

CCOCC

TH MAY 2002

present

1. Com. Ibrahim Lethome

Secretariat in attendance

- | | |
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| 1. Solomon Mukembu | Program Officer |
| 2. Vincent Wataku | Asst. Program Officer |
| 3. Grace Gitu | Verbatim Recorder |
| 4. Abdulahi Jilo | District Co-ordinator |

The hearings started at 8.25 a.m.

Com. Ibrahim Lethome: Tuko wachache tunaanza mara moja kwa sababu tunajua baadaye watu watakuwa wengi kwa hivyo tutaanza bismilahi (in Arabic) kwa jina la Mwenyezi Mungu mwenye kunehemesha neema ndogo ndogo na mwenye kunehemesha neema kubwa kubwa. Tunaanza kikao chetu cha leo, lakini kabla hatujaanza kawaida yetu, kila mahali tukienda, kwanza huwa tunataka kupata baraka za Mwenyezi Mungu ili tutakapoendelea tuendeleo na baraka ya Mwenyezi Mungu. Na kuna program nilikuwa nimeandikiwa hapa, wamesema mzee mmoja wa kijili atatuongoza katika maombi. Mimi nawachia nyinyi wenyewe, mzee wa Kiborana mmoja atuongoze kwa maombi, tafadhali. Aseme jina lake halafu aje hapa mbele. Njoo mbele mzee, njoo kwenye mic.

Haji Adan Bonaya: Rabbanna taqabbal minaa: innaka antas-samii-ul- Aliim, Wattuba allayna innaka anta tawwabu rahim, Rabbana aattinaa fiddunyaa hasanatanw-wa fil-Aakhirati hassanata w-wa qinaa adhaaban-Naar, Allahumma inna nassilukal afya fil dunyaa wal akheera, Allahu maa nisalakkal hudhaa watubaa wal iffafa wal qinaa, Allahuma inna alla dhikrika washukrika wa husni ibadhath, Allahu maanaka affuw Karimul, Halimul tuhibbul affwa fufuana ya Allah, Al-fatihaa.

Com. Lethome: Sasa, mkutano umeanza. Sasa nitawaeleza taratibu ya mkutano wetu. Kwana kama mnavyojua, sisi tumekuja hapa kama Constitution of Kenya Review Commission, Tume ya Marekebisho ya Katiba ya Kenya na sababu ya kuja hapa sio kuja kuwazungumzia, leo ni kuja kuwasikiza wananchi wa Merti. Tumekuja kuchukua maoni yenu, hayo maoni yatachukuliwa, yatawekwa katika Katiba mpya ambayo itaongoza nchi yetu tukufu baadaye. Kwa hivyo leo ni siku yenu, sio siku yetu ya kuzungumza. Na kabla sijaanza, ningependa kuwajulisha wale ambao tuko nao hapa, ambao watasaidiana na mimi hii kazi ya leo. Mwisho kabisa kule, tuna yule dada amekaa pale anaitwa Grace; kazi yake ni kurecodi au kunasa sauti zenu kwa mashini. Kila neno ambalo utazungumza lita-recodiwa. Lita-recodiwa na ile mashini pale.

Tafadhali tukaeni kimya, mkutano umeshaanza sasa na hizi kelele, hizi kelele zote zina-recodiwa na mashini sasa. Halafu, upande wa pili pale tuna yule kijana anaitwa Vincent. Kila neno linalozungumzwa ana-recodi kwa mkono, kwa maandishi. Kisha tuna Program Officer Solomom Mukinyor, kazi yake ni usimamizi wa Idara, yeye ni Program Officer, unamwona ako na kitabu moja nyeusi hapo imeandikwa register na imeandikwa juu yake Isiolo North. Hiyo ni record ambaye ita-signiwa na kila mtu ambaye atazungumza hapa leo. Hiyo ni record ambayo tunataka watoto baada ya miaka hamsini au mia moja, wakifungua wanaangalia, wanasema ni kina nani walioshiriki katika kutengeneza Katiba mpya. Hii ni historia sasa tunatengeneza. Baada ya miaka mia moja, mia mbili, watoto watakuwa wakiangalia wanasema, wakina fulani ndio walifanya, walitengeneza Katiba mpya. Kwa hivyo ni record yetu hapa.

Upande wangu wa kushoto, tuna Abdilahi Dima Jilo ambaye ni District Co-ordinator, mwakilishi wetu katika district ya Isiolo yote. Yeye makao yake ni Isiolo lakini ndiye anahusika katika sehemu hizi zote, anatuwakilisha sisi. Kwa hivyo hata baada ya leo, ikuwa una maoni yako ambayo hutaweza kutoa leo, unaweza kuwasiliana naye na kuhakikisha kuwa ukimpa maoni yako, yatakuwa yamefika katika ofisi yetu, ama jambo lolote, malalamishi yote, ikiwa kuna matatizo yoyote unaona katika Commission na vile inafanya kazi, huyu ndiye utakaye muona. Ni mwakilishi wenu na nafikiri sio mara ya kwanza kuja hapa.

Mimi ni Commissioner Ibrahim Lethome ambaye nimetoka Nairobi kuwakilisha tume ya marekebisho ya Katiba. Tuko katika mkoa wa Eastern province. Kila mahali leo katika Eastern Province, kuanzia tarehe 13, tuko katika mkoa huu wote wa Eastern, kuanzia Kibwezi karibu na Coast Province mpaka Moyale, Ethiopia, North Horr, Ileret tuko katika huu mkoa, tutamaliza Ijumaa, Mungu akipenda. Tutamaliza kuchukua maoni ya watu Eastern Province. Kila jambo lina masharti yake. Hata mchezo, watu wanapokwenda uwanjani kucheza mpira, kuna masharti yake, ama hakuna masharti yake?

Audience: (inaudible)

Com. Lethome: Kila kitu kiko na masharti yake. Na sisi leo pia tuna masharti yetu hapa, kwa hivyo ni vizuri tusikize ili tuweze kufaidika na hii siku ya leo. Kwanza tutakaa hapa kuanzia saa hizi, mpaka saa kumi na mbili, tutakuwa na nyinyi hapa. Kisha, tunajua kuwa maoni yanatofautiana, kila mmoja ako na maoni yake tofauti. Hata ndani ya nyumba wakati mwingine, mzee anakuwa na maoni na mama maoni tofauti. Lakini mnakosana, kila mtu anaenda jia yake, mnasikizana mnaheshimu maoni ya kila mtu.

Sharti ya kwanza; heshimu maoni ya mwingine. Akitoa maoni ambayo wewe hupendi, wewe nyamaza, vumilia tu. Fanya subira, jikaze tu, hio ni maoni yake. Kwa hivyo ikifika wakati wako nawe utatoa maoni yako. Kwa hivyo mtu akitoa maoni ambayo hayakupendezi, mwachie maoni yake. Tuheshimu maoni ya wengine, hapo tumekubaliana? Na ukianza kumsomea mtu kwa sababu ametoa maoni ambayo hayakupendeza, tutakusimamisha. Tutakuambia sasa, wewe maoni unayotoa, ile maoni anayotoa ni yake.

Halafu pia, hiki sio kikao cha siasa, it is not a political rally. Sio kikao cha kuanza kutukana mwana siasa fulani, kiongozi fulani, kwa hivyo hakuna kutukanana hapa wala kutaja watu kwa majina, sijui fulani au fulani, hapana. Kama tunazungumzia habari ya rais, zungumzia juu ya cheo cha rais bila kutaja jina ya fulani. Ukizungumzia habari ya mbunge, usitaje jina, sema wabunge au mbunge kwa sababu itafika wakati wa campaign. Mwaka ni huu tu wa campaign. Hicho ni kikao kingine. Kwa hivyo, nitakutolea red card ukianza mambo ya campaign hapa, nitakutolea red card. Sawa? Halafu, pia watu ni wengi, ukiangalia sasa ni saa, hata hatujaanza na angalia watu vile wako wengi. Ikifika saa sita watu watakuwa wamejaa hapa. Kila mmoja nitampa dakika tano, dakika tano ukija hapa usianze hadithi nyingi, sijui ng'ombe yetu iliibiwa na Wasomali, sijui watu wale wanaitwa Wate wamenyang'anywa ndugu zao na nini, usianze story nyingi, pendekeza. Unajua maana ya kupendekeza? Kwa Kiborana mnasema nini kupendekeza Abdilahi?

Abdilahi: (inaudible)

Com. Lethome: Basi, hivyo wamesema wazee wa Kiborana, kupendekeza. Tunataka hivi, na hivi ndio tutaendelea vizuri. Ile mambo ya historia, hiyo ni kama maziwa ambayo imemwagika sasa. Haya, hiyo tumekubaliana mpaka hapo?

Audience: Ndio

Com. Lethome: Halafu kitu kingine, mimi ninajua wa Kenya kila mahali walipo na especially pande ya Northern Kenya, watu wana uwoga sana ikifika mambo ya kuzungumzia Serikali na sheria. Sijui nitasema hivi halafu nikitoka hapa nitashikwa na polisi. Si ndio, si kuna huo uwoga?

Audience: Ndio

Com. Lethome: Sasa nawaambia hivi, nawahakikishia hivi; hii Commission imeundwa na sheria ambayo imepitishwa katika bunge. Na hio sheria imesema: Kila MKenya ana uhuru wa kusema vile anavyotaka. Bora tu usivunje sheria, usitukane mtu, sema vile unavyotaka bila uwoga wowote. Na mtu yeyote ambaye atasumbuliwa na Serikali kwa sababu ya kusema maoni yake, basi sisi kama Commission, tutachukua hatua ya kumtetea. Kwa hivyo, una uhuru wa kusema vile unavyotaka. Kenya imefikia mahali pengine sasa, Serikali yenyewe ndio imesema wananchi waseme vile wanavyotaka. Kama Serikali ilikuwa haitaki kuchukuwa maoni ya watu, kulikuwa na haja ya sisi kuja mpaka hapa? Tungekaa Nairobi, wanasheria wengi wako Nairobi. Wangeandika Katiba mpya, maneno kwisha. Lakini imesemekana wanaanchi wazungumze, kwa hivyo wananchi wa Merti wazungumze bila uwoga. Hata mkiona tumekuja na askari hapa, hatukuja nao kwa sababu ya kuchunga watu wanasema nini, hao wanatuchunga tu barabarani. Kwa hivyo msiwe na wasiwasi, toa maneno yako kwa uhuru kama ni mambo chief, unaona mambo ya chief haikupendezi na unataka ibadilishwe, sema. Kama ni mambo ya DO unataka ibadilishwe sema, kama ni mambo ya mbunge ama kila kitu unataka kusema, sema. Bora usitukane mtu, wala usivunje sheria. Hiyo tumekubaliana?

Audience: Ndio

Come Lethome: Na ikiwa kuna mtu ambaye ana karatasi anataka kutupatia hapa na hataki kuzungumza, utapita moja kwa moja utaenda kumwona Program Officer, ataandika jina lako, uta-sign na utampatia memorandum. Sawa hiyo?

Audience: Ndio

Com. Lethome: Sasa mimi nitafuata list, sitaki mtu aje aniambie sijui mimi nina haraka, leo si siku ya kazi, leo ni Jumamosi na watu wote ni sawa. Kwa hivyo mimi nitafuata list, watu wale nitapatia preference peke yao ni kina mama, hao nitawapatia preference kwa sababu sasa tuna kitu inaitwa affirmative action. Kina mama lazima tuwapatie nafasi kwa hivyo nitaangalia list, ikiwa kuna kina mama naweza kuwapatia nafasi na ninajua wana kazi zingine. Au people with disability, watu ambao ni vilema, walemavu. Hao nitawapatia preference pia lakini watu wengine wote nitafuata list vile ilivyo. Tuko hapa mpaka Magharib, ukitaka kuzungumza, usikileze, uendeleo kusikiliza, uko na uhuru, ukitaka kuzungumza halafu uende zako, una uhuru wako. Tumekubaliana?

Audience: Ndio

Com. Lethome: Tunaanza. Na unapoanza, nimekumbushwa hapa kwa sababu tunataka ile recodi iende na majina ya wale wote watazungumza, kitu cha kwanza, unaanza na jina lako. Kama wewe ni Duba Galgalo unaanza mimi jina langu ni Duba Galgalo, halafu unaanza maneno yako. Tumekubaliana?

Audience: Ndio

Com. Lethome: Na ikiwa mtu anataka kuzungumza kwa Kiborana, zungumza, Kiswahili, Kisomali, ile lugha ambayo wewe mwenyewe unataka. Tutapata watu wa kutafsiri hio lugha. Nafikiri sasa tutaanza na tunaanza na mtu wa kwanza Jaldesa Tadicha. Jaldesa Tadicha ndio mtu wetu wa kwanza.

Jaldesa Tadicha: Vile imesemekana naitwa Jaldesa Tadicha na yale nitasema ni basic rights. The new Constitution should make provision for the following: Political human rights, right to free expression, assembly, movement and freedom of press. Economic human right, the right to basic food, shelter, medical care and education. Social human rights; the rights to follow, exercise whichever custom, religion or language.

The new Constitution should oblige the Government to compensate the unlawfully lost lives of Isiolo people and their property through banditry moves. The new Constitution should guarantee free and equal civic education rights to all Kenyans. The

new Constitution should abolish death penalty and replace with life imprisonment. The new Constitution should provide compulsory free education up to 'O' level for marginalized Wate community Isiolo as affirmative action. That the new Constitution should provide free access to information in the position of state or any other agency or organ of the state.

The new Constitution should guarantee all workers the right to trade union representation. The new Constitution should establish and ensure neutral and professional police force to guarantee the internal security of the country all Kenyans and their property irrespective of political inclinations, ethnic background, social status and economic background. The new Constitution should obligate the Government to make marshal plan for citizens facing famine and natural disasters. Further, a mechanism to formulate a comprehensive affirmative action particularly in areas prone to drought like Isiolo district. Last and not least, that the new Constitution should uphold equality of citizens, social justice, equitable development and outlaw discriminative policies and practices. Thank you.

Com. Lethome: Thank you very much Mr. Jaldesa. Unaona amependekeza maneno mengi sana kwa muda mfupi sana. Tunataka watu waendeleo hivyo. Mtu wa pili, Gedo Galgalo.

Gedo Galgalo: Okay. Salaam Aleikum. As you have heard, my name is Gedo Galgalo, am here to present the problems caused by poverty that is (inaudible) of Isiolo district. In addition, we need development in this. (inaudible) poverty, the development aspect is of low standard. Therefore, we inform the Government in the process of change to enable us to use self-sufficient and to realize our aspiration. Secondly, in order to overcome poverty, we need change of values in the economical parameters. Thirdly, poverty brought under development of infrastructures like roads, which cause hunger susceptibility and poor communications. Fourthly, poverty caused poor provision of important facilities such as health care, food and education, nutrition, safe water, so in the change of this Constitution, we need provision of facilities from Government without any biasness.

Poverty deflates all the natural resources in our community that will lead to environmental degradation thus affecting our future generation. So in the change, we think all the resources, should be used wisely and sustainably by the Government. All forms of discrimination, brought poverty thus affecting us, especially Governmental discrimination, so in this change of Constitution we need the developmental agents which exercise the social justice, human rights that is right to live, right to own property so the Government should strictly avoid discrimination.

Okay, poverty again in our area especially we Borana community, has alot of negative impact. That is one low per capita income. So, the Government in this new reform should expand our market for trade purpose. Must equally distribute all our assets, that is land for irrigation and farming purposes. There is also poverty on educational grounds; despite the high enrolment, there is high school dropout. Poverty due to lack of school fees, gender discrimination due to cultural attitudes, which collides with poverty. To appeal to the Government in order to overcome poverty, we want the Government to

provide schools with supporting facilities, all reading materials and demonstrations which are not available.

The government should provide free education to those who are extremely poor. More teaching staff – they should employ all the teachers in the community to enable others pursue further education. The Government should fund citizens to reduce burden of provision of education, which goes back to the community. There is poverty on health grounds; provision of health is regionally inequitable change. We want total provision of health equally by the Government. The policy of cost sharing on health ground should immediately stop because poor people cannot afford to get all what they require in hospitals and many of our poor people cannot afford the cost of medical attention, hence results in death.

Poverty in that connection to what we call other issues, that is way back to 1963 up to now I think. So that has caused total poverty in our community, how? This Government, immediately the state of emergency was declared, they attacked Boranas brutally causing brutal mass killing of human life and animals. Other animals were transported to other countries by Government military forcefully so the Constitution of Kenya Review Commission should ensure that all the laws of human life and animals should be fully compensated by the Government of Kenya in order to alleviate poverty in our community.

In connection to this, (inaudible) again which contributes to 100% of poverty in our community, in reform, we want the Government to remove all these obstacles and counter Boranas of Isiolo North. And the Government in this new reform should give us enough support to the distribution of local organizations, district-wise and the Government should fund all the local organizations in order to alleviate poverty.

Lack of organizational skills: - to plan for development is a technical issue, which we lack literally. So the Government should assist us to call for direct training of our community. Patriotism and different economic interests; the problem of tribalism, nepotism in Kenya setting which is dearly I know supported by this Kenyan Government, should be immediately stopped. So corruption, Government hijacks some of our development opportunities so they should stop corruption especially in our community. Thank you very much.

Com. Lethome: Thank you very much, register (inaudible) so that at least you can face us, ideally, they are supposed to be addressing me, not the crowd (inaudible) not the other way round. Because ideally they should be addressing me. Okay, twende mtu wa tatu, tunaendelea vizuri sana. Abdi Jatani

Abdi Jatani: Am not ready.

Com. Lethome: You are not ready, Galgalo S Matoye

Galgalo Salesa Matoye: Salaam Aleikum

Audience: Aleikum Salaam

Com. Lethome: Kaeni kimya tafadhalini. Mzee kama mnataka mazungumzo tafadhalini, mnaweza kukaa nje mzungumze halafu mtakuja, tafadhali.

Galgalo Salesa Matoye: Kwa majina naitwa Galgalo Salesa Matoye. Am here to propose on National security. The new Constitution should establish disciplined forces and employment in the armed forces should be done on quota basis to ensure that a true National defence force is established. The following ways and means should be used to discipline up forces: - martial courts, codes of conduct and ethics be established for the officers. Civil cases be taken to normal court.

The President should remain being the Commander-in-Chief of the armed forces. The new Constitution should give the Executive exclusive powers but in consultation with the National Security Intelligence and National Assembly. The Constitution should permit use of extra-ordinary power as in the following; that is in cases of war and National disasters but as in case of instructions and breakdown of public order, to be dealt with under the normal law. The new Constitution should empower the President to invoke emergencies but in consultation with the National Intelligence Security.

The Parliament has an effective role in the emergency powers by supporting the Executive in all the above cases. Police Commissioner should be appointed by the President, police and security officers should be free from politics. Law on human lives and property should be strongly effected by discouraging corruption. Compensation of human life and property in case of breach by the Government and party in breach. The district security committee should comprise of the local people for they understand their own problems and also environment.

The new Constitution should allow majimbo so that the pastrolist community can manage their destiny so as to protect lives and livelihood. We need a government that is held responsible, accountable and responsive in issues related to security of its citizens. The new Constitution should provide for the establishment of civil security machinery at grass root levels to enable local residents supplement regular police effort in fighting cattle rustling, politically motivated violence and general security. Last but not least, the new Constitution should abolish the use of collective punishment on the pastoral communities as in the case of cattle rustling and banditry. Thanks

Com. Lethome: A question please, just hold on Mr. Galgalo, kuna ufafanuzi fulani tunataka kujua, umesema kuwa ungependa Serikali ya majimbo. Tungependa utufafanulie, hayo majimbo yatakuwa katika level gani, katika daraja gani? Ni katika daraja ya wilaya au daraja ya province na hizo province zitabaki vile vile ziko hivi sasa ama una propose kitu mpya?

Galgalo Salesa Matoye: Nasema majimbo iwe at the provincial level so that Isiolo, Moyale and Marsabit be separated

from the Eastern province, ile districts ambazo ziko katika province

Com. Lethome: Kwa hivyo una propose province nyingine mpya?

Galgalo Salesa Matoye: Ndiyo.

Com. Lethome: Umefikiria jina lake linaweza kuwa gani, jina la hiyo province mpya ya Isiolo, Marsabit na Moyale?

Galgalo Salesa Matoye: Nasema ni Northern Province.

Com. Lethome: No, no please its

Galgalo Salesa Matoye: Northern Province.

Com. Lethome: Northern Province, thank you. Ni maoni yake hayo. Asante. Tupate sasa Wako Jarso. Utazungumuza Kiborana?

Wako Jarso: Jina langu ni Wako Jarso

Com. Lethome: Have you identified someone, haya Jaldesa ndiye atakuwa mfasiri wetu. Haya Jaldesa, hiyo kazi yako, asante.

Wako Jarso: Mimi wazee, jina langu ni Wako Jarso. *Guya kanna ka adha Kenyan, kaa hagg Kenyan Uhuru argatten nuu itt fidhamnu nuu beddelan asante sana guya kan tanna walti duffn*

Translator: Anarudisha shukrani kwa sababu ameona amehusishwa katika kutengeneza Katiba hii mpya.

Wako Jarso: *Nuu dhubb hagg Kenyan Uhuru argatte lafti nuu jir tanna, gaff Kenyan Uhuru argatte nuu Serkali kenn affan wall millinne nuu ammo raia, raiayan woma bettu ak Serkali kenn ammo raia womma benne sunnin nuu kabane ak jajaba dibbin nuu kabatt*

Translator: Anasema wakati huu katika harakati ya Kenya kujipatia uhuru wake, akiwa mkaaji wa sehumu hii anakumbuka ya kwamba hawakuwa na lengo sawa na Serikali katika kuunda Serikali hii mpya ya kubadilisha ukoloni. Kwa hivyo Serikali haijachukuwa yeye kama raia ambaye haelewi lakini anaona kama amesukumwa kwa ukuta.

Wako Jarso: *Guyya sunni arka jajaban nuu kabate ak raia issa ta eger heregattani nuu tochine Serkali kenn nuu hadde kaa nuu womma himbenn, nuu dhabsee nam nuu fitte, horri nurra hobasse nadden ten chuff it mooe, dhubr*

tenn chuff it mooe karra dhabba kaa akkan kan nuut hojatt

Translator: Anasema katika hiyo harakati Serikali ilitumia nguvu yote ya kugandamiza haki ya kibinadamu kwa vile waliuawa bila kutumia sheria yoyote, mali yao wapakonywa ikapelekwa mahali ambao hawajui. Wanawake wao wakawa raped, wasichana wao pia hali kadhalika, kwa hivyo dhuluma ya aina mbali mbali iliwapata.

Wako Jarso: *Nuu hagg guyya sunnit ammo yoo dhabb arti ass nuu kess jirru ka dhabb artumma ass nuu kess jirru nami kale kara kan dheme duffe, dhabb kenna hingafatu karra kale gull duff kannan bekka. Dhubb nuu hagg guyya sunniti Serkali kenna wommanu matta olnuu kabne. Kaa nuu horri dabne, kaa nuu nam dabne akkaum sunnit betta nuu lakissu male matta oll nu qabbe warri sunni kale wan sunn dhabbe tayye yedde womma nura hinlale*

Translator: Anasema kutoka walipata hiyo nguvu, Serikali iliwagandamiza na kuwanyima haki yao. Anaona hakuna mabadiliko ambayo inaambatana na ile hujuma, mali imemalizwa, hakuna mahali wamerudiwa, watu wameuawa, anaona hakuna masilahi yoyote imezungumzwa kwa hiyo njia. Kwa hivo anasema njia ni ile ile tu, walibaki na umaskini namna hiyo.

Speaker: (inaudible)

Translator: Att amm sunn dhibb harka issan kabb yayu himte am wan harratee at amman tann fett kaa sii irjirani nut him jeddan, wann at jijirama kaa at fett

Wako Jarso: *Wann jijirama amma tann kaa an fedd, adhan harrate Kenya yoo amman taan ga dhalate gam kenn sulle ka nuu kajelchitte, nuu lalte oll nuu futte biyyan nuu ddakabdhu harrettin amma tanna*

Translator: He is proposing his request in the new Constitution, affirmative action, and compesative action.

Wako Jarso: *Kaa amma tann ammo nuu horri kabn, horri kabn sunnilee nuu (inaudible) dhansa irra hinnkabnne loon, ree gall wanni dhurri wan ttabu kaa Kenyannu issin ejjitu nuu kara it hinkabnu karra beshara kaa sokko tokolle itt hinkabn*

Translator: Anapendekeza hapa, hao ni wafugaji. Hiyo mifugo yao haina soko, haina utafiti yoyote inafanyiwa. Kwa hivyo anapendekeza hiyo mifugo yao wanayo, mahali wanazo zifanyiwe utafiti na itafutiwe soko iweze kuwasaidia katika maisha yao.

Wako Jarso: *Adha laffale dhubba akk maoni tiyya kaa ann dhubadu laff namm kess jirru warri it dallate ka province sunni, kaa area sunni kaa lafti kaa issa tatte, addha laffa nami alla gadh duffe waa gaffatu warr laffa ka wagaffatu.*

Translator: Anapendekeza pia juu ya usalama wa ardhi. Ardhi iwe, jukumu iwe juu ya wenyeji wahusika na sheria yoyote inahusu ardhi, wenyewe waulizwe, sio mtu yeyote anapendekeza kutoka mahali pengine.

Wako Jarso: *Amm dhubba dirti guddhumatt wadhubatta hagganumat gabbadda asanteni.*

Translator: Anashukuru, amemaliza.

Com. Lethome: Asante sana Mzee Jarsor. Golo Ali

Golo Ali: My name is Golo Ali and the view I am presenting is on marginalization. Generally, the pastrolists communities within Kenya have been marginalized, neglected, discriminated and isolated. We Borana community have one of the pastoral company the following to present;

On major sectors in education, health and social service provision. We dont get equal distribution of resources in major Government funding and services.

Political marginalization: We are not accorded cabinet post like any other citizens. It was only after multi party we were honored with a flag bearing ministerial post. Isiolo, Marsabit, Moyale region.

Geographical marginalization: Being far away from major central administrative towns like Isiolo, Embu and Nairobi, we get very little National cake. The tarmac ends at Isiolo and the power lighting services end at Isiolo while the residents of this division need the same facilities.

