

August 3, 2026



PRESS STATEMENT

ARREST OF MP KAGUCHIA RAISES CONCERN OVER SELECTIVE ENFORCEMENT OF THE LAW

The Atheists in Kenya Society strongly condemns the arrest of Member of Parliament Kaguchia and expresses grave concern that the action appears to reflect selective enforcement of the law rather than equal application of justice.

The Constitution guarantees equality before the law. This principle is undermined when politicians perceived to be critical of the government are swiftly arrested, while others who have made equally inflammatory or even more provocative public statements face no legal consequences.

For example, Members of Parliament have previously made statements that many Kenyans viewed as inciting violence, including remarks by Belgut Member of Parliament (MP) Nelson Koech suggesting that people should be killed, yet no comparable law enforcement action followed.

Such inconsistencies create a public perception that the criminal justice system is being used selectively against certain political actors while shielding others. Justice cannot be credible if it is applied unevenly.

The law must not be used as a political weapon to intimidate critics, silence dissent, or influence the political landscape. If public officials have broken the law, they should be investigated and prosecuted based solely on evidence and without regard to their political allegiance.

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We therefore call upon the National Police Service, the Office of the Director of Public Prosecutions, and all investigative agencies to demonstrate their independence by applying the law fairly, consistently, and without political bias.

A democratic society depends on institutions that command public confidence through impartiality. Selective arrests and selective prosecutions weaken that confidence, erode the rule of law, and threaten the constitutional rights and freedoms of all Kenyans.

The Atheists in Kenya Society reaffirms its commitment to constitutionalism, equality before the law, freedom of expression, and the protection of democratic principles. We urge state institutions to resist political influence and ensure that justice is administered fairly, transparently, and without fear or favour.

Harrison Mumia
President, Atheists In Kenya Society

Cc. All Media Houses