

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, JUJA CONSTITUENCY HELD AT RUI
CATHOLIC PARISH HALL**

24TH APRIL 2002

CONSTITUTION OF KENYA REVIEW COMMISSION

CONSTITUENCY PUBLIC HEARINGS, JUJA CONSTITUENCY, PUBLIC HEARINGS HELD AT RUIRU CATHOLIC CHURCH HALL ON 24TH APRIL 2002

Commissioners present

- | | | |
|-------------------------------|---|--------------|
| 1. Prof. Wanjiku Kabira | - | Commissioner |
| 2. Mr. Abubakar Zein Abubakar | - | ” |

Secretariat Staff in Attendance

- | | | |
|--------------------|---|---------------------------|
| 1. Aggrey Karanja | - | Sign Language interpreter |
| 2. Regina Mwachi | - | Verbatim Recorder |
| 3. Jackline Obiero | - | Rapporteur |
| 4. Roselne Nyamato | - | Programme officer |

Meeting was called to order at 8.30 a.m. with a word of prayer and Com. Zein in the Chair.

Com Zein: I declare this session as a formal hearing of the Constitution of Kenya Review Commission for the purpose of altering Mimi ninaitwa Abubakar Zein ni mmoja wa ma Commissioners wa tume ya kurekebisha Katiba ningependa kutangaza kwamba kikao kikao rasimi cha kukusanya maoni ya wa Kenya ili kuweza kurekebisha Katiba yetu. Baada ya kutangaza kwamba kikoa hiki kimekwa cha commission, ningependa kumuomba coordinator wetu ajitambulishie kwenu tena ninajua mnajua ajitambukishe kwenu tena mmoja wetu atuongoze kwa maobi kwa sababu hilo ni lengo moja la tume yetu kwamba vikao vyetu vyote uanza na maombi na kila kitu atuongoze katika kazi zetu, kwa hivyo ningemuomba Bwana coordinator.

J.S. Wanyoike(Coordinator): Asante sana Commissioner, kwa jina ni J.S. Wanyoike mimi ndio coordinator wa hii tume na kwa hivyo Ninataka kuwashukuru kwa nyinyi kufika, tunatarajia watu wengi sana waingie lakini kwa vile siku itakuwa kubwa kidogo ni lazima halafu tuongojee wale wengine wataingia. Tunatarajia Commissioner mwingine aingie yupo barabarani anaweza kuingia mara tu tume kwa hivyo mimi nitaomba mtu mmoja aanze na maombi ili Mungu atufungulie hii kikao.

Speaker: Can we pray together?

Prayer: Our most Gracious God we want to thank you this morning, we thank you for your traveling buses, we thank you even for the fact that we are and dear Lord God we have a noble obligation to carry on this morning. How we do commute ourselves that they see the need for these undertakings. We are so glad for the Commissioners who have arrived and even for the other one who is on the way coming and even for the one here for the welfare and for the well being of the nation. Even as we sit under this roof, anything that we are going to do it here Mungu niye anayependa praying that it may be for your Glory so that it may do all that pertains to the review of our Constitution in our republic and today we expect for ourselves and today we expect for all this we pray in Jesus name, Amen.

J.S. Wanyoike: Asante sana. Sasa nitapatia Commissioner Mic ili anze kazi lakini vile mimi ninajua atawambia nyinyi, mko na uhuru wa lugha ile lugha yoyote mtu anataka. Akitaka kikuyu iko interpreter atamfanyia interpretation, Kiswahili amam Kiingereza. Tena atawaambia kuongea anaweza kuongea lakini haswa tunapendekeza sana ukiwa na memorandum ili nao wakiwa na hiyo memorandum na wakifika wakifika kule asante sana. Sasa nitapatia Commissioner microphone aanze kikao.

Com Zein: Asante sana Bwana coordinator. Ningependa kwanza kuwashukuru kabisa wananchi watukufu mliofika hapa ili kufanyia kazi kwa kujenga taifa letu. Pili ningependa kuwashukuru wale wanachama wa kamati ya kamati ya Katiba ya katika uwakilishaji Bwana mwenyekiti wao na wanachama wengine baadhi yao wamekaa hapa mbele na sisi kwa kazi nzuri waliofanya kuutarisha mkutano huu huu ningependa kuwashukuru nyinyi Wananchi watukufu kwa kufika hapa ili kujitayarisha kutoa maoni yenu. Ningependa kuwaambia wakati akabla atujaanza kazi hii rasimi ndio tuelewane tutatumia utaratibu gani ili kuwa na muelekeo mmoja. Kama mliyoyio msikia kiongozi wote akituongoza katika kwa maombi alishukuru Mungu kwa sisi kufika hapa na akamuomba Mungu Commissioner mwenzetu ambaye mwenye naye, mliponiona nimetoka na simu nilikuwa nazungumza naye akaniambia yuko hapa Konani tu mimi nianze yeye atatufikia na ni yeye ninadhani mnamufahamu vizuri ni Professor Wanjiku Kabira kwa hivyo nikamsubiri kidogo tu kwa heshima zenu na zake afike halafu niendelee kuwapa muelekeo wa utaratibu wa leo. Asanteni.

Karibu sana ndio tumeanza tu na ulikuwa unaombewa ufike salama na katika... tumefanya maombi tu ndio nilikuwa karibu kuanza wa njisi ya kutoa maoni. Ningependa kumpa mic awasalamie.

Com Prof. Kabira: Hamjamboni? I ma very sorry I am late I just had to do something which kept me.

Com Zein: Professor Wanjiku Kabira atakuwa mwenyekiti wa kikao chetu leo na atatuongoza kutokea sasa tulipoanza kazi hii m kabla sijaendelea mbele ningependa kuwaomba mfanya hivi ninavyio fanya mimi. Mikiwa na simu ya mkono itoe ungalie kama nimezima na nitawapa sababu nzuri mbili kwa nini tunaitajika kuzima simu zetu za mkono.

Sababu ya kwanza ni kwamba mazungumzo yote tukayotoa hapa tutakuwa tunayarecord katika tape recorder pale kwa sababu hata neno moja utakalo sema wewe. Sisi tunaandika ndio lakini tunaandika hatuna haraka ya kuandika kila neno. Maneno yote halafu yataandikwa tena katika mkono mrefu ndio kila Mkenya ajue ni nani alisema nini na simu hizi za mkono kila zikilia kama unasikia zina-interfere, zinaingiliana na system hii au chombo chetu cha ku-record maneno na chombo cha kupasa sauti kwa hivyo tumzime simu za mkono.

Sababu ya pili nzuri ya kusema kwa nini tuzime simu ya mkono ni kwa sababu kila inapolia watu wanaondoka katika mambo tumwewe mwenyewe utaondoka katika mambo tunayozungumza. Kama nilivyo sema tutaanza kutokea sasa mpaka ikiwezekana saa kuu ikifika saa kumi na mbili jioni ikawa kuna bado wa Kenya wako wa kutoa maoni tutaendelea na kazi mpaka tutakapomaliza hao wa maoni yao. Kwa hivyo msiwe na wasiwasi tutawafikia.

Kama mnavoona kuna wezentu tumekuja nao sisi na ningependa kuwapitishia mic mara moja ndio wajitabulishe na nyinyi muwafafanwanapofanya kazi zao. (introduction of names).

Asanteni sana kama mlipoingia pale mliona kuna register tumeweka ya watu kujiandikisha. Ile register inapoandikishwa tutafuata tumunayopea register ambazo ziko hapa tayari. Yule aliyekiandikisha mbele ndio tutampa fursa ya kwanza. Lakini tutaomba tubadilika kidogo ikiwa kwa mfano kuna sababu ya kufanya hivyo. Sababu hizi ni kama vile kutokee bibi mmoja ambaye ni mjamzito, sijui kumtumpe fursa azungumze halafu ndio na yeye apumzike. Sijui mtatupa fursa hiyo. Ikiwa kutakuja mzee ambaye ni mzee sana na kungojea kwa muda mrefu, sijui kama mtatupa fursa hiyo tumpe mzee kama huyo azungumze. Na kukija ndugu yetu ambaye ni anataka kuzungumza na mnajua kwamba sisi tumekuwa na historia ya kuwaweka ndugu zetu walemavu kuwaweka nyuma, tutacutuwape pia nao fursa ya kuzungumza sijui kama mtakubali. Asanteni. Hiyo ni kwanza kwa sababu ya utaratibu watu watazunguza vip

Unaruhusa ya kuja hapa mbele yetu ukazungumza kwa njia tofauti, ikiwa umetayarisha mswada, if you have prepared a memorandum given 5 minutes to highlight the points of the memoranda. Tutawaomba sana msisome mswada huo kwa sababu ukisoma mtachuku sasa tayari tushapata watu thelathini na watu wengine wanaendelea kujiandikisha, sijui kama tumeelewana. Ikiwa huna mswada unapeke yake kutoa maoni yako kwa mazungumzo peke yake, if you want to just make a verbal presentation you would be given ten m

tunaelewa, utapewa dakika kumi, usipitishie dakika kumi hizi. Ikiwa umeandika mswada wako unataka kuitoa tu bila kuzungumza kufanya hivyo lakini ukishakuja kutoa mswada au kuzungumza baada ya kuzungumza hapa mbwele yetu ma Commissioners watakuwa swali ili ueleze vizuri jambo ambalo pengine hatulifahamu vizuri. Baada yapo utaitajika kwenda kwa mmoja wapo kwa wale waliokuwa wameandika register, it is very important for you to sign the register to indicate that you have formally given your views. Tuko pamoja mpaka sasa.

Jambo lingine ambalo labda tunaulizwa baadaye, je haya mkishasema namna hiyo mnachukua majina yetu ikiwa nitatoa majina hayatamfurahisha mtu mmoja mwingine je nitachukuliwa hatua? Hakuna hatua yoyote unaweza kuchukuliwa wewe kwa maoni yako kwa Sheria inakulinda utoe maoni yako unavyopenda wewe lakini tungependa watu watumie kugha ya murua. Mimi msawahili sisi usera kwa lugha yaani lugha inayofaa kusemeka mbele ya wazee, mbele ya watoto mbele ya kina mama tusije hapa mbele tukaanza kutukua kutakubalia hivyo. Jambo lingine muhimu la wewe kufahamu kuhusu utoaji wa maoni hapa kama alivyosema coordinator mshirikishi kutoa maoni yako kwa lugha ya Kiswahili, Kiingereza, au kwa lugha ingine yoyote ya Kenya. Ikiwa unatoa maoni yako kwa lugha ya Kenya kuna mtu ambaye atatafusi kwa mfano ikiwa unasema unataka kutoa maoni yako kwa kutoa lugha ya Kikuyu, kutakuwa anatafusi lakini kwa sababu utaongeza kidogo atakuwa anatafusi maneno vile unavyosema moja kwa moja, singependa kutoa tafsiiri mwaniielewa? Ingingine ya mhimu sana kufahamu ningewaomba sana, kuna mambo mengi ambao yanazungumzwa ambao yanafahamwa mnaniielewa, akatoka mwezetu mmoja hapa akaja akazungumzia jambo hilo, sisi hatusemi usije ukalizingumzia pia wewe, unalizingumziwa mimi ninataka kulitilia mkazo lakini usirudie kila kitu, ukirudia kila kitu muda pia utakua... Lakini ukiwa unatafusi kusisitiza, unaruhusiwa kufanya hivyo. Sijui kama tumeelewana? Kuna swali lolote kabla sijamuomba mwenye kiti wa kikao hichi ni kabira kabira amuite mtu wa kwanza kuja kutoa maoni? Kwa vile sioni mkono ninachukulia kwamba tumefahamiana kwa sasa ningewaomba tena kwa kuja kwa wingi qweni na nimpe chombo hichi, professor Wanjiku Kabira ili aanze kumuita mtu wa kwanza kutoa maoni.

Com Prof. Kabira: Sante sana Commissioner Zein. Lakini ningetaka kusema we are both chairing this session, we are both equal and we will take turns you know to chair the session. Wasifikiri mimi ni mkubwa .

Com Zein: Juu alivyosema profesema professor na mimi nina mheshimu sana anajua mimi umuita mwalimu kwa sababu tulipokuwa wakulikuwa kikuu yeye alikuwa tayari anafundisha. Sio kwamba mimi sio Commissioner kama yeye lakini ninamheshimu zaidi kwa hadhi aliyokuwa yetu pamoja na heshima yangu kwamba ni mwalimu kwa hivyo mimi ninasema yeye ndio atakayetuongoza hivi leo. Asante sana mwana kabira kabira.

Com Prof. Kabira: Asante sana Zein. Maybe we should just begin straight away. Tataanza na kama vile Zein alisema sijui kama tume-organize for an interpreter kwa interpreter kwa sababu ni vizuri kuwe na interpreter. Wale wanataka kuzungumza na Kikuyu au kuzungumza na Kiswahili ni sawa, na ukitaka kuzungumza na Kiingereza na pengine tungetaka kujua kama kuna mtu hasikii Kiingereza au kama tume-organize to have the translation. Asanteni sana.

Tutaanza na Moses Njogu.

Moses Njogu: Thank you very much Commissioners na wanaichi wezangu kwa jumla. Kwa jina ni Moses Njogu. Yan

Ninakumbuka wakati wa hayati Kenyatta aliingia hapa alijandiliana na waliokuwa nao tuondoe kama ni hospitali ya Royal kama kuna kiti kimoja kilibaki kwa Mwananchi wa kawaida, squatters. Na jambo lingine ni kuhusu watoto ambao hawakuwa pale mbele pamoja na serikali. Tukiangalia sana hawa watoto ama jamii inagalii tu ndani ya shida ile kwa sababu kuna kiwango iliwekwa kama mshahara yao inaitwa Nairobi city Council. Kuna ingine inaitwa County Council na Municipality, hii ingine ile inafinya Wananchi siku four ndio tunaimba other areas. Mshahara ni kidogo tukianaglia na wakati serikali inaenda kufanya budget ya mwaka haitenganikiwa kwa Mwananchi wa kawaida. Pesa yake anapata Shilingi 85 ama 89 per day. Tufikirie maisha ya siku hii, huyo mzazi ni wakati gani mtoto? Kwa hivyo inaonekana sasa masomo kuna wakati ilikuwa 85% na sasa ni 65%. Kwa hivyo sasa tunarudi pale pale tu na tutakosha wakati kawaida wa kusaidia sisi nyumaye. Kwa hivyo hapa tunaona tuna Kenyans mara mbili. Tuwe kitu kimoja kama ni kwa upande wa watoto hivyo hiyo class four iondolewe kabisa kwa sababu kama ni unga vile mtu wa Nairobi ananunua ndio mimi nikiwa Juja ninanua namna yangu haitoshi. Hiyo ndio sababu iko namna hiyo.

Hii ingine ni kuhusu hii ofisi ya chifu. Ofisi ya chifu inafaa ikichaguliwa na Wananchi au tuna councilors. Hiyo kazi yote ni ya councilors chiefs hao wote waondolewe ndio wawe wakitumikia Wananchi kulingana na vile waliochaguliwa hata DO, MP yuko kwa sababu kama ni kwa upande huu tunasema ati tuko katika opposition line hii ya central province. Kwa hivyo tunafinywa sana tukiangalia sasa kama kwa upande huu tunasema ati tuko katika opposition line hii ya central province yetu imekwishia kwa ofisi ya chifu hakuna pahali tanaweza kujenga shule ama nursery ama hospitali yote ikibaki inanyakuliwa na kwamba tuna shida kubwa sana.

Hii ingine ni ya kuhusu watoto, kazi yangi ni ya kushugulikia watoto ambao hawana mama, ninafanya kazi na solidarity cha cha Lidiya na shida sana, watoto wale wako ndani ya kijiji wasio na masomo ni wengi sana na tukielekea namna hiyo msifikirie tutapata viongozi sababu viongozi wanatoka vijijini sio town kwa sababu mwenye kijiji ana ujuzi wa kuishi kuliko yule wa town kwa sababu ya matabu hivyo yule Mwananchi wa kawaida tukimwaangalia sana ni heri masomo yake yaangaliwe sana kuhusu mtoto. Nitakuamia hapo. Asante sana.

Com Prof. Kabira: Asante sana Mr. Moses Njogu.

Richard Ndipo: Commissioners na wakaaji wa Ruiru Hamjambo sana. I think my views I have written but I would highlight as the Commission said. My names are Richard Ndipo mkaaji wa Ruiru na mfanyakazi wa hapa Ruiru. My views are on basic workers rights which I think should be in English.

Com Prof. Kabira: Kuna mtu hasikii Kiingereza? Okay do we have the translator? Now you translate into Kikuyu.

Richard Ndipo: I will talk regarding trade union representation in parliament first. The workers of Ruiru have recommended that they be represented in parliament by their own tribe MPs form labour movements. These MPs would be nominated direct by the workers. The law should provide a provision for trade union and social, economic and cultural rights. The labour laws which have affected the rights of workers should be amended and reflect the rights of the workers. The democracy in trade union should be practiced during the trade union elections. The workers should be elected direct by the workers from the same floor up to the court officials. Corruption within trade union should be prohibited.

Constitution. Workers should be allowed to write the Constitution of their organizations. Generally the levels of social, article tension in consistence of decision taking greatly hamper economic policy in the trade union organization.

Ninaweza sema na Kiswahili.... Generally the levels of social, article tension in coherent and in consistence of decision taking economic policy in the trade union organization. Yaani ile decision hao wakubwa wanachukua in an organization normally hamper the

Democratization process is challenging trade union leaders and would recommend that the new Constitution should protect the trade union organizations. Corruption and nepotism lead to poor wages and salary policies which fail to recognize cost of living and working conditions. Democracy, respect for human rights and aspiration of corruption, advocacy of good governance should include and accountability in all trade unions organization and the establishment of trade union. The new Constitution should recognize the workers rights and must also be applicable without discrimination on grounds of language, political opinion and social grounds.

The new Constitution should recognize the workers retirement and provide the service for the retires until death e.g. food, clothing, medicine. The national board of trade union be delinked from the government. The Constitution should allow workers to form any organization. Thank you very much.

Com Prof. Kabira: Thank you very much Ndipo and we will now move on to Joseph Ngecha.

Joseph M. Ngecha: Habari yenu Wananchi? Jina langu ni Joseph Murege Ngecha. Ninataka kuzungumzia mambo yale ambao pata ninaona ni mabaya katika Constitution yetu ya Kenya. Ya kwanza ninataka kuzungumzia mambo ambayo yanahusu president. Ninataka kwamba, president mwenyewe awe akichaguliwa na majority ya watu wa Kenya. Yaani wanaichi wa Kenya kwa jumla lakini ile mtumtumia mbeleni kama quarter system awe akichaguliwa kama kwa province tano hiyo iondolewe. President mwenyewe awe anaambapo hilo Bunge atakuwa analiheshimu kwa sababu hilo litakuwa linampa mawaida ya kuzungumza ama mambo ya kuzungumzia Kenya.

Qualifications: President mwenyewe inafaa awe mtu ambaye ako juu ya miaka arubaini, awe amehitimu, amesoma sawa sawa ana free yaani hana magonjwa ya kichwa na kabila haja apishwa akaguliwe na dakitari ambaye anahusika na mambo ya kichwa. Awe wananchi wote wa Kenya. Awe spokesman, atakuwa akizungumzia tu yale ambayo yatakuwa yanapitishwa na Bunge maana akizungumza basi yatatokea mambo mengine ambayo watu hatapendezwa nayo.

Bunge likiona mambo ambayo yanaenda vibaya kwa ofisi ya president, inaweza kuzungumzia na kuleta mswada ambayo utazungumza lipitishwa na lionyeshe wazi kama amekosea apewe warning mara tatu, ati akikosa mara tatu na kusamehewa halafu a vote of no confidence na aweze kuondolewa katika mamlaka.

Ninataka kuzungumzia mambo ambayo yanahusu vice president, makamu wa raisi. Makamu wa raisi anafaa achaguliwe pia president mwenyewe na awe mjipikaji wa Bunge lenyewe, asiwe anajibika kwa mtu yoyote lakini ajipike katika Bunge lenyewe.

Pia ninataka kuzungumzia mambo ambayo yanahusu Attorney General ambaye ni mkuu wa sheria. Mkuu wa sheria inatakiwa awe Bunge. Wale ma MPs ambao watakuwa katika Bunge wamchague wakiwa wengi wafanye application ya kuuliza hiyo kazi na atakubalika na wa Bunge ambao ni wengi katika Bunge akubalike awe na Attorney General. Nataka wakati Bunge limefunjwa ashikilie serikali mpaka kuchaguliane na Bunge liweze kuendelea mbele baadaye.

Nataka kuzungumzia pia juu ya civil servants; wale ambao wanafanya kazi ya serikali. Ninataka kuzungumzia chuo kikubwa cha polisi mdogo wake. Pia ninataka kuzungumzia kitu kingine cha major permanent wa Kenya Navy na mdogo wake, pia Kenya Army commander wake na GSU na mdogo wake. Wale ambao ni ma permanent secretaries of all ministries na ma PC. Hao wote wanatakiwa wachague. Katika Bunge, Bunge iweke watu kama ishirini ambao watakuwa wanasimamia wale watu lakini kuchaguana. Hao watu wote wachague katika Bunge kwa speaker wa National Assembly hili wote atakaye hitimu kuwa police Commissioner awe akijibika katika Bunge.

Ninataka kuguzia pia muda wa ma MP. Ma MP ambao tutakuwa tunawachagua wawe wakikaa muda wa mara mbili, miaka mitano au chini ya miaka kumi akubalie wenzake nao waendeleo na awe hatasimama mara ingine katika ulimwengu huu. Wote wachaguliwa na Wananchi wataingia katika Bunge halafu wakishaingia katika Bunge wamchague speaker wa National Assembly. Speaker wa national assembly atachukua jukumu la kusimamia Bunge na wakati anafanya namna hiyo pawe pana watu atasaidiana na wachaguliwe kutoka Bunge lenyewe wao wenyewe wachaguane na qualifications za mtu maana mtu akuwe dakitari awezi kwenda kazi za veterinary amam kufanya kazi ingine ambayo haimuhusu kwa hivyo mtu akiwa ana qualifications ambazo...

Com Prof. Kabira: Ni sawa una a minute ya ku-wind up, ujaribu kumaliza tafadhali.

Joseph M. Ngecha: Jambo lingine ambalo ni la muhimu ambalo ningependa nipendekeze ni ya kwamba umasikini umezidi kwa Kenya na ile kitu ambayo inafanya kuwe na umasikini huu ni kqwa sababu ya chakula, watu hawapati chakula kwa sababu tunawaachilia tu. Maji ambayo inatiririka katika ndani ya mtu inakwenda mpaka Indiani Ocean hiyo inatakiwa tuwe katika Katiba yetu tunatumia haya maji ama uchimba wells ili Wananchi wawe wakipata maji ya kufanya irrigation katika mashamba yao.

Jambo lingine la muhimu ambalo mimi nataka kumalizia, mambo ambavyo yanahusu vile vitu ambavyo tunaunda hapa Kenya, linakuwa mbaya mimi ninatengeneza kikombe hapa na mimi ninataka kuuza hicho kikombe Shilingi kumi na kikombe kingine kinatoka ngambo la kinauzwa hapa Kenya shilling tano, hii inakuwa ni mbaya. Kwa hivyo hii inakuwa inamaliza local industries ambazo ni zetu. Kwa hivyo vile vitu ambavyo tunatengeneza hapa Kenya iwe inapigwa marufuku katika Katiba yetu maana hatuwezi tenegeneza pia tunaingiza zetu ngambo. Kwa hivyo mimi ninaomba kwa sababu muda ni kidogo tumalizie hapo na nimesema asante.

Com Prof. Kabira: Thank you very much Bwana Joseph Ngecha.

Peter Gatitu: Habari zenu wanaichi wezangu hata ma Commissioner ambao walioko hapa. Kwa majina yangu ni Peter Thuita

mkaaji wa hapa Ruiru na nimshaidi wa Yesu Kristo. Vile nataka kusem ni ya kwamba katika nchi yetu kuna watu wale wengi wanao sio ati kwa sababu hawajasoma ni kwa sababu hawajaabatika kuajiliwa. Hawa watu mara nyingi wanasumbuana na polisi ama na sio kuulizwa wanafanya kazi gani pengine wewe umebahatika kuuza vitu yako wewe ni hawker na huna uwezo ya kuwa na permit yoyote vyako unaona unaua suspect kila wakati. Mara nyingi inasemekana wewe ni mwizi kwa sababu hawajui hali yako, kwa hivyo mimi ni mwizi na sheria ambao inaolinda wale watu, kila Mwananchi wa Kenya awe analindwa na sheria kwa sababu akiwa hana kazi ama ana kazi katika ... hali yoyote, awe hali ndogo ama yoyote awe analindwa na sheria ambayo itatungwa ya kuongoza nchi yetu.

Ile ingine ni ile ya kuhusu ardhi ama ugawaji wa mashamba. Tumeona ya kwamba nchi yetu ukiona wale watu walianzia wakati wa nchi yetu, kuna wazee waliopata mashamba ma kubwa makubwa hata hapa Ruiru tunao. Unaona mtu ana heke mingi sana. Na hiyo pengine halimi, hajengi inakaa tu wazi hakuna kitu inafanyika ya kujenga nchi katika ile hali na kuna kijana kama mimi hana hata pia kujenga anagalao awe akikondesha ile kanyumba anapata Shilingi mia tano kwa miezi ama mia nane kwa mwezi na katika ile hali unaendelea kuwa mingi sana kwa sababu sisi vijana tunaendelea kuwa tumekuta wazee walichukua ile ardhi na wakafamia sasa sisi kitu kidogo. Ni hiyo ningeweza kusema, tulindwe katika ile hali anagalau nasi tuwe tunapata kitu.

Ile ingine ni tuwe na Katiba ambao ni Katiba itakuwa raisi kutumika kwa kila Mwananchi sio kuwa kuifanya ngumu kutumika, ni Mwananchi atasikia kweli ako katika nchi yake, atasikia kabisa ni mtu ambao anasitahili. Kwa hivyo mimi sina mengi ni hayo na Mungu.

Com Prof. Kabira: Asante sana Bwana Peter Thuita. Mwai S. Njiru?

Mwai S. Njiru: Asante sana Commissioners na wananchi wa Ruiru. Mimi ninaitwa Mwai S. Njiru. Mimi yangu nimeandika na lugha lakini sio mrefu sana ni kidogo sana na nikikumbaliwa nitasoma.

Ya kwanza ni preamble au utangulizi wa Katiba. Nimesema the government is created to serve the human being in the pursuit of peace, security, environment, integrity and the dignity of human life. Citizens are free and in reliable right to determine the form of government suitable for our county. We here by dedicate ourselves to Kenya as a free secular and democratic republic and hence adopt and ourselves our prosperity this enduring Constitution of the republic of Kenya which shall have all time be regarded as the social contract between citizens and the government. The common experience of Kenyans to be reflected in the preamble and this are the violation of human rights of good look of law and the identity.

Hii ingine ni directive principles inaitwa kanuni za mwongozo wa sera za ndora. That one I have said all powers and authority is vested in the people of Kenya and the people shall be governed through their will and consent. The people have the right to peaceful, civil disobedience of pressurizing the government, which violates this Constitution or other law in order to express their will.

Political objectives that is the state and civil society organizations shall be runned according to the democratic principals of human rights. All people shall have access to leadership, position in the society. People shall express their will and consent and to be governed at all levels of society through regular free and fair elections. The civil society and it's civic organization reserves full autonomy in the pursuit of their affairs.

Constitutionalism; all state organs, public bodies, citizens of Kenya have a duty to protect and promote this Constitution and the order of the land. All leaders are answerable to the people in their daily work and shall at all times place their interests, a welfare of the people above their own and eradicate corruption and abuse and misuse of power by those holding political and other public offices.

National unity: the state organs and the people shall promote national unity, peace and stability. Citizens have the right to live, do business and travel in any part of the country.

Human rights; Human rights are inherent and are not granted by the state or law. The state organs shall recognize the promotion and protection of human rights as their primary responsibility. The promotion and protection of human life shall have special regard for the disadvantaged communities in Kenya societies e.g. women, elderly, children, peasants, workers, orphans, the sick, the disabled and refugees. That is the point. Nii ngugaga atiriri, Katiba iitu ri igie na kindu gigitwo Preamble kana utangulizi kana kionereria kiria tunguhingura nakio nigitwo igitu-protect. Tondu thiini wa Katiba iria twi nayo umuthi, ndironania tuagiriirwo guathwo atia kana tuagiriire guathana atia. Riu giturwo na nginya na ri tukenda tukorwo twi nayo mbere ya kuambiriria mawatho mothe maria magiriire gukorwo thiini wa Katiba iria twi mwananchi kana ithui twi Kenyans nitwaagiriire gukorwo turi na uhuru thiini wa Katiba. Kuuga uria tukwenda kana uria tunguhingura tuathwo nanguo mbaya, tukarega thiini wa Katiba iria twi nayo. Kwoguo iyo ni iria ingihota kwaria kidogo tondu ni ndiku muno, na ndiku muno. Riu nii ngugwetaga uhoro wa preamble kana utangulizi uria tuagiriirwo gukorwo twina powers kana Katiba ikorwo ina pamojo kuingira maundu maya mangi. Mwena ucio ungi ni muathanire kana principles. Niguo ngugaga nanguo nituagiriire gukorwo kwina iriku kwia matutongoretie na ithui twina guku thutha, marakorwo magituatha na njira iriku. Maagiriirwo ni gutuonia turathwo na njira iriku kwia guathwo na njira iriku.

Macio nimo Maundu maria nguaragirira haha kana maria ngurutaga tondu nituonete thiini wa Katiba ino twinayo umuthi, ina thina mawatho Maundu maria ukuona tugika umuthi, mundu uria uthomete Katiba iyo kuma chapter one kinya five kana four, yartie uhoro wa Preamble hatiri mundu ungi. Na niwe utuathaga kabisa. Igui tukiambiriria kuthira kwi mundu ukeragwo nawe wina hinya waku, nduri na hinya twa ukagirwo baria ugaikio njera. Riu kwoguo ona ithui tugiriirwo ni gukorwo twina powers kana twina urikuru kabisa thiini wa Katiba iria tukorwo ona ithui turi na uria tungihota guteithia riria turaruta wira, riria turatura guku kana uria tureka thiini wa Kenya.

