

CONSTITUTION OF KENYA REVIEW COMMISSION

(CKRC)

VERBATIM REPORT OF

**CONSTITUENCY PUBLIC HEARINGS, GITHUNGURI
CONTITUENCY, HELD AT AYUB KINYUA PCEA CHURCH.**

ON

TUESDAY, 23RD APRIL 2002

**CONSTITUECY PUBLIC HEARINGS, GITHUNGURI CONSTITUENCY, HELD AT AYUB KINYUA PCEA
CHURCH, 23RD APRIL 2002**

PRESENT

1. Com. Prof. A.I Salim.
2. Com. Kavesta Adagala
3. Com. Mosonik Arap Korir

Secretariat in Attendance

- | | | |
|----------------------|---|-----------------------------|
| 1. Mr. George Naholi | - | Programme Officer |
| 2. Charity Omolo | - | Assistant Programme officer |
| 3. Hellen Kanyora | - | Verbatim Recorder |
| 4. Lucy Otieno | - | Sign Language Interpreter |

The meeting started at 10.00 am with Com. Prof A.I. Salim in Chair.

Mr. Kangethe : Aha.... sorry niundu ni twacererwo hanini, aa nituguetagirira commissioners magikinye na ningi tuhote gwetangirira andu makiingakihe nigwo tuhote kwambiriria, na riu tuitayari kwambiriria no tutanaba kuga undu ona umwe ninguria, kwiciria he muthuri umwe wathurwo hau atuhingurire na mahoya. Please.

Mr. Kangethe : Let us pray, almighty father , we bow before thee this humble morning , knowing to well that you are the originator of everything. Dear almighty Lord you have guarded us, and especially our soul and this is why we are making

before you knowing too well that you will do good to our life. Lord we are here in your own house for the sake of our beloved country (Kenya). We commit to your hands knowing too well that it is our promised land we do believe and trust that everything that will transpire in this house will be on the positive Development of our Nation, be it Social, Political or economical. Lord we do know that there are so many who are coming Lord, hasten their journey in safety, bring them Dear Lord and let them contribute in a manner that is going to build and not to destroy, we condemn activities of the satan let us shift from the village to the capital city Nairobi, we do know that Lord this country was there Lord before we were here and we shall leave it here oh Dear almighty Lord, Let the constitution which is the subject of this gathering be supreme Lord, and let the constitution win a constitution not for us this generation but for our children to be born, Lord let them be a witness that we who were here were able to make their fortune better. Lord if the day ends well we shall bow again to you humble Lord, to thank you for the success of the day, we call upon to be Chair and everything in this meeting, we pray humbling in the name of our Lord Jesus and savior, Amen. Thank you.

Bwana Co-ordinator: Asante sana Bwana Kangethe, yangu ilikuwa tu kuwanzisha sasa nitawapeleka kwake mwenye kiti wa kamati ya Githunguri Constituency Constitutional Kamitii ili awaze kuwajulisha kwa wana kamati wake na pia atujulisha kwa wageni wetu ili tuweza kuanza. Asante.

Com.Salim: Asante sana Bwana Co-ordinator, yangu ni furaha kubwa kuwa na wageni kutoka CKRC commission Prof; Ida Salim, Commission Kavesta Adagala karibuni sana hapa Githunguri tumeshukuru kwa kuja kusikiza maoni ya wananchi wa Githunguri, mimi nimefurahi kwa kuwa siku ya leo imefika imekuwa ni njia ndefu sana na kazi ambayo tumefanya kujaribu kutayarisha watu wa Githunguru na wamekubali kusoma, wamekubali kusikiza wamekuja kwa wingi wakati wa kusoma kwa Civic Education na tunafurahi kwa hayo maneno. Sina maneno mengi leo kwa kuwa siku hii ya leo si yangu ni ya wananchi wa Githunguru wakionana na Commissioners ndio waweze kuwapa maoni yao, yangu itakuwa ni kuwajulisha tu kwa kamati yangu ambao ninasimkuru sana kwa ile kazi ambayo tumeweza kufanya nao kwasababu bila wao singeweza. Nitaanza na secretary Kangethe, members Njoroge Jomo, Elizabeth Nyambura, Jeniffer Mburu hawo ni baadhi ya wana committee kwa kamati yetu hapa Githunguru we have apologies kutoka kwa Christine Kichure ambaye pia ni wa kamati yetu hakuweza kuwa nasi kwa kuwa ameenda seminar mbali mbali. Hao ndio tukonao kwa kamati, wale wengine ambao tulikuwa nao, mbunge wetu hatujakuwa naye kwa mda mrefu sana kwa kamati kwa sababu tusizojua sisi wenyewe sijui kama tutakuwa naye leo au la., Labda atatueleza mahali amekuwa.

Ningependa kutoa shukurani zangu pia kwa Co-ordinator wetu wa Kiambu District Bwana Kariuki umetufanyia kazi nzuri sana ya kutuongoza sisi kama kamati ndiyo tuwezekufikia watu wa Githunguri, Bwana Kariuki na uchukuwe shukurani zetu mahali uliko. Pia ningependa kushukuru Civic Education Providers kwa ile job wamefanya ndio unaona watu wa Githunguru wamekubali kuja kwa vile wako tayari kutoa maoni yao. Pia watu wa Githunguri ningependa kuwashukuru kwa kubali kuja, kusomeshwa na kukubali kuja hata leo tumefanya kazi nanyi na nimefurahia nyinyi vile mnependa nchi yenu vile mumekuwa watu ambao wanaweza kuzikisa vile wanavyofunza ikawa ni furaha kuwa nanyi wakati wa masomo. Kwa hayo machache ningependa kuwa karibisha Commissioners ndio muendeleo kutoka hapo asanteni sana.

Com. Salim: Asante sana Bwana mwenye kiti wa kamati ya area hii ya katiba kwanza ningependa kumjulisha mwenzangu hapa ankaa na mini yeye ni Commissioner Kavetsa Adagala, kama mlivyosikia Commissioner Adagala na mimi kwa miaka mingi tumekuwa tukisomesha kwenye chuo kikuu cha Nairobi, na sasa tumejipatia kazi kuhudumia wananchi na nchi yetu katika kazi ya kurekebisha katiba. Pia upande ule tunao wafanyi kazi wa office yetu kuu iliyoko Kencom House wakiongozwa na **Bwana George Nakholi** ni Programme Officer anayeshugulikia sehemu fulani ya kazi zetu katika office yetu kule Nairobi pamoja na yeye ni akina **Hellen** na **Charity** kati yao hawa wanahakikisha kwamba kila jambo ambalo litasemwa hapa litafanyiwa recording litanaswa kwenye mitambo na pia kitaandikwa kwenye karatasi na ukurasa ili kwamba tukirudi tutawapa wenzetu kule wanaoshughulikia kuhakikisha kwamba maoni ya mwananchi yeyote ambayo amesema mbele yetu yatarekodiwa na kufikiriwa na kuchunguliwa na kuzingatiwa wakati wa kuandika katiba. Pia natumai baada ya mda mwenzetu wa tatu commissioner Doctor **Mosonik Arap Korir** atatuunga hapa na kushiriki katika kazi ya kuyasikia maoni yenu.

Na ningependa kuanza kwa kushukuru kamati na wanachama wake walioko hapa ambao wamekwisha julishwa kwa kazi mhimu sana waliofanya ya kuwatarisha ili mutoe maoni yenu. Kulikuwa na wale ambao wamukuwa wakielimishwa na hawa jamaa, kuna Civic Education Providers lakini wana- kamati pia walikuwa na kazi kubwa ya kuhakikisha kuwa Elimu ya raia au ya kiraia inaenezwa katika eneo hili la Githunguri. Kwa hivyo ningependa kuwashukuru sana kwa niaba ya Commissioni yetu yote or Tume yetu kwa kazi nzuri waliofanya kwa kuhakikisha kwamba mko tayari kutoa maoni yenu.

Jambo moja au mawili ambalo ningependa kusisitiza hapa ni kwamba twataraji kati ya leo na kesho katika kituo hiki au kikao hiki na kikao cha pili cha kesho hapa Githunguru tutapata idadi kubwa ya wananchi kutoa maoni yao. Pili tunataraji kwamba hao wananchi watakao kuja ni wa aina tofauti tofauti, ni watu wa hapa lakini kati yao wako wazee, wako vijana na mhimu pia kuweko na kina mama na kina dada. Kwa hivi sasa idada ya kina mama ambayo nawaona hapa ni wachache sana mbali na wanakamati kati yenu nyinyi ambao mtatoa maoni yenu na muona bibi mmoja hili ni jambo ambalo tumeliona pahali pengine kwamba kina mama wanaachia kina dada, kina baba, kina ndugu wa kiume kuja kutoa maoni, sijui kwa nini kina mama hawaji mbele huenda kwamba tabia au hali ya maisha ya upande huu kina mama wanawekwa nyumbani kuhakikisha kwamba mambo fulani yanafanyika. Lakini tungependa kuona mabadiliko katika jambo kama hili maybe it's a cultural thing whatever the case maybe it is very important for us as Commission kwamba tuwasikia na kina mama pia wakitoa maoni. Na jambo moja ambalo tumeambiwa fufanye ni kuhakikisha kwamba maisha ya kina mama na kina dada katika nchi hii ya Kenya ibadilike kuwa bora zaidi si lazima iwe kesho au kesho kutwa lakini kwa kusikia maoni yao matatizo yao tutaweza kuandika katiba ambayo itazingatia hali ya kina mama na kina dada katika nchi yetu ya Kenya.

Pia kati ya watu ambao tunakitaraji kuwaona kwa idadi ya kutosha ni wale ambao ni walemavu groups za akina mama na walemavu wamekuwa wakishtaki kwa muda mrefu kwamba wamewekwa kando, marginalized na ni watu walemavu na kina mama na watoto na sehemu ile ambayo idadi ya watu ambao ni kidogo sana Minority groups, hawa ndio watu ambao sauti

zao lazima zisikike mbele yetu na mbele ya wananchi wengine . Na nimefurahi kwamba yuko na ingaa ni mmoja tu lakini huenda wenzake wakaja pia mlemavu mmoja na nataka kumkaribisha kwa njia maalum, nimefurahi kukuona dada hapa na natumai ukipewe nafasi kuja hapa utawasemea na wenzako. Kamati hii ilipaswa iwe pia na representative wa walemavu sijui kama huyo representativeili aje nakuonana na sisi leo, hana habari?. Okey . Anyway.. Mhimu zaidi ni kuweko kwa wale ambao watawakilisha walemavu watu ambao wamekuwa wakiwekwa kando lazima sauti zao zisikike na bila shaka nataka kumhakikishia kutakuwa na sehemu fulani katika katiba yetu mpya ambayo itashughulikia matatizo yao. Ni hayo tu ambayo ningependa kuwaeleza kwanjia ya kwanza. .

Ya pili ni machache jinsi ambavyo tutachukuwa maoni yenu. Mwananchi ana haki ya kuja kutoa maoni yake bila ya wasiwasi au hofu yeyote . Commision hii ni independent haina vikwazwo kutoka kwa upande wowote, au kwa mtu yeyote, kwa dini yeyote, kabila yeyote, chama chochote, cha kisiasa. We are an independent body kwa hivyo feel free to give your views fearlessly na with confidence. Ni moja ambao tungependa kufuata nayo ni desturi yetu ya kiutu ya kiungwana kwamba tukija tutoe makosa jambo lolote lakini tusingitumu au kumtukana mtu au chama au dini yeyote ni hiyo tu. Ule utu na ungwana wa kutoa makosa bila kutukana basi. That is the only things we are supposed to adhere to ni kidesturi yetu kuonyesha heshima kwa kila mmoja wetu kwa hivyo mtoa makosa katika hali yote iliyoko katika nchi yetu lakini tusingitumu au kutukana ovyo. Ilo tu.

Otherwise mwananchi ana haki ya kutoa maoni yake bila hofu yoyote na msione kwamba tumenasa maneno yenu ili kwamba baadaye itatumiwa kumthuru mtu yeyote, hapana. Na tunataka kihakikisha kwamba tusikose katika kuandika tukikosa au tukiwacha kwenye kuandika , kunaswa kwa maneno katika machine kutahakikisha kwamba hakuna maoni yeyote ya mtu yeyote kati yenu yatukuwa hayamo, that is the only reason we are recording everything . Ndio mkija mbele yetu hapa utatupa jina lako ili kwamba tukienda kusikiza tutajua haya ni maoni ya fulani .. tusije tukakosa... ukitoa maoni nani sauti tu hatutajua huyo asemaye ni mtu gani, kwa hivyo mutakuja hapa mtasema mimi ni fulani na ningependa kuzungumza haya na haya na haya sawa ?

Kwa hivyo kuna njia mbili mhimu za kutoa maoni utachagua jambo au njia moja tu. Ikiwa umejitayarisha na memorandum yako kamili ambayo yamo maoni yako juu ya mambo tofauti tofauti utakuja mbele yetu utatuambia mimi ni fulani na ninayo memorandum nataka kuwapa tutachukuwa kusoma na kuzingatia. Basi ikiwa ni memorandum tutakupa dakika tano na jambo hili ni mhimu, tano tu si sita, si saba. Tano tu kutueleza kwa ufupi lakini kwa njia mhimu sana ya waziwazi katika memorandum hii mimi nazungumzia jambo fulani na fulani na fulani juu ya hili nasema tubadilishe hili,tabadilishe hili and hili basi. Utakuwa clear, concise, tumepata wananchi wengi ambao walikuwa very concise very helpful wanajua wanalolisema. Mimi sipendi hili , sipendi hili sipendi hili sababu yake ni hili na hili na hili. Kwa hivyo tafadhalini mkienda kuandika desturi yenu au katiba yenu mpya hakikisheni kwa maoni haya yanarekebishwa, dakika tano . Kisha sisi tutasoma details katika memorandum yule ambayo hakujitarisha na memorandum maoni yaliyoandikwa tutampa dakika kumi maana hajajitarisha kitu ambacho tutachukuwa kusoma. Huyu atafaa mda mrefu zaidi dakika kumi na tutaraji kwamba hivi sasa nyinyi ambao mtatoa maoni yenu

kwa ulimi au kwa kauli au kwa mdomo mnajua la kusema mshajitayarisha kwa notes zenu labda, either written notes au mental notes mimi leo nikienda nitasungumzia hili na hili na hili vitu vitano na nitatoa maoni yangu juu ya mambo matano. Kwa hivyo utashika moja na la pili na tatu na la nne katika mda wa dakika kumi huwa umesha tupa maoni yako. Na kila maoni yako ukiwa umepangwa itakuwa ni rahisi kuyafahamu na sote hapa ni rahisi kwetu kuyafahamu na pili ni rahisi kurekebesha baadaye. Lakini ukiwa utanza kuzumgumza hivi na hivi na hivi itakuwa taabu utatuona tunasikiza tuu ili kufikiria hapa huyu jamaa sasa anasema nini. Mpaka tupate ile point ambaye unadokezea, sawa. So dakika tano kwa mwenye memorandum dakika kumi kwa asiye kuwa na memorandum.

Tatu hii mambo ya time mhimu sana kama muonavyo idadi ya watu wanaoingia inazidi, na time tulionayo ni fupi tuko hapa mpaka saa kumi na mbili basi, saa kumi na mbili itabidi tusimasishe mpaka kesho kwa hivyo wale ambao hawatapata nafasi itabidi waje kesho kutupa maoni katika kikao chetu cha pili hapa Githunguri. Lakini tukiweka time vizuri, tano kwa mwenye memorandum, kumi kwa asiye kuwa na memorandum tutaweza kuwasikia wananchi wengi zaidi na kila tukipata nafasi kuwasikiza wananchi wengi zaidi ni bora kwetu, ni bora kwenu nyinyi watu wa Githunguri na pia ni bora kwa inchi nzima wakati wa kuandika katiba. Kwa hivyo mkija mkitoa maoni yenu mfikirie time muwafikirie wenzenu hawa ambao pia wamebakia hapa kusikiza maoni yenu na kutoa maoni yao pia. Kwa hivyo please let us stick to the time is very important five, ten minutes respectively.

Nafikiri tumekubaliana, ni hayo tu kwa hivyo tuende moja kwa moja kwa mwananchi wa kwanza ambaye atatoa maoni yake na sisi tutafuatia ile registration form, pengine mkiiingia hapa mnajiregister nafikiri nyote mumekwisha jiandikisha ku-register ikiwa yuko mwananchi ambaye bado hajajiregister itabidi atoke nje ajiandikishe tuone jina lake katika form kama hii. Kwa hivyo yule aliyeki-register kwanza kabisa ndiye tutamuita kwanza kabisa na wa pili na wa tatu na kadhalika. Kwa hivyo kuna njia ya kufuata na lazima tufuate hivi hakuna atakaye ruhusiwa ku-jump the queue(line), kuja mbele ya mwenzako sote hapa ni sawa sawa, hata hawa wanakamati pia ikiwa yeyote kati yao atataka kutoa maoni maana ni wananchi hawa itabidi kujirester kwanza na tutawaita na wakati wake yeyote yao kutoa maoni ndipo atakapo sikizwa si mbele ya yule aliyekuja mbele yake, sawa? So moja kwa moja kwake Bwana Peter kangere Njau yeye alijiandikisha kwanza kabisa karibu Bwana Njau.

Peter Kangere Njau: Thank you very much, apart from being the CCC secretary here I know the pains of a bad constitution having been to prison for more than seven times for writing anti-establishment books which are now banned. I would like to make a suggestion on the preamble, it is a memorandum and I read it out.

Com. Adagala: Peter you will not read your memorandum you will highlight.

Peter Njau: Okey,

Com. Adagala: And you will have five minutes

Peter Njau: This is a suggestion of a preamble to CKRC, we the people of the republic of Kenya having suffered the yoke of

colonialism our fore father having died in mau mau freedom war others detained maimed or otherwise harmed by British imperialists and their African psychopaths, we having suffered the extremes of single party political misrule detention crowded to grave silent and death with our social economic, political sphere castrated by the hands of our own post independent Leaders,

Com. Salim: Sorry Bwana do you think you can still make the whole thing in five minutes, read the preamble and finish in five minutes sawa

Peter Njau: We having reaped the bitter fruit at independent for adopting a constitution made by a few people in Lancaster (Britain) and later amended beyond recognition to serve interests of the same few, we do by swear never to return our beloved Kenya to past evil, making the country important than selfishmen by adopting this people's supreme constitution for the sake of our freedom democracy and development . We therefore dedicate it to the honour and memory of all patriots who lost or sacrificed their lives to make Kenya a better place and also dedicated to honour Kenyans to whom we truly owe allegiance to this supreme law, so God help us. Thank you.

Com. Salim: That was good and to the point. Bwana Njau alikuwa na maoni yake juu ya kitangulizi cha katiba ile sehemu inayokuja mbele kabisa katika katiba, ametueleza jinsi ambavyo angependa kuwe na kutangulizi katika katiba mpya . Katiba yetu tulionayo hivi sasa haina kitangulizi kwa hivyo yeye ametoa maoni yake au mapendekezo yake juu ya jinsi ambavyo preamble yetu ya kitangulizi ya katiba yetu mpya iwe namna hivyo.

Asante Bwana Njau tukiendelea mbele yuko Bwana Dominic Mwaura. Dominic M. Mwaura ambaye anatoka parish ya Kambaa yeye pia ana maoni yalioandikwa sawa Bwana Mwaura. Kwa hivyo utapata dakika tano kutueleza yaliomo katika memorandum yako. Kwa jina lako kwanza tafadhali.

Dominic M. Mwaura: My name is Dominic Malika Mwaura CJPC Chairman Kambaa parish.

These are the views we had collected from our people and I got them by policy only.

First is that the preamble be of paramount important in our constitution;

Number two that the constitution is supreme and should provide for its amendment . That there should be provision for the impeachment of the President in case she or he is found guilty of an offence committed before he or she attains office for all while in the office. That the President be of unquestionable character before he or she was elected or while in office. That there be chosen a security council comprising of twelve members of .. unquestionable character elected from all walks of life and who should oversee the conduct of the President and MPs.

Then the three arms of the government should be totally independent of each other .That the right of the individuals that is the human right should be provided for and entrenched in the United Nations declaration of human rights and African Charter on human and people's rights.

The children's rights should be stipulated in the United Nations Convention on the Rights of the Child.

The management of public finances should be vetted by both Parliament and the Security Council. Past corruption related to offences should be prosecutable.

Land and natural resources should be addressed seriously in our new constitution. All people should own land anywhere in Kenya and the threat of a vision should be treated as a crime punishable by law. And that ... still on land that the selling of the whole land be prohibited and that the title deed should be used as collateral to secure loans or mortgages of up to 40% of office value and not more.

And that the elections be overseen by an independent Electoral Commission appointed by Parliament.

And on political parties: There should be a distinct separation of the ruling party and the government. And a provision should be in place for the criteria for the formation of political parties.

The other one is that since the democratic government requires effective participation of all people, at all levels of government, provisions should be laid to ensure maximum participation in government by women, persons with disabilities, Youth, minority groups and the elderly.

And that the agricultural produce e.g. Tea, Milk and Coffee etc which are produced here should not be imported from other countries whatsoever. And if one imports them his license should be cancelled completely and we hope that what we have presented will be put into consideration in the new constitution of Kenya. God bless Kenya. Thank you.

Com. Adagala: Tukiendelea ngoja kidogo, tukiendelea hivi tutaendelea sana. Thank you for your presentation. These twelve members security council what is their role?

Dominic .M. Mwaura: Their role is to oversee the conduct of the President and the MPs.

Com. Adagala: Is it then a Security Council?

Dominic.M.Mwaura: yes; should be a security council

Com . Adagala: What security are they looking on?

Dominic. M. Mwaura: For the government, for before elect of the president, the security of the country as a whole.

Com. Adagala: So it includes the army?

Dominic . M. Mwaura: Most probably

Com. Adagala: Have you written that down?

Dominic . M. Mwaura: yes, I have written down

Com. Adagala You know I am just asking because you seem to be adding orally. Now because you said it is the President and the MPs and now we ask you and you adding , is it written down?

Dominic . M. Mwaura: Yes it is written to oversee the conduct of the president and the MPs only.

Com. Adagala: Endelea,

Dominic . M. Mwaura: The council since it has twelve members it should oversee the ruling of the whole country in general.

Com. Adagala: You see what you are saying it is okay let me just clarify because when you say security immediately you take in the police, the army but what you seem to be talking about is something like a commission?

Dominic . M. Mwaura: Yes something like that

Com. Adagala: yes, but a security council is something very different, so I am wondering if you could think about it a little bit more , yeah either it includes all those things you said or it is for MPs and the President and it has a different name.

Dominic. M. Mwaura: The other thing is we should take it for just for the President and MPs alone excluding the others and maybe we could name it something else

Com. Adagala: Yeah okay because security is a very serious thing. And then I think I lost the other point. Okay. People keep saying that we should follow the UN rights but the UN rights came out of different countries. Can we not make our own right individual rights , group rights , childrens rights from our indigenous culture also. Because everybody just keep saying the UN rights as if we don't have our own right.

Dominic . M. Mwaura: Well what I think is the UN rights I think they comprise of whole UN member countries. its very important, what we are doing by asking the questions here and there is seeking clarification only. We don't want to change anybody's views. We are just seeking clarifications kwa hivyo mkitoa maoni tutawauliza swala hapa na pale si kwamba twataka mabadilishe au tunawadokezea mambo mapya la, we just want you to make a few things which you state a bit more clear so that we understand and also the people preparing the report on this session also understand very carefully.

Na kama nilivyosema mwenzangu tukiendelea kwa njia hii tutapata wananchi wengi zaidi kupata nafasi ya kutoa maoni yao kwa maana so far everybody has been forecared, they seem to know exactly what they want to see changed which is excellent . Kwa hivyo tukifuata njia hii wananchi wengi watapata nafasi na hapa Githunguru wengi zaidi na hao waliokaa hapa wengi kati yenu watazungumza leo leo. Kuna , anayefuata sasa ni Joseph Chege Gutau.. Joseph Chege Gitau ambaye pia

anasema hapa kwamba yeye ana written memorandum sio bwana? ambao wanatakatuchukue kwako. Kwa hivyo una dakika tano tu kutueleza muna nini, ni mambo gani ambao unasemea leo. Asante

Joseph Chege Gitau :First of all we want a unitary government , we want a Constitution which will care about human rights for all. Food , security and water for all. Shelter and clothing.

Security while affecting while offended and to be provided by others.

Education for all children whether parents have got money or not , at equal just, separation of the three arms of the government e.g Judiciary, National Assembly , and Executive .

We scrap Provincial boundaries and replace them with elective posts.

Com: Samahani kidogo , ende taratibu kwa maana mambo yako ni mengi na ya mhimu sana. Kidogo taritabu iko time. Start from three arms of the governemtn endelea kutoka hapo

Joseph Chege Gitau : Electoral boundaries to be put according to population but not the size.

Every eligible voter be given a right to contest for a seat be it presidential, parliamentary or civic that be left for the voter to decide.

Political parties to be funded by the government : We put a land sealing to a maximum of 100acres, those who have got more to be distributed to the people by the government .

No foreigner should own land here or plot instead they should rent houses for accomodation

Com. Adagala: Repeat that point Just wait under mic for a while , Ngoja kidogo for a while. This point you have on elections, for constituencies youare saying you should be done by population , okey, you are a ware that Kenya is not populated evenly, it doesn't have uniform population isn't it ?

Joseph Chege: Yes

Com. Adagala: Now I just want if you go behind that, I want you to give implication of what you are saying. You are saying places which are over populated should be favoured and places which are under populated ...? I want the implication. I just want to see the implication. Therefore the places which are under populated should also go by population isn't it so the overpopulated, places are the ones which should be favoured?. Now you know what that means politically isn't, I am not going to change your views but you know thats when politician start telling their constituency don't do family planning., you know that , also they start telling them don't do family planning because we have to be many like the others, okey?.

Joseph Chege: Yes

Com. Adagala: Yes that's what it means.

Com. Adagala: Okey thank you very much.

Com: Salim: Thank you , next we come to Bwana Anthony Njenga Muthee. Anthony Njenga Muthee? Yuko?. Njenga Muthee he has a memorandum anataka kutapa ameondoka?

Sasa jambo kama hili linatupa kidogo matatizo fulani , maana huenda Bwana Anthony akatokea baada ya saa mbili, saa tatu, akatupelekea kikaratasi kidogo , mimi nilitoka kidogo sasa nimerudi naweza kutoa maoni yangu? anasahau kwamba wako wenzake hapa ambao wamekaa hapo hapo kitambo wanangojea wakati wao. Kwa hivyo akija tutamuambia hivyo hivyo siyo? Arudi nyuma kabisa , tumekubaliana sawa.

Com. Adagala: please be committed this is one day will and this one day will make a different for a hundred years. So be committed to this day, to hear other peoples views we don't want to keep going back and forward tutafuata orodha .

Com. Salim: Anayefuata katika laini ni huyu Bwana Francis Kairu. Yuko Bwana Francis Kairu. Asante Bwana Francis yeye pia anamemoranduma tafadhali dakika tano kama mwenzako alivyofanya utupe highlights.

Francis Kairu: Thank you Bwana Chairman , Honourable members , mine that is on following

Agricultural Sector: The government should leave coffee farmers to market their coffee through co-operative society .The milk farmers should also be let alone to sell their milk whereven they want.

A bolition of duty on farm produce such as fertilizers , chemicals, so as to give the farmers more access to their use

Importation of sugar: The importation of whatever we produce here in abundance elsewhere should be abolished, that is sugar and milk.

Also another is the matter on security which is not good in Kenya and by so doing we should increase the police stations so as to efficient with their work.

The Tax payers money should be cancelled accordingly .

The land Reform : Their abolition of special land control Board, because they serve no purpose but to be used where the corrupt deals are being used. The members of the Board should be elected people.

(interjection) names unannounced (inaudible)

Francis Kairu: The elected members of the Board should be elected from locational to Divisional level.

Protection of journalists from police beatings.