The new Constitution should provide equal and considerate services to all Kenyans in all spheres of life. The new Constitution should provide constructive rehabilitative Constitution for the good of Kenyans, thank you.

Com. Lethome: Ngoja kidogo, swali moja. Umesema political marginalization, kuwa Waborana wamekuwa politically marginalized. I wish ungeenda step moja mbele u-propose ungependa kufanyike nini wawache kuendelea kuwa politically marginalized. What do you propose?

Golo Ali: Political marginalization, this is what I mean, since the Kenya Government got independence, we have not got any ministerial post because we are not taken, we are not considered like the other Kenyans, for example you see many have got the ministerial post but our ourselves we have got just only one and this one it depends on the multiparty era, that is what I mean. If it was not for multiparty era, we could not have got.

Com. Lethome: Fine, now that is the problem, what do you suggest in future, mwache kuendelea na hali hio. Unapendekeza kitu gani katika Katiba mpya?

Golo Ali: I would like all the posts, and sharing of the major powers, to be equal.

Com Lethome: Ngoja, mimi nittoa red card sasa. Unajua mimi ndio referee hapa, nittoa red card. Wewe ukiwa hapo, unajua kuna watu wamekuja sasa hivi. Tumesema, wakati mtu anazungumuza hapa, mwache atoe views zake. Yako weka tu, ikifika time yako, utazungumza. Kwa hivyo tafadhali nisikupe red card ama yellow card. Haya, endelea.

Golo Ali: Nataka if I talk of political marginalization, nataka iwe watu wa Kenya wote wawe sawa. Kama ni cheo, kama ni, in every sector wawe the same.

Com. Lethome: Kwa hivyo kama ni viti vya cabinet vigawanywe sawa.

Golo Ali: Sawa sawa kabisa

Com. Lethome: Asante, hivyo ndivyo tunataka kupendekeza. Haya, tunaendelea sasa tumpate, kama nilivyowaambia nitapendelea kina mama kwa sababu kina mama wamekuwa marginalized in this country, kwa hivyo nitawapendelea. Fatma Boru, mama wa kwanza kutuzungumzia leo.

Fatma Boru: Salaam Aleikum. Jina langu ni Fatma Boru (inaudible). Kabla sijaendelea, ningetaka kuuliza swali, mimi nataka ku (inaudible) halafu nataka nipewe, I don't know whether I will have another chance (inaudible)

Com. Lethome: Just go on

Fatma Boru: I am presenting this Constitutional proposal for livestock economy.

New Constitution should provide livestock trade based entitlement.

In the new Constitution, the Government should allocate land for livestock research institution on diseases.

The new Constitution should open terminal and external market.

The new Constitution should provide abattoires or slaughter house and processing facilities near the production area.

The new Constitution should provide livestock board pastrolism, partnership and advocacy to attach better terms of valuation of livestock products.

The new Constitution should involve stakeholders in the progress of marketing from grass root to high level.

The new Constitution should provide independent ministry for livestock development. Eight, new Constitution should incorporate livestock in school curriculum to instill animal production and rearing knowledge and desire.

In the new Constitution, livestock management should be controlled by local community for example grazing areas.

In the new Constitution, KWS should compensate for livestock killed by wild animal.

New Constitution should provide adequate service to vaccinate livestock. Last but not least,

The new Constitution should facilitate to put in place livestock bank and insurance. That is the end of the proposal.

Nataka niongeze maoni mengine tofauti na haya nimekuja kupeana, nataka kuongea Kiswahili ili wale wengine wote wapate. Kitu cha kwanza nataka kusisitiza zaidi ni mambo ya majimbo. Mambo ya majimbo ningependa kwa maoni yangu, sisi tukuwe separate, (Isiolo, Moyale na Marsabit) kwa sababu sisi tumewekwa katika wale wako namba yao ni wengi na maisha

yetu ni tofauti ndio hata mambo ya livestock imefichika huko. Vile nyinyi mnajua, livestock, ile wanyama sisi tunaweka hapa, ng'ombe inajulikana mpaka Switzerland lakini is very unfortunate, hapa haijulikani hata jamala yake hakuna kwa sababu that's why we don't have markets for these livestock and the livelihood of this community especially pastoral community depends on livestock.

We have been separated from these other communities who are leading different lives, we could have maybe be given that consideration, so in the new Constitution we would like especially livestock to be as important as coffee, as tea, as pyrethrum and name it. I want as to be separate from other people so that we are able to catch up with other communities of Kenya. Because when this national cake is being sent to provinces, we are the last one this way and we are not even getting the share.

Therefore, when we are given that province, I am sure when this cake or whatever resources is divided to the province, definitely it will come directly to us. So we are proposing, I am strongly proposing we should be given, under the new Constitution, our own province. And I don't see the reason why we should even call it Northern Province, in my opinion we can call it Borana Province because if Meru province has been made, so I don't think the Government will perish when Borana province will be given that name. So my proposal is, it should be given Borana province and then the three districts should be given under that name. Last but not least.....

Audience: (inaudible)

Fatma Boru: Nitachanganya tu. Then, last but not least, I would like the new Constitution to consider especially the education of girls because if you see in the set up of the Government and the way the Government has started considering women in sharing of power, we are still left out. This is because we have very few people who are educated to that level but if we are given affirmative action or those people who are already learned to reach that stage of sharing that power, and those ones who have been left out because of poverty and because of restriction of not going to that level because of the expense of the learning especially at the higher level especially universities, I think we should be given that consideration. At the same time, the pass mark of people going to secondary school, we should be given special considerations not with other Kenyans as affirmative action under this Constitution. Thank you.

Com. Lethome: Asante sana mama Fatma. Tumpate mama mwingine, **Zainabu Malicha**.

Zainabu Malicha: Salaam Aleikum

Com. Lethome: Aleikum salaam

Zainabu Malicha: *Nuu dhabba wan karra wakka gallat galichun, makkan kiyya Zeinab Malicha, nuu dhubb adha tenn ta Boranna kessa nadden gudho dhabb kabn*

Translator: Anasema katika kimila ya Borana wanawake wanahujumiwa sana.

Zainabu Malicha: *Dhabbi kunn karra akk lamm jirra, abbakenaff hadd tenn irra kaa karatt*

Translator: Hujuma ya kwanza ina msingi kutoka nyumbani, inaanzishwa na baba na mama kule nyumbani kabla hao kwenda nje

Zainabu Malicha: *Yoo dallannu karra nuu dhabb kabna, dhabbi nuu kabbn kunnini andurra hinkabnu Abbon dhuu dal hinkabnu, masomo amma tanna talle akk dhabb nuu aboo hirra kabnu, nuu kabnuuyu nuu amma tanalle*

Translator: Kuna ubaguzi katika kugawanya mali huko nyumbani. Wakati wanazaliwa kijana anapatiwa ng'ombe na mbuzi lakini wasichana hawapatiwi sawa na katika hali ya elimu, kama mali ama pesa inakuwa haba, na moja ina paswa kusoma, kijana asomeshwa msichana anawachwa hapo nyumbani.

Zainabu Malicha: *Dhabb akk nuu kabnu dhubba amma tanna hojja ijolle, hojja nuu wallin somnu haqqi nuu hinkabnu muchan some University dakke, nuu kessa fuddan dirsat nuu gurgurran.*

Translator: Umri wao ikiwa wakadri wakati wa kueza kuoia ama kuolewa, kijana anaendelea anaenda university kama anauweza. Msichana akifika umri wa kuolewa, mbinu inatumiwa yaani kuozwa kwa mtu. Sio lengo la kwanza ni elimu, lengo ya kwanza ni kuolewa.

Zainabu Malicha: *Nammi kaa somellen akk biyyan ejjum amm ejjin tanna haqqi tokole hinkabnu hoja fulla sunn it gadh duffne, nuu hojja horrin hinduffinin abbetiyu irra horrin hinduffne jeddani wan tokkole hojjan, garri wallin barbarne, bolot wallin hojjane wallin horri sunn gadh baffne, haqqi tokkole namich itt gadh duffnulle irra hinkabnu kaa musomo amma tanna kess jirullen*

Translator: Hujuma ya pili amesema huko nyumbani wanadhulumiwa. Dhuluma ya pili wakati wananaolewa, hata wale wamebahatika wahafanya kazi pamoja. Wakipata plot, mwanaume ndio anang'ang'ana yeye ndio mwenyewe. Wakiweka mahali pamoja anasema yote ni yake, inapea jina yake kwa hivyo ile dhuluma imeanzwa na baba na mama inaendelea mpaka wakati wanaolewa kwa hivyo hao wanadhulumiwa sana.

Zainabu Malicha: *Nullen amma tanna, amman tan somne akkum amma nadeeni ammatan uhuru kabdh, laff biyya taa Kenya ta nuu daggen sunn. Nullen ach akkas it dharamne, hakki chuff argane, dall argane, horr argane karra dansan, nullen biyyat dharramn fenn.*

Translator: Anasema vile anavyosikia kokote huko nchini, wamama pia imesemekana wana haki sawa, kuweza kupata kila kitu kwa hivyo hio dhuluma anataka pia iondolewe katika Katiba hii mpya, kokote wanawake wawe sawa na wanaume,

waweze kupata elimu, waweze kupata pia mali, wapewe Katiba hii mpya, kokote wanawake wawe sawa na wanaume, waweze kupata elimu, waweze kupata pia mali, wa

Com. Lethome: Ugependa kuzungumzia nini kuhusu vita nyumbani, violence, domestic violence nyumbani? Wanawake wa Borana wanapigwa na bwana zao nyumbani, na kama wanapigwa unapendekeza kitu gani?

Translator: *Wann tokk ka attin hinjeddin inni irrat si gaffat, haddi gara warra kann, issan faa ddannu yedd garra wara faa kessat issan dhabsan yedd, yoo dhabbi sunn jirrat man irra dhubbachu fett yedd.*

Zainabu Malicha: *Hinjirr hindinnuu ulle, dhabballe hinjirru ulle, kaa nam danullen hinjira, kaa namm hindanellen innum jirra ammo ullen hinjirt*

Translator: Anasema ni kweli kabisa hata hiyo dhuluma ya kupigwa na kupigwa zaidi iko lakini sio wote wanapigwa, kuna wale wanapiga, kuna wale hawapigi kwa hivo hata hiyo dhuluma iko.

Com. Lethome: Sasa angependekeza sheria mpya imuchukule hatua gani mtu mwenye kupigana nyumbani?

Translator: *Att amm wann sigaffatanni adha harreti tan kessat attin maoni tam bassit yeddann juu naam naam daddanu*

Zainabu Malicha: *ulle sunn kaa nurra lakkisan, kaa ullen sunnu hinjirr kaa namu hishimuman wall gaffat kaa affan dhansan wall gaffat, nuu amm akkas fenn.*

Translator: Anapendekeza katika Katiba mpya, iwekwe taratibu ya kwamba hakuna kupigwa na mtu mzima kama yeye. Iondolewe kabisa, Katiba iseme hakuna kupiga mwanamke

Com. Lethome: Na akipigwa je, achukuliwe hatua gani?

Audience: (Inaudible)

Zainabu Malicha: *hammtu, fulla ullen hinjirr kaa adhan jirt gessan*

Translator: Anasema katika Katiba mpya, wakiwa watapigwa, sheria ichukue hatua sawa na ile mtu yeyote mkosaji nchini.

Com. Lethome: Asante, tumpatie sasa Mohammed Koricha nafasi. Wewe leo uko full time kazini leo

Mohammed Koricha: Salaam Aleikum.

Audience: Aleikum salaam.

Mohammed Koricha:

Com. Lethome: Anza na jina

Mohammed Koricha: Mimi naitwa Mohammed Koricha, Chairman ya Rangeland Users Association. *Annin dhubbin tiyya sadhi;*

Translator: Yeye anasema ni Chairman ya RUA, RUA maana yake Rangeland Users Association, wale wanahusika na mifugo, ana maneno matatu

Mohammed Koricha: *Dubbiy ttiyy sadhen; warri lonni Kenyaa tann kessatti sokko hinkabu. Lonn Kenya mzima kaa sokko kabban akk gaff ukoloni warr lonni baada jii jaa auction Serkali tochuff, kaa issan sokko kaban kaa fonn alla duffne fonn Kenya all dheman fedd, addhaa harreti tann kessat.*

Translator: Anapendekeza katika Katiba hii mpya, soko ya mifugo iweze kupatikana. Anakumbuka yeye anasema wakati wa wakoloni kuna mnada wa mifugo kila baada ya miezi sita mahala pale pale wanalisha. Kwa hivyo anapendekeza katika Katiba hii mpya iwekwe soko ya mifugo baada ya kila miezi sita mahali hapo hapo wanachunga, sio hawa kupeleka mifugo kwa soko lakini wanunuaji waje wanunue mahali hao wako.

Mohammed Koricha: *Taa lamesso, horri warri adhaa laff horri sunnin, dhurri laff kessat adhaa kabba, adhaa sunn Kenya uhuru jedddan fuddan, adha nami chufti laff uffi kessat uhuru kabbe, nammi serr uffi ka kess tau adha harreti tan kess namuyu kaan fedd.*

Translator: Anasema anakumbuka hapo awali, wafugaji wana taratibu ya kulisha mifugo. Kokote mahali wanakaa katika wilaya, watu wakaaji wa hiyo wilaya wanalisha mifugo yao katika mpaka ambayo inajulikana. Kwa hivyo wakati Kenya ilipata uhuru, walisema Kenya uhuru na walitoa hiyo taratibu. Anapendekeza katika Katiba mpya hio taratibu irudishwe, wafugaji walishe mifugo yao katika boundary ile inajulikana ya hiyo district, wasiwe wanaingiliwa na mtu ama wasiingie kwa mtu yeyote.

Mohammed Koricha: *Laff tenn kessat hojja nami dhuu, laff tenn kessat nami hindhuu, yoo nami dhue, nammi dhui dig kabb, nam sunn kabban hijessan, namm sunn dig dahhan. Adhaa dhurri baddh taa ammattan hojja nammi namm ijess nam sunn kabani ijessan yoo kan dig issa daan feed.*

Translator: Katika Katiba mpya pia anapendekeza. Anasema kuna taratibu ilikuweco hapo awali anavyo kumbuka kama mkaaji wa hii sehemu. Mtu hauawi bure na mtu akifa, mwenye anaua analipa gharama ama kama huyo mtu hapatikani, Serikali inalipa. Kwa hivo anasema sasa imeonekana watu wanauawa ovyo ovyo, hakuna malipo yoyote inafanywa na

mwenywe ameua ama Serikali haingalii kulipa huyo mtu kwa hivo anataka maisha ya watu katika Katiba hii mpya iwekwe dhamana, watu wasiuawe ovyo ovyo na watakao uawa walipwe.

Mohammed Koricha: *Kenya huru kessatt, gaff dhurri Kenyan uhuru hinkabne, binaadamun Kenya hindhottu, Kenya uhuru kessat nammi dhuu jirra, nami hindhuin, nammi kaa akk dhurri lubun namme kaa dhamana kabdh fedd.*

Translator: Anapendekeza katika Katiba hii mpya, Kenya ni nchi huru. Katika hiyo nchi huru, maisha ya binadamu iwekwe maanani, watu wasiuawe ovyo ovyo. Masilahi ya maisha ya watu iwekwe mbele kabisa.

Mohammed Koricha: *Namm tokk ka dhue dhurri lubun issa dhamana kabthi, namm mizima akk kiya kann nafki shann kaa lonni ka fuddan, Serkali lonn shan kaa fuddan barbadhe, nam ijessan namm is ijess himbarbane namaf lonni, lonti dabban it dhebbiyanni lubbu it hinthebiyyan, lubbu dabba ka Kenya ka adhaa harreti tan kessat dhamana it tochtit fed.*

Translator: Anasema kama watu wa mifugo, wakati mifugo inachukuliwa na wanyang'anyi fulani ama bandits, Serikali pengine wanakimbisha wanasema wanatafuta ng'ombe tano ama hamsini imechukuliwa, wanatafuta. Lakini maiti ya yule mtu wanaona hawatafuti muuaji. Kwa hivo inaonekana maisha ya watu haina dhamana kama wafugaji wana hofu. Katika hii mpya anapendekeza maisha ya binadamu iwekwe maanani kabisa, anarudia.

Mohammed Koricha: *Amm nuu yoo Eastern Province uffin jennu, Eastern tann kessa nuu musharra tokkole karkas tokkole kessa hinkabnu, sababu nuu province guddhat kaa nuu fuddat jirr, akkanani akk reffu intalti jett, Borana Provincee, Isiolo, Marsabit, Moyale, sadhenn sunni province koffa nukkutan feen. Akk ann arggen laff tann yoo koffa nuu kuttani, Borana Province jeddan, wanti Kenya tann irra hamattan, wanni yokkan nuu nam irra dibbn wanni yoo mudhha yoyoteen Kenya tannat hinjirtu akkanan akk intalti roffu jette nuu kaa koffa bannut, yoo Boarana province koffa bae, province chuff gaan kessa addha haqqi uffi argattun kabba, nuu haaqi hagg province argat argachutt hinjiru, baat nu bannullen akkanaf irr jirti adhaa Kenya kess kaa koffa baan fedda adha tan kessat.*

Translator: Anapendekeza katika Katiba hii mpya majimbo katika province. Anasema hio province pia angependa iitwe Borana province kwa sababu anamaanisha katika Eastern province, tumemezwa na districts zingine mingi ambazo ziko juu ya lami kwa sababu yeye ako nje ya lami, hapati huduma. Kwa hivyo katika mgawanyo wa mali ya Serikali ama maendeleo, hata ikiwa ni kidogo, ipatikane hiyo kidogo katika province ya Borana ambayo anasema ianzie Isiolo, Marsabit na Moyale iwe na province.

Mohammed Koricha: *Dubbiy tiyy tta misho taa an hobbaafadu, laffti Kenya tinnini nami chuff laff, ardha uffi kabb, nammu sehemu uffi kabb, gaff dhurri nammi chuff sehemu uff kabb, sehemu uffi kessat nami tokkollen kaa wall dib hinjirru, laff Kenya kessa adha dhurri ferenjin middasse, addha sunn irr ollan adha sunn yo irr bullani dhottinu hinjirtu. Am Kenya uhuru jeddani, barrier nam dhurra funnani nammi fulla duff majority hinfeddani, it wall fitte nam ire kabutt kaa nami issa serkal kess gudho jirut sunt laff fuddat, majority akki raiyan wallin atten akkan, am*

akk kannani adhaa harreti kess nami kaa laff uffii tau. Nuw Safar tannaaff nuu dhurri wallin ten, dinnin tennallen taka, horri wallin kabni, nuu walli hinbanu, wall jaal ak male dhansa, yoo bonni duffulle wall duffne wal gaffane, mudda jii lamma arm kess taa yoo wakki robb dhebiyya jeen, hinjirtu, nami walli ijess hinjir. Loon yoo hadan matta naffki tokko saddhi fuddan, namm nam ijesse hinkabban, yoo hinkabbini loon dibba bassan, borra nam sunni nam Somali Borran ijess, nam Borana Somallin ijjeft, addha nuu dhurri it fiddham tann, addha tann ta dhebbit fenn.

Translator: Anavyosema anakumbuka hapo awali katika nchi ya Kenya, watu wanajulikana kwa district vile wanavyokaa. Vile anavyokumbuka, hao wanapakana na wandungu Wasomali. Anasema wakati huo walikuwa wanafuga na wanalisha mifugo vizuri, wanafuata taratibu fulani. Wengine wakipata kiangazi wanakuja wanawaomba, wanapatiwa mwezi moja, miezi mbili sehemu fulani wanalisha wanarudi. Hawa kuwa na maafa. Ng'ombe moja ikiibiwa inarudishwa na ng'ombe tatu, mtu kama anauawa, kama ni mtu mzima, ng'ombe mia moja ama huyo mtu anashikwa na Serikali anaadhibiwa.

Kwa hivyo anasema katika Kenya, uhuru, sehemu fulani wamesema Kenya uhuru, barrier imetolewa na ikawa wale wana nafasi ya utawala ama wale wana watu wengi, population ya majority ina rule na wale minority wanaona kama wanagandamizwa ama ardhi yao inachukuliwa. Inaoneka sasa kama wamepata influx watu wanasukumwa from neighbouring districts wanasukumwa nje. Kwa hivyo alisema, taratibu ya zamani watu waweke, wakae katika district, katika Katiba hii mpya ihimizwe ya kwamba watu wajulikane wanakaa huku na hio sehemu iwe ya hawa watu, mali ya hiyo sehemu iwe ya hawa watu, halafu iwe na nidhamu, watu wana heshimiana kama wa Kenya bila kuweka hujuma ya kusukuma kwa sababu kuna mamlaka katika Serikali. Watu wengi, ama kuko na watu wengi kwa majority ya namba.

Mohammed Koricha: *Dubb tta miisho amman tanna wann annin irrat hobbaaffadu, lafti tenna, dhurri Council kennan jeddan, lafti Councilit kennani jedddani, County Council tajir fulla chuffa gurte laff tenna laff it gurgurte nurra ballessit. Addha Kenya kess laff tenna ta warr laffa jallat dhebissani Council hinkennin warri laffa, laff uffii uwezo it kabbe fulla kennitti malla kenne, wan dhowwitti malla dhow jedd. Yoo Councy Council nami sodhoma kaa amma tann chaguattan inni laff kenne, laffuma district dibbiy, warri bese kabbh laff dhibiy gath flying toche laff nurra fuddate kassaran ten ta karra fitte ta district kessat tan. Ak kannani laff tenn garr chuffa ya nuu sammani, garr chuffa yayu Council samnte laff warr adha harreti tan kessat, issin chinni warr laffa Boranna jallat dhebbitte wan laff tenn kessa feddan nuu gaffattan fedd, Assalam Aleykum*

Translator: Anasema katika district ya Isiolo, ardhi yetu inaitwa trust land. Anasema imewekwa katika chini ya County Council. Imesemekana ya kwamba hawa ndio custodian trustee. Yeye anasema sio hawa hata walisema iwe under custody ya County Council, wamekuta tuu na ikawa wale councillors wachache wamewekwa pamoja wamepokonya ardhi yao wanauza kwa matajiri wanavyojipatia kwa mafaa yao wenyewe bila kuhusisha hawa kama community wale wa hii area.

Anasema hasara kubwa kabisa wakaaji wa hii sehemu ya Isiolo wameona ni taratibu mbaya ya ardhi ambaye imeitwa trust land na inauzwa uzwa, inapokonywa, free free hivi na mtu yeyote. Kwa hivyo analaani kitu inaitwa trust land, itolewe kabisa na Katiba mpya, ardhi iwe chini ya mamlaka ya wenyewe waweze kutumia kwa manufaa yao wenyewe kwa minajili ya

development, iwe chini yao. Isiwe trusted kwa mtu yeyote, ardhi irudishwe kwa wenyewe.

Com. Lethome: Asante sana. Ninataka kuwachokoza kidogo watu wa Merti. Ni maoni yale tumepata mpaka sasa ni mazuri sana lakini tunataka kusikia mambo kuhusu bunge na wabunge, provincial administration tunataka kusikia habari yake, tunataka kusikia habari ya uchaguzi. Je, mnaridhika na ile system ya uchaguzi ama hamridhiki nao, tunataka kusikiliza kuhusu powers za rais, mamlaka ya rais, je ana mamlaka nyingi sana ama anatakiwa aongezewe maamlaka zaidi ama vipi? Tunataka kusikia kuhusu elimu, tunataka kusikia kuhusu development, sio ya livestock peke yake.

Kama mzee amesema hapa hawataki kuwekwa pamoja na district ambazo ziko juu ya lami wanataka kukaa peke yao na barabara za murrum, yaani hamtaki lami nyinyi? Ama hamtaki development ingine? Kwa hivyo nataka mnapo zungumza, nawachokoza tu hapa. Try to be as wide as possible, kusanya mambo mengi yote ambayo ni muhimu katika Katiba. Zungumza kwa lugha yako mwenyewe, sisi tutafasiri kilugha ya sheria. Haya tunaendelea, Galgalo Gurguro?

Galgalo Gurguro: Niko hapa

Com Lethome: Umejiandikisha maoni yako, utapewa nafasi utazungumza

Speaker: (inaudible)

Com. Lethome: Okay, one minute, what are you trying to say?

Speaker: (inaudible) tulikuwa tumekubaliana wengine wawe wakireserve livestock, tunajaribu ku-gather as much (inaudible)

Com. Lethome: Kwa hivyo na umejiandikisha hapa?

Speaker: wamejiandikisha na sasa ile program tumepanga (inaudible)

Com. Lethome: Kwa sababu unajua, hii program yetu kulitokea kidogo kutofahamiana. Program ya public hearings ni yetu, sio ya local people. Tunatoa nafasi kwa kila mtu kwa sababu mkipanga nyinyi yenu, kuna watu ambao hawako katika hiyo program na hawatazungumza. Kwa hivyo sisi tunatoa nafasi kwa kila mtu azungumze, hata kama tutakaa hapa mpaka saa sita ya usiku. Kila mtu mwenye maoni azungumze. Kwa hivyo wale ambao wamepanga, nimeona hiyo program yenu, kuhusu mambo ya citizenship, livestock na nini, kama hawa watu wamejiandikisha hapa, wao pia watazungumza. Kwa hivyo just be patient, we have the whole day na mkitaka tukae mpaka saa sita za usiku bora tu hakuna (inaudible) hapa, tutakaa mpaka saa sita ya usiku, hakuna shida. Haya Galgalo.

Galgalo Gurguro: Ajili mimi nasimama hapa nina shukrani

Com. Lethome: Karibu, karibia mzee

Galgalo Gurguro: Shukrani kwa mkutano huu. Mkutano huu wa Kenya, this is Kenya, mimi niko miaka 76. Tangu wakati wa ukoloni mimi mzaliwa wa Kenya. Mzaliwa wa Kenya lazima katika Katiba ambayo inakuja yote sisi tuko hapa. Katiba hii na shukurani kwa ajili ya Katiba hii mimi nasimama. Kwa hivi mabadiliko mingi imekuja tangu Kenya ilipata uhuru. Wakati Kenya ilinapata uhuru, mimi nilikuwa askari, sina masomo mengine, masomo yangu ni ya kuchunga ng'ombe na mbuzi lakini wakati niliingia nikapata kazi ya askari, nilipata masomo kidogo.