Com Prof. Kabira: Thank you very much. The Kikuyus understood Kiambu, sindio? Thank you very much. Simon Mwangi.

Simon Mwangi: Asanteni. Mimi ndio ninaitwa Simon Mwangi na sikuwa na mengi isipokuwa tu ni heri nitoe maoni yangu kidogo kutoa maoni hasa nitete watoto wetu kwa sababu watoto wetu wamesahulika kabisa. Tukiangalia vijijini tutakuta watoto weng'ani hawaendi shule na ukiuliza kwa nini anakuambia mzazi alikosa karo. Juzi tuliambiwa shule zimekuwa za bure lakini ukikaribia shule mambo. Unakuta hasa hapa kwetu unaitishwa kuanzia elfu kumi kwa standard one. Sasa mzazi wa hapo wa kawaida anapata shule moja, sasa unashidwa hii shule tumeambiwa ni ya bure tena tunaitishwa hii pesa yote, mzazi atoa wapi? Tungependa Katiba ile

apewe haki yake na hasa tuwe na uwezo kwa wazazi, kama tumeambiwa eleimu ni ya bure, mzazi awe na uwezo wa kuuliza k amefukuza mtoto. Hiyo tu ndio ningependa kutoa. Asanteni.

Com Prof. Kabira: Thank you very much Simon. Simon Francis Karanja.

Simon Francis Karanja: Yangu ni machache. Jina langu ni Simon Francis Karanja. Niko na group ya watu hapa, wale wako w wengine ni blind, wengine ni vipofu na wengine ni viziwi kwa hivyo niko na group hapa na niko na memorandum hapa ile ningetaka m wachukue copy moja halafu hii ingine nisome maoni yetu vile tulikuwa tunaonelea huko tunakaa. (repetition in Eng).

I have a memorandum here, which we have sat down and discussed the following points of which I will read quickly to the Commiss

All disabled to have free education for themselves and their children from primary school to university.

Disabled should be given some money to be helping themselves and keep small business and their business to be free license and t be free tax.

All disabled property to be well protected by the government. All disabled representative offices be accessible to the disabled wh freely without difficulties. There should be a moving mobile unit to be visiting areas of disabled and help them when they need to mov moving difficulties that is if possible disabled to be visited with somebody who is able to take grievances of theirs and then he can because we have some areas where disabled can't move to those areas let say the office is Thika or in Ruiru here so they need s them and hear what they would like.

There should be equal opportunities for disabled i.e. jobs, salaries and promotions. All disabled fund s to be represented by Disabled should have their own disabled representatives in the parliament i.e. the disabled MP should be a disable in one way or th should be respected and considered as human being where they are. That I want to mean in the current Constitution we have but d disabled and wherever you may visit a disabled might be taken away you just move, you are not one of the people, just go out yo here so that is what I said should respected wherever they are as people. Thank you very much that is all my view and my group vie

Com Prof. Kabira: Thank you very much Simon. There are very many Simon, now there is a third Simon, Simon Kihiu.

Simon Kihiu: I am going to make my representation in English. I am called Simon Kihiu and I also love the Lord Jesus, I am s graduate and also that I have really managed to get a job with the Kenya government never the less I have not escaped to the USA countries or South Africa. Some of the things I am going to highlight do not concern so much on me as a graduate but on what I ha society. So I am going to look briefly at the question of street children, I have happened to work with some of them, in fact there is have worked with them in Ngara and other areas but let me go straight to the point. There is a major increase of children on th reflects the nature of the economic status of the greater minority of the Kenyan citizen or society. It is pathetic that in many town o

are children roaming in the streets of Kenya failing and sometimes mugging and threatening the lives of fellow Kenyans, you know beating you with dung in the streets of Nairobi. It has come to my notice that the cause of all these is a question of Kenyans who are in rural, semi urban and metropolitan areas. These metropolitan areas are places like Nairobi, Thika, Kisumu, Nakuru, Mombasa, the major cities of this country or in Kenya there are no cities there are major towns. as I have highlighted, this a reflection of the people whose parents who many can not even afford food, house rent and many cannot even afford school fees leave alone clothing.

What I am about to say is that I am going to highlight a few of the problems and then after that I am going to talk about the Commission's Commissioners.

There is also the question of unemployment; this also shows that most of the Kenyans are not in earning status and thus no income and poverty. This has led to what is called the vicious cycle of poverty. Unless Kenyans in both rural and urban centers are empowered poverty will increase leading to more problems or increased problems.

My proposal to the Constitutional review commission, the government of Kenya should use the tax payers money and look into the various levers to see that there are trained in the vocational causes. The government should establish state funded training projects which are for youth especially in computers. Most of us know how hard it is to get a computer training. Some are from outside they desire to come but never I mean from outside there they cannot manage to get there. Computers, tailoring, knitting, masonry, agriculture, small business management one is trained how to manage a small scale business, this should be free or this should be as cheap as possible. Maybe for students if this is an accommodating college maybe if provides the residence and then the fees is paid by the government, they should be as cheap as possible and students who are found to be poor would be allowed to learn without any payment.

The government from taxpayers' money and donor fund should through similar methods like those of scrutiners flying squad you know the flying squad work and the CID, by the way we have got the best intelligence in the world I have tried to check on that. They should try to identify people who have cleared school level certificate and offer them finances to help them start up small business. I know there are people who can start up with government funding but we should do our best to serve what we can do about these because we have the best flying squad, the best people can also have the same people coming to investigate whether you are really poor by coming to your rural home or your estate like in Ruiru though I don't come from Majengo anyway so these people should be helped either with education or small scale business or through the (Higher Education Loans Board) the way they scrutinize you can be given a questionnaire to check whether you are really poor or not.

In other cases if the government wants to recover some of the money they should get back the money in the period of ten years grant. Students from technical colleges and universities need money, which should be readily available from the treasury to help them start up and go further in other colleges. We have cases of a student or our sons and daughters finishing universities like in the cases of veterinary colleges but they don't even, they want you to start something to be expansion officers to our farmers in these country but they cannot do because they do not have money to start that business. The government should not be self-defeating as far as taxation and collection of revenue is concerned. Kenyans especially in urban areas want to start business but they cannot because of the high levies charged by Local Government councils.

give an example here.

Com Prof. Kabira: Which means your time is up, you know because you are going to give your memorandum highlight but do not

Simon Kihiu: So there is something I am going to give you an example like where we are going to start most of the business we allow people either to pay levies to the councils, whether they can save monthly because sometimes the council may require about 6,7,000 per year. If I have been a house girl or house boy somewhere they have raised 10,000 and I want to start a small business I was posing that the Local Government through the local town councils or wherever they should actually give people an opportunity to start a business monthly. Other people close up their business because if I have been a house boy and I have earned about 10,000 Kenyan shillings I want to start a tailoring shop or something I cannot because the first money should go to the council the rest should go to the other people like the landlord of the place I am going to rent and such. As of these people will never start up those business, no wonder we are having the streets mugging you again, stealing from you and all these people. We need to look to that problem because we have many hawkers, hawkers should be allowed actually to do their best to sell their wares although at the same time they should be licensed and collecting money, revenue from them daily. The government through the Kenya revenue authority can how it can be collecting those

There is something I would say in brief. The question of representation in government or specific interest groups there are groups that have people to represent them. Some of these groups are the less privileged or the visually handicapped. At least we need to have people who have physically handicapped or mentally handicapped people who have come here today, we should have some of them in parliament. Of course I agree we have Sinyo and others, but we need to have people directed, chosen by them or elected by them in government, that is why they have been ignored. At least we may not have a street child to go there, at least a woman can also be there to represent the needs of the street children because they are another neglected group so what I can say is that the people of Kenya should be empowered by treasury giving money to the people just like the way the welfare given to people in the United States of America, from the United States of America to provide at least some wealth and maintenance money to some people and once again the government should do these by trying to really check whether somebody is needed and can use the same methods used for the flying squad because if we do me here by evening they can get. In the same way they can get to know who is poor and that person should be given some maintenance money. It can be it graduates, be they those poor people so that we do not have a high turnover of children in the streets and all over people mugging another and more so there are many other people because I may not read them here that need to be looked into.

The question of NGOs, there are many NGOs operating in the country they should co work together with the government but the government of Kenya should not neglect its role and duties to the NGOs because finally the NGOs are not going to do a favour for a government. The government use the tax payers money to meet the issues, the needs of the people like the case you have allowed the trust condom commission one knowing that there is need for Majengo prostitutes to have condoms. Why can't the government of Kenya itself do such a thing? The government should supply condoms not even having those programmes on TV that you have been seeing, that advert so what I can say is that we need to supply money from the treasury, there is a lot of money in the treasury to help people start up small things and support the needs of the people so that they can pick up from where they are so that we do not continue with these circle of poverty.

Let me not talk much because there are other Kenyans, but I have my memorandum here I would conclude on it and deliver to it to you.

Com Prof. Kabira: You can give us a copy of what you have already written here. But also can you tell the others what you were ndagika imwe.

Simon Kihiu: Na gikuyu?

Com. Prof. Kabira: Na ndagika imwe na Gikuyu.

Simon Kihiu: Riu ri ngwendaga kwaria kana kugweta uhoro wa ciana iria twi nacio cia mitaa, nio twitaga street children, cho ngugwetaga ngoiga ati muno makoretwo mekuo ni tondu wa mathina maria mena andu aitu bururiini. Na uria nguuga ni atiriri migundaini kana guku town ini kinya guku slum ini cia Mathare na kuria kungi, niukuona andu aingi a Kenya mena mathina ni tondu kimbecha kana the economic power. Na tondu matiri na mbecha na maundu ta macio ri, ngugaga atiriri thirikari ya Kenya o iria it kumenya nuu wina thina ri, to akorwo ni ta andu ta aria mararikia cukuru kana ni a eight kana ni a form four nimagiriirwo ni guteithio kuongerera githomo kiao. Ni gi Computer, ni gia kwiruta gutuma ni gia gwaka, maundu ta macio uguo kana kwanjia biashara maga-trainwo ni thirikari tondu thirikari ina mbecha nyingi. Kugie na ma polytechnics na macolleges ta macio uguo, thirikari ikarihira makahota kuuma mena hinya wa kuanjia biashara. Na moima mena hinya wa kuanjia biasharari, thirikari igacoka ikamahe o riri treasury ini nigetha mundu akahota kwanjia small business. Na amwe tondu no maheo makanyue njohi ri, nomaheo grace period ta uguo no mbecha icio nomagacokia. Na kwoguo makahota kwirugamia. Ni tondu andu aingi nokura turorira U.S. ungithii embassies Angi marorira S.Africa na Botswana no bururi uyu ni witu tondu niwaruirwo ni athuri aya aingi mehaha uguo.

Kwoguo nio twagiriire nigucuthiriria Maundu macio. Uria ungi ngugutwega ni ati, thirikari ndiagiriire ni kurekereria ikundi ici ita NGO's, U.S. aid, Donors, World Vision, Plan International, Action Aid ati acio no o marona mabataro maitu muno makimenya twina mao kinya maria ndinamo gwaka uriri, gukira uria thirikari ya Kenya yui. Thirikari niyo yagiriire ni gukorwo ikimenya m kwoguo niyagiriire nigucuthiriria uria ingindeithia nii. Na njira ya kundeithia na kimbecha na Maundu ta macio uguo nigu hote kw nderugamiari, hote kurora ka-family gakwa na nigetha tutige gukorwo na thina wa kurekereria ciana ciitu cigathii mitaaini na kuu ug mathina macio maingi. Maundu maria mangi ni ta macio ma trust condoms. Riu condoms iria iriheo andu na guku nigetha tukimer ukimwi. Andu a Kenya nimendete Maundu macio muno. Ndigukiaria muno hau mendete tondu ndi muhunjia ri no uria ngwendaga riu thirikari niyagiriire ni gukorwo igithomithia andu uhoro wa gutumira okorwo ni condoms icio. Ti kurekereria andu ta aya a trust.

Ta riu nimuonete uria makoretwo makirehe mbicha imwe T.V. ini. Ni tondu thirikari iitu korwo niyo ireka uguo ri, ithomithie andu nyamu icio ri, niwega ni tondu yarekereria andu acio marirutaga wira na makauruta makiria magathukania. Na makiria niyagiriire niku mena mathina ta maraya ma na kuria majengo tondu ni kuri maraya, magateithiririo nigetha maanjiririe gutumira ta condom ta icio.

ithui mathii kuu na aria angi marendu guchera na kuu aria aganu magatiga kuraga andu na kamurimu kau koru nimukoi we, getagwa
tondu inaua watu wengi hapa Kenya. Nindarikia.

Com Prof. Kabira: Thank you very much. I don't know how you want us to proceed. Niundu wa languages. Gutuikire kwi mundu
githungu? Mekuo? Okey. Turenda gu-save mathaa na ningi no muhaka tuiguane. Kana tiguu? Ni lazima kila mtu ajue vile tunas
tutaandika hii maoni kwa based on the constituencies and we shall bring you back the report after we have put the information toge
for people to know what is being said at this meeting that is why we are talking at making sure that all of us are at par in what is being
said that ni lazima tujue vile tutamia masaaso we don't want to spend too much time in translation so maybe you want to give us a s
you.

Speaker: Thank you very much Commissioner, I would suggest that those people who don't understand English move closer to the
they can be getting a word or two from their neighbours who understand English that would save time. I am willing to have somebody
I would be passing only the Commissioners these as he is suggested.

Speaker : Thank you Commissioners, mimi ningependekeza kwamba ninaona kama kila mtu anaweza kusikiza Kiswahili. Tanawe
hiyo badala ya kuwa na wakati mwingi wa ku-translate.

Com Prof. Kabira: So there are two proposals would you like us, if you have ten minutes na umeandika kwa Kiingereza utumie o
the points na dakika tano kuambia hao wengine vile umesema halafu hiyo memorandum tuta... kwa sababu tutasoma the details of
what do you think? Munaonaje? Lakini usitumie....tumesikizana, you don't read, you give the highlights halafu uambie wengine t
said. we have agreed? Okay thank you. Sasa tutaenda kwa Raymond Kanyingi.

Raymond Kanyingi: Commissioners na Wananchi wezangu hamjamboni? Mimi kwa majina ninaitwa Raymond Kanyingi. Yang
yatakuwa tu machache, mengi yametajwa kidogo lakini nitapitia.

Ya kwanza ningeguzia kuhusu KBC licencing na impartiality hizo zinaadamana. Kwa wakati huu ambapo tumekuwa na stations
vigumu kuelewa ni kwa nini KBC bado inahitaji tulipe license kwake na kuna stations nyingi kama mnavyiolewa hizo ningepend
ambayo inatulinda kutokana na hizo. Pia impartiality KBC ninafikiria inatoa pesa yake kutoka kwa Wananchi kwa hivyo ningec
umuhimu.

KBC inatoa pesa zake kutoka kwa umma na kwa hivyo ingekuwa vizuri kama inge-report mambo yote kwa kikamilifu kwa mtu yo
kama ilivyo saa hizi sihitajiki kufafanua watu wanajua vile ilivyo.

Inginge ni presidential powers, ningependelea kuwa raisi asiwe na ile mamlaka ya kuteua watu kama ma-judges, cooperate heads
ambao huwa anawategua kwa sababu hii haileti uiano kulingana na vile mambo inavyo endelea kwa sababu mtu mwenye amaetue
anafanya kazi kulingana na yule alimteuwa kwa hivyo itakuwa pengine anagemea pande moja hafanyi kazi kulingana na vile ingeta

kazi kulingana powers zinatoka upande gani. Ingingine ni ile ya 25% requirement ya presidential elections. Ilikuwa imetajwa kidogo kidogo, hiyo sioni ikiwa mzuri kuwekwa hizo conditions za awe na 25% kwa five provinces. Hiyo ingekuwa kama ni maraisi k ataongoza hata kama ni kwa kura moja huyo awe ndio raisi, hivyo ninafikiria kwa jinsi hiyo kila mtu ataona atleast ilikuwa ni m ilikuwa inafaa na mtu alishida kwa sababu alishida kwa ile kura moja lakini ile 25% kwa province tano hiyo haiandamani na vile, l nzuri.

Ingingine ni electoral commission; mimi ningependelea iwe autonomous iwe ni commission ambayo inaonekana kuwakilisha kila mtu na kuuma. Sahii tunasikia kila wakati ambako kunatokea elections inarudi kusema haina meno ya kufanya kitu fulani, hatuna meno ya k ambaye inaonekana wasiwasi alifanya makosa fulani, mimi ningependelea kama ningepewa hiyo meno inahitaji, atleast kama k makosa kuna evidence inaonekana imefanya kazi kila mtu anaridhika lakini sahii uchguzi unafanyika, unasikia malalamiko na inaone nini lakini tukienda mbele unasikia hiyo kitu ni kama imeenda ikafikia na kuna umuhimu kwa sababu a fair game inakuwa ni kitu mzuri.

Provincial administration; hiyo naye ningependelea ionekane kuwa inawakilisha kila mtu kwa sababu provincial administration kw inaonekana pia inaegemea upande moja. Kuna upande uatona mikutano hata hii ya campaign unaona hiyo ilikuwa tayari wamewa wingi, kwingine hawapatikani na kama wanapatikana utapata pengine walikuwa huko na lengo fulani. Ingingine ni government campaigns. Unapata mikutano mingi magari ya shetani ni mengi sana huko, inatumika kuleta watu, gari za mashule fulani ziko huko kwa mikutano kwa wingi tunazijua zinakuanga na number za blue, zingine ni za serikali tubnazijua unapata kwa mikutano ziko kwa tungepata kama abilia wote campaigners wenye wanafanya hizo elections, wenye wanahusika kama ingekuwa tunaona kwa mkutano na huu pia zikawa tutaona hapo hakuna kipendeleo lakini itakuwa zitakuwa kwa campaign zingine na zingine hazipo hapo pia tuanona moja. Yangu sio mengi na shukrani.

Com Prof. Kabira: Asante sana Raymond. Now David Ngigi?

David Ngigi: Bwana commission na watu wote Hamjambo. Mimi yangu ni machache tu ni kuongea kuhusu hii mambo tumesika kuguzi sana sana upande wa president powers, hii ni mambo ambayo imetufinya sana kama sisi ambao tuko upande wa viwete. H tunataka kuongea habari ya Committee, tunataka kuongea hii mambo inayohusu harambee tulifanyiwa. Kama kungekuwa na Katiba inaagalia upande wa viwete mambo ingekuwa swari kwa sababu hii pesa kama vile ilichangwa ilienda. Donations zinazo kuja zinakuj inapotea hivyo. Kwa hivyo tunajua mtu kama Mahehu alikula pesa za ile harambee ilifanyika na nyumba ile ilinunuliwa eti Rehema h ambacho tunapata kutoka huko. Mtu mwingine akienda huko anapatiwa kama ni kipovu anapatiwa kitu ambacho hakiwezi kum wheel chair, nilishangaa sana kuona hiyo mambo. Unasikia mtu mwingine hata hawezi kufanya kazi na mikono anapatiwa kitu ya ku kutengenezea viatu. Kama ni mtu ambaye ni kiwete anapatiwa white stick. Sasa white stick itamsaidia na nini? Kwa hivyo ninauliz tuweze yaani kurekebisha mambo kama hayo.

Tuangalie upande wa masomo. Mtu kama mimi nimesoma lakini hakuna mtu anayenijali. Nimesomea computer, nimesomeas kazi ya anayeshugulika na mimi nikienda ninaambiwa wewe sasa utaweza kazi hii hata wewe unaonekana uwezi hata ukiwa unafikiria

unafanya. Sasa kwa hivyo mimi hii mambo inataka tuangalie sana upande wa sana sana wa wale ambao hatujiwezi. Lakini twajiri kama sasa nimejileta kutoka kwetu na nikakuja hapa lakini watu wengine wanatuangalia wanatuona sisi hatufai kuwa katika jamii tunataka iangaliwe sana kwa sababu hata kwa familia tuko na shida. Mtu kama mimi mama yangu sasa pengine hajaolewa na aligonjeka ugonjwa kutoka 1967 na sasa haangaliwi kama mtu anapigwa hata na madugu zake na kama ningekuwa na sheria ningepata sababu haswa ni upande wa kike. Mingeenda nishitaki hiyo familia hata ikiwa ni wetu kwa sababu wanamtesa, wananitesa wamtesa kunisaidia kwa sababu ateswa na sasa mimi siwezi kuwa ninaweza aandika. Kwa hivyo mimi sina mengi ila tu hayo. Tafadhali tuangalie upande wa masomo tuangalie kwa sababu kama tungepata nafasi ya kusoma vizuri tungesoma vizuri hata zaidi lakini kwa sababu hii ya hongo hongo tunatakiwa tuangalie sana kwa sababu hiyo mambo yote tunatakiwa tuangalie kwa makini tuangalie tafadhali ndugu ninaomba bwana commission tuangalie hiyo mambo tafadhali kuhusu watu hata kwa jumla. Kama mtu amaesomea kazi ya rangi kazi ya kuchuna kahawa. Kama jana nilipatiwa kazi ya kuchuna kahawa, usiwe unapatiwa kazi ambayo ujasomea. Mtu kama huyu a useremala lakini anapatiwa kazi ingine hivi hivi hapatiwe kazi inayofaa. Kwa hivyo sina mengi ila tu hayo na Mungu awabariki.

Com Prof. Kabira: Asante sana David. John Mark Ileri?

John Mark Ileri: Commissioners tunawashukuru sana kwa kutukubalia kuja kutoa maoni yetu. Mimi ninaitwa John Mark Ileri. Nitaona hapa mabaya nitasoma kwa Braille kwa sababu iko in Braille na inahusu views za KUB Thika branch.

Kenya Union of the Blind Thika Branch. The following are the views of the Kenya union of the Blind Thika Branch.

Kenya Union of the Blind thanks the government for giving approval to people driven Constitutional review process. This would make it possible for Kenyans to develop a whole broad Constitution that would best present the wishes of Kenyans. we briefly appreciate and thank the government, the disabled community and the local NGOs for their manifold contribution to the Constitutional review process. The disabled community in particular are here to highlight the commission in the current Constitution and stress what we wish to see in the new Constitution.

The following are some of the issues the visually impaired people would like to see our new Constitution cater for.

1. That the condition “disabled” appear in the Constitution along with other conditions such as sex, race, religion against which people should not be discriminated against in this country.
2. That begging shall be declared a dehumanizing Act, which robs a Kenyan citizen of his/her rightful dignity in society. To address the welfare programme should be authorized by the Constitution as an instrument of protection against the indignity of begging.
3. That the responsibility for the disabled shall not be left to a few ministries like those of education, culture and social services as the case is today. But that every government ministry, county council, city council and municipal council as well as government departments should have a department for the disabled with adequate finances for programmes for the disabled. For example the women department should have a division for the disabled women and the children department should have a division for the disabled children.

4. That the government shall avail 10% of each annual budget for support of the disabled. This figure is based on the fact that in every country 10% of its population is disabled.
5. That an amendment be made to the current labour laws to increase the retirement age ceding for disabled from the current 55 years or above. If in Europe a need has been seen to justify the raising of the retirement age for the known disabled, how much more should be done for the disabled in Kenya.
6. That there shall be guaranteed an adequate representation of the disabled by the disabled in parliament, country councils, and municipal councils.
7. That the disabled shall be guaranteed adequate social services, education, security as well as adequate means of access to communication or environmental in areas affecting each disability category in Kenya.
8. That the Kenyan Constitution shall recognize all international convention instrument, I mean covenant and instruments on human rights and related to disabled to disabled people and render them binding in Kenya especially that document called UN Standard Rules on the Equalization of Opportunities at the Geneva Convention on Customs Duty for imported articles for the use by the disabled people.
9. That there shall be a Constitutional provision for legal aid for the disabled person after it has been proven that the person has no means of meeting the legal costs in question.
10. That the provision for the nomination of MPs be retained in the Constitution to make it possible for representation of the disabled in parliament.
11. That the provision for nomination of councilors be retained in the Constitution to make it possible for representation of the disabled themselves in city and municipal councils.
12. That there shall be a provision in the Constitution for reservation of seats in parliament for some interests groups such as the disabled. These interests may have no one to champion or advocate for in parliament.
13. That the Constitution should provide for a mechanism through which violation of the Constitutional right can be investigated, e.g. a Constitutional court in every province and a Constitutional commission.

Com Prof. Kabira: John, can I ask how many points you have so we know how much time we can give you.

John Mark Ileri: Just a few more.

14. That the Constitution retain the death penalty but specify that it shall only apply to those who willfully cause death. To that effect, those who commit the crime of robbery with violence should not suffer capital punishment unless their crime has caused death. Similarly, sedition and treason should not carry death penalty unless an act like treason has caused death of a person.
15. Finally death penalty is a better means of reentrance than life imprisonment. When I would be murdered, I would know that he would be in prison for life even if it is in prison for life the fear of committing murder is less than when she knows that if he commits murder he too loses his life.

The election process; first the current system is unfair to the disabled. It should be made as fair as possible for eliminating a favouritism.

category of disability says while exercising their voting rights. e.g. privacy is denied to the visually impaired in polling stations. A person should be allowed to ...

Com Prof. Kabira: Sorry, John I think I have to ask you again to summarize. Just highlight the point because it has taken more now.

John Mark Ileri: Sorry, okay that is the first point about election process and the second we would propose that it should be done that the first day is used by all who are supervising election and the law enforcement makers and so on.

Regarding political parties we feel that there should be the Constitution should put a ceiling to the number of political parties that is for the Kenyan situation. It could be a number like a minimum of three or a minimum of five.

Finally it is about the question of by camera parliament and regionalism. We first feel that Kenyans do not need a force by camera regionalism because they are very expensive and they are a drain to our economy. Thank you very much.

Com Prof. Kabira: Okay thank you very much John. Sorry for harassing. You are giving us the Braille aren't you? You would Thank you very much. We would begin reducing the number of minutes that one will use very soon to make sure that we cover everyone. Gatimu Maina.

Gatimu Maina: Thank you very much. My name is Gatimu Maina and I am the chairman of the redemptorist and reparations movement and also a Historian. It is my pleasure to present views of my movement to the Commissioners. I will be very brief because I will have three points and I would start with the preamble. In the new Constitution we should have a preamble that highlights who are the creators of the Constitution and in what historical context is the Constitution made and for what purpose. In the historical context, we know that we were colonized and invaded in 1898 and we did not get independence until 1963. During that period we had individuals who rendered heroic services in terms of resistance which finally culminated in the struggle against the Mau Mau of 1952 – 1965. We would like such heroic heroes to be built, to be recognized in the process of writing the Constitution because they rendered selfless service to this country. In the preamble, we would like to have spelt out very clearly the supremacy of the citizens of Kenya because this is a country, we are the people of Kenya. The Constitution and it is not made for us and therefore it should be recognized that power does not reside in the government but the people. When you write that technically do not just write the people of Kenya, please write the citizens of Kenya because that is different from the people of Kenya.

Why are we making this Constitution; the related Constitution should highlight the fact that we are writing it to protect our general welfare, our resources and to create relations among ourselves and between our nations that should also be very well written but be in the context of the African continent. Another point which should be recognized in the Constitution, we are members of the African organization, Organization of African States, the United Nations. These organizations in their charter recognize that Africa has suffered a lot of injustice and therefore whenever there should be reparations payment this is to say that we Africans were enslaved by the British, Arabs and the Portuguese.

something in the Constitution which should enable the Kenyan government to ask for reparations for the situation from this government for the years we have suffered. If we are asked to provide statistics we have them ready we can provide them anytime. Also we are colonial people, we suffered a lot and we were humiliated a lot particularly during the time of Mau Mau. They also destroyed our shrines; we had independent schools, independent schools. We would like the British government to pay the Kenyan for the damages done to us, we would like the government to rebuild our historic Kenyan Teachers College into a new University called National Mau Mau University at Githunguri.

We also fought in the first and second World War on the side of Britain, that was not our war, it was war between Europeans but we were drawn into it, our people died and suffered a lot and after the war particularly the second World War the European soldiers were rewarded but our people were just left jobless and without any reward. We would like our government to place a claim against Britain for compensation for the damages done by our soldiers during the First and Second World Wars.

National Symbols, it would be a feeling of historians that actually December 12th should not be our independence day. We people of Kenya have forests meant the first Kenya parliament on May 5th 1954, actually February 5th should be the independence day but not December 12th day; Kenyatta along with others fought for independence but we do not see why Kenyatta day should be named after one person. We should rename it Freedom Fighters Day or Mau Mau day.

Moi Day; I think there is no justification as of today to have that day and I think leave it to historians to prove whether we should have that day or not. Time being let us do away with it.

National currency; in the national currency we should not have any portrait of a living person. We should only have portraits of deities or not living ones.

The national flag; the national flag is very nice but we saw that at the center we should have a golden sun to reflect the warmth of the sun. The state of the Nation speech, the president is our employee and he is accountable to us therefore every six months he should bring a report on what he calls the state of the nation speech to state the problem the nation has made over that period because the speeches which are made on public day do not really focus on national issues which matter to us.

President and vice president they should be elected at large and no president should appoint his vice president. Political parties I agree should be limited to five. Nominated members of parliament and councilors they should not, we should not have nominated leaders.

Provincial administration; the powers of provincial administration should be scrapped and we should have local authorities run our local areas. It is unfortunate I don't see our councilors here and we are fighting for them.