The promotion of local talent,

Education, Free education in primary schools should be given freely but not through the word of the mouth.

(interjection) (inaudible)

Francis Kairu: Yeah it is contained in memorandum

Com. Salim: You have to highlight only.

Francis Kairu: The reduction of the presidential powers: The President must be elected by a majority vote.

(interjection) Asked questions (inaudible)

Speaker: The president by Majority vote, but I said the majority vote not the percentage.

The president should never campaign for any candidate in the republic.

The president should not be , should be a chancellor of the Universities this is in line of the academicians .

(interjection) Questions asked (inaudible)

Francis Kairu: It should be I said if in the line of academicians. Okey

The Judiciary must be independent and it should not be controlled by the President . It should be the work of the Judicial service commission.

The President should not automatically become the commander in chief of the armed forces he, it should left entirely to the armed forces personnel who are professional soldiers.

25% of the votes in five provinces should be abolished.

The Kenyan currency should not be-----,

(interjection) (inaudible)

Francis Kairu: 25% votes has to be replaced by the majority votes.

(interjection) (inaudible)

Francis Kaitu I haven't touched anything on the province I said 25% percent of the vote in the provinces should be abolished.

The Kenyan should currency, should not bear the Presidential portrait but instead should bear the coat of arms in order to preserve the economy.

The Vice president should be elected by members of the government and if the Prime Ministers post is created the same mode should be followed.

Any parliamentary candidate who fails to win the election should not be nominated . Any nominated member of Parliament

should not be given any interior post..

Illiterate person should not be given any post or seat in the ruling party.

Any member of Parliament who defects from the days ruling party or opposition should be disqualified from contesting in the by- elections.

Administration police should be abolished and be absorbed in the Kenya police force.

And finally , the abolition of the entire administration, from the PC downwards. We have the Ministers , the Councillors , we have the Ministers the assistant Ministers, the Local Councillors.....

(interjection) ...(inaudible)

Murmurings from the audience.(inaudible)

Com. Adagala: (inaudible) so the administrative unit will be constituency, location and sub-location because we will abolish the whole system isn't it? , So we just have a constituency where there is an MP, a location where there is a DO in the locations?

Francis Kairu:: The location.....(inaudible)

Com. Adagala:(inaudible) is an Mp, a ward, because a councilor is in the ward ?okey

Com. Salim; Okey , sawa sawa. Anayefuata na Bwana Pual Kabiriti yuko? Karibu Bwana Kabiriti.

Paul Kabiriti: Bwana Commisioners , I quiet agree with other Kenyans. My names is Paul Ngige Kabiriati I am a businessman. I quiet agree with all the Kenyans that our constitution to be re-written again. Because our present constitution has been amended so many times unnecessarily sometimes to suit individuals. Therefore it is very importance to have it re-written again. We need a constitution which streamlines the powers of each institution of governance . In clearly cut lines to avoid any ambiguities .

Our 3 three arms of government that is the Executive, Legislature and Judiciary should independent in operation but remain as a symbolic relationships.

In- spite of this, there are currently in total chaos , and cohabiting in a contra-democratic relationships anyone in a position of authority can be and if anything from a police commandant , Judge, city mayor or clerk or anything a good example of this we don't want to be people who can be manipulated orbe misusing the offices.

Four , our constitution should be spelt spell out the powers and privileges by every tenure of office. They occupants of those office without intimidation. Those people to be given offices should work freely with no intimidation so that we get good services.

Five, our constitution should safeguard all economic sectors and especially the agriculture and private property and ownership but present one usually interferes so much, there are a lot of changes on ownership of land, some people somebody has got a title deed and yet there are others with similar titles that is very dangerous therefore the, the ownership of property should be safe-guarded by the Constitution.

Six, our Constitution or the Costitution we are going to have should cover every aspect of our existence

1. Education system: The education system has been tampered with too much that our children are confused even we parents we are confused. We should have an education which is quided by a curriculum, and this curriculum should be treated with respect and dignity.

2, Health: Our people are suffering because they don't get adequate services in hospitals. We need a Constitution whereby our citizens and wild animals, creature should get health facilities like medicine freely and reasonably. Men and animals are dying because of lack of drugs.

If a constitution is well written and we safeguard these health institution we shall live very happily.

3, Poverty: Our policies should of those to reduce poverty but not to increase poverty in Kenya. Our people are suffering in poverty, it tells me and everybody with a reasonable mind, . Somebody who is earning five thousand shillings per month and at the end of the month he is supposed to pay ten thousand shillings for his expenses, where will he get the five thousand shillings, he will do the corruption. He will be corrupt, he will be tempted to be corrupt and that is why we get the corruption in too much in our country. It is too much because our people are unable to live with whatever they are getting.

4) Taxation: Our Constitution should only tax those people who are able but not everybody. Disabled people are being taxed for whatever we are buying even children are being taxed, we should be careful on that. the level of taxation is too big in Kenya, even discouraging external investors, and thus affecting the rate of foreign income, it should be reduced. The taxes should be collected in a appropriate manner utilized to benefit this country and citizen.

5) Security: Security for our people and property should be rendered by the Constitution. Our business men how big or small they are, should get enough security because of whatever they are doing. When the Constitution spells out clearly how and why security is important then our people will live freely and with hope.

6) The next one is Appointment: The Constitution should spell out ways and modes of appointment especially Civil servants not on political consideration but on merit. And especially the Judges, the Permanent Secretary Parastatal Heads etc. There should be a lot of caution on on their appointments because they are very important people.

Like there before many secretaries were very powerful, they were the heads of every Ministry but today it is the Ministers who were the head of every Ministry. During that time PS were very strong and things were going very well, the PS should

be given privileges, to conduct a Ministry because they are civil servants, Senior civil servants, but not Ministers who are politicians.

7. Respect: Kenya has lacked respect because they have lost confidence in their leaders . We want a good Constitution which will restore this much reserved and deserved respect.

In conclusion this Commission should be seen to be independent , and whatever we are going to speak here or air here should be put into consideration. If this commission cannot complete its work by December as you have stated in the newspapers, we have to be very very careful because as I understand the life of the present Parliament ends in 31st December this year therefore if you are not going to wind up your work by 30th December what are we going to do? Therefore I recommend we would better conduct election with the old Constitution, We conduct so that do the elections , then the commission continues doing its work, but I know some of our Commissioners will delay their work because of whatever they are getting , they are getting fat salaries therefore they will say, we will to extended to next year . It would be very serious because our children, wananchi are going to continue suffering, therefore I wish the commission will complete its work and then we conduct elections, with those words I wish you good luck and everybody who is here. Thank you very much and God bless Kenya.

Com. Adagala: Thank you very much for that very passionate presentation , with a lot of commitment I wanted to ask you about security , because there was previous person previously who was there who was saying police stations should be increased police should be increased,so it is the internal security?

Paul Kabiriti: What matters if the constitution is going to be good and those people who have been given responsibilities of leading those those institutions will be good there will be no problem therefore myself, personally I don't have any war with police , policemen I don't have any war with anybody but I said that security should be safeguarded in the constitution. Therefore increasing them or decreasing them if the Constitution is not good, they will be doing a lot of nothing.

Com. Adagala: That was not your Idea in fact , I am a bit fascinated because we have got this from a quiet a number of people about security. It is like we want security , someone to be there for each other. So I am wondering , not that we should do now , but I am wondering are there values , are there values which we wananchi should uphold that can safeguard the security, you don't have to answer that but it is something which is now in my mind, because people keep saying that we need more security , we need more security but it's the security from each other ? It means we are doing each other harm?

Paul Kabiriti: Correct

Com: Adagala So I am not saying you make a submission now but I am just wondering

Paul Kabiriti: Yaah, kwa hivyo Madam Com. Security should be taken by everybody and security starts at home , there if we have homes which are good and then we have got towns or villages which are good or secure then it continues that way it will be very alright but the constitution should spell the powers and the privileges of each sector.

Com. Adagala: Now on CKRC on the commission we have not discussed , the deadline in spite of what you have seen in

the papers today or before we have not discussed it, the newspapers are very creative is like creative accounting, this is creative journalism. So we haven't discussed it but we appreciate because you have given two choices

Paul Kabiriti: You see when we read the newspapers Madam Commissioner we sometimes become suspicious when we hear that some people who have been elected or appointed through political inclinations therefore, you better tell those people we are not interested whatever their appointment what we are only interested is the Constitution of Kenya.

Com. Adagala: Yeah You know -----

Paul kabiriti: But not the whether you were appointed in the bar or through whatever, we are not interested

Com. Adagala: We applied there was an advert we applied, we were shortlisted, we were interviewed, we were appointed, so the only person who didn't apply is the Chairman, so his was an appointment

Paul Kabiriti: We have got a very high respect here in Githunguri for Pal Ghai and his team

Com. Adagala: Let us not make it a debate but we appreciate what you have given us.

Paul Kabiriti: Thank you very much.

Com. Salim: Thank you very much Bwana kabiriti for your views tukiendelea mbele tunaye Bwana James K. Kibe, yuko?Tafadhali itikia au uinue mkono au tutasema kwamba huyo hayuko tutaendelea mbele. Haya

(interjection) Watu waliofika mbele waliketi nyuma, sasa mnachukuwa mda mrefu hata kufika kwa microphone tafadhali tufanye haraka ili tuendelee.

James K. Kibe: My names are James Kamiti kibe, and I am presenting the memoranduma on behalf of Kiambu People's Forum.

Kiambu Peoples's Forum is not a political party but it's a group of people who work together as a group or as a checks and balances group. On the system of any political or any other problems the local people may have, and I read on behalf of Kiambu People Forum, with other signed official members of the Forum, we would like to state that we have been mandated by the central committee of the Forum sitting in Nairobi ...interjection...

Com. Adagala: Your mandate is appreciated but you are not going to read, you are going to give us highlights of your proposals. Two, this is about the 6th time well its good for them because they haven't hard it but you are not addressing them you are addressing us. We would appreciate if you give us your proposals or you read it within five minutes. Okey, because

if you read the preamble and everything of your organization you will have very little to the proposals , and that is just to caution you.

James Kibe: May I give the highlights of my proposals.

One thing and first and foremost We would like our constitution to have a preamble and any preamble we would like the owners and writers to be put into the constitution that we the people of Kenya we are the owners and the writers of the constitution . Because the current constitution doesn't have the owners or the writers, so we don't know and we don't understand where it came from.

Another thing is for the constitution to be written in simple language and understandable by each and everyone. And if possible we would like the constitution to be written in all the languages spoken in the country all tribal languages. (42)

Another area , is the constitution's supremacy : The constitution is the supreme law in the country and nobody should be above the constitution or above the law the President included.

Another area is the amendments being made by our parliament now and then. Our country has been free for 39many years and we have 39amendments in the constitution which have been done illegally without involving the public .

To amend any section of the constitution , the people of Kenya must be involved, must have a referendum for all the people to amend the constitution.

On defense,

Com. Adagala: hold on a moment , you have just said a mendments should be done by parliament now and then you are saying

James kibe: No, should be done through a referendum not by Parliament , Parliament has been doing it in the old constitution, has been

Com. Adagala: Yes.....

James Kibe: Another area is defence: On defence we should have a and defence council to be dealing with discipline of armed forces.

Another area is education: Education in this country is being a burden to the parents . We should have a free and compulsory education for all up to form four. We should be having what we understand nowadays to be called cost sharing in education .

Because we are all tax payers , and every tax payers child must be educated freely.

The other area is Medical: On medical we do hear of cost sharing . The medicine being bought from overseas is bought through tax payers money why even should we pay for medicine yet we are the buyers of the medicine. The medical services should be free to us.

Another area is agriculture, the land in this country belongs to a few people . We see people with thousand and thousand of acres staying idle not being cultivated yet the Nation has no food. The constitution should have a land ceiling of 50 acres per person in this country. And every Kenyan any Kenyan can own land anywhere in this country. Everybody should have 50acres extra land should be taken by the state , minimum 2 acres per person and we should not entertain non – citizens to own land in our country.

Another thing as agriculture is the backbone of this country , the government should see that every piece of land which is available should be cultivated not having some areas staying idle yet the land is good for agriculture.

Another thing, the co-operative movement should be established in our Constitution and anybody who mis-uses this the public funds for example the co-operatives funds should be prosecuted because nowadays if someone mis-uses the public fund is protected by the government he goes scot free.

And the government should and must create employment on citizenship: if any child born by a Kenyan citizen atleast eighteen years, he or she should be issued with an ID, identity card ,a voters card ,and passport on the same spot free of charge why, because these are identification papers in our country for example today to get a passport in this country it is a miracle, for one to get a passport it is very hard you see that I don't know why it is being sold by the government to the Kenyan citizens yet this our property. We need identity card, voters card and passport.

Another thing is water: Water is a very, very essential thing to any living creature . The government should provide all citizens with clean and drinking water. So every homestead should have piped water. We in this country we need clean safe water for drinking , In our country we have so many people without shelter they have no where to sleep yet their are tax payers , therefore their tax goes to some people would not provide services.

And another thing is for political parties to be (interjection).....

Com. Adagala: What have you said about shelter? You cannot leave to us to say, we would not say it , its you to tell us.

James Kibe: Yes, The government or the state should provide each and everybody with a decent house a decent house through a housing scheme for citizens in this country. Not seeing some people being called chokora,s sleeping in the market or in public paths it is so bad.

And another area is in this country , people can re- call their councilors , if the councilor doesn't deliver services , and the MPs too, if a Members of Parliament doesn't deliver services he can be re-called by the electorate.. Also the people can impeach the President if he doesn't lead the country properly. And to impeach the President, the Parliament should not do it alone, they should call for a referendum. They can put proposals to the people, to the citizens, to the electorate for impeaching the President because some MPs maybe biased against the President.

And the President should be a person of 40 to 60 years not very young, not very old , he /she must be 40 to 60 years . And a senior citizen all people in Kenya or citizen irrespective of what he or she has been doing during the years he was working he should be put into pension -able scheme because he is a tax payer, he's been working for the state .Because even if I have not been working for the Government , I have been working in an agricultural sector feeding the Nation so I must be put into a pension able scheme. Everybody who attains 55 years.

Com. Adagala: I hope you are winding up now ?

James Kibe: I am winding up now, and now we in Kiambu People Forum would like those things to be established in the Constitution, and ...let me wind up my proposal..

Com. Adagala: What is educational level of the President?

James Kibe: Anybody with a form four standard of their education can be a President because we have some people with wisdom not educated but they are wise , they will lead us.

Com. Adagala: MPs and Councilors?

James Kibe: For a councilor in most cases general council proceedings people speak in the language of their area. If someone is standard eight education can be a councilors, but for MPs form four and above.

Com. Adagala: my question is you said When we are discussing anything all the Government should be there, the taxation, basic rights and provision you are actually talking about a welfare state, you are aware of this.

Com. Adagala: Okey.

Com. Salim: Okey, Asante Bwana Kibe, tukiendelea mbele tanamuita Bwana Peter Kaniaro Njogu. Peter Njogu? Here Bwana Njogu I believe you have a memorandum and as we are reminding everyone memorandum presenters, five minutes no more no less. Tafadhali I am sure you are familiar with it give us the main highlight in five minutes like your colleague has done.

Peter Njogu: Thank you very much. Kaniaro Njogu is my name and I am the Ford People Party Chairman in this constituency, yaah, Ford People. Nina memorandum ya chama ambacho nilichokitaja tunaguzia tu maneno kidogo katika

memorandum yetu.

Ya kwanza inaguzia jukumu la president wa republic of Kenya. President katika nchi yetu amekuwa na madaraka mengi, mkono wake peke yake una mamlaka mengi kushinda tunataka President wa nchi awe tu ni President na asikuwe juu ya sheria.

(interjection) (inaudible). Awe na jukumu la kuiongoza nchi lakini asiwe juu ya sheria. The Constitution should be the supreme law in Kenya and therefore the President should not be above the law.

Tunaguzia

Com. Salim: Tafadhali hapa si mahali pa kujadiliana kumbuka heshima kwa mwingine ni kuvumiliana.

Katiba ya nchi yetu ijilinde, katiba iwe inajilinda yenyewe isiguzwe na mtu yeyote . Kuiongeza ama kuitoa sehemu fulani katika vifungu vyake. Kwa sababu kumekuwa katika nchi yetu kwa mfano 1974 watu.....

(interjection) Utatoa mapendekezo yako, historia watu wanajua

Peter Njogu: Yes,

Com. Adagala: Toa pendekezo kuhusu amendment

Peter Njogu: Kwa hivyo katiba ya nchi hii isifanyiwe marekebisho yoyote na kundi la watu. Likiwa linataka kurekebisha lirudishwe kwa wananchi kuwe na referendum watu wakubaliane .

President wa nchi yetu asikuwe amri wa Jeshi kuu kwa sababu yeye si mwana Jeshi.

, kuwe na kamati ya military ambaye itakuwa na retired Officers ambao wana ujuzi katika vikosi vya majeshi yenye silaha.

Katika Kenya kila mtoto awe akipewa elimu ya bure. Kutoka standard one hadi form four ili mtoto huyo awe na elimu.

Katika hospital , hospital zote za uma ziwe za bure , kwa sababu ni kodi yao inayonunua madawa na kitu chochote.

Katika kilimo tukiwa tuna co-operative society tukitaka kuitenganisha watu wainunue mikono, watu wakikubali wasije kusingiziwa kuna mtu ambaye ataletwa kuwagawanyia mali yao wakiwa hawana distribute na nini yote wakitaka kuzifanya mbili ama tatu na wameinua mikono iwe hivyo. Kwa sababu tumekuwa na taabu katika co-operative society , tukitaka kuitenganisha tunaambiwa kuna watu watakaetwa kutuhesabia na tayari mishahara yao ni kubwa.

Tunaguzia habari ya mashamba, katika Kenya kuna ardhi yenye rotuba na imekuwa mikonono mwa watu wachache , kila

mwananchi wa Kenya ni lazima awe na mahali pa kulala. Kila mwananchi wa Kenya awe na mahali ambapo anaweza kujenga nyumba kwa hivyo tunauliza mashamba yote yawe katika msitari wa mbele na mtu wa Kenya ama mtu wa kutoka nje asikuwe na juu ya hekari hamsinikiwango cha chini kiwe hekari tatu.

Jeshi la polisi lirekebishwe kwa sababu limefanya nchi yetu kuwa nchi ya polisi, wanapokea hongo mbele ya watu ambao wanaowalipa. Kwa hivyo hili Jeshi liundiwe Tume la kuchunguza na waongezewe mishahara kiwango ambacho wanaweza kusomesha watoto na kuwalea ili wasipokee hongo.

Commissioner wa police awe akichunguzwa kila wakati na Bunge.

Electoral Commission, Electoral Commission iwe independent body isiwe ya chama kile ambacho kinacho tawala. Iwe ikiundwa na isizidi watu saba. Kwa saba kwa sababu wanatumia pesa nyingi na hali hakuna kitu wanafanya. Kila mahali nchini kumekuwa na malalamiko ya uchaguzi na haya malalamiko yanatokana na Electoral Commission kwa sababu wanachaguliwa kisiasa.

Law for government: Okey niko karibu kumaliza. Wenye viti na ma mayor wawe wakichaguliwa na wananchi ili taabu katika ma councilors iwe ikisuluhishwa kwa ma councilors nao.....

Com. Adagala: Toa proposal, tunajua ma-councilors

Peter Njogu: Okey, sawa sawa. Vyama vya kisiasa viwe vikiangaliwa na viwe vikigawiwa misaada na serikali ili viweze kuendeleza mambo yao. Yetu katika Ford People ni hayo.

Com. Adagala: Asante Mzee, kuhusu Electoral Commission, unajua ina... ni ya vyama vyote vya siasa si chama ambacho kinatawala? Unaelewa hiyo,

Peter Njogu: Ninaelewa lakini chama ambacho kinatawala kina watu wengi kwa hivyo upinzani ukipiga kura ni lazima wawe wakishindwa kwa sababu wale wa chama cha u-tawala ni wengi.

Com. Salim: Asante Bwana Peter Kaniaro Njogu kwa maoni yako kwa niaba ya chama chako cha kisiasa cha Ford People na tukiendelea mbele basi kwa Bwana Joseph Njuguna. Bwana Joseph Njuguna yuko? Aitikie tafadhali, ukiitikia unakuja.....tafadhali.....unaitia uko hapa au unainua mkono asante. Sasa Bwana Joseph Njuguna..... individual siyo? maoni yako binafsi. Sawa. Lakini haya hapo sasa hizo ni notes kukuongoza mwenyewe, sawa?

Joseph Njogu: Ndio

Joseph Njuguna: Mimi ndiye naitwa Joseph Njuguna, mimi natoka hapa chini Chino, maoni yangu ni kidogo tu nichache lakini kwa upande wangu ninaona ni nzuri. Mimi.....

Yangu ile mimi natakakuongea , nataka kuongea juu ya ukulima(agriculture) . Kwa huo upande mimi naonelea hivi, watu wengi hapa sisi zote hapa ni wakulima , wakulima wa kahawa, ngombe na kila kitu na upande huo mimi naona vile mambo yamalindi, hayaendivizuri kwa sababu sisi tunalima kahawa na

Com. Adagala: Toa pendekezo lako litatoa hayo mambo mengine yote. Pendekezo lake litatoa hayo maelezo yote na unaona watu wanazidi, tunataka mtu afanye tu, pendekezo, proposal, proposal, proposal ili zote tuwe na nafasi.

Joseph Njuguna: Hii proposal yangu iko namna hii, Mimi naonelea huo upande wa kahawa sasa tuwachie wenyewe ili wajianganilie maneno yakahawa. Na hiyo ya maziwa kwa sababu ukiangalia wale wanalima kahawa hawana hawaonekani wakiwa vizuri kwa maana....

Com. Adagala: Toa pendekezo lako maelezo mengi kila mtu asikie , mkianzia maelezo kila mtu atakuwa anatowa hutuba ya saa nzima. Tafadhali pendekezo lako ukilisema vizuri , litatoa hizo sababu zote na pia wengi wamesema kwamba kuna shida, ukitoa pendekozo shida yenyewe itakuemo.

Joseph Njuguna: Okey, shida ile iko , hiyo vile mimi ni kidogo tu, na sasa niko karibu kumaliza...

Com. Adagala: Toa pendekezo siyo shida

Joseph Njuguna: Pendekezo langu lile mimi nataka ni wenye hiyo kahawa warudishiwe mamlaka iwe yao isiwe ya management ya wale wanaowasimamia. Mimi naona iwe namna hiyo.

(interjection) (inaudible)

Joseph Njuguna: Wenyewe, isiwe ya watu wa nchi.

Com, Adagala: : The Committee seems to be carrying on all kinds of dialogue, if you cant hold your tongue please separate yourself. We cant compete talking,. its only one person who is going to talk.

Joseph Njuguna: Haya hiyo ingine yangu nikaona hivi badala ya mkulima kuletewa dawa, yeye anavuna kahawa badala ya kuletewa pesa analetewa madawa, aletewe pesa peke yake awe akijunulia madawa vile anavyotaka

Com. Adagala: Asante Mzee , asante kwa sababu hasa kitu ambacho mtu ana- focus hivyo analilengani kitu kizuri sana na umeeleza. Okey sorry tumekusukuma kidogo lakini unaona umati wa watu, haya asante leta huku memorandum yako.

(interjection) Bwana Njuguna umesema kwamba unatoa maoni yako kimdomo tu siyo?

Au hiyo ni memorandum? Sawa sawa very good, maana hapa umeandika oral

(interjection) Hapa umeandika oral hukuandika written memorandum.

(Interjection) Sawa ni muhimu kujua tu yoyote ni sawa

Com. Salim : Na sasa tafadhalini mimi nimesumbuliwa mwenyewe kwa watu kunipigia na mbali na mtu anakusumbua na unamuambia kuna wale kati yetu ambao ukiwa nayo mobiles ambazo ni on zinataribia mitambo yetu hapa.Kwa hivyo tafadhalini ikiwezekana kuzizima itatusaidia sana. Mimi naanza na yangu.

Basi tukiendelea mbele tumuite Bwana Joseph mbugwa Gathingo, ambaye pia nafikiri ana memorandum karibu. Joseph Mbugua Gathingo, sawa

Joseph Mbugwa Kadhinga: My name is Joseph Mbugua Gathingo from Miguta. The points I have here are not really mine although I am part and parcel, we sat together and we formulated the following .

- 1) First of all we considered the election of the President , we found that the president should be elected by the whole Kenyans but not from a certain constituency. So the President should not have his own or her own constituency , he should be elected as a head of State by all Kenyans.

Com. Adagala:Sorry , you mean that the President should not be a member of Parliament? Because if the President is elected by the whole of Kenya his Constituency is Kenya so he has a constituency?

Joseph Mbugua: His constituency should be Kenya but not a certain area.

- 2) The President should gather 51% of vote casted in four provinces.The winning party should form a coalition Government . Then the President should not be above the law.
- 3) Another point is that the president should not interfere with other Ministries a part from the cabinet. When he is in the cabinet he is the Chairman he can do whatever he likes there but he come to the operation let him allow the Ministers to do their work.
- 4) Another thing is the three arms of the government should be free and independent . The Chief Justice should be recommended by the law or appointed by the Law Society of Kenya. I mean when the Chief Justice is going to be elected the Law Society of Kenya should be consulted.

- 5) All Provincial Administrations should be scrapped and services be provided by Departmental Heads.
- 6) Members of Parliament should not be allowed to award themselves salary as they are doing today. There should be a Commission which should be catering for their salary as the other Civil Servants.
- 7) The Constitution should only be changed through a referendum but not by the Parliament.
- 8) Civil Servants especially adults for example should be given enough salaries to cater for their needs and then prohibited from having other businesses outside their work
- 9) Electoral Commission should have a maximum of seven people appointed by the parliament.
- 10) We look at the Police activities we found that Police arresting citizen anyway they like, you are simply sit in the bar you get a policeman coming

(interjection) proposal we know what happens in the bar.

We propose that the Policemen should not arrest somebody for the so called drunk and disorderly. If there is nobody who is complaining that this person is not disorderly. If there is no complain and then there should not be any arrests? The policemen should not arrest customers in a bar if the proprietor of the bar or the manager of the bar is not complaining. They should wait until they are called by the proprietor of the bar., but now they are popping in and doing all sorts of things to people inside there.

Com. Adagala: Do you say that Police should not arrest unless there is a complain for all arrests?

Speaker: Yes, if Somebody is disorderly he should be arrested

Com. Adagala: You are giving that example you said for example, but does that apply to all arrest, well what if it is a murder and there is no complaint? ..

Joseph Mbugua: Can there be a murder without any complaint

Com. Adagala: Yes, unakuta yule mtu ameuwawatu, maybe he was a traveller and nobody complains.

Speaker: Well then nobody should be arrested?

(interjection) A lot of laughter from the audience

Com. Adagala: Yes, , then give your proposal then.

Joseph Mbugua: Okey, from there we switched on to another point which is talking about

Com. Adagala: Samahani tukumbuke time una written memorandum time zako ni dakika tano zimekwisha.

Joseph Mbugua:

11) Growing rapists should be jailed for 20years or more.

Com . Adagala : For instance rape what happens sometime a woman complains and then she is intimidated and withdraws the case. For instance in the U.S they search out the rapist anyway but you have said on complain, arrest on complain.

Joseph Mbugua: Now if a man raped a junior, with minimum 20years, I said 20yrs or more. If a man raped a child then that should be a death penalty or life imprisonment.

11) Now let us look on welfare of the children , okey children who are born outside wedlock should be taken care of by the both parents up to the time they grown up or until they become seniors. The government should give children free education from standard one up to University level.

12) Now about land, but about the land we want every owner of an acre to see that they are atleast 20 trees standing at any time. Because of attraction of the rain . Other things are here I am not going to say all of there...

13) Social welfare, we want every person who is 70 years to be getting pension benefits because they have been contributing to the government offices. And those who have already retired under the government employment should be , should have their salaries reviewed , when the other salaries are being reviewed.