Tafadhali Serikali yetu ya Kenya ikubali kitu kimoja, ile sheria ya zamani, ni sheria nzuri. Vile mtu mmoja amesema mbele yangu, mimi naunga mkono. Tena ni nafasi yangu ya kusema sasa kitu moja; mwenye kuchunga ng'ombe anajua hali ya ng'ombe, mwenye kuchunga shamba anajua hali ya shamba, mwenye kuchunga miti anajua hali ya miti na mvua. Sisi tunajua hali yetu ya ufugaji. Sasa katika watu waliokuwa jirani wetu, jirani wetu ni Meru, Samburu, Somali, Ogaden jirani wetu ni watu tatu

Com. Lethome: Tukaeni kimya tafadhalini tumsikize mzee, tafadhalini.

Galgalo Gurguro: Jirani wetu walikuwa watu watatu. Watu wetu walikuwa zamani hapa wauawa, Samburu wanachukua ng'ombe moja, mimi nikipata ninashika ile ng'ombe narudisha. Hakuna matata wale wanauana. Sasa, siku hizi vile unaona wakati hata mtu anauawa na hakuna hatua kwa sababu ile imechukuliwa na hakuna kufuata (inaudible) halafu unafanya ile mtu ana question mtu mwingine akuje (inaudible). Hii ni sheria ambayo sisis hatuwezi. Sababu hiyo sheria haiwezi kuleta usalama wa mtu, haiwezi kuleta usaidizi wa mtu ile ya kuunganisha watu, hii ni mbaya.

Ya pili, sisi tena katika province hii, Kenya kuna province nane, sasa sisi ni watu wa kufuga, watu wengine ni wa shamba na tunaunganishwa pamoja. Mimi nataka kama Serikali yetu inatusikiza, province yetu iunganishwe watu wa ng'ombe, watu wa ngamia, watu wa mifugoya mali hawa ndio wanaweza kusikizana. Kwa sababu hii ng'ombe yetu inatoka hapa inakwenda Nairobi, hii si hile biasharafaster mimi nasukuma. Nasukuma na gari, ile biashara nimepate, ile faida ya ng'ombe, hakuna ng'ombe iko faida, mbuzi hakuna faida, ngamia faida, sisi hatuna barabara. Ng'ombe inaweza lala dakika ngapi hapa katikati hii? Imechoka kutembea (inaudible) ile (inaudible) mpaka Nairobi, uchungulie. (inaudible) sio karibu ya nini, upate karibu na mahali pa kufuga. Hii ni faida yetu mzuri. Tena watu wanauawa na hakuna damu, kama huna kitu. Leo unauwa, kesho unauwa kwa sababu hawashikwi, polisi washike wale watu na wafungwe. Sasa wanawachiliwa wanachukua mali, ng'ombe na hakuna kitu ambacho kina faida. Sisi tunataka Kenya, hii province yote vile watu wanaendelea, inafaa wakae pamoja. Salaam Aleikum

Com. Lethome: Swali moja mzee, ngoja kidogo, umesema ng'ombe ikichukuliwa, mtu akiuliwa, polisi achukuwe hatua na akikataa kuchukua hatua unataka polisi tumchukulie hatua gani?

Galgalo Gurguro : Hatua hio.

Com. Lethome: Mwambieni kwa Kiborana.

Speaker: (inaudible)

Galgalo Gurguro: Hii itakuwa malalamiko.

Com. Lethome: Kwa nani?

Galgalo Gurguro: Lalamiko kwa Serikali.

Com. Lethome: Polisi ni Serikali?

Galgalo Gurguro : Ndio.

Com. Lethome: Sasa ulalamike kwa Serikali tena?

Galgalo Gurguro : Hapana, lalamiko kwa mwanasiasa.

Com. Lethome: Kwa mwanasiasa?

Galgalo Gurguro : Eh, wale watu wamechagua

Com. Lethome: Haya asante. Nataka mfikirie hilo, wale wengine ambao hamjatoa maoni, fikirieni hio. Ikiwa mtu katika Serikali, ofisa wa Serikali hatimizi kazi yake, achukuliwe hatua gani? Be thinking about that halafu mtatoa maoni yenu. Aah, fikiria halafu utasema baadaye. Mohammed Diba

Mohammed Diba: Salaam Aleikum. Mimi ni Mohammed Diba Wario, I am here to represent the Constitutional review proposals on Judiciary, local Government and electoral system and processing. I will start with the Judiciary. The present structure of Judiciary is adequate for Kenyans; however, the judicial officers are to be appointed by the judicial service Commission with university graduation as their qualification. Judiciary consists of subordinate courts, the magistrate court, the

high court, the Kadhis court and the court of appeal. In conjunction with this, the new Constitution should establish human rights court.

Regard to this court, the chief kadhi is to be appointed by the Muslims with completion of Faculty of Sheria in an Islamic university. All holders of Constitutional offices; attorney general, judges, public service Commission, electoral Commission, controller, auditor should enjoy security of tenure within their offices.

Local Government, since they are the closest to the people, local authorities are the most basic level of Government. Therefore, mayor and council chairman to be directly elected by the people. Elected candidates to be elite 'O' level and above. The remuneration of the councillors should be determined by the Parliament. Council should be independent to run their affairs from central Government. The local government chapter 265 be reviewed to empower the councillors in managing the affairs of the council and municipality. 75% of taxes, natural resources and wealth generated within the district be managed by the local councillors for the development of their own districts.

The electoral system and processing. The current representative electoral system is to be retained in Kenya, the desired system. One, to retain simple majority rule as a basis of winning an election. No nomination of any person who was rejected in the election. Vice should be elected by the Parliament. All appointees should be passed by the Parliament. Parliament is the lawmaker; during the process of law making 75% of the Parliament should be present to pass the law. Civic, Parliamentary and local elections should be done at different intervals or should be done at different times, President, MPs and councillors respectively. Counting of the votes should be done at the respective wards; there is no way that they will be taken to the districts. The new Constitution should impose heavy financial penalties on MPs wishing to defect between general elections. DC should not be a nominated councillor. Finally, nomination of MPs and the councillors to be abolished.

Com. Lethome: Can you repeat again the VC should not be a nominated what?

Mohammed Diba: DC should not be a nominated councillor because in our district

Com. Lethome: Councillor?

Mohammed Diba: Should not be a nominated councillor. In our district

Com. Lethome: District Commissioners?

Mohammed Diba: District Commissioners.

Com. Lethome: Should

Mohammed Diba: Should not be a nominated councillor

Com. Lethome: Just a minute, is the DC a councillor?

Mohammed Diba: Yes, he is being taken as a nominated councillor in the district.

Com. Lethome: Okay.

Mohammed Diba: He is the head of the district and thus he is being appointed as a nominated councillor

Com. Lethome: So he should just remain as a?

Mohammed Diba: As a DC.

Com.Lethome: Okay fine, thank you. Thank you very much kwa hayo maoni mazuri sana, sasa tuna fanya affirmative action kidogo, Halima Golo, women forum.

Halima Golo: Salaam Aleikum?

Audience: Aleikum Salaam.

Halima Golo: Salaam Aleikum?

Audience : Aleikum Salaam.

Halima Golo: Mimi naitwa Halima Golo, I am representing Women Forum, Merti Division. The new Constitution should provide the following for women, especially pastoral women; one, participation of pastoral women in decision-making forum. Two, pastoral women should have equal rights and opportunities in access to education and economics. Pastoral women should have equal sharing powers and leadership, e.g. chief and head of institutions.

Both parties intending to marry should be given equal opportunities in decision making. Early marriage should be condemned; appropriate age of marriage should be above 18 years. Pastoral women should have equal rights to inherit and have control of property e.g. livestock especially in our area. Traditional women inheritance practise should be condemned.

Incase the spouse dies; women should not be inherited by anybody as this will encourage HIV/AIDS. A woman should be recognized as human but not as property. Women and men intending to marry should go for HIV test. Female genital mutilation practise should be discouraged and stopped because this may cause even death. Both men and women should be given opportunities to decide when to have children.

Pastoral woman should not be tied to the traditional practises and religion to decide her destiny. Pastoral women should be given basic necessary information that matters to their maternal life e.g. encouraging them to deliver at health institutions. To encourage pastoral girl child education, the state should establish specific scholarship for pastoral girl child. Girl child labour should be discouraged. The state, in this case should ensure that any interference with the girl child rights should be punished. The state should recognise women as potential responsible and assets to the state/community. Lastly, the state should strengthen the law that governs the family welfare.

Com. Lethome: Asante, swali moja tu, umesema kuhusu ndoa ya mapema ipigwe marufuku. Sasa tungependa, unajua sheria, you have to give the law some teeth, sheria lazima uipatie meno ya kuuma. Sasa mtu ambaya atamlazimisha mtoto wa kike kutoka skuli halafu amuoze, ungependa sheria imuume namna gani? Ipatie sheria meno kidogo.

Halima Golo: Sheria itatue halafu ichukue hatua ambayo inafaa.

Com. Lethome: Yaani kwa mfano baba akimlazimisha msichana wake aolewe, kama yeye msichana mwenyewe hataki, apelekwe kotini ashtakiwe ama?

Halima Golo: Yeye apelekwe kotini na hatua ifaayo ichukuliwe.

Com. Lethome: Na huyo bwana ambaye anataka kumwoa msichana?

Halima Golo: Hata bwana pia kwa sababu ana fanya makosa kuoia msichana kabla miaka yake ya kuolewa imefika.

Com. Lethome: Okay. Haya Asante. Tunapata affirmative action nyingine tena Halima Ali. Karibia Halima

Halima Ali: Salaam Aleikum?

People: Aleikum Salaam

Halima Ali: Mimi nafikiri yangu ni machache, siongei mengi lakini ningeongea mengi kwa sababu vile mimi, nikisema mimi si mimi peke yangu lakini vile wakina mama wako na shida, ningeongea mengi zaidi. Lakini kwa vile sijui muda inaweza

kuturuhusu, mimi nitaongea juu ya shida ya kina mama. Wakina mama vile wale ambao walikuwa wameongea mbele yangu wanasema, tunaolewa mapema. Sisi wakina mama ile shida tuko nayo, tunaolewa mapema, tukiolewa mapema tutoke kwa boma ya baba, wakati tunatoka kwa boma ya baba hatutoki na chochote. Tunatoka mwili tu hata mavazi tunawacha kwa nyumba tunatoka na ya mwanaume. Tukifika kwa boma ile ya mwaname, tukizaa naye mtoto, baada ya kuzaa, mapenzi yetu ikiisha tunaambia toka tukitoka, tunatoka na nguo ambaye tulikuwa tumetoka nayo kwetu ndio tunarudishwa nayo. Hatuna mali yoyote, hatuna boma, hatuna ploti, hatuna ng'ombe wala nini na nini. Kama ni kutafuta mali. Mpaka nguo ambayo tulikuwa tumetoka nayo kwetu ndio tunarudishwa nayo. Hatuna mahali yoyote hatuna boma, hatuna ploti, hatuna ng'ombe wala nini na nini. Kama ni kutafuta mali tayari tulikuwa tumetafuta pamoja mpaka mwisho tumeipata. Haya baada ya kupata hiyo mali tukifukuzwa tunakuja pengine tuzae mtoto tuwe na watoto, tukiwa na watoto tunanyanganywa mwanaume anasema ya kwamba mtoto ni wake, watoto ni wangu ati waninyanganye.

Mimi mama ile nimebeba miezi tisa kwa tumbo yule mtoto tayari nimenyanganywa na ule uchungu ambao nimeskia yule bwana hata hajasikia lakini tayari amepata mtoto amezaliwa, na amelelewa vizuri, na ndio huyu anatembea hana shida yeyote anaona mtoto huyo ni wake, na nikiuliza maswali ninyi wamaume vile muko, huyu mtoto angekuwa ni wa nani? Nani alikuwa na uchungu wa huyo mtoto?

Interjection Com. Lethome: Pendekezo, unapendekeza awe wa nani?.

Halima Ali: Kama ni mimi napendekeza mtoto angekuwa ni wa mama kwa vile yeye ndiye amebeba mwezi tisa, na vile amepata hiyo bwana hana habari ilipatikana. Kwa hivyo vile nimependekeza kama ni mimi ninaulizwa ama akina mama wengine wakiulizwa mtoto angekuwa ni wa mama. Na kama ni kulelewa mtoto bwana akiwa na nguvu kuliko ile mama azaidie kulea ile mtoto, nguvu yake ikipatikana asikule peke yake, akule na mama pamoja, sio anatupa mama nyuma ya fence na tayari anakula chakula ile mtoto amelea. Na ya pili sisi wakati tuna kuja vile nilisema tunakuja kivyetu, tukifukuzwa na tumechukuliwa tukiwa wadogo tumezeeka huko kwa hiyo boma, tukitoka hiyo mahali tutatoka na nini na tayari tumetoa mbegu ya kutosha iko chini yote na tumenyanganywa hiyo mbegu tutaenda na nini kuisaidia tena ukiwa tumenyanganywa nguvu yetu?

Interjection Com. Lethome: Pendekezo, pendekezo unataka utoke na nini huko?

Halima Ali: Kwa hivyo tunataka kile tumepanga na yeye tumeaaidiana atuwachie ama tugawanye atuwachie kiasi na yeye abaki na kiasi. Hiyo ndiyo tunataka. Na ya pili ya tatu sisi tukikaa hivi kwanza wacha upande ya down country hata ni tofauti kubwa sana sisi watu pengine hawana habari, tunasikia huko wanawake wanapelekwa nje mara ingine wanafanyiwa sijui nini na nini, sisi hapa tunasahaulika.

Wacha kitu ingine, maofisa wetu ambao ni wanawake ambao tuko hapa tukisema kitu kikipangwa namna hii wanaume wanatangulia wanakaa huko nyuma wanatufinya hata wacha wengine nje hapa wenyewe, tunakuwanga. Ma ofisa zetu hata

kama iko mkubwa kuliko sijui nani anakuwanga nyuma. Sijui kwanini hatupata kitu ambaye wanapata mbele, sisi tunapata nyuma hapa enyewe tuko na shida. Ya pili mwanamke akijitoka akitaka kusema maoni, hayo maoni yake yanakanyangiwa tunastushwa mpaka roho yetu tayari wanatunyanyasa ndani ya nyumba tunastuka hatuwezi kutoa hapa hivi.

Interjection. Com. Lethome: Hapana leo, leo tumesema tangu mwanzo hakuna mambo ya kushtuliwa na mtu, hakuna polisi ya kukushtua, ama mzee wa kukushtua. Mama toa maoni yako kwa uhuru na kama, nawaambia hivi kina mama, kama kuna maoni ambayo munataka kutapatia separately mahali tutapanga kikao kando mtuambie yote bila uwoga. Lakini hakuna mtu atakushtua hapa toa yote hapa.

Halima Alir: Sawa sisemi saa hizi, sisemi saa hizi mimi si mtu wa kushtuliwa siwesinikastuka. Ya pili, tena mwanamke bwana wakati hayuko either msichana kama ako, msichana tuseme kama kwetu sisi huwa tunachunga, tukichunga mwanaume anakuja yule ako na nguvu anarape mwanamke, akirape mwanamke sisi tunakaa chini ya mti tuu huyo mwanamke amerapiwa huyo mwanaume hajulikani ako na shida gani. Wanachukua ng'ombe hiyo maneno inaisha na pengine mtu tayari anaweza kuwa na ugonjwa fulani mwanamke ndio huyo amepata ile ugonjwa. Watu yake ama wale wazee wanaongea wamechukua ng'ombe sasa hiyo ng'ombe inafaidi huyo mwanamke ama inafaidi hiyo family?.

Com. Lethome: Sasa unataka mtu akirape achukuliwe hatua gani?

Halima Ali: Hiyo, hiyo mimi kwa upande wangu nafikiri hakuna tofauti na yule ameua. Kwa hivyo hata yeye auwawe.

Com. Lethome: Sawa.

Halima Ali: Ndio. Mimi yangu ni hayo. Kwaheri.

Com. Lethome: Asante mama, hebu ngojeni kina mama wale ambao munasimama huko nyuma tulikuwa tumetenga pande hii kina mama wakae hapa. Kwa hivyo kina mama huko kuna nafasi yenu hapa ya kukaa chini, msikae nyuma huko njooni mkae hapa mbele kina mama. Okii sijui Okii nani? Diba, Okicha Diba yuko? Haya karibu Okicho. Alafu kaeni kimya tafadhalini, tukaeni kimya tumsikise Okicha.

Okicha Diba: Asanteni sana. Mimi jina langu ni Okicha Adilo Ibrahim. Nafikiri mengi watu wamezungumza mbele yangu lakini chache nitasema. Yale nitasema machache, ya kwanza watu wanaongea juu ya mpaka, amri ile ya mpaka nafikiri wanaguzaguza wajaweka sheria yao vizuri kwa maoni yangu. Maoni yangu nafikiri ninaona kama ni mpaka area yetu Wazungu walichora map hawakuchora eti wanapendelea Borana ama kabila ingine yoyote. Walichora map hiyo kulingana na vile tulikuwa tunaishi, nafikiri tunataka kuwa tuwekewe mkazo hiyo ardhi iwe na dhamana mtu asiguze, mtu aziguze ni njia gani je? Nafikiri kwa upande yangu sio bunduki hii ya sold nini na nini, tupatiwe bunduki mzuri kama mfano ile ya kama (Inaudible) watu wanakuwa

na G3 wanagawiwa wanachunga mali yao. Nafikiri tunataka tupatie kwa mpaka yetu bunduki mzuri ambayo inaweza chungu ardhi yetu huko. Na mpitishie hiyo.

Com. Lethome: Sasa bunduki mpatie polisi ama raia?

Okicha Diba: Raia, achunge area heri, ili mtu asikanyange, hiyo maoni yangu namna gani tunaweza.

Com. lethome: Maoni yake, maoni yake hayo sawa hiyo ni maoni yake.

Okicha Diba: Ya pili. Nasema hii mambo ya mifugo iwe na dhamana, mifugo iwe na dhamana namna gani? Mifugo iwe na dhamana na kama njia, kama hatuna njia yoyote, kama njia yote, sawa sawa. Kama hatuna njia tunataka tuwekwe kama province ile unasema tuwe na province hata yetu kando ni hakuna maana kama hatuna, hakuna maana kwenda kando na watu wengine kama hatuwezi fanyiwa lolote wanasema wanapanga hawezi fanya. Kama watapanga tunakuwa na ardhi yetu na amri yetu yote inasikizwa.

Interjection. Com. Lethome: Ebu tukaeni kimya tafadhali huko nyuma mnazungumza sana.

Okicha Diba: Ya pili, afadhali tuwe na tuwekewe sawa na wengine, sawa na wengine tuwe na lami, kama kukiwa lami mpaka huko pale kwa mpaka. Kama tuko na lami tuko na ardhi. Sasa ardhi yetu haina dhamana, hakuna hatujulikani, hiyo amri iangaliwe kama tunachagua mbunge, mbunge sio ati ana, atakuja na nini, njia hakuna, hakuna mahali ataenda, hakuna njia. Afadhali amri hiyo iwekwe tuwe halali tunaweza kuwa sawa na wengine ndio tunaweza kuwa na process kando. Lakini watu iko mbali na watu taweza pata kitu gani tuwe kama wengine? Afadhali turekebishwe kwanza kila kitu ndio utaweza kujiangalia tulikuwa, tunaweza kuwa kando na wengine. Ya pili.

Com. Lethome: Hiyo siyo ya pili ya tatu sasa.

Okicha Diba: Ya tatu tangu shifta, tangu zamani nilikuwa nimezaliwa mbele ya vita ya shifta niliona, sisi hatuna umaskini lakini tumeingiliwa na umaskini tumekuwa maskini mbaya zaidi. Je, tuwekewe haki gani? Tumedhulimiwa haki gani inaweza kurudishiwa sisi? Tuwe kama Zamani.

Com. Lethome: Wewe pendekezo unataka nini ifanywe ndio muwe kama zamani.

Okicha Diba: Tuwe kama zamani? Ya kwanza ardhi yetu mtu asikanyange, ya pili Serikali irudishe mali yetu ile kwa kila moja ambaye walipata damage.

Com. Lethome: Sawa. Haya endelea. Tafadhalini mpeeni nafasi atoe maoni yake, endelea.

Okicha Duba: Hiyo ni ya tatu si ndio?

Com. Lethome: Ee hiyo ni tatu sasa nne.

Okicha Duba: Ya nne. Tunasema, mambo ya province, je, kama sisi tuko na MP ama Councillors na hatuoni wa kusimamia hapa, tunaweza kuwa sawa na wengine namna gani? Yeye awe na sisi kila wakati, kila wakati sio kama sasa (inaudible)hatuoni MP na ni watu.

Com. Lethome: Sasa unataka MP ambaye haonekani kwa constituency yake?

Okicha Duba: Tunataka anaye onekana.

Com. Lethome: Achukuliwe hatua gani yule ambaye aonekani?

Okicha Duba: Achukuliwe hatua ya kutolew na kuwekwe mwingine yule anaweza simamia hapo hapo

Com. Lethme: Haya endelea, endelea.

Okicha Duba: Ya pili, ya tano

Com. Lethome: Ngojeni tuendele, ngoja tuendele.

Okicha Duba: Kama ni mbaya sasa ya mwisho,

Com. Lethome: Unajua ina recordiwa hii sasa ukifanya kelele kidogo tu alafu tunaendelea isirecord kelele nyingi. Haya.

Okicha Duba: Ya mwisho, afadhali tuwe kitu kimoja, tusiwe na kabila kila mtu tushikane hiyo ndio amri tafadhali tuweke.

Com. Lethome: Kwa hivyo wewe hutaki mambo ya Borana province?

Okicha Duba: Aa hapa sisi tuko pamoja .

Com. Lethome: Haya sawa, asante. Peleka maoni yako huko asante sana Bwana Okicha. Haya Mohammed Abdi, Mohammed Abdi huyu ni kijana mdogo.

Mohammed Abdi: Kwa majina naitwa Mohammed Abdi Alake, hamjamboni nyote hapa?

Audience: Hatujambo.

Mohammed Abdi: Nawakilisha vijana. Katika division hii yetu ya Merti ile shida wako naye, napendekezo ambaye tungetaka tuwekewe katika Katiba mpya. The Constitution should provide us with a free copy of Constitutional document to every Kenyan for easy understanding. To enhance better comprehension it should be drafted in simple and clear expressions. The Constitution should cater for unemployment by rising of per capital income; the Government should entitle an individual virtually by being a citizen to the right of earning.

The new Constitution should entitle each and every one to equal free, affordable education up to O level system. The Constitution should ensure that the Higher Education Loans Board should extend their help also to self-sponsored students and offers the loans equally without biaseness. The Constitution should ensure the ideas of cost sharing by most public hospitals and clinics and income should be scrapped off. The terms of job, the terms of experience in most jobs requirements in our most public press and medias should require a consideration. We therefore require an establishment of such long period of experience in both public and private premises. The chances of Councillors should be based on academics matters and elected Councillor must own an O level certificate. The place of the district Commissioner in provincial administration should be a chance of an elected member by the people not a ial appointee.

The present system of education that is 8-4-4 should be eroded and the former that is 7-4-3 to be brought in files. Female genital mutilation idea of practice should be completely abolished and parties in breach should be accordingly handled. The distribution of National resource or cake should be fully exploited and as we have, benefit the particular community or society of the endowed region. The Constitution should provide total free movement in the country irrespective of tribal, religion or political stand. The Constitution should allow and recognize us on all aspects of development that is: social, political, and economical. The Constitution should entitle us to enjoy equally the efforts of our leaders.

The Constitution should provide different consideration in various job requirements. The cases of collective punishment should be abolished, incase someone violates the court he or she should be sort and dealt with accordingly. The issue of the essential document for instance identity cards, birth certificate and passport should be issued freely, equally and accesible through simple procedures. Passport particularly should be decentralized up to the district level, from the headquarter while birth certificate to be in provincial and common dispensary levels. Thank you.

Com. Lethome: Asante sana Mohammed. Tupate Dika Wario.

Dika Wario: Salaam Aleikum, mini kwa majina naitwa Dika Wario Mbuna, nafikiri Bwana Chairman hata ukisema sisi tunazungumza tu mambo ya ardhi hiyo ndio shida yetu kabisa, hapa ile kitu natukula moyo ni mambo ya usalama, mambo ya ardhi, pamoja na mambo ya ukosefu ya soko kwa mali yetu. Hiyo ndiyo tunaongea. Nafikiri hiyo ingine imebaki kuna watu wamepanga wameandika wataongea juu ya hiyo.

Com. Lethome: Sawa.

Dika Wario: Nikianzia, nafikiri hiyo vile wameongea hiyo ndio maoni yetu ama mapendekezo yetu. Sisi jamii ya Borana nafikiri tumeachwa nyuma kabisa kusema ukweli, hasa sisi ni watu wa mifugo, mifugo yetu tunaona iko dhuluma hatuna soko, hatuna dhamana, vile mnajua kila kitu iko na board yake, hatuna board. Sasa mapendekezo hapa ama maombi lazima tuwe na board, ya livestock na mali yetu iwe na soko mzuri. Katika Katiba mpya tuhusishwe sisi kama Wanakenya tuwe na kama Wakenya wengine kiKatiba. Kwa hivyo hiyo ndio maombi yangu. Hiyo ingine naunga mkono vile wale wa kwanza waliongea mambo ya Borana province sababu sisi tumemezwa na wale matajiri ambao wako na kahawa, wako na majani ya chai, wako na barabara ya lami sisi tumebaki watu wa nchi kavu tuwe na province moja kwa sababu shida yetu ni moja. Kwahivyo mimi mapendekezo yangu ni hayo tu asante sana.

Com. Lethome: Sasa hii Borana province itakuwa na uhusiano gani na ile Serikali ya katikati ile Serikali kubwa kutakuwa na uhusiano gani?

Dika Wario: Tuko na uhusiano kama sehemu ingine kama vile sasa tuko, tuko na uhusiano mzuri tu vile tuko hata sasa tutakuwa na uhusiano mzuri.

