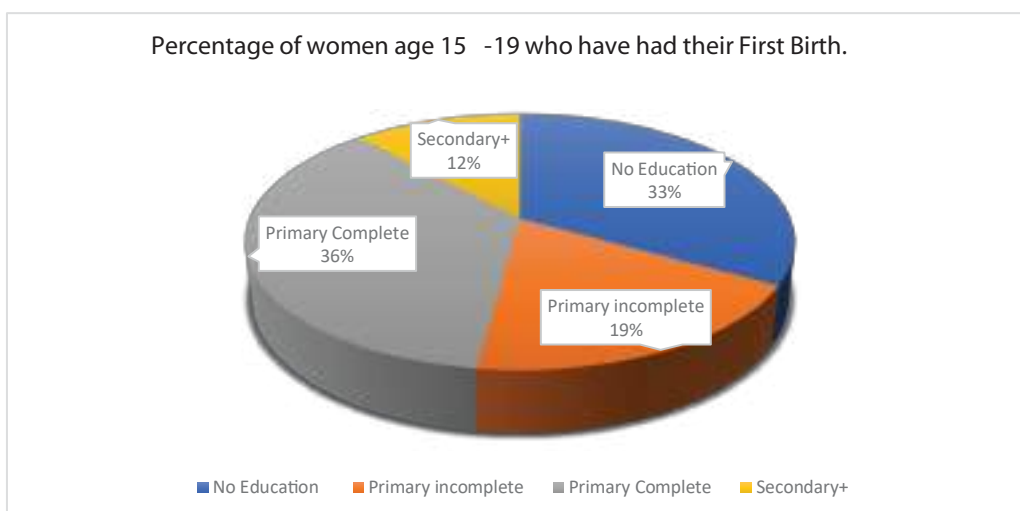


Figure 3.12: Percentage of Women age 15-19 who had have their first birth

As already discussed, divorce, family breakdown, the absence of fathers, and inability of parents to properly play their roles in upbringing of children has serious consequences on individual development, which in turn result in social instability.



3.4.7 Homosexuality

The law in Kenya, particularly the Marriage Act 2014 is clear that marriage can only be contracted by parties of the opposite sex. Article 45 also prescribes that every person has the right to marry a person of the opposite sex. This suggests that the right to marry extends to people intending to marry persons of the opposite gender.

Looking at the trajectory changes in culture and law regarding intimate relationships in other jurisdictions, otherwise conservative societies shifted gradually over time. The movement in the United Kingdom for instance took two steps. First, from non- recognition of same sex relationships to recognition of civil unions to finally legalization of same sex marriages. In the United States, the shift is represented from the Supreme Court's position in [Bowers v. Hardwick](#), then to [Lawrence v. Texas](#) and finally [Obergefell v. Hodges](#). In [Hardwick](#), the Supreme Court ruled that homosexual relationships were not supported under the Constitution, thereby upholding state laws that barred and punished sex between people of the same sex. In less than two decades, the Supreme Court in [Lawrence](#) reversed that decision, thereby invalidating the incrimination of gay sex in state laws. But these focused on gay sex and laws proscribing the act as opposed to the deeper question of marriage. In [Obergefell v. Hodges](#) the Supreme Court finally pronounced itself on gay marriages and invalidated all state laws purporting to prohibit same sex marriages (and other forms of intimate relationships). This formally ended the years of legal contests on whether the US constitution supported gay marriages, declaring that it did. Elsewhere, including many states in the US that had already validated gay marriages, the change was mediated through changes in written law to court rulings.

The Marriage Act in Kenya is categorical that marriage can only be contracted between people of opposite sex. While this is reassuring, the recognition of same sex marriages elsewhere, and the constant agitations by the LGBTQ community in Kenya for the recognition of their interests and rights shows that the push for change of law on this front is in the offing and is bound to increase in the future. It is therefore not an issue to ignore. Shifts in social acceptance which often go side by side with legal attitudes can also not be ignored. According to the scriptures, marriage is a union between man and woman. Thus, any model that contradicts this biblical one is undermines marriage as understood from the Bible.

Therefore, any agitations and developments towards recognition and acceptance of same sex marriages and other similar intimate relationships such as civil unions undermine the institution of marriage as understood from the Christian perspective.



3.5 KCPF in Defence of the Family

Through the Family Committee, KCPF has been on the forefront championing family. It has done this through the promotion of family values, uncovering the LGBTQ agenda as a compromise of the family institution, engaging in strategic litigation and through rewarding institutions that promote family values.

3.5.1 Family Policy Engagement

KCPF and its National Family Consortium played a key role in developing the National Family Promotion and Protection Policy under the leadership of the Ministry of Labour and Social Protection. The aim of the policy is to provide coherent and comprehensive framework for the implementation and monitoring of policies and programmes to ensure that the protection and support of the family is engraved in them. The policy is currently awaiting ascension at the Cabinet level.

3.5.2 Family Week

To mark the UN International Day of Families (IDOF), KCPF Family Committee and its Consortium organizes a Family Week every year with an aim to equip Christian professionals and church leaders with relevant knowledge on challenges facing Church and Family, as a fundamental unit of the society and craft a common strategy and give them a platform to voice their concerns. In 2022, the Family Symposium was held on 13th May under the theme "Building Strong and Resilient Families".

3.5.3 Christian Counselling and Dispute Resolution Center (CCDRC)

CCDRC brings together professionals with skills and experience in the field of counselling and alternative dispute resolution mechanisms such as arbitration, mediation and negotiation. The Counselling Center offers counselling services in matters related family health care and welfare, mental health, gender-based violence, crisis pregnancy and related causes. The Center operates through a Virtual Call Center and in some cases, physical counselling sessions and production of counselling resources to the public.

3.5.4 Intervention in Court Cases

KCPF was as an interested party in the case of [EG & 7 others v Attorney General; DKM & 9 others \(Interested Parties\); Katiba Institute & another \(Amicus Curiae\) \(HC Petition 160 of 2016\)](#). In this case, the petitioner wanted sections 162(a), 162(c) and 165 of the Penal Code declared unconstitutional on grounds of violating the right to privacy, equality and dignity of gay people. These sections criminalize homosexual conduct. While dismissing the petition, the court noted that these provisions do not offend the Constitution. In so opining, the court invoked article 45 (2) which protect the right of persons of opposite sex to marry. Although the issue of marriage was not in issue, the court invoked the marriage design as per article 45 (2) as a basis for decision, thus affirming the heterosexual model of marriage that the Constitution prescribes.