14) Maybe because I am now coming to the end , Mau Mau freedom fighters should rewarded, those who are living and this should be done quickly - before they die like the others. I better stop there because the memorandum is very long and I cannot it finish it here.

Com. Adagala: If you knew you had a long memorandum then you should have read quickly presented it in a fast pace and put highlights then you would have presented all your points but if you go slowly you can't finish it.

Com. Adagala: Now how should the freedom fighters be rewarded?

Joseph mbugua: Give them somewhere , somewhere where they can build and to cultivate.

Com . Adagala: You have to say it we cannot deduce from what you are saying you have to say what they have to get, some land , what land, how much and where?

Joseph Mbugua: Now that land, after all the forests have been grabbed.

Com. Adagala: You see , where you want- you know this is not a joke , we are seeking clarification you want reward, how much land, where ?

Joseph mbugua:: Atleast 5 acres of land

Com. Adagala:: Where?

Joseph Mbugua: From crown land.

Com. Madam: So now you are advocating for 23 per acre and then we cut the forest ?

Joseph mbugua:: Hapana,

Com. Adagala:: Okey, think about it Mzee, think about that point or any other point that you want to redefine and you can make an additional memorandum unaweza kuandika barua ingine kwa Tume na utume ili –tuweke kwa archive

Com. Salim: Thank you Bwana Joseph Mbugua kwa maoni yako na sasa nina furaha kubwa na nafikiri Mwenzangu ananishiriki katika furahayangu nikimuita dada au mama wa kwanza kabisa lea kuja kutoa maoni yake yeye ni Mary Wangare Gituha nilidokezewa yuko, hivi leo amekuja mapema sasa yeye si mama tu lakini pia ni mlemavu, kwa hivyo anasemea kina mama na pia natumai atasemea na walemavu wenzake. Na kama unavyoona amekataa kukaa anataka kusimama kama wenzake .

Mary Wangare Gituha: Thank you Mr. Chairman, here.....

Com. Adagala: Wait Mary, unajua kuna kosa kubwa imefanyika na kosa ni tume- sisi zote lazima kila mmoja anajua mlamavu mmoja sivyo ? kila mtu anamjua ati mlemavu mmoja sivyo? Na tumemuacha nyumbani, kila mtu hapa ana mama , ana mke, and dada na mumewaacha wapi? Tumekubaliana hapo, hata imeanda kwa tape mumewaacha nyumbani, sasa hii katiba itakuwa katiba ya wajiwezao na wanaume.

Com. Salim: Tena ningengeza kitu kimoja kwamba yeye this is very interesting , amesema amekuja kuwasemea youth groups maana ametazama si wenzake walemavu peke yao lakini youth in general, and that is very commendable. Karibu Mary

Mary Gituha: Thank you, Okey . Issues and recommendations to the CKRC Magomano Youth Githunguri read by Mary Wangare Gichiha and also I present for Parents and Friends of disabled Association Githunguri group, that is P.A.F.O.D.A. I am the chairlady of Githunguri P.A.F. O.D.A. First I will start with Magomano youth.

- 1) The President should not be above the law. He/ she must obey the rule of law like any other Kenyan citizen.
- 2) Our Constitution must have a preamble.

- 3) Land should be distributed equally to all citizens and non should own more than 50 acres, and not a minimum of one acre. Women should also inherit the land.
- 4) Foreigners should not own in our country. E.g. Kenya Cannors, Mushana Estate e.t.c. should be given back to the Kenyan citizens.
- 5) Kenyan currency should not be altered whenever a new President takes over. Because this is a wastage of our economy, and it will bring confusion.
- 6) Our President should be a ceremonial President and we should have a prime minister who will be the leader of the Government.
- 7) Unemployment should be looked upon, because it is leading to drinking of illicit brews, and other criminal offences to our youth.
- 8) The tax which is charged from all Kenyans must be used wisely. E.g. this should access free primary and secondary education, free medical attention to all Kenyans.
- 9) Farmers should have a say in their products, and inputs should not be taxed. – Fertilizers and machinery should not be taxed.
- 10) We should have heroes day as a national holiday. Moi day should be scrapped out.

Clapping).

Com. Salim: Which date should be heroes day?

Mary Gitaha: We found that we have Kenyatta day, and he is not the only person who struggled for independence, so there should be heroes day.

- 11) scrapping out of the Provincial Administration because there is a lot of corruption throught them. We donot need Chiefs, Assistant chiefs and D.O.s .etc
- 12) Establishmenrt of the office... oh! Sorry.

Com.Salim: What do you suggest should be put to replace the Provincial Administration?

Mary Gitaha: I think local government can do better....

(More questions)(Inaudible.)

- 13) Establishment of the office of the President, which will cater for the common man who cannot be able to hire an advocate.

Com.Salim: Do we establish the office of the President or do we elect representatives in the office of the President?

(More questions- inaudible).

Okay, in the office of the President. Thank you for your correction.

14) employees have a right to go on strike if the employers go against what they had agreed.

15) Reduce Presidential powers.

16) There should be separation of powers in three arms of the government.

17) Affirmative action of women. Parliamentary seats should be preserved for women equally. We want gender equality.

18) Security of citizens at the following areas: their property, land ownership, freedom of association, and anti-corruption.

And our rights.

(She interacts with the commissioners. – inaudible)

Com. Adagala: What is the difference between security of property and security of land ownership.

Mary Gitiha: because sometimes we have, - like now we have industries, we have factories, and now land ownership. – like now in Githunguri, grabbing of land. That is what I am saying we have to have security. Because there are public land some are grabbed, by those who have... who have (interjection)

Com. Adagala: Then you mean security of public land?

Speaker: Yes.

Com. Adagala: because property covers land. Property covers individual land. But Public land is what you mean in number two? Isn't it? Because we cant go there and say that she said 'security of land and security of property,' we'll look foolish.

Mary Gitiha:

18) all parliamentary seats to be given accordingly to population. That is numerical representation other than geographical representation

19) Vetting of Ambassadors, High Commissioners and representation in Parliament.

Interjection, - inaudible

Mary Gitaha:: okay, by this I mean we should be given we given priority to vote for them. Ambassadors, because they are nominated by the President. We should be given that priority to vote for the ones we need. (The commissioner asks her questions and she answers)

Com. Adagala: And what did you say like parliament?

Mary Gitaha: Yes like the way we do in parliament.

20) Power of the Electorates. That is, we can remove an M.P. even if his term is not complete, if he goes against what we don't want.

Com. Adagala: It is called 'power of re-call.' A very strong thing, - 'Power of the re-call.'

Mary Gitaha:

22) Police should be chosen after a period of training and not on basis of height or athletics. e.g. two years qualification, not athletic or height. They should not just look at the athletics or heights. The way it is done in our country. They should be trained for two years.

23) the Constitution must be written in clear languages. That is all language used in Kenya for all Kenyans to understand.

And now I am reading this one in favour of people with disability.

- a) The government should offer wheel chairs and mobility aid, hearing aid, visual aid to people with disability as welfare service. Yes free of charge.
- b) The Kenyan currency should have a special mark to help the visually impaired. That is blind people in our country.
- c) All buildings should be disability friendly.
- d) All persons with disabilities should be allowed to marry and have families.

Com. Adagala: is that to be made law or is it an attitude?

Mary Gitaha: it should be made law.

Com. Adagala: Are they disallowed now?

Speaker: sometimes you find that, - like now if you are a parent, if I come to your son, you will just disown me.

Com. Adagala: Yes. Fortunately I have daughters.

Laughter.

Com.Adagala: So you can still come and be one of my daughters. But is it something...

Mary Gitiha: Yes sometimes we found it. We are just... we feel oppressed. Because, - like now even if he is a man and he marries a lady, sometimes we find that, with negotiation, - like now in Kikuyu tribe the way they do it, they cannot be allowed. They will say that this is not the right man for you.

Com. Adagala: So Mary, what are you suggestion?

Mary Gitiha: Law. What I mean is they should be treated like other people. The problem we have is that some of our parts of the body are disabled or we challenged.;

Com. Adagala: Okey we will take it down, we will take down and take it because we just had a seminar on disability, so we will take down also we have commissioners who have disabilities and they are experts. So we will take what you have said and they will see it I don't know how we will do it because I don't know if you say all men should be married and its not possible some don't want to be married.

Mary Gitiha:: Not a must but , I feel-----

Com. Adagala: Okey we will put it down that it's a view and then we see whether that view is an attitude or can be constitutionalised so let's leave it

Speaker: Okey

Com. Salim: I need a slightly more clarification Mary, exactly what do you want the law to say in terms of the marriage of a disabled man or woman ? How do you want the law to read?

Mary Gitiha: I want , okey, the group wanted to mean this , if they see or they see a person with a disability being married in their home they should accept us as people. They should not see us as outcasts... that is what we wanted to say

Com. Salim: In other words the acceptance of the marriage of the disabled not the right of the disabled man or woman to a husband or wife?

Mary: No

Com. Salim: Thank you;

Mary Gitiha:

- 5) Due to the expenses related to the cause of employment and material needed to undertake duties people with disabilities should be exempted from paying taxation like Pay As You Earn, and halfly duty equipments.
- 6) A quota system of employment should be put in place both in private and public sectors.

Com. Adagala: The people with disability are 10% of the population

Mary Gitiha: So 10% of the industry –

Com. Adagala: Proportionally?

Mary Gitiha: Yes,

- 7) The Local authourity should come up with disability friendly by -rules.
- 8) People with disability should have a National fund for development which should be in a position for catering for the group and this fund should stricktly be run and managed by people with disability.
- 9) Sign Language should be taught to all Kenyans in favour to our fellow deaf.
- 10-) People with disability should be adequately represented at all levels of governing organ and other regulating organs at regional , National and Local levels. This representation should reflect disability categories , gender and regional balances. E.g National Assembly one representative, Parliament , 2 per province male and a female, Local authorities 10%
- 10) The constitution should provide for parliament to enact laws to provide for person with disabilities to be considered a special category when comes to the nomination of members of Parliament , Councillors and other nominative positions.
- 11) Last but not least, the education for people with disability should be free and the government should ensure that in every District there are atleast 6 primary schools and 6 secondary schools favouring every type of disability so that the people with disability will acquire knowledge. Thank you very much.(clapping)

:

Com. Adagala: Okay, Thank you very much , on the last point some people have been telling us that there should not be a separate schools for disabled. You are saying this one should they be separate should they be intergrated into the school system or should they be separate schools?

Mary Gitiha: In some cases like now for deaf they cannot be in a normal school so in their favour they can be taken to their school, like now when I was going to school I had so many problems because I had to go to a normal school and it was very far and communication during the time of rainy seasons was very very difficult for me.

Com. Adagala: Okey thank you very much, you have given us wide ranging , recommendations I would like to say that we have with us a sign language expert by law. A sign language expert by law, so unless in Githunguri there are no people who are deaf, can I hear yes, are they present here , are present here? Are there people with hearing disability here? Once again we are breaking the law all of us. A committee where the people with hearing disability, okey , because we have Mr. Otieno here who is trained for that and by law we have to have sign language in every venue to cater for them by the Act which formed the Commission..

Com. Salim: Thank you very much, so I take it there is no one here hard of hearing of the entirely deaf, obviously he or she will not be able to hear me, but I am sure somebody sitting next to him or her if anyone is there , but we are taking the assurance from the Chairman of CCC committee kwamba , they are not here but they will be coming. Could you kindly alert us when he or she comes? Any deaf person or semi-deaf person if you know him or her please alert the committee members or us so that we can ask Lucy to come in and help. Tukiendelea mbele basi tunae Bwan James Gakuru CJPC Gathioko. Ana written memorandum, is that your memorandum Bwana James , you have five minutes please.

George Kimani: Thank you Mr. Chairman. Most of the points have been not noted down and what I have to do is just to go quickly to the points without wasting time.

We said that separation of powers in the Executive, Parliament , Judiciary should be Separated .

Also the point of nobody should be above the law. There is establishment of Prime Ministers post , then the President should be a ceremonial President. **(interjection)** Tell us your name-----

George Kimani: Oh my name is not James Gakuru I am reading on behalf of the Holy Family Church Gathioko. My name is George Kimani.

(interjection) ---(inaudible)

George Kimani: Yes, I am the one who is having the report for him. He was the Chairman who was to present the memorandum,

(interjection) ____(inaudible)

George Kimani: No, I am the one who is representing the Church.

(interjection) (inaudible) Just a minute because I think we have other people before you in the list and like we said we have to follow the order in the list. Please I think I am clear on that

Com. Salim: Bwana James Mburu, Miguta parish Youth is he here? Is Bwana James Mburu here please? Shout yes if you are there. Obviously he is not here so we will go on to Mr David Ndaire Gatoto. Bwana David Ndaire Gatoto is speaking for himself on behalf of himself and has a written memorandum and Bwana Gatoto you have 5 minutes to highlight only not to read.

Yaah. I take it since its your own you know what points are there.

(interjection): I do

Com: Very good

David Gatoto: What I want to highlight is just on the President first, I would suggest that the powers of the president be reduced and he should not be above the law.

I would also suggest that, the constitution should indicate that the President can be impeached in case he mis-uses his office.

(interjection) inaudible). I think ----- okey.

Com. Adagala: Just remind us your name before you continue

David Ndaire Gatoto: I am David Ndaire Gatoto, I am presenting on my own behalf and I am starting with the President, I am suggesting the the powers of the President be reduced. The President should be above the law.

I am also suggesting that the constitution indicate that the President can be impeached incase he mis-uses the office.

The President, should also cease being the Commander of the Armed Forces and in his place there should be some -body to be created by the Constitution to look for some qualified personnel and not the President to appoint.

He should also not appoint the Ministers , Assistant Minister and all other Departmental Head, but abody to be created by the Constitution should vet for qualified personnel and I propose the Parliament .

The Constitution of Kenya should now be reviewed by a referendum where every body is involved. This is unlike in the past where, whereby 65 % of the MPs were involved.

Parliamentarian: The Nationality should be automatic to all Kenyans living in Kenya and even those in foreign countries for overseas missions and plus those born of them without discrimination.

A constitution should create structures of Government , the Executive, Judiciary and Parliament which should be independent fully.

It should also give independence to the Chairman of Electoral Commission of Kenya.

It should also say the date of the general elections also swearing date after the elections.

The constitution should also define who will take over during the election period when the Parliament is dissolved and, even when the President has gone to seek mandate.

Com.Adagala: The constitution to set a date ----when?

David Gatoto: During elections--- who should replace the President?

Com. Adagala: I was proposing the ----Speaker-----of the National Assembly

David Gatoto: The constitution should make sure that it quarantees the liberty right and obligation and duties and also protect lives of all citizens.

The Constitution, sorry should guarantee the security of tenure for the Civil Servants and even the others. The Constitution should give the citizens the power to hire and fire officers who mis-uses the funds of the institutions . Those fired should be sued in court for recovery of the funds.

It should also give and strengthen the constitution , they should be fired, prosecuted,-----

Com. Adagala: No I am talking about being prosecuted for the recovery of the lost fund,---

David Gatoto: (inaudible)...--they should not...be?.

Incase of failure to recover whatever one had , mis-used he /she should be jailed.

Com.Salim: Now you said the Constitution should pick people with power to hire and fire who?

David Gatoto: Officers who misuse the funds of the institutions.

Com Salim:: You mean in public offices ?

David Gatoto: (yes)

Com Salim: : But when you say the people should be given the right to hire them how can we as citizens hire Officers? What is the mechanism to hire there? Well at the moment it is the public service Commission, that hires them on our behalf, as our Civil Servants.

Com.Adagala: Now how do, how can we as people hire them:

Com. Salim: I can hire someone to work for me at home, on my shamba, person to person but how do you or I hire officers?

David Gatoto: In this case I mean, you know whether you use the public service commission there are some people who cannot or rather, I put it this way, even in the public service commission someone is found to have misused funds and there are some other powers which can stop whoever is dealing with the case to stop the prosecution. ----

Com.Salim:I see the point , the thing is when you say the constitution should give people the right to hire and fire you are creating the , a very difficult mechanism for us as people. How can I fire for example an immigration officer as an individual....

David Gatoto: Not an individual , there is a problem there

Com. Salim: Who should do the hiring and the firing us as people or some body, in place of the PSC or the PSC itself. You are not happy with PSC in other words?

George Kimani: I am not very-----

Com: So you are thinking in terms of another body, then it is not us people to hire but another body on behalf of the people to hire and fire and instead of the PSC..

David Gatoto: That is a good correction thank you..

Com. Salim: I am sorry I am not trying to put words in your mouth I am seeking clarification only, that is very important then how do you want people to be hired and fired?

David Gatoto: I want the body that hired the people----

Com. Salim: Hallow , what you do , it seems that it is not clear , what you do is you sit down think about it with whoever you are doing it with or yourself and submit a supplementary memorandum on that.

David Gatoto: On that one. I can continue with others?

Com Adagala: You can continue with others, but you are always free supplement.

David Gatoto: The constitution should give strength to the Electorate to be given a ccountability by their MPs.and since Kenya is a multi-party state, I havea proposal that the expenses during the elections be covered by the state funds.

I also propose that there should be a coalition government as there are many parties representing the citizens.

The constitution must emphasize that one man should hold one job and no heading of many institution by one person. When I use the word man I am talking of mankind –

Com Adagala: And women?

David Gatoto: Men and women together.

Com. Adagala: Okay

The President should cease being the chancellor of the Universities and the position should be left to qualified personnel as he is not one of the lecturers or whatever.

The education should be made free for all from standard one to standard eight.

(Interjection)(Who should replace the President as the University Chancellor?)

Speaker: In this place I am talking of / it should be headed by qualified people , like Lecturers etc

Com. Adagala : You know people are saying the Chancellor should be someone who is educated or someone with a degree or one of the Lecturers, what about if you have like Professor Salim becomes President?

David Gatoto: By virtue of being a President and he is a proffesor, he is qualified. I am talking of a qualified persons. (laughter from audience)

Com Adagala: You know there are countries, there are countries who have had Professors and Doctors and what, as President okey?

David Gatoto: But in our case we have not had that although it can amended it to read easily this way .

The President should he be the chancellor of Universities and in the position they should be headed by those in the learning institution, qualified persons.

Com. Adagala: So the word qualified be included in the Constitution?

David Gatoto: Yes, the Chancellor should be appointed by –the Ministry of education because they know more than---- anyone who is qualified and who is not.

Com. Adagala: Okey , that is much clearer, because when you say , people are reacting to the present situation , we are making a constitution for a hundred years , you can imagine there will be atleast fifteen President or twenty so , it is very important to know that we are not in advocacy , we are not taking advocacy position , it is not for now only it is for our children children children like a person who prayed said so be very a ware of the long term . So what you have said is clearer that it should be one of the academician elected by them.

David Gatoto: Exactly. The Health sector should also be free ...-

Com. Adagala: What of the Ministry of education? Ministry , what about the Ministry of education in the universities?

David Gatoto: I am not sure.

Com Adagala: Please clarify this things okey, you are thinking on you-----future on behalf of your kids

David Gatoto: The chancellor should be appointed by the academician in the University and the .Ministry of education together jointly.

Com. Adagala: Questions asked is that your won view?

David Gatoto: Yes , because it is individualistic. On the health sector , the health services should made free for all in order to safe the wanting Kenyan.

The constitution should also formulate for the entire citizens welfare especially are those who have left school and are eligible for employment,, and should think of maybe giving them some allowance while waiting to get them jobs.

Iam about to finish.

Regarding the agriculture sector, the Constitution should quard thgoes (ie farmers from the elected representative who squander

the farmers money and go scot free especially in the co-operative by giving a proper way of dealing with them without following the delaying methods of going through the co-operative offices of tribunal

And last there should be a constitutional court to deal with all the matters related to it.Than you

Com. Adagala: We are not going to figure out ways , the commission is not going to figure out ways to do things. When you make a proposal like should guard farmers from people who do what you tell us how or who else should do this. The commission is not going to make the constitution we are just going to write a report . We are clerks, we are karani's secretaries , so who should when the tribunal is not there like in the co-operative and all that who should quard the farmers?,

David Gatoto: In this case if the people were not going through the offices of tribunal I am suggesting that they go directly to the Courts of Law.Because presently when one goes there he is refered to the offices and they take time before sorting the matter.

Com. Salim: Thank you Bwana Gatoto, kindly hand in your memorandum and if you would like to stand there beside Bwana George Nakholi who is receiving it , the one or two amendments you decided to make on your feet as my colleague told you , we can make them still on your feet next to Bwana George Nakholi and then you can hand in your amended memorandum to him. Thank you very much.

Next I will call upon someone representing youth again and its very important that we here from different sections of Kenyas Society, the youth, the women, the disabled any marginalized members of our society we would like to here from them .So can I ask , are there any minorities and that includes anyones who feels that his people are a small number a mix amidst the number of other people. And therefore needs a chance to speak out on their behalf?.

Are there any members of minorities here apart from the one I have mentiod?Are you already set, you will be called. Thank you.

So let me call upon this youth representative he is Mr Samuel Mburu who came in panting, he was supposed to speak before Mr. Gatoto but he wasn't around I think in the light of the fact that he is here now , can we listen to him? He's just missed this chance .

But for those who have missed the chance since earlier they have to go the back of the queue So Bwana Mburu you have I believe a written memorandum , now we cannot allow you to read it , we will allow you five minutes only and I mean only to highlight you memorandum . Okey?.

Samuel Mburu:: My names are Samuel Mburu Kimani, I am here to present views on behalf of the Youth from Migota Parish.

First point , free education: In ability of some parents to afford schoolfees(interjection).

Com. Adagala: My dear my dear youth, my dear youth, you are not going to read your memorandum , you are going to tell us your proposal for the education because you will not read—you know it. You are not going to read through it , you are

going to tell us education proposal please.

Samuel mburu: Free education: proposal, is inability of some parents

Com. Adagala: No, that is not a proposal , say education proposal free, endelea

Samuel Mburu: Free education, proposal free(laughter for the audience)

Com.Adagala : Okey the next proposal?

Samuel mburu: Child labour,

Com.Adagala: Child labour?okey go on

Samuel Mburu: Separation of powers

Com. Adagala: what about child labour? He has not understood , what do you want to be done about child labour?

Samuel Mburu: The government should look into welfare of children

Com.Adagala: Should ?

Samuel Mburu: Should look into children's welfare

Com. Adagala: That is a government , how about NGOs?

Speaker: Hii ya child labour,,,

Com. Adagala: Okey , hold on , hold on . Mburu , we want you to give us proposals , if you say the government should do this and that it is not enough , if you tell the government should look into ---- that is not enough , tell us what you want done about child labour.Otherwise we shall not be moving ahead, we shall just be once again the government , the government. What do you want to be done about child labour?

Samuel Mburu: They should look into account like those children who are house girls

Com.Adagala: And do what?

Samuel Mburu: They have their-----

Com.Adagala: Mburu , get be patient with mburu, Hallo everybody , kila mtuwait wait, you have to be tolerant this man is going to express his views. And we shall be patient with you but you have to tell us what you think should be done about house girls, the government is not going to write the constitution. You are ,. You are going to make the constitution.So tell us what you want done , you said look into their –like house girls, what should be done?

Samuel Mburu: They look , they look ----

Com. Salim: James tafadhali, I am sorry , as my colleague said we want to help you, guide you to tell us what you want. First of all, you want us to speak to you in English or in Kiswahili.

Samuel Mburu: In English

Com. Salim: In English fine , so on the issue of child labour , you see that there is a problem?

Is it a problem child labour? Yes, so what do you want us to do to remove there is a problem how do you solve that problem? You follow me? Yes, for example the maids who are very young what you want , you want us to stop employing them? you want us to pay them more? What do you want us to do?

Samuel mburu: They give free education to the children

Com. Salim: Who? Who should give education to the children?

Samuel Mburu: The government

Com. Salim: Fine that first point is made free education right? But on child labour is number two. So on child labour what do you want the government to do?

Samuel Mburu: To curb it....-

Com.Salim: Very good , you curb, you limit it you stop it..sawa. Endealea. So number two we have understand now

Samuel mburu: Separation of powers, The judiciary, Executive and the Legislature should be separated bodies .

Good management of public funds

Creat job opportunities.

Com.Salim What about public funds?

Samuel Mburu: Money collected during taxation should be used for the benefit of the citizens.

Com. Salim: Very good.

Samuel Mburu: Job opportunities, consider academic qualification rather than bribes , tribalism and nepotism.

Free constitution booklets for all citizens. (interjection)

The use of National Identity card during election instead of vote cards.

Election, candidates who solicit votes to vote through threat and exodus of citizen from one constitution to the other should be disqualified

Agriculture, an authoriative body should be set by the law securing farmer from exploitation of imported goods which result to low market of their products.

Presidential Powers , the immunity enjoyed by the President on matter pertaining prejudices should be scrapped powers such appointing Chief Justice, dissolving and prolonging Parliament.

Society welfare: A law to govern the management of hospital , health centers should be enacted since the cost of medication , as in medicine , X-ray are very high.And yet ordinary citizen who is highly taxed is unable to meet the cost.They should be freely offered.

Coalition government: The winning party should form a coalition government. Thank you.

Com. Salim: Thank you very much Samuel, we have got all your points we now move on to Patrick Kabiya, Patrick Kabiya is here,?Patrick you are speaking on behalf of the Gadhioko Catholic Youth, and you have a memorandum and you have five minutes only please. We promised James should be, brother Samuel will be patient with him, eventually patient paid and we have got all his point. So please , try to finish in five minutes we have a long list , you can see the hall is full. We want to give as many people as possible a chance to speak. So don't give us a background of your proposals , we are Kenyans we know what the background is , just say what changes proposals you have.

Patrick Kabilu: I am Patrick Kabilu, and I am representing Gadhioko Catholic Youth. Iam representing Gadhioko Catholic Youth on this constitutional reform.Okay

1) My first view is government should guarantee job opportunity to all educated individuals who are willing and are capable of working. Should the government fail to do so, it should honourably resign and pave way for for another government.Unemployment should be regarded as crime against humanity.

2) My second issue is on parastatal Chiefs or the managing directors should be appointed in order of merit but not politically. The President should not at all interfere in this exercise.

3) Powers of the President to be reduced to a manageable level and only in a necessary and sensitive issues like security.

4) Police Force to be retrained after every five years especially on matter concerning human rights.

5) The three arms of government should be very independent especially the Judiciary, this should be seen by the Judiciary being responsible for the appointment of the Chief Justice and all Judges.

6) Freedom of press to be guaranteed to all political parties and the private radio stations to be licenced to operate country wide not only in the region .

- 7) National Holidays , to be reduced in order to reduce government expenditure.Kenyatta day to be re-named hero,s day infavour of our freedom fighters.
- 8) The constitution should provide on the size of the government that is the cabinet, the size of the cabinet to avoid duplication of jobs and unnecessary reshuffles
- 9) The Vice president should be a running mate of the President in order to have the security of tenure.
- 10) The Constitution should made available to all Kenyan in an understandable language.
- 11) Electoral Commision should be independent and voters registration and the voting should be made mandatory to all Kenyans of age.
- 12) Cost sharing in health and education sector should be scrapped completely , and the government should take full responsibility of these essential services.
- 13) Disabled should have special rights and representation in all organization especially with the Parliament.
- 14) Kenya should have a standard and uniform currency irrespective of the President in power. The portrait of the President should be removed from the currency and replaced by either of the arms of the government.

(interjection) the court of arm?

Patrick kabilu: Yes,

Youth should be represented in a Parliament and other arms of government by a person qualified to be a youth. (laughter from the audience)

Com. Adagala: who is a person qualified to be a youth? (laughter from the audience)

Patrick Kabilu: A person at the age bracket of a youth

Com.Adagala: Which is the age bracket?

Patrick Kabilu:: Of fifteen years to thirty five years

Com. Adagala: Very good. Endelea

Patrick kabilu: Parliament should appoint the governor to the Central Bank and he or she should have the security of Tenure. And that is all.

Com. Adagala: Thank you very much (clapping) wait , wait at the microphone

You said all should vote , what is the voting age?