Land commission; I feel that we should have a permanent land commission to run land affairs of the country and these commission should determine the modalities of land distribution because we feel that some few individuals have too much land while others are really suffering and are not settled somewhere and for that I propose that the (inaudible) land holding and individuals should have is two thousand acres in area.

more than 5,000 in marginal land. Together with land let me talk also about forests. We are going to have in these country an ecology long therefore I suggest that gazetted forests land be no less than 4% of the land mass of the country that is gazetted forests. Come there should be an extension service instated in the new Constitution to ensure that water streams should be managed by the local pollution and also to avoid extravagance of our resources because this is threatening the country.

Also in the rural areas, in the Constitution we should have a provision which states that a minimum of so many say a percentage of the land be put under:-

1. forests to have a few trees and the other percentage for food crops.

That is so far for the land let us go to the question of constituencies, there is a lot of imbalance in the constituency because there is a lot of imbalances in the constituency because some Constituencies have very big populations..

Com Prof. Kabira: Mr. Maina can I ask you to summarize because you need another one minute to tell the people the highlights.

Gatimu Maina: Uria ndirageria kuuga ni ati, tukiandika Katiba ino nitukuria aria marandika mekire kindu gitagwo introduction au nuu urandika Constitution, Constitution ni ya uu? Na niki kiratuma yandikwo. Niki iragitira. Ngoiga ati thiini wa Constitution irakurikira Kenya no ni ene Kenya uguo ndira mean citizens. Gitumi kiria kiratuma ningi tuge yandikwori, niigitire right itu, kihoto giitu na angikorwo Constitution ni kuandikwori, no nginya yandikwo na yonanie uchamba uria watumire tuheo wiyathi tondu wiyathi actual ndukanahenio ni mundu. Andu nikuwaka mawakaga. That is why we fought. Nindacoka ndaria uhoro wa andu aria aitu maruite niki kuri maruire Mau Mau, kuri maruire mbara ya mbere ya Italian ya Geremani na mbara ya keru ya Second World War. Andu maruire maheirwo na nimagiriirwo kuheo. Na angikorwo no kuhoteke no guakwo, monument kana guakwo mahiga maria manene muonaga ni getha maturirikanagie. Ndacoka ndoiga, tukiruiria mbara Second world war, ithui twi mutitu nituathondekete Parliament iitu. Feburwaru kwoguo iyo niyo yagiriire ni gukorwo igituika muthenya witu wa wiyathi. Ndacoka ndoiga niundu indo iria ciathukitio mathukuru maiti ma independence cukuru na maria mangi makonainie na andu airu, thirikari ya ngeretha niyagiriirwo nigutuakira University imwe ni Mau Mau national University kana kindu ta kiu uguo. Andu aria maruire mbara ya keru, nimukuririkana hatingiaga muthuri hahaguthaithira Governor makinya haha Kariokor na gugituika Governor nieguka kumatunga. No nimui uria guekikire, Governor atumi agithii akihe thigari ciitu thuiti na ao athungu aria mari ho mathire makigayirwo migunda iitu na guku Gitathuro na kuu Limuru, so ni icio ciitu ona cio irihwo ni ngeretha. Kuri indo ciitu ciathamitio kuuma guku bururiini kana congo iria muonaga ta ciondo micongo ciothe ituaritwo. Na iteithagia mabururi mau, indo icio tutiagiriirwo ni ciatuikire citizen a bururi ucio, niciagiriire gucokio, ucio ni uto kindu tuagiriire kugira St. Peters square Rome.

Com. Prof. Kabira: Ki kiu?

Gatimu Maina: He kaundu nguriganiirwo ke njuge na Gikuyu. Andu aria akuru, twiragwo ati hinya wa arume uragira kuingi. Riu wa miaka sixty na ndutiire bururi uyu wira na hinya muno niki ngurite uguo. Na riu ona umuthi gutiri kindu ingiuga ni ngaheo ni giakwa thukumite. Kwoguo no turie guthondekwo undu kana fund ya kuragumagirira andu aria akuru a bururi tondu mangirekererico

ati bururi nduri na bata na andu aria matungatite bururi uyu. Kwaguo mwatuona tukurite uguo, nduoriire kundu kungi.

Com Prof. Kabira: Thank you very much Mr. Maina. Glad well Wanjiru.

Gladwell Wanjiru: Habari zenu wote mimi ni mmoja mwenye ameokoka, ninampenda Mungu. Mungu ni mwokozi wangu hata saa maana sikuwa ninatarajia kama siku ya leo kuwa kama kwa kikundi kama hiki kwa hivyo ninamshukuru Mungu. Mjisikie mko Ruiru nyumba ya Mungu kama vile inasemekananga watu wakiomba Mungu itakuwa mambo yao ni sawa sawa.

Mimi niko na jambo moja nikitaka kuzungumzia hata kama hiki nikao changu cha kwanza sijahugumia hiiu kikao cha haki na amani Katiba. Zamani nilikuwa ninauliza neneo hhili ninalisikia Katiba nini lakini sasa nimegundua. Niko na hali ya kusema yale ninahitaji. mimi nilikuwa ninajiuliza, ni kwa nini watu wetu wa Kenya wanakufa ovyo ovyo. Nikifikiria nikasikia ati kila jambo likifanyika ha inaenda kwa president na hata kama president ako na hukumu ya kusema neno lolote kuna wazee, kuna wazazi wenye wale watoto ovyo kwa hivyo nikajiuliza kwa roho yangu ni kwa nini. Kwa nini president kama ni mzazi amepewa jukumu ya Kenya mzima. I tulikuwa zamani wasichana walikuwa wanapea wazazi heshima, vijana wanapea wazee heshima hakukua na kijana anaweza kuo akiwa ametimisha umri wa mama yake aongee mbele ya mzazi ule mwingine. Hakuna mtu hasa yule tunamchagua siku ya leo hakun kututea. Tumechagua councilor, tumechagua chifu kama head men na hakuna hata mmoja anaweza kututea. Kwa hivyo siku ya leo siku nilizaliwa na mama yangu kwa maana ninaona watu wa Kenya wako na haki ya kusema maneno yao ambao inaweza kuongo sasa hivi weanaweza kuniita mama ama waniite shosho kwa hivyo mimi niko na neno moja ninataka kuuliza kama serikali ile itaku kwa chaguo langu na pendekezo langu. Tuna haki ya kuchagua pendekezo. Nikitaka kuuliza hivi, mwaka wa 1978 ama 1980 tulitoa nikiwa mimi nilikuwa mmoja ninawajiliwa kazi tulitoa pesa ya kusaidia masikini ambaye ni ishirini kwa kila mfanyakazi ya kujenga ny ambaye siku ya leo ninaisikia wakiongea hapa ili tuwajengee nyumba na hizo pesa hakuna pahali zilienda. Ni kwa nini haikujengwa n jukumu haikuchukuliwa na wale watu tulikua tumewachagua kwa wakati huo. Sasa hivi kuna watoto ambao wanasururura Ke yatima. Zamani hakukua mtoto yatima na siku hizi wako wengi, ni kwa nini. Tunakatwa mishahara, tunaenda hospitali tunalipa pesa n ya msaada wa Kenya. Hizi pesa zinaenda wapi, hizo pesa zinazaidia nani zikiwa haziwezi kutotolea vijana na wasichana swanasur nini na tuko na councilor na tuko na president na ma Bunge na tuko na makanisa nikiwa mmoja wa kanisa. Neno langu mhimu ni msaada inatoka nje. Kama sisi wa Catholic tulikuwa na msaada ambayo sana walikuwa wanatuitishia kutoka ngambo. Hizo zinagawiwa masikini na tunachukuliwa watoto wale ma yatima ambao wapate msaada kutoka kwa serikali. Pesa hizo zikikuja zina kwa nini serikali na Bunge na president anachukua hizo pesa? Kwa hivyo mimi ningeomba yule anachaguliwa wakati huu kama serikali awachane na mambo ya makanisa na iwachane na mambo ambayo ni kunyanyasa masikini.

Com Prof. Kabira: Asante sana Glad well. Hizo maswali tumechukua asante. Now, Joseph Mwaura.

Joseph Mwaura: I will speak in English but in press way. If you don't understand me, please Don't worry about it. And you see not using what we call short hand it is not easy to get. Right thank you very much Commissioners and the people of Juja. Because y believe you are with God so I am not going to ask you whether you are good and God bless you where you are. I am a teacher by p

A government is got a government because it has got good governance so I am talking about good governance just in short because will go for this I won't go round it. So a little bit of points are here, there are highlights only. Good.

Good governance: None should be above the law whatsoever in Kenya. That is to mean to understand the interpretation of what doing it right now. Law is a thing that it is an international thing that governance. Now ministers should not be of any other flock but v so they represent what they know exactly not matter of thinking. None to vote two ministries, to cater for one ministry only that is and at the same time respect from government and to citizens is vital vice versa and the corporation. I have gone out of that and it h memorandum.

Security: Mental, physical, spiritual rights should be secured by the government of Kenya whatsoever. Any individual that be, own or to be subject of any should be secured for by the government of Kenya include that in the particular Constitution if you can.

Child Abuse: People used to say that only men rape, no both sexes so rape from female or male should be stopped and education all and disability of all types should be in the hands of the government and take care of them. A real citizen should not be given time or night, he can walk anyway.

Mob Justice: It is not for Kenya really, it should go where it came from for really until one is proved guilty while should be really put

Election: President should be elected in a separate day or time. MPs the same not mix the same, out. Councilors the same one da elected by the people and it is you when I say people. All chairmen of councils, groups, institutions etc, should be elected directly fro of that Bunge, that is parliament. Some constituencies are for nothing as they are un necessary. Cut them from 210 to 150 that is all understand by the people who elected him that he is not doing the right job should be sacked off before five years are gone. All parl be of Wabunge, that is MPs. Powers of the parliament should be of them.

Economy system; farmers to be supported fully by the government and no laws created out of them. Minerals should be rea government of Kenya and againgovernment should support industries and business of any kind to earn money. GK should not law before they consult the bell is mine, before they consult the concerned by laws should be used.

Taxes: Only from.... By the government because they are the people to be leaders tomorrow or the other day. Seminars should be government to explain to people what economy means. Health should be not be cost shared, it should be free. All health cer medicines enough. Medical services should not be asked to be anything.

Let me go to Constitution now, none should be .. none should tamper aboput with our Constitution that is the new one whatsoever a ministry to be created. Extra security council should be created and it should take care of the security and God bless all.

Com Prof. Kabira: Thank you very much. Githu wa Kahengeria.

Githu wa Kahengeria : The Commissioners na wananchi wote waliofika hapa jina langu ni Githu wa Kahengeria. Mimi sitachukua sababu nilikuwa na memorandum na nilipeleka kwa commission lakini leo nataka kusema maneno machache kabisa. Wakati sisi msitu kupigana kwa uhuru huu, tulikuwa tumesema Mzungu alichukua kichaka na alichukua uhuru wetu na hii ndio sababu walikwenda kupigana na Mzungu na tulishinda yeye. Mtu akinyanganya wewe kichaka au uhuru wako hata akiwa ni nyanya ya vibaya kwa hivyo hata ikiwa tulimfukuza Mzungu hapa, hatutaki mwingine ambaye atanyanganya sisi haki zetu awe mwekundu, mwananchi kijani kibichi tutasema amefanya vibaya. Kwa hivyo katika Katiba yetu tunataka Commissioner muonyeshe kweli ya kwamba wote. Mimi wakati mwingine ninasitikisa sana, president anakwenda katika radio au televisheni halafu anasema wanaichi wa kawaida Mwananchi wa kawaida ni nani, mimi ninaamini watu wa nchi hii wote wako katika level moja mbele ya macho ya Mungu na atakayekuwa kiongozi awe na fikira za namna hiyo. Wale wanazidi kuwaita Wananchi, Wananchi wa kawaida wa wache hiyo kati watu wote na hii Commissioners tungependa iwe katika Katiba ya Kenya.

Nikitoka hapo mimi nitasema hii ni Constitution ambayo tunayo kwa sasa. Katika section 14 president akichoma wewe kwa mkuki yako awezi kwanda kotini. Akiamuru watu wauwawe Molo na kila mahali, hawezi kuwa investigated. Watu wa nchi hii wakuuwawa hakuna mtu anaweza kuwa investigated akiwa president, tunapenda iwe katika Katiba ya kwamba president akiwa wakuhathibishwa na ni wakati wowote akifanya makosa kwa hivyo section 14 iondolewe kabisa na isemekana president anaweza kush

Mimi nitaendelea niseme kitu kimoja tu sasa, watu wengine wakisikia jina Mau Mau wanaona kama imetajwa kitu mbaya sana kwa kutoka kwa Mubeberu ya kwamba Mau Mau ni chama kibaya. Kasumba hiyo bado inakaa katika kichwa chao lakini Mau Mau kutoka kwa Mubeberu ili nyinyi na mimi tufurahie nchi hii kwa hivyo katika Katiba ya nchi hii ni haki. Habari ya Boss wa nchi hii Katiba ya Kenya. Hiyo ninamaliza hapo kwa sababu sina wakati wa kuzungumzia zaidi.

Sasa nitakwanda kwea kitu moja tunaita land question. Ikiwa watoto wa nchi hii walikufa wote kama walivyokuwa kukomboa kichaka gani watu wachache wawe ndio wanakichaka ya nchi hii. Kama mimi nikiwa... kama professor yuko hapa labda anasomesha hesa lakini katika fikira zangu nilifikiria watu wote walizaliwa Kenya na halafu wakaambiwa ya kwamba mtakwenda kuketi hapo Kichaka kichaka ni haki ya kila mmoja. Hapana kusema ni ya kina fukani wana nini, wana kichaka gani, kichaka ya nchi hii ni kichaka ya wote hii. Tungependa Katiba ya Kenya iseme hivyo na iseme kinaganaga kila mtu wa nchi hii ana haki ya kichachake.

Job Market: Katika nchi hii tulikuwa na graduate hapa mmoja alisema yeye bado kupata kazi na mimi ninajua kuna wengi katika mnakosa? Kwa sababu katika governance imekuwa ya kwamba mtu mmoja anayeketi ndani ya nchi ya soil ya Kenya ambaye tuliana kazi kumi. Ni yeye chairman wa hiyo, ni yeye permanent secretary, ni yeye chairman wa body ile ya bank ten jobs, mtu huyu anasaidiana na sisi ku develop watu wa Kenya? Hiyo tunataka iwe ni Katiba ni yetu. Matunda yaliyoko katika nchi hii yakuwe wote. Hiyo nitamaliza hapo.

Administration: Sisi hatutaki kutawaliwa, sisi sio watu wa kutawaliwa. TuliOndoa wale watu wa kutawala sisi. Siku hizi tuna watu kwa hivyo habari ya chifu mtu anasema unajua mimi ninasema, unajua mimi ninaweza funga wewe, hawa kitu ya nanma hiyo iondole ya Kenya. Sisi tunataka kufurahi katika nchi hii na hatuwezi kufurahi tukiwa tunaamuriwa. Hiyo vile vile nitamaliza.

Sasa wacha nimalize point yangu ya mwisho kabisa. Mimi ninaungana na wale walisemja walemavu kwa sababu ikiwa nchi hii ni ya wale ambao tanaweza kusema hawa wakae kado tufanyie hawa kazi. tunataka wajumuishwe katika Katiba. Ikiwa ni habari ya ku hawawezi kutembea sisi tukifanya kazi pamoja nao tutafute ni njia gani wanaweza kufanya mahali wanafanya kazi hiyo. Hiyo ni ningependa katika preamble ya Constitution yetu, mzee mmoja nilifurahi sana alisema ni historian na mimi ninajua vile vile profess Commissioner mwingine ni historian, ikiwa ni historian lazima nyinyi mjaribu kuweka maneno ya ukombozi wa nchi hii katika ilikombolewa. Mtu akisema na kutoka leo nyinyi msiendeleo kusema tulipata, hakuna kile mlipata, ni watu wa nchi hii wenu waliuv kama swara wakaangushwa na Bunduki na wengine wakakufa katika detention camp kujaribu kupata nchi hii irudi mikononi m ningependa kama ikiwezekana hata ikiwa watu waliopigania nchi hii hawawezi kupata chochote, wapate monuments ambao tukienda ilipotokea mambo kubwa ya ukombozi, tukienda Nyeri, mahali ilitokea mambo kubwa ya ukombozi, tukienda Kirwara, mahali an waliuwawa basi tunaona monuments inaeleza sisi mambo haya na tunafurahi roho, hiyo iwekwe katika Katiba. Shukrani.

Com Prof. Kabira: Thank you very much Mzee Githwa Kahengeri kwa hayo maoni.

David Njoroge.

David Njoroge: Asante sana kwa Commissioners na Wananchi kwa jumla kwa kupewa hii nafasi izungumze kidogo ama ni h muhimu kwa ile memorandum niko nayo. Memorandum yenyewe nimeandika kwa kizungu kwa hivyo nitaguzia halafu nitaongea name is David Kinami Njoroge, I am the secretary General of citizen small scale and medium enterprises. Our organizations is an governmental organization with grassroots in Thika and head is in Ruiru and fortunately we are one of those organization providing Thika district of behalf of the review commission. I would start highlighting with the Executive and with the qualifications of the president must be a holder of a degree form any of the recognized university. He should be married with children and that is e biological and must have attained the age of 30 years, he should also have no criminal record and he should not be a member of parli

Legislature Executive; the current system of multiparty of the Legislature and one party on the Executive should be abolished an government of national unity. The current system has creates enmity and the government does not consider developing the areas whi strong holds.

Dissolution of parliament: the powers to dissolve parliament should seriously be left to the parliamentary commission because the p using the dissolution as a secret weapon to disorganize the opposition.

The Legislature: the appointment which should be vetted by parliament are those of ministers, the Attorney General, Judges, paras heads, the Auditor General, the chiefs and the chiefs of the armed forces. These should be done according to one's profession.

Ni ngwamba gucokera riu hau hanini na Gikuyu, ngwendaga kuuga atiriri, President wa bururi kana mutongoria wa bururi, agiriirwa degree kuuma University o imwe ya iria twina cio yuikaine. Niagiriire gukorwo ena family, mutumia na ciana. Either ni ciake cia gw kugura niguo tugaga na akorwo akirite umri wa miaka mirongo itatu na ndagiriire gukorwo ena record njuru kana gukorwo atwariti wa gukorwo ena ihitia rina inene. Na ndagiriire gukorwo e mbunge wa handu o hothe. Hau hangi ni mtindo uria twina guo wa gukorwo ati kiama kiria kiahota githurano nikiro kiratongoria, niwagiriire kweherio na tukorwo na thirikari iria yagiriire ni gukorwo ciama ciothe. Akorwo ni ma Ministers makarutwa kuma ciama ciothe iria igukorwo irugamitie andu na nihotete gukorwo ituarite an mtindo ucio twina guo riu wa gukorwo ati kiama kiria kiahota nikiro gikiunda thirikari gi giki, nikuragia na utu muingi. Na gugak upinzani itirakorwo na maendeleo ta area iria twitaga cia Kanu stronghold. Na hau hangi ni watho wa kubunja Bunge, wagi Parliamentary Commission iria ira-formirwo oro riu, tondu kubunja kwa Bunge ona inyui nimukumenya ta riu turorete ithuranoini secret weapon kana silaha ya thiri ya gutharurukania upinzani nigetha matikaye kuoya thirikari. Hau hangi ni kuheanwo kwa mawira manene manene, aria maraheo wira ucio niwagiriire maritwa mao na muturire wao na mitugo yao gutuarwo Bunge na makamba makacio ni ta Ministers, munene wa mawatho niwe Attorney General, acirithania, atongoria a parastatals, mutari munene wa mathab atongoria anene a kijeshi.

Com. Prof. Kabira: Okey. Thank you very much. Niukurikitie?

David Njoroge: Bado.

Com. Prof. Kabira: Riu tondu thaa ni cia thira tuguika atia? Utigitie handu haigana atia. Riu ri tiga ku-explain, just say, you recommend because of time, please. We have about 80 people, twina andu mirongo inana riu haha na tuiguite andu ikumi na atandatu.

David Njoroge: President and the age limit; those candidates wishing the presidency should be over 30 years and those who wish seats of parliament should be from 18 years of age, the president should not be eligible to contest after 70 years and should that should be the parliament candidate. The conduct of the president, the president should be impeached by parliament or abandoned out of office if of no confidence should he fail to adhere to his oath of office. Presidential elections should be conducted through secret balloting. Councilors should not be members of parliament and they should be impeached where necessary.

Local authority; local authority should be restricted. After abolishing cap 265 in order to cater adequately on the smooth running of the

Mayors and council chairmen; they should be elected directly by the electorate and not by the councilors for them to work effectively. The system used currently where the above mentioned are elected by their fellow councilors they are culprits of the councils and whenever they go to their whips, to the whips of the councilors they are kicked out of office after two years are over. Mayors and chairmen should be elected for a two years term direct by the voters so that they would get humble time to implement the councils proposed projects, they should be empowered with Executive powers. Sharing of powers between the councilors and chief officers. Chief officers should be employed directly by the council they are that supposed to be answerable to the mayors, chairmen and councilors. The mayors, chairmen, councilors, and chief

seek their salaries from the consolidated fund while the revenue collected should cater for the staff salaries and implementation of the

Com Prof. Kabira: Thank you very much. Please give your memorandum to the secretariate. Kama kuna watu wako na memoranda kupitia secretariate ni sawa tu lakini tutaona kama tutaenda kwa haraka kila mtu apate wakati wa kuzungumza. Lakini ukiwa na unataka kwenda utawapatia watu wa secretariat halafu waandike kwa kitabu. Asanteni. Barnabas Nyandusi. Can you please to help say I recommend the following and then you just give the points, thank you very much.

Barnabas Nyandusi: Commissioners na watu wengine Hamjambo nyote, tuko na mambo mengi kwa sababu tumeakilishwa kama via katholiki katika Thika genary na hizo hatutasoma tutapeana hapo ili ziandikwe lakini nitaguzia neno moja tu vile ningepatiwa kuongea.

Moja mambo ya hongo katika nchi yetu. Mimi hata sijui ilitokana wapi lakini hiyo inatakikana iwe sheria. Kama mtu amepatikana a lazima athibiwe kabisa hata kama ni mia ishirini apewe miak a ishirini ndani ndio hao wengine wapate kutoka kwa hiyo kitu.

Pili kura ni lazima zihesabiwe mahali ambazo zimepigwa ili tusije tukawa na udanganyifu ya kutupa zingine kwa maji ati tunapele kutoka kwa upande huu zinahesabiwa Thika. Tuwe tena na sheria ambayo nchi ingine mahali fulani ilikuwa na sheria ya kusema hakupiga kura huyo mtu inatakikana ashitakiwe iwe ni kama zile kura ambazo zilikuwa zimepigwa mahali pengine ndio hata zionge ufisadi ikose kuweko kwa sababu kama sheria kama hiyo ikiwekwa nafikiria zile kura zingine za kuongezea ati hizi hazikupigwa w ndio huyo mtu anapita bila kuonyesha watu wananmpenda hiyo ndio njia moja mbaya sana. Mzee mmoja hapa aliongea vizuri sana ambao waliumia kwa mambo ya vitu kadha wa kadha kama kupigania uhuru, ingine wale ambao waliteswa kutoka hapa wakaenda via kwanza via dunia na vita via pili via dunia. Mimi sijui kama mnajua pesa zilikuja mzee, pesa ziko hapa Kenya isipokuwa tuulize p hixo pesa zikuje kwa hao watu, pesa ziko. Kwa hivyo na hakikisha wale watu ambao walipigania uhuru First World War na Se Waingereza wameleta pesa hapa ziko hapa. Ni sisi ambao hatujajua ni njia gani tanaweza kupitia hata ninafikiri president aliridhi h kwa wanajeshi wakati Tonje alipokuwa kiongozi hata yeye akaweka sign kwa hivyo ilikuwa tu ni watu gani wanatakikana wapate hi

Kuhusu elimu nitaongea tu hiyo halafu ni malize. Kuna mambo mengi sana nimeongea na tumeandika. Wakati mimi nilikuwa nina elimu hata tulikuwa na ile kitu ilikuwa inaitwa corporal punishment kwa shule na ulikuwa ukipigwa unaenda nyumbani, mzazi a unaenda unapigwa na mzazi tena unapigwa na mwalimu na wanakuambia enda kwa darasa unaenda kusoma. Siku hizi unasikia ati s imechomwa na nani? Na mzazi, si ni mtoto, si nyinyi ndio mnapatia watoto wenu ati mtoto lazima awe na haki. Hiyo kitu ya kusema na haki zingine munawapatia nguvu zingine ambazo wanaenda mpaka wanaenda kuharibu. Wakati sisi tulikuwa tunapata hizo fimb kufanya nini tulikuwa na sheria hata ya kutii wazazi wetu. Mzazi alikuwa anakupiga hata hukuwa unaongea na saa hii mtoto anapewa anasimama hata kwa mama ukicheza mimi nitakuua ama nitaenda kuanguka kwa maji. Si ni hizo sheria nyinyi wenyewe ndio m sheria zingine kabla hazijawekwa ziwekwa ziwe sheria tafadhali zilirudishwe. Zipunguzwe uwezo wao.

Na ingine wakati tunapoundas sheria tunaenda wanasema Wa Bunge ndio wanatakikana waunde sheria. Ndio si sisi ndio tunach

Ikiwa sisi tunachagua wa Bunge wakienda wajadiane mswada fulani na waone inatakikana iwe sheria kwa nini wasirudishe kwa kama alipiti na kura elfu tano, elfu mbili mia tano waweke sahihi hiyo ni mzuri kwa constituency zote katika nchi ya Kenya. Ndio ipi Asanteni sana.

Com Prof. Kabira: Asante sana Barnabas you were within your time thank you very much. Mwaura Ndirangu.

Mwaura Ndirangu: My names are Mwaura Ndirangu, I am a three Cs member in Juja constituency, a civic education provider chairman Spinal injury and Disabled Jua kali project Kenya. Ladies and gentlemen I am not going to speak much because most of what has been said by my fellow brothers in the struggle for survival. But for as long time the disabled community has been discriminated especially by their own fathers, their own mothers, brothers and sisters. But let me tell you the truth and I would say these here now and tomorrow, the disabled community is here to stay with you whether you like it or not and with the present quick technology activities and industrialization, according to my latest statistics within the year 2028 every home in Kenya will have a disabled person in one form or another, mentally, either spiritually, financially, economically, or physically. So how is our government or our Constitution prepared for this growth? We in the spinal injury disabled Jua KALI projects have the following views.

The disabled persons should be given soft and free interest loans to go on with their business.

All disabled person over 25 years of age should be given what we call social pension in terms of monthly allowance. We have a right to employment in Kenya. A person like me I need to be washed, I need to be dressed, my clothing to be washed. Where do I get money for my employment. The government should provide this for me.

Physically disabled children should be given free and compulsory education from primary up to the university level. Surely three quarters of our children are uneducated. Reasons vary from different places. Some cannot be able to attend ordinary schools so we need them to be given compulsory education.

All physically disabled persons should be given representation here in all town councils, municipal councils, parastatals, and all other government institutions and parliament in form of nomination. They should be nominated into parliament, into county councils and other places and not by the able bodied persons. There should be a special council to nominate those disabled persons there.

Education curriculum of Kenya should be tailored to accommodate the physically disabled children along with the able bodied children. Some of these children cannot be able to travel to far school so they need to be accommodated in the local schools where they can get education.

All disabled institutions and organization should be headed by disabled people because they know there needs better. This example is for the disabled where we have an able bodied person manning it. When you apply for a wheel chair you are given a white cane because you know that a wheel chair is used by a physically disabled person and a cane is used by a blind person. When you apply for a Braille

some crutches because the person does not know the use of a crutch or the use of a Braille so we need these institutions to be headed by persons who know our needs better.

All public vehicles and buildings should be accessible to the disabled persons. We have got difficulties in accessing buildings in Kenya. For example, a lawyer he is in third floor, there is no lift and you cannot go. You need to see a doctor and he is Reinsurance Plaza, 5th floor then you cannot be able to go there. So we need all buildings and offices to be accessible to the disabled people.

Our Constitution, the new one I mean should have a clause where the government should sensitize the public on matters concerning the disabled. Surely as one person said we are not regarded like human, we are regarded like third class citizens of Kenya. We need the government to sensitize the public on the needs of the disabled. Like myself I may drive in a hotel with my driver and when I sit there no matter how smart I am, no matter how educated I am the waiter comes and asks my driver, what does he eat. Surely as though I don't talk. We need the government sensitized that disabled are people, human beings and they are the children of the universe and they have a right to live.

The Constitution should specifically leave the ministry of culture and social service docket to a physically disabled minister.

All ministers should be appointed professionally, a doctor to head the ministry of health, an engineer to head the ministry of energy. I don't want a person who never went to school to head the ministry of education while a professor like Prof. Nyang Nyong'o or professor Wanjiko Kabira is a better person. I don't want that. We want a doctor to head ministry of health, a professor in education to head the ministry of education.

All disabled persons should be exempted from paying taxes and licenses. Surely this should be considered in our next Constitution. Most disabled persons are not employed, most of us are not employed we are only doing these small jobs, hawkers or small jobs, we cannot afford to pay for our licenses or other taxes so we need to be exempted from paying licenses and taxes.

The Constitution should provide for a part less president because the present one says you must belong to a political party so we need to amend the Constitution to pave way for a part less president. If Ndingi Mwana Nzeki wants to be a president, he doesn't have to belong to a political party. Kivuta Kibwana wants to be a president he doesn't have to belong to a political party, he wants a part less president to provide a way for a part less president.

After every five years, a population census for the physically disabled persons should be conducted in the country to verify the number of disabled people to root out impersonation. All physically disabled persons after the population census should be given in integration.

The Constitution should provide for impeachment of a president and a recalling home for an MP or a councilor who does not perform to the wishes of the people who elected him.

All trust land given out since 1975 should be investigated and if grabbed or improperly disputed should be reposed and that would

Kali artisans and other interest parties.

The office of the Attorney General should be split into two. Presently the Attorney General is the chief advisor of the government, the prosecutor of the government and surely he cannot do the two jobs. Like now there is a big case pending at the Attorney General's office that has not been prosecuted we don't know why. So we need it to be split to hold two dockets.