Com. Lethome: Okay. Na kwa mfano kama kuna mtu ambaye si Mborana lakini ako na mali na ako na ardhi pengine amenunua plot yake ama shamba yake katika hiyo province, ntu kama huyo atafanyiwa nini kwa sababu hivi sasa watu wanaogopa mambo ya ukabila wakizungumza habari ya majimbo.

Dika Wario: Hiyo sasa ataishi vile Katiba mpya itatengenezwa.

Com. Lethome: Wewe unataka iseme nini? Nataka maoni yako sasa hiyo Katiba mpya itatengemea maoni yako sasa.

Dika Wario: Sasa maoni yangu, aondoke aende province yake hii apigie Borana.

Com. Lethome: Maoni yake hayo asante. Sheikh Hokile, hebu tuendeleeni, tuendeleeni Sheikh Hokile ndio tulisema asubuhi

kila moja ako na uhuru ya kusema vile anataka.

Sheikh Hokile: Wasalam aleikum alaham dulilahi wa barakatu. Basi mini nawakilisha jamii ya Waislamu katika Mert division lakini kabla ya kupitia kitu ambaye inahusu hasa Waislamu kidogo kuna general inahusu mambo ya federal system ambaye maoni sisi kama Waislamu ambayo tuna wakilisha Islamic organization na Waislamu kwa jumla hii mambo ya federal system ambaye ni majimbo hiyo ndiyo ambaye pia ni maoni yetu kwani hiyo system tunaona ukosefu ya mambo ya security sana sana imeletwa kwasababu ya watu kutojali maslahi ya community ya hiyo area, kwasababu wale ambao, wale, wale provincial administration ama armed forces kama police ama yeyote iko katika sehemu yetu hii Kasasan, wengi ni watu ambao kutoka sehemu ingine.

Hawawezi kujali masilahi ya hawa watu wa hii area kwahivyo sisi tunaonelea kama pengine tutakuwa na ile majimbo tunataka vijana wetu ambayo watakuwa katika hiyo area ambayo wanaweza kumaliza hii mambo ya insecurity hii problem ya usalama. Na pia vile sasa Serikali imetuweka pamoja na Eastern province ambayo sehemu nyingi ambayo iko tajiri kama Meru, Embu ama Wakamba, tunaona sisi hatufanani na hao katika kila hali na zile life style mambo ya economic background. Hatuhusiani na hawa watu. Kama share yetu ya Serikali ikija wao wako wengi ukipea wao wana-dominate economy yote wao wanachukua hawajali sisi katika sehemu. Ndio kwasababu ya hiyo sisi tuna hiyo right tuwe na majimbo yetu kando ama tuwe na watu ambao atleast tunafanana kama Turkana ama Samburu ambao tunahusiana ili tuwe pamoja. Kwa maoni yangu pia watu ambao wako katikati yetu tunaishi pamoja kwa plot ama na nini hao wana haki kuketi na sisi tu hakuna problem.

Sisi hatutafukuza hawa ama nini kwasababu katika wakati sasa hata province zenyewe zimegawa kwa system ya community ya clan sort of kwasababu ukikuta Coast province, North Eastern province ni watu ambao wanaishi yaani zile life style zao wako pamoja na wanaishi na Serikali. Wanapata share yao kando na hiyo share wanapatia yaani hiyo community yao kwa hivyo na pia tunamaoni pia kuhusu sisi tunaona area yetu ya Isiolo district tumepata umaskini hali ya juu sana sana wakati ile, wakati ile baada ya independece kidogo tu tulikuwa na ile problem ambaye watu wote wanajua kama (inaudible)-----ambaye tumewekwa kama ng'ombe pamoja, ng'ombe zilichukuliwa zikamalizwa. Sisi tunaona hii new system ama new Constitution ya ile watu ambaye wamadhulumiwa lazima haki yao warejeshewe yaani waangaliwe hali yao kwasababu unakuta Government wametusahau hakuna njia, hakuna mali. Watu wakikula ile mali ambayo sisi tunayo hata ng'ombe, Serikali hawashughuliki nayo, haoni kama hiyo ni mali. Hii Serikali ni Serikali ya Agricultural Government hatujui, tunataka Serikali ya community yote kwasababu yaani katika hii community ya Kenya watu wote wana maoni yao kila moja wana life style yao lazima hii position yaani irespect hiyo haki. Kwa hivyo sasa mimi narudi kwa ile area ambaye inahusu Waislamu yaani haba. Inahusu Waislamu ambaye nimeandika kwa kidogo memo kidogo na ambaye nitasoma, nitasoma direct.

As a Constitution is for the people of a country, our new Constitution should consider seriously our religious faith customs cultures and values. The English common law or any alien culture shouldn't have preference over our religious and customary laws. It has to be understood that variety and differences are a common law of nature which functions through out all walks of

life no one has powers to change it. Our new Constitution should forward the principals of diversity, of equality, which gives people real freedom of change. The new Constitution should have provision for application of Islamic law for Muslims and any, any law applicable to Muslim must be in conformity with the teachings or dictation of Islam.

Citizenship; the new Constitution should guarantee all Kenyans easy access to passport, identity card, births certificate, job opportunity and any other benefit. Discrimination should not come in any form. Muslims converts who wish to change to Muslim names should not be subjected to untold discrimination. In terms of education, now in all our learning institutions Muslim people or students must be availed an opportunity to study IRE which should not be substituted with any other subject. The students should select uniforms of their choice that is: Hejab for Muslim girls and trousers for Muslim boys. On Fridays students should be released earlier to prepare for Friday prayers, the two Islamic Idd celebrations should be made a public holiday, no tuition or extra classes or extra any activities for Muslim students on week ends as they are supposed to attend madrasa or Islamic schools. During the holy month of Ramadhan, afternoon lessons should be abolished.

The Arabic studies from primary level should be introduced up to the university level. Civic education should be introduced in the schools curriculum this is the view of the Muslim community. So that that the community should learn their rights. Islamic religious education or subject should be taught by Muslim themselves not other person of different faiths. Affirmative action in Muslim schools to be introduced that is freedom of worship or freedom of religion. The new Constitution must accord Muslims a free hand to implement their religious obligations in Judiciary, economy and their way of life. The new Constitution should consider seriously our religious state, customs, values, and culture.

The Kadhis Court, the Kadhis Court structure to exist at par with other common law, types of courts thus the Kadhis Court be in the following level. The Kadhis Court first instance in every district two Kadhis High Court in every province. Three Kadhis Court of Appeal, the Kadhis Court will deal with all matters pertaining to Muslims including mosque or madarasa or organization conflicts. Issues of marriage or divorce certificate, an assistant Kadhi appointed by the chief Kadhi with consultation with the area Muslim community should be in place every division. Muslim interest free bank or monetary institutions this is another topic, Muslim interest free bank or monetary institution the new Constitution to allow Muslims to have interest free bank to conduct business in accordance with the Muslim law. The Muslim code of dress, Muslims have a cord of dress of which a new Constitution should recognize as part of worship for Muslims

Com. Lethome: That shows what you do is this, just highlight the main points because we are going to receive that memorandum we cant allow you to read the whole of it please.

Sheikh Hokile: I am finishing, accordingly Muslim women or girls should dress in hijab both in learning institutions and work places as for male students people pupils in our learning institution should put on trousers thank you very much. Salaam Aleikum.

Com. Lethome: Just a minute Sheikh kuna kuzungumzia habari ya freedom of worship katika Katiba na unajua hata ile Katiba tuko nayo hivi sasa imetoa uhuru wa kuabudu lakini mimi nikiamua sasa nitakuwa sasa nitakuwa nikiabudu shetani alafu ile tunasema devil worship sinitarudi kwenye Katiba niseme Katiba imenipatia freedom of worship and my worship is to the devil. Sijui ungependa kusema nini hapo kuhusu freedom of worship.

Sheikh Hakile: Freedom of worship kama Muslim community sisi tunahaki yetu ya kuabudu I mean kuwa na kupata ile freedom of worship na kama kuna watu ambaye wataleta kitu kama hiyo unasema devil worship kama kitu hiyo si kitu ambaye wanatumia ama wao wanapractise ina affect hata wao ama ina affect community ni kitu ambaye inakusudiwa lakini kama Christian community or Islamic organization I mean Islamic community ambaye dini ambayo imejulikana duniani.

Interjection. Com.Lethome: Kwa hivyo ungependa tudefine who is to be worshiped in this freedom of worship?

Sheikh Hakile: Yes who is to be worshipped?

Com. Lethome: Okay?

Sheikh Hakile: Yes

Com. Lethome: Who? In your opinion?

Sheikh Hakile: God.

Com. Lethome: Okay. Asante. Tunaendelea Hassan Wako, Hassan Wako.

Hassan Wako: Kwa jina mimi ni Hassan Wako, Bwana Commissioner nakushukuru mimi hapa kwa kufika hapa. Ningependa kuzungumza kidogo juu ya Constitution ya mbele, hii Constitution ya mbele ambayo sii yetu imeumiza Kenya hii.

Interjection. Com. Lethome: Karibia Hassan kidogo.

Hassan Wako: Kiwango inawezekana nafikiri tutaenda mbali na hiyo Constitution kwasababu hiyo ya mkoloni watu wa Kenya bado husika sasa tunataka ile yetu. Na sasa tukisema ile yetu tunataka ile yetu iwe namna gani alafu itusaidie tunataka iwe simple, tunataka iwe precise, tunataka free from complexity, tunataka iwe free from ambiguity, tunataka watu wote Wakenya wasomeshwe juu yake, tunataka watu wa Kenya wote waheshimu hiyo Katiba, tunataka watu wa Kenya wote waifuate hiyo Katiba tunataka hiyo Katiba iwe na self guard ndani yake, self guard ambayo hakuna jinsi itasumbuliwa kwani iwe kama ni

kuwa ammended, kuwe na referendum. kama ni kuweka mambo ingine iwe ni referendum, iwe ni Katiba yetu ya Kenya na hiyo ndiyo Katiba tutakayo sisi.

Je nini tutaandika katika hiyo Katiba? Tunataka Katiba hiyo mpya iwe na strong wording na iwe na strong wording on land sababu tatizo la nchi ya Kenya kwa jumla utasema utakuta ni ardhi ile tunapigana, ile tunakufa, ni juu ya ardhi. Kwa hivyo iwe na strong wording na area of representing juu ya ardhi. Property ni ingine siyo tu wording kuandika property lakini property iheshimiwe na iwe na haki kamili. Alafu maisha ya binadamu ambayo imepoteza dhamana lazima iwe na dhamana. Kitu ya nne ambaye tunataka kuona juu ya hapo ni rights haki, haki ya watu ya aina yote sasa mbele ya kuendelea na ingine nataka kusema yetu.

Mbele ya kwenda Kenya sisi tunataka nini? Sisi tunataka affirmative action. Katika affirmative action tunataka kusema ya kwamba sisi miaka hii thelathini ya uhuru Kenya ilipopata yetu ilipotea, mkoloni alitupa uhuru lakini Kenya iliondoa. Constitution iliharibu watu. Sisi nataka kupewa ile uhuru vile tulikuwa tukikaa. Uhuru wapi? Uhuru juu ya ardhi yetu, uhuru katika shamba yetu, uhuru katika mali yetu, uhuru katika masomo, masomo ambayo tutaweza kupata nayo kazi, hii masomo tumesoma ndani ya Kenya haijampa sisi kazi, hata kama nasoma sisi na watu wetu napata degree hata kama iko na degree ya p ili hakuna kitu tunapata. Inahusika hata mpaka Commission kwasababu hakuna mtu yetu ndani kwasababu ya ile ubaguzi na kukosa nitaendelea.

Tunataka Katiba ambaye itaandika reconstruction kama kitu kusha haribiwa if you have destroyed something lazima unareconstruct lazima unjenge upya, ile kitu wakoloni walijengea sisi hatuna sasa, maji kama iko, imepotea. Skuli kama iko imekuwa mbaya sana, hospitali kama iko haina dawa imekufa, so yote hata police station irudishwe ijengwe mpya, reconstruction ndani ya hiyo Constitution kama hatutaona hiyo maneno sisi hatuwezi tosheka.

Ile ingine tunataka restitution, restitution katika sheria ni kusema unarudisha mimi pahali nilikuwa, pahali nilikuwa ni tajiri katika East Africa mzima kuliko kila mtu ukiangalia katika kitabu na hiyo imepotezwa wakati uhuru ulifika ilirudisha mimi pale nikae vile nilikaa. Pia uandike rehabilitation sisi nataka rehabilitation hapana watoto hata sisi wote mmetuharibu, umetuharibu kwasababu ya kumpa sisi mahindi, kuharibu sisi kwasababu lazima tuishi na mahindi na sio kwa jasho letu sisi nataka rehabilitation. Tunataka pia restoration katika hiyo maneno na tunataka compensation word compensation must be there, na word marshall plan must be there marshall plan, tunataka marshall plan iweko ili watu waweze kuendelea na hiyo.

Interjection. Com. Lethome: Wee eleza zaidi marshall plan tafadhali.

Hassan Wako: Marshall plan plan ambayo itakuwa rasmi kwa sehemu hizi za northern Kenya, rasmi muweze kuweka amani yote, nguvu yote kila kitu ili maendeleo iwepo na ikae kama nchi ingine ya Kenya. (inaudible) alafu siyo hiyo pekee yake mimi naona ubaya yetu na tatizo yetu ilitokana na ile makosa ya kwanza tulifanya. Sisi tulisamehe Kenya, Kenya bado samehe sisi.

Kenya bado samehe sisi mpaka sasa kwa hivyo wanaendelea kunyanyasa sisi na kutupa taabu na kila kitu wanafanya mbaya kwetu kwahivyo tunahitaji reconciliation iandikwe huko kuna sehemu nataka reconciliation sehemu ambayo inataka Commission iwekwe kando iangalie juu ya usalama wetu na iangalie juu ya reconciliation ili tupatane rasmi mwaka wa seventy eight tulifikiria tumepatana lakini bado, bado samehewa sisi tulisamehe Kenya Serikali tulipigia kura tangu sixty three mpaka leo sisi bado badilisha kura yetu hata leo KANU inahesabu ni yake lakini sasa huyu mtu ambaye unahesabu ni wako na humsaidii kwa chochote namna gani.

Hata Moi alipo tuambia tuchunge nchi ya Kenya tulimuambia je, wachungaji wanakamuanga ng'ombe sasa sisi hii ng'ombe yetu ya Kenya tunapata nini ndani yake ili tuchunge? Kwahivyo lazima tupate kitu ya, kupata kitu ndani ya nchi ya Kenya kama sivyo haina maana. Haya sasa nyuma ya hiyo tukiendelea mbele nilifikiria juu ya hizi basic right iweko, hizi basic right iwe kamili halafu juu ya hiyo security, social right, political right, economical right, minority right, iweko, indigenous people rights iweko na haki ya hawa watu wasio jiweza wakina mama, vijana na watoto.

Juu ya minority right Commission wakati moja iliniuliza kama naweza kuja nayo saa hii nitapeana leo inasema declaration of the right of persons belonging to National ethnic, religious, linguistic, minorities UN declaration nitabeba kwa kikundi yako kwa sababu hii waliuliza safari ingine sasa mtaenda nayo, mtajua ni nini ninasema na sitaki kuingilia mtajua. Alafu nilisema haki ya indegenious people, juu ya indegenious people haki yake pia nimekuletea inasema nini haki ya watu ambao wako vile vile ukubwa ya hii maneno ni ya kwamba wanadhamini ardhi yao. Mchezo ya ardhi hii, itamaliza sisi, sisi hawezi wachana na ardhi yetu hata kipade kidogo kwahivyo hiyo pia nimekuletea nitawacha na wewe, sasa hiyo ni juu ya rights.

Sasa region, mimi nafikiria lazima kuwe na hiyo region wazee nasema, na pia jina isijalishe wewe bandika jina ile mnafikiria lakini ni region ambaye itakuwa na Marsabit, Isiolo, na Moyale. Kama jina yetu itakula ile jina ya Borana, itakula kitabu ya Kenya wachana naye hapana andika Borana, kama hapana kula uweke. Sasa ingine nataka stronger local Government Serikali ya ndani iwe. Sasa nakuja kwa maneno ya ardhi na boundary wazee walizungumza maneno muhimu ya boundary, boundary ilichezwa naye kila minister yule wa ardhi alikuja akajikatia kidogo ardhi ya wenyewe. Sisi tumepotesa ardhi yetu kutoka mahali wanaita huko Subuika kuja mpaka Isiolo town ilipotea. Imenyakuliwa sasa watu ingine wako ndani sisi tasamehe wacha kakaa hapo lakini wajiite Isiolo hata hawa. Hapana jiita nchi ya Meru.

Wengine wanaanza kunyakua pande hii nasema ni Wajir sisi najua pahali yetu ni (inaudible) hiyo ndiyo mpaka yetu kama wanakaa hapo wajiite watu wa Isiolo hapana nchi ya watu ingine. Na kuingineo hapa upande ya Garba Tula pia sehemu ingine ilipotea kwa hivyo boundary ya mkoloni iheshimiwe na iwe hiyo na iangaliwe kabisa kama ni kurudia kurudia rudisha.

Haya, tumetoka kwa boundary sasa naongea juu ya ardhi yenyewe isije tena kamwe iwe kitu ya biashara hii ndio imeharibu Kenya hii ndiyo tunamalisiana juu yake ardhi isiwe kitu ya biashara, ardhi isiwe kitu ya kuuzwa uzwa kila mahali ardhi iwe ardhi ya watu wa Kenya kukaa namna hiyo hapana kuuzauza kwahivyo hakuna kuuza ardhi hii title deed siyo ya kuuza vitu iwe ni ya

watu kuka nayo. Ardhi hasa ya watu hawa hakuna kuuzwa nataka hiyo Constitution nasema personal land no selling no value attached it is our land we want to remain with it we remain in it hiyo ndiyo. Sasa naendelea kwa hii maneno tunaita freedom of movement, freedom of movement ndio Constitution nasema hivo hata hii iseme lakini iwe na boundary hapana kumove na ng'ombe yako yote nalete hapa sisi hapana sikizana juu ya hiyo freedom of movement doesn't mean that it means I move anywhere in Kenya. I do not move all the Borana from here and take them to Sikutamama, we are only thirty thousand people so with that freedom if people move with all the animals here and this people will move here with all their people then we lose the true right that we have.

That small political right we have in peace we lose them, most of them we have Councillors we shall loss all of them we already have more than six in Isiolo town we don't have our Councillors they have been taken by other people. A move is on to take even this ones so minority will suffer at the hand of Government if there allow freedom together with movement of things and also buying property, buying property elsewhere no, rent them, live in them, do anything, do your business but don't buy. No ownwership of land in other peoples land you own in your land you have land live there iandikwe ndani ya hiyo Constitution hata iandikwe hapa.

Identity card, you get identity card in your district not in other districts. Kwenu kila mtu aende kwake apate card yake hapana kwa hapa kwasababu minority kama naandikisha watu thirty thousand tosha uhuru yetu napotea. Haya kura, hata kura kwenda kwako piga huko tu, pigia watu wako wawe wajumbe, chagua wako tu hapana chagulia sisi, sisi nataka mjumbe yetu wengine naingia hapa wengi nampa sisi ile mtu atamaliza sisi. Kila wakati imefanyika namna hivyo we want this man they want this other man now we loss our rights so you vote in your district don't vote in this district. For Kenya, I am saying.

Birth certificate you go back to your place of birth even if you are born in Isiolo it must be written born in Isiolo but originally from kisii. Born in Isiolo originally from Mandera this is to make Kenya for Kenyans not Kenya for other people. In Kenya here right now you go most a lot of people in Nairobi are not from Kenya and all the children are born here you loss employment opportunities for our people watu wanakuwa mara moja, walewalizaliwa wakati wa uhuru ni wazee waliingia kazi naingia kazi na jina yetu sisi nakosa kazi wao napata haki sasa maneno gani haya kila mahali namna hiyo sio sisi peke yetu hata kila mtu utakuta namna hiyo tu taabu watu ile nakuja napata, wanapata ile passport, wanapata kazi sisi hakuna kitu.

Com. Lethome: Mr Hassan sum up please

Hassan Wako: Mkubwa nina bakisha maneno chache ambayo ni ya muhimu mimi nafikiri basi mimi nasema sasa juu ya , asiwe above the law hiyo powers trim, punguza nakubaliana na wale walisema vice achaguliwe siyo na bunge na watu awe running mate kwa . Nina maneno juu ya MPs, wajumbe hakuna ndani ya mkono ya watu wa Kenya, sisi natupa kura hata sisi nasumbua lakini mwisho yao hiyo. Sisi hapana kosana natakiwa wabunge iko ndani ya wananchi kama nakosa iko njia mbaya awe arudi hapa if possible mara moja haraka hapana ongojea maika tano. Kusumbua watu miaka tano hakuna haki kitu hii ni

mambo kujaribu kama sisi nachagua mtu mbaya ye mamalisa sisi hapana wakilisha miaka tano miaka mbili ondoa kwetu.

Halafu Councillors pia hali iwe namna hiyo ile ya nomination, nitaenda kwa nomination, nomination hapana yakuweka watu ya KANU, watu ya NDP namna hiyo hapana nomination ni haki ya wale wasiyo na MP katika Kenya. Wako watu kama hawa tangu uhuru mpaka leo district hii bado pata nomination ile. Ile inaitwa nominated MP to this day, thirty years never hata mkono ya rais kusha kata kuandika jina yetu kwa nini rais naandika mkubwa ya civil service sisi hapana iko ndani rais naandikanga wakubwa ya board sisi hakuna ndani hata moja, rais naandika Commission na sisi hapana iko ndani sasa yeye hapana wacha hiyo hata harambee rais bado fika Isiolo district mpaka leo miaka thelathini sasa miaka thelathini Kenya nzima najengewa na harambee hata rais wetu bado fanyia sisi mambo faida gani hii? Sisi tuko na shida, hiyo shida yetu hiyo Constitution tutachagua mayors na Chairman wawe elected.

Sasa hii ingine Constitution hii iandikwe it guarantees equitable distribution of resources hata pesa kila district apate yake kamili kando hapana weka sisi. Tena hapa kuleta na kurudi naye hiyo ndiyo taabu yetu kubwa hiyo kitu pesa tunapewa inakuja hapa inachukua inaenda nayo sasa kama naenda nayo faida gani tena, kama DC kusha enda nayo kama PC kusha enda naye, kama head of department kusha enda na pesa yao that is our problem. Mwisho nikisema.

Intetjection. Com. Lethome: Can you, can you please elaborate hiyo kuenda nayo inakuwa vipi?

Hassan Wako: Yes kuenda naye, kuenda naye ni hii grabbing ya pesa ya Serikali ile kitu ya Serikali yote iko hata nyumba ya Serikali yote watu wamechukua hivo hivo ndio wanaenda naye hata wengine wanachukua, hata pesa yetu kama sisi nachanga harambee wengi kwisha enda naye. Wacha ya Serikali hata yetu mara kwa mara sisi sasa tumefika karibu na mwisho ile nitasema university (inaudible) Muslim issues hii hapa ndio iko shida (inaudible) kwa Waislamu kwanza imeanza kuwa taabu hata saa hii vile tulivyo we (inaudible) wanasema ni maendeleo wanakuja wanasema mimi tuko njaa lazima (inaudible) hiyo ni maneno mbovu mtu.....

Interjection. Com. Lethome: Wewe sasa fanya hivi mimi nataka tu pendekezo tafadhali don't mention other people yes.

Hassan Wako: Religious holiday, sisi nataka dini yote iwe na holiday yao, na iwe recognized by the Government. Freedom of worship sisi nasema iwe recognized ni kama iko. Sisi tunataka kuadhimu saa kumi na moja ya usiku watu nasema ninyi napiga kelele usiku kwa hivo hakuna ruhusa na mara mingi tunakataswa mimi kisha kuwa katika musikiti huko Nairobi karibu na administration police hakuna. Ninekuwa musikiti ingine huko hakuna nakataswa, nakataswa kwa nini na freedom of worship kama iko? Haya freedom of expression pia isiyoruhusu watu wengine kuto ingilia ndani ya misikiti na kanisa bila ruhusa bila kufuata njia kwa sababu mara mingi misikiti yetu (inaudible) kwa njia kama hiyo haya sasa hiyo iandike values ile ambayo tunahitaji ndani ya Constitution, justice, equality for all Kenyans, human development, unity welfare of disadvantaged group. Mwisho wakati nasema marshal plan nilikuwa nataka kuwaambia kwanza wakitupa pesa hizi natoka kwa wanyama wetu ile

wanyama ya msituni, all Game Reserve are in this arid land pesa hiyo thirty percent iende kwa hizi masoplan ile pesa ya soko mambo ya stima, stima yote ya Kenya inatokanga ndani ya mto yetu. Ningependa kushukuru Commissioner na, wananchi kwa kukuja kwa jumla, nafikiria tuko wengi sana. Niko na proposal kuhusu governance. Niko na maoni 13, sasa nitataja moja kwa moja. Ningependa kusoma kwa lugha ya kimombo sijui kama ninaweza pewa nafasi.

Com. Lethome: I think it is difficult to the people.

Hassan Wako: Kwasababu wengi hawaelewe hii lugha lakini bado nitasoma tu kwa Kizungu.

Com. Lethome: Wewe soma kwa Kizungu kwasababu it is meant for us not for them.

Hassan Wako: Okay the first proposal in terms of governance: -

That all Kenyans including the President should be binded by the law.

All the ial appointees should be subjected to Parliamentary scrutiny

All the three arms of the Government should be independent of each other. The three arms include the Judiciary, the Executive and the Legislature.

That all the provincial administration be disbanded and it place be taken by the locally elected structures.

That the new Constitution make a provision for formulation of public code of contact to inculcate responsibility among the leaders at the public office, and to require people aspiring of any public office to declare their wealth at its source.

That the new Constitution should screen and review the power of the so as to be limited. Under the new Constitution, the ial powers of appointing and allocation of state resources should be subjected to Parliamentary approval.

That the head of state should not be a member of Parliament because it encourages favourism because the experince has shown that during Kenyatta era the Gatundu developed than maybe Isiolo and other parts of Kenya. The same thing is happening now in Baringo so we need a ial candidate. A who is not a Member of Parliament.