Patrick kabilu: Voting age is eighteen years

Com. Adagala: But there are many , many suggestions some people are saying fifteen , some people twenty five, so you need to say yours. Okay

And then size of cabinet, and the number of ministries?

Patrick kabilu: Yes, the number ministries.

Com.Adagala: How many?

Patrick kabilu: Okay-----

Com. Adagala : If you have not thought about it , its okey. Is V.P.a running of President for security of tenure . Freedom of press to be quaranteed to all political parties ,

Patrick kabilu: Okey on this issue mean for example now the KBC doesn't provide freedom to all political parties.. the only quarantee is for KANU.

Com.Adagala: Now that is not freedom of the press, that is access to media, it all media. Because if you talk about KBC is not press , the press is the Newspapers. But what you mean is access okey. So that is , this is during election?

(interjection) all times

Com. Adagala: Okey , that is access , freedom of the press is the press themselves how they function, it .Is a different story.....

Patrick kabilu: Yes

Com. Adagala : Okey , thank you very much.

Com. Salim: Asante sana, we would like to move Bwana Gabriel Nganga. Gadhieko Town council men's welfare

(interjection)Town Council, not council, Town C. What is Town C, it is a name , it is just a locality. You are talking about Men's welfare to the exclusion of women.Yaah, they might have their representation,so you are presenting men? We are just seeking to to clarify issues here. Yaah, Iam representing the Welfare group of Men, fine, very good. And you have a memorandum yes, five minutes only please.

Gabriel Nganga: Mine is very brief and I believe most of them have been mentioned by others but I am going to go through them one by one briefly because I have them in a written form

COM. Salim: Very good.

Gabriel Nganga: Now my first point or what we are trying to put across in our group is the separation of powers . The three arms of government that is the Executive, the Judiciary and the Parliament they must be separated and none of them should have more power than the other, we want them to have equal powers for checking balances.

The other one is that we feel that the Provincial Administration should be scrapped . We don't think it serves any purpose at the moment .It can be done by some Departmental heads.

The other point is nobody in the land should be above the law. We are equal before the law so nobody should be above such that nobody will not be prosecuted or should have immunity.

Then number four , we should have freedom of movement , Speech and Association.That is one should not be restricted to his own area.

The other point we are trying to put across is the police should be retrained and be taught about the new constitution , because once they leave their training College they behave the other way round.

The other point we are trying to put across is qualification of the police officers and other armed forces should not be based on height or athletics but should be based on educational qualifications.

The other point we are trying to express is about the Mayor of town council and Chairmen of county councils.Council Chiefs and Assistant Chief all of them must be elected by the people because they represent the people. So they should be elected on popular basis

The other point we are trying to put across is about election. The election should not be nobody's weapon. It should be put on a fixed date such that the country men will know when they are going to vote next . It should not be used by somebody as a weapon.

The other point we are trying to put across is the Electoral Commission must be independent and if its independent the registration of voters must be continuous , it should not be done only at the election time when the election time is nearing. We want this to be continuous.

The other point is about , we understand that or we know very well that the citizens(interjection) , okey what we need to

express here is we want the free medical treatment for everybody. And the other one is we want free education .

The other point we are trying to express here is the government should establish a fund disaster fund. A disaster fund for any calamities, that is we should have an emergency fund.

The other point is Parliament should be composed of all classes of people, we feel that people should be represented whether they are healthy, they are crippled or disabled. And I think that is my last point.

Com. Salim: Asante Bwana Gabriel Nganga, memo yako you can hand it in, and notices although he said he speaking for men, he said nothing whatsoever against the other sex. He said nothing against the women. He is at peace for the other party. Thank you very much, we move on now to the next speaker who is Julius Githanga PCEA Gakoe Church. Bwana Julius Githanga karibu you are representing the church, karibu.

Julius Githanga: I am representing the church and I have the following----

Com. Adagala: Julius who?

Julius Githanga: Julius Githanga koigi from Gakoe. The first one thing , the members elected as directors of companies and societies should not go beyond two years especially firms , they troubling us

Com. Adagala: Elected members of ?

Julius Githanga: Directors

Com. Adagala: Elected official of society?

Julius Githanga: Directors of societies

Com. Adagala: Directors? , sorry.

Julius Githanga: The other one, Directors , Managers and Clerk who have foreign should be followed until the money has been re- covered.

A commission or a committee should be made for appointing Commissioners , DC, PC , Ambassadors and Judiciary but not the president.

(interjection(Questions) inaudible)

Speaker: It can be formed from members of Parliament , maybe people from the church and so forth.

The money mis-used by advocates and government official should be recovered by It means Money belonging to disabled people should be managed and distributed by committee made of disabled people because they have stated the problems of the disabled.

Government money should be shared according to the contributors and population of the people.

Com. Adagala: What does that mean?

Julius Githanga: Of?

Com.Adagala: That one?

Julius Gathanga: It means that those people who are paying tax especially where they are more than the other provinces they should be given more money than the others.

Com.Adagala: Still not clear to me, to share the government money or government funds. To be shared such taxes, what

Julius Gathanga: According to the contributors those who are paying tax.

Com. Adagala: What about them?

Julius Gathanga: It should be distributed not equally but according to the people population paying tax.

Com. Adagala: But you know when government collects taxes for us, it is not for distribution among the people who pay it, it is for services, for the people who pay the taxes.

Julius Gathanga: But the services of the people who are more than the others are still more than for the other people who happen to be less.

Com. Adagala: So , please, explain to us how do you want the taxes to be distributed to the services, the money collected by government in form of taxes should be used for what?.....

Julius Gathanga: Should be shared according to the population of the people.

Com. Adagala: You are saying those who pay more?

Julius Gathanga: Should get more?

Com.Adagala: Should get more salaries, so why should we pay-it. If the money is going to go there or rather people with disability will not get anything for instance, so why should people pay taxes? (inaudible)

Julius Gathanga: No the government should be able to give of the services according to the tax you have already collected from within.

The government should see that the Directors follow and fulfil the decision and solutions of the members.

Com. Adagala: The Directors of what?

Julius Gathanga: Of companies

Com. Adagala: Why should the members not to do that?

Julius Gathanga: They do but sometimes they are unable

Com. Adagala: You know much of the future basically than action , so just be aware of that , but the government has its roles

Julius Gathanga: It can help?

Com. Adagala: Just like when we elect an MP we have a role to make sure that they serve us.

Com. Salim: Sorry, Bwana Githanga, we want you also to remember that these companies some of them are private companies because you talk in terms Directors of companies many of the companies are private, owned perhaps by a group of people so how do you expect the government to interfere with the way they run their affairs, there is always a recourse to law if someone breaks the law, if the Directors breaks law then normal law no procedure takes place isn't it? He is found for example to have stolen from the company, prove is brought forth that he has stolen from the shareholders of the company and is brought before the law and he is tried. That is being done now right?, so what more can be done? What are you trying to say?

Julius Gathanga: I am trying to say that the government should not just overlook and see a company collapse or collapsing without any help from of the members.

Com. Adagala: In another words you want implementation of the law in a just effective way?

Julius Gathanga: Yes.

Com. Salim: Am I right I don't want to put words in your mouth I am not allowed to but I am trying to see what you are trying to tell us, are you trying to tell us that there should be a very effective implementation of the law in land against company Directors who don't run their company properly.

Julius Gathanga: yes

Com. Adagala: Now we are going to move into an Era when you say the President powers should be reduced, they don't just get to be reduced, they get reduced and the excess flows down so that the government powers also get reduced and they flows down so I am not trying to change your idea we have already written it down, but it means good governance also come from members of companies and societies. So and actually the voters much of what you are proposing is to give voters more power, all that powers comes down to the people, we are not changing what you are saying but its something to think about that what should members do, even when they are talking about police and increasing police and security what should the citizens do? Because the insecurity comes from the citizens among the citizens so what should they do, so its just something to think about. Okey, umemaliza?....

Julius Gathanga: No, Government money should be used according to the work it was assigned for?

Com. Adagala: How long will take? How many more?

Julius Gathanga: Two

Com. Adagala Okey

Julius Gathanga: I said government money to be used according to the work it was assigned for.

The church should be given part in the election exercise. election exercise. We have given them as observers but they do not have any powers. Afterwards they can be taken to a station with power that he can say whether the election was done fairly or not. To be observers but I do not see as if they have power, no powers.

The government keep aside enough money for providing for the physically disabled, Hearing impaired facial impaired and any person with disability with facilities they need free of charge.

Com. Salim: Thank you very much Bwana Julius Githanga for your views your memorandum can be handed in to Bwana Nakholi. We now move to Peter Kihara Young. Is that the name? Young, Peter Kihara Young, the Young is actually speaking for the old. Wazee hukumbuka. Karibu Bwana Kihara, please una written memorandum, five minutes please so that we hear the views from everybody here before the end of the day.

Peter Kihara Young: These are proposals -----(interjection)

Com. Salim: One second please, you need to give your name but before you do that can I please again repeat my appeal. Anyone with mobile phones still on kindly switch it off incase you have forgotten to do so. Please check your phone to see whether its off because its interfering with the recording and even is distorting or spoiling the clarity of the microphone. Asanteni. Okey Bwana -----Please give your name first.

Peter kichara: My name is Peter Kihara Young, I come from Githiga location and infact I am representing three main groups, that is Githiga sub-location, Gitiha, Gathangari and Githunguri sub-location.

And these are the proposals made by these groups

- 1) We start with preamble, and we say the Constitution must state clearly the aspirations of Kenyans and establish a social democratic society, where natural resources will be utilized for the betterment of man.
- 2) Human rights must be safeguarded and any violation of these rights must be punished by the law. We say as stated under Universal declaration of human right of 1948 and the Afrian Charter on human right and GENEVA international convention on Civil, political and social and cultural rights we may also add United Nation Convention of Women and children and disabled people that means their right must be entrenched protected and must entranced in the constitution. We say the the constitution should establish, human right courts quarantee supremacy of the Legislature and establish an office where complains will be send and acted upon.

- 3) During elections if one party fails to gather 51% then there should be a coalition of the different political parties provided they agreed and if they disagree then election must be held as quickly as possible. The holder of the Constitutional offices eg the Attorney General, the Judges, Public, Service commission, Electoral Commission, Comptroller and Auditor General must be vetted by Parliament, Parliament immediately re-appoint them..
- 4) On specific conditional presidency we feel that the Kenyan Constitution should create an office of Prime Minister who will be the head of government and the President should be ceremonial. Likewise and still on that, proposal, all holders are of Constitutional offices as mentioned above should have tenure of offices.
- 5) The constitution should create a the limit on agricultural land that an individual should own and we propose an individual should not own more than 50 acres in arable area. Semi-and arable areas those have special cases depending on geographical condition of that area.

The Parliament should physically access (Interjection) Minimum, minimum not maximum, minimum that is 50 acres arable areas. maximum, maximum, minimum no, yes maximum 50% maximum yes an individual should own in arable areas. What is the minimum you want----- No I don't want any---- we didn't have that one, that is from 1 to 50 acres.

Com. Adagala: Okay, I suppose part of the reason is to redistribute land so that people are not suffering because of landlessness, as squatters—

Peter Kihara: Yes, that, that was the point

Com. Adagala: Then you must have a minimum

Peter Kihara: No just from (inaudible). The parliament should have power

Com. Salim: Pole Bwana peter, you are still not clear if you say maximum is 50 acres and there is no minimum what should happen with someone owning one thousand acres?

Peter Kahara: What I am saying that you should not own more than 50 acres

Com. Adagala : Okey, what happen to the rest nine hundred and fifty hecres, what should happen to that?

Peter Kihara: To be distributed to homes

Com. Adagala: To whom, you, can you give all the landless land?

Peter Kihara: No but I am saying this to be a matter of principle then no individual Kenyan should own more than 50 acres. If we have more than that then the excess should be distributed to Kenya landless people.

Com.Adagala: How is the excess taken a way, by compensation or

Peter Kihara: Yes , compensation by the state and the state should organize mechanism of doing that, of implementing that. Sawa and parliament

Com.Adagala: Excuse me mzee even when it is being distributed unless if you are going to say everybody should have 50 acres. You have to have a minimum because if landless have zero.

Peter Kihara: True what I am trying to say – I don't think my point has been understood what I am saying I am only saying that it is immoral for an individual to own 1,000,000 of acre where others don't have any land .

Com. Adagala: Any way go on.

Com.Adagala: That is exactly what I am saying fair distribution of agricultural land

Interjection: Its clear thank you just continue.

Peter Kihara that no foreigner should own land in Kenya, because I don't think that of our people own land in foreign land and if Parliament should access critically the performances of the Kenyan government particularly if the government – I mean if the President violet the constitution he should be impeached by the government.

On education every Kenyan child should have access to good quality education Kenyan

Com. Salim: When you say access are you saying that the schools should be there?

Peter Kihara: Should be there, I know they are there but because probably of their parents inability they don't go school.

Com.Salim: So what are you saying then.

Peter Kihara: I mean that every – It is a right of every Kenyan child to go to school

Peter Kihara: Whether he has fees or not.

Peter Kihara: Whether he has fees or not.

Com.Salim: Why don't you put then in a simpler, clear straight forward way, I don't want to put words in your month.

Peter Kihara: Free education, free quality education

Com.Salim: That is clearer

Peter Kihara: We propose that Kenyans should be divided into various provinces as we have –first we should have one province knowing lake province consisting of Western, Nyanza and Kericho district and Kerio province which include Nandi, uasingishu, Elgon, Marakwet, Transzoia, and west pokot.

Interjection: How many provinces?

Peter Kihara: Nine provinces

Interjection: What is the second one?

Peter Kihara: The second one is Kerio Province. Which includes Nandi, uasin gishu, and Elgon, Transzoia and West pokot district. The third district, the third province they are calling it great lake province that includes Baringo, Nakuru, Nyandarua and Narok district. Eastern Island province that includes Kajiado, Machakos, Kiambu and Muranga districts. Kajiado, Machakos, Kiambu, and Muranga districts. We have mount Kenya province which includes Nyeri, Embu, Kirinyaga , Laikipia and Samburu. No Kiambu we say Nyeri, Embu, Kirinyaga, Laikipia and Samburu district. We have Tana province which include Marsabit, Isiolo, Meru and Kitui district. We have Eastern province which includes Mandera and wajir. We have pwani province which include Taita, Kwale, Kilifi, Tana river district. We have now the nineth province which we are calling Extra provinces of Nairobi, Mombasa and Lamu and in each of this provinces at least there should be one.....University

Com.Salim: He has it written but I was just wondering you said that one province includes Mombasa and Nairobi.

Peter Kihara: No, no I say each draft province

Com.Salim: Mombasa has one, Nairobi has one and Lamu. Lamu should be a province on its own. Okay.

Peter Kihara: On its own. On employment every Kenyan is entitled to some level of employment depending on their level of qualification. However the policy of one man one job should be implemented accordingly

Peter Kihara: One person one job.

Peter Kihara: One person one job. That's all.

Thank you very much.

Com.Salim: Thank you Bwana Peter Kiharu young for your views very interesting new set up of provinces, which – I say interesting and I mean that I am not trying to be funny here. We have questions for him may be, bwana Peter maybe before–sit down and do what my colleague asked you, but I have one question for you very simple. The provincial administration you talked about I mean the provincial divinity you talked about I take it you have seen it in favour then of the maintaining the Provincial Administration?

Peter Kihara: No, no,

Peter Kihara: How would this provinces be run.

Peter Kihara: may I say they should be run by elected bodies that is an existing local government in Kenya and do away with the present local authority act that is chapter 265 laws of Kenya.

Com.Salim: Those are very interesting points which you did not mention in your presentation at all, are they in the memorandum though?

Peter Kihara: They are not in the memorandum but we are saying that the only help

Com.Salim; This is again..(interjection)

Peter Kihara: It is in our memorandum------(interjection

Peter Kihara: It is in the memorandum

Peter Kihara: But we are only suggesting that we elevate an empower local authority

Com.Salim: what I am saying is your suggestion now that they should be run by elected bodies and we do away with local government is in your memorandum.

Com. Salim: No, talk of the provincial administration.

Com. Salim: No you did say that they should be run by elected bodies, but you say that we do away with the local

government act?

Peter Kihara: yes

Com. Salim: Alright but then what I am asking you please understand me are you- do you have this points in your memorandum?

Peter Kihara: Yes they are with me.

Com. Salim: Because you did not mention them in your introduction

Peter Kihara: No

Com. Salim: but they are there.

Peter Kihara: Yes

Com. Salim: We want just to be assured that they are there for us to have a look at them. Thank you.

Com. Adagala: Sorry to ask – wait, wait there, what you have done many other people have done they draw a map of a new Kenya what is the principle for the division regionally Do you have a principle behind it or is just (interjection)...

Peter Kihara: We are trying to find out a way of eliminating ethnic problems because we noted for sure that we are the most ethnic nation. I think that – what we had in mind .

Peter Kihara: Infact that is why I said it is very interesting but because you will notice that the boundaries of each province the way he gave it brings together people of different ethnic origins within the boundaries of the same province now there was eliminating what he rightly put as the ethnic boundaries .

Peter Kihara: That is what we had in mind.

Peter Kihara: And hence my describing it as very interesting. Thank you very much.

Com. Salim: Some people have given boundaries, which reflect economic, the different economic region in the country so that is why I asked him what his principle is and so we encourage people also the think this way are going to create a new Kenya so there is no point to see things are now as the only way , it can be that way , it can also be tought

about differently as we said earlier ladies tend to be a in minority everywhere and we want to project ladies voices we call therefore upon Rahab Njeri Kigo. Rahab Njeri Kigo yuko? Please raise your hand so that I can see it , she is sitting here in front on my left. And then we were going to suggest , I hope this will go down well , we are going to suggest that we break for some rest for some open air relaxation for some of us to go out and stretch our legs , do you mind if we break between one and two and then resume at two will that be acceptable?Very good. So I was going , but please do come back , we want all of you to come so that we here all your views and we should be able to here your views when you come back -----so Rahab Njeri Kigo , you have a written memorandum? ---Yes Rahab Njeri—please I can see that you have prepared yourself to give us the highlight in five minutes because we want to be sure before we break for lunch we listen to you and several or two three other people. Thank you very much.
Karibu

Rahab Njeri Kigo: My names are Rahab Njeri Kigo from Githunguri , I want to present a memorandum for women from Githunguri.

First and foremost I would say Heko to the appointed women Commissioners having seven out of 27 Commissioners which is a history to be remembered by Kenyan women .

So our memorandum as women in Githunguri we would like our Constitution that everyone has right(interjection)

Com.Adagala: Women in Githunguri any particular organization ?

Rahab Njeri Kigo: I am representing Gender as in women from Githunguri.

Com. Adagala: Then give your views, unless they have elected you, you cant represent them and there is nobody who speaks for anybody, any in the constitution, then you have that its an Organisation,

Rahab Njeri: Yaah—They have selected me

Com. Adagala: Which one is your organization?

Rahab Njeri: Githuka

Com. Adagala: Githuka, then those ones have given you the mandate -----Okay?

Rahab Njeri: Yes in our memorandum , we would wish to have a constitution that every one has a right to equal protection , free from discrimination, and equality before the law for all citizens regardless of gender or sexual status.

On citizenship, persons born in Kenya after the 1963 and person staying in Kenya for a period of more than five years are automatic Kenyan citizens. A child of less than 18 years whose parents are not Kenyans adopted by a citizen of Kenya should be registered as a Kenyan citizen. The Kenyan constitution should allow for dual citizenship to enable Kenyan living abroad to enjoy their life as Kenyan citizens. For, for right and obligation of a citizen, the Kenyan Constitution should provide that all citizen are equally and entitled to their rights, privileges and benefits for citizenship regardless of gender and also as a Kenyan citizen should be having the following documents to prove as a Kenyan citizenship, birth certificate, Kenyan passport and National identity card and also I would like the Constitution to note that a Kenyan child born of Kenyan parents should be issued with a birth certificate, an identity card upon presentation of either the mother's or father's Identity card.

Also as a basic right, the constitution should guarantee basic rights which include Health care and free access to Health care, also water and food. And also we should guarantee that free education for primary education and also cost sharing in higher education and public universities. Also we should have the right to own and hold property for all Kenyan irrespective of gender or marital status, they should be helped by the Constitution. The Kenyan women should suffer no more of discrimination oppression that reduces our dignity in Kenya.

For Affirmative action, rights of equality of all citizen irrespective of gender should be entrenched in the Constitution. Also the Constitution should make provision for affirmative action, as we know affirmative action is just a matter of justice, equality and human rights.

For our Political parties and the registrar also in the Judiciary, for our political parties we the Constitution should regulate the commission, management and the conduct of political parties and all National parties should be funded by public funds to avoid the individuals domination of political parties. Also parties should not be run as private enterprises from which only the most economically able people can benefit.

So also for the Electoral systems, political parties should be encouraged to have at least one third of its officials in party organs as and women to provide issues policies on women issues in Constitution manifestos.

Also the presidential election should be conducted by electoral College to enable women to participate equitably in these Constituencies.

Also for secret ballot, method of voting should be entrenched in the Constitution for all parties voting including political parties. For our registrar the law should provide the provision for security for all candidates during campaigns and election period.

Also the affirmative action should be adopted to increase the representation of women in the local authorities of women representatives.

Also the mayor and Chairpersons , sorry, Mayors and Council Chairpersons and their deputies be elected by people directly. Also the minimum qualification For Councillors should be O- Level and Leadership qualities should be observed and a balance to be put in place.

Also the president should not have a constituency , that Kenya is Kenya as a Nation should be his or her constituency. Also the president tenure of two or five year term period limits his existence in the current Constitution it should continue in the new Constitution.

Also as I proceed for the land and property, ...

Com. Salim: Sorry Madam you have over- run your time already, but maybe a very brief one or two words about, you want to talk about the land, land issue, very briefly two minutes.

Rahab Njeri: Female offspring regardless of marital status should be entitled to inherit family property including land without discrimination. There should be equal access to land ownership and control and other resources among women and men. Also no individual should own more than 100 acres in Kenya at those currently owning more than this should be compelled to sale the excess to the state for ---- distribution to the Kenyan landless persons. Every Kenyan should own and property any where in the country without restrictions. And for the bench we would like one third of parliamentary should have a law to effect emergency powers. . Also Kenyan who became , Kenyan who became victims of emergency works should probably be compensated by the state within a period of two years after the emergency. And that all I have for today.

Com. Adagala Go through this you know when people are saying 100 acres , infact I don't know what the men have in mind, but you mean 100acres regardless of gender, ownership, you have to say this , this is the microphone , you have confidently , you have to say----I am asking you a question you haven't answered it---

Rahab Njeri: Ask me now , I didn't hear.

Com. Adagala A 100 cres of ownership of land , do you mean regardless of gender or just a 100 acres and then it will go on like that?

Rahab Njeri: Regardless of the gender,

Com. Adagala Okey I will not put the word into your mouth unless you don't want. The other one is the local authority, a firmative action does it apply to local authority?

Rahab Njeri: Yes,

Com. Adagala: But you haven't said this,

Rahab Njeri: I have just ----gone through.... But its written in my memorandum.

Com. Adagala The problem of citizenship is not that of parents, of Kenyan parents it is that a Kenyan married to a foreign woman the children automatically becomes Kenyan, but a Kenyans woman married to a foreign man the children don't become citizens, have you presented that? Okey Thank you very much

Com. Salim: Can I ask you also one or two questions, when you said this, when you said that no one should own more than 100 acres and then you go on to say every Kenyan should own land without restriction do you realize that there is a contradiction there? You cant say that, we should not own more than 100 acres and then go on to say there should be no restriction, you realize there a contradiction there?

Rahab Njeri: I just wanted to say that anyone can own land anywhere in Kenya .

Com Salim: Anywhere in Kenya , thank you.

Com. Adagala: Again there are some people looking for communal land , so if there are communal land there will be restriction? There are some people who are saying that they are better of with communal land, I believe even the catholic church proposed communal land in one of their memorandum. So I am not trying its ----just an wareness that there maybe some people because of their activities like the pastrolists might prefer that so when you say without restriction there will be a place where there will be communal land a 100 thousand acres and there is nothing you do about it.

Rahab Njeri: But the constitution can represent those communities

Com. Salim: Sawa tumekata shauri kuendelea kidogo kabila ya ku-break----And we now call upon Elizabeth . W. Mutai is she here? Karibu

Elizabeth W. Mutai: My name is Elizabeth W. Mutai, and I would like to present on behalf of Maendeleo ya wana-wake and I will tackle quite a number of area that are affecting us

- 1) The preamble . we would like the preamble to mention about the people of Kenyan , we the people of Kenya men , women and children.
- 2) Also it should be one that will respect and honour the thoughts of our people and our independent.

Then it should also have a vision, the National vision where are we heading to , it should show some unity , it should have equal treatment by the law. The Constitution also should have supremacy , it should be supreme it should guarantee individual freedom in all perspectives , it should also guarantee basic rights.

And when I refer to the rights these are the human rights, education, health, education **Com. Adagala:** Those are basic, you can make ---- they are human but they are basic to life. Wait, before you go very far you say it should have a vision then you said where are we going to----

Elizabeth W. Mutai: Where it is heading us, where the Constitution heading us

Com. Adagala: You can tell us, you see this is the thing, not that you should now ,

Elizabeth W. Mutai: That is what I mean when I talk of vision it should giving us a direction where its giving us some unity undiversified, ----- then it should be giving us an equal treatment before the law --- okey.

Then when we talked about the citizenship

- 1) All children inside our country and outside Kenya by the Kenyan citizen should all be entitled to citizenship.
- 2) Also beside the being of of a Kenyan citizens foreigners and their children who have lived in our country for fifteen years so if they live within our country and then the children should be and also the foreigner should be a citizen.
- 3) Then we have the adopted foreign children by the Kenyan citizens they should be entitled to citizenship.
- 4) Also also those who would apply to be citizen they should be honoured with some conditions, then by the virtues of marriage those are the one's that will apply and by the virtue of adoption.
- 5) The political parties should have some similar roles that they are playing
 - 1) They should be involved in all areas of development, in all the areas of development.that is road, electricity, communication lines extra .They should also all of them all the political parties they should have the common role to enhance access useful education for all.

Com. Salim: Madam how do you want them to be involved?

Elizabeth W. Mutai: They would be involved in their political parties and get to the people , get rights to the people so that they understand the problems of the people and the urgency and the priority of the people so that they can help in the development.

There should also be involvement in the social amenities, involvement in the social amenities I refer to the hospitals the development of the hospital, the schools extra, those political parties should also be involved there.

They should also be there to advocate for human rights, they should be the people who are practicing, who are seeing that the people that have elected them are forming the party have their basic right considered.

They should also protect and manage the natural resources, they should protect and manage the natural resources.

Still with the political parties they should have a certain requirement such as, they should be a registered party. They should have their rules and regulations, they should avail their finances to the political parties from the public resources they should have one party that is getting the funds from the public resources and the others are left alone to mind their funds from wherever they will get them. They should all be catered for from the public resources.

There should be a maximum of 3 to 5 from political parties when they are more than they create confusion So at least there should be 3 or 5 political parties.

So every Kenyan citizen should be at least a member of any but not more than that when they too many they create confusion

Com. Salim: What figure did you give?

Elizabeth W. Mutua: 3 to 5, maximum of five political parties, a minimum of 3.

Com. Salim: Every body talks of this confusion, but confusion is part of democracy

Elizabeth W. Mutai: I agree with you

Com. Salim: You know it is very hard unless parties evolve themselves it is going to be very hard to vet particularly political parties or churches people keep saying there are too many churches it's the freedom of worship.

Com. Adagala: It is a thing that I think needs to be, I think is something which perhaps if I am thinking about in terms of how do we manipulate this, but the Constitution is not about manipulation. People ask for freedom, section 2A was taken away---was revealed from the Constitution and there was freedom. Now you want that freedom limited, and in fact shrunk from 48 to 3/

Elizabeth W, Mutai: That is true.