In [Peter Solomon Gichira & Others, High Court Constitutional Petition No. 397 of 2018](#), KCPF was an Interested Party in a Constitutional petition challenging the initiative of Kenya Institute for Curriculum Development to develop, approve and implement a comprehensive sexual and reproductive health program in the primary and secondary school curricula. This case is ongoing.

In [Wanuri Kahiu & another v CEO - Kenya Film Classification Board Ezekiel Mutua & 2 others \[2020\] eKLR Nairobi High Court Constitutional Petition No. 313 of 2018](#), KCPF was an Interested Party. The Petitioner challenged the 2nd Respondent's (Kenya Film Classification Board) decision to ban the film "Rafiki", which had been submitted for examination and approval. The 2nd Respondent opined that the film in question had classifiable elements of homosexuality.

3.6 What Needs to be Done

It is evident that family is critical in the socio-economic development of the society and the nation. While this is true, it is appalling that not much effort and resources is committed to supporting family. It is surprising that while important groups such as children, women and youth have received significant attention in policy and government action towards their empowerment, there are no similar efforts towards supporting progress and stability of families.

The prevailing (and future) socio-economic challenges will continue to put pressure on the family. The threats identified above will continue to grow. Thus, deliberate action needs to be taken to secure the stability of family. As already mentioned, instability in family means instability in the society at large. The converse is also true. Family stability contributes significantly to social stability. The implication of this is that family welfare is not just a matter of private concern, it is also public, and the state ought to be involved. As a result, the following needs to be done in this regard:

- (a) Engage the government to adopt policies and action to support families in accordance with article 45(1) of the Constitution.** Article 45 (1) provides thus: “the family is the natural and fundamental unit of society and the necessary basis of social order, and shall enjoy the recognition and protection of the State.” This provision underscores the importance of family as a contributor to social order and individual success. While the supreme law calls for the involvement of the state in protecting family, there isn’t much to show in government action in this regard. Thus, it is essential that government takes deliberate steps to support and encourage family stability. In this regard, the following suggestions are made:
- (i) Establish a state department dedicated to supporting families. Families need support such as pre-marital and marital counseling and support services to ensure stability and reduction of family breakdown.
 - (ii) Tax (and other) incentives for couples who choose to formalize marriages. This will encourage couples to marry, which in turn increase stability and reduce breakdowns and the perils that follow children following family breakdowns.
 - (iii) Provide adequate funding to family support services as detailed here.
- (b)** KCPF, the Church and other like-minded organisations should continue to promote family virtues and uphold family.
- (c)** Strengthen morals among the youth through value-based education and mentorship.
- (d)** Prevent teenage (and other pre-marital) pregnancies through training and support towards responsible sexual behaviour.
- (e)** Promote adoption as a pro-life option in dealing with crisis pregnancy. In this regard, promote a culture that accepts abortion and work with the government and other stakeholders to streamline adoption procedures in Kenya.
- (f)** Reform the Marriage Act to support marital stability.
- (g)** Initiate (and strengthen existing) family dispute resolution mechanisms.
- (h)** Encourage a culture of adoption and streamline adoption procedures in Kenya to facilitate more adoption of children. This will help increase the number of children growing up within families.
- (i)** Prevent teenage (and other pre-marital) pregnancies through training and support towards responsible sexual behaviour.
- (j)** Mainstream family values in Government policies and operations.
- (k)** Develop a Charter on the Rights of the Family.
- (l)** Educate the society in family values.

CHAPTER FOUR: TALKING AND WALKING THE FAITH

4.1 Why Faith Matters

Religion remains an integral part of many people's lives. In fact, according to Pew Research Center, 84% of the world's population identifies with a religious group. Faith plays a vital role in society, contributing to moral and social good. It is a significant contributor to individual's moral conviction and tendency to do good. In addition, faith offers avenues through which human beings can connect spiritually with the Creator, answers life's deepest questions and offers hope in a turbulent world. In this way, faith contributes to the management of psychological challenges and helps to create peace in the individual and the society. Therefore, the contribution of faith to morality, common good and social order cannot be over emphasized.



Faith is therefore an essential element of individual and social life. This chapter discusses faith and highlights developments around this pillar over the last decade. These include the legal developments around religious freedom and the practice of faith.

4.2 Theological and Legal Framework

4.2.1 Theological Framework

The scriptures teach Christians to love God both internally and externally. The words of Deuteronomy 6:4-7 point to this regard:

4"Hear, O Israel: The Lord our God, the Lord is one! *5* You shall love the LORD your God with all your heart, with all your soul, and with all your strength.*6* "And these words which I command you today shall be in your heart. *7* You shall teach them diligently to your children, and shall talk of them when you sit in your house, when you walk by the way, when you lie down, and when you rise up." NKJV.

Jesus Christ in answering to a question asked by a Pharisee lawyer, reiterated this scripture, and termed it 'the first and the great commandment' Mathew 22: 37, 38; Mark 12: 30. NKJV

This instruction points to the need for Christians to have an attitude of reverence to God internally, while at the same time expressing the love of God externally by continuous practice of the faith and ensuring continuation of faith through instructing children in the faith. In this regard, Jesus Christ instructed his disciples (and us) to...

go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit." Mathew 28: 19 NIV.

These scriptures and others mark the basis of the practice of the Christian faith and the obligation to evangelize and spread the faith.

4.2.2 Legal Framework

As an essential component of life, faith has attracted the attention of the law. Article 18 of the UDHR obliges states to respect and take steps to protect religious freedom or belief. It reads thus:

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

This protection is reiterated and guaranteed under article 18 of the ICCPR. It provides that:

“This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.”