Non-Governmental organization and other organized groups be given a role in governance so as to act as a watchdog. And that they are given a role of checks and balances in all Government sectors.

That the new Constitution gives the civil society freedom to express their views in matters of National importance and their views honoured.

That the new Constitution should lengthen and liberalize the mass media.

That the holders of public office be guranteed security of tenure to promote professionalism and impartiality

Governance is the exercise of power on behalf of people for their benefit so as such the new Constitution should ensure that the Government be should be, must be accountable and transparent to the people who elected it.

The civil educators, individuals civil organization religious and political striction countrywide be united and civic education, civic material and resources to reach all the Kenyans.

Under the new Constitution all the districts of Isiolo, Marsabit Moyale and Samburu and maybe Turkana if maybe we

propose Isiolo and some bit of Moyale, it might appear tribal. If that is the case then we should have Isiolo, Marsabit, Moyale together with Samburu and Turkana because our economic background is similar and our problems are similar. Thank you.

Com. Lethome: Thank you very much Abduba, Halaki Molu. Ndugu yetu Jalbesa karibu kazi yako tena.

Halaki Molu: *Salaam Aleykum. Ann wann karra an dhubbin tiyy gababthu*

Com. Lethome: Aleykum Sallam. Anza kwa jina lako.

Halaki Molu: *Makkan kiyy Halake Molu, Nuu dhubba, Ya kessa bayyenit korra, nuu dhibbiy karr wan kann warr wan kanna duff asante sana.*

Translator: Ya kwanza nashukuru Commissioner na team yako kwa kuja kuchukua views ya community ya hapa.

Halaki Molu: *Nuu hagg Kenyan uhuru argatte, karr namm gurachatt argatte asantu sana gudho irra karr gamman. Ka irra gammane ammo dhabb dibbit arka nuu kkab hagg issin uhuru argatte. Lonnille yoo issan gudhattan boarrani gargar kutt, nam chuff*

Translator: Yeye anasema kutoka Kenya imepata uhuru anaona kama wamedhulumiwa. Anasema katika mifugo mambo yeye anajua kabisa ni mifugo, mifugo ikiwa mingi inakatazwa iende sehemu ya malisho mahala mbili tofauti inaonekana kama raia ya Kenya kila mtu amewekwe pamoja hivi na katika hiyo sasa anaona kama amepata hujuma.

Halaki Molu: *Naam chuff walti gath dissan, nammi gath dissan kkanni lubbun nammallen adha dabbthi*

Translator: Anasema kwa vile watu wamewekwa pamoja hivi wengine kwasababu ya wingi ya watu wanasahaulika nyuma na anasema hata fifo vya watu vimefichika.

Halaki Molu: *Lubbu namma taa adhaa dabthi tana wan gathin duff nam wallit gath dissan. Nammi gaff dhurri kanni gaff colony, nami chuff sehemu uffi ta taa kaab. Nafki tokk yo issin bathuu hinargan. Nam dhue ka nam ijjes hinkabban amma adho mami hobbae nam nam ijessule hinargani.*

Translator: Yale anasema wakati anaelewa hapo awali wakati wa ukoloni watu wanajulikana kwa sehemu na boundary, sasa katika Kenya uhuru watu wamewekwa pamoja hivi ile inaitwa freedom of movement watu wamechukua kwa njia mbaya wametoka population nzima pamoja na mifugo yao, wameingia kwa sehemu ya watu wengine anaye ua mtu ajulikani mifugo imeibawa hajulikani, watu sheria ile ya kusema freedom of movement imechukuliwa kwa njia mbaya na watu wengine alafu wengine wanagandamizwa akiwa moja wao.

Halaki Molu: *Dibb kann chuff dhubb wanni gathin duffe, nam walti gath dissan kaan. Yoo silla nammi fullum ufffi*

tae, nam namm ijjesulle hinargqan, namm waa yak chuff hinargan. Wannu nam aggareffi nam akk looni walti gathdissan. Dhubba addha amm bedhellan tan, ka namu chuffi sehemu uff ak kale kan tau, kaa namu serr uff gath hinthabar, kan kaa akkan tochan you adha beddellan. Lammesitto; nuu dhabbi nuu kabbnu, nuu province kenna mpaka Embu chuff P.C. tokko takka. Adho wannu adhaa wannu nama irr jirran garth batte wannu achi nuu gett achummat chamti. Nuun akkanumatt wan hakki ka silla Kenyan argatt chuff dabn.

Translator: Anavyosema yeye anataka boundary ya mbele ihifadhiwe irudi watu wajulikane wakae kwao, walishe mahali yao, wakiwa wana shida waulize wenyewe. Ya pili anasema sisi tumewekwa katika eastern province ambaye ni district mingi ambaye PC ni moja tu, wale wako karibu wanapata wanagawanyiwa yale inapatikana wale wako mbali wanasahaulika. Kwa hivyo anapendekeza hii district ya pande hii iwe iwekwe province tofauti.

Halaki Molu: *Yoo wannu sunn dhubb betta am P.C. kennalle akk haqqi yoo ammatan adha beddellan, kaa betta fulla District Isiolo arttit dhebissan hagg D. C. tawwall kan ka dhurri N.F.D. mpaka Samburu, Boranna, Moyale Marsabit takka nuttochan akkasana feen ka P.C. kenn Isiolo tauu.*

Translator: Anasema katika hiyo mgawanyo ama, katika kukatwa province kando anapendekeza Isiolo, Marsabit, Moyale, Samburu iwe kama wakati ya ukoloni iwe inakuwa administered. Kwahivyo anasema ili waweze kupata haki kama Wanakenya wengine anapendekeza new province ambaye itakuwa na hiyo district amesema.

Halaki Molu: *Wan hakki kannu wannu dabnuffi amm agarran, P. C. art tau yoo duggum hakkin jirrate kaa artiti nuu dhebisanni. Lammesitto nuun wan tokkot kaa nuu adha hinkabn jirr. Nuun betta warr Isiolo, wann hakki laffa laffa, adho nuu warri laffa kannu armum chiffnu, tajjirumman dhibbin duffe. Diriti dibbin laff gurgurate, tajjirumman dibbin duffee laff chuff hobbas. Nuun wann hakki laff tennalle chuff yaa dabne, laff sulle wannu adha issiy kaa war laffa jallat dhebbittu. Ak warr laffatin mallatan abba betts haqqi kabb hakki issa kennaniff laftinu hinjirtu fulla dikko sun*

Translator: Anasema pia watu wa hapa wakaaji wa Isiolo wamegandamizwa na hii sheria inaitwa trust land, anakata katakata kitu kinaitwa trust land. Ardhi anasema imepokonywa imeisha na imebaki kidogo tu sasa ile kidogo ana pendekeza katika Katiba hii mpya irudie kwa wenyeji wawe na council of elders, ndio waweze kumana land yao wenyewe isiwe trusted to anybody.

Halaki Molu: Warri sunn iyo issin akkas tatte, hakki warri laffa hindabbu tuu kaa akkan tattu.

Com. Lethome: Ninyi hapo kwenye dirisha munasumbua sumbua kidogo, ingine mzee endelea.

Halaki Molu: *Taa dhibbiy yoyyu jedde*

Interjection. Com. Lethome: Wacha tu wasikize lakini wasipige kelele.

Halake Molu: *Laff tenna ka akk sunn dhubba fulla dhurri kannt dhebissanni hakki kenn ka arganutt ak laff tenn nami dibbin hinseen nuu malee. Nammu area uffi ta kallet dhebbiyye yoo akkasa dhubbattan buffattanit. Ann tiyy ass kessa bahaa.*

Translator: Pia anapendekeza katika district boundaries kuna sehemu zingine zimechukuliwa wakijua tu watu wengine wamekuja kuingia. Yeye pia anasema hajalishi sana kina nani wako huko ndani lakini boundary ihifadhiwe ijulikane ni sehemu ya Isiolo ni sehemu ambaye wakaaji wa hapa wanajulikana, lakini wanakaa na Wanakenya wengine ndani. Boundary ihifadhiwe ile imechukuliwa katika district ingine irudishwe chini ya Isiolo district.

Com. Lethome: Asante sana Mzee Halaki, Abduba Haru, Abduba Haru, hayuko? Tumpate Salat Galgalo, Salat Galgalo hayuko? Tumpate Hassan Guyo Shano, Hassan Guyo Shano, afuatwe na Abdulahi Shande akae tayari Abdulahi Shande.

Hassan Guyo: Salama aleikum?

Audience: Aleikum Salam.

Hassan Guyo: Ya kwanza natoa shukrani kwa Commissioner Sheikh Ibrahim Lethome kwa kuchukua juhudi zote za kuweza kufikia katika hii sehemu, sehemu ambayo katika Serikali ya Kenya imewekwa majina mara inaitwa arid land, mara inaitwa waste land, mara inaitwa marginal land, hizo zote ni jina ya upunguvu ambayo tumebandikwa na Serikali na vile ilivyo ingawa mnajua ya kwamba kuna Commissioners ishirini na nane ambao wametapakaa katika sehemu nyingi. Ibrahim Lethome aliweza kuchukua sehemu hizi zetu za arid kwasababu yeye ni moja wetu kama Muislamu na kama mfugaji yeye aliweza kufanya hiyo juhudi lazima nimtajie hiyo heshima kwasababu huyu Lethome kwa wale ambaye wamesoma magazeti alikuwa katika faith led ya ufungamano na kama haingekuwa na ufungamano pengine hii nafasi ambayo tumepata kuweza kuchangia haingeweza kutokea. Kwahivyo huyu ndugu yetu alikuwa na ile ujaziri na ule ushupavu ya kuweza kupigania umma kwa jumla ma pastrolist kwa kabiri. Kwahivyo hii ni wakati ambapo watu wanataka kusimamia kujua haki kwasababu hii Serikali yetu ni kipofu haoni ni kisiwi hasikii mpaka utoe mkono na kupambana na ile dhuluma hawezi kumpa fursa ya watu kuka na kuonyeshana haki.

Com. Lethome: Hassan pendekezo.

Hassan Guyo: Kwa hivyo yangu ni ya kwamba kwasababu chuki imetokea katika Serikali, uchuki imetoke baina ya wananchi kwa muda mrefu. Jambo la kwanza katika hii Constitution nataka wananchi wote wawe na majina ya kuitana ndugu. Katika Tanzania kila mmoja anaita mwenzake ndugu siyo mheshimiwa, siyo sijui nini majina kubwa kubwa alafu unasahau sehemu zingine. Kwa hivyo hii neno ndugu lazima ipewe nguvu ya (inaudible). Jambo lingine sasa naongea juu ya political uongozi ya kisiasa nimesema kwa maoni yangu ni ya kwamba awe yule ambaye hana nguvu zaidi katika Serikali. Prime Minister awe ni mtu ambaye anaendesha Serikali alafu katika ujumbe, wajumbe wawe wawili siku ya ukoloni kulikuwa na House of Lords

upper House na Lower house ili tuonyeshe transparency. Watu wachungane kwasababu watu wamekosa kuaminiana lazima mjumbe alindwe na yule mjumbe mwezake ili wajumbe wasijifanyie tu kazi pekee yao, aki fanya makosa mjumbe mwingine anaweza kurekebisha.

Unajua kwamba hivi majuzi wajumbe walijipelekea mpaka wanapata shilingi million moja kwa mwaka taslimu wakati walimu mapolisi ambao wanachunga usalama, mnazungumza habari ya usalama, usalama itachungwa namna gani wakati yule mtu wakuchunga ninyi anapata shilingi elfu tano na yule anazungumza maneno pekee yake anapata milioni moja. Kwa hivyo hii siyo haki na wajumbe wasijikatie kitu kama mshahara lazima senate idhibitishie wajumbe wakuzungumza. Halafu katika hiyo mkondo lazima tulizungumza habari ya regionalism majimbo, na katika majimbo lazima tuwe na regional assembly mahali ambapo wajumbe wengine wengi katika kila district watakaa watazungumzia shida zao na kupeana ili mjumbe wa kawaida mmoja ambaye ametoka asiwe na nguvu ya kutisha watu ma DC, ma-district katika districts zote kwasababu hawa ndio nguvu. Hizo nguvu zao zipunguzwe kwasababu watu wamekuwa na nguvu mpaka wamakua dictators kwa hivyo hilo jambo lazima regional assembly zikae ndipo watazungumza juu ya shida ya district zao.

Katika sehemu ambayo wakati huu ambao tunaendelea kuna kitu kama DDC, kuna hii kitu ambayo inaitwa DED, kuna kitu naitwa District Tender Board DDC ni mahali ambapo vile miradi pesa za miradi zote zinachangwa zinatoka kwa Serikali kwa treasury alafu zinagawanywa. Chairman ni DC, member sijui ni Chairman ya council mjumbe na clerk ya council, hiyo ni mahali pa kugawanya ile haki zetu za budget. Alafu tunakuja kwa DEP ambapo pia inahusika na mambo ya elimu member ni ule, ule Chairman ni DC member ni mjumbe na Chairman na council. Unakuja kwa District Tender Board hivo, hivo tu kwa hivyo hiyo nguvu wale wameadhiriwa na shida hawawekwi katika adhira kama wale wajumbe wangukuwa wanachunguza siyo shida, shida ya elimu katika DEP haingetokea, shida ya DDC kwasababu pesa ya DDC zinakuja hata dip haipatikani Isiolo, Garbatula na sehemu zote miaka inakuja miaka inarudi shida ni ile ile na wale watu ambaye wanajidai ya kwamba wako katika hiyo district na nini ziko kwahivyo kila jambo likiwepo katika kila division lazima iwakilishwe na hiyo DED katika DDC na sehemu hizo zote wananchi ya kawaida wawe wanachagua watu wao wakuweza kuwaakilisha katika hiyo sehemu.

Halafu tunazungumza habari ya miaka za wajumbe. Mara kwa mara mnaona ya kwamba katika Kenya watu wamesema ya kwamba Presidency iwe miaka mbili hii jambo limeepukwa kwahivyo sisi tunaunga mkono asipite miaka mbili. Na je wajumbe, wajumbe pia wawe mara mbili pekee yake? Vipindi viwili vya miaka tano kwasababu hata sisi katika Waborana yule mtu anaitwa 'Haiyo' anakaa 'Abagatha', anakaa miaka nane na katika America pia ni miaka nane tu anakaa alafu anastaafu kwasababu imeonekana kiongozi yoyote mwenye busara anaweza kuendelea na fikira nzuri mpaka miaka nane. Kutoka miaka nane anapungua sasa atainingia punguani sasa, atapunguza tu ndio maana watoto wa skuli wapate maziwa baada ya miaka kumi anasema aa hiyo ni stupid sasa punguzeni.

Kwahivyo hii ni punguani ambayo sisi tuko nayo wanadamu, kwahivyo mjumbe akiwa ameserve miaka kumi ajiondoe kwasababu asipate chuki ya kuongewa na wananchi kwasababu hata akifanya bidii gani sasa uchuki tu, hii ni kibinadamu. Na

hata ma-Councillors ni hayo hayo ili watu wapate fursa za kuweza kuchangia katika Kenya.

Sasa, tukizungumza, nikizungumza juu ya boundary wazee wametaja boundary hii ndiyo imelete kiini cha shida katika hii sehemu ambayo inalete msukosuko baina ya watu ni boundary. Kwahivyo ili nieleze Katiba kwasababu mimi ni mtu ya mambo ya ardhi Katiba, boundary yetu inaanza Malkakora kwa hiyo sehemu mpaka Danane alafu Madogash alafu Sarit ndogo pande ya Dado, alafu Habasueni, alafu Elpurkuke, ama Kome alafu Madosulkara kuna sehemu ambayo zinaitwa hivyo alafu katika Isiolo ni kilometer karibu kumi na moja ambayo inaitwa Manyangalo. Kwahivyo hii ndiyo ile boundaries zetu ambayo tunajua kama watu wa Isiolo lakini kulikuwa kumetokea unyanganyi na kwahivyo yale yote ambaye watu wa Isiolo wanaita unyanganyi ni chaos zimetokea sasa sirudishwe katika hiyo sehemu.

Nitazungumza juu ya conservation, ardhi zetu nyingi za wafugaji zimeenda kwa majina za conservation yaani zinapewa bunga la wanyama kwa minajili ya kunufaisha wananchi lakini hizo sehemu zimetengwa kando na hatuna manufaa yoyote kutoka hiyo na kwa hivyo pima mahali kama Meru National Park nisehemu kubwa ya watu wa Isiolo South ambayo Borana wanaita (inaudible) hizo zote sikachukuliwa sikafanywa National Park. Ikiwa Isiolo County Council wakipata faida kweli tunasikia tumepata lakini katika kazi katika aina yote ya uchumi hatupati kwahivyo hiyo ardhi ikiwa ni lazima iwe National Park sisi watu wa Isiolo lazima tunufaike nayo shares lazima tupate. Kuna mahali panaitwa Busanabi ambapo ni kilometer mia sita ambayo zimechukuliwa kwa jina la National Park hizo ardhi zirudishwe kwa mkono ya wananchi.

Wananchi sasa wamepitia kiwango ya kujiweza kujimudu wenyewe kwahivyo Nyambene Game Reserve mahali ambapo kutoka Isiolo town mpaka sehemu kubwa ya Isiolo South zimechukuliwa na North na hizo zilichukuliwa bila sisi kuhusishwa kwa hivyo tunataka deregistration yaani ibadilishwe, ibadilishwe hizo na sisi tukiwa watu wa trust land tumeingiza katika kotini zinaendelea. Constitution kwasababu haija fuata ile vile inavyo takikana hiyo ardhi sibatilishwe ardhi sirudi katika mkono za wananchi. Na ma Game Reserves ambazo simechukuliwa na iko chini ya council zote lazima zirudishwe zitolewe jina ya Game Reserve ziiitwe community conservation areas ambayo wananchi wenyewe ndiyo wataandila kazi zao, wataandika vijana yao wanaweza kumudu hiyo kazi ili faida za ardhi ambayo ni ya rotuba tumeondoa ng'ombe zetu sasa sipate faida kwasababu mpaka sasa wananchi hawafaidiki nayo kwa sababu ingetuzaidia katika mambo ya kilimo watoto wetu wapate bursaries, mabarabara zitengeneswe lakini kwasababu za ufisadi ambaye imetukumba hatuwezi kupata faida kwahivyo wananchi wenyewe warudishiwe hiyo kazi hiyo ifanyiwe hivo.

Com. Lethome: Wind up Hassan tafadhali.

Hassan Guyo: Sasa tunaingia katika minerals, ardhi zingine Serikali imesema, Commissioner tafadhli nisamehe kidogo lazima hii kitu ni kubwa sana.

Com. Lethome: Just recommend do not go into detail.

Hassan Guyo: Recommendation okay. Sasa imesemekana ardhi yale yote ambayo iko chini ya ardhi ni ya Serikali, ikiwa za Serikali zamani na tulizungumza habari ya ufukara na mambo zote za ardhi yale ambayo ni ya maana yote iko chini kwasababu iko gold, iko petroli hivi majuzi in 1997 ikisema kulikuwa na ardhi ambayo tumepata petroli na hiyo petroli hatukuhuzishwa, zile magari simeharibu mazingara zetu, imeharibu kabisa mpaka hapo Borana (inaudible) sijui nini ardhi zote vitu zote mambo zile zile na baada kwasababu sisi hatujahusishwa baadaye tukaambiwa hakuna petroli wale wazungu wakahama. Kwahivyo jambo lolote ambalo linahusika na mali kama hiyo lazima faida ingiue kwa hiyo na hiyo petroli lazima ifaidishe wananchi, na kuna mahali kama Tuse ambayo ni mining ambayo sasa wahindi wanakaa juu lazima wananchi wapate hiyo faida ya hiyo ikiwa dhahabu itapatikana dhahabu ni ya wananchi.

Ardhi hii itakuwa aje watu wawili wa nje wanaletwa wanasema ni yao alafu wananchi wamesema ya kwamba trust land hatutaki inatakiwa wale inaitwa community land ambayo wananchi wenyewe watasimamia. Kuna jambo ambalo tunataka kusema, kuna municipality sisi wengine tulidai municipality iwe Isiolo kwa sababu hiyo ndiyo njia inaweza kufufua watu maisha zao lakini kwasababu viongozi hawakutaka ili wapate tu hiyo County Council ichukue ardhi itatokea shida. Kwahivyo hii ni kuendesha nchi lazima tupate municipality katika town kama Isiolo County Council sitoke nje area council ni sehemu sa Merti sinaweza kuwa na area council zake ndiyo wanaweza kuangalia uchumi zake na wanaweza kuendesha maslahi za watu wa Merti.

Halafu tunakuja katika watu wa dini ya Waislamu. Tumesema ya kwamba hivi sasa Kadhi anakuwa appointed, na watu maambayo siyo Muislamu tunafikiria ya kwamba institution ijengwe ya Waislamu watu wenye elimu ya kidini ambapo itaongozwa na mtu ambaye atapewa nguvu ya attorney general. Ya kwanza Waislamu ni milioni kumi katika milioni thelathini ya Kenya kwasababu sisi tuko asili mia thelathini na kitu katika Kenya kwahivyo kwasababu tumesema Prime Minister we put Prime Minister lazima awe Muislamu kama inafanyika katika Tanzania hiyo masharti isiende pamoja kwahivyo mufti ya hiyo, hiyo Islamu wale kikao cha Islamu wenye nguvu wenye elimu ndio watapendekeza jambo lolote ambalo linahusika na Islamu, kwasababu mambo zingine zinaweza kuleta maafa. Sheria siku hizi inasema democrasia mpaka inakubali wanaume waowe wanaume wengine katika America na Uzungu lakini hii sheria lazima iende sambamba na dini haiwezi kuingizwa basi hii democrasia itaharibiwa kwahivyo hilo ndilo jambo ambalo ninasema.

Sasa kuna kitu kinaitwa parastatal body hapa katika Kenya kuna parastatal mingi sana kuna, Kenya railways, Kenya airways, Kenya nini, na katika hizo parastals zote sisi wananchi wa Borana hatukuwa ndani hatupati hata kikao moja sijui kama ni Serikali inatuzuia ama viongozi wetu ndio hawataki sisi naye tuwe na kaofisi kidogo ya kuweza kuzaidia watu. Hizo ingawa hata ikiwa ni shida ya viongozi hatutasema hivo kwasababu tuko katika Constitution tumesema ya kwamba sisi tumelemewa ile kitu maitwa public institution kama parastatol hizo lazima tugawanyiwe haki sawa katika Kenya.

Halafu kuna hii public universities kwasababu tumezungumza habari ya jimbo tusije tukaambiwa sasa kila moja akikaki majimbo yake, mauniversity karibu nne tano ziko katika Rift Valley. Kwahivyo sisi wengine ambao tumeachwa juu nyuma hatutapata

msaada yeyote public universities lazima tuwe na coaches na watu kama North Eastern ambaye wamatengwa kando ilikuwa nikunyanyaza hawa lakini bahati muzuri wamekuwa region pekee yao automatically, wanapata quota kidogo wanaendelea lakini sisi tulikuwa kwasababu tumeingia katika sehemu ambaye watu wameendelea sana tumenyanyaswa Quotas zetu za wale watu ambaye wameachwa wa mifugo ambaye tumeachwa nyuma lazima tupewe kiasi fulani ili na sisi tuendelee.

Sasa kuna hii jambo la inaitwa affirmative action kwasababu ya dhuluma iliyokuwa wakati uliopita ng'ombe zetu tumewekwa katika concentration camp sisi tumenyanyazwa tumewekwa kijijini na mali zetu zote zimeisha. Sasa hii jambo lazima sisi tulipe fidia lazima tupewe na hii fidia siyo lazima tupewe mtu kwa mtu binafsi kwasababu hatuta inawezakutuwekea shida lakini tunafikiria ya kwamba hiyo madhara ndiyo imeturudisha nyuma kwa maana ikiwa ni miaka ishirini skuli zote zetu kutoka std one mpaka university iwe ni gharama ya Serikali kupelekea sisi watoto na barabara zetu zijengwe. Affirmative action kwasababu ya ile gharama sisi tunajua ya kwamba karibu ng'ombe milioni moja ya Isiolo silikwisha siku hizo na watu zaidi ya elfu mia, alfu saba silikuwa wameuwawa kwahivyo hizo damu zikiwa pamoja na hizo dini sisi tulipwe na tuijenge nchi yetu.

Na jambo lingine ni habari ya wanyama, wanyama ni zetu ni kweli lakini mara ingine ana inatuhadhiri kwasababu kuna KWS ambaye wanaangalia hiyo wanyama watulipe wakiwa watatulipa alafu walipe watu, mtu moja akiuwawa awe alipwe kama milioni moja shilingi elfu thelathini sasa kwa roho ya binadamu unalipwa jamani si wangewacha tu wanaambia sisi milioni moja na ule mtu ambaye amevunjika ama ameumia alipe milioni mbili kwasababu yeye iko hai na hawezi kufanya jambo lolote kwa hivyo hilo ndilo jambo ambalo tunataka. Kwa nominated Councillors.

Interjection. Com. Lethome: Hassan tafadhli maliza sasa.

Hassan Guyo: Nimeondoka, nominated Councillors iko wazee wamesema kwamba hatutaki hiyo pengine kwasababu ya uchungu lakini hii ni nafasi ambaye zimetoka lakini ziangaliwe wale watu dhaifu katika kabila kuna kabila kwasababu inasemekana ni majority ndio wanapata kuna kabila ingine hapana weza kupata majority na hawa wanahitaji watu kama hiyo ndiyo natakiwa kupewa hiyo Town Councillors ama watu kama wanawake ambao ni sex dhaifu ama wale walemavu ndiyo wanataka kupewa hizo ama watu wa dini ambapo hawaingii katika siasa lakini wanaangalia dini yenyewe kwahivyo hawa Councillors lazima wawe na lazima apewe ile watu dhaifu kwa hayo machache asante sana.

Com. Lethome: Na baada ya huyu mzee ningependa kujua do we have anybody people with disability? Watu walemavu can I have the person here please and give me the name

Com: Baada ya huyu mzee ningependa kujua do we have any body, people with disability? Watu walemavu. Can I have the person here and give me the name. Na majina inapotea hapa akina sijui ni kwanini.