Com. Adagala: How will it be done?,

Elizabeth W. Mutai: You know we also require to have control, it doesn't mind mean that when there is freedom

there is no responsibility, they have to be that control, because the more they are the more the Christians and the Congregations and the other people all get confused to which party to join. So if there are few at least you have a right to choose between those two other than when they are too many.

Com. Adagala: We will probably be rejected by the whole world for limiting churches. No no I am not just telling you--- that it has to have a criteria, what will be the criteria maybe you can think through this?

Elizabeth W. Mutai: Okay, later

Com. Adagala: Yes later and submit something on it, because you know the political parties are male dominated so it will be even more male domination (laughter)

Elizabeth W. Mutai: Well I move on to the power of---- three arms of the government, they should be separated completely. If it is the Legislature the appointments, all the appointments done they should be vetted by the Parliament. For example if it is the Judiciary if its----- (interjection)

Com. Adagala: Don't go into examples because you are running out of your time, because you are reading that memo and it seems like it has several pages. If you say separation of powers this is by parliament it is understood.

Elizabeth W. Mutai: Okey. The Legislature members, those that are elected they should be members who are above 18 years, they should be members of Parliament ----

For the President I would put ----- is 18 years to 65 years. They should be academically qualified up to the University level. They should be of moral---

Com. Salim; Sorry you said up to University, but what is the minimum? O' Level?

Elizabeth W. Mutai : The minimum at O'Level up to University.

Com. Salim: So O' Level up to University?

Elizabeth W. Mutua : Up to University

Com. Adagala: Endelea mama ama umemaliza?

Elizabeth W. Mutai: Then if it's the Executive powers they should be as much as possible minimized they should be reduced, the presidential tenure should be terms only that is two terms for five years, ten years the person should be out. Then the presidential functions should be defined in the Constitution by limiting---

Com. Salim: Sorry, presidential terms is two or five years, what about MPs? Can one have a very happy career as a member of parliament from the age of 18 up to the age of 65years?

Elizabeth W. Mutua : No , they should also go for two terms , ---- excuse me , when I talk of a family person I am talking the natural set up to a family where we have father , mother and children.That nuclear (laughter)

Com. Adagala: We are living in a society which----- but we are living in the society with very many types of families.

Elizabeth. W. Mutai: I understand that is why I am trying to specify that, so that there is a role model of the father, there is a role of the mother and there is a role model of the children, so that we help the up growing children .

Com. Adagala: And someone bereaved in office? Like Mugabe, like Mandela, no Mandela got divorced.

Elizabeth. W. Mutai: There are some circumstances that will cause that, so it can be understood with time although I have explained in my memorandum .

Also the person who will be (interjection)

Com. Salim: You are not insisting on re-marriage or marrying somebody else? One can stay single?

Elizabeth W. Mutai: Excuse me , the person may have been bereaved of AIDs and therefore the person may kill other people.

Com. Salim: No on the other hand may be a very health man, his wife or his spouse could be a man or woman I must correct that the spouse can die of a very natural cause it happens, so what should the living spouse do, can he remain single?

Elizabeth W. Mutai: He can remarry but on condition.

Com. Salim: If he makes a choice , one has a personal decision to make , so he can make that decision at his own will.

Com. Adagala: That is disqualifies Prof. Salim, and all the people of his religion

Elizabeth W. Mutai: Correct

Com. Adagala: So mostly cannot lead this country.(laughter)

Com. Salim: Islam has been mis-understood infact a Muslim can marry and marry once he loses one spouse I am sorry it has to be a wife he can take another wife, and another wife-----

Elizabeth W. Mutai : I am sorry to confess you are taking my time , so please give me more time---

Com. Salim_ We are seeking clarification but we are giving you all your time.

Elizabeth W Mutai: Yaah Thank you... Okey ... Thank you....

The person must of sound mind . He must be God fearing. He must be one that would declare his wealth, not that mysterious wealth that is not known where its coming from but the person has the wealth.

Com. Salim: Does that apply only to the President or all officers?-----

Elizabeth W. Mutai: It is all officers, everybody in the country for the welfare of everybody.

Com. Salim: Because you are talking about the President only it seems

Elizabeth W, Mutai: The point can also be used on that other side.

Com. Salim : I am sorry I am not arguing with you or trying to--- I am really seeking clarification here , if you are talking specifically about the President all I am asking is should that condition of declaring wealth apply to all his parent beyond the president or just the President.

Elizabeth W . Mutai: It applies to all---

Then if I would move to the judiciary it should be separated completely from the Executive completely, and the Judiciary should be completely independent and it should be establish a supreme court , it should also be having a constitutional court, where matters to these would be refered to.

There should be a panel of members from the LSK(Law s Society of Kenya) to elect judges other than the Judges being elected by the Executive.

There should also be judicial Officers who should have a minimum of a degree qualification in Law and who should have served for more than seven years experience in the High court.

There should be disciplinary mechanisms for Judges and other Officers.

Com. Adagala: Who should do the discipline?

Elizabeth W . Mutai: Judges.

Com. Adagala:Yes, Who to discipline them

Elizabeth W. Mutai: You are asking the judges if they offend or if they take an offence who will---please come again,

Com. Adagala: To be disciplined by whom?

Elizabeth W. Mutai: By this panel of Judicial Commissioners who will be set aside for that purpose.

Com. Adagala: Its an interesting point but if the Judges are going to be disciplined by a body made up of lawyers, can you see that here is a senior person a Judge, supreme Court Judge being disciplined by a group of lawyers only (LSK)?In another words Juniors disciplining Seniors?

Elizabeth W. Mutai: Not really, but if it is well arranged it will to come out better and better understood because with the supreme Court it will be able to handle all those areas.

Com. Salim: No we are talking particularly about the disciplining of the Judges, say Judges accused of bribery and so on.

, do you bring him before the body made up of (LSK) lawyers? To be tried and Judged then discipline by them?

Elizabeth. W. Mutai: We are having Attorney Generals office which will still handle such.

The local government, with the Local government the Mayors and the Chairperson they should be elected directly by the people , they should not just come from nowhere they should be elected by the people and I would make a request the chairperson should replace the word Chairman, the Chairman is always used and sometimes people react when they hear a Chairperson, a Chairman who is a woman they ask what do you mean?So it is a special request for this the Chairperson retains the name of the Chairman, so Chairman is gone.

With Local authorities they should not be under the central government

Com. Adagala: Is it two or three which are important even one? Please wind up .

Elizabeth. W. Mutai: With Electoral Systems , they should have a calender one that is very important, the calender, they should also have presidential candidate who should gather votes from all over the country that is what should be there

They should also be qualified with a minimum of Diploma in Law atleast, sorry I have mixed that because--- of speed. The appointment of the Electoral Commissioners should be two person elected from each Province with gender

equity.

Six people elected from disadvantaged groups so that they are also taken care of, those are the vulnerable groups.

With basic rights they should be taken care of on the side of security, health, water and education all these should be ensured.

Com. Adagala: Okey, Thank you, now kingereza, Chairperson, Chairman, Chairwoman, why cant we just say Mwenye kiti? Because you see, we have thrown ourselves in a language which is very gender based and yet our languages hat kwa kikuyu it is just Mwenye kiti we don't have he or she, is a better language, our language is a better language than English.

Elizabeth W. Mutai: But that is true, we canuse either speak Kiswahili, Mwenye Kiti and that is right but most of the time you are communicating in English so you end up saying Chairman

Com. Adagala: You say Safari in English as we are talking, we should fight for this word I am trying to tell women we should fight for this word and not get in the problems of wazungus.

Elizabeth. W. Mutai : Okey, but you maybe developing sheng' other than having clear language in English or in Kiswahili, so you are now blending a language which we term as sheng' Thank you.

Com. Adagala: It is a distinct word, classical Kiswahili.

Com. Salim: Can I call Joseph Ndungu Kabiru, Bwana Joseph Ndungu kabiru is a disabled person he's been here for a while and can I allow him to jump the queue just over a few people only and give his views now, acceptable? Sawa, Thank you.

Joseph Ndungu Kabira: My names is Joseph Kabiro, I am a resident of Guthunguri and I have a personal view on this honourable constitutional review process. Mine is very brief and I have just very few points here; In the modern constitution that we have there is that clause that says any member of parliament who tends to be bankrupt huyu mtu hana pesa, automatically anapwa nje, that one I beg the commissioners to scrap that clause because we have leaders who can lead nicely lakini they don't have money. This is where we will get people squandering public funds taking the money in their accounts so that they can qualify to lead us.

Com. Adagala: Excuse me, if you are bankrupt it doesn't mean you don't have money. Bankruptcy is much more

than that. But if you are talking about the second point that is okay but bankruptcy is you owe much more than you can ever pay----and you are ever able to pay okay, so now the second point you are making I think it is the one you want say maybe. About plundering public funds.

Joseph Ndungu: I am through with that one, now I come to the second point. The current constitution bars the current President from office if he attains two terms of ten years, then there is this president a presidential candidate who fails twice, he is a contestant on two elections and he fails I don't see how he can be allowed by the law to contest for the third time.

Com: Salim: That is a very original proposal we are hearing it for the very first time thank you, continue.

Joseph Ndungu: I am through with that one, I come to the third point whereby the police tend to harass wananchi on their humanitarian grounds and the wananchi have nowhere to go because let's say I take for example of Githunguri police station, a police man has harassed me, I want to go to the police station and report him there, I will find his colleagues who are his friends, I propose that there be introduced a court whereby I can go and report the officer to a very neutral court let us say, -

Com. Adagala: He can elaborate and it end up being a novel, a big book.

Joseph Ndungu : Okay, I go to the next point. There was that time that we heard that all the Chiefs should be sacked and I don't know what went wrong? It is my proposal that this post of the Chiefs be scrapped whereby they will be replaced by Wazee wa kijiji wale tuku nao siku hizi and they are not paid by the government, the government should save a lot of money by scrapping this post.

The my second, the other point is and I don't know why this one has to be discussed

Com: Adagala: Who will pay Wazee wa kijiji?

Joseph Ndungu: We always pay them.

Com. Adagala: I just wanted you to say it again

Joseph Ndungu: On medical services: The government ought to provide this service absolutely free, without any term of cost sharing I don't where the term came from. That one should be exempted, medical services have to be absolutely free.

The last point is the number of Ministers in the forth coming government should be specific, I don't see why the President can just create a Ministry to reward someone it should be specific if the number is fifteen , let it remain fifteen, not sixteen this time tommorow we have thirteen that one should be a specific, number of Ministries should be specific as long as the government will exist.

The last is, if an MP or a Concillor fails to deliver , let there be a procedure whereby this MP or Councillor will be , re-called and we have an election as long as the people of that same area feels that he is not delivering , how do we go about it , it is my proposal that voters of that same area are let say thirty thousand and fifteen thousand find that the Mp is not delivering, that MP should leave office.Thank you.

Com.Adagala: Thank you very much , very good ---very original contribution. I suppose I don't want to ask you which you don't want to go that far, I suppose your colleague in who spoke earlier about people with disabilities spoke for you on on those points. Okey, and that is fine I don't want to get you there.You don't want to go there.

Okey cost sharing came from world bankThank you very much, recalling your MP is called power of recall. Not correction it is just what is called, it just sound very tough to to me so I wanted to share it with you, power of recall.(people talking inaudible)

Com.Salim: Tafadhalini tunyamaze tumsikize huyu mama hapa. We have to get a translator because she will speak in kikuyu.

Mary Nyambura (talking in Kikuyu)

Translator: Huyu mama anasema baba wa huyu mtoto asha aga dunia , mimi nasema ndiye mlezi wa huyu mtoto mimi sina shamba na sina kazi ya kulea huyu mtoto kwa hivyo mimi nataka muwe mkinisaidia.Mimi nasama wakati wazazi wake walikufa niliachiwa huyu mtoto na wengine ni sita kwa hivyo watoto wote ni saba , na huyu mtoto ambaye amebewa hapa. Na huyu mtoto wa kwanza wa wale wazazi nilimsomesha mpaka akafika kidato cha nne. Na wakati niliachiwa hawa watoto , niliachiwa elfu mbili na nilikuwa nimezitimia na kwa hivyo ninasema nitaendelea mbele.Kwa hivyo nitaendelea kutunza hawa watoto mpaka mahali mungu atanifikishia kwa maana siwezi kuwachilia mzigo wangu.

Mahala ambapo mimi nakaa nilikuwa nimepatiwa na serikali ya kiambu na sasa kuna mtu ambaye anataka kuninyanganya mahala ambapo mimi ninakaa Na vile mimi nafanya kazi ama vile ninatunza hawa watoto mimi sijaachilia lile wazo kwa maana mimi sijaiba ninaendelea mbele.

Wakati nilipeleka huyu mtoto kijabe niliambiwa niende tarehe kumi na tisa ili niende nikakamilishiwe habari zake hospitali ya kijabe mwezi huu mwezi wa sita ndio nitapeleka huyu mtoto. Tarehe kumi na tisa mwezi wa sita ndio

nitapeleka huyu mtoto hospital hiyo.

Kwa hivyo ninajipa nguvu nikisema pahali ambapo ninakaa mimi yule anataka kuninyanganya hataninyang'anya kwa sababu mimi nimetia bidii. Na yule mtoto niliachiwa nimemsomesha ka-boy na ninalipa elfu ishirini mahali ambapo ninauzia

Com.Salim: Asante sana mama Mary Nyambura kwa maneno yako na maelezo yako wengi kati yetu huenda wakafikiri kwamba maelezo hayo hayausiki na katiba . Many of us may think that this has nothing to do with katiba but you will be wrong , it has everything to do with katiba the Constitution is supposed to deal with every aspect of ones life , I will inform for example that the basic of wananchi must be taken care of , and this is the case where basic needs are not are being taken care of. Sadly we do not have a new constitution in place yet so for poor Mary and her grandchildren the only solution so far before we put end to the Constitution safeguards and mechanism to make sure that wananchi are taken care in such situation like this , in due of that and in advance of that the only thing we can do is to help as individuals the spirit of harambee. Can I therefore appeal to anyone who has any help for her we will soon be breaking for lunch that will be the time to pass on to her any small material help, financial help, we have in our pockets to give to her so that she can look after her children. She is determine not to give up, we should also be determine not to give up to lend a hand to someone in distress.

So can we appeal to those as we leave for lunch in a few minutes to move on to her and her grandchild who by the way you can see maybe cannot but we could see that he needs an operation for her lip a very simple exercise if she was to be given access to a doctor who has access to authorities involved in this business of operation smile. She just needs someone to help her put her in touch of those people and that child from then on hope to live a better life. These are situations which you and I may feel helpless and frustrated that we cannot render the necessary help which this lady and her grandchild deserve. .We admire her spirit and her determination but it needs more than spirit and determination it needs a lending hand.. So please whatever you can afford to give this lady at the end of this morning session which will soon as we will close for a break , for lunch for exercise whatever it is please arrange, Can I ask the members of the committee maybe the chair to arrange for her to be somewhere where anyone of us can approach her to give that help. Is that alright? Very good, thank you.

Someone is suggesting that we place a hat here , can we place, some kind of container whatever we can get place it here , someone is suggesting we do it here, so there is no harm so whatever you can afford there is something to place of it whatever you have . Mama mueleza tafadhali kwamba tunajaribu kumsaidia kwa lolote, Bwana translator Pastor please tell her that wananchi here brothers and sisters sons trying to help her and something is in place for her.

I think my colleague was right maybe this basket can be placed at the back as you go out, as Kavetsa Adagala is suggesting we put whatever we have for her.

Com . Adagala: There are many grandparents in the Odeon who are taking care of their grandchildren, is that true? In my village this is now the way of children being brought up, so what we do is let us help her and also what location does she come from and sub- location, is there someone who could find out what is happening with her, we are not the Njonjo commission which deals with land complains, ours is a longer term situation, could someone assist her. Is there someone who can get her connected with a doctor? Is there someone who can get her connected with a doctor who can refer her to operation smile, nobody knows any doctor here? hakuna mtu ana kijana yake na dakitari hapa? Yes , thank you very much. Maendeleo ya wanawake wameenda wapi? Mrs . Muchai, we will talk with Mrs Muchai because I am also Maendeleo we will see what we can do , but atleast assist her because is our human predicament she didn't choose she didn't ask for it, she is just, there are falling through the holes in the fabric of the society.

Okey, Thank you very much Chair?

Com. Salim: Thank you Com. Adagala, I think we have dealt through the problem of Mary Nyambura she has so many problems lack of shelter, threats from all quarter against her life, way of life and ---- and we admire her courage like I said its more than courage. I would like to call upon Mrs Muchai she's already taken the initiative of getting a basket for whatever, I have feeling Mrs Muchai that basket is small, you may need a second basket because of the spirit I can see developing, but take care of her please. And as my colleague is saying she is Maendeleo ya wanawake, you are one through your activities please see whether you can locate a doctor for the access to operation smile to take care of the grand child she is carrying , it is a very simple operation but it will transform the life of that child completely, I am speaking from experience I am speaking from the experience of my relatives who have such children. So I am sure she will do something about it. . thank you.

Com . Adagala: And now can we then agree to break away it give us a chance to help Nyambura, Mary Nyambura at the same time for us to go for fresh air for snacks or whatever it is and then we can resume at say a quarter past two , sawa ? Okay.

Com. Adagala: Welcome everybody I can see there are fewer people lakini tutaendelea tu vile na tutaenda kazi.. This afternoon we will go first kwa sababu mumezoea sasa vile tunafanya unakuja mbele unasema Jina lako and proposals directly. We don't want to keep telling you please don't explain just go for the proposal and I think to get everybody in , we will go just down to everything five minutes maximum and probably even reduce it to three, but if you do it properly we will all end up with a lot of submission I think we can continue.

Com. Salim: Kabila hatujaanza ndugu zangu wacheni niwasihi kidogo hiyo kelele ambayo mnaisikia ikitoka kama hizi speakers inatokana na zile simu za mkono, wakati simu yako inataka kuingia , inapiga kelele kwa hii so na inaenda kwa recording zetu, na wasihi mzizime switch it off. talking in kikuyu.

Com. Adagala: Nani ana simu, hiyo simu ya mtu inalia, mobile phone off, otherwise -----for recording (interjection) Talked in kikuyu. Thank you very much.

Com. Salim: Thank you Bwana Kariuki for helping us in this exercise, we can see that now it is silent it means its satisfied. We have done what we are supposed to do, so to continue as my colleague said we really have to rush now we will have, because the number of people still to be giving their views is very high we reduce the amount of time drastically. Five minutes for oral representation and two and half for those with memorandums so without a further do or waste of time let me go to Bwana Peter Mbiu Kamaitha. Peter Mbiu kamaitha tayari. Haya karibu. Oral or written? Written, so you have a maximum of five please, pole my colleague said its for two and half, I am still recovering from the lunch break.

Peter Mbiu Kamaitha: My names are Peter Mbiu Kamaitha I present my own views.

- 1) Kenya should be governed through or by a coalition government.
- 2) Parliamentary elections date should be separated from parliamentary presidential election date.
- 3) The presidential candidate from the first and second parties with majority votes to run for the presidency. The winner being the President and the running mate being the Vice president.
- 4) All government appointments or appointees to be through or by the Parliament.
- 5) The Speaker of the National Assembly to be a government appointee
- 6) Government arms to be independent of each other.
- 7) The campaign period, this concerning the campaign period the Speaker of the National Assembly or just Chief Justice to head the government.
- 8) All Kenyans to be under the law of the land
- 9) The President should be one, be
 - i) Between the age of 45 and 70 years of age
 - ii) Be a University graduate.
 - iii) Be a family man before being elected.

Com. Salim: A family man or a woman that is? Before being elected

Iv) Be mentally sound, with a good background character.

- 10) Any Kenya should have a right, and legal obligation to leave work or own property anywhere in the country.
- 11) Farmers to rightly and legally control their produce right from production to marketing.
- 12) Taxes to fully that is 100% to benefit a tax payers through public amenities e.g Hospitals, Schools, roads etc.
- 13) All constituencies to be equal through or by the size of the population there in
- 14) Any Kenyan family should have a right of access to land.

- 15) No Kenyan single family should have authority over ownership of more than 100 acres of arable land, more of that beyond this average one can be leased land according to what one wants to grow not before, the leased land can be sub-leased sold or stand security for a loan.
- 16) Physical Job , the country should be refer to one man one job policy in order to create job opportunities one person on job. To add on that people sitting on public committees by virtues of their positions e.g parliament or e.g the parliamentary committees should not draw extra allowances for just sitting in this committee , they should be in this committees for the interest of the whole country.
- 17) All public Harambees should be abolished, the government to take over and run all public developments.
- 18) The constitution of Kenya once one reviewed through a referendum should never have any section of it amended without going through the same referendum
- 19) Additional, all tax payers should be entitled to pension after age 65.
- 20) Electorates or voters be allowed or to have the powers to recall a non performing MP or a Councillor. Their pensions to be scrapped. That is all I have from my opinions. Thank you.

Com. Salim: Asante sana Bwana Peter mbiu Kamaitha, we now call Bwana James kuria kahurani. Is it Kagurani? Kagurani.

James Kuria kagurani: My names are James Kuria Kagurian , mine I will start with a preamble, it should start with. We the sons and daughters of the sacred Kenyan soil. It should also declare our determination to be free and always to be free from all forms of human rights abuses.

Whether from foreigners or by our onw brothers and sisters the covenant should be signed by twenty Kenyans picked through a regional raffle. Finger prints will do for those unable to write or read.

The presidency , a figure head President who will be above party politics, he should be a symbol of National unity. An office of the Prime Minister should be created. He should be from the party with 51% of parliamentary seat.

- 3) Parliament, it should be composed of,
 - a) Elected MPs,
 - b) Nominated MPs to represent only special interest groups
 - c) A speaker elected by MPs who will have to vacate his or her constituency seat,
 - d) It should have powers to tame the Executive and to prosecute squanderers of public wealth.
- 4) Election: Parliament should appoint the electoral commission
 - b) Each registered voter should be able to cost his or her vote anywhere in the republic.
 - c) Election date should be fixed in the calender and should be declared by Parliament as a public holiday.

5) Judiciary: it should comprise of;

- a) Supreme Court headed by Chief justice
- b) High Court,
- c) Court of Appeal
- d) Margistrate Court
- e) Martial Court
- f) Kadhi Court

Court fines should be paid through instalments.

Provincial Administration this regime should be disbanded the provincial Administration for the Sub-Chief, Chief , DO , DC, PC and should be replaced by an elected and accountable system .

Local government : Council Chairmen and Mayors should be elected directly by voters for five years terms. Councillors should have powers over town clerks or county council clerk or the chief officers.

Education, the 8.44 system should be scrapped and replaced with the old 7423 system, which produced all the best brains we have in this country I mean the 7423 system.

A ceiling for land ownership be set at e.g, five acres, it should be for farmers and not absentee landlords.

Purnishment for crime, nobody has a right to kill another, so the death penalty should be abolished.

One District in the Arid in Northern Eastern Province should be set a side for banishing those convicted of crime against the National Economy. Even the Russians had their system of doing this and also for police men involved in corruption who are supposed to be the custodian of law and order.

Social security:

- a) all persons who are citizens of Kenya should be pensionable on attaining 55years.
- B) Insurance to cover all Kenyans against all risks
- d) Free health care for all .

Thank you.

Com. Salim: Thank you very much Bwana James Kuria Kagurani. We move on now very first to Christine Gaita.

Christine Gaita is she here, we would like to hear her views , we have very few women around , hopefully she will turn up later. Then we turn to Bwana Joseph Macharia Mathew. Joseph Macharia Mathew , karibu. I am sorry before that I jumped one person, forgive me please , you will be the next one. I jumped one name Francis Njoroge Nyumu. Karibu , pole sana. Francis Njoroge Nyumu and then Bwana Daniel Nguge.

Francis Njoroge Nyumu: My name is Francis Njoroge Nyumu, I come from ikino my views are:

Election: To elect qualified person, Civil servant should be around to take unpaid leave for three months, that is the Councillors should have a form four education and MP should have a University degree.

Chairmen and Mayors should be elected directly by members of the public for their loyalty to the public but not by the Councillors.

The public should have powers to recall or to remove in active Leaders that is Councillors and MPs.

Presidential powers should be reduced and invested to various arms of the government e.g Judiciary and parliament.

Public land should be safeguarded, never to be allocated to the individuals but if need be a referendum to be taken.

The Constitution once enacted or in place then any future amendments should require a referendum.

The President should not have powers to veto legislation passed by Parliament.

The Parliament should be the only organ which can dissolve Parliament before the expiry of the five years term.

The interest of all human being must be guaranteed in the constitution without special reference to gender.

The Constitution should provide for compulsory and free education up to standard eight.

The ultimate ownership of land should be individual, no individual should own more than 100 acres of land and if any is having more than 100 acres it should be sold shown to the landless.

Men and women must have equal access to land . Kenyans should have right to own land anywhere in the country without any restrictions.

The Executive should appoint members of public service commission but Parliament should have the powers to veto.

The speaker should be incharge of executive powers during presidential election .Its also better if we de-link elections

from reform so that we can give more time for the Commission to do their work nicely.

Presidential elections should be separated from general elections. The president should remain Commander in Chief of the Armed forces to avoid unnecessary coup.

President should not be elected for more than two terms of five years each.

MPs and Councillors should not exceed three times of five years term each. Thank you.

Com. Salim: Thank you very much Bwan Francis Njumu for those clear a views brought or rather given very quickly within the time limit. We move then first to the next speaker. Bwana Daniel Ngugi Wanjama. I had called him earlier right?. I am sorry, Joseph comes next , Joseph Macharia , he comes after Daniel Ngugi Wanjama. I am sorry I jumped twice, I jumped two people. You are next.

Com.Salim: sorry, yes Daniel Ngugi Wanjama you are next . Karibu. Written or oral, according to the papers here it is oral, so we give you five minutes maximum please.

Daniel Ngugi Wanjama : My name is Daniel Ngugi Wanjama I come from Githunguri constituency, what I am going to say here is the definition of the word , mis- using the name Parliament.

The word Parliament may not to be used the Kenyan because this name was being used by the colonial in the United Kingdom, when the age group, the mid- group 35 years age in Europe and 45 years in Europe the same time they came together and decided to use this name Parliament. So in history and by definition this word should not be used by anybody in Kenya instead we have a language of our own which is Kiswahili we can use Kenya Bunge but not use even members of the Parliament ni mjumbe, wa Bunge.Because those words are misleading and because the same formular which is being used by the present government of young turks, in Europe they used the same tactics to use young turks and thank you very.

Com. Salim: Thank you Bwana Daniel Ngugi Wanjama for that advice which we have noted , my colleague has a question for you.

Com. Adagala: Thank you very much for an interesting presentation.

Okey for Parliament in Europe it was for people between 35 to 45 years, what is the age range for our Wanabunge? You are saying that it was for people who were between 35 and 45 year and they came together that parliament, for our Bunge, what should be the age range?

Daniel Ngugi Wanjama: We don't have that formular and we are not ready to use the same analysis.

Com. Adagala: Okey, but it must there be a time when someone can go to Bunge?

Daniel Ngugi Wanjama: Well , from 45, 55years.

Com. Salim: Sasa Bwana Joseph Macharia Mathu unaweza kuja, pole sana nilikuwa nime-jump queue kidogo.

Joseph Macharia Mathu: I am just going to read them very quickly

- 1) The powers of the President should be reduced drastically.
- 2) Vice president should have portfolio, reasons youth service, Dcs Dos and Assistant should fall under the office of the Vice president.
- 3) All sitting MPs should not hold any other office apart from the one he or she was elected to., one Madam one job so as to create employment opportunities.
- 4) There should be a Minister for justice with judicial knowhow .
- 5) There should be a Minister for economic planning , Ps must be a member of International Certified public Accounts.
- 6) Director to personnel management should be independent and liaise with the Minister for finance and Minister for economic planning.
- 7) Ministers should be given jobs according to their know-how for example A retired General should be a Minister for health, he should be a Minister for defence or an adviser to the Ministry.
- 8) Ministries should be reduced so as that to minimize Ministers and Assistant Ministers Department within the Ministry should not be---(interjection)

Com. Salim: Sorry Bwana Mathu you said ministries should be reduced do you have a figure in mind? You said Ministries in terms of numbers should be reduced , can you suggest any number?