Kenya is party to this treaty obligation, which by virtue of Article 2 (5)(6) of the Constitution, is part and parcel of our law. Article 32 of Kenya’s Constitution protects this freedom in similar terms. These provisions form the legal basis for the protection of religious freedom. Article 32 of the Constitution:

- (1) Every person has the right to freedom of conscience, religion, thought, belief and opinion.
- (2) Every person has the right, either individually or in community with others, in public or in private, to manifest any religion or belief through worship, practice, teaching or observance, including observance of a day of worship.
- (3) A person may not be denied access to any institution, employment or facility, or the enjoyment of any right, because of the person's belief or religion.
- (4) A person shall not be compelled to act, or engage in any act, that is contrary to the person's belief or religion.

A number of points are worth noting. First, this right protects people’s “conscience, religion, belief and opinion.” This suggests protection of personal faith in God including the right to believe or not to believe. Secondly, the right protects the practice of faith, including the public expression of it and the right to proselytize. It follows that there is the right to form religious groupings or associations such as churches as an integral part of the right to religious freedom and the right to freedom of association guaranteed under Article 36 of the Constitution.

While the state has an obligation to protect this right, it does not have the right to limit the practice of faith or make prescriptions that interfere with this right except as it strictly necessary for the protection of community interests such as public order and security, public health and similar legitimate interests. Such limitations, however, can only be applied sparingly, and strictly for the intended legitimate purposes so as not to defeat the right (IDEA 2017). Similarly, the state itself, except where this right is specifically excluded, cannot have state religion (Article 8, Constitution of Kenya, 2010). In the same vein, the state cannot take a path of fighting faith or interfering with religious practices in the name of protecting religious freedom. This is because matters of faith belong to the personal sphere and the state interference must be justified by public or communitarians interests as already noted (OCHCHR 1996-2020).

The Penal Code in Section 134, states that destroying, damaging, or defiling any place of worship or object held sacred with the intention of insulting the religion of any class of persons is a misdemeanor.

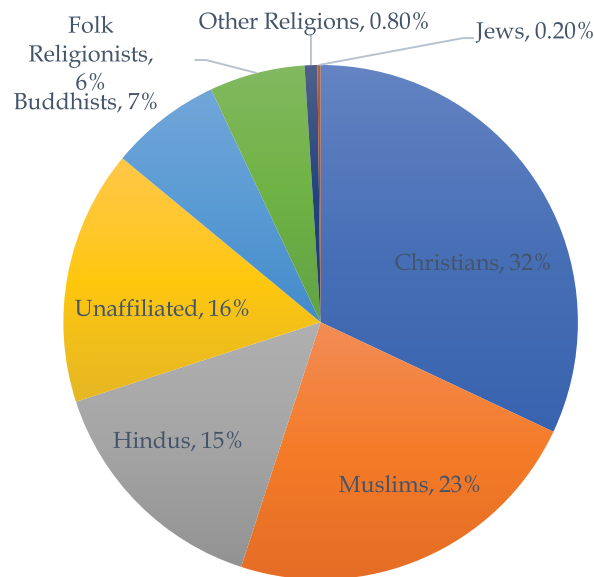
4.3. Faith Situation in Kenya

4.3.1 Distribution of Population by Religion

Pew Research Center organizes the world’s religions into seven major categories, which includes five major religions (Christianity, Islam, Buddhism, Hinduism, and Judaism), one category that broadly includes all Folk/Traditional religions, and an unaffiliated category.

Globally, Christianity has the largest following of these categories. Around 31% of the world’s population are Christians, closely followed by Muslims at 23%. Jews have the smallest population of major religions, with only 0.2% of the world identifying as Jewish. The religiously unaffiliated population includes atheists, agnostics, and people who do not identify with any particular religion. As of 2020, an estimated 429 million people, about 6% of the world’s total population identified as adherents of folk or traditional religions. Some notable folk religions include African traditional religions, Chinese folk religions, Native American religions, and Australian aboriginal religions.

Size of Major Religious Groups, 2010



■ Christians ■ Muslims ■ Hindus ■ Unaffiliated ■ Buddhists ■ Folk Religionists ■ Other Religions ■ Jews

Figure 4.1: (KE) Size of Major Religious Groups: Percentage of Global Population (Pew Research Center, 2010)

The Pew Research Center projects that’s in the next four decades, Islam will grow faster than any other major world religion and by 2050, Christians and Muslims will make up nearly equal shares of the world’s population.

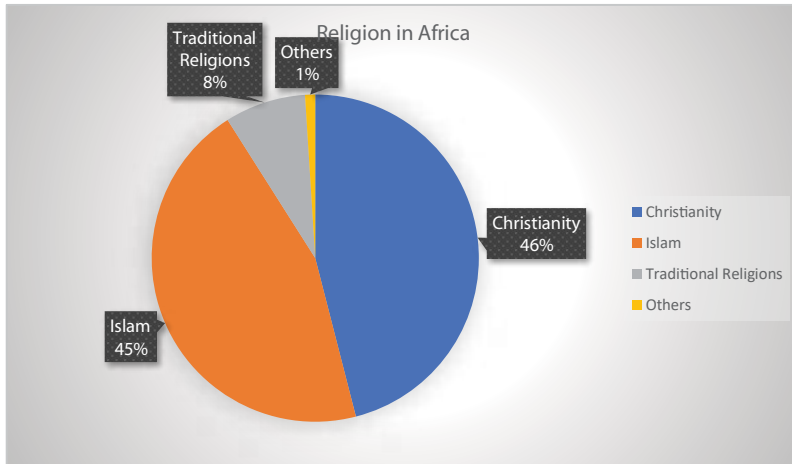
In Africa, most people are adherents of Christianity and Islam. As at 2020, Christians formed 46% of the continent’s population, with Muslims forming 45% (Gordon Conwell, 2020).



TALKING AND WALKING THE FAITH

The predominant religion in Kenya is Christianity which is adhered to by an estimated 85.52% of the total population. Islam is the second largest religion in Kenya, practised by 10.91%. The main Christian denominations in Kenya are Protestants who make up about 34% of the country's religious composition, followed by the Catholics who make up 20.6% of the population, about 9.7 million Kenyans. The non-Protestant and non-Catholic groups make up about 11.8% of the population.