Equal employment opportunities should be provided to the disabled persons. One person said that he is very learned and he cannot find work. Surely I concur with him because as I sit here I also went to school properly but since I got disabled no person can employ me so I am on a handout and begging.

Heavy fines and long term jails should be added to the people who mistreat the disabled persons in terms of rape and beatings.

This is concerning the president; to qualify to be a president one must be 40 years of age, hold a university degree preferably in political science, should be happily married, have no criminal record, God fearing and should garner 51 of all the votes cast in the country.

Finally the Constitution of Kenya review exercise should be de linked from the forth coming general election and instead we should have a transitional Constitution which should cater for free and fair election and transitional of power. Thank you.

Com Prof. Kabira: Thank you very much Mr. Mwaura. Michael Njoroge.

Michael Njoroge: Ninawasalimu wote ma co missioners na watu wa Ruiru kwa jumla kwa kuja hapa kutoa maoni yeni. Mimi sita kazi kwa sababu mengi yamesungumzwa. Jina langu ni Michael Njoroge na yale ambayo nilikuwa nayo ni kama yamezungumzwa kwa kuwa na powers, kuhusu mambo ya uongozi, na sasa langu sana sana nita...

Com Prof. Kabira: Excuse me if you want to restate you can restate without explanation because it matters the number of people who are affected. Presidential powers or the rights of disabilities should be taken into consideration. Like when you talk no body knows what the commission said, it will be your own memorandum so you say it without explaining. I agree with reduction of the powers of the president what you said I agree with because it matters the number of people who talk about those issues.

Michael Njoroge: Nimeunga mkono wale ambao walikuwa hapa na wakasema presidential powers pia wale walisema ya kwanza kuwa ni iishe. Sisi hatuna haja na administration lakini kwangu nitaguzia kuhusu kazi. watu wetu wamekuwa wengi sana hapa nje bila kuwa wanatakiwa kuwa wakiwashibisha watoto wao wao wenyewe na mambo mengi ambayo yanaletwa na kutofanya kazi. Kwamba ningeonelea wakati factory au an employer ambaye amaeku wajiri kazi na kazi hiyo unaifanya ma saa kumi na mawili unachoka sana kwa masaa kumi na mawili, mimi ningeonelea hiyo factory au sector yoyote ya kazi ama katika maoffice ya serikali hiyo kazi iwe na watu wote for the 12 hours ili mwingine naye apatie watoto chakuala na yule mwingine pia apeleke watoto shuleni. Sio mtu mmoja kufanya kazi

kufanywa na watu watatu kwa sababu wakati huyo muhindi amekujili kazi ya masaa kumi na mbili amekuchokesha kiasi kwamba il
haitoshi, uwezi kuwalisha watoto. Mimi nikiwa ninajua wewe utapata mshahara ya tarehe thelathini nitakungojea pale. Hiyo ndio kitu
Everybody should be working and the government inatakiwa ki-create jobs, kutengeneza kazi ili kila mtu awe busy. Mambo
wanafanya polisi hapa nje kusimamisha mamisha watu, unafanya wapi and what are you doing. Juzi nilimuambia mmoja yeye anab
polisi. Badala ya kushika mtu na kumuweka bingo wanatumia siku hizi meno leta mkono nikuweke siko 5, hiyo ndio kitu wanat
ambaye anaweka siko 5 hiyo anaenda kufingiwa watu wengine hawajui just in the name of kukosa kazi. kwa hivyo ningenelea k
tuweke six hours ya kufanya kazi ili naye mwenzetu mwingine afanye six hours tugawanye hayo. Sina mengi mimi ila hayo.

Com Prof. Kabira: Michael asante sana kwa hayo maoni. Peter Wainaina.

Peter Wainaina: Asante sana Commissioners na wa Kenya wenzangu wale wamefika hapa. My names Are Peter Kamunge W
speak public land allocation. When I speak about public land allocations in Ruiru I believe it is the same in Kericho, Nairobi,
anywhere else in the republic. What goes on at the moment is like these, the powers that be or an individual identifies an area, these
forest, a public utility plot, a road reserve or any other neglected parcel of land. They get their heads together and decide to divid
consult the Commissioner of lands or his officers and they get an okay to sub divide. When that authority is got the same powers th
sub divide the land on maps and allocate them to their friends. The poor man never knows what happens until he start seeing fen
coming up and the land belongs to all of us, they have no redress because the title deeds have already been issued or their appoint
contribution and suggestion to what should be happening is these; a Constitutional requirement should be included in the Constitution
would give the rules of allocation of public land as follows:-

The authority, by that I would mean, the local authorities, the Commissioner of lands, city councils, office of the president or an
knows where there is vacant should draw his or her own plans through the physical planning department and allocate the parcels o
mean that is no body has put up any big horns on the targeted land. When that has been done and there should be penalties for those
fences or buildings before what I would say has been done. Their authority or the same people who now want to give out the land s
Chief Justice requesting that a three-judge bench be constituted. The Chief Justice allocates the judges and a notice issued detailing
the Committee will seat preferably in the vicinity of the area in question.

During that judicial hearing the authority that is issuing the land should, I would put as prosecute it's plan that is present the plan befo
through the emotions of saying what they did and how they came to the conclusion that the people who have been allocated lar
should in fact benefit from that land and during that hearing interested parties and by these I mean those people like the green belt
people breaks of certain levers, those people who would like Karura forest not to be interfered with will have an opportunity
objections to the commission to the judicial commission. These they can do by them selves or by advocates of the high court. Or
done.... I am trying t o make it very fast because you can all imagine that these will take sometime to present and those peopl
sanitation, roads, other health facilities will be there and will be given an opportunity to object, ones that has been done the judges
whole plan, they may disapprove some of it, they may approve the names of those who have been allocated or they may disapprove

a quarter of them or any other name and finally give out their own judgment. Those who may not be satisfied with what the judges have said go to the court whose decision is final.

Now it comes to judges' minutes or their ruling. Presently when you go to the lands office you find that what issue you have the allocation letter, you could have the lease or the title deed and there is one important item that is known as the green card. Now you would be asked to sign it. When someone who comes up and builds up a building next to your house, okay you have got the green card, you have the allocation letter, you have the judicial card that would be difficult to get. Thank you.

Com Prof. Kabira: Thank you very much Mr. Peter Wainaina. Patrick Gitau. After Patrick Gitau, we shall have Kamonye Mangi.

Patrick Gitau: Muriega, muriega ringi. Nii ndikwaria Maundu maingi tondu Maundu maria nyuma namo nitamoigitwo mothe no ng'athui raia ino nini. Andu matari na uhoti, andu matangihota kuiyugira undu na hau mbere. Riu ngwenda kurora undu wigie thigari ta andu makoragwo makuite Kenya ta ri yao riu. Tondū kinya ugithii handu ta riu niwagiriire ni kunyitwo mathaa maria makirite. Ta riu k'akurie uma ku tondu ni wira wake ucio. No riu gwi thaa ithatu, arakuria uma ku, tita mundu uramenya kuria uthiiga, tita mundu ukumoga. Yaani arakuonia niwe wagiriire ni gukwira kinya ugithii kundu, ukamuhurira ripoti ati niurathii. Riu nigukwenda watho u ugicenjio, makihururwo madaraka biu biu nigetha makorwo makiona andu ta ari andu. Matikona andu ta ari nyamu, tari kuuma moim makagua thi, magokaraga ati ni andu angi ana kuu iguru. Nitukwendwo turore muno, tondu ta riu gutiri hindi unginjikia kiara rik'uraigua atia? Njugage hatiri, na niunjikitie kiara ritho, ndikuona hau ta hangiuka. Riu nitukwenda turorerwo Maundu biu biu. Ton ingikorwo nyumite kuma na hau, riu njikaraga na guku mahutiini na guku gwa Gitambaya. Na riu hindi iria nyumite Ruiru, ni thabari ikumi ndirona ria kuuma na tukari rwa Ruiru ngoka uguo nigetha ndigakinyitwo ni muthigari. No ninguka o kahora o kahora, nindacererwo no thutha wa gukinya na haha rugongo, ngakora gatata karugamite na hau. Itithiiga ngari cia thirikari riu, itithiiga G turia twana guku kahuaiani. Nigetha ndukae gukamenya wi ha raihu nigetha wakinya ukanyitukio. Riu nitukwenda turorerwo muno tondu twina thina muingi muno. Riu kwanja nii hakwa ngari ona ndiui uria yumaga. Ndiui yumaga mbia cigana. Riu kungirwo ati mundu na ngari kana uria utari na ngari ya kumukinyia gwake nja ati no muhaka akarara thiini. Nii ingikoragwo ndi wa mbere. Ta riu n'akwire ati, ona ndegukaira kwanja we, no gukunyita egukunyita. No riu mundu ta Minister, MP oragio Sir, tuerwo tuke tukunyite a of arrest. Ndukiui ni munene niekumuria, akamwira ino, akaneo. Akerwo ukwenda guthii na ngari yaku kana ukwenda guthii na niekumuria akiri mundu munene. No riu nii thiaga hutitie na ikinya rimwe uu. Thi ona ikinya rimwe, thiaga ngereire riera iguru. Ona manjohanire iguru hane ta nguitwo iguru. Riu nitukwendwo tumenywo harathii atia mwena ucio. Tugithondeka mawatho, ithuothe to utari na kaundu gake o na uu ona uu. Nangi mena mathina maingi muno na Ngai amuhe uhoti wa kuhota guka haha mundu oige o k' nigetha maigui biu biu twina thina tondu tungigituika ati hindi iria turatuika ati niturathondeka Maundu niguo andu maracoka na th' guthondeka undu. Na riu angikorwo Ngai aamuite ati wona tuoiga undu noguo tuguteithikari, nima notuge nituguteithika tondu tutiri tu uyu ati kwirwo tuke tujitambulishie uria mundu onaga. Kana tuke twirane thina waku, gutiri hindi unginjikia wina thina na ugag' ndiraria nyama na hwai arariire mbembe there. Gutiri hindi ungiuga uguo, no riu nitulazimishagwo kuuga niturariire na ndurite, tuka' ndiri na Maundu maingi, ngukinyia o hau na Ngai amurathime.

Com Prof. Kabira: Thengiu muno. Thank you very much. Patrick ni wega muno. Kamonye Manje, na thutha wake ni Andrew Mu

Kamonye Mangi: The first thing that I want to say is that Kenyans are turning out in large numbers for these occasions where they give their views but at the same time we have our doubts and reservations as to whether this will eventually translate into a Constitution that is effectively effected. So as we give our views we still have those reservations at the back of minds but the chance is there and we are not going to have not said or giving our views.

Secondly the Constitution that we intend to create should have such a vision that will create one Kenya, one united Kenya enjoying freedom. In the past we know that Kenyans have been divided and what we are having today is actually not one Kenya, we see our tribes, different kinds of things so we envisage that that kind of Constitution will create structures which will bring about one Kenya for all Kenyans.

The third thing is that in the past as we vote in leaders is that we employ them but when they get to parliament or they get to the position they take over the powers that are vested in the people and we are saying that the Constitution that we have should create such structures to give the people power. These power must be in whatever people do and I am sure by the end of my little presentation I would have seen some of these structures, but perhaps one is that the presidency which I think every body has mentioned here has taken over powers that belong to the people. We need them back so the powers of the president should be trimmed down in the new Constitution, limited to two terms of office. These president must be elected by the majority of the voters at least 51%.

The appointment by the president must be vetted by the parliament. In other words whatever appointments he makes whether permanent secretaries, Commissioners of police of prison and all the others must be vetted, they must be approved by the parliament. We must see to be people who are fit for those positions. Sometimes that *Shiaborori* have been elected, have been appointed by the president but no body else can veto that, because nobody else can oppose that then they go in as the leaders.

The other thing is that the cabinet that is the minister they do not necessarily have to be members of parliament. the president should be confirmed from outside the parliament that is people who know, or people who can contribute as somebody else pointed out, people with leadership to offer, people with a history with good governance and people who are known to produce or to deliver.

The president should be impeachable in other words he should be taken to court if he commits a crime and the cabinet should be accountable to parliament not to the president. Now the office of the AG as somebody has already pointed out should be separated from the direct control of the president.

The parliament has been given a lot of powers on paper but again they have also been taken away on the other hand. So parliament should be a tool to check the other institutions, the Executive and even the judiciary. As far as the judiciary is concerned I propose that the president approves, the appointments of the CJ, the Judges and that there should be people's courts in the local areas. The magistrates should be elected by the people. They should have people with them so that actually they can judge. Even today we have got a lot of Kangaroo courts in the

the chiefs place so why isn't possible to have people's courts instead of these chiefs and the OCS and the rest.

One other thing that I want to mention is about land issue because it is a critical issue. Land issue that is what we fought for independence and independence we have got none of those so far. So we are saying land no body, everybody should have a access to land, the squatters, there should be no landlessness among the Kenyans. So land should be divided or should be categorized in such a way that access to land. That is something that I think should be considered.

Now as far as the elections are concerned I would like to concur with somebody who said that where voting is done the counting should be done at the same place.

Local authorities should be de linked from central government so that money is collected at the local authorities should be used in the area. If a local authority is not delivering then people of the area should have the right to appeal to a Constitutional court so that the leadership is brought down and fresh elections are held for people who can deliver.

Natural resources; they should be held in trust by the government for the people otherwise they should be used as gifts by the president to those who are royal to him.

The very last point that I want to make here is that human rights, civil rights, political rights should be enshrined into the Constitution. It is that every Kenyan should be guaranteed and especially for the children, basic education and also they should be guaranteed medical attention. The government says it guarantees security. Employment; all these must be guaranteed, must be enshrined in the Constitution.

And let me correct one thing, when we say free education there is nothing free. Kenyans would have paid for that free education if it was free. We are saying that the taxes should be used to give Kenyans education, employment, and medical attention. And with that I will close this memorandum.

Com Prof. Kabira: Thank you very much.. Asante sana Kamonje. Now Andrew Murunga.

Andrew Murunga: Commissioners, ni machache kwa sababu mengi yamesemwa ninasoma na nina highlight.

Ya kwanza, the president should not go beyond two terms in office and should not be above the law. Attorney General should be accountable to parliament. Sacking should also be done by the parliament. The Attorney General should be in charge of the country when the term of the president ends and start campaign for the next term.

Judiciary: The judges should be employed or sacked by the parliament. free education should be provided to our children kuondoa kuti yetu .

Com Prof. Kabira: You are winding up?

Andrew Murunga: Free education should be provided in our government schools. Mitumbas should be abolished so that they can sales of Kenyans made goods and we buy Kenyan so that we build Kenya.

Com Prof. Kabira: Thank you very much Andrew, please give your memorandum. Kimani Ngugi.

Kimani Ngugi: Asanteni, Commissioners na wezangu citizens. Yangu nitaongea kwa Kiswahili. Stephen Kimani Ngugi kwa mawili machache na enyewe ni kuhusu vile serikali mimi kama Mkenya. Na kusema kweli katika ile serikali tunayo wakati huu ni serikali ambayo huwezi kujua boundary between the government or the parties that have, definitely we should have one of the parties that has won the election and therefore government and by that I mean ile serikali tunayo ningomba iwe ama kuwe na boundary, distinctive boundaries between that government party such that we avoid these wrangling or these conflicts among the parties, the various parties we have. By that I mean ile serikali tunayo ningetaka, ningetaka serikali ambayo chama kinacho shida katika uchaguzi, wale ambao wamechaguliwa they should dissolve their parties and make an independent government that is going to govern all the Kenyan citizens other than tuwe na serikali ambayo kwa serikali ambayo ni yule anaongoza wakati mwingine anazungumza kichama na wakati mwingine anazungumza kiserikali. Kwa hivyo sijui kama ni serikali inaongea ama ni chama inaongea kwa hivyo tungetaka serikali ambayo iko independent kabisa kutokana na itakuwa namna gani. Iwe dissolved, wale ambao wamechaguliwa and should it be necessary we can also abolish that 7 party coalition party again upon the expiry of this government, let them come out again and form another party such that if it is possible they will have a chance whereby we can scrutinize them within the other period in which another government is there such that we will see whether they are during their ruling period.

Pili mambo ya taxation, kusema ukweli tunaposoma magazeti na tunaposikia wengine wakizungumza tunasikia Kenya is one of the country na hivi ni kwamba wakati mwingine if I may use the same terms that we have been told not to use, the common or the actually does not know how possibly he/she is taxed. We are taxed through the good things that we buy, the life that we are leading another taxation this one goes to those ones who are employed Pay As You Earn. Fine those who are employed actually they are employed na wana njia za kupata hiyo tax ndio wapelekee serikali ama serikali ipate, nao huyu mtu ambaye hajaajiliwa tukijua hizi pesa a huko, anazitoa wapi? Kwa hivyo ningeonona kama vile mwenzetu mmoja alisema labda tugawane kazi. mtu afanye masaa sita mwingine mtu apate angalao kitu ndio naye serikali ikishamlida huko ikapata kitu. Kwa hivyo yangu mimi ningeonona tuangalie jinsi ya kuwasasas hawana labda kazi na serikali ambayo it is not able to deliver is not a government.

Ya mwisho ni kuhusu commissions. Mara nyingi tumesikia commissions have been set to propose this and that but matokeo yake Kenya huwa hatujui inaenda namna gani. Sasa hii ni ya kuangalia mambo ya Katiba tunapokamilisha sijui kama tutaambiwa tumepokea Tungeomba hii commission ili tuseme sio yenu ni yetu na sisi Wananchi ndio tumetoa ndio tunachangia, nyinyi mtaenda na yale tumepokea

mumekuja nayo. Kwa hivyo tungetaka hiyo Katiba baadaye kama kutawezekana kuwe na mpangilio wa kuja kuwaona watu tulifanya hivi na hivi maanake tumekuwa na Katiba since all that time na ukiuliza wenzetu hapo wengine hata hawajui. Hivi karibuni kumbe kuna kitu kinaitwa Katiba, hata ukiuliza wengine hawajui Katiba ni nini, Constitution what is Constitution they don't know tungetaka hii ziende wenye ladba sitaki kusema takataka ama itupiliwe tungetaka hata zingine na tupate serikali ambayo itakuwa masomo na kama itawezekana kuwe na civic education, continuous civic education on Constitution lakini pia ningetaka kusoma Nipowaangalia ndugu zangu hapa mbele zetu ni naona ni kweli nani mzuri, tunapoajiliwa tuwe tuna moyo thabiti wa kuwafanyia wazi kwa wakati mwingine unaweza kusikia siasa hapa na pale na kweli ukiuliza Wananchi wakati mwingine unaweza kukuta hawajui Mwingine hapa amesoma, hana kazi lakini kazi inapotokea ya serikali ingine yule yule ambaye ni Attorney General ambaye mwanachama nakathalika na kathalika ndio atachukuliwa kuwekwa kwa kazi hiyo hiyo imetokea na hali tuna wengine wenzetu Kenyans ambao wamekwa katika hiyo mahali na kufanya hiyo kazi kwa hivyo serikali yetu iangalie hiyo. One man one job.

I think with the education and what have you I think it is better we do away with these commissions that will never get the results much looking forward to these ones and possibly we are wishing that we are going to have our own Constitution that is not going to be reflected by a Constitution that has been borrowed from another country or that is going to imitate possibly another country.

Com Prof. Kabira: Thank you very much Mr. Kimani. I think we want to promise you that we believe the Constitution that you want is the maoni ile inatolewa hapa. Asante.

Mr. Kimani Ndirangu: Ngwenda kuuga atiriri ni thengiu muno niundu wa kurugama haha mbere ya kirindi giki githo. Wakwa wa wakwamba thumbi. Na ngwaria na Gikuyu unyite karamu wega nii ndiui Githungu na ndiri ndathoma. Aca. Unyite karamu wega ciugo ciakia kimwe. Nii ni thumbi ndaguikira mbara ya Mau Mau yaruagwo, muiritu niwe wambaga guikia rithathi, na riu ndagutua we wi mutitu keri umenye uguo ndakwira niguo, tondu wi mutitu, wohore andu aya othe maikare mena wiyathi, tondu riu matiri na wiyathi ni ndakwira umohore, magie na wiyathi wao kiumbe.

Gia keri ni giki, nii umuthi turaria nawe nii mutumia wakwa akuire hindi iyo na akiuragwo na mwana akiuragwo na nyumba igicinwo atiriri we, githaka ngarihuo nu? Uthii unjuririe thirikariini tondu mutumia niakuire na agikua na mundu murume na riu umuthi angiri ni. Na magikua na githaka githii. Ngaruta ku kingi na riu ningurire. Kiu ni kingi gia keri. Muthuri tika kurakara nyita karamu wega wakwamba kiria kingi ngwenda kugweta ni giki, nguka kuri andu aria matari indo. Nii ndakwira wikire thumbi gia gatatu kana gia keri nigetha uria urari kuo tene weherio biu kabisa tondu ucio ututuragia ukomboini. Ithui tuoigaga ni wiyathi twaheo no tutiaheirwo wiyathi, mwanachama waikariire giti kiu na aria matuhuraga no o macokire magiikarira giti kiu. Kai ndatunyirwo mugunda ugithii America, I githi nduatho meguku.

Clapping from the audience.

Uguo githaka giakwa akorwo nii nindanyuire muma, ndanyuire muuma na mburi yakwa na okorwo nindoragire mundu nindihio ona ni uthire. Kiria kingi ni giki, tuoiga tunine uru wothe guku Kenya. Guku gutuike ruraya tikuo kuri andu aingi, guku gutuike ruraya. Ruraya

aingi guku gutiri andu aingi. Guku gutuika ruraya. Mundu ta uyu andikagwo na mathaa. Ithuothe turikoragwo turi wiraini, gutiri mundu wira na ng'aragu ni yathira.

Clapping from the audience.

Niundu ucio, wendi wakwa nikio ndakaira wikire thumbi nigetha wohore andu aya umarute githakaini. Nii aria mari hau mbere na nindagirira wiyathi no ugiuka Kenya nawe ruta wa umuthi. Nandikuaria ringi.

Clapping from the audience.

Com Prof. Kabira: Thengiu muno Mr. Kimari, niugutuandikira ritwa riaku. Thank you very much. Sammy Kimani ekuo?

Sammy Kimani: Majina yangu ni Sammy Kimani, ninataka tu kuongea tu kidogo kuhusu mambo ya president na ningeomba kwamba ni rotational president. Yaani kwamba kwa mfano tulikuwa na president ambaye alikuwa ametoka central, sasa tunayo kutoka Rift Valley atoke another province. Sio kila wakati one province na pia kama vice president wake atoke a different province. Kwa mfano sasa ambaye ametoka Rift Valley, mdogo wake pia ni Rift Valley, tungetaka wawe wakitoka different provinces. Na pia kuhusu MPs ambaye kama mtu akuchaguliwa katika ward fulani ama katika eneo fulani ya Bunge wasifanyiwe nominations. Kama ulikataliwa kwanza, niominated ya nini? Inaonekana in the first place ulishindwa kwa hivyo wewe kaa tu nyumbani ngojea another term.

Halafu pia hatujui kazi ya councilor na wakati mwingine kazi ya chifu ama sub chief ni kama inaingiana kwa sababu kama kuna sub chief at location fulani naye pia huko kuna councilor, kwa hivyo ningependekeza kwamba ni either councilor aende ama sub chief aende tuba yao. Halafu pia kuna shida moja ambao ninaona hapa ni kuhusu elections ya sub chiefs haijulikani procedure uwa namna gani kwamba especially hapa Ruiru kuna historia kwamba ukiwa karani wa chief utapanda tu, utapanda tu mpka utakuwa chief na hiyo ni ambayo lazima tuangalie tujue procedure ya kuchagua watu inakuwa namna gani kwa sababu hata mimi ninaomba Mungu sasa niw automatically nitakuwa chief one day.

Mambo ingine huwa tunaona hapa ambao tumeangalia zaidi ni hii mambo ya enquiries, tungetaka sheria ambayo itakuwako. Serikali fulani matokeo yake yajulikane yako hapo. Hii ni kwa sababu tumekuwa na so many enquiries hazifiki mwisho na kwa hivyo zile kama ya J.M, Ouko na nini, hazilidhishi. Kuna ingine ya tribal clashes ambayo hatujui imefika wapi. Tungetaka hiyo enquiry ikianz wapi na imeishia wapi tusikuje kusikia baadaye kuna ile mambo ya kusema twataka enquiry ya kuangalia kwa nini ile enquiry ingine h hivyo kwa hayo machache nitafikisha hapo kwa sababu ya muda asante sana.

Com Prof. Kabira: Asante sana Samuel Kimani. Hayupo? Elizabeth Muthoni.

Elizabeth Muthoni: My names are Elizabeth Muthoni Gitagu. I would like to ask madam Commissioner to tell me how many people

far from the time we started. 26. Now I have come here to speak on the issue of women, you can see from the time we started I there and I am the second woman to stand here so women have been left out in many areas. They have really been left out, even forgotten and my memorandum is very long but I am only going to touch on the area of women especially in the Legislature. Women these highest law making structure is very minimal. Out of 222 members of parliament only 9 are women. In fact parliament has been geared towards increasing women representatives and advisement. Such affirmative action, equality field, and most recently the women representative to the Eastern Community of African legislative Assembly. Another point is the Constitution should ensure the principal of gender within party composition and during the party composition structures and during party nominations. Women should be at least half of the number of members of nominated to the relative assembly. The affirmative action..... such as the gender commission established and a Constitutional office.

I won't read every thing, I am going to jump the judiciary because it doesn't touch much on women. The basic rights; the Constitution adequate provision of fundamental rights because of marginalized and vulnerable groups have been left out. The Constitution should care, water, education, food and employment as the basic right. The government should ensure all Kenyans enjoy their basic rights. specific issues of the basic rights are as follows:-

For example among others in the health care, the government should control the hospital charges, they are usually very high. Maternity should be scrapped since giving birth is a national duty and as I understand from the retirees I should beg the government to fully pay when retired their pensions because I understand that their maternity leave days they are not usually paid so I would urge the new government point of paying of saying all the days given whether they have given for maternity leave or not.

Medical care should also be brought closer to the people. Also the new government should consider the vulnerable groups that have been left out in the current Constitution for example the single parents, children in need of special protection, aged group, the economically incapacitated, HIV AIDs patients and the disabled. The Constitution should have a co provision for affirmative action with regard to women and vulnerable groups. Participation in the political, social and economic field should also be considered. Change of negative attitude as regards the education can see most of the people who have been attending these review processes are men, where are our women? They have no time to attend because they are tied up at home and they need this education very much they should be increased.

The Constitution should emphasize on the eradication of child labour. The law should be strict on child rapes, sodomy to be punishable by imprisonment not the current seven years.

Land property; women and children have in the past suffered as victims of land conflict. Clashes and other land related in security should be avoided. The Constitution should prefer title deed of family land to bear the names of both husband and wife. The Constitution should be supreme to customary law concerning land and property in heritage. There should be equal access to the land ownership and control of other resources to women. The Constitution should recognize the convention on the elimination of all forms of discrimination against women and ensure equality of the same. Also it should address the right to own and inherit land and other movable and immovable properties by women.

Finally I would talk about the confidence in the government.

Okay there is a point I left out, there should be a Constitutional land commission with 50% women representation.

The Kenya society lack confidence in the existing government because of failure to honour their contract within the employees. government teachers salary increment five years ago is yet to be honored. These reduces employees to result to strike, demonstration their hopes on election period. We propose that the Constitution provides or ensures that the government honors pledges and contract is stability in economy or not. Thank you very much.

Com Prof. Kabira: Thank you very much Elizabeth. It is true there are two women so far and twenty-four men who have representation of women is definitely low. But we have a third one now. Lucy Karieni ekua, she is not in? Veronicah Njeri ekua. Giuke na ukiuge ritwa riaku.

Martha Njeri: Njitagwo Martha Njeri na gwitu ni guku Ruiru na riu maoni makwa maria ndirona. Maoni yale ambao nimeona.

Com. Prof. Kabira: Atiriri niugutwira ritwa?

Martha Njeri: Nindoiga njitagwo Martha Njeri wa Macharia. Maoni maria ngwandikite na nguiguite mundu andike atige haha gutinda haha ri, ningwandikite. Maoni maria nyonaga matekungenia na mategukenia bururi; Wa mbere nguandikite atiriri, kundu guku muno. Na mundu akua, mutumia ni akua na muthuri ni akua ni atiga ciana na kiimba gi thibitari, kana ki mortuary, gikahingiririo kibuthu gikahingiririo mortuary gikerwo kirihirwo mortuary. Riu mundu na ni akuire ri ndari bata riu ni kindu gia guthira ri, ciana icio irihe thibitari, irariha naki? Angi ona matiri na kiraro ni akombori. Ngakiuria atiriri thirikari irutaga wira uriku? Angikorwo matiri macio ma bururi. Wakeri nindacoka ndoria atiriri, kundu guku twina thina muingi muno ona kanju iria iguku ni itunyaririte, tondu riu ciana ikumi I nyumba, ndari na giakuria, ndari na mugunda, ni mukombori, araiga tukara haha muromoini na hwaini niaroka guitio cir okorwo ni ciringi imwe. Aretio niki? Wa gatatu ndiroria atiriri? Kundu guku gwi ciana chokora ciyuire riu bururi wotho Kenya yotho Ciana icio ri ingi ina manyina na ingi itiri. No nyingi ni iria ina manyina imatigite micii, ciana icio ri niciagiriire kurorwa ni thirikari tondu nicio iratuika aici, nicio iratuika oragaini a guku, mukwenda tuikare atia bururi andu aitu, thirikari niyagiriire kumenya mubango uriku Riu nii ngukinyia hau. Kuheo mundu ungi kahinda tondu ndina muruaru wi mucii na ningwenda guthii kumurugira niki ndirehika ug muno ni kuhe kahinda kau ga kuaria.