Joseph Mathu: They should not be exceed eighteen Ministries

There should be a Minister for Defence , workers organizations should be free to air their views through the Ministry of Labour but not otherwise, that means Commissions out .

Com.Salim: Check to the ministers of Defence can't be like me a historian. Your Minister of Defence he cannot be a historian like myself, he has to be a soldier right?..

Com. Salim: But according to you he has to be qualified so a Minister of Defence should have what sort of qualifications?

Joseph Mathu: He should be a retired general .

Com.Salim: Thank you.

Joseph Mathu: Ministers and Judiciary should not increase their salaries without considering poor wananchi who live on hand to mouth.

Rich people should not be allowed to import goods which can be grown in Kenya or produce in our country.. For example how can you import sugar when our industries are closing down? How can we import milk when our once great KCC is closing down?

No persons who are in anyway mentioned in corruption or who have bad record should hold public office at all.

A Kenyan should be free to own properties anywhere in Kenya. Thank you very much.

Com. Salim. Thank you very Bwana Mathu, for those clear well thought proposals we now move on to David Kaware Njuguna. David Kawari is here? Karibu Bwana Njuguna, ni oral presentation, una dakika tano tuu, kutueleza maoni yako au mapendekezo yako.

David Njuguni:

Kangaroo Court is proposal number one. The kangaroo court is composed of the Chief and appointed Wazee and they demand salaries from wananchi, my proposal is that the government should pay them.

Com. Adagala: What do you mean by kangaroo court?

David Njuguna: Yaani mkipigana na mumeo, if you fight with your husband you go the Chief.

Com. Adagala: Okey they are not kangaroo court kusema kangaroo court ni kuwatusi, umewatusi.....

David Njuguna: Tumezoea kuwaita hivyo...

(loud laughter)

Com. Adagala: Wewe sema tu kama village court , kangaroo court ni kutusi mtu

David Njuguna; Hapana siyo matusi,

Com. Adagala: Ni matusi , nakuambia ni matusi

David Njuguna: Proposal number two kuna chama kingine kinaitwa Land dispute Tribunal Act appointed by the DC. Inaonekana there is a lot of corruption Wazee's appointed au kipendeleo katika kuchagua wanachama , wale wazee wale wazee wanapinga land Desputy.

Nikaonelea haowazee wawe wakikaa miaka mitatu , wakimiliza miaka mitatu tunachagua wengine wana - rotate.

c) Another proposal is education, free and compulsory education and the government should provide physical facilities.

Com. Salim: Kiwango gani ya education ? yote kabisa, au primary au secondary ?

David Njuguna: From kindergaten to the University.

Com. Salim: To University, sawa ni maoni yake endelea.

David Njuguna : the Electoral Commision, should not use the DC as the returning officer

DCs and DOs I proposal they can use other government officers.

Financial help to families of soldiers who took part in second world war.

Com. Adagala: The people who fought the second world war were fighting for the British so they should seek compensation from ---(interjection)

David Njuguna: most of them lost their life

Com.,Adagala: Yes , in Britain

David Njuguna: Others are dead others are old.

Com. Adagala: Their compensation is from Britain, from England.

David Njuguna: They have not received anything up to now?

Com. Adagala: They are supposed to receive it from England.

David Njuguna : Okey. Haya , proposal number six ni plot - allocation it is done through bribery. A poor person cant get

the plot so I propose the Concillors should put it as a public notice and a proper way allocation be found.

Com. Adagala: What is the proper way of allocation?

David Njuguna : If there are three plots, you can fold a hundred papers with three papers with the word YES atakayechagua YES, ndiye mwenye plot hataakiwa ni maskini.

Number saba ni, to register African Traditional Churches,

Number eight is, free medical treatment without what they are calling cost sharing now

Number nine, University admissions we scrap off the quarter, system and use the performance of the student.-----

Com.Salim: (inaudible)

David Njuguna: We scrap it off completely . Asante

Com. Salim: Sawa asente sana that was quick and clear, tukiendelea mbele tutamuita Bwana Joseph , Councillor Joseph Ngarama, hayuko?. Consolata wahungu Youth Miguta. Consolata Wahungu.

Consolata Wahungu: Thank you Mr Chairman I am Consolata Wahungu representing Youth group from Miguta.

And we have the following contributions to the constitution:

1) The public funds: This one, we need good management of the public funds for instance the taxation money for the benefit of all

2) Education: Improvement of the education system to give quality education especially the basic one and payment to the teachers. Giving loans by higher educations board for the bright students in poor circumstances .

Com. Adagala: This basic ducation should be for who? Who is it for? You have said College education , college facilities for who?

Consolata Wahungu: Basic education especially for the nursery school , children and the primary schools.

Today's child is tomorrows Kenya , and therefore every child is entitled to basic education in primary schools.

Power: The power within the country should not be in the hands of one individual' we need power sharing and core responsibility for instance the power to sack or appoint should not be in the hands of one person only.

Just and fair job opportunities for all

The right of the child to be respected

Use of the resources of the country for the benefit of all. For instance coffee, Tea, pyrethrum and all agricultural and dairy products.

Com. Adagala: What have you said about these resources?

Consolata Wahungu: These resources should be used to benefit all . for instance the coffee----(interjection)

Com. Adagala: Just go on , we have written it down.

Consolata Wahungu: Farmers and Workers to be given their right and encourage to produce the best and quality crops.

Health facilities; good health facilities should be available for all especially the poor. Nurses , Doctors and Medical workers to be given their right and they in turn to deal honestly with their patient to prevent loss of life through strikes.

Selling of drugs from public hospitals to private clinic should be taken care upon.

Transport and communication: Improvement of infrastructure especially Thika road and in highly productive areas.

Reckless driving in public vehicles to have respect for life and for the passengers

Major telephone system and services especially for the wananchi

Justice: Respecting the right and dignity of every person eg young, rich and poor.

Just and fair trial before one is taken to court as a suspect , put in prison , beaten , tortured or forced to pay large sums of money.

Avoiding corruption in courts of law, police stations and public offices.

Land grabbing needs to be stopped the rich's and properties are in the hands of a few while more and more people are being afraid and driven from their ancestral homes. Thank you.

Com. Salim: Thank you Consolata speaking for the young on very many National issues. Next we turn to Bwana Ian Munene. Ian Munene? Another young person . Ian you are giving us oral views you have two and half minutes.

Iyani Munene: My name is Ian Munene. My first point I want to talk about

Education: Education has been said to be the best thing a parent can give to a child

Education is for life time , education is the only way the Kenya government can eradicate poverty , crime and corruption so the best is for the government to give free education so that every child can have a chance to be educated.

The second point I want is based on Teachers. Most Kenyans respect Teachers as important members of the society as a whole after all the future of Kenyan children is entrusted to teachers.

Teaching is often referred to as an open profession, but unfortunately the salaries which the teachers earn do not satisfy them so the government should give them profitable salaries.

My third point is based on unemployment: We have already seen that all the people who come to urban areas in search of work not all are successful. The urban unemployed increases and it account for the raising crime rate. The government must take a respond to it urgently.

Com. Adagala: Ian, what would you like to see done about un-employment. Is not enough to say the government should see to it. If it was a government to see then we wouldn't ask you we want to know what you think should be done.

Ian Munene: I think they should build more industries to create employment

My fourth point is based on security: Security is another problem that Kenyan government has to deal with in order to keep unity in the country. The government should build police post so that crime can be prevented like smuggling of drugs in the country.

Last but not the least, is roads and road signs. Roads should be reconstructed in order to reduce accidents. And roads signs should be taught so that even in schools to help children as they cross roads. .Thank you.

Com. Adagala: Because we are trying to achieve security, so I want to know where the insecurity is coming from in your view. You said security is for unity more , police posts should be created but I wanted to know where in your view, how does insecurity come in. Okey okey you don't have to answer.

I like this one you said last , road signs, but come and put your memorandum here. Thank you very much Ian, how old are you . Fourteen , thank you very much. Hawa ndiowatakaa na hii katiba , fifteen years from now he will say I gave my views and he will be what?, 64 years isn't it? Ya.

Com. Salim: And in addition I hope he will to himself my views were taken into consideration. Asante sana Ian. And we wish you all the best in your studies . We move on down to Peter Kiguta Mwaura. Peter Kiguta Mwaura, yuko, karibu. Please give your name for the mic purposes.

Peter Kiguta Mwaura: Chairman of the parish justice and peace Githunguri Catholic Parish.

The first thing I want to present is;

Preamble: The President should show a preamble that has God first second should be citizens and nobody else. Citizens will elect governors and will say what they want to be governed. Citizen should be given power to remove any bad governor so that the constitution can imply that its of the people by the people for the people.

Powers of the President should be reduced. All appointment of the president be vetted by a committee of Parliament. A provision be made in the constitution that the President is not above the law but can be impeached.

President must be a holder of a degree from a recognized University and also must be married and be accompanied by his wife in all state functions.

Com. Adagala: Or her husband. His wife or her husband isn't it ?

Peter Kiguta : Three arms of the government that Executive , Judiciary and Parliament should be independent from each other.

Constitution should guarantee security of personal protection , property protection as well as freedom of association.

Agriculture: The constitution should protect agriculture sector from imports and while they are producing the same commodity.

Provision Administration should be scrapped and instead Local government be given powers to be able to maintain all the necessary services in their local area.And in that department of Kenya Revenue Authority and Stastical department be in every local government area to provide stastical at an interval of every three months.

Citizens should know how their tax is being spend through transparency and accountability.

The constitution should fix the election month, we suggest the month of November be election month during the election year.

MPs should not represent more than thirty thousand people that means every constituency more than thirty thosand people should or can be sub-divided or done somewhere else.

Com. Adagala: Peter we are not asking you to change your mind.

Peter Kiguta: No I am actually by getting thirty thousand we get (interjection) thirty thousand people come from voters that's how we get them

Com. Adagala: You know by-elected you mean thirty thousand voters or thirty people? **Peter Kiguta:** Thirty thousand voters Kenyan currency should not have the President's image index, but we suggest that some kind of wildlife could do better than the President's image.

President's term should be two years or five years, but if a person is young enough, in a way that President can be elected at 45 years stay out for ten years at the age 45 he can again attempt. He is still young. no after break to ten years then after 10 years he can atleast try again.

Com. Adagala: Maximum of ?

Peter Kiguta : years , seventy

Com. Salim: Do you want to identify the break, could the break be just one term so that for example after he succeeded by one President he can go back again?

Peter Kiguta: If he makes it then that is alright.

Com. Adagal: What Iam asking is how long should the break be, five years, ten years, fifteen years how many?

Peter Kiguta: Only two terms, of ten years.

Peter Kiguta: No , two terms of five years each.

Peter Kiguta: Yes. Constitution should safeguard human right no only we here but even those who are in prisons. Lastly education, 8.44 be scrapped and replaced by 7424

Com. Adagala: 7424 University 4. Endelea

Com. Salim: Thank you very much. Nafikiri mwenzangu ana swala moja au mbili.

Com. Adagala: I want to ask you because you might be able to explain it. We are only dealing with the President powers at the very very top but when we reduce these presidential powers which is in the Act they will flow down, they will, ni kama maji imefungiwa hapa halafu it will fall and go much slower down, but we seem to be only concerned about appointments of Judiciary and Senior officers but these presidential powers were actually taken from the people in 1964,1965,1966 up to 1969 they were taken from the people and put in the President, so when we will open this tap it will flow and a lot of it Iam sorry I am doing a little bit of civic education, but it will flow back so its not just there maybe people could think about also

where they should slow downwards okey.

Then the other one is 8.4.4, okey this 8.4.4. system is the canadian system, its the American system its not the British system, so I don't know if people react because it is a system which is very far away or whatever but we should not see ourselves as the only one's doing 8.4.4. It is actually a system which is used in other places so when we are doing this we might be a ware of that . I am just curious why you made University four years.

Peter Kiguta: That is one, one is that we were used to 7423 but for a doctor is four years

Com.Adagala: For what ?

Peter Kiguta: A doctor the one , one year-----five years therefore equivalent to that one we put 424.

Com. Adagala: Initially actually they do the bachelors one and the other one is understood is professionalization, so you see, I think so. Yes.

Peter Kiguta: Nowadays A' Level is scrapped ,an A' Level was specializing in something , it was very good yes.

Com. Salim: Thank you Bwana Mwaura for your views , Bwana Joseph Ndichu. Nionavyo mimi kuna jamaa wengi sana wanataka kutoa maoni yao nikitazama hao waliobakia hapa sasa tumemaliza just over one third of the people we have registered. Do I have your approval that will reduce time? Otherwise many of you will either have to go home and just those who their course memorandum we will receive them and read them. They can hand them in without even having to say anything , you don't have to say anything. If you have a memorandum you want to submit you don't have to come here to explain it , so can I suggest that some of you who have memoranda can just hand them in . Infact if you could do it quietly mention maybe come , give your name and say I want to hand in my memorandum I don't want to say anything we can allow you but as we read out the names. Will that be alright, it will reduce time. Very good.

So the next person is oral Joseph Mbichu is goint to give us an oral presentation will only giving two minutes.Just to highlight the main points is he there? Joseph Mbichu hayuko?, fine. George Muigai Musa is he there? George Muigai Musa you have a written presentation dakika mbili tafadhali lakini tukipata translator dakika mbili itakuwa dakika nne, but never mind let us do that but very--- make sure these are points he is giving us, not background history.okey

George Muigai: (talking in kikuyu)

Translation: Anaitwa Muigai Musa, kutoka Gathangari katiba mtu lazima ajikinge iwe ya wananchi wa Kenya na ndio tunaita wanjiku. Isigawanye- gawanye na wabunge ama President , kama kabla ya kuwahusisha wananchi kwa haya mambo.

Mikono mitatu kwa utawala mahakama na Bunge na koti na serikali lazima kila kiwango ujikinge yenyewe. Lisiwe kubwa kuliko lingine, mbali tuwe na President na asiwe kwa chama chochote ili asiwe na kipendeleo Na kiongozi wa serikali awe prime minister yule ambaye ameshinda uchaguzi, kama President ni wa chama asiwe juu ya sheria na anaweza kuondolea na Bunge . President akiteua mawawiziri na hata wafanyi kazi wa serikali , wawe wanapitishwa na Bunge , President asipitishwe mikondo miwili katika kiti , Attorney General awe mshawishiwa serikali lakini siyo mkubwa wa sheria awe tu mshauri.

Com.Adagala: questions asked (inaudible)

George Muigai: Term ya miaka kumi.

Com. Salim; Na ya President?

George Muigai: Ya President ni miaka kumi, miaka mitano mitano five each.

Bunge ndio inifaa kutoa majina ya wale watakuwa majudge. Na tuwe na Commission ya ma judge. Commission ya uchaguzi isiwe ya mtu binafsi mbali iwe ya sheria . Kura ziwe zikichukuliwa kila wakati. Atakaye shinda awe na sehemu ya hasini na moja na kuendelea. Mwananchi wote wa Kenya ako na haki ya kuridhi shamba ama kupata shamba na chakula na ashirikishe na hata na sheria. Hata kuridhi utajiri wote wa nchi, sheria ya security iweko kwa mwananchi yeyote na habari ya Chief , DC yote iondolewe.

Com.Adagala:(interjection) badala ya PC, na DC na nini itawekwa mahala pao?

George Muigai :Inaweza kuwa na ma governors au Wazee wa vijiji Mtoto wa Kenya awe na haki ya kila kitu ndani ya nchi. Wazazi wake wakiwa na nguvu ya pesa ama kama hakuna awe na masomo na hata habari ya kulindwa habari ya kia- afya. Bunge ndiyo inifaa kupitisha misaada yote ya pesa na isiwe ikiingililiwa Na yule mkuu ambayo atakuwa akihusishwa na habari ya meesabu ya pesa asiwe akiingililiwa Yeyote ameiba kwa serikali na amenyakuwa mashamba anaweza kufungwa kifungo kisichozidi miaka ishirini bila faini, na asipatiwe kazi inayohusisha wananchi. Tuwe na serikali ya upatanisho. kuongezwa kwa Division kuwekwa kuongeza kwa watu ama kwa wingi wa watu, population .

Ukulima ndio utajiri wa nchi na unafaa kulindwa. Wakuu wa wakulima ama waukulima wachaguliwe na wakulima wenyewe .Waliokula mali yao ya wakulima mali inyakuliwa na iuzwe irudishe pesa za wakulima. Kama ni KCC, KFA hivyo anasema. Malalamiko ni kwamba hiyo mali yote ama hizi kampuni zimeanguswa na watu. isiwe vyakula kama mahindi, maharagwe hivi viziwe vikitolewa njeKuwe na kiwango chasehemu ya shamba ambacho kila mtu anaweza kuwa nacho. Na wakulima wawe na benki yao . Asante.

Com. Salim: Kiwango gani ?

George Muigai : Hamsini au mia moja.

Com. Salimm : Na ya chini sana?

George Muigai: Nimesema hamsini au mia moja

Com. Salim: Peleka memorandum pale, na tutaitafsiri ofisini mwetu na tutaisoma asante. Tukiendelea mbele tafadhalini lazima

tupunguze time ilibidi ndugu yetu hapa Bwana George Muiga musa kumpa wakati mrefu zaidi kwa ajili ilibidi tutafasiri memorandum yake. Sasa uwe tayari muiru, uko tayari muiru, karibu umeandika pia? Dakika mbili tu ndugu samahani, lakini ikiwa umeandika baadaye tutasoma kwa makini sisi. So very just two minutes utaje yale mambo ambayo wewe unafikiri ni mhimu katika dakika mbili tafadhali. (interjection)

Muiru Gathe: Ameandika kwa Kiswahili na pia ameandikiwa na kijana mdogo anajuwa kusoma na akasema ataleta hapa.
Com. Salim: Mzee huna haja kueleze tumefahamu wewe sema ukitaka kusema kikuyu sema hapana neno kisha tutapokea Kiswahili. Sawa sawa

Muiru Gathe: Iko namna hii, mimi niko, nikiwa na mtoto, sasa mimi nasema ukubali nisomewe na mtu mmoja hapa maana si yangu na ya Kenya nitafsiriwe na huyu kijana

Com. Salim: Sawa, kijana wako kwa hivyo unamuamini kuwa atasema maoni yako?

Muiru Gathe: Atasema hii ukiuliza----(interjection)

Com. Salim: Asante sana, basi kijana atakusomea dakika mbili tafadhali,

Interjection)n Amesema nimsome

Com. Salim: Una dakika mbili kutosomee.

Translator: Nitamaliza, sasa mimi nitasoma vile ameandika, ameandika namna hii-----

- 1) -Watumishi, wa serikali wasiruhusiwe kuwa na biashara yoyote katika jamhuri
- 3) Mchaguliwa yaani kama Concilor atakaye chaguliwa na raia awe pia muakilishi wa sub-location na location katika jamhuri.
- 4) Aliyekula mali ya umma katika vyama vya ushirika wachukuliwa na mali yao ulizwe na kulipa kila kitu, irudishiwe wenyewe.
- 5) Katiba iandikwe kwa lugha ambayo wananchi wataelewakabisa.
- 6) Utaritabu wa mashamba uwachiliwe uwe ukishughulikiwa na wazee wanaoishi kote katika jamhuri.
- 7) Watoto wote wapate elimu ya bure mpaka darasa la nane katika jamhuri ya Kenya.
- 8) Katika hospitali zote za serikali watu watibiwe bila malipo yoyote.
- 9) Wafanyi kazi wanaolipwa peza za NSSF wawe wana chama wa maisha na wawe wakilipwa pesa zao hata wakistaafu
- 10) Nia za watu ziwakilishwe na utamaduni wao usiingiliwe na yeyote katika Kenya Nimefikia hapo.

Com. Adagala: Wacha nimulize kwa sababu ana-----

La kwanza huo utamaduni anasema isiinglilwe na nani?

(Answer in inaudible)

Com. Adagala: Hayo mambo ya katiba kabisa , yana lugha, ya katiba iwe lugha gani.

Muiru Gatheo: Iwe ni lugha ile watu wataelewa.

Com. Adagala: Sema lugha gani. Mzee sema ili unataka wewe. Okey , asante sana Mzee , lakini ningependa kujua kama mtu ana haki ya kupata shamba kila mahali Kenya na unasema watu wahifadhi utamaduni wao , tutakuwa Kenya mchanganyiko halafu watu wata---ni jambo nzuri lakini sasa tukichanganyika, sasa kama wapokoti ishirini wakija kuishi hapo wataishi kama wapokoti au kama wakikuyu.

(interjection) (inaudible)

Com. Adagala: Ya utamaduni, wataishi vipi, kama wapokoti ama kama wakikuyu. Okey.

Com. Salim: Tukiendelea mbele namuita Mercy Wangui Gathaya. Mercy yuku mercy, yuku ama ameondoka. Mercy Wangui, hayuko. Samuel Njoroge, Samuel Njoroge, karibu, wakati ni wako. Na wewe ni unasema maneno yako kwa mdomo huna kitu cha kuandika una dakika mbili unusu. . Karibu. Una memorandum maana hapa umeandika oral kwa mdomo, unataka kutoa huko.

Samuel Njoroge: Mimi niliandika,

Com. Salim: Sawa kwa hivyo una dakika mbili mzee, una dakika mbili kutueleza si kusoma , kutueleza una

Samuel Njoroge: Hapana mimi niliandika memorandum yangu.

Com. Salim: Iko wapi, sawa, unaweza kusoma katika dakika mbili unaweza kumaliza naona ni ndogo.

Samuel Njoroge: My name is Samuel Njoroge Nyahera from Githunguri Constituency proposals are;

Land issue, by Kenya system I propose that wherever one owns land in Kenya the constitution should be protecting it.

(inaudible)

An individual citizen should not own more than 100 acres.

Elections: Parliamentary and Civil elections should be held together on one day. Counting to be done immediately at the polling stations wherever voters have a chance to witness it.

President's Election: This is to be done on its own day after the election of the Parliament He should have no constituency.

Nominated members of Parliament, I mean nominees be nominated by a parliament committee.

Vice President be appointed by Parliament..

Disabled people ----- (interjection)

(Question asked) inaudible

Samuel Njoroge:Not nominated day, I mean there should be a committed who have to deal with disabled people. They can be elected from the disabled people .

Women, Armed forces, that means that they can be discussed by the committee who were nominated by the committee.

Com. Salim: I didn't quite understand the part of it , the committee to deal with disabled and and that committee should be selected from the disabled.?

Samuel Njoroge: They are from the disabled

Com. Salim : And women? And Armed forces

Samuel Njoroge: And women and armed forces even from national or farmers.**Com. Salim:** To deal with disabled? So the committee looking after the disabled should be from different groups. Thank you

Com. Salim. Thank you very much Bwana Samuel Njoroge tafadhali you can give your memorandum to Bwana George Nakholi there.Tukiendelea mbele nitamuita Bwana Isaac Muturi, Isaac Muturi, No , No you have given it, it is a memorandum right very good , we don't need to , we will just tick you here. Tukiendelea mbele nitamuita Bwana Chege, Bwana Chege yes please say yes ukiwa uko , Benard Chege, once,twice , three times we go to the next one. James chege. What has happened to the chege plan they have boycotted us. Alright we move on to Robert Gitau, Robert Gitau Yuko? Robert Gitau. Alright George Gichuhi, hayuko? Right, Tabitha Wangare, Tabitha, Karibu Tabitha.Tabitha hukusema una kitu umeandika au nimaelezo tuu ya mdomo , asante. Yuko pastor atakusaidia

Tabitha Wangare: (talking in kikuyu)

Translator: Ma- Commisioners na wadogo wenu nawashukuru. Mimi naitwa Tabitha Wangere wa Mwaura. Na kwetu ni mitahato. Na nashiriki catholic Miguta. Na sasa vile nataka , na shida yangu , ni mambo mawili, moja ni kahawa, na maziwa. Wakati tumevuna kahawa na kufanyia kazi , pesa hatupati; Ya kufanyisha kazi , hatuoni, sasa tumekonda wazee wamama na watoto tumekosa chakula, sasa nataka hivi, hii habari iende kwa katiba. Pesa ya kahawa na maziwa iwe likija mikonono mwa wakulima. Ndiposa anasema wangepewe pesa ya kahawa na maziwa iwe ikipitia mikono ni mwa wakulima ili wawe wakipata chakula. Ili tufaidike kama wakulima ndio. Sasa sina mengi , na sasa hiyo katiba yetu muichukue muipeleke mbele itengenezwe kabisa.

Com. Salim: Asante sana mama Tabitha kwa maelezo yako tumefahamu tunafahamu sana na mungu akipenda sheria itatengenezwa ku hakikisha kwamba kila mwananchi anaye fanya kazi unatokwa na majasho atalipwa na haki yake. Ombi letu ni kwamba wewe malipo yako yatalipwa na ughali hai na sisi.

Na tukiendelea mbele kwa hakika the way I see it here she had just put here name to attend but we are really very happy that she still got up and said something. This Constitution we had said its for the future, for the coming generation the young man aged fourteen, he came here he gave his views and we said he will enjoy the fruits in of the new Constitution. But this lady here she is old we hope she will live long enough also to enjoy the fruits of this new Constitution. So we thank her . Peter Njeru pia I have a feeling he just put his name to attend because he doesn't say whether he has any presentation to give oral or written because some of us I think are here attending just to listen and get educated in the course So he has said nothing he is not here within , Peter Njeu, is here, did mean to give views? That is what the impression I have and then also Paul M---Kariuki,, yuko?. You came to listen okay, you are satisfied with the views given by the others, very good. Next Stephen Mwangi and Laban Mwangi mumekuja kusikiza ingawa mmoja huyu nafikiri na mwana siasa wa Ford People lakini labda amekuja kusikiza siyo? Laban Mwangi alright. **James Gitau**. Okay next Sammy kuria kungu written presentation BP Githunguri sub-branch. So Bwana Sammy tutakupa dakika mbili unusu, dakika mbili samahani, maana it is written we will be reading it just for the benefit of wananchi tell us what your concern are

Sammy Kuria Kungu: My name ----memorandum on

Basic right and human right: Views on the basic right

Com.Salim: Sorry , I called upon Mr.

Com.Sammy Kuria Kungu, are you Sammy Kuria Kungu ? No

Sammy Kuria Kungu is here? No. Next one is Maxwell Mbugua. Maxwell Mbugua Githunguri disabled, oral representation. He is coming? okay

Maxwel Mbugua: Thank you Commissioners and wananchi, yangu nitatoa , majina Maxwell Mbugua na I am representing Githunguri disabled persons.

Since our present constitution remains silent about issues affecting people with disability we would suggest that our next Constitution do something to rectify this commission. We are about three million people with disabilities in our country who comprise 10% of the whole population. If such a huge number of people are not cared for by the supreme law of their country it must be very unfortunate if not discriminative to those concerned.

Com. Salim : Sorry Bwana Maxwell Mbugua sorry kukata short, what I would like to suggest is we have listened to the introduction it is very good now can you carry on by just giving us that the proposals., recommendations. Really we have no time we would very much like to listen but we have a lot of wananchi and we would not like to leave without hearing all of them . So tafadhali two minutes highlight the points proposals.

- 1) Ya kwanza itakuwa representation of people with disabilities in Parliament and local councils, Since disabled people are more than 10% of the whole population of the country , we would suggest their 10% representation in Parliament and local councils.
- 2) People with disabilities should have equal rights and opportunities in all fields of life.g Education, Medical care,

Employment, Protection by law, Access to public institution like banks, hospitals , public offices without discrimination.

Our present constitution talks about discrimination on colour, gender, place of origin but forgets to mention about disability as an issue for discrimination this should not be repeated by our present constitution.

Education, our next constitution should provide free and compulsory education for people with disabilities. Our country has the required resource to provide such education.