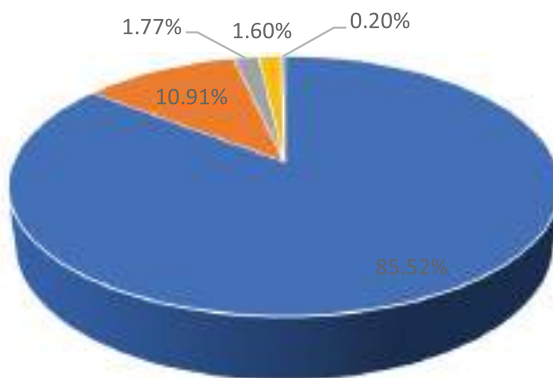
Figure 4.2: Religion in Africa (Pew Research Center)



Generally, Kenya has a culture that embraces faith and the practice of religion. It is not uncommon that public events including official state functions open with prayers. As a matter of fact, it is common for the President to call for a day of national prayers, while the national prayer breakfast that bring together the country's top political leadership has been an annual event for years.

Education and religious instruction have always existed side by side in Kenya. The role of Christian missionaries and the development of education in Kenya cannot be over emphasized. During the colonial era, at the time when the colonial government did not consider education of the African population a priority, Christian mission groups established educational institutions to provide education for Africans. Education was provided alongside religious instruction. The existence of hundreds of church-sponsored schools in Kenya today is attributed to this history. (Wataka 2015).

Population by Religious Affiliation



■ Christianity ■ Islam ■ Others ■ No Religion ■ Don't Know

Figure 4.3: (KE) Distribution of Population of Kenya by Religious Affiliation (KNBS 2019)

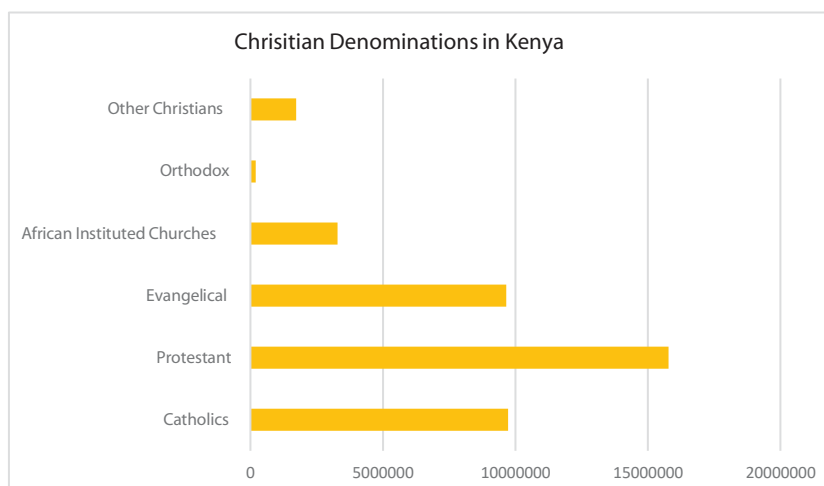


Figure 4.4: Percentage of Christian denominations in Kenya (KNBS 2019)

Religious education has for years been part and parcel of education curriculum in Kenya with Christian Religious Education (CRE), Islamic Religious Education (IRE) and Hindu Religious Education (HRE) as available options, and compulsory subjects at lower levels. (Wataka 2015). Aside from these examinable courses, religious guidance sessions commonly known as Pastoral Programme Instruction (PPI) has been a common feature in primary and secondary schools (BSK, 2020).

4.4 Threats to Faith

Faith and its practice face several threats in our time. Among these threats are changing attitudes towards faith, growing state regulation and for Christian faith in particular, aggressive expansion of competing faiths.

4.4.1 Indifference and Changing Attitudes

Modernity has brought with it a change in attitude towards religious beliefs and practice. Research shows that more people are adhering less to faith. Indifference and nominalism on matters faith is on the rise. While many still consider faith to be important, the numbers of those who don't have increased. The Pew Research Center reported that in 1990, only 7% of Americans reported having no religion. However, thirty years later, in 2020, the percentage claiming to be non-religious had quadrupled, with almost 3 in 10 Americans having no religion (Pew Research Centre).

Pew Research Center projects that by 2050, Christianity will still be the world's largest religious group. However, the Muslim population will be nearly the same size placing Islam as the world's fastest growing religious group. It also notes the slow but steady rise in unaffiliated groups such as atheists and agnostics. (Pew Center Research 2020). In Kenya, according to the 2019 census, about 755, 000 Kenyans identify as irreligious or atheist. However, atheist advocacy groups claim that the number of irreligious Kenyans is closer to 1.5 million (Nzwili, Fredrick).

The shift in attitude and growing indifference towards faith is a threat to faith and religious adherence. It calls for urgent redress, and heightened evangelism. It also calls for change in evangelism approach to ways that work for this day and age. Paul- Choudhury suggests that for religion to survive in this age and in the future, it must offer tangible solutions to the challenges of the times. (Paul-Choudhury; BBC, 2019). For Christianity, the faith has got to be real, addressing the deep spiritual needs of the human person as well as offering practical solutions to the myriad challenges that bedevil our world.

4.4.2 Secularism

Secularism is the most serious challenge of modernity posed by the West. Its main ideology is to liberate man from the religious and metaphysical values and expel religion from the practical aspect of man's life.

Secularism implies that divine guidance, worship of God, and obedience to Him should be confined to the personal life of man and all other affairs in this world should be determined by his own wishes and convenience. The goal of the secular society is to achieve happiness in the worldly life only; thus, it does not tie in with the practice of religion.

The impact of secularism is now visible through the media and the outright disregard for moral values in the society. The Media has been used to introduce values that are alien to the Christian values. Some of the programs shown on TV are highly detrimental to the development of a person's good character as they contain a lot of unethical entertainments, violence, and sex scenes.

Under the influence of secularism, immoral activities, such as homosexuality, adultery, abortion, etc. have been on the rise. Secular governments, such as the United States of America legalized the practice of homosexual marriage in the name of the freedom of expression and choice. It also validates adultery which destroys the institution of marriage and denies the role of the family institution. For the secularist, adultery is a way to avoid responsibilities in married life. The practice of adultery brings many bad implications on society, such as the decline of lineage, the increase of disease, and opens the road to other ethical problems like abortion. Since secularism minimizes the importance of religion and excludes God's guidance almost completely in the daily affairs of man's life, people are free to engage in wrongdoing, and thus, immoral acts keep increasing from day to day.