Com Prof. Kabira: Thengiu muno. Thank you very much Martha. Geoffrey Kamau Mbugua. Okey ndari kuo. David Kairu. O utuire ritwa tafadhali.

Paulina Wanjiku wa Gitau: Muriega inyuothe, nii ngwaria na Gikuyu na ningwiciria ni andu aingi megukiigua. Nii ha maritwa

Wanjiku wa Gitau na ndikwaria muno tondu ona Maundu maria ingiaria ari aingi moima haha ngwiciria mathiite mamaguetete, ngwarithatu niundu wa bururi uyu witu. Ni tondu twina mathina maingi muno makiria guku miciini itu, ni tondu ni turarigwo ni uria mundu a mau kuria ekumatwara. Turona ona ithui ene ni turahinyaniriria thiini wa matura maya maitu tondu ukuona mundu ekuigereire, agagwuiaraga na ni mucii gwaku. O korwo ni kiara, ahota guka enje nja gwaku na iyo ni plot yaku. Akamenya kiu ni giko ndekwenda mwena wake, agakurorania ta nii uguo ndi mutumia akona gutiri igoti ona ririku ingihota kumutwara. Arikia gwika uguo, nii nda anginjira, akanjira no njikire uria nguhota. Ndamutwara igotini kuu ni akinyire tene, ringi aririe na thimu, rucio rucini ngithii kuu urandora, ngerwo roka rucii mama, ngiroka rucii gutiri ona undu ingirwo. Nguthianga ringi njage tigiti na undu ucio ugacoka ugathira ciira wa muthemba uriku ni urateo na njira ya ihaki. Riu ta bururi uyu witu thiini wa Katiba ino nii nguga uhoro uyu wa mahaki niugitanduru andu aria matari na hinya turikiuraga o uguo. Ona niturikiuragawo tondu gutiri mundu unguhota gukinyira gikuo kiu tondu ugigukora uhoro ucio ugagithira.

Ikinya ria keru nirio riri, ati kwina ciana ikoragwo iguku micii na ringi itigiiro andu aria matari na hinya wa mbecha ni atumia matari angu ni atumia akuru, ciana icio thiini wa maskuli ciathii cikahituka. Ciatua kuhituka, cikaga mbecha cia guthii na mbere. Nii ta K njurie ciana icio njugi uria ingicoka guthii na mbere na thukuru tondu niirakienda itirarega, mahote kurorania ciana icio na guci igagicoka kwirugamirira ciakineneha. Ndiri na maingi noro macio. Mwathani amurathime.

Com Prof. Kabira: Thank you very much Pauline Wanjiru. David Kairu nionekire. Ndanoneka. Geoffrey Kuria onake ndari kuu ndari kuo. Bernard Nganga, onake ndari kuu. Okay Peter Ndung'u.

Peter Ndung'u: Commisioners na Wananchi wenzangu Hamjambo. Majina yangu ninaitwa Pastor Peter Ndungu na nitaongea nitakayaongea kwa point form kwa sababu ya wakati. Na nitaongea na kikuyu kwa sababu naamini wote tunasikia. Undu wa mbera ati iguru rigie mawatho kana hinya wa President wa bururi uyu witu twendete wa Kenya, hinya wake unyihanyihio ni tondu Katiba hinya uria uratuma President arute wira uria ithui ene bururi uyu na njira iria itaratukenia. U

guo hinya wake uruta rutwe na atigirwo hinya munini. Maundu macio nimekugwetetwo ni gukira ndirekira hinya. Undu ungi iguru wa bururi witu. Ithuothe ni turi na uma na ni turataukwa ati thiini wa bururi witu, nikuri na Maundu makoretwo magithii na mbera Maundu ma ukora na Maundu matagiriire na nii ninjui thirikari ino ingirutira ina hinya. Niri trained personnel aria mangihota kumenya kana utonga wothe wa mwananchi. Uguo mwananchi wothe niagiriire ni gukorwo akiheo security ni bururi wake, tondu muthiga niguo amenyerere, arihagwo na igoti riria nii nawe tutinagio. Pointi ya keru ni riri, iguru rigie MP aitu, mahinda maria ndireciragia iguru arutaga, mahinda maria twarikia kumuchagura, ma MP tumonaga o mahinda maria turamacagura, twarikia kumachagura tuticokaga muthenya uria wa elections yakinya, hindi iyo niguo ngari igekiirwo loud speaker ithiururuke matura ikiugaga ni ng'ania ni ng'ania tum

Uguo ri MP uyu angikorwo ni tuamucagura na ndari wira, tuone ndarahota kuruta wira, thiini wa the new Constitution, niwega andu nimeku-recall the MP na machagure MP ungi uria uku-deliver kana uria ukuruta wira kwao. Iguru rigie Local Government, ni Government ni minister wi hinya muno, Local Government ni Ministry I hinya muno thiini wa bururi na Ministry iyo ri ungiheo M

Government, ukoragwo na hinya ni tondu Local Government niyo I-controll almost past collection iria ciikagwo thiini wa municipal akorwo ni ta mbecha ici irogotagwo guku Ruiru na iria irogotagwo Thika na Mombasa na kuria kungi, mbecha icio Chairman kana Ruiru na Thika ndari authority iguru ria cio. No nginya cithii thiini wa Local Government, Minister uria wi thiini wa thirikari eke President uria urathana. Uguo niwega angikorwo mbecha ciarutwo guku Ruiru ri, mbecha icio irute wira guku Ruiru tondu andu a guku mbecha icio. Undu ungi ni iguru rigie kuheana iti tariu guchagura munene wa sheria, gucagura Chairman, ringi Chairman uria ukurugamirira arimi a kahua, undu ucio ndwagiriirwo ni gutigirwo President, ni kuagiriire ni gukorwo na the committee ucio. Undu ungi ni andu aria ma-retire ite. Nitukoretwo tukiaria muno iguru ria gutiri wira no nikuri na njira thirikari ingi-create wira, mundu okorwo ena wabichi imwe, ndakaheo wabichi ingi, na nii ningwikira hinya uguo.

Angikorwo ndi Chairman wa kuu ndigacagurirwo Director wa kundu kungi, tondu muchara uria nguheo ndi Director na guku ndiraheo. Uguo okorwo ndina wabichi imwe thiini wa thirikari kana thiini wa cooperation, ndute wira thiini wa wabichi iyo imwe. Undu andu aria ma-retire ite, tariu thiini wa thirikari ya Kenya kuri na andu aingi muno maretireite, mundu a retire ire ari mundu munene ku niacagurwo ningi niaheo wira ungi gutuika chairman wa kundu kuna kana Director wa kuna. Mundu uyu akoretwo e Chairman wa Director wa kundu kuna, mundu uyu akoretwo akiruta wira thiini wa thirikari kana thiini wa cooperation akoretwo akiheo mushara na athii retire handu ha ainuke mucii aikare mucii, ningi akarutwo mucii akanengerwo wira ungi agatuika Director wa kundu kuna na ha graduate ungiruta wira ucio.

Uguo mundu aretire ni aikare mucii arie mbecha iria arathukumite. Okorwo ndarathukumite, niaikare uguo. Undu ungi ni riri, thiini wa kuri na thina munene muno, urakora andu ma-retire mundu aranina mwaka mugima Atari aheo pension yake, mundu ucio ni wa N. oimaga N. Eastern athiaga guku kwa N.S.S.F. Agoka akerwo bado, akerwo bado, thirikari ndiramuhe security, mundu ucio oimire kuria kungi, oka Nairobi ri egukoma kwau. Na nikuri ma officers maandikitwo ni thirikari aku-prepare retirement benefits tondu na copy ati nii nindiratiga wira mweri muna. Uguo haha thiini wa Katiba ino njeru ri, thirikari I make sure kana Katiba I make sure a wi thiini wa obici ya thirikari ni araruta wira wake, mahinda maria magiriire na mathaa maria magiriire. Nikurikia ndirarikia.

Uhoro wa Provincial Administration ri, hari andu magwetire uhoro wa machief na nii ngugweta uhoro wa ma DC na ma Provincial Commissioners, nindandaruta wira hakuhi nao na muno Provincial Commissioners, ndionaga gitumi kia obici muno ya mundu ugwa Provincial Commissioner. Na gitumi ni giki, thiini wa Province nikuri na Provincial Medical officer, Provincial Agriculture Officer, niwe wagiriire ni kuruta wira wigie Agriculture thiini wa Provincial level. Hatiri bata wa aigirwe Provincial officer ungi. Na akerwo mbecha cia gukuria urimi thiini wa Province, ndukaruta PC atekirite. Na PC uyu ndathomeire uhoro wa Agriculture, ndathomeire uwe ni Administrator, we do not need him. Okorwo ni Chifu ri ngwikira hinya iguru ria andu aria magwetire. Obici ya Chief na Assobici ya Councillor imwe yao yehere tondu iyo ni duplication ya wira, na revenue ya thirikari niyo irahuthika o igoti riria uraruta.

Undu ungi ngugweta utagwetetwo ni iguru rigie makanitha. Nikuri Freedom of worship thiini wa bururi wa Kenya, no uhuru uyu wa andu moi nama ati makoretwo makihoya na nomaroragana no mathii gukorwo makoiga ithui turi ahoyi Ngai. Thiini wa Katiba na specified ni Ngai uriku uria uhoyagwo Kenya. Tondu angikorwo ndiroiga nindirahoya Ngai ri na nima nimui nindiroraga mundu ri, ka

wa kuraga mundu. Na ni kuagwetwo haha uhoro wigie Commissions. Ni kuri Commission yathondeketwe yethe andu a devil yamethaga tondu thiini ni kuri na freedom of worship, uguo freedom of worship ino ri niyagiriire ni gukorwo iri specified. Ni Ngai uriri Kenya. Uguo okorwo nii ningukorwo ngihoya Ngai uria Katiba ya Kenya itetikitie ri, then the law will be in position to hold me. Ni rigie mai, ni undu wi thoni muno ati thutha wa miaka mirongo itatu, Ruiru gutiri mai ma miberethi. Na rui Ruiru twarukorire rugiikuruk guku thiini wa Ruiru gukoretwo na Mayor, I mean gukoretwo na machairmen, gukoretwo na macouncillor, gukoretwo kinya na MP. cucu kuria atahaga mai githima ri, ona nii nokio ndirataha. Na tukoretwo tukiuga Kenya ni ithiite na mbere.

Uguo ni giconoko, uguo ri andu aria makoretwo me thiini wa Ministry ya mairi, and especially the Ministry, nikuagiriirwo ni ndacagurwo ndi Minister, ngaheo, ndirekira hinya undu ukugitwe ni one of us. In our next ministerial appointment, akorwo ni Ministry ri, ndikanengerwo Ministry na ndiri na ugi wayo. Angikorwo ndi doctor, nengerwo nduike Minister wa Health, niguu riria b yakwa, angikorwo bairu icio niiraria undu utari mwega, ndina knowledge ya kuria, kuuma haria kinya thi ndi na raini yaho tondu nith Okorwo ni Ministry ya Agriculture inengerwo mundu uthomeire uhoro wa urimi. Ni hinya ndirekira iguru ria Maundu maria meku ningi akorwo ni President, niwega akorwo ni mundu, na haha ndikuga President peke yake ngua MP, tondu from the MP that is who be the President. Andu aitu ona ithui nituhitagia. Ta riu nikuri gicagurano kiroka na nikuri andu mataikagia miti, matahetwo kilo imwe also a problem. Uguo ona ithui, thiini wa Katiba ndiui ni atia ingiandikwo but I believe tondu muri experts. Iguru rigie MP ur nikuagiriirwo ni gukorwo atiriri ena limit ya mbecha iria angihuthira na angikorwo MP ni egukorwo akiheana mbecha ri kana ena a micii makiheanaga kilo ya cukari ri, mundu ucio nda-qualify ite gutuika MP. Tondu muamucagura agathii kwiriha kinya iria ciothe muture muinaga. Uguo ona ithui no turehe mbia. Nikuri na corruption. Ndina Maundu manyinyi nyandikite haha na ndikugweta n ingiuga atiriri, mundu wothe unginyitwo akihakwo na akihakana, andu acio magiriire eri ma face the court of law tondu nio maratuma guthii uria magiriire. Njoke njuge iguru rigie retirement.....

Com. Prof. Kabira: You are winding up?

Peter Ndung'u: Yes. I am in my last point. Iguru rigie retirement age thiini wa civil service kana thiini wa o handu o hothe. Katiba thiini wa the code of regulations of the civil service iroiga ati wagiriirwo ni kuretire uri na miaka fifty five years. Na thiini wa miaka ino nii nonjurie thiini wa Katiba iria ikuuma riu ri gukorwo na opening tondu ni kuri andu me thiini wa thirikari kana thiini wa cooperation makienda gutiga wira, no by laws iroiga atiriri, ndungitiga wira utakinyitie miaka fifty five tondu watiga ni wa loose your benefits. No gutiga wira. Uguo gukorwo na opening ati nii nda serve thirikari kana cooperation miaka ta ikumi ndi permanent kana whatever ri, i ngetia retirement na ngaheo benefits ciakwa. Ngathii nga-create nabathi ya mundu ungi akandikwo. No riu ri niturohwo kana ni ndirenda ku-loose my benefits kinya nginyie miaka fifty five. Uguo nindarikia. Na Ngai amurathime.

Com Prof. Kabira: Thank you very much Peter Ndung'u. Peter Kabue is there? Okey. Ngatha Njoroge ekuo? Ni we. C ukumucoka.

Peter Kabue: Commissioners, Wananchi habari zenu. Yangu nitaanza na presidency. Hii imekuwa ni kama wimbo na nitaweka n

sababu hii ndio secret ya power mahali imelala. Presidency anapaswa kuwa hana powers. He should not be above the law na anapaswa na parliament awe ceremonial kwa hivyo kutakuwa na post ya prime minister, a very strong prime minister. Prime minister atakwenda government.

Military leaders wanakuwa misused by the president. They should be chosen either by parliament or the office of the Attorney General.

Attorney General should be chosen by LSK body. The governor of the bank, I think the governor of the bank should be appointed by the institutions but not appointments from any politicians. MP is supposed to serve two terms of which each term will be five years and should create or offices should be created from Locational basis where people will be taking their grievances to that MP because so long as they are elected they disappear completely.

Councilors and mayors I think they should be elected directly, councilors should be elected directly like now and I think they should serve ten years two terms.

Parties limitation; I think we should limit our political parties to three but not thousand ones so that they can be fully funded by the government.

Education: Education should be free completely and I think law subjects should be created in primary schools and in secondary schools. Education should be compulsory.

Parastatals bodies should be independent completely and they should elect themselves but not appointment from politicians.

Land issues:

Com Prof. Kabira: Peter, are you winding up?

Peter Kabue: I am winding. Land issue; I think there is no one who is supposed to own more than ten acres. If there is a surplus, it should be compensated by the government and give it to others.

All disabled should get financial support in monthly basis. Registrar of societies should be appointed by the Attorney General. Registrar should be elected directly by Wananchi but not from other areas.

Currencies; notes should be printed with the portrait of dead heroes but not the living ones. Thank you.

Com Prof. Kabira: Thank you very much Peter Kabue.

Ngang'a Njoroje: Habari yenu. Commissioners na wote mulio hapa ninasema ni shukurani kwa kupewa nafasi hii ya ku nitazungumza machache na mengine nimeandika pengine nitayasoma. Hasa nilizungumza wakati ingine ilikuwa Thika nikasema tunaim tulipigania uhuru na kwa Katiba hii ya Kenya sijaona pahali imeandikwa wania uhuru wafanywe nini au wapewe heshima. Lakini k wakisema kama ma MP wanasema vile tulipigania uhuru lakini vile ninaweza kuwajulisha kupigania uhuru kupata hiyo bendera kuli taabu hamjaona lakiini wale walikuwako waliona ilikuwa taabu sana. Hivi ninaomba mwakumbuke watu waliopigania uhuru. Mwaw hii Katiba ya Kenya wawe wakikumbukwa kama askari wengine shujaa. Hasa kwa ile maneno ninasema, hiyo ninawacha lakini Katiba hii ya Kenya ningeuliza itengenezwe sawa sawa kabisa. Mimi ninasikia, sielewi lakini nasikia kuna ile nchi ingine watu w wanapatiwa pesa. Hata hapa Kenya inawezekana mfanye namna hiyo mkitengeneza Katiba. Mimi ninauliza wale watu wanapata raisi wawe wakikatwa mshahara, kutoka raisi mpaka ule mtu mdogo wa kuwapa wale watu hawafanyi kazi mshahara maana hiyo i Kukiwa hawa vijana wanamaliza sukuli hawana kazi na mwisho wa mwezi inakwisha na hana kitu anapokea, atatulinda huko njia kwetu na rungu atatupiga, lakini akipata kitu kidogo atanyamaza. Mimi ningeuliza mtengeneze Katiba ambaye inaweza kukata m wako kwa kazi ndio wa wapatie wale watu hawana kazi pesa kidogo maanake walimaliza shule na hawako kazi. na nyinyi mko kazi watu wengine kazi. kama mtu anasema mzee mmoja anasema iko kama MP kuna kazi, kuna mkubwa pahali ingine. Wale w hawawezi kupata kazi lakini mkifanya hivyo mtaweza kuwasaidia hawa na tena mwatafutie kazi ndio mzidi kuwapa mshahara. Ha kazi wawe wakiwapa wengine pesa ya kujisaidia maana mtu yeye yuko na watoto na hana kazi na anahitaji pesa

Ile mambo ninasema ni machache maana mengine nimeandika. Lakini tena ninauliza, hapa kwetu Thika, maji inatoka huko Dakain huko Thika inapita huko Nairobi na hapa Ruiru hakuna maji. Stima inatoka Kindaruma inapita huko kwetu Thika, inaenda Nairobi wengine hawana hata stima. Ningeuliza Katiba ya leo itengezwe pahali hiyo maji inapitia, ikipita wale watu wako huko kwanza washibe. Hata stima inatoka Kindaruma inapitia Thika district inaenda Nairobi na watu wa Thika hawana stima. Ningeuliza mtengen Tukiuliza stima tunapewa ile pesa hata hatuwezi kujua kulipa maana pesa hakuna. Katiba itengenezwe vizuri ya kuhurumia kila mtu anafaidika.

Ile maneno nimeandika ni ya watoto. Hawa mnaona wanaitwa Chokoras. Chokoras hawa ni watu kama nyionyi hapana fikiria ndio wetu kabisa. Wanataka watafutwe njia mzuri sana ya kuwafundisha wapelekwe shule na nyinyi watu wale wako kwa kazi na wale vile hao Chokora wanaweza kuisha maana wakizidi ndio mnaona watu wanakatwa katwa, watu wanauliwa maana watakutwa na wale wako na pesa. Watachukuliwa kama ishirini au arubaini watakwenda kutengeneza gang yake yakuuwa watu au ya kufanya fi kitu. Watakuwa na nguvu mimi nikitaka kwenda kufikia Ruiru ninaenda kwa yule tajiri ninampa ile pesa inalipangwa anaend anakwenda anangoa nyumba ya Nganga na watu wake kabisa. Sasa na hiyo maneno inakwisha hao watu watatumiwa namna hapana fikiri. Inafaa mtafute njia ile inaweza kwenda kufundisha hawa watu kazi na wafundishwe shule wajui kabisa ndio wasahau wasahau hiyo kazi ya kuiba, wasahau hiyo kazi ya kunywa bang. Ikiwa mnafanya namna hiyo itakuwa mzuri sana. Tena hii itengenezse sheria ambaye itahudhi kila mtu kuwa akitoka kuwacha shule aende shule bila kulipa mpaka amalize class afike form Nyinyi muwe mnalipa wale watu mko na kazi kwa sababu hao watu wakikosa kazi au wakikosa elimu watakuwa wajinga tu wataend wa kupiga watu na wakufanya kila kazi maovu. Mimi ninasema asante sana. Nimeandika kitu kidogo nitakwenda kuya soma huko. A

Com Prof. Kabira: Asante sana Mzee Ngang'a.

Com Zein: Pengine ni kukumbushana tu kuhusu mambo tuliozungumza asubuhi, kuna baadhi yetu wamekuja kama wamechelewa tulipoanza kazi hii kwamba tutaendelea na kazi hii mpaka saa kumi na mbili lakini ikifika saa kumi na mbili ikiwa kuna wa Kenya wanataka kutoa maoni yao na hawajafikiwa tutaendelea na kazi hii mpaka tutakapomaliza kazi na wa Kenya wote wawe wamefikiwa sisi hatutabanduka hapa mpaka tutakapomaliza, ikiwa ulikuja baadaye usikate tamaa ukaona saa zinazidi kwenda ukaondoka unayako.

Pili kwamba kuna wale ambao pengine wangetaka kutoa maoni yao kwa kupitia mswada, memoranda.. ninasema kuna baadhi yetu wamefika mswada wanataka kutoa, memorandum hawataki kuongezea neno lolote. Ikiwa wewe ni mmoja kati ya hao unaweza kutoa kazi yako kama memorandum yako uka-sign register na maoni yako yatakuwa yamefika.

Jambo la tatu la kukumbushana ni kwamba maneno yote mnayosema hapa tunaya recordi kwa tape recorder usione saa ingine pengine kama mimi vile ninajua kikuyu juu sijajua kikuyu vizuri sana mkaona pengine huyu bwana amekaa peke yake mwalimu katoka kikuyu hataelewa. Tutarecord kila neno, tutaenda tuta-transcribe tutaandika chini na yule kijana ambaye alikuwa ana tafisiri, akiandika translation akiwapatia wale makarani wetu wanaendelea kuandika kwa hivyo tuna njia tatu za ku record kazi hii.

Jambo la mwisho ningependa kuwaomba radi kwa sababu asubuhi nilisema itafika wakati pengine tutatoka kidogo kwenye kutulimruhusu mama mzee aje azungumze maanake alikuwa ana mahali anakimbilia lakini ruhusa hiyo mlitupa sisi, au hamkutupa? bwana wawili ambao walikuwa hapa asubuhi pengine majina yao yatafikiwa baada ya watu kama sita au saba lakini wametokea wamehakikisha kweli wana dharura. Wanaomba wapewe fursa wazungumze tena kwa ufupi. Huyu mmoja anaitwa Stephen Kamau George Mbugwa. Na kama tulipofanya desturi kwamba sisi tunawaheshimu na tunaheshimu utaratibu tulioweka hatuwezi kuwapatia nafasi nyinyi kutupa ruhusa hiyo. Mnanipa ruhusa nikubali kwa sababu dharura ulionipa inafaa ni dharura kweli. They have a good reason to be else where na hawana written memorandum kwa hivyo wakiondoka wataondoka na maoni yao. Sijui kama mtanipa ruhusa watoe maoni yao. Tumekubali? Haya. Stephen Kamau awe karibu na George Mbugwa wajitayarisha kumfuatia mwezake. Stephen kamau ufupi ndugu yangu. Stephen amesema amefanya jambo la Murwa na akasema na atasubiri kwea vile anataka kupewa fursa ya kusema kwa George Mbugwa? Mtasubiri kidogo. Haya Asanteni sana. Haya ni rudi kwenye list yetundugu yangu unainua mkono. We are now on list marked number 5, it reads Daniel Kinyanjui. Una dakika kumi ndugu yangu uitumie vizuri ni muda wako huo.

Daniel Kinyanjui: Muriega inyothe. Nii ngwaria na Gikuyu. Njitagwo Daniel Wangethi wa Kinyanjui na njikaraga guku Ruiru. Ni Maundu makwa ona rua na rua. Ngwaria uhoro wa President, above the law guku ithire biu Kenya tondu iyo niyo ituturagia ndagakorwo niwe uriugaga. Mawatho make maninwo mothe. Tucoke twikire President o ucio ndagakorwo agithura majudge, Bwana Judge. Uhoro wa githomo, nituhatiriirio muno muno tondu kundu guku tukoretwo turi andu maikarite na njira imwe njuru muno. Omba kutugayanitio maita ta forty. Gukerehwo nyamu ciitagwo academy. Mundu ta nii ndikihota gutwara mwana academy, arimu guku ma muthenya, acio nio twatigiirwo a thirikari, matithomithagia tondu wa academy ararihwo ngiri mirongo inana kana ngiri mirongo itatu

Uyu witu wa thirikari, niarathii wira oro wega no ndararihwo mucara. Ciana ciitu ri ikaga githomo, cia academy ikahituka. Tukag kimwe. Aria maratwara kuria ma-academy maria kana gutwara kuria ri nio andu aria anyinyi. Mokite matuhathiriire uguo. Kwoguo ri primary ya thirikari, o korwo kwina icio academy acio mamenywo kuria meguthii makimatware okorwo ni kuria mekumatwara to niirarehe thina. Njoke njuge undu ungi okorwo ni President athurwo na fifty per cent ti uhoro wa twenty five, divide and rule tutikv hau, tuke mwena ini wa jera na wa majudge. Judge akorwo gutiri above the law nituiganaine ithuothe wega uguo, kugie jera ya mund

Mundu wothe jera ikorwo ati gutiri mundu utekuingira jera. President ahitia ndani, okorwo ni Judge Mkuu ena hinya wa kuuga ng' an gutigatuike ati kwina njira cia gwikirwo haria ati ii uyu niwe ugutwarwo tondu nimuhinyiririku. Hapana. Ni mundu wothe thiini. Na ak rihho. Na appeal icio macokagia na mbia iriganire. Corruption guku ithire tondu kwina corruption nyingi muno itingihota kugweteka, kidogo. Njoke njoke kwa migunda. Ithui andu a kuuma 1960's, Ngai uyu wi iguru ithui tutikona migunda. Tugutura tutemanangiire m Nitukwenda migunda itu ithui enyewe tondu ciana ciitu ona cio niigimarire. Turahuranira kieyaini kia guka hau na baba na a mam ithatu. Kwoguo ithui tunengerwo migunda itu. Mundu guku Kenya akorwo uria wina mugunda munene muno akorwo na ika magar tu. Ika magana matano. Io ingi mundu akorwo ena kindu giake. Tukorwo o mundu ena kindu giake. Njoke njuge, Chief niathii na Councillor. Borithi niirute wira uria wagiriire. Nimatige gutu-harass. Tutire wira na no uretio. Ati ndungigua kana ni ukuinuka.

Riu kungikinyia guku thaa igiri, guthii na haha ni ugwati. Ni ugukiona thina wa muthemba ucio. Ni undu ucio ri, nii ngoiga atiriri, ak Vice President tumuthure direct na kura. Mundu onwo akiheo ciringi uguo nigetha athure mundu, mundu ucio nianiyitwo ohwo miaka ariaga. Akorwo ni andu aya tuthuraga MP athii arehe ubuthi wake kuria, ndari thiiaga wira, ati kwina vote of no confidence, I manii kuonwo. Ndikae kurutwo. Tucokerio na guku, tumuikie nja turehe ungi. Twitikirio tumubatage o ithui ona Councillor ta guo o Tugoka tumeheretie. Tukarehe mundu uria ukuigua uria turoiga. Mucoke murore handu hangi, nimuagiriire inyui Commissioners muone atiriri andu mathomete kinya kiwango kiriku. Ni ariku mathomire wega? Ni kinya ha? Uhoro wa gwikira mukoiga atiriri ati m eight, 8-4-4 iyo yakirehirwo ndiri undu ikaga iyo ni kwisha na andu acio othe ni o mekuo aingi. Form four nayo ya riu ndiri undu handu University niyo muragweta. Tuheo iwango cia kinay eight tondu ithui athini turahota guthomithia kinya eight. Ta kiugo kiria I haha oiga atiriri ati, kwina andu metagwo wananchi wa kawaida, ti aingi ni acio maikaraga eight ini na andu a mashambaini na mar biu. Gutikaye gukorwo kwina andu a biu na andu matari a biu.

Andu aya anene itonga ici wonaga ithiaga na ngari ici matamata, acio nio andu a biu. Ithui andu a mashambaini tutiri andu no ka ni ith njega igoka na maguraga o ndunyuini ici. Guku kuninwo nyamu ciitagwo supermarket tondu ciikiritwo supermarket I cia itonga iri iriagi ikanina muthini agathira. Tondu gitonga kiaigua guku kwi ndaka gitingitonya giguthii Supermarket Schilanda, ndunyu teno nd kanju ndingithondeka ndunyu teyo na no ithui turaruta mbecha. Twarora watho ri, watho turona ni wa 1956 uria tuhuthagira thoko u watho utoi ugaga atia. Watho uyu mwathondeka uria muguthondeka nii nonjurie mwikire kiwango tugurage watho ucio na cirin mirongo itano, mu Kenya akagura agathoma akamenyaga tondu ona mawakiri nimatuninire nimugikiigua mariaga kinya mbecha c Mathii manyita okorwo ni mbecha icio, mawakiri makaria. Tugeciragirira Judge ndameranagia, no riu tuhahithagio ni borithi na igoti tu tuhahithio riu tukahana uu. Uria werwo ukoiga 'ndio munene'. Ugoka we wohetwo. No riu munene anginyitwo ta ndagika ino an muthuri uyu anginyitwo haha ona ndangikinya haria, gugutuika 'yes nii njitagwo ng'ania'. Ritwa tu niriiganu. Wakiri wake kuhurirv

uguo tunyamu tutu turokire, e hau, ucio ndangiingira thiini. No ta nii riu ingiuka nyitirwo haha uguo haha, tamaka nguthii nyingiritio kuo wakwa ndakamenya kinya ciana ciakwa. Kai guku tukoragwo tuhana atia? Guku ni kwa ngoma ungirora. Titakundu tukoragwo undu ucio, mawakiri marore muno tio twatuikire tuthukumagire, twehererio kando. Tuheo watho uyu tuuthome.

Twina hakiri cia kumenya ngurugama na Judge ucio na ndimwire uguo ti guo. Na niki ndoiga jera yumbirwo mundu wothe. Ti wak andu ati appeal, appeal thiini kwanza akamba agakira kuu. Njoke njoke mwena ini wa makanitha. Makanitha nimaregete wira w Corruption ona kanitha ikuo. Makanitha matiraruta wira uria wagiriire, nio magiriire ni kurutana mutugo mwega. Matirutanaga Okorwo ni ciana, nimagiriire ni kuunda, kanitha gutiri mundu witagwo rucini oke no nimaingiraga kuo.

