

***Edited version of the speech Dr Willy Mutunga gave after being sworn in at  
State House, Nairobi on June 20, 2011***

Mr President, Mr Prime Minister, Mr Vice-President, the Speaker of the National Assembly, this is an important day and event in the history of this country.

A Chief Justice of the Republic of Kenya assumes office not just with the endorsement of all three arms of government but perhaps more significantly, with the direct participation of the public.

It is a mandate I don't take lightly and neither should you.

**Fear or favour**

This is because the Constitution is very clear that judicial authority, just like the Executive and the Legislature, are derived from the people and should be exercised for their benefit and welfare.

The nature of my mandate gives me confidence and responsibility. Guided by the Constitution and without fear or favour, it is a responsibility I seek to discharge to my best ability and intellect.

This country must uphold the rule of law without equivocation and as I assume the leadership of the Judiciary, the words of an earlier philosopher ring clearly in my mind: Be ye so high, the law is above you.

This is the Judiciary I want to create — it is the true article of faith that I want to bring to the Judiciary where the high and low are equal before the law.

The success of my tenure, the Judiciary and our democracy will depend on how the three arms of government relate and operate.

I look forward to a positive and productive relationship with each one of them.

It is a relationship that should be undergirded on constitutional principles and guided by constitutional provisions.

A relationship framed otherwise will not only be a nullity in law but a vulgarity in politics.

In this regard I seek your support even as I offer mine. This is because justice is an assembly line and the determinants of justice numerous.

To meet the ends of justice, the Judiciary will depend on the competence and integrity of other institutions.

I urge both the Executive and Legislature to ensure we have investigatory, prosecutorial and penal institutions robust in their design and operation: clean and incorruptible in their leadership.