4.4.3 Terrorism as a direct attack on diversity of faith and on Christianity

In Kenya, while Christianity is the majority religion, this has not stopped the spread of persecution. The fact that terrorist attacks in Kenya are usually motivated by religious bigotry, and targeted at Christians is not easy to ignore. Particularly, Christians with a Muslim background in the northeast and Coastal regions live under constant threat of attack (Open Doors).. In areas along the Coast and North Eastern, those who convert to Christianity are rejected by their families and communities. They cannot openly discuss their faith without risk of losing their family, livelihood and standing in their community (The Voice of Martyrs)

Many terrorist attacks that took place in the last ten years killed or injured persons who do not profess the Muslim religion, and were invariably Christian. On 5th November, 2011, The East African Pentecostal Church in Garissa town was attacked with two grenades resulting in the death of two people and five others suffered injuries. In 2012, two churches in Garissa town were attacked with seventeen people killed and sixty others suffering injuries. On 12th April 2015, at Garissa University College, 147 students, mainly Christian students were killed. It was reported that attackers fired randomly at Christian students who had woken up at 5:00am for morning prayers. It was also reported that the terrorists held students in their hostels and only allowed the Muslim students to walk out after successfully reciting some passages in the Quran (Impact Journal of Transformation, 2021).

Although there is no correlation shown yet between decline in Christianity and terrorism, these terrorist attacks aimed at Christian premises and persons need to be acknowledged as an attack to the Christian faith besides being an enduring security threat.

4.4.4 Disputes in Churches & Religious Institutions

Church is expected to be a place of peace and harmony just as Jesus taught his followers to “be at peace with each other” (2Corinthians 13:11). However, history shows that many churches came to be out of conflict-based divisions. A good example is Lutheran Church that begun as a Protestant movement in 1517 rebelling against the authority of the Catholic Church and the Anglican Church of England which separated from Roman Catholic Church in 1538 and eventually spread into Kenya by the Church Mission Society (CMS) from the year 1884.⁵ Churches have continued to record a history of conflicts over time that has led to many subdivisions and formation of many churches. For example, in Bungoma, the loser in Anglican Diocese bishopric elections defected and formed a splinter church called “Anglo Church of Kenya”, citing poor leadership and corruption as reasons for their departure.⁶ In March 2021, the Daily Nation reported that the believers at the Methodist Church of Kenya, Kirimba Church in Buuri Constituency in Meru County, exchanged blows over leadership crisis.

A study of the conflicts in churches shows that the causes of conflict are allocation of resources, leadership wrangles, weak administrative structures, lack of leadership skills, and mismanagement of finances. These conflicts in churches are usually followed by splits leading to loss of membership either to warring faction or to the other churches or just members being unaccounted for.

TALKING AND WALKING THE FAITH

Therefore, the state is restricted from interfering with religious freedom except where law, or public order and security is in jeopardy, and similar legitimate concerns. It also follows that the state cannot dictate the proper way to worship, who becomes a member, follower or leader in a religious organization, and other matters pertinent to the exercise of religious freedom. These are issues of private sphere, and the state may not interfere.



4.4.5 Intrusive State Regulation of Religion & Religious Practice

Article 32 of the Constitution protects religious freedom. While this is a reassuring guarantee for people of faith, article 32 (3) presents a potential threat to the same freedom. The provision proscribes discrimination on the basis of religion. It provides that “[a] person may not be denied access to any institution, employment or facility, or the enjoyment of any right, because of the person’s belief or religion.” While the courts have not had the opportunity to interpret and pronounce themselves of the implication of this rule, its words suggest that institutions including religious organizations may not discriminate on the basis of religion. This contradicts religious freedom because membership to religious institution is tied to the profession of the faith. Similarly, faith-based organizations are founded on faith and its activities driven by faith-based philosophy. To require religious organizations and faith-based organizations not to have restrictions including those connected to profession of faith contradicts and undermines religious freedom. There has been a clamor since 2010 for the enactment of Religious Freedom Bill to clarify these and other issues. These efforts are however yet to bear fruit, and calls for continued agitation.

From a liberal perspective, article 32 guarantees religious freedom, including the practice of faith in religious organizations. Therefore, the state is restricted from interfering with religious freedom except where law, or public order and security is in jeopardy, and similar legitimate concerns. It also follows that the state cannot dictate the proper way to worship, who becomes a member, follower or leader in a religious organization, and other matters pertinent to the exercise of religious freedom. These are issues of private sphere, and the state may not interfere.

For a while now, there have been attempts to introduce regulations that prescribe matters such as qualification on leaders of religious organizations and rules to instill more accountability among leaders. Over the last decade, there have been attempts to introduce more regulation of churches by government. This desire has been motivated by the ballooning of religious organisations especially churches seeking registration and elements of bad behavior among some church leaders. In 2016, the Attorney General proposed new religious societies regulations which sought to tighten regulation on church groups. It required minimum academic qualifications for leaders and increased accountability, among other requirements. Around the same time, a moratorium was placed on registration of new religious societies including churches. This meant new churches would not be registered in the country while the moratorium was in effect. Both of these steps were withdrawn following intervention by President Uhuru Kenyatta in response to an outcry by religious leaders.

TALKING AND WALKING THE FAITH

In 2019, Muturi Kigano, M.P introduced a motion in Parliament seeking to compel the Attorney General to draft a law that would regulate religious organizations. (The Standard 2020). The quest to regulate churches has been persistent but elusive, and it is likely to linger on in the future. Proposals for self-regulation as an alternative to rules imposed by the government have been presented before by umbrella bodies such as the NCCCK and EAK. (The Standard 2020) While these efforts are yet to bear fruit, it seems to be the most viable option because matters of faith are deeply personal and based on one's convictions. Government regulation presents the risk of imposing hegemony which, as it has happened before, will attract resistance and is unlikely to succeed. In this regard, the Church ought to continue to work towards self-regulation through umbrella bodies and commit to minimum code of conduct among its members rather than wait for government intervention. Kenya has for years had a crisis of integrity in public affairs, and the Church has constantly been on the forefront condemning acts of corruption and similar ills. Working towards enhancing adherence to the highest standards of integrity among Christian societies will certainly boost moral authority.