Nimagie na mathaa ma mitha na ithaa ria seminar, andu makerwo mundu agiriirwo ni guikara uu ciana ciagiriire ni guikara uu. Ath tene nimathirire, magituika ni athuri a kanitha. Nao athuri a kanitha aria me kanitha ini me kuu niundu wa mbecha iria ithoithirwo nichi matiteithagia kuariria andu, kuiguithia ciana. Micii ni guthira igugithira. Ciana ici na ithui tuigiriire mutugo ungi wa gwitaga ciana 'dadd ucio agakura mum, dad, mum, akaambiriria gum tondu ni mundu wa guthaithwo, guthaithwo.

Kwoguo ona bill ici muroigire murekirire cia ciana ati ciana irorwo, ati ii niukuohwo mieri itandatu, ni gutuoha mugutuoha tugiki mwana ndegika mahitia, na niukumutiga tondu thina ni ukire umutiganie. Mugutuoha tukihure jera. Riu kwoguo murore biu atiriri culture, culture irorwo iria iteguthukia kiria. Tucoke turore undu wigie kanitha nayo mateithirio. Niundu ucio ri rekei ndige guthii n uria wi Kenya ona tungiariria ndiui. Njoke njuge, Commission ino okorwo igutuika ta iria ithondekagwo na haha, ii tuheana rugano moi guthondeka. Tukaigua kuria ningi magathondeka uria marathondeka. Tukoragwo tukiruta wira wa tuhu. Ta riu nii ndikw nithomaga ngatheti, ni mara zozana bado, umenye Kenya ino ni nditu. O owo. Kwoguo magerie masuluhishe nyamu ino. Irike tu, t irike tuone kana no iturute ukombini. O uguo tu niguo ngwendaga kuuga.

Clapping from the audience.

Com Zein: Asante sana Daniel Kinyajui. Sasa tunakwenda namba arobaini na mbili Dr. J. M. Njoroge.

Dr. Njoroge: Thank you Commissioners and wana Juja kunipatia hii wakati. I will go through this book I have not written but we those who have these book. Moja ni page ya kwanza hii ya Constitution; the preamble and policy of principals. One I would preamble and principles a Constitution which is clearly saying that our government should be economically and technologically driven. Tukwenda thirikari ikurora Maundu maitu thiini wa miikarire itu na utonga no ti undu wa makabira. Thirikari yagiriire ni gukor business themselves no ni ku-promote business for the citizens nigetha tugie na mawira. Andu magite mawira tondu ona thirikari gwika biashara. Niiturehere facilities cia guthondeka biashara nigetha tuone mawira. No twende kuona kana in this principle of prear uria tuonete experience in Kenya tondu tuikaraga turi family na no nyende kuona ikipromotwo as a Kenyan family. Everybody to wishes in Kenya. Tukorwo na freedom ya guikara handu hothe mundu angienda thiini wa Kenya as a family of Kenyans.

No nyende kuona tugi-promote cultural values ciitu, particularly kana makiria moral cultural values. Uhoro wa for example, arume kangi. Iyo ti culture itu. Those immoral values should not be promoted in our Constitution.

Page 4 Constitutional supremacy: Nonyende kuona Constitution after the sixty five percent vote ya major issues of Constitution ika-endorse ni ithui. Parliament yoiga nitugucenja Constitution haha, igacoka igaturehera, tukoiga ii kana ca. Page iyo ingi irumiriire, five, no nyende kuona andu makiheo passports uria ukwenda hatari na Maundu maingi urorio ota uria tuheagwo ID. Ndaigua ni passport ndigutinda ngiurio 'iha tigiti ya kuria urathii? Urenda kumenya kuria ndirathii niki? So we should be free to have your passport Political parties, page seven: No nyende kuona partie ciitu ciothe iki-promote uria turaria uhoro wa Constitution ino. Twathonde I-promotage policy icio, tigutigira thirikari iria ikuo and also the visions of the nation. Parties ciothe iga-participate. Ndikienda kumuno na ndirona parties ta inya uguo ri, gutiri mundu utangikorwo hau thiini. Ideas ciake ciothe iria angikorwo ena cio, ndirona ur party ini ta inya uguo. So I am recommending about four parties. Financing ya political parties kana gucihe mbeca, ingienda kuona ya election ikiheo mbeca ni thirikari. Mbeca ciiganaine. Na menda guthondeka mbeca niundu wa Maundu maria mangi megwika magietha mbeca o guku thiini witu, undu uronekana.

Page eight, nikurikia ndiri na maingi muno, no nyende kuona thirikari ina Prime Minister iria ira-rulwo ni the ruling party kana par hakorwo na Presidential powers ona cio. Maundu mau maka vetagwo ni President uria tuthurite turi Kenyans. Ta uhoro wa se Katiba ikavetagwo ni President.

Uhoro wa Legislature: Appointments ciothe iria I-appointagwo ni President ikageraga through Parliament. Ciothe. Even if it means this one. Uhoro wa nominated Members of Parliament kana Councillors no ukorwo oro ho no makaroraga andu aria mangihota kun okorwo he gikundi gitari presented aria macaguritwo ta atumia kana cionje kana ki ri makongererwo hindi iyo. On Executive: I beg one or two minutes, no nyende kuona President agithurwo ena more than thirty five years, akorwo e graduate, akorwo e morally up a-declare his wealth atanathurwo. Functions cia President ni iku-need gwikirwo in the Constitution nigetha ikamenyekaga. Na tenur I four to five years renewable only once. Do we need Provincial Administration? Mine is no. Today, unginjuria uria Provincial Co riria ndaciarirwo ndiui, nothing, kwoguo ndirona bata wake. Twagiriire ni gukinya district level. Councillor or Local Government, Local Government ina more powers than current na at least Mayors makaheo three years term magacaguragwo ni ithui direct.

Com Zein: Dakitari are you summarizing? You have one more minute, just one more minute.

Dr. Njoroge: Page 14 on the electoral system and process; Should a candidate who follow to seek nomination in one party be a over. Kana mu member wa Parliament uria waremererwo ni kياما kiria athura, ndagiriirwo ni kuruga ruga akoima haha agathii Wahotwo ni kياما giki, stop there. Tondungikorwo ideals iria wari nacio ndungihota gucitwara kياما kiu kingi. At least for that p Should be there a limit on election expenditure? Yes. No muhaka tu-limit elections expenditure.

On basic rights: No nyende kuona githomo ki bure na uhoro wa health, guthondekwo. Education should be free upto Universi

marateithiriria thirikari guthondeka githomo kana uteithio wa mwiri mirimu, magateithiririo ni thirikari ku-facilitate those facilities.

Com. Zein: Thank you very much Doctor. Thank you. You need to sign the register.

Dr. Njoroge: Okay, another day I will write more and give you later.

Com Zein: This is something else we should share with that it doesn't mean if you have represented views today you cannot go and add to the views you have presented. What it means is that for these particular sitting today is the last day in these constituency. But your memorandum or additions to them and bring them with either at our office or post them to us or pass them through our coordinator Gitonga.

Nashon Gitonga: Thank you Commissioners and the people. I will only give my opinions on how I would like the Constitution to be. I would like the parliament and the Executive to be completely separated in the following ways. The president should not vie for the presidency. He should only vie for presidential seat. Also the ministers he should not appoint ministers from among the people elected or the members of parliament. He should appoint people not the MPs so that they can be power sharing. The MP is there to serve the people but he is there to safeguard the interests of the people. He should not be above the law, the president. Whenever the president makes laws by a decree, the decree should be subject to a referendum of the people through a public referendum and if he fails he loses office. His term should be five years and should not continue for more than one term. To ensure accountability of the MPs he should be... the term should be shortened to a maximum three years and as many terms as he wishes. As you know our country is made of diverse ethnic groups, the cabinet should consist of at most two ministers from one tribe and no more than two from any one tribe.

We should have freedom of worship; I have not had anybody saying freedom of worship. We should have freedom of press and the president he should be probed by the press and all the scandals of the MPs or the ministers should be revealed to the people through the press.

It should be provided in the Constitution that the president must not be a member of any party, any political party because we can have a president who is not interested with the promises of the parties but he has his own ideas which might be in contrary to the parties and he wishes to implement them. He should be given the opportunity.

As I have said the Constitution should provide for public opinion, referendums. On gender women and men are all equal and they have equal rights. If they want same if they want it, they fight not a matter of saying that there are seats reserved for women and other seats reserved for men. Thank you.

Com Zein: Thank you very much Nashon. Ningependa kumuita bwana Muiya. Hayupo? Stephen Waweru.

Stephen Waweru: I am Stephen Waweru and I want to represent few points about what I want changed or handled in the Constitution. I would like to talk about education. One should be free for all from primary school to secondary school and the cost of that should be covered by the government.

throughout for all the citizens on everybody in Kenya should be paying for the tax for the education. The second aspect, which should be taken care of by everybody is medical care. It should be free for all and everybody should pay medical tax which take care of those who need it as a means of accessing medical services. The other aspect is legal services. Should also be made available to those who cannot afford to access it through failure to get this kind of service that injustice is practiced in many of our various aspects of justice. Another area I would like to see is employment and the basis of employment. We have allowed structures which has made it possible for corruption to continue and there should be systems which are objective without demanding interviews. Let the people do things which can assist objectively without determining where by a view of a person. We have objective means of doing that, that should be put in our Constitution.

Now I go to emphasize on my point of education. It is apparent that the area of religious studies is being neglected and these is in line with our aspirations in maybe creating a better nation, a more upright citizen. These cannot happen if we do not strengthen religious studies from primary school through to the universities because the basis on which we add our values have already been broken down, our cultural values peddles we hold now is the churches of the various religious organizations. And to avoid the problem of fundamentalism which goes against the good to strengthen religious studies at various levels of school so that the kind of religion that is practiced to the citizens is not that which bring division within the state and if we do that I do believe that we would be able avoid some of the problem which you are facing.

I would like to state here that Kenyans problem is not based on the fact that we don't have resources. Kenyans problem is based on the fact that we have allowed corruption to eat every part of our system such that everything has fallen down and therefore to change that attitude for the better we have to start by bringing up moral aptitude through stronger religious education at all levels. Thank you.

Com Zein: Thank you very much, thank you also for keeping time. Joseph Agondwa. Karibu Joseph.

Joseph Agondwa: My name is Joseph Agondwa. We need a Constitution which caters for orphans. They should be given free primary and secondary school education. In addition there are so many desperate orphans these days and we normally says that child labor has been abolished completely but those orphans who don't have their parents and there is no one expecting for school what are we expecting? Who are we supposed to accuse in case we find them working to get their basic needs. Here is a case whereby there are orphans who were killed three years ago and the body of their mother has stayed in a mortuary for over three years in Matuu and those children were crying because they were feeding themselves now I asked myself the administration and all those things, the administration and churches are the ones who are supposed to cater for those children even now they are not receiving the education there in Matuu. I think the review commission should take care of those children.

And then with an aid of a photograph, about what is happening here in Ruiru town and Kahundoko, I would recommend a Constitution which give voice to the people. A new Constitution which individuals can sue the government or can sue Kenya Power and lightening company in case of an accident caused by negligent. Like here there is a photograph whereby building are constructed under power lines. These ones should be avoided. We need a Constitution which empower the citizen to be watch dog of land grabbing because these lands which belongs to Kenya power have been grabbed by selfish individuals and I recommend a Constitution which would empower Kenya power and lighting to retrieve those lands.

destroying all legal structures build below these electrical lines. We need a Constitution also which allow private bodies at none go watchdog of negligence of municipal council. With help of photograph here a trail is still a trail, there is a lorry carrying... there was a carrying sis packed people which smashed at Ruiru bridge collapsing it completely. Since then Ruiru municipal council has not recorded of these bridge. In the recent past a gentleman riding a bicycle fell into the river and had a multiple fracture before he died. So many depressed have easily killed themselves by jumping into the river from this part of the bridge. We should like to have a Constitution priorities to the need of people. It should evaluate the work of the council and punish irresponsible town clerks and council workers.

Also there this issue of dumping, you can see these photograph this dumping site is located in South B next to a school. The site has children who endangers the lives of the people learning there. though headmistress has complained so much to the council nothing has been done. We need a Constitution which should safeguard environmental issues and particularly pollution near the school or social amenities.

Alos we need a Constitution which safeguards the welfare of animals. The above animals if you can see these donkeys were chopped completely. Any one who does such a thing should be punished severly because now this animal they have no one to represent them.

Com Zein: Thank you very much Joseph. I was told that Julius Nyumu had stepped outside, has mzee Julius.. sawa mzee Julius end

Julius Nyungu: Commissioners na Wananchi Hamjambo? Yangu sio mengi isipokuwa nataka kuongea kuhusu raisi. Raisi katika nchi hii watu ninafikiria katika maoni yangu nafikiri hakuna mtu ana haki kuwa juu ya sheria. Nafikiri sheria ndio imetakiwa kuwa juu kwa sababu kama haki inatumiwa. Inaonekana nchi yetu jhaki haiwezi kutumiwa. Ikiwa kuna mtu ambaye anasema ako juu ya sheria kwa sababu atataka kwa sababu yeye ni binadamu. Yeye sio malaika ama mtu special kutoka kwa watu wengine. Maoni yangu ni binadamu ambao anaweza kufanya jambo lolote. Kwa hivyo kwa maoni yangu katika uraisi hakuna jhaki ya kuwa juu ya sheria.

Kwa upande wa shule mimi nikikumbuka huko nyuma mwaka 1960 wakati chama cha KANU kilipoundwa kilikuwa kikitumbua shule shule itakuwa miaka sabab free na kwa muda tu hii ilikuwa kama ni mjinga kwa sababu ilionekana ni kwa muda tu mfupi ambao shule free lakini kwa muda sasa inaonekana ya kwamba primary imekuwa ghali hata kushida kama secondary. Kwa hivyo kama haki inaonekana ina haki ya kuwa watoto wasomeshwe, elimu iwe free, katika hospital iwe free kwa sababu tunatoa kodi kama nchi ingine yoyote hivyo tuna haki ya kupewa uatabibu free. Kuhusu mashamba, kwa maoni yangu hii nchi tumepewa na Mungu na hakuna hali mtu ambao una kumi. Wakati kuna watu ambao wanaitwa ma squatter, wewe ambao unamiliki ma elfu kumi ya mashamba na kuna watu ambao unaonekana nyinyi ambao hamna huruma mnadhamini pesa badala ya binadamu, lakini ninaona kama haqkuna ubinadamu. Ileo kizungu mnaita human life. Katika Kenya mimi ninaichunguza naona kama hakuna. Kwa sababu kama iko ni sababu gani mtu mmoja anayeka eka elfu kumi.

Kwa upande wa masomo unakuta mtu anaweza kutoa kutoa watoto wake hapa watoto watano anapeleka ngambo. Well hizi pesa zinawezekanaje anapeleka watoto wake ngambo ama anaweza kwenda wakati wowote kuchezea pesa. Wakati Kenya ina watu ambao zina pesa sana. Watu ambao wanalemewa. So katika Katiba ya Kenya masomo inatakiwa iwe sawa tuwache kuwa kuna watu ambao masomo

shule inaonekana kuna shule za watu wenye pesa, kuna shule za watu ambao ni masikini. Kama tuko katika nchi moja mbona tuko m...
sio ubaguzi mbona watu wengine wanakuwa na pesa wanakuwa kama wao ndio wenye pesa. Wengine wanalemewa, ni sababu gani...
machache ninafikiria katika masomo, katika mashamba haki ifuatwe, ubinadamu ufuate ambao katika nchi yetu mimi ninao...
ubinadamu na ilimizwe kabisa katika Katiba ubinadamu uwekwe nguvu. Asanteni sana.

Com Zein: Asante sana Mzee Julius. Francis Kimani. Karibu mzee.

Francis Kimani: Asante Commissioner. Ningetaka kusema hii first of all mambo ya president. President should predict, president...
office only for two terms. That means ten years. He should not be above the law, all those wrong doers from 1963 –2004 whether a...
ministers, civil servants parastatals bodies should be prosecuted in the court. We should have a Constitution which says wrong...
prosecuted in the court. In future we should have systems of working, one man one job. We should have a Constitution which says, ...
in Kenya. All those directors manning the industries in Kenya we should have a Constitution which says, if there is still money or goo...
prosecuted and pay back the money. The government should meet the education of all children all over the state. public must pay ...
per year those who are working should have a Constitution which says that if you are working you should pay a tax of 1000 per ye...
meet education costs.

The court should work 24 hours so that cases should go faster. Teachers, doctors should be paid better salaries because they wo...
jobs are very essential. We should have a Constitution which says that teachers and doctors should be paid better salaries because...
Thank you.

Com Zein: Thank you very much Mzee Francis. Next on the list is Jean Kiama.

Jean Kiama: Commissioners na Wananchi wezangu, my name is Jean Kiama I am representing Juja constituency women, tulikutana t...
pahali halafu tukaangalia kitabu chekundu and then we wrote some recommendations, I have a copy, a very detailed copy with my c...
here he give it to you later. But these are the highlights. Citizenship. Tuliangalia tukaona ID, yaani kitambulisho kinatakikana kwa kila...
hicho kitambulisho it must be simplified the way the ID is given should be simplified. Tena tukaangalia tukaona kuna sehemu...
imeandikwa place of birth. Hii inaenasha tribalism, it should be really be abolished in our new Constitution. Tena tunaonelea all childr...
with non Kenyans should be automatic Kenyans disregarding the sex of the parent. Tumeonelea watoto wetu wakienda kusoma nga...
ebu Nigerian, Ugandan, wakija na mtoto, mtoto na bwana wanawachwa upande mwingine wa country. Lakini kijana wangu G...
akioa Mzungu wanakuja tu kwa sababu huyu mke wake amekuwa automatic citizen so that one should looked into.

Ya tatu ni juu ya environment. Tumeonelea juu ya environment tukaonelea kama water catchment area. Unaona kama hapa Git...
hawajui 30 years ago I was living in the army camp there and there was water all over where there were houses there was water all...
river, I don't know where the river has gone. Inaonekana tukiendelea namna hiyo bwana commissions ninakuambia hatutakuwa...
tutaletewa maji kutoka ngambo kama chakula vile tunaletewa. Kwa hivyo catchment areas pia maji inapasiwa kuangaliwa vizuri sana

tumeonelea tuliona watu wale wanaishi karibu na msitu kama karibu na sehemu ya maji, tena pahali unakuwa katika town watu wote
people should be involved ili watengeneze area yao.

Tena ile point ingine is about land. This is a very sensitive area tulionelea all title deed should be free hold. Hiyo ni kusema tumeo
watu wengi Nairobi wakati 50 years iliisha ile ilikuwa inaitwa lease hold, walinyanganywa mtu anaenda huko anambiwa hii plot sio
kwa maana lease ilipatiwa mtu mwingine. Sasa tukiendelea hivyo nasema sasa juu ya citizens only kwa sababu kuna watu wengi w
wako na mashamba na wako na lease hold. Hawa watu waendeleo kuwa na lease hold lakini citizens wenyewe wapatiwe free hold
wako na mtoto wa mtoto wako ataridhi hiyo mali.

Point ile ingine ingali inaendelea juu ya land, land matters and the corporative societies should not be dealt with by the Commissioner
Hii wale wote wanajua mambo ya cooperative, Commissioner anapanga na watu wake huko na cooperative officers katika dis
sehemu nyingine wale watu wako na taabu ya mashamba hiyo sasa inaambiwa imechukuliwa na cooperative, commission ka
wanaingia halafu wanakuja wanaanza kutawala. Sasa wale wenye shamba wanasongeshwa mbali. Kwa mfano huko Thika tuko na
Thika landless mimi najua very many people including my self. I lost my fathers inheritance through that cooperative kwa maana t
plot mbili na ile shamba niliridhi ka baba yangu. Sasa hiyo Commissioners walisema sasa ni lazima uchukue plot moja hapa na ingine
hata nilinyanganywa yote si na shamba kwa hivyo sasa si mimi peke yangu tuko wengi especially the original members wale wal
wengi tu katika Kenya. Ile point ingine inaendelea hivi, juu ya mashamba, land matters should not be handled by the Commiss
mambo mumeona mengi nakuambia hakuna mtu hapa hajaguzwa na commission of land. Mumesikia hata sijui wako wapi siku hizi
sheria ilikuwako waliharibu. Kwa hivyo ningepomba kwa Constitution ile tunaunda hapa itengeneze hiyo mambo ya mashamba. Ile ing
ya all forest land grabbed should be reposed, hatuna msitu ndio sasa tutaletewa maji kutoka ulaya tukiendelea namna hiyo. Rights
mambo imeguzwa, kuna elimu inaendelea huko inafundishwa na non governmental organizations na hata serikali yetu lakini nak
wanaitukana kwa maana hawajui kufundisha. Mtoto akisikia ako na right sasa anasema hiyo ni child abuse, anaambiwa pika chakula
hiyo ni child labour kwa sababu sasa hajui ni lipi. Ile ingine street children are encouraged while hard working one are termed a
Unaona kuna watoto wengi wana randa randa huko mtaani na hakuna mtu anawauliza lakini ule anafanya kazi, amefunzwa na ma
kazi tena anafanya kazi ajipatie riziki yake anaambiwa ni child labour. Kwa hivyo sasa ninaonelea kwa Constitution ile inate
commission hata itengenezwe kutoka local people ili waangalie sana sana. Mimi nilikuwa child labourer. Nilikuwa child labourer kwa
na chakula, nilikuwa ninavaa nguo ya mama yangu ili nionekane mkubwa ili nifanye kazi nipate chakula. Kama ningekatazwa ang
zaidi hiyo Constitution iangalie hapo vizuri sana. Tena we suggested that there should be a guidance and counseling ministry
wanaongea juu ya guidance and counseling. Wazazi wameshidwa wako na mambo mengi ya kuangalia. Hebu hiyo ministry iangalie
mambo hii, madawa ya kulevia, street children and so on, guidance and counseling ministry.

Point hiyo ingine ni all political parties should enhance gender equity and should get funding from the national treaty.

Presidency; the president should only get two terms of five years each as this president should be for all Kenyans. if he is for all K
avoid the statement (inaudible) sio watu wote, sasa unasikia kila mtu atapatiwa whatever. Then point ile ingine na karibu ya mwisho,

president who can count. Hii ni kumaanisha this president should multiply the number of hours used by women when they are wakina mama all these hours akina mama wanapelekwa huko kucheza dance na watoto wa shule wanawacha madarasa wanaenenda masaa masaa yale yote watoto wanapoteza mwisho wa mwaka unaona watoto hawajapita kwa maana half the term wanachezea either president. That should be put somewhere in the Constitution. Tena kuendelea hivyo unaona askari kila pahali you see that their time, Kenyans surely hatuungalii tuone huko America for example. Sijaona askari wanafanya parade wanaweka red carpet kila pahali wanapoteza masaa mengi sana. Let's have an economist, somebody who can really calculate the number of hours wasted by our askari something better.

Tena ministers; unaona ministers hawafanyi kazi mnasema ati hatuna maji, hatuna mtu wakuangalia land matters, ako wapi si anafuata alipelekwa huko kufuata mtu kila pahali afanyie sisi kazi. akiwa ni minister for education hebu ashugulike juu ya walimu na watoto wanao minister for health hebu washugulike mambo ya hospitali na kila pahali. Lakini unaona wote hakuna mtu anakaa ofisini, wote wanao pahali. Niko na mengi, yale nimeandika kwa hiyo ninii Asanteni sana.

Com Zein: Asate sana madam Jean Kiama, pengine mume-notice kwamba nilimuwachia aende mbele kidogo kwa sababu wamekuwa hawajapata fursa ya kuzungumza. Asanteni. Sasa nikaita watu wa tano ndio watu wajue wako karibu kufika. John Kiare

John Kiare: Commissioner and public at large thank you for giving me this chance law of the land. First I would start with problems facing people. I would like to... my names are John Kiare. The Constitution that will set the creational facilities for the youth to avoid idleness mind is the devil's workshop.

Second I would like to have a Constitution that will set bodies and organization that would look at problems facing the youth and their leaders of tomorrow.

There are many young people who are un employed. On the other hand we have many people owning many acres of land hence I would like a Constitution that would be consisted that no one should have more then 50 acres of land un less he is providing employment.

I would like to have a Constitution that would allow fair distribution of jobs vacancy according to the qualification without use of money and "do you know anybody attitude".

There are many children suffering from domestic violence and divorce. In such cases the Constitution should set law and strategies that should be protected from such suffering.

Justice should be applied to everyone despite it's status, standard and age without use of bribery hence Constitution should be free from discrimination.

There should be set a Constitution to build role model and moral standards of Kenyans. for example we see people using abusive language in public places especially when we were going around with your father or your mother we hear makangas shouting and calling dirty words. The government should look at that.

Anyone mentioned in fraud or embezzlement of public fund or facilities should resign and until proved clean.

Civil servants misusing their powers to frustrate the public should be sacked and prosecuted in the court of law, e.g. the police who should not terrorize the public.

Freedom fighters should be buried honorably since they are the ones who fought for sovereignty of the land.

I would like a Constitution that would allow public institution to have mandate to select students country wide from previous exams to ensure equal distribution of education country wide. Here I am talking about public colleges conning students country wide where parents who cannot afford to go to some places like Kenya science so I will talk about. The Constitution that should have provisions for basic commodities and goods.

Last I will talk about AIDS, the Constitution should come up with strategies that will directly teach the public on AIDS awareness and prevention in some areas. People are not informed about the paining truth of AIDS, thank you.

Com Zein: Thank you very much John. Nancy Muthoni amerudi? Hayuko. Tunaenda kwa Njoroge Nyong'o.

Njoroge Nyong'o: Hamjambo wanachi. Honourable Commissioner, majina yangu ni Njoroge Nyongo. Maoni yangu ni kuhusu Kaunti ya Nyeri mnayoandika saas. I want to talk about the Constitution, which you are now collecting views. If you recall sometimes in 2000 there was a lot of disagreement and even disagreement between various bodies which wanted to review these Constitution. This probably based as a result of, there was a clause in the Constitution, which specified when the Constitution should be written. I am suggesting that comprehensive Constitution should be mandatory after 40 years. After every 40 years we should sit down and write the Constitution. That therefore we should have a timetable should specify the number of Commissioners who shall collect views form Wananchi. We should also state how the citizens shall participate in the Constitutional process. Again civic education to the citizens so that they can give their views properly should be taken into account. Also the date should be entrenched within that Constitution. What I mean is that after years at least a specific date should be set by the head of the state or the head of the government or the leader for that matter who will direct when the Constitution review commences. The reason for these as I have stated earlier is because of the stalement we have been having and quarrels. Even in 1963 on the eve of independence if you can recall there was still such a kind of a stalement, this brought a lot of confusion, there was a lot of anxiety in the country and if this is going to be..., there will be war. We don't want such kind of a thin in future. We want to have a process where there would be everybody will enjoy giving his view without fear from any quarter. The other area I want to give my view is on the retirement of the current governance structure is that of Executive president. It is true that some people have come here and given their views which would change the structure of governance and giving views, which provides the post of prime minister or even a ceremonial president.

The current structure states that a president should hold the office for two terms of five years each after that they should retire. Now, when you are collecting this view, you come up with a document which will give the post of prime minister will the current leader, will he be qualified to lead this country. And I know for sure that the Executive powers which used to enjoy will be transferred to the post of prime minister and the ceremonial president. My views are that such a person should be banned from contesting any post of leadership in this country, even if there are governance changes.

The other view I have is of free primary education. Basically education is very important and very vital for our development, economic, social, economic or even political. Many people, many parents in this country cannot afford to take their children to school. I am suggesting that after reviewing this Constitution an act should be enacted whereby there should be a provision of free primary school children.

The other view I have is that of free advocate. You find that the legal fee is very expensive. Justice is beaten because of high legal fees. The Government should provide advocate if one request for one but if you can afford to have your own advocate then you can go ahead. But a commoner should have a chance, an opportunity to be represented by an advocate in the court. Whether that matter is civil or criminal.

The other view I have is that of abolishing of some licenses. For example TLB (Transport License Board) You will agree with me that it is not a good term I have used but actually it is not necessary. People are paid for nothing, we expected that after attaining this license they should be provided with some services. Transport will be put into a certain discipline where conduction of that transport will be properly. This is the case I would like honorable Commissioner to enact such a provision where such licenses should be abolished because they are unnecessary to the citizen of this country.

Com Zein: Njoroge, the bell was supposed to warn you so that you can summarise.

Njoroge Nyong'o: I am summarizing honourable Commissioner, I have two points only to go. Working days should be extended to six days in order to realize rapid economic development. You find that a country like Japan have done so well economically because of prolonged working hours and days. the other point I have and not the least is that since our country is not in war, most of our military men are always in the barracks. I presume that they are working for 24 hours they should be engaged in other areas of development. For example because they have skills they should be involved in construction of dams and in catering for environment matters. Thank you very much.

Com Zein: Just hold on the Commissioner wants to ask you a question.

Com Prof. Kabira: Sorry, Njoroge you want us to prolong working hours, to how many?

Njoroge Nyong'o: Yes, to six working days official.

Com Prof. Kabira: eight hours? What we have is eight hours five days a week. So you are saying eight hours

Njoroge Nyong'o: And probably ten hours. I wanted actually to elaborate that point but because I was rushed, let me elaborate. There should be extended to ten and money should be paid on hourly basis, on how many hours he has worked. Also the working days should be extended to six so that we are not that all idol.

Com Zein : Thank you Njoroge. The next person is Patrick Kamuyu.

Patrick Kamuyu: Thank you Commissioners for coming here in Juja constituency. My names are Patrick Kamuya Njoroge, I am a professional.