Medical care this also should be provided freely

Participation of the disabled persons in all affairs concerning their lives eg, here in Kenya we have a Trust fund, National Trust fund for the disabled. But not a single disabled person is elected in its Board of Trustee or managerial positions and this should be rectified..Thank you very much that is all I have.

Com. Salim: Thank you very much Bwana Mbugua for those very clear recommendations very important ones.Tukiendelea mbele tutamuita Naumi Wangui wambui. Is here, Naumi?Naumi yuko? Hayuko? Francis Mburu yuko? Francis Mburu, karibu. Is it oral ? oral, two and half minutes please. Main points what you want done. Okay?

Francis Mburu: (talking in kikuyu)

Translation: Nitaongea kwa kikikuyu kwa wale ambao hawezi kuelewa kingereza .

Com. Adagala: You will address the commission not the gathering. Excuse you will address the commission so if you explain to the gathering that is a different thing, but if its just the Commision because you said you want to talk to those who ----please tell him to present his memorandum very quickly and its not for the gathering .

Francis Mburu: (talking in kikuyu)

Translation: Nataka kusema , habari ya mashamba ya Kenya yalipiganiwa uhuru na wapiganaji wa uhuru. Na viongozi wa vita hatujui walienda wapi. Nataka kusema tunaona wale walipagania uhuru kwa nchi zingine wanazikwa na nchi yao na wanakenya wangezika na watu wa Kenya. Kwa hivyo Katiba iandikwe kwamba tuone wapiganiaji wa uhuru wetu waganaji walizikwa wapi.

(interjection) Inaudible

Angetaka wazikwe katika kaburi za serikali mashamba yagawanywe kwa sababu ya hayomakaburi.Mmoja wao ni Dedan Kamathi, wa pili na J.M Kariuki na? ----Habari ingine ni visa za kwenda ng'ambo , nasema ----(interjection) wanaitisha

passport kama unatoka hapa unaingia nchi ingine ukiwa nchi ingine umetoka Kenya unaitishwa visa. Lakini ukiwa hapa ni passport.

(interjection) anakwambia haitoe visa kwa ----ukipendekeza hakuna chochote Kenya inafanya (inaudible)

Francis Mburu: (talking in kikuryu)

Translation: Nataka kuuliza , visa na wakati nitakuwa nikitaka kwenda nitaenda kwa America Embassy kama sina visa (interjection)ya nchi ingine

Swali langu ni hili, kwa migration kwa nini hawo wageni hawaitiswi visa wakati wanakuja Kenya. Pendekezo langu. Ningetaka hata wale wageni wakikuja Kenya wawe wakiitishwa visa .Anasema anataka wakikuja hapa wawe wapatiwa visa.Hapana anasema wageni wakikuja, wakati wanafika. Ingingine matajiri walio Kenya walichukuwa mashamba wakati tulipopata uhuru, na wakati walituongoza walisema tutalipwa gharama. (interjection).Nasema watu wale walinyakuwa mashamba baada ya uhuru wakachukuwa mashamba ya watu na wazungu waliokuweco hawakuendacommission itengenezwe irudishe hayomashamba kwa maana wenyewe hawakupatiwa ile mashamba. Police nayo , wakubwa wa police wanawashika watu wanapeleka kamiti, maana mumekosania pengine deni.Anakulipia police anakufuata hukounapigwa na hujalipa deni, katiba iseme mtu akikupeleka gerezani utakuwa ukiandika makuli yako yale unakula kila siku kwa bibi yako na kama vile matumizi yako ya kila siku kama unakamua ngombe, na usisumbuliwe . Ukitoka umushinde kesi anakulipa ile gharama yote umepata Lakini isifanyiike kame vile watu waliuliwa kule Thika sickle cell. Asante.

Com. Salim: Asante sana Bwana Francis Mburu Gatibu kwa maoni yako sasa tutamuita Joe Githongo. Joe Githongo. Bwana Githongo , two minutes please to the point. Two minutes you can say a lot ikiwa una mapendekezo.

Joe Githongo: Thank you commissioners I come to Prliament registration body.

The constitutional course providing for the nomination MPs be abolished, their roles to be taken by elected members.

Nomination of MPs the constitutional provision providing for it be abolished and the role of such MPs be taken by elected members

Constitutional office holders, their names should be approved by Parliament then Parliament forwards such names to the President who shall appoint from among the names so forwarded to him by the Parliament.

Operations of the departments of the government : Permanent secretaries should be people provisionally qualified to head such ministries they are entrusted with e.g how do you say that Bwana Commissioner how do you say that a Medical doctor heading a financial Ministry isn't that brain drain so they should be people who are professionals to head such Ministries .

Citizen- ship: Kenyans should be given the, registration papers or document at the time of birth not there after because they are born here in Kenya there is not point of waiting for ID, you should be given at the place you were born.

Commissions appointed: The Commissions that are appointed are for the public institution, the constitution should be provided for in a way that a place where commissions are appointed for the public interest such findings in those commissions be made public after they have presented their report to their appointing authority.

Education: May the best brains compete quota system has produced half baked graduates I propose that the education have a constitution cross pertinent to that be amended to provide for competitive education not quota system let the best brains compete.

Land disputes should be solved by elders who are conversant with local customs and also land laws. If there could be any aggrieved party who would like to appeal he or she should go to the highest court of the land, whose decision shall be final.

Last but not least, is about separation of powers, when you come to the separation of powers there must be a clear definition of what one has to do simply what I mean is that each department of the government should know its roles. There should be a clear indication of who is doing what.

Parliament: Parliament should not be extended beyond its term, should be five years, if it has to be extended salaries and allowances paid by the MPs, Councillors included should not be paid to them. They should go to the exchequer and also Parliament should also not have a sitting MP, the President should not be a sitting MP he or she should relinquish the post of an MP upon election as an MP. Thank you.

Com. Adagala: I think you mean upon election as a President. Thank you very much

Com. Salim: Asante Bwana Joe Githongo kwa maoni yako. Na sasa nitamuita Bwana Ndungu.. Jina la kwanza -----Rewri Ndungu. Na Bwana Ndungu it looks like you have a written memorandum it looks long but remember you only have two minutes so right from the start you just give proposals and recommendations leave the background we are familiar with everything around us.

Rewri Ngungu: My first point is about the members of Parliament: They should have an office at constituency level where they should sit at least two days in a week to hear the views of their constituents.

A provision should also be made in the constitution in that if the constituents are dissatisfied by their MP they can pass a vote of no confidence before his term over.

The Mp also should have an economic interest in the constitution that he seek to be elected e.g if its agricultural area , he should have a land their and should be an active farmer or an active businessman in the area.

Education: There should be free primary education for evey child and it should be made compulsory for every parent taking his /her child to school.. Education loans should be provided for students whose parents cannot raise the fees for the secondary schools the same way the University students are given loans.

Agricultural sector: They should scrap of the state parastatals that market the produce of the farmers stating for example KTDA, the farmers should be allowed to market their tea directly from their factories either locally or overseas wherever they find it rational Importation of agricultural products that are produced in the country should be banned citing examples of maize, sugar,and milk.

Political parties : They should have a limit number that is 3 to 5 whereby a restriction should be put where before parties are registered they should have atleast a support of 10% from the citizen of each province.

The powers of the head of state should be minimized . He should not have the powers to appoint Ministers or sack them but a commission should be set to do so if need arises. He should not be the chancellor of the Universities but the post should be held by a qualified professors who might have taught in one or other of the public Universities for a time of not less than 10 years. He should also have been a Vice chancellor of a University.

A President should be in a position to be sued in a Court of law . The President should not have the powers to dissolve the parliament but a commission should be set comprising the members of the Parliament.

The constitution should provide for the removal of the head of state in matters where he has been reported of mis-conduct or its proved in a court of law that he has been involved in corrupt deals to corrupt the government of some money. Thank you.

(interjection) (inaudible)

The Vice Chancellor should be a professor who might have taught in the University for a duration of not less than seven years. He should be chosen by a committee that is set by the Chancellors of both the public University.

Com. Salim: Asante Bwana Ndungu, Bwana George Nganga, George Nganga yuko? Hayuko. I think its time we heard ladie's voice agreed , I think its agreed silent means yes. Ithink it mean yes. So namuita Tabitha Mungare Mwaura. I think shes spoken, Tabitha has spoken the name is familiar in only we did not cross out her name. Fine Mary W. Kamau. Mary Kamau,Mary kamau yuko? Hayuko. Okey George Nganga hayuko, Samuel Mburu , Samuel Mburu.Karibu.

Samuel Mburu: Iam Samuel Mburu on behalf of Full Gospel Churches of Kenya Githunguri local Assembly which has 100

members.

Com. Salim: Samuel Exactly that is a memorandum right? You are highlighting main points not reading please.

Samuel Mburu: These are the main points, preamble should capture vision which has peace and development in all sectors inclusive.

Also shall include availability of the document to own people of Kenya.

Central government that is Executive , Judiciary and Legislature should be established with separate and equal powers. Kenya shall be a a multiparty state.

Basic rights: Civil and political rights should enforced as numerated in chapter five in the old Constitution. Civil and political rights should be enforced as numerated in chapter five of the old Constitution however the extend message of this freedom should be limited only by the Constitution also an anti-discrimination provision, right to age in distress and respect for human dignity shall apply to for all people of Kenya.

Social Economic rights include free health services , free primary education and freedom to unite to demonstrate and to jointly air your grievances.

Successive government should promote a ffirmative action policies in addressing first gender in- equalities

All citizenship : Children born of Kenyan spouses or spouse should be entitled to Kenyan citizenship. Dual citizenship should be authorized,. Passport should be necessary and sufficient document for Kenyan citizenship evidence.

We recommend Parliamentary system of government having head of state with the title President and head of government with the title Prime Ministers.

Qualities shall be criteria for the nomination.

The roles of the Head of State and Head of government shall be enumerated . I have them but I will read about Head of government.

The roles of Head of government

Prime Minister:

He should be commander in Chief of armed forces.

Members of parliament to his own constituency

Must appoint Attorney General, Director of public prosecusion and commission to discuss matters of National importance except constitutional commissions.

Legislature

Legislature must enact laws determine its his own calender and approve all government expenditure.

The authority to involve emergency powers should be vested on the Legislature

MPs should not lead people out of self conviction but should seek advice from their constituencies through their political party offices at their constituencies

Legislature should be given powers to impeach the President, the head of government incase she/he violets the Constitution.

The constituency boundaries should be re-demarcated according to population density

Judiciary

The present structure of the Judiciary is adequate except that Kadhis courts should be abolished and it came under tribunal jurisdiction.

There should be a provision for Judicial review of laws made by the Legislature and appointment of electoral commission should be done by the High Court and court of appeal judges.

Executive

Holding public and constitutional offices shall be on the basis of merit especially academically and profssion-wise

Directive principles, rules and duties of all public and government offices shall enumerated by the institutions concern.

The retirement age of all Civil Servant shall be 55 years.

Constitutional commissions institution and offices should include Electoral commission and corruption agency , constitutional court , the complaint office an independent and free media Judicial service commission , Legislature service commission , public service commission police service commission and office of the Attorney General separate and independent from the Director of public prosecution. I will elaborate on only two commissions. I am remaining with one point.

Com.Adagala: No time. Give the last in one sentence

Samuel Mburu: Civil societies such as religious organizations , philosophical movements , CBO's and Non Govermental Organizational should be exempted from taxes and be facilitated to participate meaningfully in governance.

Com. Salim: You said something about the Kadhi's courts should be abolished and placed under tribunal, can you very briefly tell us what you meant by--- that

Samuel Mburu: I mean that no group should be termed especial except one that is being marginalized. The muslims should not have their own courts separately from others because Christians don't have and there are others who also don't have their own separate courts.

Com.Salim: You say since churches don't have their courts or Christians there should no discrimination Muslims should not have their own courts.

Com. Salim: We call upon Keneth Kamau, keneth Kamau K.K. Jessy Muhoro or Jessy ameanda. Stephen Kago Wangui. Two minutes please.

Stephen Kago Wangui: Kwa jina Stephen Kago Wangui. Mimi nataka kuongea juu ya security katika Kenya, Kenya hii inakosa security hasa kutokana na idara ya police. Police wakati huu ukienda kwake anakuambia sina petrol ningetaka pendekezo langu ingekuwa wakati za budget ya idara zote wawe wakipatiwa peza za kutosha kuweka magari yao petrol kwa sababu ukienda pale na wewe uko na taabu anakuambia toa pesa ya petro, hiyo tungetaka tuwe na usimamizi bora kwa idara ya police.

Vile vile ikienda uko police unasema uko na taabu anakwambia leta kitu kitu kidogo, tunataka tukutimizie maneno haya na mengine wawe na idara ingine ya kuwachunguza kwa sababu tumekuwa na taabu sana juu yao, ukienda pale wanakuambia utoe kitu kidogo -----

Com. Adagala: Pendekezo-----

Pendekezo langu tuwe na idara ya kuwasimamia kwa sheria.

Ingingesema ni juu ya wakulima. Wakulima katika Kenya wasimamie ukulima wao kwa sababu kama ukienda hapa kwa mashamba tunafanya kazi kwa nguvu sana, tunasema sisi tujipelekee mazao yetu katika masoko, sisi wakulima tujisimamie wenyewe katika ukuzaji na katika uzaaji.

Ningesema juu ya mambo ya biashara zetu Kenya security iwe nzuri kwa sababu tunaweka makazi na kazi yetu inaaribiwa na wale wanyanganyi, wanatunyanganya kwa hivyo security iwe tight katika serikali ijayo. Yangu ni hayo.

Com. Salim: Asante Bwana Stephen Wangui kwa maoni yako juu ya security na wakulima na biashara. Tukiendelea mbele tunaye ---Mary Kamau nafikiri hayuko. Matha Njeri, Matha Njeri pia ameondoka, tulikuwa tanatamani sauti ya dada au mama kutupa maoni ya akina mama hayuko?. Francis Ngunjiri, Hannah Wanjiku yuko?. Tukumbushane habari ya mobiles. Tafadhali Jina lako hapo.

Marion Wanjiku Kubunja: Jina ni Marion Wanjiku Kibunja. Ningetaka kuongea habari ya security. Katika nchi yetu ya Kenya hatuna security ya kutosha kwa sababu ukiweka biashara yako wenye bastola wanakuja wanachukuwa hivyo vitu vyako kwa nguvu. Ukiwa nyumbani wanakuja kwa boma na wanachukuwa vitu vyako kwa nguvu kwa sababu wenye kuiba wana bastola. Na sisi wenye Kenya hatuna silaha ya kutulinda, ningetaka mwana Kenya yewote apatiwe ruhusa ili awe na bastola yake mwenyewe ndio wezi wakija wakijua unayo hawatakunyanganya mali yako na ukipiga nduru wenye jirani watakuja kwa sababu hata wao watakuwa na bastola.

Ya pili ningetaka serikali ichunguze sana habari ya watoto hawa wanaitwa chokora. Chokora ni wengi sana katika nchi ya Kenya na hawachokora wametoka kwa boma ile haijulikani ni kwa nani kwa sababu mwanaume leo anazalia huyo mama watoto kumi anarudi anamwambia wewe mama enda akienda ana beba watoto wake, hana mali ya kuwalisha hao watoto wanakuwa chokora, ningetaka serikali iwachukuwe iwaweke iwaleta katika approved schools na mabwana wanao-oa wawekewe amri ili ukioa bibi usimfukuze na watoto umfukuze peke yake uwachwe na watoto wako.

Ya tatu ningependelea wamama ambao hawajaolewa na hajaolewa tangu azaliwe awe akipatiwa mali na baba yake kwa sababu huyo mama huwa akiangaishwa na ndugu zao, amezaa watoto hana mahali pa pa kuishi na nduguzake hawawezi kumpa mahali pa kuishi, ni hayo tu mwenye kiti.

Com. Adagala: Mama kile watu wamejaribu kusema ni wale wana silaha wanyanganywe lakini wewe unataka Kenya yote iwe na silaha. Na kuna kitu kibaya kuliko mwizi ambaye ana silaha ndani ya nyumba . Lakini hata hivyo hawawezi wanatoka wapi?

Marion Wanjiku: Hawo wezi wako tu duniani katikati ya watu. Ningetaka hivi sababu hata panga inakuwa silaha na kila mtu ana panga, ana jembe na ukiuchukuwa unaweza kuwa mtu nayo. Na sasa mwenye kuiba hawezi kuja na panga kwa sababu anajuwa wewe uko na nini? Na panga ndio anakuja na bunduki. Kila mtu akiwa na bunduki hawatakuja .

Com. Adagala: Huyu mama anafaa apewe degree kwa sababu ana akili nyingi. Lakini mama hawa wezi ni watu wanatoka kwa jamii, kwa kijiji , si ni watu wa kawaida,

Marion Wanjiku: Hawa watu wanaonekana, wezi ni wale watu hawana kazi pengine walijuwa wameajiriwa kama askari. Askari amejua kupiga risasa kabisa , sasa akipewa nini—aende nyumbani na hana mali ya kumtosha sasa ule ujusi alipata ndio anaendelea nao tu hivyo kusumbuwa watu.

Com. Adagala: Hiyo ni shida pendekezo lako kuhusu kazi ni nini?

Marion Wanjiru: Sasa ndiyo nataka kila mtu awe na silaha ndio yule mtu hana kazi akijuwa una silaha hatakuja kuchukua mali yako.

Com. Adagala:Nataka kujua kuhusu kazi umesema watu ambao hawana kazi , kuhusu kazi ungependaji?

Marion Wanjiru: Ningependa kila mtu awe na kazi yake .

Com. Salim: Asante sana mama Wanjiru kwa maoni, huyu ni mama anaye moyo wa kikweli kweli, very brave woman. Tukiendelea mbele , Bwana Erustus wambura yuko? Erustus Wambura?. Erustus nafikira unasema kwamba una maandishi , so you have-----One minute or two please.

Erastus Wambura: The first thing I would like to say is about ----Wambura. The first thing I would like say is about the Constitution . It is the right of the citizen to have the constitution and it should not be amended by the parliament without the consent of the citizens themselves.

The other area is about the presidency actually this has been said but I would like to say as much as possible that the President should be a married person living with a family and someone who has a University education but not just a mere person because he's a politician.

The other area is about the parties. There are very many parties in Kenya but I would like to say atleast we should have three main parties. Three, they should be atmost three parties maximum one party, the ruling on the other on for opposition the other one for extremes because I know that some people who are not satisfied with whatever is done by the other people. So the Constitution should burn all the other parties and the manifestos are the same one's, if you read the manifestos of all the parties they are almost the same but what people want is the leadership nothing else.

Last but not the least I will talk about taxation, tax. With taxation we have people who are paying money and they do not benefit from that tax for example, we have areas where we have coffee, pendekezo, I will suggest that tax payers money should go back to the areas of the 75% of the taxation should go to the area where that money come from but not develop the whole area—(interjection)

Com. Adagala: So coffee areas what do you want to have in coffee area

Erastus Wambura: The Coffee areas they don't have roads, access roads, go to tea the same so the farmers should atleast benefit mostly of the from the money they pay to the government.

Com. Adagala: How you will reduce the parties we have fought for democracy, we have fought because parties were being banned and now you are saying they should be banned.

Erastus Wambura: If the Constitution is there then nobody else should form the party and we have more parties because the constitution allows that, and the democracy does not say we have more parties, its just your views which are necessary not the party.

Com. Adagala: A partof democracy is multiparty , part of it not all of it

Erastus Wambuwa : But we already have three which proposed as the right number for parties. We have people can be communists within the extreme party, we have people who are democrats within the two parties either the ruling or the opposition.

Com. Adagala: But you are taking away people's rights.

Erastus Wambura: Those are not rights actually.

Com. Adagala: the right should . its just like saying if I have children then you don't have to have children.

Erastus Wambura: If then we have all those parties we have to have a party representing about one million people, one million not a thousand .

Com. Adagala: The other one is, this thing of taxes going back is called taxes being ploughed back, ploughing back that is one , but two why should taxes go to government then come back, why cant people get their money here and then give a little bit to the government.

Erastus Wamburu: I will say you see actually, we know we have people who are corrupt and the corruption we are trying to minimize will remove it completely.

Com. Adagala: Corruption comes by money going away then.

Erastus Wambura: When money goes there and come back that is when there is corruption the reason why I have said that is because once you receive the money to return it becomes a problem.

Com. Salim: Asante Bwana Erastus, Pastor Boru, Pastor Boru, okey, Daniel Kago hayuko, yuko? Benard Nganga yuko? Haraka, baada ya hapo tutamuita Bwana Edward Muiruri , Edward Muiruri hayuko? Okey, so Benard Nganga.

Daniel Nganga Waweru: I am Nganga Waweru, and I am proposing the following to the constitution of Kenya Review Commission.

!) That the National day should be states or citizens day.

The citizen should have Constitutional rights to celebrate them in their own preferred styles. At present the celebration of the National days because of domination by those who are in the government make the people feel that National days are government days which is wrong.

Com. Salim: Sorry Bwana Benard are saying that people are forced to do something?

Benard Nganga Waweru: You know at the National level it is the President who is the Head of the government.

Com. Salim: But you are free to celebrate Kenyatta day Idi day or anyway you like, so what are you saying when you say people should be allowed to celebrate as they like.

Benard Ng'anga : I mean when we come to National days those are state days , they should not be government days.

Com. Salim: So?

Benard Nganga: They should not be government days or the government should not a lot of control over them.

Com. Salim: In what way:They are called National days , not government days. And they are called National days no one called them government days.

Benard Nganga: They are called National days but the styles of celebration does not make them look as if they are National days. Because there is no good balances about the celebrations.

Com. Salim: What are you proposing how should we do it?

Benard Nganga : How it should be celebrated, I mean like we the people of Githunguri let us take the independence day our people fought for the independence of Kenya ---

Com. Salim: How do you want to celebrate it?

Benard Nganga: The way we want, we can be deciding

Com. Salim: At the moment are you forced to celebrate it in any way?

Benard Nganga:Let's say for the independence day we would like to remember about our own independence struggle.

Com.Salim: For the country?:

Benard Ng'anga: Yes, what cause the (interjection)

Com. Salim: Carry on, carry on-----

Benard Ng'anga : Another thing that I would like Kenya to have is a comprehensive National Social Security Scheme to benefit all Kenyans to be established.

Another one that I would like to look at is that there is a section in the Constitution of Kenya chapter 3(section 34) that says any person to contest inthe general election as a candidate should be nominated by a political party. I myself see the general election as a state affair. And where they are supposed to go that is the parliament is state body.

Com. Salim: What do you want now?

Benard Ng'anga : I would like the political parties to be treated like any other advocacy group in the country.

Com. Salim: What do you want the nomination to be done by who ?

Benard Ng'anga: Those who would like to contest should register directly to the an independent Electoral Commission.

Com. Salim: So you are talking in terms of independent candidates you don't have to go through a party? Fine. So you want commission for people to stand as independent candidate not belonging to any party. Sawa we understand.

Benard Ng'anga: Not belonging to any party.

Party nominations be limited to party affairs lets say we can have six people in a certain party ---

Com. Salim: We have understood that. You have only on minute

Benard Ng'anga : Another issue that I would like to raise is that I would like Kenya to have an independent or a constitutionally established Treasury to be collecting taxes , to be receiving money borrowed by Kenya or given to Kenya. I want this because when the body collecting the money is dependent from the one spending the money they will be a lot of improvement in tax collection.

Com. Salim: So you are saying one is just for collection not spending , should be there another one alright./

Benard Ng'anga: Yes , there should be , yes, another one

Another one that I would like to raise is that of the police . I have been for a long time a victim of police in this country. So I would like the police

In Britain when they established the police force the people were against the idea of a police force being established , they didn't like people to have people with guns in their community. And the police in Britain because of that from the beginning they have been very discipline and the police in Britain had been independent on the Executive arm of the government . So I would like the Kenya police force to be established constitutionally as an independent body.

The power to prosecute can be given to the Director of prosecution or to the police constable himself so that he can be arresting all those who are breaking the law.

Com.Salim: Instead of who? Instead of their Attorney General , today they prosecute on behalf of the Attorney General.

Com. Adagal: At the moment (inaudible)

Benard Ng'anga: Yes , no at the moment -----

Com. Adagala: Who do you want?.

Benard Ng'anga: The Director of prosecution .

Com. Adagala: Haya endelea

Com. Salim: What about the issue of arms? No gun , the gun

Benard Ng'anga: I mean-----

Com. Salim: Mama said everybody should have a gun in the homes.

Benard Ng'anga: They can have guns but the law should not allow them to mis-use guns. The gun should be there for the common good of the country.

Another issue is on the disability movement and I would like the people with disabilities they are about 10% of the population of Kenya to be given 10% representation at all levels of state decision making bodies so that they are stakeholders and their welfare will only be best taken care of when they represent themselves . That's all thank you very much.

Com. Adagala: We would also have wanted their audience here to be 10% so don't hide people with disabilities they are citizens like any other.

Com. Salim: Asante sana Ng'anga for you views we move on now to Edward Muiruri Kamiru, Edward Muiruri kamiru hayuko? Jeremiah Ndichu Kaniu, yuko? Hayuko?. Samuel Njoroge , hayuko. Micheal Kago, Micheal Kago hayuko? Joseph Kirima Wangare, Joseph Kirima amechoka na kuongojea hii ndio shida yetu wengine wanaanza kusema lakini kwa jili ni watu wengi ndiyo tukawa tunaharakasha watu ile tuwafikirie jamaa wengine. George Kamau, George Kamau hayuko, Joseph Gikima , Joseph Gikama karibu.

Una memorandum , haya points tafadhali , sawa karibu.

Joseph Gikima: How leadership----- (interjection)

Com. Salim: Say your name please

Joseph Gikima: Joseph Gikama

Com. Salim: Si sisi ni your mic ndio tupate kukunasa

These are few suggestions on how leadership should be conducted.

Poor Leadership will lead to poor laws a wrong decision in placing someone in a given class will lead to unhappiness of one (inaudible) . Its essential that proper rulers be chosen if the society is to be ideal.Harming interest and the desire for riches have the two great obstacles to a good and impartial leadership.Giving the ruler absolute powers on the grounds that ruling is a skill just as (inadible) is a skill.

In order to rule properly one has to be trained for it just as in order to practice medicine properly one requires special instructions . To allow untrained persons have voice in the direction of the government is as foolish as to allow untrained persons to give advice for the proper conduct of surgical operation premise one ruling is a scheme, premise two may differ or ability to exercise various skills.

Those who exceeded the greatest capacity for ruling should be trained in this skills and when trained they ought to be made rulers of the society.

Because they have the greatest skills in ruling they ought to be given absolute authority so that their laws will be put into effect.

Thank you.

Com. Salim: Asante sana Bwana Joseph Gikima hayo nimaelezo mazuri juu ya sifa zinazo- hitajika takikana katika binadamu ili aweze kuwa ni kiongozi mzuri mwenye kuleta faida asante. We move now to Salome Wangare, I hope she is here, Salome Wangare. Karibu. Tunatamani sauti za kina mama, Salome nafikiri utanatupa maoni kwa mdomo. Ya kauli Asante. Endelea , dakika tatu.

Salome Wangere: Kwa majina mimi naitwaSalome Wangare kutoka Githunguri maoni yangu ni kidogo tu kuhusu kina mama .Kina mama wenzangu tunafinyiliwa sana, wale wanatufinyilia zaidi zaidi ni wale tunakaa nao na nyinyi wanaume mnaona tu na pia serikali inaona tu lakini ile katiba tunayo sasa ni katiba ambayo tunaweza tukasema chochote kuhusu kina mama.