4.4.6 The Covid-19 Pandemic

The outbreak of Covid-19 pandemic affected various institutions adversely. The consequent devastations have been equated to the Great depression, the World Wars and similar catastrophes. The Church was not spared of the ignominy. In the wake of the outbreak in Kenya in March 2020, the Government of Kenya banned all public gatherings including religious meetings. This meant Church congregations could not meet for worship. Other church programmes were similarly suspended. This seriously disrupted public worship which is an essential part of the Christian faith. The silver lining in the pandemic is that many churches quickly adapted and began to offer church programmes online through various media. The switch to technology is bound to be useful lessons that will be useful beyond the pandemic.



4.5 KCPF in Support of Faith

4.5.1 Lifting of the Ban on Registration of Churches and Religious Organizations

In 2014, the AG, through a Moratorium barred registration of religious organization pending gazettelement of new regulations to govern churches and religious organizations. This move was observed as a violation of religious freedom as enshrined in Article 32.

In 2022, with the intervention of KCPF and the partners, KCCB, NCKK and EAK and other organizations, the moratorium was lifted. On July 14, 2022, Religious Societies Rules, 2022 were released giving guidelines on the registration of religious societies. For Registration, the following documents are required; a certified copy of a certificate, a diploma or a degree in Theology from a recognized theological institution from at least one officer of the society, a valid certificate of good conduct; a tax compliance or exemption certificate from the Kenya Revenue Authority from each officer of the society; identity cards, KRA Pin, passport photographs and contact addresses; a sworn affidavit by each officer indicating whether they are registered members or officers of other religious societies and the names of such societies; an introduction or recommendation letter from a registered religious society in good standing signed by any two officers of such a society; and a list of the members of the society, their ID cards and phone numbers.

4.5.2 Proposed Code of Conduct for Churches in Kenya

KCPF has been collaborating with HESABIKA Trust to work on a Code of Conduct for Churches in Kenya. The government has from time to time indicated the need to regulate the Church however, church leaders have often stated that they can self-regulate but currently have nothing in place that binds churches of different denominations and/or umbrella bodies. It was for this reason that Hesabika Trust and KCPF offered to support churches in drafting a Code of Conduct which they can use for their own self-discipline.

4.5.3 Advocacy for Religious Freedom & Practice

KCPF encourages the members to boldly express their faith rather than hide their belief. KCPF advocates for the expression of religious values in decision making and in determining moral questions in court cases.

4.5.4 Promotion of Religious Identity & Witness of Living Faith

The name KCPF, Kenya Christian Professionals Forum, recognizes that our identity as Christians. One of the ways through which KCPF advances its cause of advancing biblical values in the society is through witnessing. Witnessing is done through holding events e.g. Match for Life, Family symposium etc. and webinars that seek to enlighten members of the public on the need to contend for the Christian faith in the marketplace. In this way we achieve a community of Christians who are consistent in living out their faith and not promote religious hypocrisy. To achieve this, KCPF is in collaboration with churches and para church organizations and also seeks to initiate KCPF Chapters in each of the Professional bodies.

At least once a year, Christians are reminded of, and move towards fulfilment of Jesus' prayer for his disciples at the Last Supper that **"they may be one so that the world may believe"** (John 17.21). The event that touches on this special experience is the Week of Prayer for Christian Unity (WPCU). Traditionally the WPCU is celebrated between 18th -25th January. The WPCU has a history of over 100 years, in which Christians around the world have taken part in an octave of prayer for visible Christian unity.

Since 2013, KCPF holds Annual Ecumenical Prayer Breakfast in observance of the WPCU. The leadership and members of KCPF together with other invited guests gather to pray for different personal and corporate needs.

4.6 What Needs to be Done

- (a) Christian professionals should continue to devise methods of evangelism that present the Christian faith in ways that appeal to society's and individual needs.
- (b) There is need to foster a culture of religious tolerance in Kenya given that religious intolerance if allowed to thrive threatens to undermine religious freedom.
- (c) The government should continue to deal with the threat of terrorism motivated by religious extremism. This is because often, terrorism has target Christians because of their faith, making terrorism to be not only a threat to security but also to religious freedom of Christians.
- (d) Churches and other religious institutions should develop administrative structures and mechanisms for dispute resolution among their members and between the institutions.

CHAPTER FIVE

Moving Forward: Conserving the Gains and Imagining the Future

5.1 Introduction

The tenth anniversary of KCPF coincided with the tenth anniversary of Kenya's 2010 Constitution. It should be recalled that the enactment of the Constitution, and the onset of the implementation process is what begot KCPF. Thus, the lives of the two are intertwined.

It is thus an opportune moment to reflect on the successes, failures and lessons of both epochs. It should be recalled that the current constitution was opposed by majority of churches and Christian groups. Thus, the clamour for constitutional reforms presents an opportunity to push for the interests of the Church on matters pertaining to life, family and faith. In August 2020, the Kenya Christian Professionals Forum (KCPF) together with other professional bodies signed a Proclamation to promote constitutional values and to commemorate Katiba Day on 27th August every year in recognition and celebration of the promulgation of the Constitution of Kenya, 2010 which took place on 27th August 2010.



5.2 Conserving the Gains and Imagining the Future

It is clear that as far as life, family and faith is concerned, Kenya has a fairly favourable foundation in law. It is gratifying that the right to life is protected under the Constitution, and the supreme law attempts to address controversies on this issue, albeit imperfectly. The same spirit of upholding the sanctity of human life can be seen in other laws through efforts to discourage suicide and punish homicide, abortion and infanticide, among other violations.

The Constitution clarifies that life begins at conception. This implies that once conception has taken place, a human being comes into being and is entitled to the right to life. While the abortion clause is fraught with imperfections, it forms a basis upon which pro-life arguments can be made as already discussed, besides continued quest for constitutional reform on this.

We have also seen that family enjoys the attention of the Constitution and other laws. It is clear, however, that this strong protection of family under the constitution is not matched by policy and governmental action so as to give it effect. This implementation gap calls for urgent redress because as we have seen, family failure undermines the ability of individuals to realize their full potential, and has wide ranging repercussions such as poverty, delinquency, and social instability. To this end, it is necessary that the government should create a state department responsible for family affairs. As a state department, family matters will be elevated in importance as the family agenda will be directed by a Principal Secretary and represented in the cabinet by the responsible Cabinet Secretary.