Abdullahi Sande: Jina langu ni Abdullahi Sande. Bwana Commissioner niko na memorandum mbili memorandum moja niko

naye ni Wild Wind Gen Constitution ya pili nikonayo ni mambo ya (inaudible) issue ambaye yatakikana on issues of lands. La kwanza ni ya Constitution why do we need to change Constitution?

First we need to change Constitution of Kenya because we have not been involved as Kenyans were not informed about the Constitution. We inherited the Constitution from the colonial government. It does not address the needs and aspirations of Kenyans so we would like to discuss the old Constitution which had been inherited from the colonial government we would like the Constitution which will address the needs and aspirations of all the citizens of this country.

Then secondly, the Constitution we have right now does not support the rights and livelihood of anybody. It does not support the lives of Kenya citizen. We would like the Constitution that supports the lives and livelihood of Kenyans. The Constitution of Kenya today does not recognize the citizenship of any Kenyan. If you to get a passport we are subjected to a lot of scrutiny.

If you are supposed to get IDs, you subjected to a lot of scrutiny. If you look at the Somali Community right now in Kenya, they are given two IDs cards. We would like the Constitution that recognize all of us and we are given equal opportunity terms of ID cards we are given opportunity in term of passport. Those called citizen who are being abused like Somalis they should be regarded like Kenyans and that ID card which is called two ID cards should be thrown away immediately.

The physical Constitution is complex. It is complex in that nobody is understanding. We either Constitution that everybody can understand and understand its implication. We do not know as far hundred of us who are living in this house have been a chance of checking the Constitution. We like the Constitution which is easily available acceptable and can interpret the lives of Kenyan citizen. we would like the Constitution that give us equal distribution of the national cake. I am sure very well Mr. Commissioner with honour of all those people I have talked about we Kenyans we are pastoralists we are not been given equal opportunities to share the national cake. We would like a Constitution, which address the needs of Kenyans and particularly the pastrolal community such away that we have an equal representative in Parliament. Your Honour Commissioner the present Constitution are under bond it has gone several amendments that none of us for most of the Kenyans don't understand even the lawyers like you take along time to understand would like a the Constitution which everybody understand those Constitution which have gone alot of amendments should be thrown away out of this window.

The Constitution we have is forty years old, it is static in nature we would like a Constitution which has a limit if I give an example right now there laws of civil servants who are given 85 cents per kilometer when they go on leave. Can I ask you sir how many people can accept 85 cents per kilometer if they are going on leave. It subject to alot of punishments to workers who work for the government and the government does not care for you. So it supposed to be a dynamic in terms of looking at the people. we would like Constitution, which honours all the religious. If you look at the Muslim community right, we only have one day as a public holiday. We have so many public holidays our religion we have birth of Prophet Mohammed, which called holy, but we have the two Idds which is not honoured we would like the Constitution that honours our religious values and our religious holidays.

The present Constitution, the government controls a lot of media the electronic media is being so much controlled by the government. It does not give us equal opportunity, in terms of religious teachings. We would like the Constitution, which allows everybody to have access to the information. We would like the Constitution, which gives us opportunity to be airing our views. So we would like all the medias, all the political parties not only KANU given a lot of power or the . We would like everybody to be given equal opportunity in terms of electronic media. Commissioner I would to talk the education systems we are having in the country has changed our pastoral lives, It has changed us so much we are taught about issues we don't know we would like the an education system which address or take the pastoral community such away that we do not have a time for collar jobs.

These days we know there are no jobs in the country but if we are taught and relevant applicable region system we can go back and have manual in our lives but at present if you look at our ourselves we are taught something which does not exist so we will make Constitution which pick at our central meeting within our lives I am also pastoral community. The memorandum I have is on issue of land. The ultimate ownership of land will go to the community. I would like the Constitution to throw away the so-called trust land Acts. It will be replaced by the Community Managed Lands system. Second, we have as the previous people have said we have original maps, which is not honoured. We would like to restore our original settlement boundaries. Ethnic grazing: we have our system commissioner we have our dry grade system, we have waste grazing system, and we have drought grade system. That one is not honoured in the present Constitution.

We would like the Constitution that honours the grading system particularly in the pastoral community. Then we have many problems it is because that there is a free land everybody is going everywhere they want. And that one brings a lot of insecurity.

One way of reviving the security in this country is everybody is to be restricted to these particular boundaries. There is a lot of land, which has been taken away in the name of game parks, central parks to those lands, which have been taken away from us to be returned to us. We want to manage. Why I am saying so a lot of resource that have been allocated in form of game parks our national parks does not help this community. There also big chunks of land that have been from that areas are being used for meeting. We would like if it is not returned to us be in the .

The present Constitution should have surveillance the boundaries (inaudible) Constitution. The institution, which is managed by the community. It is institution, which manage by the community. It is institution which is supported and funded by the government but the responsibility of managing the land goes to that institution. All the plots which is being occupied in centres, marters, irrigation schemes should be surveyed and title deed should be given immediately. Government should not have power to acquire the land in the name of government lands. It is the community whose is supposed to locate the government the land they want.

No land should be given from above particularly I will say the same thing Mr. Chairman, that the of Kenya has no power to give

anybody land. It is the people themselves to give land. A lot of lands which has been taken away is in the name of has been allocated from above. And the above is not God who else has given the land. I think that power from above is the. That power should be taken away from him immediately. Sasa inheritance of lands should be made simple and the family must have consent of that transfer and inheritance. Women and men should have equal access to land.

There is list of plantation which does not give value. Women lands and I think that the land should be given equal opportunity for men and women. I would like to say this Mr. Chairman that anybody in this country should only have two plots in one centre. Like now in Merti I am suggesting that if somebody owns in Merti he is supposed to have two plots. If it is even more than two plots it would taken away from him this will address the issue of squatters in this country and these is why we have squatters in this country and the reason why we have squatters because a lot of lands has been taken by one person and that one person make other squatters so the issue of squatters should addressed by the people given land in one centre.

I am saying that any land should not be given to the citizen. The lands which not be given to citizen. The lands which are being taken away from the white settlers in small should be taken away from them. Let me give you some hints those are my memorandum and I would like to give some hint on the issue of elections. People have talking about the speakers throughout by presenting the memorandum I would like to support some of the reasons, which have been presented.

Election: The election should be done in intervals, if the election of councillors is done in June, the MPs should be done in July, and they should be done in September, This avoids people being put together as whole sale. The Constitution, which says nobody, is above the law. It is only God above the law. The of Kenya is above the law. That is how it is stated is above the law. We would like the Constitution which state nobody is above the law. We would like the who answerable, accessible, and available to the community. We do not like the who look like God. The of Kenya should not be MP for any specific area. I concur with words an earlier speaker talk about Baringo has developed more than areas because of Moi. Gatundu developed more than other areas because of Kenyatta. We will also have Uhuru Kenyatta next who will develop Kiambu because he comes from that area. That one is I think is opposition from the high order. We would like just a presenter of parliament. He will be just be elected as an MP so that he becomes universal person. We will like to have our province and what is the name of province. I do not know what is the name or the province.

Livestock Marketing: If the chairman please allows me perhaps to say this. At present, we have foreign dam in Isiolo district, which was imposed in 1968. That (inaudible) is till exist, We would like the Constitution if the we are subjected to Palestine what alternative do we have, we have our livestock, they are still our livestock. That is our livelihood.

On Local government, I would like the chairman and the Mayor to be elected by the people. Anybody who vies for election for nomination should be form four and above. We would like people who are educated who can interpret our lifestyle we do not want people who put us in the wall.

Com Lethome: What about MPs?

Abdullahi Sande: MPS should be graduates. Moreover, the Presiden is a professor. I would like the Constitution to which emphasis the girl child education. Mr. Chairman, you know very that the pastoral community we neglected our ladies so much and I think if we have to fight poverty, we must educate girls. If you have educated a girl you have educated the whole nation, if you you have educated a man you have educated one person. So why don't we educate that nation please? We like the Constitution that educate a nation but not a person.

I would like to say the last one, is poverty issue, we have a lot of povery issues. That poverty issue came as a result of Government subjecting us to concentration camps, like we have been told earlier that we have a lot of properties, that property was taken away from us by force during the shifta war. I would like the Government to compensate and rehabilitate what has been done. One way of compensation is to have free education. I would like as a (inaudible) all the animals to come back but all the resource, which has been taken away from us, should be coming back in form of development.

I would like this Uaso Nyiro, which is our main lifeline, which have not been pumped by the government for the last forty years. I would like a Constitution that can tap all the resources in those communities and more so the rivers. Thank you very much.

Com Lethome: Thank you Abdullahi, thank you very much hand over the memorandum to us now, hiyo ni mali yetu sasa. Asante. Kuna mzee niliambiwa ni a disabled person. Anaitwa nani mzee jina ni nani? Somebody help him to come here please. Na kama kuna mtu mwingine kipofu, kiziwi mtu mwingine a disabled person, aje azungumze hapa, because this are the people who are voiceless in this community in the whole of Kenya I mean. Mpatieni kiti halafu ashikiwe. Jaldesa unaonekana uko na kazi hapo. Mwambie aanze na jina lake.

Sarr Roba: *Ann makkan kiyy Sarr Roba. Shegenne ya Baddane. Ann dhubba asantu sana an dhubba gallat wa sadhii galcha, karra gallat Wakka galcha, kaa issani amma dufftani wann kann nuu garsiftanni galcha, warr kennalle ka naa dhurrat dhubbate gallat galchaff.*

Translator: Anasema anachukua hii fursa kushukuru Mola Mwenyezi Mungu kwa kuweza kutupatia hii nafasi. Anashukuru Commissioner na team yake kwa kuja kuchukuwa au kusikiliza, la tatu anashukuru wale wengine ambao wametoa maoni hapo awali.

Sarr Roba: *Ann dubbaa amm dhubbin ann kabbu, dubbi naffa balla, kaa dhudha, wann ann karr ammo issan gaffadu, hakkin namm chuffa akk takka jirt moo ak akk jirt?*

Translator: Yeye anapenda kuzungumza nafasi hii kuhusu wale ambao wasiojiweza wale wamepungukiwa kwa njia mbali mbali viziwi, wale kipovu, walemavu, lakini anauliza Commissioner. Haki ya chini ya Bendera la Kenya haki kwa wale

wasiojiwezi na wale wengine wanajiwesha ni sawa au ni tofauti?

Com Lethome: Sasa inatakikana iwe sawa, inatakiwa yeye anapendekeza nini na ndiyo sababu nikatafuta nikasema ni nani ambaye hajiwezi, kuonyeza katika sheria mpya wanatakiwa wawe na haki sawa. Sasa atete.

Translator: (inaudible) *Att mann jett yedd*

Sarr Roba: *Ann dhubba wann jeddu nuu, hakki Kenya kessa wann nuu daggen gann duff chuffa, mchango naffa ballat jirr jeddan, school naffat jirr yeddani, sguli dhudhatt jirr yeddani, mucha tokk ka takk laff tenn kessa fuddani, sguli sunn gessan hingare, muchango sunn kaa galgalla dhirram daggen sunn takk hingare, dhubba*

Translator: Yeye anasema hata yeye anamasikio anasikia mara kwa mara kuna mchango juu ya walemvu kuna elimu kwa wale viziwi katika Kenya. Lakini anasema hajawi kuona mtu moja mlemavu kwa ina yeyote kupelekwa katika hiyo shule ambazo zigharimiwa na serikali ama hiyo mchango inasemekana walemavu wana changiwa ama wasionjiweza wanachangiwa haoni mahali imeingia sehemu hii ya hajaona kama imefaidi mtu yeyote. Na kama haki kwa kila mtu ni sawa, yeye angelipenda katika Katiba hii mpya hawa wale wasiojiweza kukiwa kunatokea kitu chochote wapate sawa kama wale ambao wanajiweza,

Sarr Roba: *Ganna muchango mee naffa balla jirtu nuu daggen sunni baka Bassa, bakka Bilikko form naffa ballat duffee, naffa balla naffedan yeddani garri dhibbi hinkabbu millan yaa ka ulle daddabat arka lukae, ka mill kabba jilbi lukkae,(inaudible) dubba yeddani, eggi sunn wan sunn gussan kaa follokke naffan ballan lullukae duff, itt dhebinne hingarru, tannat arka nuu kabb.*

Translator: *Dhubb hoo, yoo tun arka issan kabthi amm akkam,*

Com. Lethome: Mpe microphone,

Sarr Roba: *It nuu dharran fenn*

Translator: Amesema hapo awali wakati mchango nchini imefanyika hata hayo walemavu ama wasiojiweza wa sehemu waliulizwa wanje na wanjaze ratiba ambazo zilikuwa zimetolewa. Anasema kwa vile hawana gari wale wanatembea na fimbo mkono imewatoboka wengine wanatumia mguu yao kama magurundumu wapepata madhala hata ya kujikokota lakini ajabu ni kwamba hakuna kitu kilichotokea. Kwa hivyo kukiwa kuna msada sio wale wanajiweza wanapangia hawa si kundi la wasiojiweza wapatiwe hiyo pesa ndiyo wale wenyewe wanaweza kujipangia na wanapatia wao kwao sio wanapangiwa na wale na wanajiweza na wanakimbia haraka hata wanamaliza kabla hawa kufika.

Sarr Roba: *Dhubba akkana dhubbin tenn haggan, am nuu nulle akk Kenyan fiddamt, akk naffi Kenya fiddam, akk ballan Kenya fidham, kaa dhudhan Kenya fidham warr sunn it nuu dharran, nuu kubb kabbatani, theddis kann lakkisan nuu lallan fenn*

Translator: Anapendekeza ya iwe katika katiba mpya. Hawo wale wasiojiweza kwa nafasi tofauti tofauti waundiwe board yao wawe wanjisimamia kwa kila jambo wahusishwe kabisa. Kwa sababu wameona katika katiba wamehudumiwa na wameachwa kando wawe katiba mpya iwashe au waformiwe board ya kuweza kupangiliwa mambo yote.

Com. Lthome: Haya asante sana mzee. Diba Golicha, ni wewe asante, Boru Godana, yuko, na Hassan Galagalo, haya utamfuata huyo Hassan

Diba Golicha: Mr. Chairman ya kusoma vile nimeandika kuhusu citizenship ningependa kusesitiza jambo fulani ambaye speaker wajataja mbele yangu. Juu ya mishahara ya wambunge. Nimi naona kwa maoni yangu wambunge wakikaa chini wanajipatia mishahara mnono hali walimu na wale wanachunga usalama hawapati ule mishahala hakiwambia wa utiza mishahala ya waalimu, inawasukuwa miaka kumu lakini yao wakipize inachuwa dakika tano. Kwa hivyo mishala wa wabunge kodi iundiwe ya kuwangalia mishahala sio wale wajitengenezea na hali wengine wa selikali wanaumia.

Hayo tu ndiyo nataka kutaja. Constitution Proposals: Each use in citizenship. Does person born of Kenya citizen automatically be a citizen? A foreigner who leaves in Kenya for a period than 10 years not less and during he stay in Kenya to serve the interest of the nation and also serve the respect of the nation and also respect in the cultural practical values in registered at a citizen. If a foreigner married to a Kenyan women or a Kenyan man married to a foreign woman he should be registered as a citizen. Political punishment should be abolished. Indemnity act especially administration emergency act and other laws that legalize political punishment. That all Kenyan should have equal rights; powers should be equally be shared.

Allocation of fund under a new costitution should be equally distributed. That passport issues should be decentralized while birth certificates be provided at hospitals, Health Centres and Dispensaries for we the people of Northern Frontier District have suffered alot under discriminative laws, the new contitution should provide special provision to compensate. Marshall Plan to be put in place.

Free education from nursery to university level. Compensation life and property during the emergency should pose on us by the state. Duplicating laws, health centres etc. so that we can catch up with the rest of Kenyans. In addition, all Kenyans should acquire free passport and birth certificates. The right and obligation of a citizen should not depend on the money in which identity card is acquired. The Kenya citizenship should carry a passport as an evidence document but not ID card. An ID Card should be abolished simply because identity card is simply identity card is a colonial system of restricting free moving. It also a discriminator why should the Somalis have two identity card. That is all.

Com Lethome: Thank you very much. Mr. Ndiba hand over the memorandum.

Boru Godana: Thank you Mr. Commissioner Sir for giving me this time to air my views. Mine are going to be based specially

on education because much has been said before. That these are the areas which I want to be addressed as per my submission. The first as per my submission. The first is about the pastoralists' education and I am saying education for pastoralists must reflect the lives of pastoralists, it must be relevant and it must represent the wishes, values, customs, and livelihood of the pastoralist. In the event that it does not do that then the pastoralist would not have been a success. It is what I call a worthwhile education. This involves the syllabus which should be enacted to favour the pastoral communities e.g. in areas like animal husbandry, animal diseases, pasture and water management, range management, and all other types of staff. If education does not reflect that then for a pastoralist, it is useless.

The content for the education syllabus that we have must be readjusted. I am for the idea that today the 8-4-4- system which was enacted by Moi, and I suggest to be practical does not favour the pastoralists. Examinations that we sit for are agricultural oriented. That should be changed and the education system be substituted with one which is relevant and which favours the pastoralist.

Second is about higher education. The pastoralist honestly is subjected to a situation where they don't compete with the student in agriculture areas at par. Entry points to university education must be reconsidered for pastoral students. And I am suggesting the quota system of education especially in as far as entry to higher education and especially colleges be established. I support what others ahead of me suggested this idea of Majimbo especially in line with education it will take present situation you see all the provinces in this country brought to the Coast go to Eastern Province, the Central Province and even everywhere else you see there are universities I can take example of Egerton where is an exclusive university that takes care of Agricultural Resource for Agriculture Communities.

I am suggesting that the Government establishes pastoral universities in either of this region of ours which will definitely be called and which will have as its content pastoral and water managements which will give relevant knowledge to pastoralists. The other is about structural adjustment programmes this has done so much damage to students in pastoral areas. Some are devastating factors. I want to appeal in the next Constitution especially the rights of pastoralists in as far as higher education loan board is concerned be given priority. Vice-Chancellors and positions of merits in our university in parastatals and all these positions be given on academic merits. These ideas of giving such worthy positions to people who do not deserve because of political interests should be abolished all should be done away with in the new Constitution.

I want to reiterate like my other friends have said the importance of girl child education. I remember somebody mention if you educate a girl you educate a nation. If you educate a boy you educate a person. So please girl child education especially in as far as pastoral communities are concerned should be given extra and extra attention. About religion I am for the idea that religion is supposed to bring people together more than it divides people. In the event when religion or tries to be a poor relationship where people stay together then in the new Constitution some clauses must be made where those who violates other people religion brings all those who intentionally intimidate others in their own religion instead of co-existing together nicely

the law must be very clear on what type of punishment on what it should be with them to avert this type of tension we have been having in the past. Thank you very much.

ComLethome: Thank you very much Boru. Tumpate sasa Mzee Jatani Duba. Jaldessa una kazi nyingi leo, inaonekana utaajiriwa na Commission leo.

Jatani Duba: *Bassi ann wann karr an ansunn wann maisha namma irra dhubbada, maisha lubbu namma. Annini Jatani Duba. Dubba an karra wan masaha lubbu namma irra dhubbad, wan masha.*

Translator: Jina amesema ni Jatani Duba

Jatani Duba: *Garte masha namma binna, addha kessati binnesillen tikk kabb, lubbu irra, kaa lubu issa tissan, am mashan nama amma tikk hinkabthu, mashan binadamu tikk hinkabthu, nami akk (inaudible) ibbidhat jiddhu guyaa chuff dhua, nami raata, msaha nama sunni kaa tissani ak adha, man Katiba jijiram kessa masha nama ka tissani ka adha ke kahhan.*

Translator: Mzee Jatani anapendekeza ya kwamba katika katiba ya sasa anona kama maisha ya watu haijaangaliwa kikamilifu. Anaona watu wakufa ovyo vyo na haoni hatua inayofuata. Anapendekeza katika katiba mpya maisha ya watu katiba iweke maisha maanani. Na panapotokea maisha ya mtu inhatarishwa hatua lazmi ichukuliwe ili watu wa Kenya wasikuve ovyo ovyo,

Jatani Duba: *Dibbi masha namma sunni ballest jirru, lubbu nama gurgurattani, lubbu nama ka hingurgurratinne masha ak adha tissu, million fuddattani nami lubbu namma nam ijjes yedde, ijessa sun dhuba nami namum ijese nami gurgurata. Ka hingurgurratin masha namaa kaa tissan, Katiba sunni ka akkasa tissitu, gurgur sunn kaa arti futte ballestitu.*

Translator: Mzee Jatani anapendekeza anaona ya kama katiba ya sasa kuna wale wanahusika pengine katika kifo ya mtu. Kifo ya mtu fulani, vifo vya watu inafaindi kikundi ya watu ama mtu. Inaonekana kama wana kufa kwa interest ya mtu fulani ana gain. Kwa hivyo napendekeza katiba mpya iseme kikamilifu ya kwamba hakuna mtu yeyote anaweza kuhatiza maisha ya mtu kwa kuweza kujifaidi kwa namna yoyote. Kwa hivyo anarudia anasema katiba mpya iweke maanani kabisa maisha ya mtu.

Jatani Duba: *Sadhesso, mashaa nam ammatan Kenya yoo dugga dhubattan hindhuan jeddani, lafti nammi dugga hinthuban mashan nama irrat hinfidhamti. Kaa nami dugga dhubbat hinthuini ka masha issale inni duggan sunn irrat dhuiss argatu.*

Translator: Yeye anasema katika katiba ya sasa watu hawasemi ukweli, ukisimama useme ukweli unafuatwa kwa hivyo watu wanaogopa kusema hata ukweli. Kwa hivyo ukweli hauko katika katiba ya sasa. Katika katiba mpya anapendekeza mtu aseme ukweli kikamilifu na ukweli utawale. Watu wasiwe wanafanya propaganda ya kuweza kuendelea. Ukweli ihimizwe,

ukweli utawale.

Jatani Duba: *Kenya nami bessen Sirkalla hinjirtu nami hujille hinagartu jedddani, hujji sunn kaa inargan bessen Sirkala hinjirti am yoo nami sadhii faan gan, garte gqann shann faa kessat namu garri sadhi sadhi baffate, million, garri sagal baffatu. Kaa bessen sunn besse loon aba uffi hintain, kaa besse silla community Kenya. Jirru faa jirresite kollum kessa baftu ka sullen maan, masha namaa. Matunda Kenya nammi chuff kaa hagg taka argatu, kaa nami koffa garri, sadhi himbafatini nammi offis kess tau*

Translator: Mzee Jatani anasema lugha inaendelea wakati huu sasa kuna ufukara inaendelea. Serikali haina pesa, pesa haipo ama haipatikani. Anashangaa ya kwamba stake holders wengine, mtu ambaye hatoi kwa boma yake mfugo ya kuuza havuni kwa shamba kitu fulani unaona mtu anabadilisha gari kama nguo anarudia rudia na hawa ni public trustees wale wanasimamia ofisi ya serikali kwa niaba ya raia ama anachukua nafasi fulani anaendeza kwa niamba ya raia ya Kenya. Kwa hivyo anapendekeza katiba hii mpya isimamie ya kwamba mtu atolewe welfare yake. Panapotokea kwamba amechukuwa public funds sheria ifanye kazi juu yake.

Jatani Duba: *Nammi chuff matunda Kenya kaa hagg takka nyatu, Kenyan hagg issin uhuru argate nuss namat matunda Kenya nyatta. Nami chuffti balla naffillen, wanni lubbu kabban chuff kaa nama binadaamun kaa matunda Kenya hagg taka argate nyattu. Koddh issi ka argattu.*

Translator: Pia anapendekeza katiba hii mpya that the national cake should not be centralized should be decentralized. Wanaojiweza na wasiojiweza yote katika Kenya wapate haki sawa kuhudhuriwa na kupata mali ya Kenya sawa. Ikiwa ni kuwajiriwa, ikiwa ni project fulani, izambazwe kokote. Sio iyende kwa mfuko ya mtu ama sehemu fulani.

Jatani Duba: *Wakati Kenyan uhuru argate 1963 issin kessat argate, laff Kenya tann kessat biyy gummi dabbani, dabban sunnin horri irra hobafte nam irra hobbaft. Kaa hoja ammo Kenyan Kenyuma, sehemu garri kessat middami sunn hinjirre, kaa middami sehemu Isiolo kessat horri hobasse, namm hobasse jedde. Ka Sirkali irra mulipo sunn argattu, wan dummat sunn ka hobbae. Dhegum sunn Sirkali kaa irra bassu warr sunn.*

Translator: Anasema katika harakati yakutafuta uhuru sehemu nyingine kama hii sehemu ya Isiolo iliangukia. Ikapoteza watu, ikapoteza mali yao, na umashikini kubwa imeingia kwa hivyo anapendekeza katiba hii mpya iweze kugharimia yale maafa imefanyia watu ya sehemu hii kulipa fidhia kwa wale ambao wameuwawa na mali ya watu pia imechukuliwa na umasikini kubwa imeingia sehemu hii kutoka na hayo.

Jatani Duba: *Kenyaa, wanni guyya kanna laff Kenya tann, Kenyan Kenyuma, hoja nami border uff irr taele, nammi sunn namum Kenyatt, nammi Kenya district jaa torba yoo inni district tokkot walt duff, sunn nammi hobbafti, horri hobbafti, olaa irra hinhaffu, warrana, warrini district jaa torba yoo inni district tokkot gath duffe. Kaa Garissa duff, kaa Wajir Duff, kaa Madera duff, kaa Bunna duff, Moyale duff, garte inni fulla tan chuffa garth duff, warrani sunnin,*

dibbi laff tan balle sut jirrani, Kenya tann am nami himbane nami karr dabe nami it raatuff akkas nami chuff border uffi ir tau. Wakati colony nammi border sunn irrat nami naggaa argate naggan tae. Fan namma nami nam ijess gar inni duffuf barratan, garr inni gall barratani jeddani. Nam mullango ammo, kaa tok tanna, ka tokk tana, ukuta akkana jidhu jirt nami mulango tan kessa kann kessa bae. Sunn irr gabae, sunni artit nami ijesse ka mirga, kaa fanti abba hinkabn, kaa Wajirrat hingalle, kaa Garissat hingalle, kaa sunni mann nami border uffi irtau

Translator: Anasema hali ya msuka msuko ya kukosa usalama imetokana na watu fulani wa sehemu fulani wakaingia katika district ingine bila idhini yoyote. Anavyosema anakumbuka wakati fulani hapo awali district yote iko na boundary yake na wakati watu walikaa katika hiyo district usalama ilikuwako na watu wanakaa kwa amani kabisa. Sasa katika katiba ya sasa imesemekana Kenya uhuru mtu anaweza kaa mahali popote kwa hivyo kwenda popote wameenda na kila kitu baya na mzuri yote.