On first of may that is labour day we are waiting for the secretary general of COTU to name all those people who have invested outside the country and we are waiting for that anxiously so that we know how much has been invested outside which must be here which we are using ourselves and by that I wanted to confirm to maybe those who did not hear about what secretary general had said, we are waiting for that. Why I put it first was because we wanted free education, free health, and because of that money, because of that money, in the end when it comes back we are sure that we are going to get free education from nursery and upto university because I know there is a lot of money.

On the presidency, because many people are coming to the presidency, I only want to put more effort to that, apart from gaining support in the provinces as is in the current Constitution, I would also request the new Constitution to have at least a minimum of 50% - - on top of that, 50% of the votes cast and in case there is a tie between the two aspiring candidates or all, lets pick number one and two and go for the second round to determine the winner. Again, before a president, a winning president is sworn in, I would request, in the next Constitution we shall be requesting, before he is sworn in, we should have at least 48 hours, to organize court sermons and service in case he or she would like to have the president is announced. In case again there is a petition, the winning president, needs not necessarily be served the court sermon as there was a case in the current Constitution. His lawyers should be served, he should not be served personally.

The president again, trimming of his powers. Hiring and firing of ministers, assistant ministers and all parastatals chiefs should be done through a Committee and not the president himself. This is so because they won't be loyal to the president, they will be loyal to the government.

Retirement benefits. Retirement benefits for a president who is going to retire should be done through a commission like the one which was set up by the Kenyan people, and in case he is to have benefits or retirement benefits, the salary or the benefits should be in hundred thousands rather than want to quote how many hundred thousands, but it should be in hundred thousands not be in millions. The same should be done for the parliament rather than hiking their salaries any time they feel like and instead of that, they do reject Bills, they are rejecting bills which are passed by the parliament and they pass bills, especially those which concern them very much.

For MP's, I would request they should go for one term only, five years, one term only so that in the current constitution they put, the

given benefits, after serving two year terms. I would request one-year term so that they don't get these benefits. This is so because we have, we have a lot of problems, so, why are they putting more money to themselves, while the Kenyans, ordinary Kenyans are living in poverty, just under one dollar a day?

On the election calendar, every Kenyan should be knowing about the election calendar. We should know when we are to vote. That we are going to vote maybe in December and it should go upto February 5th. Most of us maybe don't know that, and those under the current Constitution, when it is saying so, we should request that everybody in the current Constitution should be knowing all these things. We are to vote, when the president is to dissolve Parliament because I know for this time now, he is keeping it as a secret weapon, just like that.

On the side of human rights, human rights - - I will say, human rights because I even include the children, because even the children are being abused. There is a bill which we passed or which they passed. I am saying which we passed because we passed it. There was no way we could reject them since they had been passed by Parliament. Some of the bills, they do pass, like the children's bill, just like it was said there before by another mama, that some of these rights should be looked at. They should be brought to us to emphasize on that. They should be brought to us, so that we see what should be done, because some of the rights as they are passed are for our children.

Some powers, like the president's clemency. I don't see the reason why a president should be giving clemency to some people, because if someone has committed a crime, let him or her serve the jail term and not be giving a clemency by the president because, the way it is in the Kenya Constitution now, the president clemency, sometimes it comes to those who are close to him, or those who have been brought to him by others, just to free him.

In land matters and this one is - - let me go to the Local Government. In the Local Government, the Mayors and the Councillors, they should be directly elected by the people and not by the councillors themselves, since they do serve, they are serving the electorate. The last one, since I am a surveyor, I put it to be the last. Land matters in Kenya has brought so many problems in Kenya. This is because the executive has taken all the powers concerning land. I don't see the reason why the Commissioner of lands should be having all powers. He is being employed by the government, he should be serving the government and through a commission, should be serving people through the commission. For any land matters, sorry. This commission should be there to solve all land problems and revoking those which have been illegally granted. In the case we have in the government. The government issuing land - - be excised from forests. I should request the commission, or the commission are going to have, let it revoke, all those government areas which had been gazetted as government forests. So many people in Kenya are in the Kenya gazette. The government tries to cheat us that it had printed in the Kenya gazette, that this and this is going to happen, but it is not in the Kenya gazette. If we are asked, where the Kenya gazette comes from, many people would think it is the standard of the nation, but it is not written in the nation, it just goes to the, - - directly to the end papers and it is just a small caption which is written in the Daily Nation. This has been gazetted by the Kenyan government, so, I would request the Constitution, the new Constitution we are having, to transfer the powers from the Commissioner of lands. Thank you.

Com. Zein: Thank you Patrick, the next one line is Gachora Muchiri. Gachora Muchiri? Stephen K. Kamau? Is Stephen K. Kamau?

step forward. Stephen K. Kamau. Yes, Gachora Muchiri has not shown up.

Stephen K. Kamau: Good afternoon honourable Commissioners, ladies and gentlemen. The presenters are Stephen Kinganga Ka Kirori Mbugua, and our memorandum is in English, but I will try to interpret in Kikuyu. We have often listened to the Commission over the radio on Sunday's, referring to the Constitutional review. We have concluded the ideas of most of the contributors and somebody somewhere in position, mis-using his or her power and acting or doing things in a manner to inconvenience or harm them. by people in position, is what would be directly termed as corruption and the following is our contribution of how to fight corruption. thiini wa gikundi kina ri, niambiriire gwika ga corruption na hau uguo. Mundu ucio niagiriire ni ku-reportwo to the bigger authority. uguo. Na andu acio riu mangihota ku-report wega muno tondu nio marona, mundu uyu niareka kaundu kana, kaundu gataratuariti ka guiya kindu ta kiu ta kiu. Kwoguo report icio ri, niciagiriirwo ni ku-reportwo no to riboti uguo tondu ni mundu uramenwo, niagiri approve wega ati riboti iyo ni ya ma na angikorwo ni yakwandikwo, akorwo andikite na agasign.

Corruption: People in all level in entities, should be involved, to report and point out the existence of corruption, as those on the better knowledgeable, when a conspiracy is done. This should be done within the umbrella of the entity. The report should be substantiated and put a report ... (tapes ends)

Number two, those reporting of what I have said, should not be victimized. The results should be attended immediately, within the commission. Riu riboti iyo ri ya corruption ri, yaribotwo gwi authority iria relevant immediately niyagiriirwo ni kuoywo na irorwo na ona thiri bolithi.

Action on corruption offenders: That is number 3A (1). If it is a misuse of funds, the culprit should be made to refund. If no refund, get a jail term, and never hold such an office anywhere in the republic. Angikorwo mundu ni kuiya ayite, akaiya hihi ta mbia, mbi gucokia na ohwo tondu erwo arihe baina, o mbia iria iri ciitu nocio ekuneana. Ohwo na wabici teyo arari nayo ndakanetikirio gukorwo kiu hindi ingi thiini wa bururi wa Kenya.

If grabbing of land- - that is number 3A(2), if it is grabbing of land, the culprit should surrender the same to the right owner, or make the evaluation by the owner of the property. For example, if it is a piece of land that was erroneously or illegally allocated to a developer has already put up a - - developed, and maybe the owner has complain, and he needs compensation. This person should be given a piece of land elsewhere. Maybe the piece of land was in Ruiru town, and you might not be able to get a piece of land in Nyandarua. So, if a situation reaches that way, the owner of the land should give the value to be compensated.

3B. At each level of reporting, the offenders should be subjected to 50% vote of no confidence by his fellow colleagues and the suspended, pending further investigation and action, a penalty of not less than five years jail should be instituted. Here, I am say, people, or in an organization somewhere, and maybe the majority or quite a number of members, colleagues, sees that one corruption, and they don't want it, they should have a vote of no confidence, and the organization should take action. So, awe s investigated.

Then (c) still on corruption, where the corruption involves more than one person, such - - each should get a punishment relevant to kuuga atiriri angikorwo mundu ni anyitwo na corruption, aherithio kuringana na field yake uria ihana. Ta riu hii muthigari ahot barabaraini agitia ikanga mbia. Riu ucio nake, acio eri nimagiriire ni kuherithio no mundu aherithio relevantly to his field. (d). the act offenders should involve public and private sectors. The core of corruption should be broken and each citizen her/her justified size o means, if we can get rid of corruption, everybody will be entitled to his rights.

Completion of Constitutional review. Elections should not be held before the Constitutional review is completed as we mi Constitution. Number two, if Constitutional review will not be complete at the time of general election, parliament should not elections can be held under minimum reforms during the life of the current parliament. Haha ndiroiga atiriri, ati Consitution ingikorwo gigikinya, no tu-hold elections, elections no ciikwo under minimum reforms at least by all Kenyans by way of a national conference. conference will be drawn from all sectors of society, civil and political endorsed by a referendum. Economic recovery strategies priority by doing this, the wishes of the majority will prevail. Riu Constitution Review ingikorwo itathirite, no twike elections through Tunyite reforms iria turona ni necessary tucihitukie. Nacio icio reforms ri, ikorwo ciiguaniirwo ni Kenyans othe na njira ya gwita m wa Kenya iyothe. Na delegates magiriirwo ni kuuma all sectors.

Magiriirwo ni kuuma thiini wa civil service and political circles and endorsed. Tuceke uria utekuona uguo wotheri, tuceke tukorwo tw maratathi bururi wothe andu moige kana nimetikira kana matinetikira. Maundu maria magiriirwo ni kurorwo muno hindi iyo ri ni uhon economy, niguo twagiriire ni gukorwo turorete muno na kungigithii uguo andu nomakorwo makiiganiire hanini. Namba iyo ingi topic n

A winning presidential candidate. To win the elections for - - number one. To win the elections for presidency, a candidate current 25% in the five provinces, and an overall of 50% of the total votes cast to win the seats. If not, a run off should be held for compete. Haha naho ndiroiga atiriri, ati kuoya giti kia President, President no muhaka agie na percent mirongo na ithano thiini wa P acoke vote ciothe iria ciikitio akorwo ni akinyitie nuthu yacio. Na kungiaga mundu urakinyia uguo ri, no tuceke tuoye aria eri ma presidency mathurwo ringi, tukioye uria ugucinda.

Number two, presidential candidates should be given equal coverage in the campaigning and also facilities to reach all wanand candidates nimagiirire ni kuheo uhoti wa gwika campaign wega mateguthumburwo na mahote gukinyira wananchi othe. Nun incumbent president should not use civil service facilities to win the seats unless those upheld by the Constitution. Campaign

extended to 28 days for better coverage. Number five, the winning president should not be above the law, so the three arms of the government, the judicial, the Executive, the Legislature should be independent and the latter should be paramount and have control over the two, that the Executive should be answerable to parliament.

Legal language, i.e. (c). the legal language should be simplified to a language the ordinary Mwananchi can understand i.e. English and Kiswahili means, in quotes Wananchi have got problems because some of the language are in latin or other languages that we do not understand. Languages should be simplified to Kiswahili or English. The Constitution should also be a simple language as above. The Constitution should be in simple language, Auditor General i.e. (d). He or she should be appointed by the government and endorsed by the parliament. He should be appointed for two terms of five years. Number three, he should access all books, and make reports to parliament on time taken, so he should access all books. There should be no books or high voltage files that are not reached by everybody.

Land use. In Kenya today, they are individuals with big tracks of land, undeveloped, while thousands remain in slums. The undeveloped land should be sold to the landless and a maximum land ownership, be reduced to 1000 acres. Thank you.

Com. Zein: Thank you very much for that joint presentation. I have a question for you before you give in your memorandum and since you have heard a number of people make reference today, to the 25% clause plus, a 51% requirement and you have repeated this now, in the case of no one attaining the 25% plus the 51% majority of the cast votes, there should be a run off for the best two candidates. Is that correct upto that point?

Stephen Kamau: yes, very correct.

Com. Zein: Now, how do you determine the best two? Particularly if you have two different (inaudible) you are using, you might have one who is closer to the 51% or has 51% but doesn't have the 25%, and you will have others who have the 25% but not the 51%. Which one do you combine the two?

Stephen Kamau: Actually, we would consider the two. Those closer to the 25% in the five provinces, and those closer to the 51% in those...

Com. Zein: Now you are assuming that both will be closer to this one or that one? (interjection). I am saying you might have one who is closer - - two or three who are closer to 51%, and two or three closer to 25%, who are different. So, how do you determine who is the best two?

Stephen Kamau: But now, you know, you don't count one to five, you count 1,2, so, in the 25%, we see there is someone with 25% and in the 50%, you find that there is somebody with 45% or 47% we take those, the best two. (interjection) .. Ya! No! the one who is closest to the two qualifications. The 25% and 50%.

Com. Zein: Earlier on, I had called mzee George Wanyoike, to come and make a presentation but he had stepped outside, his number would like to give him a chance to come and make his presentation, so I am calling on Mzee George of Box number 530 Ruiru.

George Wanyoike: Thank you. Nafikiria Hamjambo. Bwana Commissioner, mimi nafikiria hawa wengine wote wana furahia kufanya. Kwa hivyo, ile kitu mimi nita fanya, mimi niko na karatasi nilikuwa nime peana memorandum pale, na kwa hivyo, ile kitu mimi nita fanya sitaki kuongeza juu ya hile. Ile kitu mimi ninge taka kusema, ni point zile nime panga pale, ni point tano. Na point ya kwanza, ni ya Mwananchi wa Kenya. Na huyo Mwananchi, awe na quality, awe na uwezo wa kusaidiwa na serikali ya mamlakani, kwa hivyo Mwananchi awe free primary education.

Ya pili, iwe free medical care. Kitu kingine ambacho tunge takaka zaidi, ni kwa sababu ya vile watu una sikia wanasema kazi Kenya kazi, sisi tugawanye kazi na masaa, kulingana na vile population yetu iko, maana kazi ni kidogo, watu ni wengi. Igawanywe kwa maana mimi ninge taka kusema, ni juu ya presidential elections. Wakati tuna sema mambo ya president, sisi tuna taka president awe ni Halisi. Na akiwa ni Mkenya, awe ame toka corner gani, mpaka corner gani, awe ame pewa previlage kama yule mwingine ni Kikatiba. Ile kitu ambaye sis tunge takak ni wakati watu wanan simama, watu wapewe ruhusa wote, yeyote anaye jisikia ana weza president, wakati siku ya president ime fika, awe ame jitokeza. Waki jitokeza, wata kaguliwa na zile kura ambazo wata pata. Hii ni ni ya kusema, tuwe na minority rule, maana majority ina sema, kura nyingi zime toka huko, zime toka huko, zote zipitiliwe mtu, na sawa sawa, kwa hiyo kusema 25% na huko uwe ume chaguliwa na million tatu, mwingine ame chaguliwa na million moja, na ame kuwa qualified, hiyo akuna haja.

Kile kitu kingine ninge taka kuguzia, ni hii mambo ya uchaguzi wa parliament, parliamentary elections. President asiwe hapo, awe kufanyia uchaguzi wa president. Wakati tuna fanya mambo ya elections, tuwe tuna Committee, ina determine watu kiwango fulana mpaka elfu tano ndiyo wata chukuwa na mjumbe moja, representation. Kwa hiyo, iwe na maximum na minimum. Kwa sababu, muna ona constituencies zina fanywa. Juja, Githurai, mpaka huko Yatta. Zina kuwa constituency moja. Na watu ni elfu mia constituency una sikia ina watu elfu mbili au tatu. Sasa yule mjumbe ambaye ana pigania hii watu elfu moja, kura za hawa wato zenda kwa parliament, ana piga kura yake moja na yule ali chaguliwa na watu mia mbili, ana piga kura moja, kwa hivyo, kuwe na kitu. Kwa hivyo sasa ile kitu kingine mimi ninge taka kusema, ni mambo ya provincial administration. Provincial administration, si ma-chief wakati wa ki-colony. Wakati kuli kuwa na vyoo, vime andikwa Asian, African na European. Si hiyo ili ondolewa? Si administration, ilikuwa system ya governor aweze kutawala watu, sasa hapa ina tawala nini? Kwa hiyo, tuna sema hiyo iwe dissolve provincial administration, ile mambo yote ita chukuliwa na local authority, na wale departmental heads agencies wa departement zile hivyo Wananchi, sitaki kuongeza mengi maana hayo ndiyo nilikuwa nime andika kwa karatasi yangu, na ndiyo nilikuwa na taka pitish

Com. Zein: Asante sana mzee Wanyoike. Nita ita majina matano ndiyo ujue kama uko karibu kabisa kuzungumuza. Mtu anaye fuata Peter Ngugi. Peter Ngugi yuko? Hayuko. Halafu Antony G. Wainaina, Anthony G. Wainaina? Pia hayuko. Halafu anaye fuatia Kamau. Peter Kimani Kamau hayuko. Baada ya hapo ana kuja Charles N. Okeri. Charles N. Okeri? Hayuko. Halafu tunaye Vincent Nakungu? Akifuatiwa na Wanyoike Njuguna. Wanyoike Njuguna? Fred Ogola. Fred Ogola? CJPC? Father Francis Jar

Father Francis Jaberu: Na toa shukurani zangu kwenyu Commissioners, nanyi pia Wananchi tukufu, ninayo mambo machache hata kama yaliyokuwa yaliyokuwa. Some of these things had already being said, but it is good to repeat them because that is what we want. Siyo sababu ni hayo ndiyo tunayo hitaja. Kwa hivyo ninge taka kuanza kusema kwamba tuwe na a people's Constitution. A people's Constitution. Tupatiye watu nguvu, power katika Kenya yetu, na hivyo basi Wananchi kuwa defined kwenye Constitution yetu kama Wananchi Mtukufu Rais. Mambo kama hiyo itolewe. Wananchi ndiye wawe Wananchi tukufu maaanake sisi ndiyo tuna nguvu zaidi.

Pili, kuna Constitution moja hapa kwetu ina sema Katiba ina sema tuwe na uhuru wa kuabudu. Sawa, tuwe na uhuru wa kuabudu, lakini kuna uhuru wa kuabudu yetu ya sasa, I-define which God we are talking about. Which God? Kwa sababu tume gundua kwamba watu wana abudu mashehehi, lakini sema, kuna uhuru wa kuabudu siyo? (Inaudible) tuwe na which God, otherwise hatuwezi kusema - - tuna weza kuabudu hata nyuma ya uhuru wa kuabudu. Una weza kuabudu hata mtu, useme eti una uhuru wa kuabudu. Kwa hivyo, the definition of God in our new Constitution should be there.

Two, siasa nyingi ime haribu nchi yetu - -parties. Na wengine hata hawana siasa. Kwa hivyo tuwe na two political parties only. Lakini siasa democracy. Wale wengine ambao wako kwenye parties zingine zenye zilianzishw juzi, waingie, wachague gani wata ingia. Siyo lakini parties only. Local authorities administration to be elected by the people. Local authority. Local administration. Kwa hivyo tuwe na local authority ambaye ana tufahamu sis, katika kijiji chetu, na ndiye ana ongea na local authority, maanake (inaudible) badala ya kuwa na DOB, chief na assistan. Hao wana poteza pesa ya serikali. Kwa hiyo tuwe na chief tu ambaye ana tufahamu eneyo letu, halafu ana fikiri kama mbebe.

Tatu, ama nne, ninge taka kusema minor offences, kwa sababu wakati mwingine una patikana na police barabarani, sijui gurudumu kama nini haishiki ama ime isha. Una sikia ume pewa bond, una enda court. Court huko pengine huku nini - - pengine ume ingizwa ndani ya jaa. Kwa sababu ya small offences to be fined there. Kama gurudumu la gari langu halina nini, ni kuwa fined shillingi mia tano, fully paid yes, na receipt yes! If I am fined pesa yangu lazima nipewe receipt kama nchi zingine. Small offences kuna fine there. Kama gurudumu akuambie kile unapaswa kufanya ufanye pale iishe na upewe receipt yako akuwe accountable for that na hivyo basi inaweza ku-rules watu wengi sana katika magereza imejaa kwa sababu wengine ni small offences na wanajaa huko hakuna kitu hata wakienenda wamewachiliwa na kwa hivo ningependa kusema kwa sababu hiyo tuangalie pia prisoners wetu. Prisoners should have their rights as human beings like us. so they should have their rights. wanapaswa kupewa equal human rights. wawe na siesta, mahali wanalala ikuwe siku wakina nyumbani. Wawe wanapewa nguo nzuri kama watu. Wawe wanapewa chakula nzuri na wawe wanamuda wa kuonekana na wawe wanapaswa unaenda kamiti unaambiwa ati hakuna kumuona mtu. Kwani he is not a human being and he is my relative. Kwa nini Katiba imetoka kama watu wetu wakati wanashida.

Tuwe na one man one voice, one man one job, hakuna mtu anakuwa na kazi nyingi halafu huyo mtu yeye ndio unakuta watu wetu wakati lakini wengi sana unagundua kwamba mtu huyu ndio chairman kama vile tulisikia. Wengine wanapewa kazi hata baada ya kustawajiliwa amechaguliwa a head bank. Nani amesema hivyo?

President na prime ministers kuwa elected, wawe na siku yao ya kuchaguliwa na siku hiyo sisi wana Kenya tuwe tayari tunachagua Mbunge. Awe raisi na tunaenda pale kwenye kituo tukijua kwamba ni raisi ndio tunachagua siku ya leo na kama ni prime minister kama ni misters iwe hivyo hivyo, siku zao. Halafu asiwe above the law, because hiyo above the law ni mambo ya roman. Ukisoma viziwi watu kama Augustus Ceacers walikuwa wanachukuliwa kama Mungu ndio unasikia he is above the law. Hapa hakuna mtu above the law no Romans, sisi ni wana Kenya, sio?

Halafu tuseme reshuffling, kama minister amekosa kufanya kazi yake nzuri afanywe nini, afukuzwe kazi. sio kwamba unafukuzwa kazi ministry ingine. Mtu na hiyo ndio itamaliza ufisadi. Kwa sababu you are corrupt here halafu tena unapelekwa ministry ingine. Ufisa unafukuzwa kosa court straight away and our court should be very efficient. Halafu pia minister wachaguliwe kulingana na profession. Kama you should be the one to head hospitals because unajua kuna wakati mwingine amechagulia ati Doctor ati the head of medical services wengine ambaye ni chini yake ndio wanamuambia what to do. That is too pathetic.

Halafu instead of Moi Day, mambo kama Moi Day amabyo hatujui tunasherekea nini tuweke kitu kama heroes day. Tuna kazi walitupigilia uhuru tusherekee mambo kama hayo. Moi day what has he done so far? Tuwe na heroes days mambo kama hayo na iwe holidays because kuna watu walitupigia ama walipigania uhuru,

Parliamentarians, mtu akichaguliwa ajue ni ofisi na ni kazi, asichukue hiyo kama ni part time job. Iwe kazi na ajue ofisi yake iwe kazi yake. Constituency yake iwe na ofisi. Parliament is just the head quarters. Anapaswa kuleta mambo huko lakini awe daima every week be defined, kazi yake, kazi ya parlimenterians na pia ajue kwamba akifanya makosa kwa sababu he is a people elected tunam/toa kumtoa kwa sababu ni kazi. kwa sababu wengine washastaabu unasikia amerudi ati anataka kusimama, anazuia wengine kusimama na kwa hivyo nataka kulinganisha hiyo pamoja na ustaafu. Kama we are saying wa Kenya kwamba kustaabu ni miaka hamsini na taraka in our new Constitution the starting time of work. Tuanze kazi tukiwa tukiwa leave miaka mingapi. Kwa sababu nitabata kibarua miaka 5 years, nikishafanya 5 years ninaambiwa ati ninapaswa kustaabu na sijafanya kazi. kwa hivyo the starting, the begging of kila Mkenya kuanza kazi akiwa miaka mingapi. Na pia ti define kila Mkenya aanze shule akiwa miaka mingapi because if you say that lazima inaanza hivi nikimaliza four years, university and then and then I am legible for work then I don't complain nikistaabu. Then nina wakina mama nivizuri tutoe mahali.

Dowry should be, removed kwa sababu hii ndio inafanya wakina mama waonekana kwamba wanatauliwa, wazee wanawakina *nilikununua*” kwa hivyo anaambiwa mahari itolewe watu wawe free. If you want to marry you can agree between yourselves. Mama wana na mimi pia nitoe kidogo tusaidia wazazi wetu ama wakina mama mtaonekana mpaka mwisho kwamba we buy you. That thing should

Halafu sisi kenyaona wa Kenya wanaiga tu nchi zingine, wengine wamevaa kama Nigerians, wengine wamevaa kama Wihindi, wengine kama Wazungu, sikuhizi hata nywele umekati wanafanya hivi, sisi hatuna hata traditional gear and we are talking of national unity waangalie kwenye Constitutional yetu tuangalie national unity ina maana gani from outside. Ukienda Uganda sasa unakuta ati wakina

ambayo qsiku ya national kama tunayo heros day unakuta wakina kina mama wamevaa traditionally. Wazee wamevaa traditionally v
ya nationa... sisi tuna-copy tu wengine hata viatu, hatuna hata viatu kutoka Kenya. Unakuta umevaa zile za nani eh!.

Destruction of ones propert is .. kama mtu ameharibu mali ya mwingine she is chargeable. Mtu akiharibu mali ya mwinge he i
chargebile we are asking the city council and those people who wanaharibu viosiki za watu, are they above the law? Kwa nin
amejenga scheme ambayo hutaki unapaswa kufuata law lakini sio kuenda ku-destroy somebodies property without halafu unawach
should be defined clearly that legal action should be taken from you.

Na mwisho ningependa kusema sisi kama wa Kenya tungependa kuwapatia commission nafasi mtuambie vizuri because we
embarrassed when all the time we read in the papers we see in the TVs you are disagreeing among your selves and you are not
things. You are the people who have put you there to do our work, to know the views of. The Kenyans since we employed you
there.. sisi ndio tumewa-employ and that is what we want the Constitution to know. If it is a people's thing then everything you a
doing for us and we have them, the majority what to tell you please we don't want. Kwa hivyo tunaona aibu sana ikiwa mara nyir
Tunaomba muwe pamoja na mtuulize tuwapatie muda mumalize hiyo kitu na iwe kitu ya kudumu. Asante.

Com Prof Kabira: Thank you very much for your views but Com Zein want to ask you something.

Com Zein: Thank you for your views. I just want if you could help us, you don't necessary have to answer this question. You ma
saying that yes we have freedom of worship but you want in the new Constitution this freedom of worship to qualify by defining
Could you help us if you have views about which God.

Father Francis Jabero: Exactly, I think as human beings you know that is know deep religion and I am sorry. Each person is o
whom we know and live in and this God is a God which in all your books, the books you are reading is defined, is a defined God,
Christian God, is a God of Ibrahim what, what and what, you know. And. if it is a Muslim God we know who he is, yeah he is Allah
the Hindus we know who he is and I think this definition should be very clear to the Kenyans because when we say that freedom of
full stop, we are not told what and that is why there are people coming today with a lot of worshipping other things. We know ver
something against so it cannot be a God. The definition of evil is that evil is a negative of... yes so we cannot bow down for a negativ

Com Zein : Thank you.

Com Prof. Kabira: Thank you very much Fr. Francis. Okay. Nancy Muthoni.

Nancy Muthoni: Hakwa nii nigukena ngenete niundu wa uhoro uyu gutukinyira niundu ona amwe aitu no kuigua turaiguaga uho
tutiramenyaga Katiba niki na nii kuma riria njukire ni mwiri urathinia ngathii nganyua ndawa ngacoka ngacoka tondu ni ndirenda uh
wega na kuuma hindi iria njukire ni ndikitie kunyita pointi imwe na nindiraigua ngeneire na iyo ingi no tuari haha na nii ndaririe uh

iratigwo na haguikara na itari na kinya arori. Umuthi ndina pointi ingi, nii hakwa nyonete na ndiciritie.

Uhoru wa atumia, uhoru wa atumia nii ndirariria uhoru wa atumia. Atumia nituahinyiriio muno na nitukoragwo tuhinyiririkite guatuikire mundu niakihika kuma riria ahikire, niaikarite kwa muthuri miaka mirongo iri, nigwathii uguo nikwarehe corruption cian mwana athii akoya cukuru, athoma, agikinya handu hangi o korwo mwana ni wa muiritu ni agia nda. Ukaigua mutumia niwe wacol utabundithagia mwana waku. Ukaigua corruption ciothe iracokerera mutumia. Ni hathiaga uguo ukona mwana ucio ni aingatwo mutumia nierwo bokobu out. Nii ngagikinyirira gukiuria, kai tukihikaga na right ciitu ciothe, tugagikorwo tuhinyiriio, okorwo ni muthuri ni athire na hau ni agiire na kamugunda. Ona agithii gugacuria kuria bengi ndaranjira. Ni agithii uguo nii ona nogukireherwo ndeh ndirakimenya mbeba kuria ciumaga. Ni gugithire uguo anyitwo ni ajali ni akua niandiga. Ngiikara thiku ta ithano uguo ndirareherwo uria ndigitigiirwo ningi niurendio. Na nii ukiendio ndiamenyaga. Nii ninguria Katiba ya riu atumia maheo right yao, niundu riria ugaikara miaka mirongo iri, mirongo itatu, wacoka watuika ona nduri ona ki mucii ucio. Kai wakiri watchmen miaka iyo yothe na uria ungiagithiite gugika. Ni undu ucio nyume pointi iyo, right ciitu atumia nitunengerwo nigetha mundu e mucii onake akeiguaga turacoka tukona Maundu maingi muno, ringi kieya ta kiu ni giatigirwo ni muthuri nigiakendio, riu niwatigwo ningi bara na cian wambiririe kurura guku nduri atia. Niwathii uguo niwakua na niwaga nginya gwa guthikwo na wari na indo. Ninguria Katiba riu tuheo niundu nduagithiite kuigeria giikaro, wathiite o gwake mucii no kugie na kaundu tondu nima atumia hau ni ho nii ngoragirwo.