This will ensure family is given the attention that it deserves given that as already demonstrated, family wellness or otherwise is a matter of social justice and has a direct connection to social stability, poverty, individual success, and even crimerates.

Religious freedom is essential to any society. It protects people's right to live, speak and act according to their beliefs peacefully and publicly. It benefits everyone and preserves a nation's diversity where people of different faiths, worldviews and beliefs can peacefully live together without fear of punishment from the government. Any effort to repress the freedom of worship, teach and live out their beliefs in public is an attack not just on the human dignity but on the very foundation of a society

5.3 KCPF's Agenda in Conversing the Gains

5.3.1 Advocacy and Resourcing

KCPF shall continue to advance its cause through advocacy by drafting bills, policies and guidelines and challenging court cases in contentious matters that are related to the five priority areas, that is, the right to life, promotion and protection of families, religious freedom, values-based education and good governance.

KCPF shall continue to educate its members on emerging issues relating to the five thematic areas and on how to respond to such issues by providing resources and data such as the Journal on Family, Law and Religion, weekly newsletters and periodic report on the State of Life, Family and Faith in Kenya.

5.3.3 Leadership and Counselling

KCPF offers training and development opportunities for its members in leadership in partnership with institutions that offer such services. Through the Christian Counselling and Dispute Resolution Center, KCPF brings together Counsellors, Mediators and Arbitrators who offer counselling and Alternative Dispute Resolution (ADR) Services from a Christian Perspective. The Center is working to be the go-to place for dispute resolution among churches and the Christian community in Kenya.

KCPF seeks to launch a Constitutional Law Team that will be responsible for an active engagement in constitutional matters in the society. This will be done through engagement with professional bodies on how to ensure integrity and constitutionalism in their profession.

5.3.2 Witnessing and Networking

KCPF shall seek partnerships with like-minded organizations and churches to build an impactful community advancing Biblical values in the society. It seeks to have more organizations and individuals join the existing consortiums like the Linda Uhai Consortium for Pro-Life Organizations and Family Consortium for Pro-Family organizations.

In a bid to grow the network, KCPF will continue to grow its presence in the Universities through the KCPF Students' Chapters; in the counties through KCPF County Chapters and the international network through the Africa Christian Professionals Forum (ACPF). ACPF brings together African Christian Professionals from various denominations sharing the common values on life, family, Education, Religious Freedom and Governance.

5.3.4 The Battle for Formation

KCPF endeavors to see that the principles and values enshrined in Article 10 and Chapter 6 (Leadership and Integrity) of the Constitution of Kenya 2010 are engraved in the citizens of Kenya..

In the past decade of the implementation of the Constitution, the focus has been on law and the institutions. In this new decade, more emphasis needs to be on the software of the implementation of the Constitution. The Software is made up of individuals applying the law and running the institutions. There is need to build a culture of professionalism and integrity in both the citizens and the leaders.

To this regard, KCPF will launch a Constitutional Law Team that will be responsible for an active engagement in constitutional matters in the society. This will be done through engagement with professional bodies on how to ensure integrity and constitutionalism in their profession.

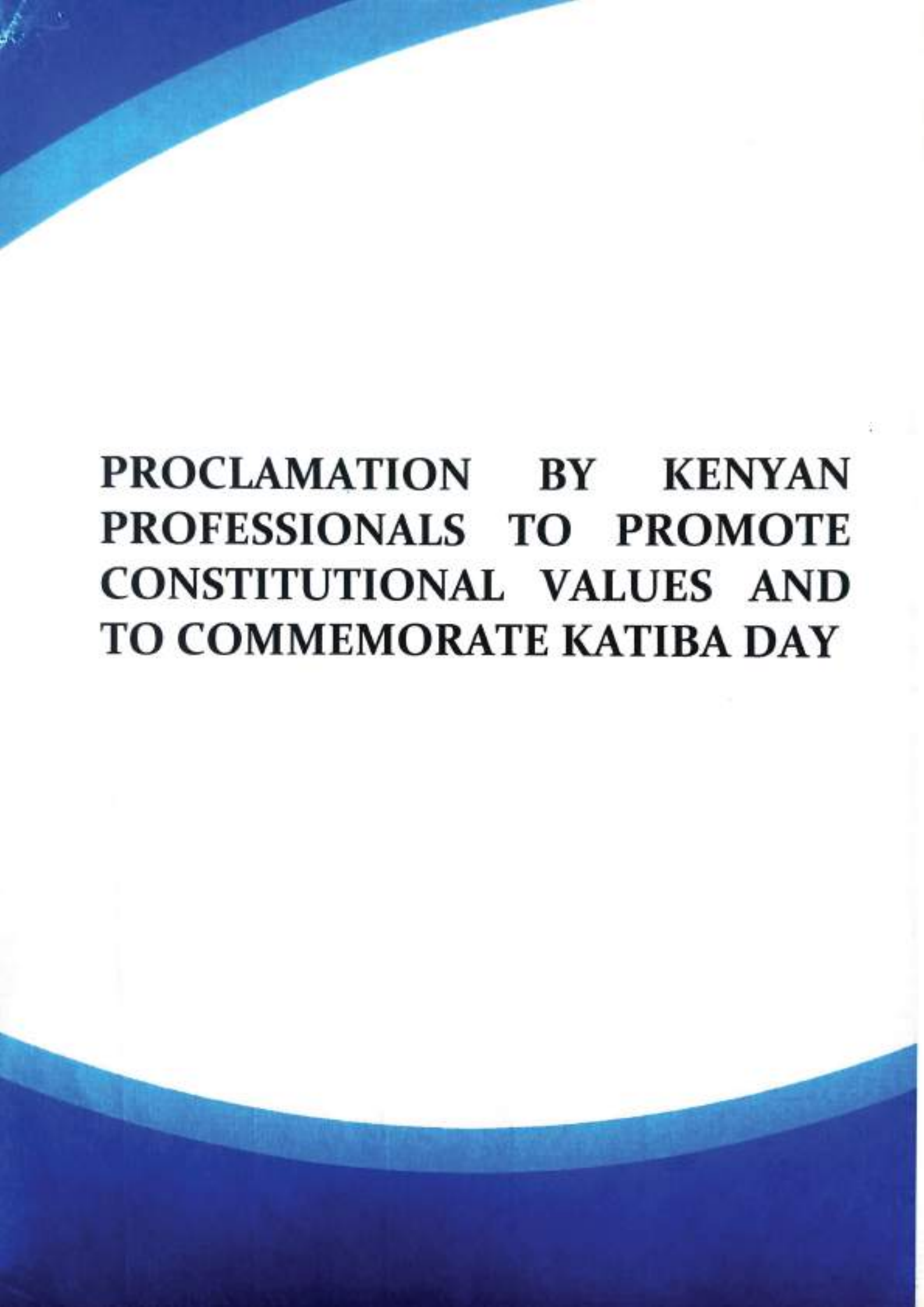
KCPF through the Governance Committee recognizes exemplary servant leaders in the society through the Utumishi Bora Awards (UBA). Utumishi Bora is Servant Leadership as exemplified by integrity of heart and skillfulness of hands. This is to encourage integrity, ethics and good stewardship in the society.