Watu wanaingia pengine sehemu fulani ni kitu ambacho haimhuswi unaona mtu ameuwawa antafutwa hakuna nyayo mahali imenda. Kwa hivyo ni mtu anawau anazunguka hapa nauwa mtu ya pili, mtu ya tatu, hali kadhalika kadhalika.

Kwa hivyo anaimiza katika katiba hii mpya boundary ya district iwe injulikana wakaaji wasehemu fulani wajulikane wanakaa hapo shida zikitokea iwe kuna suluhisho katika hiyo sehemu. Ikijulikana ni mwenyewe ni nani, nani mwahalifu kutokana na hiyo ukaaji.

Jatani Duba: *Akkasiffu, guyya nami district dibbiy sunn gaff dhurrille wakati Engeressale, yoo nami Wajira bau, yoo kan warr Chief laffa robot argate, usalama namm sunni tisse, ka warr wananchi laffale tisse, fulla inni it dhemulle usalama issa tisse, guya inni dhemelle salama issa baratt ka akkas man, tikki Sirkalla ka akas nam tissan man laffa, akkasan Sirkali tisse ka chungu Katiba kann kess kaani masha namma akkasin kaa fidhamu.*

Translator: Anakumbuka hapo awali katika utawala watu wanachungwa kutokana na sehemu uakaaji. Mtu akitokea district ingine akienda district ingine anajulikana. Hata hivyo anapendekeza kwa minajiri ya usalama watu wawe wanakaa sehemu yao wakiwa watatoka injulikane kwa administration, hata wale ambao wanaenda mtu fulani ako sehemu fulani kwa utawala ama kwa wazee. Local Chief ajuwe ya kwamba mahali mtu ako. Kwa hivyo hii kuingia ingiana namna hii watu wambaya na wazuri yote yameharibu usalama. Kwa hivyo anapendekeza katiba hii mpya ingaliwe kama ilivyokuwa wakati ya wali ya kwamba watu hawaendi ovyo ovyo hata wakiwa wanaenda wajulikane wanafanya nini.

Jatani Duba: *Nammi somm murtti kabb. Kaa nami somm hujji hinargan, kaa wanni hujjin silla korran jirtu ka akkassi ka nami huji argate. Man lengo kusoma irrat ka sommellen hujji uff kaa argatu. Maana akkasifu akkasit finn laffa dhurrat dhemsisan akkas Katiba sun kaa kess kahhan.*

Translator: Anasema katiba hii mpya ifanye usawa ya kuanjiriwa kwa kila mwana Kenya. Anasema wakati huu inasemekana hakuna kazi, hakuna kazi, watu hawaajiriwi lakini sehemu fulani sio watu hawaajiriwi Kenya watu wajiriwa, watu hupata kazi,

kama haapati kazi hata elimu kwa wale ambayo wanasoma inakosa maana. Kwa hivyo elimu sehemu hii ipate maana kwa kuweza vijana wanaosoma wajiriwe. Anaona ni kama hujuma wakati huu vijana hawaajiriwi. Kuwaajiriwa inaenda kwa (inaudible) mtu anaajiri mtu yake. Na wengine wanachwa kando.

Jatani Duba: Miisho tannan kessa baa warri, Kenyaa kaa nami man fulla chuffat ak nam uhuru kabbu, fulla uffi chuffat, fulla chuffa salama laffa, jarsi laffa tisse, man fulla chuffat, security jars laffa, tikk laffa ire it kennani ak inni laff tiss, fulla chuffat ire kennanifi nami man akk uhuru kabbun laff tiss. Kaa akkasi manikann ka akksa dhabarsan, ak nami jarsi security laff uff ammani laff uffi inni jabesse, laff uffi ini fidhe. Finn laffi uff ark security jirtu, kaa finni laffa hark abotti laffa jirru, kaa akkas kariba sunn kess kahani.

Translator: Anapendekeza katika Katiba mpya usalama na uhifadhi ya ardhi, maendeleo iwe katika mkono wa council of elders sio kwa mgeni ama kwa mtu anajiriwa ambaye hajui sehemu hiyo inakaa namna gani ina sida gani. Anapendekeza the land, the security, iwe kwa council of elders. Asante sana Mzee Jatani.

Com Lethome: Asante sana mzee Jatani. Binaiza Baraka, nafikiri ni Catholic Justice Peace something, yuko Binaiza, hayuko. Tunaendelea. Kina mama naona list imepotea kabisa, majina imepotea kabisa, kwa hivyo msinilaumu nikikataa kuwaita. Adan Boru yuko, karibu afuatwe na Duba Molu, haya mfuate na Hussein akae karibu.

Adan Boru: I am Adan Boru, infact I have got some few things to present. One concerns Civil servants. Actually, the members of parliament decide on how they earn their salaries. They start giving themselves a fat salary yet a civil servant who works 24 hrs like a bee is given a small amount of money. A body should be put to investigate MPs salary. Civil servants are supposed to be moved from one job group to another and yet these days are not applicable. The civil servants are corrupt. Infact Civil servants are not corrupt they are hungry, they are hungry as vultures. They are paid 5,000/= Civil servant are angry there are no promotions.

They have been into one job group for decade and yet they are supposed to move from one job group to another after 3 years. These things are not applicable.

A new Constitution should be put to make this thing safety or their salary should be reviewed as soon as possible frequently so that they are moved from one job to another. There are given 30% as per house allowances. 30% continous. They are given 30% one the first 4,000/=. May be you are earning 8,000/= you are supposed to be entitled to the 400/= and yet you are only given 1200/= for a married couple and yet it not enough for a single person. Imagine civil servant and an MP who earn more than half a million per month. And yet he has a limousine cars.

Retrenchment: Those people who have been retrenched, I wish you know, they are retrenching very junior people who earn less than 4,000/=. They are either from Job Group A to E or may be F. Even if there are not there these guys are paid

40,000/= for the pay and yet they are not pensionable. They are just paid only that one and then they are told to go. How do they survive in life? How do you expect them to live. Is not pensionable, they are paid nothing they just told to go with only 40,000/=. The senior staff who are supposed to be retrenched are there because they have bought 'Chai' for those senior people. Infact the new Constitution should be put to decide the payment policy which they not the previous one.

Com Lethome: Why don't you recommend what you would like to see in the new Constitution? If a person is killed may be by an animal?

Adan Boru: The new Constitution, if a person is killed by an animal should be given a million shillings or more so that he will be better, his family will be better may be he is the son, earner in the family. He should be given a better lump of money. The family that remains will be taken care by that money.

Com Lethome: When an animal is killed?

Adan Boru: If an animal is killed there are two: the killing is the killing part. It does not matter. May be if you have killed an animal, which has killed your animal which was your economic backbone, which is your economy in fact I think you have a right to kill it.

Com Lethome: A lion kills your cow?

Adan Boru: A cow is compensated.

Com Lethome: How much for a cow?

Adan Boru: Depending on the value of the cow.

Com Lethome: Okay Thank you very much kwa hayo maoni. Kuna kijana hapa alikuwa ameongea laikini naambiwa anataka kupresent memorandum kwa niaba ya police. Galgalo S, Matoye. Ama ametoka. Akikuja aambiwe kuna memorandum anataka kutoa.

Com Lethome: Duba Molu , utazungumza Kiswahili mzee?

Duba Molu : Hapana

Com. Lethome: Haya Jaldessa kazi inaendelea

Duba Molu: *Salaam Aleykum, Warrahmatullahi, Wabarrakatu. Ann dhubbin tiyy wanchachae wamm dikko dubadda , kwanza warra Katiba beddel duff*

Com. Lethome: Jina? Jine mzee?

Duba Molu: *Duba Molu. Dubb warr Katiba chuff asantu sana gallat issani galchinne. Katiba beddellan jeddani, Katiba sunni*

Com. Lethome: Msikilizeni mzee tafadhalini

Duba Molu: *Katiba beddellan jeddani ammo, nami Katiba sunn kaa arka kabb kaa eneliwe jirru, tokk ammo nam guya kann wan Katiba sunn himanifi wan himbeen barachut jirr.*

Translator: Nafasi ya kwanza nashukuru Commissioner na team yako. Yeye anasema tunazungumza juu ya kubandiliza katiba. Kudandiliza wale wengine wale wajuwa wamabadiliza, au wale wamehusika. Kwake yeye anaona kama ata hukuhusishwa na katiba iliokuwako. Kwa hivyo kwake anajaribu kuanza kuunda katiba sio kubandiliza hakukuwa na habari.

Duba Molu: *Katiba wann garr Sirkala, kaa wann tokk ka jirran. Katiba wan Sirkali dirram kann Katiba beddelaf, wan Sirkali karr Katiba kabb tokkole hinkabnu. Karra hinkabnu, soko hinkabnu, wan nammi kabb tokole hinkabnu*

Translator: Anasema kaama wakaanji wa wa sehemu hii chochote kilikuwa kimesemekana katika katiba hii mpya kwa manufaa ya watu hakuna kitu chochote watu wa sehemu hii anawaona wanacho kile imesekana katiba inachunga. Kwa mfano anasema kama barabara ni kama infrastructure hakuna sehemu hii. Yeye anaona kama hangaliwii na hiyo facility.

Duba Molu: *Laff Katiba kabdhu, yoyyu wannu tokk tush yet, kaa gam Borranatin waa gath bahhan, Sirkali fan daee fate fate wann sunn barbadda. Nu amm adho ass nami follokele Sirkali fann tenn bae issi Boran wanti issa kan ka fuddan mett?(inaudible) boss tokkole hinkabnu Sirkal irra*

Translator: Anaseme popote nchini kama kunatokea msuko suko fulani mkono wa serikali inafuata wakati huwo. Ama kama maisha ya watu imehatarishwa inafuatwa wakati huwo. Anaona sehemu hii hata kikitokea shida kubwa, maafa ikitokea anaona kama hawashughulikiwi.

Duba Molu: *Dhubb ammo nuu laff biyya tokkole hindhanu, laffti tenn ammo abba hinkabthu, tamparare nammi chuff nutt garth dhudhe*

Translator: Anasema kama mwana Kenya yeye haendi sehemu yoyote na mifugo yake, yeye haendi Rift Valley wala Coast yeye anakaa hapa tu. Akiwa anapata shida anapata kwake. Akiwa anapata manufaa, anapata hapo kwake. Lakini katika

katiba ya sasa kuna hujuma anafamiwa na kutoka North Eastern, anavamiwa sehemu ingine inachukuwa ardhi yake kwa hivyo naona kama hujuma kubwa inaendelea kwa sehemu anayokaa.

Duba Molu: *Nullen amma tann dhubb akk hakki Sirkali irra nammi kabb, akk sunni hakki argane akk biyya jirram fenna, wanni ammo onnen tenn Kabthi haggum kan jedd*

Translator: Anasema anapendekeza katika katiba hii mpya usawa iwe inagawanywa mahali pote. Kama wengine sehemu yao wanakaa wanapata usalama angepata usalama kama wanakenya wengine. Kama wengine wana ardhi, inaangalia maslahi yao wanafanyia kazi anataka vile vile ile yeye mahali anakaa ndiyo afanye kila aina ya kazi ambao inayofaa. Asiwe ananyakuliwa ardhi, ama watu waharibu usalama wake kwa hivyo anataka kukaa na usalama na aweze kupata faida vile Wanakenya wengine wanapata mahali wanapokaa.

Duba Molu: *Raiyya hojja issin ire hinkabne raia Sirkallat ire tahhafi, irre Sirkala, sgull kabna, isgull sunille msaada wan tokk kaa Sirkall ira kabn hinkabu. Ijolle amma nami tokk kaa wakkabu, tokk namm wakkabne ka wa somsfachu hindhaden. Sirkal jall hinjuirtu, sulle Sirkal nuu gargar amm Katiba sunt nuu karkarran feen.*

Translator: Nasema katika katiba hii mpya napendekeza sehemu hii kama sehemu ya ukame uwezo ya watu ni haba, rasmali ya watu ni kidogo, anahimiza katiba iwe inasimamia wale ambao wamelemewa kwa njia fulani. Waweze kupata manufaa ya shule manufaa ya service ingine. Anamaanisha free education na any other affirmative action.

Com Lethome: Asante sana Mzee Duba Molu: Tuendeleo, Hussein, Matoye amekuja? Haya

Galgalo S. Matoye: Salaamu Aleikum. Kwa hivyo maoni kutoka kwa upande wa Merti Police, station. Nitawaeleza tu kwa ufupi. Jambo la kwanza ambalo angependa ni about housing. This perennial problem that has simply dehumanised not only us but extension our immediate family. They are not only small in size but of poor quality. Worse than that more than one officer have to occupy the same house with no regard whether some are married, are may be their family lifestyle don't rhyme. A solution to this is to be awarded enough house allowances to enable us to rent houses in police neighbourhood. Poor pay that means poor remuneration. If corruption has to be eliminated in the police force, the salary and allowances should be raised enough to make the officer be able to acquire basic necessitates. What we normally earn is just peanuts, which cannot make our ends, meet or educate our children.

Poor working conditions. Today nothing seems to be enough in the whole police fraternity, ranging from uniform, transport, stationary, accommodation allowances, and the like. Also every officer is in danger of either being killed or being incapacitated in the line of duty and if it happens to you, nobody will come to your aid and immediate family will be left to cater for all your needs. Therefore, we advocate for enough medical allowance, risk allowance, insurance cover, and benefit in case of injuries.

Representation: Since we are not entitled to be members of any trade union a commission should therefore be set including

members of the public and police officers who will be collecting views from the officers and passing appropriately as at the moment our plight seems to be overshadowed since we can't come out in the open and talk without being branded as misfits in the force.

Transfers: Some officers usually stay so many years in gazetted operation areas and therefore their moral is drastically reduced due to prolonged hardships and stress. Therefore a law should be enacted to make sure that every officer serves a mandatory one and half years and then transferred to other areas to where it's best for him..

College: Now that AIDS epidemic in Kenya is a national disaster, we have to find ways of minimizing its spread. Owing to the nature of police work we know it's quite hard to live with our spouses in our place of work. Therefore, extra marital temptations do occur for we have to spend a year in order to meet our spouses. Therefore, we would like to be deployed within one's home area to make it possible to have access to one's home and therefore avoid extra marital affairs.

Promotion: It is a pity that some officers go to retire in the same grade they were enlisted despite the fact they have passed all the police law exams and have not committed disciplinary offences. It is difficult to promote all the officers in the next rank then there should be a way of adjusting the salaries according to grades in due respect to their performance.

Other studies: As they say knowledge is power and as such station at this age of communication super highway every officer wishing to pursue any academic discipline which is relevant in police work should be encouraged even if it incurs the officer to go on a paid leave. This will not only produce an enlightened officer but will also increase perception and efficiency and overload productivity of the officers.

Community Policy: Community policing cannot exist in an environment whereby suspicion and hatred still exist between the officers and the members of the public. To improve on this police officers should come out of their camps and intermingle with the civilian and this will increase their mutual understanding. This can be achieved by letting the officers to rent houses outside the police lines and to the neighbouring estates.

Discipline: Discipline is one of the vital components in any force. Each has to be discharged discretely. Therefore, its importance should not be underestimated but some areas actually make the good intentions to be counter productive. Senior officers actually mistreat junior officers for no apparent reasons. They are barred from going to a senior officer's office without being escorted. Surely, one feels like a criminal despite the fact that we may be having a nagging problem. Thus, we should be allowed to have access to the officers without hindrances. Thank you.

Com Lethome: Kuna maswali kadhaa tafadhali ndugu utaniwia radhi. Kwanza ningependa iende on record this is the first time mara ya kwanza tangu tulopoanza kazi zetu tumepata memorandum kama hiyo kutoka kwa any disciplined forces in

Kenya. Kwa hivyo tunawashukuru ndugu zetu wa police force hapa Imenti kwakujitokeza hivyo. That is exactly what was expected tulipoanza kazi zetu. Kwa hivyo keep up that spirit. Kuna watu wengi huwawanaona tunapozungumza kuhusu wananchi wa Kenya wanangalia discipline forces kama polisi kama sio wananchi wa Kenya. Na unasahau this are our brothers, they are our sisters, our fathers, our uncles, and they are living with us so that is very good and I will encourage more to do that. Asante sana Matoye. Kuhusu relationship na wananchi kusema kweli sehemu zingine mtu akisikia police amekufa wananchi wanafurahi baadala ya kuhuzunika, kuonyesha ile relationship mbaya baina ya polisi na wananchi. Sijui unge recommend kitu gani ili kuwe na improvement zaidi kusema intermingle na wananchi. In Nairobi watu wanakuambia ni afadhali nikutane na mwizi kuliko kukutana na polisi. Sijui ungesema kusema nini.

Galgalo S. Matoye: Kwa kweli maoni yangu hapa ningependekeza hata wasizukuliwe hata ngao ya wako ni uniform wasichukuliwe kama hao ni andui. Unajua kuna wale pia mawadui kama majambazi wamefalia uniform lakini bado wale wananchi wanafikiri hawa wamefanya hayo ndiyo wamefanya ya matendo. Tusiwaone kama wale ambao wanaangalia sheria. Kwa hivyo kwa kuishi na watu, wapewe ruhusa pia watembelee watu wasio restricted to that compound yake. Hata kikazi wawe wakishikiriana the communities, kama elders, on security matters. Hata kama ni kwenda kutafuta kile ambacho kimeibiwa wawe pamoja na raia.

Com Lethome: Kuhusu training ya polisi do you think the kind of training ambao polisi wanapata sasa inatosha au haitoshi?

Galgalo S. Matoye: Haitoshi kwa vile ndunia siku hizi imeendelea. Kuna equipment ambazo siku hizi ni zakisasa na wao hawana hiyo. Kwa hivyo pia ituandike katiba ambayo inahusisha mambo ya kisasa sio ile ya kizamani. Mambo ile ya 303, amanini. Kama bunduki wapewe ile ya kisiasa. Training pia wapewe ile equipment zinalingana na mambo ya kisasa. Unajuwa wengine hata sasa kama anjali inatokea wanaweza kuumia na wanaweza kuwa na wana laki zile equipment za kusadia watu. Kwa hivyo hizi vitu zote wapewe.

Com Lethome: Kuna sehemu watu wanapendekeza kuwa akikosewa na police officer mwananchi awe na nafasi na kwenda kucomplain to an independent body. Kwa kizungu anaita "Office of the Ombudsman. Kuna kuwa na special body. Anaenda complain huko kwa sababu anasema kama ikiwa wewe ni polisi ukinidhuru nikienda kwa mkubwa wako nyinyi wote wawili ni polisi. Sijui ungependelea kitu gani. Unaona je we as a police officer?

Galgalo S. Matoye: Vile hata wao wenyewe wamependekeza na jua kuna that mistreatment between senior officers and junior officer, kwa hivyo kukiwa na ofisi kama hiyo ya kungalia maslahi ya kila moja irrespective of his cheo ingekuwa ni vizuri. Kwa hivyo ya Ombudsman pia itengenezwe.

Com Lethome: Watu wamelalamika sana kuhusu corruption na polisi. Nairobi ukiona tu polisi na kofia nyeupe wanajuwa ni kitu kidogo. What do you say about that?

Galgalo S. Matoye: Corruption ni msahara hata vile wao wamesema, mishara ni duni, kidogo sana, haitosi familia, haitoshi kuelimisha kwa hiyo mishahara pia kuwe na body ambayo inagalia vile wamesema commission. Kuwe na Police inaangalia mambo ya commission force.

Com Lethome. Okay. Kwa hivyo msahara ikiwa mzuri, kitu kidogo kitaisha?

Galgalo S. Matoye: Wamekubali ya kwamba wizi itakwisha. Na mambo ya ufisadi pia itakwisha.

Com Lethome: Asante sana tunashukuru sana ndugu yetu. We would like more police officers to come up like this gentleman. Thank you very much. Hussein A. Dokke, yuko Hussein, Mwalimu yuko, tutakupata baadaye, hakuna shida, M. K. Bilalo

Mohammed K. Bilalo: Jina ni Mohamed Kampicha Bilalo Kwanza ninashukuru Mwenyezi Mungu ambapo ametuwezeza kuwa pamoja kutufanya sisi kuchaangia maoni yangu. Na tena nawashukuru commissioner kunipa fursa hii kutoa maoni yangu Kenya.

Kwanza nitaongea kuhusu uchaguzi ya nchi yetu ya Kenya. Watu wengi wameongea kuhusu security ndio usalama. Usalama sisi hasa watu wa Isiolo District tumeaza kukosa na usalama kutoka 1960. Hiyo usalama imekosekana kwa sababu tumeungana na wanjamaa wa Somali ambapo ni Wasomalia wa Eastern Province. Na tukasema sisi hatutaki uhuru wa Kenya. Ndivyo tanananyaswa na serikali wakati sisi tulikataa serikali. Na inapengendekeza hii kwanza kama maoni yangu binafsi. Sisi wakati hiyo tumekataa serikali jamii ya Borana wengi wamemalizwa. Mali zetu nyingi zimemalizika. Watoto wengi wamembaki yatima. Baba zetu wamekufa. Nahayo watu wamemalizwa na selikali kwa sababu amri ya selikali wakati Kenya walipata uhuru.

Sasa tumefika, tumeaza kumea kidogo kidogo baada ya kukubali serikali ya Kenya. Sasa tunataka compensation. Tulipwe ridhaa ambapo watu wamemalizika. Kifipi sio kila mtu alipwe. Kama baba yangu amekufa na kwa mkono ya serikali kama mali zetu zote zimeenda kwa mikono ya selikali ilipwe sio mimi binafsi nilipwe, lakini community hiyo tulipwe na serikali. Kama barabara, kama elimu, ndiyo wapate manufaa wale wamebaki wapate ile manufaa. Sisi hapa tumembaki nyuma hasa kimasomo. Sisi niwafungaji wa ngombe, hatuna income yeyote ambapo tunaweza kujifunza nazo. Ningependekeza kwa sheria ambapo inatungwa sasa ama maoni inayochukuliwa sasa tuwe na soko kamili ya wanyama ili tupate masomo sawa na watu wengine. Kwa mfano wa Nyeri wanauza kahawa ili wapate masomo. Sisi mali yetu ya kipekee ambapo ni mbuzi na ng'ombe hatuna soko nazo.

Tunataka soko ipatikane ya mali kutoka divisional level hadi district level ili watoto wetu wasome naye. Saa hii hatuna kanuni

ya bei ya ng'ombe yetu. Kila mtu ananunua ng'ombe vile anataka. Na wewe umechunga hii ng'ombe umeumia nazo na unaona mtu anakwambia ngombe ambapo ungeuza elfu thelathini ana kwambia hii ngombe ni 5,000/= ambapo kijana anasoma shule anataka 30,000/= kwa school fees. Inakubidi uuze ng'ombe kumi pengine we uko na hiyo kumi(inaudible) na hiyo ngombe, unaenda kwa NGO kuomba hizo zingine. Kwa hiyo tuwe na machanjio ya ngombe ambapo sisi wenyewe tuajiuzia na ng'ombe iwe na strict price ambapo sisi wenyewe tunaka. Tunapeleka hata Saudi Arabia kuuza ngombe yetu kwa nchi ambapo wako na mali kama hakuna watenja wananunua ngombe kwetu kama Cofee Board of Kenya. tuwe na board yetu ya kuuzia mifugo iwe bodi ya msheto.

Upande wa security nikirudia tumelemewa na security ya wezetu ambapo tunapakana majirani. Iitubidi sisi tununuwe buduki wakati ambapo tunakosa serikali hawachungi sisi vizuri. Tena tunataka hiyo bunduki tulalize kama Wasomali wako hapa sisi hatuwezi kupata usalama. Hayo ni maoni yangu. Tumejidefend wakati huu tumepata bunduki. Kama hakuna serikali ya kuchunga sisi tunataka katiba ituruhuzu tuwe bunduki halali ili sisi tijifiche nayo tujichunge naye.

Nikukupatia Bwana Comissioner mfano wakati sisi wa Borana tungechukuwa bunduki watu wengi wanakufa maofficer wa selikali wamekufa kwa hii barabara. Saa hii ukiona hiyo maneno yameisha. Wasomali walikuwa wamemaliza wafanyi kazi wengi, maofficer wa selikali. Bunduki si ya kupiga watu lakini yakuchunga maficho yetu, yakuchunga border yetu, kwa hivyo sisi tumesema tuhalalishiwe bunduki kama hakuna selikali ya kuwangualia sisi vizuri.

Com Lethome: Na kama serikali iko?

Mohammed K. Bilalo: Kama katiba ibandilishwe mambo yote yaangaliwe, sawa bunduki kwa ikosekane sawa. Tatarundisha, tumekubali. Basi hiyo ni maoni yangu usichukuwe ni mbaya. Let me finish my views and go.

Upande ya Councillors: Councillors kama anachaguliwa awe mara mbili miaka tano na miaka tano ingine, ikwishe. Na bunge ni vile vile.

Education: Kama ni bunge awe ni mtu wa university level. Kama kuchaguliwa kwa mbunge. Na kama ni councillor awe mtu wa standard seven and form four. Kwa sababu ma councillor yetu saa hii wale wanaangalia county council hawana masomo yeyote. Clerk anawasomea hawa memorandum hawafamu hiyo memorandum na wanakubali vile clerk anasema. Clerk akisema inunuliwe discovery ya local government hawa wanasema ndiyo. Hawasemi haina faida kwetu. Na hawangalii kama hii ngari iko manufaa kwa wananchi.