Njoke pointi ingi ya keri, nii nindaiguaga tene ni kwari cukuru cia andu aria athini, muno muno ta Starehe. Starehe ciana nituaig muthini na agathii agathomera kuo mwana ucio no riu thiku ici, ti ya muthini. Yatuikire ya andu aria mena ici. Mwana wa muthini e guthii muthenya uria ureritwo utware mwana kuo urakora giti ona gutiri. Ugicoka guthikiriria ri giti kiari kia mwana wa Nancy ri m Pumwani na ndekuhitukite. Nii ninguria thukuru icio ciathire ku? Nitucokerio ithui athini indo ciitu na ngukinyia hau.

Com Prof. Kabira: Thengiu muno Nancy. Lucas Soita Orenge.

Lucas Soita: Thank you Commissioners and the Wananchi at large. My names are Lucas Soita Orenge I am a teacher by profession about a few issue but in point form.

Beginning with political parties I suggest that we should only have a minimum of three political parties and a maximum of five and they should be funded from the public coffer. For these parties to be funded they should be active, operational they should also have MPs who are promoting peace and have good policies. On the political parties too we should have a rule that says parties that belong to individual sale. Like today we have parties, people have those parties and they are ready to sale to anybody who wish to be a presidential candidate.

On the Legislature I would ask that we retain the nomination of MPs from among our selves but this would depend on the population of the area. Like if one area has a population of 5,000 people and has one MP. The same should be used to an area that has an let's say 100,000 people we calculate that way the people will be properly be represented. On the Local Government, the chairmen and the mayors should be elected by the local Mwananchi and for one to be a councilor he/she should have a minimum of form four education and for one to be a member of parliament he/she should have a minimum of form six education.

should have a minimum of division 3 or C plain and he or she should be of a good moral, conduct and not questionable. We should also recall all the MPs all the councilors, if and when it is necessary. Like today you will bear me witness we have been here for long, in the clock and presently our MP has not been here to here what we have been saying, not even a single councilor has been here to here saying. So in future it should be said that any un performing leader especially a councilor or an MP should be recalled.

We should also have a Constitution which will grantee free medical, free education and would guarantee security for all it's own citizens. We should also have a Constitution which will burn the up hazard or rampant formation of un necessary commissions. We have had commissions on devil worship which up today we have not had their finding. We would ask this commission that is seating today to help us review our constitution to go and enable us at least compel with this commission that sat and did not bring their finding to the public, bring the findings to the public to see what really transpired..... Or illegal or irrelevant laws that would have occurred. And then we should have a constitution that guarantees continuous civic education such that most, if not all people can be educated because most of us up today don't know our Constitution is all about. We should also have a Constitution which says that the people are a Supreme and not the Executive, the Legislature and the Judiciary forms of government. We should also have a Constitution which takes care of its own citizen in that at present we are irrationally and very heavy taxed and we need some relief. We should also have a Constitution which will bar bad leaders from assuming office and holding it for long much.

Com Prof. Kabira: Thank you very much Lucas. Now we have Samuel Kariuki.

Sammy Kariuki Murathe: Thank you very much Commissioners for coming to us and listening to us through out the day. I would like to have an opportunity just to ask you to give me opportunity to speak in Kikuyu so that majority will understand what I am saying. Well my name is Sammy Kariuki Murathe. Education we have talked about education, nituaritie muno uhoro wa githomo, githomo nikio bunguro, tugaga githomo na tukwenda githomo, Constituion iitu ikorwo ikiaria uhoro wa githomo kuma nathari, it is not from primary but from nursery school. Niho githomo kiri. Nathari njega, education igukurwo I njega muno. Free education from nursery to secondary. Employment: Tutige ikuonania uhoro wa mundu na wira umwe o ta uguo andu aingi moigite. One man one job with fair salaries. Tutige gukorwo twi marabutha ni mbia o riria aria angu nao nikurira marorira na kuria ni kuaga ona ki. Ta riu tungirora andu aria me kahuaini na riu karanyitiriire bururi uyu kahinda kangu, riu nikabuthite tondu ona nginya andu aria mararuta wira kuu maheagwo kindu ona utangihota kirutagwo. Ni kindu kinini muno. O riria andu angu maraheo mishara minene minene, ta Ministers na aria angu. Ona angu ndiraiguire iretwe cia entertainment. Imagine mundu uraheo sixty thousand on entertainment o riria mundu utangihota ona kwiyonera githeri githo is abusive. So tukwenda fair salaries. Fair salaries to all.

Land: Uhoro wa migunda ni waritio muno na niututhumburite muno. Tukwenda Constitution igukurwo igi-cater uhoro ini wa land Kenya, every citizen in Kenya is entitled to a piece of land, every citizen must be entitled to a piece of land. Ndirenda kuuga ati onye angu araciawo umuthi, agiriirwo ni gukorwo ena kenya gake ka mugunda thiini wa Kenya, Kenya itu ni nene muno na tutiri turaiy kunene muno gutari na kundu kwina kiria. Nacio title deeds tuiguire ituike freehold na migunda itige kuheo title igiri ciumite gwa the Constitution streamlined ati gutiri mugunda wagiriirwo ni gukorwo na title igiri. Umuthi uyu Commissioners I am telling you we

Ugakoraga mugunda wina title igiri ithatu. Ukarigagwo who is who na ira-bear different names na ciumite thiini wa wabachi .
Constitution igu-streamline Maundu macio me mothe, twage gukorwo tukirua.

Development: Nitukwenda Constitution geared to development thiini wa Kenya ati Kenya iku-developwo equally. Tutigage kuona
niguo urakura uria ungi naguo ndurakura. For example ta riu angikorwo kuria kuroima cash crops niugukora ona mabarabara ma
gutari kindu nikuo mabarabara matuarirwo. Tutikwenda ndeto ta icio. Tukwenda wakorwo kundu ni kurakorwo gugikura na c
okorwo ni mabarabara nao makuranie nao, uguo na njira iyo na nigetha nayo national cake ihote gukorwo igi-share equally. Na t
wa urimi. Ni njira imwe tuturaga tuonaga mai maingi guku Kenya gwitu twi mai maingi muno na bururi witu ni mwega muno, wi tir
kundu gutangikura kindu na mai mothe maroraga oro iriaini. No twende Constitution igu-spell ways kana ikuirana njira iria mai
gutwarwo kundu kuria guothe gutari na mai, kugie na irrigation schemes iria ikuhotithia andu aitu makorwo magikuria irio. Tuhote gu
ithui tukahuna. Consitution ya muthemba ucio niyo tukienda muno muno makiria ikorwo ikihotithia Kenya gu-shine makiria na mu
kuhuna nda. Na hindi ya development, ni tukwenda andu aria mareka development ikorwo i non-partisan.

Uguo ni kuuga atiriri gutigatuike ati mwetha muna ti wa DP, mwena muna ti wa Kanu ndugukurio ati tondu ni wa colony kan
ndugukurio. Mundu okira uria ukwenda guthii gwikithia harambee kuna ni arorio ni wa Kanu kana ni wa kuria kungi, ucio tutik
development ikorwo i non-partisan. Constitution ikwo ikuhota gutuonithia ati development ikwo as non-partisan. Street
nimathondekerwo thukuru Government schools. Government ithondeke, Constitution yarie uhoro wa street boys and girls mathonde
ma thirikari, aya nio mangicoka gutuikaga maheo mawira ta ma gukorwo ma giturorera bururi me army itu, standing army tondu
gutuikaga mara-employwo thiini wa army. Na nigetha tukoragwo twina our standing army kuuma gwi street boys and girls.

Police: Constitution ni turenda iria ikuhota gu-spell wega wira wa police na nigetha makorwo mari a guteithiriria muingi na ti
Guteithiriria muingi tondu nituiguaga ona borithi ona korwo ni kundu ta mabururi mana kuu nja, mundu anginyitwo e muriu na ku
atuaraga muriu kinya gwake mucii agatiga amuigirira ki? Uririini agacoka agethiira, no guku tiguu. Muriu anginyitwo ni borithi atuaraga
na kuriori, it is not a crime, it is not a crime in Kenya. So, Commissioners thank you very much. Asante sana.

Com. Prof. Kabira: Asante sana. Peter Macharia Mathe
ri, Box 155 Ruiru.

Peter Macharia: My name is Peter Macharia Matheri and I am going to speak in Kikuyu. Mbere ya Maundu mothe nitukwend
megutonya Bunge ona o muchara wao unyihanyihio tondu o nio maninaga mbecha ciothe ci cia bururi na ciatigara igatwara kwa self of
hau okorwo ni ta borithi makerwo inyui muitindike, riu gwitindika kwao, ni macemania nawe, leta kitu kidogo. Ongorwo nduri na kit
Uguo riu corruption wambere aria mathondekete ni aria tuthuraga. Na tuamatuara Bunge nao magatuika Bunge ti nyumba ya kih
mundu utari na kindu giake agie na kindu giake. Uguo hau hambe harorwo muno.

Muti uria ungi nguoya ni wa borithi. Ungihitia unyitwo utwarwo cell, andu kuu mararaga marugamite tondu cell iria ringi ituraga ku

muthungu na hindi iyo andu mari anyinyi muno na riu andu nimaingihire. Woima hau angorwo nita cai, uria wothe wathambio niguu a hau na nduri atia kana atia unghota gwika tondu unyitirwo ringi ni kigenyo wuigiriirwo na ndwikura uhoro ucio. Woima hau uthomerwo charge sheet yaku ni Judge, uragio uge ii kana aca, woiga aca ni rumande. Rumande nikuo capital punishment ya muno nduramenyekana kana niehitie kana ndehitie. Hau ngoria angikorwo kwina human rights niibatie uhoro ucio iruirire biu itigirire utigar njira itihanaine tondu mau ni marika meri mwanya.

Twoima hau riu ningi nituke kwi Majudge tondu Majudge nimo utheri wa bururi na nio miici ya bururi. Tondu wathii kwi Judge ndari ciira ndekuhota, wambe umunengere mbeba atacirite. Na watho ubatie anengerwo mbeba ariki gucira cira. Kwoguo korwo ndukamunengere mbeba, mbeba icio ukariha igoti riria aracirira. Ahitia ahotwo, mbeba ciaku ugaikara ona cio ugetha wakiri ungi u ciothe we oigaga nio nio nigetha uture umuhoyaga mbeba itari na gitumi.

Riu kuuma hau ningi ni uhoro wigie wa mundu agithii barabara. Ugithii barabara umire gwaku mucii, woka o wakinya stage ri, matururire. Uranyitwo ringi na hinya utamburagirwo nguo ringi ni makanga. Na tondu uranyitwona hinya kwina Ministry of Transport matiramenya kuria urathii. Naguo uhoro ucio niukwenda uninwo hinya kaimana angikorwo ni kundu kurendekana gukorwo kwina th

Kia muico ningi ni uhoro uyu wigie haria mundu ari, tari guku turi, wahota kuona title deed mugunda ni umwe, na title deed ni ithatu. Ta uria wa kwa migunda, kihoto giake ti inyui ni nda yake, uguo ona muoranagari we ndari ho. Na gugukienda gwikirwo watho, an utuarage ngari wi thiini nigetha ikiguari andu angi makiringwo magururi nawe ukoinikira handu hariku? Okorwo niwahitia on uherithanagia ri onawe wambe uhene nigetha ukunde ruo rua mahitia. Ndikwaria undu ungi.

Com. Prof. Kabira: Thank you very much for those views Peter Macharia. James Kiongo. Ako?

James Kioko: Hamjamboni Wananchi? Ma Commissioner habari yenu. Yangu nikuguzia habari ya wakimbizi. Hawa wakimbizi karibu kumi hivi, walikuwa hapa hii inaitwa prison hii ya Ruiru. Lakini wakati walikuwa wa Somalia na walikuwa hawa Sudan walikuwa wanapigana huko kwa camp walifukuzwa huko. Walipofukuzwa sio kufukuzwa ati wakarudishwa kwao, tuko nao hapa tunaongea habari ya Katiba sisi watu wa Juja au watu wa Ruiru hasa kwa sababu mimi ni mkaaji wa Ruiru kutoka utotoni lakini mimi yetu tumenyimwa kwa sababu sisi tumeletewa watu ambao hata hawana tabia mzuri. Ukiangalia kama ni kijana wa refugee ameshuka nywele huko. Lakini mimi jibu langu mimi ninauliza, security inaweza kupatikama namna gani. Mimi ninaona security iwez uraisi kwa sababu hao watu hatujui kama ndio usiku wanageuka kwa sababu ni mtu kama sisi. Hatujui kama ndio hawa wanachukua wanachukua silaha zingine kutuangaisha kwa sababu binadamu ni binadamu. Sasa kwa hayo mimi ninasema hao watu wako kupelekwa kwa sababu ni majirani zetu na tunatakiwa, wanatakiwa walindwe na nchi ile wamekimbia. Wawekwe huko kwa k waondolewe huko.

Kunaye swali ingine ya watu ambao wanataka vitambulisho. Identity cards. Kwa jumla huko Ruiru nimepeta ma-report ambaye nin Inasemekana namna hii, sasa wewe kama unataka kitambulisho, ukuje na kitambulisho ya baba yako, ukuje na certificate ya

utapatiwa lakini wengine wanatoka sehemu mbali mbali wengine wamehamia huko Ruiru. Kama umjetoka upande wa Western, wamehamia hapa Ruiru, unaelezwa namna hii, hapa hatuwezi kupatia wewe kitambulisho kwa sababu wewe sio mtu wa area yangi wa Western. Sasa unashindwa huyu mtu atatusaidia kweli, na huyu mtu ni nani? Sisi tunamuelewa, ma chifu wetu ambao wana kitambulisho ya kitaifa lakini hawafanyi namna hiyo. Sasa kuna watu wengine ambao wazazi wao wamekufa wamewacha familia. Walikuwa na wazazi walikuwa ni landless wanaishi kwa nyumba za kukondesha. Mama amekufa, bibi amekufa amewacha watoto. Sasa hata hawachachukua ID wanaelezwa ni lazima waende washitaki kifo ndio wapate procedu re ya kupata kitambulisho. Lakini mimi ni mtu hata hawajui njia ya kuenda huko kusitaki kifo, hata wakashitaki na hakuna kitu wataridhi itakuwa namna gani? Ningitutumengeneza tusaidiane ndio haya maneno tuyaondoe hasa kwa upande huo wa mayatima ambao wamewachwa na hawana mashauri vitambulisho.

Upande wa industrial, tunayo ma factory mengi ambao sasa ukiangalia hali yao wanaendelea tu kujimudu kifedha lakini sisi kama wakazi hiyo ma factory hatupati mshahara ambao unahitajika lakini sisi tunaendelea kuumia. Ukiangalia drainage hiyo wameleka hiyo ni mtu yenyewe imeelekea kwa mto na huo mto ndio tunakunywa hiyo maji.

Com Prof. Kabira: James, so wind up kwa sababu alipiga kengele kama dakika kumi iliopita.

James Kioko: Oh Pole. Ninayo machache hapa utaniruhusu nikuambie. Sasa nataka hawa watu badala waandike mtu permanent casual ambao sasa unafanya kazi kwa wiki mbili halafu unasimamishwa. Na huku hiyo factory inapata ma elfu ya ma million kila mwezi ukiwa kwa hiyo factory unatakiwa uingie kwa work cooperative, uingie kwa NSSF kwa sababu wewe umeandikwa permanent lakini sasa sisi tutaendelea tu kukaa tu kama watu hawajui haki yao. Kwa sababu ukiumia huko wewe hata hamko na huyo tajiri. Wewe unahuku umepoteza mguu umepoteza kidole. Sasa tuna haki kweli, hayo nafikiri nyinyi kama ma Commissioner mtatusaidia pande hizi kama factory ile inahitajika inatakiwa ichukue watu elfu ngapi ndio sasa hawa wa casual wakija wanaingizwa hapo yaani kuwaong'ana sana hawaandiki permanent wanaandika casual.

Tuingie upande wa prisoner, mimi ningeomba wale watu wamehukumiwa kifo pengine wasinyongwe. Wapatiwe kazi huko kwa jela na watu wale wengine mabusu kutengeneza chakula huko shyambani. Na hayo ndio nilikuwa nayo. Asanteni.

Com Prof. Kabira: Asante sana James. Ruth Wangare. Na Ruth akimaliza hebu nione ni nani atakufuata. Tuna Rose Njuguna, so a have Henry Ngufi and Henri Njuguna.

Ruth Wangare: Thank so much for this opportunity, I would make my presentation in English, I would be very brief I will straight would only talk about children. Properly what I will be asking you people who is seated next to you. Do you have a child in the hall? single child in the hall? So I am going to talk about them because if all of you you came out and you raised your voices and you didn't to say what they want then I believe we are discriminating them. So I am starting from thee, that our Constitution is discriminating on my first point. We don't have a single chapter in the Constitution that is addressing children and children alone and I am requesting

that when are reviewing it please let us have a chapter on children.

I am going on the principals that I would propose that they be included in our Constitution and one is that our Constitution should have recognition of children in a special section under the bill of rights.

Secondly, the definition of a child; we want a Constitution that is defining who a child is, and we are requesting the Constitution to have various definition in our Kenyan closest in our various acts, to define a child as a person, a boy or a girl who is 18 years and below. We are also recognizing the unborn, we are talking about the unborn child so we are talking about from 0-18 years because...we want a Constitution that recognizes that.

Nationality and citizen right; we want to have a Constitution which is addressing the nationality of guaranteeing our children's nationality. Another thing that we would like our Constitution to address is the right to life and the basic rights of children. We recognize that our children have an inherent right to life. In this case we are paying a lot tax and we are recognizing that we are making a very big contribution to the government. We would like the Constitution to recognize that. And also the issues of nutrition, you go to places like Turkana place which are very poor. We have recognized that they have a right to life by providing food to them and quality food.

The right to education; the parents are not able to educate their children, because they don't have money and because the school fees are too much so we would like the Constitution to address this issue. Let the tax which is being paid by Kenyans be used. Currently schools are run by very few teachers whereas we have a very big float of teachers but our parents have been paying taxes and we would like the Constitution to ensure that every child is entitled to free basic quality education and affordable education when they get to the secondary school. The child of today is the poor adult of tomorrow. If we don't arrest the situation as it is now, if the Constitution is not going to address this, it is going to run out of hand.

The other thing is that we want a Constitution which is assuring us, which is assuring our children, protection from abuse and exploitation. We want our Constitution to harmonize, to reveal this kind of protection, you are protected because you have the right to protection.

The other thing is that our Constitution must ensure putting in place or looking into the best interest of the child, how many times laws are made without consulting our children, how many kind of Acts have we come up with without considering the best interest of the child.

We would like a Constitution which is ensuring a special or rather which is kind of giving us a go ahead to starting a special Commission for the protection of children, we don't have a particular place where we take the problems of our children. This is an office among others that is mandated to prosecute violators of children's rights in any court of law in Kenya and handling all legal issues regarding children in a court of law.

The other thing is that this office should be able to influence the law, policy and practice which will affect the human rights of children. It is not just but a kind of a Constitutional office but it is an office that would be ensuring that the policies and the laws that are addressed

presently reviewed to march with the talents. So in this case we are requesting our Constitution to give us a go ahead to s
Constitutional offices. The other thing is that we would like to have a Constitution that is ensuring access to justice by our children. T
an opportunity to say exactly what happened. They are not given an opportunity to say, Oh it is not me it is somebody else. So in
requesting our Constitution to adrees such kind of issues such as ensuring that justice is done to our children. So I will stop there, I h
very short time and I will thank you so much.

Com Prof. Kabira: Thank you very much Ruth. Henry Ngugi:

Henry Ngugi: Kwanza nikuwasalimia Wananchi watukufu na ma Commissioners ambao wamekucha kutupatia hii nafasi ndio t
Kwangu mimi nitaongea kama Youth kwa sababu wale ambao ni youth ama wale watu ambao wana umri mdogo tuko na shida nyir
taifa yetu ya leo. Na moja ya shida ile kubwa sana tuko nayo ni mambo ya un employment. Hatuna kazi, unaona mtu amesoma, an
anakaa tu nyumbani. Sasa akiwa nyumbani unaona kwamba it is as if being unemployed is a crime kwa sababu unaenda kwa njia u
kama askari hivi wanakuuliza unafanya kazi gani unaawambia wewe hauna kazi you are a job seeker na hata unaweza kuchukuliwa
Leo tunajuliza sisi hiyo sio makosa yetu kukosa kazi, ni makosa ya taifa and the same same country is harassing us. now you wa
which is going to guarantee us freedom the way we are. Si ati because maybe hatuna. Kazi tunaonekana kama sisi ni Wananchi amb
nusu, tuonekana kama sisi ni Wananchi kama wale Wananchi wale wengine.

The other thing mambo ya employment opia, kuna hii tabia ya makampuni kufanya wanatoa the so called expatriates from out
Unaona kila mwaka our public universities kunafanyiwa graduation ceremonies, wanagraduate watu wengi sana and tunaambiwa k
so many graduates without jobs. Lakini unaona kampuni zingine zinaenda countries like India, England, America zinatoa watu
kuwaleta hapa ni expatriates. Does that mean that our curriculum in our public universities and in private universities is not the requir
cannot produce professionals of the required standards. And if that is the case why don't we overhauled the whole curriculum a
people who can hrun our country. Kwa sababu sioni haja tuwe tuna invest so much taxes in education tena tunawacha wale w
tunaenda nje tunatoa watu huko tunakuja tunawaleta hapa ati wawe wanafanya kazi, that is ruining our country and we are losing b
the job opportunities. Tena kuna wale watu ambao in unskilled labour kunatolewa watu nje wanakuja wanafanya kazi ambgao h
kufanya hata kama sina ujuzi wowote. Sasa hiyo Katiba ningetaka iangalie, we should have a law that pass companies and governm
professionals from outside the country for jobs which we Kenyans ccan do here. Kama kuna wafanyi kazi ambao wanatolewa nj
hatuna wao hapa, but if we have them here why do then do we go outside and get these people. Sioni faida.

The other thing ni mambo ya immigration law. Unaona kwamba Kenya imekuwa I don't know how to describe it, kila mtu anaweza
na afanye kila kitu. Ni juzi juzi tu nilikuwa naongea na jama mwinginwe wa DRC (Democratic Republic of Congo) na ana
wanapenda Kenya sana kwa sababu ukiwa Kenya unaweza ukafanya chochote ambacho unataka, that is what he told me. So i
opened our country to everybody to put anything he wants hata Abdulla Olkalali akikuja hapa anakaribishwa, Osama Bin La
anakaribishwa. so this one is jeopardising our security asa country, tunakaribisha watu yes, kukaruibisha watu sio vibaya but we k
welcoming.

The other thing I would like to say is about quarter system, kama ni education kama kwa kazi kama kwa nini I don't think it should be equal. Sababu sasa kama hapa maybe Kiambu tuko na watu 80,000 who are paying taxes na a place maybe for example like Turkana 15,000 who are paying taxes, are we supposed to share the national cake equally? I think we should look at this issue, the number of people they are contributing to the national tax and then when this national cake is being divided then you find that it should be divided equally according to the number of people.

Ile kitu ingine ningetaka kuiguzia ni mambo ya wastate of national taxes, unaona kwamba mtu anapatiwa kadarasi na serikali kwa barabara, hii bara bara inakuwa contract hiyo imepatiwa 30 milioni, tunakaa after one year inajengwa nusu, au one quarter halafu inaanza. Sasa hiyo barabara hata kule ilikuwa imejengwa inaanza kubomoka, sasa we have invested 10 million shillings hawezi enda kwa hiyo mtu na uwezi ukamaliza hiyo project, kwa hivyo hiyo project haitusaidii. Katiba inafaa kuweka sheria kama hii project imeanzishwa, this project should be completed within a specific duration of time and if that person is not going to complete that project he should not be paid anything and should be sued. Anafaa kushitakiwa and hakufai project ingine ianzishwe kama hii haijamalizika kwa sababu serikali inapoteza a lot of money. Zingine zinaachwa for example in Utalii we have nyumba sijui zilikuwa za Nyayo Bus hazikaliwi na watu ziko pale. Hizo pesa zilitumwa kwa nyumba haiwezi ukazitoa huko, haziwezi zaidia mtu na hizo nyumba hazitumiwi so that was wastage of money. So these things should be taken into account upon.

Kitu ambao ningetaka kumalizia nayo, I have a lot but because of time mambo ya wanaweke, you know we may try to deny it but they are our mothers, they are our sisters, some of them are our wives na unaona kwamba because there are vile mambo hivyo kwa wanakosana na Wanaume wao sasa unaona mumerudi nyumbani kule mlikuwa mumezaliwa lakini katika desturi zetu za kiafrica mtu anakuwa anaridhi mali. Sasa unaona wale watoto ambao mumerudi mumelelewa huko kwa nyanya yenu when it comes to the time of payment you overlooked. Kwa hivyo ningetaka Katiba kama ni mwanamke, ana watoto hapo na wako hapo wamelelewa hapo, wamezaliwa hapo hawajazaliwa hapo wamelelewa hapo, they should be considered as equal kama wale wale wa kiume kwa sababu hii ni kitu ambao ambao manyumbani unaona uwezi, mtu kama mimi asikie atyi shamba itagawiwa watu hapa na tumekuwa hapo nitanoa panga hata mimi kama sehemu yangu because I am entitled to that one. Tena mambo ya wanawake, wengine wanapata they are very bright lakini kwa sababu wanapata mimba so then unaona mtu ambaye he is discontinuing her education, kuwe na sheria ambayo huyo mwanamke kama ana akishakuwa mkubwa kama anaweza kuendelea na shule so that kama if you wanted to become a doctor, I don't think the pregnancy is between you and may be a doctor. Thank you.

Com Prof Kabira: Thank you very much Ngugi, thank you kwa hiyo maoni. Henry Njuguna.

Henry Njuguna: The Commissioners and the congregation at large. Mine name is Henry Njuguna and I am going to give my views (I have ended)

Nick NdishoI think we also need by that to strengthen this political parties so that they can have a deeper meaning. The

I wanted to point out on mergers. If at all there is going to be any merger of any political party, at least two thirds of the members of the party should agree to that merger not like one person the boss of the party just standing up and saying we have merged. I mean the other people should be equally represented and not disadvantaged so at least two thirds of that political party should agree to that merger.

The Executive: the president I think I don't have much problem, the qualification should be I think at five years then he should be re-elected to the country for a continuous period of 15 years and should have a stable family and morally upright.

On the ministers I would like to say we should have a definite number of ministers or ministries and they should not be more than one ministry, surely that is going to drain our resources and then the assistant minister should also be one and I propose that the number of ministers should not exceed 20 at any given time. I propose that the minister appointed should have special academic or professional training in the ministry that he is appointed because surely you can not appoint like a veterinary doctor to head the ministry of justice. So if you are appointing someone to the ministry of justice or like to the ministry of finance we should have some academic backup or professional backup like his merit for that office. That is what I am saying.

On the judiciary; I propose that the chief justice should be appointed from amongst the sitting judges of the court of appeal of the highest court of seniority. I think this is also in a way going to boost the moral of the sitting judges since they know at least one amongst them will be appointed the Chief Justice. We can't have judges sitting in high court or court of appeal for 15 years only for someone to be picked from wherever to be made the Chief Justice, surely that is not fair. So what I am saying the Chief Justice should be appointed from amongst the sitting Judges either from the court of appeal or the high court. The clerks of the judges should not be varied to there disadvantaged to be in office, at least that should be Constitutional guaranteed.

Then there are times when the Constitution properly calls for a Constitutional or a certain number of judges to hear a particular Constitutional reference matter or something of the sort. So what I am saying is, should be there a short fall in the number of judges supposed to be seven and then they are about only five who are available, the Constitution should provide that the Chief Justice with the consent of the president should appoint an advocate judge or judges to sit in that court and these advocate judges should be people who are qualified to be appointed to such positions. I think that is all I have to say.

Com Prof. Kabira: Thank you very much Nick Ndisho. Thank you very much kwa maoni yako and for helping us come to the end of this afternoon. Nataka kumpatia microphone kwa coordinator atumalizie hii hearings but in the mean time I want to thank you, thank you for having stayed the whole afternoon and to say that we are very happy that the people from Ruiru turned out in great number and we hope in a few months from now, may be 3-4 months you will see the reports from the commission and you will be able to see whether your views are reflected in the report. So once again I want to thank you very very much and we would like the coordinator to maybe say what he has to say at the end of this session with a prayer.

J.S. Wanyoike: Thank you very much Commissioners, I think if you agree it has been a very busy day and a very peaceful one and a fact on behalf of the Constitutional Committee members that helped to organize these and particularly Reverend Ngethe who is back

at PCEA church for the very great effort that has been put towards this particular meeting. We also thank you particularly for having long with us, we hope these challenge given to the Commissioners will come to finish somehow, we really want a very strong Constitution it is for our own good and our own future that we actually have a very good Constitution. So it is not in vain that actually we have since morning, I also want to thank Fr. Francis Nyandero for the facilities that we have enjoyed since morning, particularly the facilities and other facilities out side. I think if it was not for him really we wouldn't have had such a comfortable sitting and obviously to you citizens I think it has been a wonderful performance, you have come up in full force, in fact we had over 500 attendance since morning 580 people and that is a very good turn up.

Now we want to assure you that once we have the draft Constitution and as a cording to the Commissioners operations, we would like to have the draft and you will have a chance to have a look at them and see what you have actually said before they can come up with the draft with those few words, I really wish to ask someone now to close these meeting by prayer so that we can ask for God's blessings. Thank you very much.

Fr. Francis can we ask you to help us close with a word of prayer. Thank you very much.

Fr. Francis: May we stand up.

God Our Father we thank you very much for keeping us safe, for enlightening us, for your guidance since morning, we thank you very much for one us for the gifts you have endowed to each one of us when they presented their views, what they have given lord is what you have

We also want to thank you for the gift of our Commissioners, their patience, their gift of guidance, we ask you to bless us all Kenyans with wisdom that is necessary for the Kenyans; give our people the gift to change their lives. We ask you to give us a quite night the perfect end tomorrow, may you guide us safe home. We ask these through our Lord Jesus Christ our Lord. Amen.

Meeting ended at 5.35 pm.