5.3.5 Renewed Focus on our Strategic Priorities

Since its inception in 2010, KCPF, has for the past decade endeavored to uphold and to promote issues around its thematic areas through policy and advocacy.

Looking forward to the next decade, it is our desire to strengthen the foundation that has been laid over the years to empower KCPF to serve the community effectively, and to transform lives with a view of having a wholesome and productive society that upholds biblical values. We propose to intervene and shape the VOICE of the Church by ensuring that there is SUBSTANCE attached to it so that the Church remains an authority and relevant when it comes to shaping society in the areas of thematic focus. We seek to remain steadfast in shaping the evolution of culture and values through the policy and the legal terrain. We believe that this will ensure that we safeguard society and develop and nurture a generation that can proudly live and celebrate their faith in the marketplace.





**PROCLAMATION BY KENYAN
PROFESSIONALS TO PROMOTE
CONSTITUTIONAL VALUES AND
TO COMMEMORATE KATIBA DAY**

PROCLAMATION BY KENYAN PROFESSIONALS TO PROMOTE CONSTITUTIONAL VALUES AND TO COMMEMORATE KATIBA DAY

We, the professionals in different professional bodies and associations in Kenya:

ACKNOWLEDGING the supremacy of the Almighty God of all creation, His leadership over our country, its laws and people:

HONORING the Constitution of Kenya, 2010, its promulgation on 27th August 2010 and its continued direction and guidance in our beloved country, Kenya over the last ten (10) years:

COMMITTED to uphold and defend the Constitution of Kenya, 2010 as well as to nurture and protect the well-being of the individual, the family, communities and the nation:

GRATEFUL that as a nation we have achieved this milestone of recognising 10 years since the promulgation of the Constitution of Kenya, 2010 on 27th August 2010:

NOW THEREFORE WE, the professionals in different professional bodies in Kenya in commemorating the promulgation of the Constitution of Kenya 2010 wish to have 27th August be marked as the Constitutional Day (KATIBA Day) by all professionals and Kenyans of goodwill.

We hereby commit to recognize and appreciate the said promulgation every year and to uphold the spirit and letter of the Constitution of Kenya, 2010. We also commit to recognize and promote our national values and principles of governance (Article 10), our cultural foundation as a Nation (Article 11) and the family as the natural and fundamental unit of Society (Article 45) as enshrined in the Constitution and advocate to have them upheld and defended in our beloved country, Kenya.

This proclamation does not intend to mark or set aside 27th August as a public holiday.

IN WITNESS WHEREOF, we have hereunto set our hands this 27th day of August, Two Thousand and Twenty on behalf of the professional bodies and associations mentioned hereinafter.

LAW SOCIETY OF KENYA

Name NELSON ANDAYI HAVI

Position LSK PRESIDENT

Signature [Handwritten Signature]

LAW SOCIETY OF KENYA
P. O. Box 72219 - 00200
NAIROBI
TEL: 3874664 FAX: 3877572

KENYA CHRISTIAN PROFESSIONALS FORUM

Name CHARLES KANTAMA

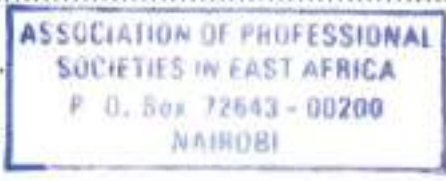
Position CHAIR

Signature [Handwritten Signature]

KENYA CHRISTIAN PROFESSIONALS FORUM
27 AUG 2010
Tel: 0791 801 535
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THE ASSOCIATION OF PROFESSIONAL SOCIETIES IN EAST AFRICA

Name... ANNE GUMBI
Position... EXECUTIVE OFFICER
Signature... *[Signature]*



INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS OF KENYA

Name... CPA Edwin Makoi
Position... CEO
Signature... *[Signature]*



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Position... Council Member
Signature... *[Signature]*



KENYA UNION OF POST-PRIMARY TEACHERS

Name..... Akulo Misoni

Position..... S.G.

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KENYA NATIONAL UNION OF TEACHERS

Name..... Hon Wilson Soshon

Position..... Secretary General

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KENYA PRIVATE SECTOR ALLIANCE

Name..... Carole Kenya

Position..... OPO

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KENYA NATIONAL UNION OF NURSES

Name..... SETH SINDARI A. PANYAKO

Position..... GENERAL SECRETARY

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INSTITUTION OF ENGINEERS OF KENYA

Name..... Eng. Nathaniel Matalanga

Position..... President

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ARCHITECTURAL ASSOCIATION OF KENYA

Name JAWA W. MWANGI

Position CEO

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INSTITUTE OF QUANTITY SURVEYORS OF KENYA

Name Millicent Osono

Position Executive Officer

Signature 



KENYA ASSOCIATION OF PROJECT MANAGERS

Name Dr. Wasike W. Wambengo

Position Chairman

Signature 



THE ASSOCIATION OF CONSTRUCTION MANAGERS OF KENYA

Name Washiri Okawa

Position Chairman

Signature 



THE KENYA UNION OF JOURNALISTS

Name Erick Oduor

Position SEC. GENERAL

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