

Cultural Rights and Kenya's New Constitution

An ESRC-funded project researching how Kenyans are exercising their new constitutional rights to culture

City of culture that never sleeps

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By Lotte Hughes

‘Try to sleep less if you want to be a successful writer, because there comes a time when you will sleep forever’. (Tony Mochama, Kenyan author and journalist, Storymoja festival)

There wasn't much sleep to be had in Nairobi last week for visitors to the annual Storymoja literary festival. It was a starburst of music, laughter, partying, and passionate talk about books, performance, ideas, politics and the arts. I was there to take part in a panel discussion on cultural rights and the new constitution – the theme of our new research – with colleague Zoe Cormack who filmed our session, with help from local lad John Arum. I was also in town to promote a new book, *Managing Heritage, Making Peace: History, Identity and Memory in Contemporary Kenya* (<http://www.open.ac.uk/arts/research/ferguson-centre/projects/managing-heritage>), with one of two co-authors, Karega-Munene.

Storymoja (<http://storymojafestival.com/>) (sister fest to the UK's Hay Festival) coincided with the first anniversary of the appalling attack on the Westgate shopping mall by Al-Shabaab militants, in which 67 people died. Ghanaian poet Kofi Awoonor, who spoke at last year's festival, was among the victims. The shock was still palpable among festival organisers and artists, some of whom were there a year ago when the event was cut short after Awoonor's tragic death.

Nairobi National Museum (which hosted the fest) was the venue for a moving candle-lit tribute to victims and survivors on the final night. Testimony and images of survivors and close friends of victims were projected onto the outer museum walls. They came from different backgrounds, classes and ethnicities, both Kenyan and non-Kenyan. Here and in local media commemoration of Westgate, Kenyans were certain of one thing – that the atrocity had brought them closer together and ripped down the walls of ‘tribe’. It brought out the best in them.

Memories and histories know no ethnic boundaries, especially when horror strikes. But at other times, many Kenyans are convinced that their communities and cultures are utterly distinct – a colonial legacy. This notion of primordial difference doesn’t help when it comes to trying to build a united nation, and forge a national culture. One of the things the panel discussed was, how do you respect difference and people’s rights to distinctiveness (such as special protection for indigenous cultures) while also striving to achieve a harmonious multiculturalism with which everyone can identify? This challenge faces any multicultural nation, including Britain. It was also central to debates around Scottish independence which Kenyans were following closely, tickled by the prospect of the former colonial power getting its come-uppance from rebel Scots.

‘I don’t belong to any of the 42 tribes, so where do I fit in?’ asked member of the audience Rasna Warah (<http://www.rasnawarahbooks.com/>), a Kenyan newspaper columnist and writer. She was referring to the fact that only 42 ethnic groups are recognised in the Kenyan census, which omits an awful lot of other citizens. I put in a plea – can we get rid of ‘tribe’ altogether, please? Whose purpose does it serve when all around us, at Storymoja, we saw evidence of the wonders of cultural fusion and hybridity? Isn’t that – not difference and notions of cultural separation – the reality of the modern world?

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