Langu la kwanza ni hivi tunakaa , na tunakaa tukiwa na nyinyi wanaume, tukizaa na nyinyi wanaume ni lazima nilea nikiwa peke yangu? ni lazima tulee sisi wawili . Wewe unafanya kazi na mimi nafanya, mshahara wangu unataka na wako mimi sijui unaenda wapi, kwa nini? Na watoto ni wetu sisi wawili? sasa jambo langu la kwanza ni kuuliza tukizaa na wewe niko kwenu na shamba ni yenu na umesha -nioa ni lazima hiyo shamba uuze? Siyo lazima uuze, ukiuza ni lazima tuwe na wewe ni weke right

ati umeza. Au tuwe pamoja ati umeza hiyo shamba. Ukioa bibi mwingine ni lazima mimi nijue ati umeoa bibi mwingine kwa sababu mimi ndio wa kwanza . Mimi ndio wa kwanza halafu unaenda uko kutangatanga unaleta bibi mwingine , ukitangatanga ulete bibi mwingine na mimi siendi uko nitafute watoto wengine, hawa wangu nitalea nikiwa wapi? Au wale unaenda kuokota huko unaleta hapa mimi ndiye nitalea au ni wewe utalea? Bibi wa kwanza ni lazima aheshimiwe.

Com.Salim: MaPendekezo mama, Pendekezko lako la kwanza ni kwamba bibi wa kwanza lazima ashauriwe na kuheshimiwa , aheshimiwe tu asisahauliwe.

Salome Wangere: La pili langu kwanza nataka wewe uandike kwanza wewe upeleke huko kwa katiba kwa wale wengine mnakaa nao kwa sababu mimi niko na taabu mingi sana kwanza mimi-----na siyo mimi peke yangu,(interjection)

Com. Salim: Mama nataka kukuhakikishia kua sisi kazi yetu ni hiyo , kusikiliza malalamiko huna haja kutukumbusha, hiyo ni kazi yetu. Sasa tupe mapendekezo tafadhali.

Salome Wangere: Kwanza kama mimi niliolewa, ni- kaza watoto , kuzaa watoto tukawachana na bwana yangu ile shamba ingepatiwa watoto, ikapatiwa sister in-law na mimi nimezaa huko nimeolewa huko ,sasa huyo amepatiwa sikatai, yangu na ya wangu iko wako wapi, na kumeolewa mwingine? Watoto wangu watakuwa chokora ama nitawauza?

Com. Salim: Tafadhali hayo si mambo ya kuchekesha kwa hakika tunastaajabu kuwa mambo hayo ambayo ni matatizo makubwa yenye kuenea sehemu kubwa kwa hali ya nchi yetu lazima yazingatiwe kwa some seriousness, these are serious matters. Endelea mama lakini tafadhali kuna ndugu zako wengi hapa na dada ambao hawajasema na sisi tunafunga duka saa kumi na mbili.Kwa hivyo dakika zako mbili kwa hakika zimekwishwa sasa kwa ajili ya kutueleza yale mashaka tunayafahamu sana. Toa mapendekezo kwa upande wa uridhi kwa mfano mambo haya yanahusu uridhiinheritance what do you want the commission to do incase of inheritance by wives or widows or children what do you want us to do to the divorced parents.

Salome Wangere: Sasa wale watoto niko nao ni wangu na bwana yangu, hawa watoto wawili wako kazini , na wakiwa kazini hawa watoto wakikuja kwangu hawalali kwa sababu babu yao ako na Kiswahili na watoto na sio ati anawapatia shamba ni kula kile watoto wanatafuta, mimi sijaona kitu kama hicho na mimi ndio nimewalea sasa hao watoto ni wangu au ni wa baba yao? Hao watoto wangejitafutia ama wanatafutia baba yao?Akiona wako na pesa anawangoja kwa stage, wanaenda , anawaonyesha mahali kuna bar wakule nyama wakunywe pombe sasa hao watoto ni wangu ama ni wake, ama ni wa serikali?

Com. Adagala: Umefanya nini kwa hili jambo mama? Umechukuahatua gani kwa hilo jambo

Salome Wangere: Nimechukuwa hatua hii, hao watoto ni mimi nimelea.

Com. Adagala: Bado kuna shida umefanya nini; Kwa hiyo shida ya watoto ku –sijui kufanya nini

Salome Wangare: Nimejaribu , nimejaribu kutamana kwa baba yao awache kupeleka watoto wangu kwa bar lakini hasikii wakati nilikuwa ninalea sikumuona

Com. Adagala: Lakini ninalielewa na ninakuhurumia , lakini ni watu wazima sasa.

Salome Wangare Yeee....

Com. Salim Okey tutaandika tu hakuna ubaya. Haya taja lingine moja , mbili ya mwisho kabisa.

Salome Wangare: ya mwisho naweza nikauliza kwa------(interjection)

Com. Adagala: Toa pendekezo, huwezi kuuliza katiba swali, hatuna ----wewe ndio utatoa maoni, swali, ukituuliza katiba haiwezi kujibu.

Salome Wangare: sasa mimi nataka huyo bwana apatie watoto wangu shamba kwa sababu ndio wanaojitafutia, wawe wakitoka kwake kwenda kujitafutia.

Com. Salim: Asante sana Salome tumefahamu, tunajua shida zinatokea wapi na sehemu gani ya katiba tutafikiria. Asante Salome , thank you. Kuria Kimani, yuko? Hayuko. Paul Waweru hayuko. Njoroge Njenga , yuko hayuko. George Kimani Gidhiko Catholica church hayuko. Ngugi Gidhiwa hayuko? Nganga Waweru, sshasema asante. Benard Kaberi yuko? okey Benard dakika mbili maana una, nafikiri you have a written memorandumusha toa, so you will give it to us later. Two minutes only please, we only have another 35 minutes.

Benard Kabere Gichuki: My names are Benard Kabere Gichuki I am a Githunguri resident , my views on the Executive. The presidential candidate should be able to speak both English and Kiswahil .

He should be above O’Level, the presidential tenure should be two terms each having five years in office. He should be above O’Level. The presidential powers should be limited .

The President should not be appointing Chief Justice and High Court judges, also Head of public Service, provincial Administrators and police commissioners.

My recommendation is that his powers should be given to Parliament.

The Constitution should also provide for the removal of the President for mis-conduct while in office. For example if the

President is involved in any economic crimes. My recommendation is that a special committee should be set aside by the Parliament and it should include great men to monitor the conduct of the President and its findings should be implemented by the parliament.

I also have views on basic rights: My view is that our Constitutional provisions for fundamental rights are not adequate especially on matters of security, My view is that in case of tribal clashes police torture to death the suspect and also and unnatural death inflictions the police Commissioner and the Head of the prison department and the Minister in charge of the internal security should be held responsible and punished according to the law.

I also recommend that an independent body should be set to investigate on human right violation instead of police officers.

I also have views on environment and natural resources; The new Constitution should protect our own environment and in particular forests which are water catchment areas. My proposal is that parliament should form a committee to look into issues related to environment and natural resources. The committee should include professionals in the related fields and it should be reporting to the Parliament which should have powers to enforce laws on the protection of the environment.

My final remarks, land grabbing should have stiff law such as life sentences in order to discourage it. Thank you.

COM. Salim: Asante Benard Kaberi, next William Kamuyu, William Kamuyu, Simon Kibe Njuguna hayuko, Kanja Komu, hayuko, Peter Mushiri, Moses Kimani hayuko amechoka kungojea, Godfrey Kariuki, hayuko, Mwangi Ogwiru, Ogwiru, yuko? okey. Mwangi karibu, you have a written memorandum so please two minutes come down and start started we are soon leaving so we want to be sure those listed here have a chance to say a few words.

Mwangi Ogwira: Okey Thank you, I am Mwangi Ogwira, my recommendation to Kenya Review Commission.

First of all we have written that Constitution should have a preamble that states what is the supreme what is law of the land, who it, and who enjoys, it and who may not enjoy it.

Com. Adagala: Mwangi, we know the principles of preamble, we have come to you to tell us who enjoys it and who, you have to tell us, those are the principles but we want you to tell us exactly who?

Com. Adagala: The people who are supposed to be covered by it, the life of the people that involves the public opinions of the citizens-----

Com. Adagala: Okay answer the next question

Mwangi Ogwira: The second one is about presidential powers

Com. Adagala: Wait you are on preamble,

Mwangi Ogwira: Okey , preamble

Com. Adagala: You said who is supposed to covered by it, who benefits who will benefit?

Mwangi Ogwira: The same the citizens of Kenya again.

Com. Adagala: Don't take it for granted , and then there is another who, what is that , who enjoys it and who may not enjoy it?

Mwangi Ogwira: It will depend if he is a citizen of Kenya ---

Com. Adagala: You will tell us who will not benefit from it not it will depend.

Mwangi Ogwira ; Okey , It was a question we were asking

Com. Adagala: You can't ask a question to the Constitution we want you to tell us what should be in the constitution.

Mwangi Ogwira: Okey , the citizens also must enjoy it

Com. Adagala: And who should not enjoy?

Mwangi Ogwira: People or citizen from outside the country.

Com. Adagala: Non citizens, we can't put down things, don't ask the commission questions because we are not supposed to make up, to have any opinions , you will tell us and what you will tell us is what we will report and and if you don't say it if you ask questions it will not be there, what you were thinking will not be there. And if I go and say I think he was saying this and this , they will tell us why did you have an opinion why didn't you ask him. Endelea.

Mwangi Ogwira: Second one is about presidential powers. Presidential powers we had recommended that the holder of the post of the President be married , man or a woman with a family , educated, charismatic and with good morals.

We also recommend that the holder of the second above should not be above the law and can be impeached by the Parliament if he she commits a civil or criminal offence, he misuses public funds, he or she contravenes the Constitution by not defending it and its citizens.

Also we had recommended that the holder of the above , the powers should be changed and reduced .

- a) He /she should not appoint Chief Justice, the AG, the High Court Judges and similar posts.
- b) The Judicial Commission which is set by an Act of parliament from members of all main opposition and the ruling party should take the same
- c) Should not appoint Ministers also the Chief, secretary, Central bank governor, Auditor General and Chairman and Chairperson of Parastatals instead they should be appointed by public service Commission set by an Act of parliament from the ruling party and the main opposition party.

Now on Education: Okey on education we recommend that there should be free education for all Kenyan children up to standard eight and there should be an education levy for this purpose.

On land: We recommend that no Kenyan citizen should be a squatter in his or her own country . The maximum land ownership should be reduced to 200 acres for large scale farmers and the rest be bought by the government and given or sold to the landless in their respective areas.

(interjection.) minimum ? Minimum is one acre.

Corridors of corruption; There should be open offices like in Japan where they were to cut on the avenues of corruption.

Kenyan passports should be free like ID's and in the world 'tribe' which is in the ID its primitive and colonial and instead it should be changed to the word Kenyan people..

On local authority we recommend that the Chairman of the Mayors of the Councils be elected directly by the voters. And the Chief Executive in the Council be answerable to the Mayors or to the Chairmen.Thank you.

Com. Adagala: You know one of the reason why the Kenyan passport is so hard to get is because it is one of the most valuable passports in the world so they are stolen, they are bought, they are, what for all kinds the purposes, that is one of the reasons.

The other is just we are following a colonial pattern.

Com. Salim: Now I would like to here the views of one of the marginalized groups, member of the marginalized group who is a deaf Kenyan he is called Isaac Kariara and I will ask Lucy , where is Lucy? Lucy can you please help us to get views from Isaac Kariara, Karibu.

Isaac Kariara: (Talking in sign language)

Tranlation: My is name is Isaac Kariara, Iam a deaf , what I would like to propose to the Constitution , I would like the government to recognize sign language as our language . We would like the news in the Television to be interpreted in sign

language . The deaf people are not given driving license here in , why should we go our to learn driving then come back with foreign driving licenses why? Our government should be able to give us driving license .

Like we are deaf people we suffer in our own country, like in our schools we don't have interpreters , its very difficulty for us to pursue our education. So we would like the government to give us teachers who know sign language.

Mine was basically on communication. Thank you.

Com. Adagala: Can you come back Atieno and Lucy come back also.Thank you very much Isaac, what should society do because the Constitution is also part of the society , what should the society about attitude.

Isaac Kariara: The people should change their attitude towards the disabled people.

Com.Salim:Thank you.We continue now what I would like to do, we have just over a half an hour , what I would like to do for the remaining three minutes or so as we read out names of those who are still here and divide time between them. If it ends up being one minutes each so we agreed . Very good. So Sammy Kuria Kungu, here, ngojua kujua kwanza nani yuko hapa. Mwalimu James hayuko, Simon Kangebe hayuko, Joseph Ngugi yuko, hayuko, Isaac Kungu Mbugua yuko alright, Samuel Wainaina hayuko, Wau Ngiya hayuko, Mercy kago hayuko, Nganga Waweru, how comes we had your names twice never mind. Benjamin wango farmer, mkulima hayuko, James Gitau hayuko. Jacob Njoroge mbugua alright yuko, Sammy Karithi yuko, Peter Gahagu hayuko , amekwisha ongea huyo, J. Kamau Maina hayuko, David Gitau hayuko, Isaac Mwaura hayuko , na Edward Wangu, Daniel Wachaka hayuko, Shem kihoro ameenda hayuko, Peter Nange or wange, Peter Nange hayuko, George Njoroge hayuko, Micheal Mboa yuko, Thiongo Thuo hayuko, and mwisho ame- hand over Stephen R. Ndome and amesha- over nisha maliza. Kwa hivyo tunao mmoja mbili, tatu, nne, watu wane tu kwa hakika na watano ni huyu wakwanza. Kwa hivyo watu watano na tuna dakika kumi tano kwa hivyo ukidivide three minutes each tumekubaliana bila kupoteza wakati tumalize exactly six o'clock nataka kumuita Bwana Sammy Kuria Kungu. Endelea Bwana usipoteze wakati you are here now.

Sammy Kuria Kungu: The first one in our proposal should be the preamble which should state that the independence we fought for should be enjoyed by all.

Com. Adagala : People are trying to get away with something who should enjoy it? Who?

Sammy Kuria Kungu: The Kenyans

Sammy Kuria Kungu: We should trim presidential powers in the sense that he should not or the President say or the president should not make all the appointments of ABCD. He

- 1) Should not be the one to end the life of parliament
- 2) Should not be the person to appoint the Chief justice e.g Central Bank Governor he should not be appointing the PS ,

Chief Justice

(interjection) those are government officers----endelea.

Sammy Kuria: Seniors and whatever alright -----The Commission appointed by that Parliament. There should be a commission to appoint the Civil servants .

The President has no power to suck the Civil servants ----they should be sucked by a Commission set by an Act of Parliament.

Com. Adagala: Hold on what should be the President do? Endelea

Sammy Kuria: Oh, the President should be the Head of state.

Com. Adagala: You know this is someone who has campaigned been voted for and on the election day he should come in by another way. Ati hakuna politician unamuambia campaign, halafu afanye nini halafu utamuambia akae.

Sammy Kuria: Madam /Sir, may I say one or two things, the qualities of a President should be ABCD

Com. Adagala: I want the roles of the President I am not saying , you know you can't have a President who is going to to just sit.

Sammy Kuria: No , I am saying the role of the President should be one or two things and I am going to say his qualities and his roles.

Com. Adagala: His qualities are not his roles and his role are not qualities, please move on , your time much less.

Sammy Kuria: Okay fair the President should be an educated person with a minimum qualification of form four, O'Level chastismatic good moral, caring etc.

Right, he should be a married person with a wife and children . He or she should be married to start (governance) - am I through with that okey. fair

Okay we should abolish the Provincial Administration, abolish it because its colonial and what have you. Instead we should have Wazee wa kijiji.

On the education everybody must have every child every Kenyan child must have free education and if necessary we should have educational levy as we have NHIF

Health, National Hospital Insurance Fund we should have another educational levy

On land for economic purpose we should have a minimum of 200acres on commercial firms. Coffee and Tea and whatever.

Minimum should be 2 acres

(interjection)what's 200 acres commercial firms,maximum.

Sammy Kuria : Commercial firms , maximum the rest of it should be on co-operatives. Every Kenyan must can own any property anywhere in the land no discrimination of ethnic group.(talked in kikuyu). We should have unitary government not majimbo and this is very important Sir and Madam.

In our ID card it should change the term tribe to kenyan. Are we together?

Com. Adagala: We are not together in the issue of time

Sammy Kuria: Let me finish, one point Madam

Com . Adagala: (inaudible)

Sammy Kuria: I have it there , they should not be appointed by the Pesident at all.

(interjection) Inaudible.

Com. Salim: Next Thank you sir. Bwana Jacob Njoroge mbugua .

Jacob Njoroge : Thank you Chairman I am Jacob Njoroge I would like to briefly to through some of the areas of our Kenyan constitution that we would like to recommend that it should appear in the next constitution.

I will start with a preamble, I would like to recommend a preamble in our Kenyan Constitution , an this preamble should set clearly the powers and the relationships between the different organs of our states that is the different relationships between the leaders and the people they lead, because it is that preamble that would give us the guideline and to where one will reach and when one can be prosecuted.

2)The preamble of our Kenyan Constitution should also clearly spell out and safeguard the fundamental liberties and rights the Kenyan people ---(interjection)

Com. Adagala (inaudible)

Jacob Njoroge: That's what I am reading now that's where I am . Safeguarding and spelling out the liberties and the rights of the Kenyan citizens which are ,

1, The freedom of association.

The freedom of movement

Freedom to own property in any part of the country.

We have also the preamble should reflect some of the experiences of our Kenyan people like the idea of unity and diversity ,

we are Kenyans come from various tribes and yet they are one Nation.

(interjections) (Inaudible)

The next part is on the directive principles of state policy. We should have statements in constitution that capture our National philosophy and our guiding principles. This will aid in the relationship as I have said between the leaders and we the people who are led. It also govern the conduct and the behavior of the individual - Kenyan because as much as we are talking of our leaders we have to come down to individual Kenyan. The democratic principles that should be included in our Kenyan constitution on is the creation of a just and human society in which all Kenyans are treated equally before the law.

There also the issue of equitable distribution of resources we should not have areas that are richer than others in our country.

There is freedom to own property and the promotion of a sense of mutual social responsibility. I should feel responsible of my own country and I should feel that I belong to Kenya.

The other point is on political parties. I would like just briefly to mention on other roles apart from political mobilization because we have seen---(interjection)

(interjection) Inaudible

One thing that I wanted to mention that we should atleast trim down the parties that we have in Kenya to atleast four parties and once the parties are trimmed to four then the government should finance the four parties since the members of those political parties are also tax payers of this nation.

Finally Political parties once financed should be required to present a manifesto and a party constitution that is worth the public of Kenya.

The last point is on the election date, my recommendation is that the election date should be clearly set out to avoid situations where some individuals who are our leaders take the election date as their secret weapons. Thank you very much.

Com. Adagala: Do you mean an election calendar or just a date, because there are things that happen towards elections.

Jacob Njoroge: Now I wanted to mention the actual date of the election and as we mention the date here allow me also to say we should not have the presidential elections running together with civic and parliamentary we should atleast first of all hold the civic and parliamentary election then we go ahead and announce a date for the presidential elections, so that we may have a candidate with an MP, allow me to just take our mind back to something please. Thank you very much.

Com. Adagala: (inaudible)

Micheal Ngua : My names are Micheal Ngua I am talking as a pensioner , as a farmer and also as a local resident.

- 1) I think the new constitution should take care of pensioners we have had various commission set because of salaries and that should be taken care of by the new constitution.

The other one as a local farmer. The local farmers should be protected by the constitution by that I mean ones you produce your products you should be able to have full say because now as today a lot of farmers are suffering only to produce products which cannot be sold is because of getting the country flooded with useless goods.

The other point is the constitution should also deal with corruption, one way you can with that , if the constitution uses the red-tape bureaucracy democracy in government offices. For example you might go for a simple license which might take you three days going up and down, you go to Nyayo house , you go to a number of offices before you get a very simple license , so it will reduce the bereaucracy in the government offices and that will also discourage corruption. Thank very much.

Pastor Edward Wangu: Thank you the Chairman and the commission. I am a pastor with catholic church here Githunguri I come from Githunguri area location and to hit the nail at the head I am going to talk about two issues touching our community
!) Since we attained independence in our country we are being harassed by those people we elect to lead in our groups lets say societies, self-help groups and the self-help groups as they take our money.

Com. Adagala: Wakina nani hao?

Pastor Edward: Those we elect to lead us, yaah elected leaders. And they are not taken anywhere so I want now to be made a law that they should be prosecuted in the court of law for looting the money and also they the refund the money they have looted.

The item I had is that concerning education: Our education system-----(interjection)

Com. Adagala: Don't explain anything and address the Commission

Com.Salim: Don't address the audience

Pastor Edward: Okey our education system there are some views which were introduced by colonial government lets say like the word 'standard' , the word 'standard' in preliminary education the word 'standard' is not applicable to those people who are independent. I want to change to be called grade 1,2 to 8 instead of standard. Grade is something which is applicable to people who had got understanding of what they are doing. (inaudible) its ours it can be

Com. Adagala: You know in the country they say I prefer grade----- its an American word colonialism, (Pastor Edward)you know if it can apply to us because now we are developed.

(interjection) inaudible

Pastor Edward: Okey so I had two items only those I have given and that is all.

Com. Adagala: I think I like what he has bought up because it has added another dimension to governance so that we are also very near this things which happen which are corrupt and haarrasement in societies, companies and co-operatives .

(interjection) (inaudible)

Com.Salim: Simon, welcome.

Pastor Simon: Chairman , Vice Chairman and committee Mwaura from Githiga, I have heard all the views but I would like to add a word. We want to review the commission or the constitution but according to my view men should be reformed first before we reform the constitution or whoever is a leader. Kenyan people or the leaders, before they reform the constitution women also be reformed, all the people of Kenya . The reason I say this is because we can amend the constitution and still go back to Zero point. No , we amend the constitution but my views was or my suggestion if we can have a committee men who fear God to advice leaders how to lead people and how to let them know how to do it. So if we are to reform people who are leading us we can try to have a committee which will come out of the church to advice our leaders not to be corrupt , not to go against the constitution. They are the same to us because they have the kadhi and they have the mosque. So they would also be adviced , the Kadhis would advice their people on how to lead people, so may viewis to reform people first and then we will reform the constitution.

The other thing is we have this we call freedom of worship , it has allowed what we call occultism cults, you can see the wakorinos they carry bangi,s in their head scarves so before any preacher is allowed to preach he must be screened from a far distance by by the Chiefs around him, the police force . Before he is allowed to continue with his work. Because this has allowed,this has made in our country invite some witchdoctors from Arusha , Mombasa they have corrupted our people toward God. A lot of them don't have a name , its because we are in a state of freedom of worship so it has to be governised.Who has to governor it? If we are pastor in Githunguri, the Chief himself or the police have to come to us because we know this person.

(interjection) (inaudible)

Pastor Simon: What I say is they don't preach , they teach other doctrines. What I say is that freedom of worship has

allowed devil worship in our country. That's an example, no I was giving an example. If they are monitored doing wrong, I as a pastors also have to be monitored. If I teach a bad doctrine I have to be stopped.

(interjection inaudible)

Com.Salim:

Pastor Simon.; If I put it this way for you to realize the bad or good doctrine, if I am told to sacrifice -----okey I may stop that because I sense something here

Alright to make conclusion in brief , if any country wants succeed in leadership or anything that country must fear God and allow his guidance Any leader for him to succeed its better for him to look or to sort for an advice from men of God and this is where leaders failwe have leaders who always visit our churches when we have fund raising and they should stop this . Any state house without God is never straight that is why they spend our money badly without fear. The man of God should be given power to speak because he is the eye of God and he is the piece of mouth on earth example Samuel and Saul be it to President , MPs, PCs, Dcs and Chiefs and according to Isaiah 1:5 the bible says the whole head is sick and so the heart fails so to this they should recognize the body of Jesus Christ. God bless you.

Com. Adagala: Wait wait, pastor, you know , I know you not young and you not gender sensitive so the only way to make you gender sensitive is by force, because you cannot be taught , you know because even here we have tried but you keep on saying man, man and your congregation is 90% percent women.

Pastor: I agree, should the church also be reformed yes, I told the Chairman as is a pastor I have to be screened first all by the congregation, they screen me well if I have bad doctrine they say no to that, that is what I mean. There is a scripture in the book of John 15 it says a bad tree is known by its fruit so if my fruits, are bad I am recognized immediately. It is because there is what to be called freedom of worship.Them that belong to us here after screening them we say no to that, so that l is why people from far will come and corrupt our people they don't know them.That's why we must work harder as teachers, as pastors etc.

Com. Adagala: In another hearing we were told a catholic Father got up and told us that 80% of Kenya is Christian then a muslim followed and said 40% of Kenya is muslims that is 120 % . Okey now we have corruption and we have a 120% religious people where does the corruption come from, are they also not in your congregation? Are they not also giving tithes from their corruption.

Pastor Simon: I don't think people who belong to churches are not corrupt, the roots of corruption in still also in our churches that is why I said in the beginning people should be reformed first but I think I have seen-----I was giving an example, I quoted it as an example no no I was quoting it was an example I was giving.

Com. Salim; (inaudible) what are they doing to corrupt the people , what are they saying to them , by way of example. No give me an example of the sort of corruption being spread by Tanzanians and Mombasa people.

Com. Adagala: Unajua you are bringing in prejudice about devil worshiper and it came from somewhere else, me I was taught the doctrine that says that the devil is everywhere like a roaring lion but when you choose to say Tanzania it is a prejudice when you say Mombasa---you better apologize for it okay.

Pastor Simon: I apologize (inaudible)

Com. Salim: Those requests only come from Mombasa and Tanzania , this is a knot where we will end our meeting- today thank you very much pastor, mwambie huyo anaweza kuja kesho we have another meeting in Kigumo you know about it? you can come and give your views there but for now let me seriously thank everyone especially those who have been patient enough to be with us all day the members of committee , the Chairman who has not only being with us but you have been extremely helpful to the Commissioners and some others to collect you all here mobilize what to say and sensitize you to come and give us your views. It has been a very fruitful meeting for us as Commissioners to talk in terms of harvesting views , this is an agricultural area and therefore the word harvesting is very apt and very much in its place we managed to harvest we decided to have this 51 views though this may sound few but we have noticed that many or most of the people who came forward tended to cover the same area isn't it , the same time and therefore we should not be depressed by numbers, we should think of the quality of the views and the areas covered by the views , which are all very very important and very essential to the re-writing of the constitution . I want to sincerely thank you on behalf of my colleague Com, Kavetsa Adagala and myself and I want to apologize for the times we interjecting your views but this is a way of getting clarification even the pastor should understand we need to corner him a little but by saying exactly what's happening, or what is Mombasa causing in terms of the problems in the society but as I said thank you for coming, we will be still in Githunguri tomorrow and Kigumo to collect more views and we look forward to that meeting and you are all welcomed to attend and to listen its an open forum and open get together open to everybody and may I repeat again because this is something we had at lunch time everybody is free to give views fearlessly, no one will be victimized of giving views as long as we give this views without personalising them , we should think in terms of changing the constitution as my colleague told us earlier in the morning not for today not for a particular purpose but an all purpose constitution for every long time and we hope that our next constitution will be a constitution that will last longer than the American one, for posterity for our children , grand children and great grand children with your help that can be accomplished. We thank you God bless you, all and we may finish with the blessings of God by asking someone to come forward and pray for us to depart safely and reach our home safely.

(interjection) Nataka tuombe lakini kitu kimoja nitasema ya kwamba turudi kwa wimbo wetu wa taifa , kwanza unasema ee mungu nguvu zetu tunaweze kukaa hapa na kwingineko lakini tukumbuke mungu ndiye nguvu zetu tu nataka katiba ambayo ina nguvu za mungu, I will quote a bible verse proverbs chapter 14 if you go down it says "righteous exult a nation , but a sin is reproach to everyman" ningetaka tufuate utakatifu wa mungu , mungu awe nguvu zetu kwa katiba hii, isaidie sisi na watoto ambao watakuo kuja, mababu na wanyanya wetu, watoto wetu wajukuu wetu wafaidike. Hebu na tuombe- baba wetu wambinguni twakushukuru na tunasema wewe ni bwana, Katiba hii tunataka ibadilishwe, tunakuomba itoke ndani yetu ,