Barabara yetu ukiangalia saa hii hapa ukipitia Bwana Commissioner in rough road Vita vingine hatuwezi kulaumu serikali, zingine county council ndiyo wangetuwekea. Kwa sababu ni tanjiri. Kwa sababu ya kumaliza hio uchumi wetu, kwa sababu hayo ma councillor wetu haifai sisi tunachagua councillors ambapo hawafai kwa sababu yeye ametoka kwa kabila kubwa

amechaguliwa kama councillors sisi tunapotoze. Na funds ya wananchi clerk anaenda naye, treasurer anaenda naye, wananchi wanabaki wakilia. Miaka inarudi inaenda inarudi hivyo. Kwa hivyo hata yeye kama hana masomo hana maana kuwa councilor.

Mjumbe: mjumbe naye akae miaka miwili. That is: 5 years, halafu aende. Kwa sababu hata ukiwa dume namna gani.....

Bilalo Mohammed: Kwa hivyo kama hana masomo, hana maana kuwa Councillor. Mjumbe naye akae miaka mbili that is 5 years halafu aende kwa sababu hata kama yeye ni dume nanna gani kwa Borana tuna msemo ingine inasema “ukiona zaidi na macho, ile macho kama wewe una sura nzuri, hiyo sura nzuri itapotea ukiona zaidi hiyo mtu pale”. Kwa hivyo hata kwa vile huyu anapotea itapotea obviously kwa hivyo iwe

Upande wa traditional laws, sheria ya wazee wetu.

Com. Lethome: Ya kimila.

Bilalo Mohammed: Sisi WaBorana tulikuwa na sheria ya kimila, hiyo sheria ya kimila siku hizi kwa sababu serikali haishuguliki nayo, haiko kwa Katiba, zamani tulikuwa na kikao chetu ambapo wazee wanalikuwa wanaamuru na hiyo inakuwa namna hiyo. Tunhataka Katiba iandike wazee wawe na laws yao ya kungalia areas yao zote, wawe na amri kama ile tunaita “Njuricheke” wawe nayo kama amri hiyo, wawe waki-decide areas zao.

Upande wa kidini nikiguzia, dini tuwe na uhuru wa kuabudu, current law inasema, tuko na uhuru wa kuabudu, hatuna uhuru wa kuabudu kwa sababu saa hii wewe, ukienda Nairobi kuna watu wengine wanaitwa Jeshi la Wokovu wanaimba kwa street wanakuja, hakuna mtu anawaguzia lakini kama yeye ni Muislamu utembe hapo kwa street unakuta saa hizo unashikwa kwa sababu has complained about you. Sisi hatuna uhuru wa kuabudu, tumekhatazwe uhuru wa kuabudu na hatutembe kutangaza dini yetu vile inhatakikana. Tunhataka sisi naye tupewe vile madini mengine wamepewa sheria, pia tukitangaza dini yetu on the streets vile tunhataka.

Mwisho ni marriage kwa upande wa marriage ya KiIslam, wanawake wapewe equal opportunity kwanza na wanaume vitu muhimu hata sheria ya Islamu haijasema mtu hatakaze haki yake, marriage certificate wapatiwe na Chief Kadhi ambapo Chief Kadhi ana-appointiwa na jamii ya KiIslam bila ku-appointiwa na sheria za serikali ambayo inhatawala. Kama mwanamme ako kwa kazi, mwanamke jina lake na jina la bwana yake haiko kwa Kipande, ako na jina la baba yake, baba yake akifa huwa mara mingi wanawake wana phata taabu sana ya kikwetu hasa, jina la mwanamke ibadilishwe na jina la bwana yake instead ya baba yake immediately akiolewa ili asikose uridhi wa bwana wake.

Com. Lethome: Na wakiwachana na bwana?

Bilalo Mohammed: Wakiwachana na Bwana lazima akizaa mtoto pale, lazima hataphata uridhi

Com. Lethome: Ngoja, umesema mwanamke akiolewa abadilishe jina kutoka ya babayake aitwe jina ya bwana yake.

Bilalo Mohammed: Ndio.

Com. Lethome: Na akikosana na huyu bwana?

Bilalo Mohammed: Akikosana na huyo bwana lazima hataphata uridhi naye uridhi naye pia kwa sababu..... (*incomplete*)

Com. Lethome: Jina je?

Bilalo Mohammed: Ibakie pale pale tu kwa sababu uridhi bado still hataphata.

Com. Lethome: Ndugu yangu, sikiza wewe unaitwa Bilalo si ndio, umeoa msichana fulani, msichana wa Ibrahim, msichana wa Ibrahim sasa amekuwa Hadija Bilalo, Bilalo amewacha msichana wangu, aendelee kubaki na jina yako?

Bilalo Mohammed: Aendelee na jina langu.

Com. Lethome: Na akiolewa aolewe na bwana ingine?

Bilalo Mohammed: Akiolewa na bwana mwingine, sasa abadilishe hiyo jina.

Com. Lethome: Maoni yake, ni maoni yake. Endelea.

Bilalo Mohammed: Basi kwa hayo mafupi ama machache nashukuru Commissioner kunipatia fursa hii. Salaam Aleium Warahmatulahi Wabarrakatu

Com. Lethome: Akajiandikishe huko, hii ndio tunaita democracy ya kutoa maoni. Mohammed Gombore, yuko? Hayuko, tutawapata baadaye najua watu wametoroka kidogo whatarudi Tache Bonsa hayuko, Adan Mero, haya karibu, afuatwe na Yusuf Jilo kama yuko, utamfuata na Dabaso akae tayari.

Adan Mero: Niko hapa.

Com. Lethome: Haya karibu, afuatwe na Yusuf Jilo kama yuko? Haya utamfuhata na Dabaso akae tayari.

Adan Mero: Kwanza kabisa nawashukuru kwa kuweza kutufikia na yangu ni machache. Kuhusu mambo ya governance.

Com. Lethome: Anza kwa jina tafadhali?

Adan Mero: Kwa jina ninaitwa Adan Mero Ali, nina maoni haya kuhusu mambo ya governance, kwanza at local level, I propose that people should be involved more in the affairs of local authorities in resource allocation and management through review and re-selections by communities representative and civil society. At National level, people should be involved nitarudia hayo.

The next one is about security and human rights, our people have been subjected to a lot of injustice and insecurity, I therefore propose that the problem of insecurity should be thoroughly and comprehensively addressed. I propose for complete repeal of Indemnity Act to allow for compensation of life and property suffered by our people. Since people of this district are pastoralists and depend on livestock for subsistence here historically have been denied their basic rights such as food, shelter, security and education. The Constitution should address and guarantee these rights as follows:

Inter-district pastoral migration should be controlled and effectively reinforced by law enforcement agencies through respective County Councils and Councils of Elders. Where mandatory migration of pastoralists becomes inevitable, incase of natural chatastrophes then proper channel should be followed to ensure peace and security and utilization of resources, inter-district security committee should be put in place and be mandated to import such penalties of non adherence and breach of any such agreed rules.

Socio-economic and human developments: I propose that livestock being a major source of wealth and economic activities, factories be constructed to promote harvesting of livestock and development of ranching and modern livestock rearing. Secondly, strategies to be put in place, local authorities and entrepreneurs be developed to enable livestock, disease control and transport of livestock.

Aggressive marketing for livestock be supported by the Government as demanded by the people of this district. That an urgent poverty alleviation programme be formulated and implemented as follows:

Famine relief food be replaced with sustainable productive skills that guarantee food security.

Micro credit schemes and entrepreneurs education should be advanced through policies to help establish and promote trade and savings.

Health: Health must be treated as basic human right, I therefore propose that proper health infrastructures be constructed in each location of the district, dispensaries should be constructed and operationalised to serve locations. Adequate staffing of personnel in our hospitals should be undertaken by the Government urgently. Vaccinations campaigns, AIDS awareness campaigns, community involvement in primary health care must be supported and coordinated through district and environmental cleanliness.

Natural Resource and Common wealth: I propose that trust land being being a common resource to us all, needs the following reforms:

Management policies be developed to avoid overgrazing.

Community be empowered by law to own and control land so as to assist credit and opportunity to invest in ranching.

That community should be established to oversee utility of grasslands.

That water points be safeguarded against destructions by administration and people's Committee.

The technical advice be sort to develop underground service and rain water harvesting techniques to better the settlement and economic activity of our people.

Peace / Administration; peace building be a process of trust, just administration and dialogue through the following strategies:

Mass information and education on values of security.

Joint self-defence among communities and residence of areas in the district should be developed.

Sustainable development be a result of investment in energy and communication and environmental conservation and finally proper management of natural resources among other things.

Com. Lethome: Just an elaboration, you said that trust land should be under the management of the community. Are you proposing a change of name from trust land to something else or only the management?

Adan Mero: Yes, I do propose.

Com. Lethome: To what, what should it be called?

Adan Mero: It should be a community owned land.

Com. Lethome: Okay, community.

Adan Mero: And not trust land.

Com. Lethome: Thank you very much. Asante sana, Yusuf Jilo?

Yusuf Jilo: Thank you Mr Commissioner, my views are very brief and I would like to give my views on education. My name is Yusuf Jilo. On education, we not only want to have equal opportunities for all but the application of affirmative action. Currently the University admission policy is on admission on merit, this has led to under-representation of minority ethnic groups in institutions of higher learning, I propose that the new Constitution should advocate for quota system of admission which will in the long run re-address developmental imbalances especially in the pastoral community regions. Specifically students from these areas who obtain grades of C plain and above in the “O” level exams should be considered for admission into public universities.

Secondly, the quota system should also be taken into account in employment both in public and in private sectors. Thank you.

Com. Lethome: Thank you very much Yusuf, Dabaso Tene.

Dabaso Tene: Mimi naitwa Dabaso Tene Dabaso.

Dabaso Tene: *Wann karra amm hojja dhubbit dabarre, nuu katika Kenya kessa makkan kenn bathe, makkan kenn ‘waria’ nuu ammo*

Translator: Yeye anasema kwamba, anazungumza juu ya marginalization, yeye anasema katika makabila ya Kenya, yeye badala ya kuitwa Borana, anaitwa Waria na yeye anajua yeye sio Waria, yeye ni Borana.

Dabaso Tene: *Akkan jechhani nuu Katiba Kenya wann karr dhurri dhabreff Kenya yuu nuu kess hinjirru*

Translator: Hiyo inamaanisha ya kwamba yeye hayuko hata katika Katiba ambayo iliundwa hapo awali.

Dabaso Tene: *Ammo ammattan Katiba haress gath themmut jiru nulle kaa akk warr Kenya itt nuu hissabbani, makkan Borana ka bauti wan karra.*

Translator: Angependekeza katika Katiba hii mpya, ya kwamba kila citizen ya Kenya masilahi yake iwekwe maanani.

Dabaso Tene : *Wann warri Kenya kabbu, karra hinkabbnu, hojja karra Isiolut gaa buaani Nanyuki gath dhabrrani, ma laffum binnessat nammi laffallen, binnesum.*

Translator: Anasema hata katika mpangilio ya serikali wakaaji wa sehemu hii hawajawekwa katika mpangilio ndio maana watu wanakaa pande hii lakini hata barabara ya kuwafikia kwa watu hakuna.

Dabaso Tene: *Province kenn Embu, wann eight departments Sirkalla fakkatan kaa makkan Borana kess jirr, hinjirr.*

Translator: Anasema katika hali ya kuwachwa kando ama kusahaulika hata katika Province ya Eastern, ukienda hata kwa maofisi ya serikali, uwezi kuphata mtu mmoja ambaye ni wa kutoka hii community, sio kwa sababu hawana elimu ya kuweza kukaa katika ofisi ya Province lakini ni katika hali ya kuwachwa kando.

Dabaso Tene: *Permanent Secretary Sirkalli Kenya kabbu, tokk muchan Borranna kaa guya tokk kess duff hinjir*

Translator: Anasema hata katika kuwaajiriwa kazi ya serikali, permanent secretaries wanachukuliwa katika kila pembe ya Kenya lakini moja wa hii community hapatikani, lakini anasema kielimu wameitimu lakini hawajiriwi.

Com. Lethome: Yule alikuwa anaitwa Isakiah ni wa community gani? Endelea.

Dabaso Tene: *D. C. Kenyann province sadhett kabdhu, muchaan tokk ka Boranna kess hinjirru*

Translator: Anasema hata katika post, katika hata ngazi ya chini, District Commissioners katika district tatu yote ni mtu moja tu.

Dabaso Tene: *Hojja sommat dhebissani, nammi mujumbe ejjatu, nami University ka ejj Jeddann kana, acchin University tenn hojja gath dhacchatu (inaudible) fulla dibbi kabthi*

Translator: Anasema imependekezwa hata katika Katiba hii mpya ya kwamba, mtu elimu ile angetakikana ahitimu ndio awe University, I mean awe Mbunge ndio aweze kuhitimi elimu ya university lakini anaona hata wale wetu wa University hawaajiriwi, wanakaa tu hivyo hivyo katika sehemu za Kenya.

Dabaso Tene: *Akkanan mann jennani, hakki Kenya hagg nuu dabbn nuu garsifti nullen gaff fulla Kenyat nuu dharran, hakki Kenya kaa arganutti wan karra, katiba kess.*

Translator: Anasema katika hali ya kuachwa kando, kwa kila hali wakaaji wa hii sehemu wameachwa, kwa hivyo wanapendekeza katika Katiba mpya vile wengine walisema hapo awali. National cake wapatiwe hata share hata hawa waweze kushirikishwa katika kuajiriwa kwa maofisi ama kwa mahitaji ingine ya sehemu ya Kenya.

Dabaso Tene: *Amm province karra district saddhi kabna, kaa (inaudible) sunn tokkollen karra hinkabbu, hagg issin diba kaa warr Kenya nuu garsifne, tullen hakki niti ka Katiba kess nuu kahhan karra kenn sunn ni middassan.*

Translator: Anasema vile ambavyo wameachwa kando, wengine wamesema wana-propose iweze kutokea province ingine kando lakini hata kabla ya hiyo, yeye anasema katika hii Katiba hii mpya, iwekwe ya kwamba sehemu yote ya Kenya iwe inafikiwa na babarabara sawa na mahala pengine ya highlanders.

Dabaso Tene: *Amma binnesi abba kabba hintissani, nuu naffi kenn abba hinkabnu, binnessat nuu hissaban, binnesat*

irr maana kabba. Saa att kabthu kaa Kumm dhidhama sibittu, binnes nyatta, nyench kann lubbu detta it hindiattu. Naffki kanke kann (inaudible)

Translator: Anasema tunazungumza hali ya haki ya kibinadamu, binadamu ana haki ya kuishi lakini anaona katika hii sehemu ni kama mnyama ana haki ya kuishi kuliko binadamu, anasema kama mfugaji, akiona simba anakula ng'ombe yake ambayo anaona hiyo ng'ombe thamana yake ni elfu ishirini, yeye hakukubaliwi kuua hiyo simba kwa sababu anaogopa sheria, lakini yeye amekosa ile ng'ombe yake anabaki ka hasara, hakuna hatua yoyote inachukuliwa kwa hivyo anhataka mifugo pia na haki ya mtu ama uhai ya mtu iwekwe katika Katiba hii mpya inangaliwe. Isiwe wanyama ina haki kushinda binadamu ama mnyama wa pori uwe na haki ya kuishi kuliko mifugo ambayo ina dhamana mingi.

Dabaso Tene: *Hojja garr mujumbe Kenyyat dhebbinee adhaat jarrata, namm jarrata. Mujumbe harkki uffitin dhabarte, musharran issi million tok tatt, allowance it tharran million lam fuddat. Warr sunnifi raiyann chifft tunnillen sokorti hagg takkat bittat shilling sodhomattin. Issin hinkabthi bittati attin man si tochaan kale issi jarruma jarate.*

Translator: Anasema katika soko ya Kenya, Mbunge amejiwekea mshahara ya milioni na akiongeza allowance zingine karibu anachukua milioni mbili, raia mwingine wa Kenya ambaye mapato yake ni hapa pia anaenda kununua kwa bei tofauti tofauti, kwa hivyo anapendekeza ratiba katika Katiba mpya itolewe ya kwamba watu watofautishe kutokana na maphatao yao ama mahali wanafanya ununuzi, ununuzi iwe tofauti ama masilahi ya wale wengine wa chini iangaliwe kabisa.

Com. Lethome: Yaani anakusudia yule ana pata pesa nyingi bei yake ya sukari iwe tofauti. Okay ni maoni yake.

Dabaso Tene: *Gaff dhurri K.M.C. fulla horri Isiolo itt kallan, fulla amm Isiolo tann agency, fulla tokk..... gubbat kallan fonn arma K.M.C. dhemman, K.M.C. tanni yayyu hiddani, lonn kenn fulla it dhemman hinkabann, amma karra K.M.C. Isiollot nuu jarrani nullen warri looni district sadhen kunnini hudumma argannun kaa nuu tochanni.*

Translator: Amesema kama sehemu hii ni wafugaji na anhatarajia kuphata dhamana ya mifugo yake kwa hivyo anapendekeza K.M.C production area ama mahali ya kichinjio ipatikane karibu badala ya K.M.C. hawa wanasafiri huku ambaye hata wakati huu anasema ifanyi kazi, angependekeza ipatikane karibu na mahali watu wanakaa na wapate faida yake kamili.

Dabaso Tene: *Tann dibbin nuu warri Isiolo loon sokkon tenn fullan nuu geffanu isiolo, permit nuun jeddan, district kenn kann, hojja nuu Merti Division kessa yanne District permitin fuddannu, fin hinkabnuu, kaa kara finna kaa wanni sunniyu laff hinjirre ka adhaa sunn ka middasanit, adhaa amm nuu district kenn permit*

Translator: Anapendekeza katika Katiba hii mpya, kitu ambacho inaitwa permit katika district ziondolewe kwa sababu anaona wakati huu wakitoa mifugo hapa apeleke Isiolo anaulizwa wapi traveling permit. Sasa yeye anashangaa ni nini anauchukulia permit katika district yake na ni mifugo yake na anapeleka kwa soko, kwa hivyo hii kitu inaitwa permit order katika Katiba hii mpya iondolewe kabisa inawajukumu.

Com. Lethome: Na sijui anapendekeza nini, serikali utatumia hatua gani ya kujua mifugo hiyo ni wa kuibiwa ama ni wa halali

kama permit utaondolewa?

Translator: *Yoo permit sunn bassan, horri kanna ka hannaffa akk permitin amma tann dhowwan man gubba issi jett yeddan. Wannu permit yeddanif horri hanna faan....*

Dabaso Tene: *Hinjir, permit sunn adho fudannele kilki tokkole hinkabthu mann jennan, guyya att besse fuddata, hojja gath dhebittan Polisillen besa fedda, yaa fuddate horri kannu wannu at kessa argat dibbin hinjirru yoo permit hinkabbu. Anna hojja sihukkumu ark laff tanna ark jarsi horrit dhebissani hagg horrin kun kaketi warri laffa bekke, dibbin tokkollen hinjirruyu, horri allatiyu arm gathiyu hinsene.*

Translator: Anasema hata ikiondolewa permit, order ipatiwe ama mamlaka ipatiwe Council Elders wanaweza kuangalia masilahi ya hiyo mifugo, mifugo ambaye mtu anapeleka sokoni sio ya wizi.

Dabaso Tene: *Tann dhibbin hojja garr mpaka irr gathbanne hujjin abban middafatu, tokkollen maana hinkabth jeddin, kaa abban koffa uffi tae midaffatu. Laffa akk amma Garse kofftu, Isiolo District, Chief issi Chief Wajirrat, Arb Jaan sehemu Isiolo District Chief issi Chief arb jaanit. Haddhadho sehemu tenn Isiolo district, warri amm harka kabbu, warr sunit harka kabba am irruman map midaffatani Sirkalluman boundary kaa bekk jirru, warr sunni warr sunn korre nuu hakki ten akkanan dabba jirra. Amma boundary sunn kaa akk thansa llalani ell lakk fuddani adha sunniyyu ark walll laffat dhebissan, nammi dibbinu irr gath himbann, warri laffa fuddate namu himbeka.*

Translator: Anasema anakumbuka ya kwamba sehemu mingi ya hii district ya Isiolo imenyakuliwa na wenzetu ambao wanakaa kaa karibu hasa ametaja sehemu mingi kama sehemu ya Wajir District, sehemu yoyote ambaye district imeingia katika district ya Isiolo imechukuliwa, boundary reference ifanyike kutokana na ukaaji wa zamani halafu boundary irudishwe mahala pa zamani, sehemu ambayo ni ya Isiolo District irudishwe chini ya Isiolo District katika Katiba mpya. :

Dabaso Tene: *Amm mishoo kessa bahaa laff tann kaa att kess kubbattu ...Chief Act jirra laff hinarggan. Chief Act laff naa kenn jettan, yoo kann atillen laffumat dallat inni akkamin laff sitt gurgur. Adhha Chief Act sunnille ka acchii fuddan lafftinuu hark jarssat haa dhetu.*

Translator: Anasema ya kwamba wakaaji wale wamezaliwa hapa hata wakitaka kujenga wanazunguka sana wakishugulika wakitafuta sehemu ya ardhi ambayo watajenga, inamaanisha ya kwamba kuna mtu fulani ama kuna mpangilio kama chini ya hii trust land imepatia watu wengine nafasi ya kupokonya ardhi na kuuza ardhi. Kwa hivyo anapendeza ardhi irudi kwa wenyewe iwe inaangilia na Council of Elders ndio waweze kuangalia masilahi, nani hatajenga wapi? Badala ya kununua ardhi ambaye ana haki ya kujenga kutoka kwa mwingine.

Com. Lethome: Asante sana, Abdi Kadhira Huka, halafu afuatwe na Abdi Kosaye, utamfuata huyo Huka.

Abdikadir Huka: Mimi kwa majina naitwa Abdi Kadhi Huka, kitu cha kwanza mimi nitaongea kuhusu ardhi. Naomba Katiba Bwana Chairman, jina ya trust land ama no-man's land ya area hii yetu ziondolewe kabisa iwe jina ya Borana land kama watu wengine, majirani zetu kama Wameru ama Wakikuyu Central huku hata sisi tupate jina kamili.

Ya pili, ni kuhusu border yetu hii hizi borders majirani zetu wamesukuma sisi zaidi mpaka wakaingia ndani na hii ingekuwa kazi ya Council kuzunguka mara kwa mara kuangalia hizi ma-border na ningepomba Katiba wawe wakiweka Council wazunguke mara mbili ama mara tatu kwa mwaka, ili hizi ardhi zetu zisinyakuliwe.

Ya tatu, kitu ya kwanza, hii barabara ya kutoka Isiolo mpaka Moyale ningeliomba kutoka Isiolo mpaka Moyale iwe moja badala ya kupita huku tunhataka hii njia ipitie hapa mpaka Moyale kwa sababu hii njia ndio kitu muhimu zaidi. Hii bridge yetu, naomba irekebishwe.

Com. Lethome: Bridge gani, which bridge?

Abdikadir Huka: Hii ya Malkadaka hapa. Nne, sisi wachungagi kama area ya Isiolo, Moyale, Marsabit na Lodwar hii ni maoni yangu tungependa tuwe province moja kama wengine, tusikae chini ya Eastern Province.

Ya tano, hapa sisi ni wafugaji hatuna mahali pa kupeleka mifugo yetu ningepomba tupate soko ya mifugo, tujengewe kitu kama K.M.C. ili tupate mahali pa kupeleka mifugo yetu. Naomba Katiba ya kuwa sisi hatufanani na WaKenya wengine, tunhataka tufanane na wengine kwa sababu bado hatujaphata matunda ya uhuru, ila tu tunasikia harufu kutoka kwa mbali kwa sababu kama hatuna njia, hatuna nini na hiyo ndio kitu muhimu zaidi ya kuweza kuphata matunda ya uhuru. Ni hayo tu kutoka kwangu.

Com. Lethome: Asante sana, tumsikize Abdi Kosaye, Mohammed Koricha yuko karibu? Haya. Mzee siulikuwa umezungumza? Unafikira ingine mpya, haya.

Abdi Kosaye: Thank you Mr. Chairman and his colleagues for giving me this opportunity. First of all, poleni tafadhali nizungumze kwa Kiingereza. First of all I would like to thank all of you because for the first time the Commissioners came to this areas was in 1962, a Nigerian Commission and I remember doing my research, I did a certain research and it is a Canadian and a Nigerian Commissioner who came here and this is the second time that a Commissioner came to this place and it is an opportunity. By that time, the local communities were not aware of what was happening but now at least an old mzee or an old mother can speak what he or she can understand.

More so, the issue of security which most of us have been speaking about, everything goes around land, so if the issue of land is solved, then the issue of security will be out of question so, land is a very important factor for this community. Out of around three laws enacted, our of the Constitution of Kenya where the land issue is brought about in Consitution 114, may be the

Commissioner will understand there are around three of them of which ours is trust land which is very important and what affect us most is trust land, Cap 288. So, in that Cap 288, we would like this community and not only us but the pastrolists community, our problem is the issue of trust land and how are we going to recommend to the Commissioners for us to participate in the development of this country:

Is that the tribal of Clan Elders to be given the opportunity to rule or to take care of their land. The Tribunal of Elders, they are very important people so the issue of somebody from Nairobi controlling our land like recently, a man who is works for the Ministry of Land selling a piece of land to somebody, he was told by his boss to sell his land to his relative and he ended up killing himself or I think he was about to kill himself. So, somebody from far is controlling the land in Kiambu and Owito is pushed out and likewise in our place like for example, a land in Duma which I am sorry to speculate that an official Government officer is taking that land at Duma and most of the people here know.

Duma belongs to somebody, that is what we have heard and this land belongs to the community, it does not belong to an individual person. Likewise, Tuse which belongs to a certain family which I cannot name and later it was sold to an Indian, now it belongs to an Indian and there fighting there and this land belongs to the community but because it is trust land the opportunity has been taken by the upper hand. So, the land shall be given to the community, the community has a right to use for a certain project they admire and that is very important. That means, community ownership at the lowest level is very important.

Judiciary: I want to give some recommendations on the Judiciary level, that is now in Merti, we do not have a court this is in Isiolo so if there are skimishes or if there is a problem here we move 220 Kilometres to solve a dispute in court. So, I recommend the Judiciary to pin point certain, may be to add certain parts in the Constitution that Law court either be given opportunities even in the rural areas like location or divisions even locational level. If they are unable to do that they have to assimilate or they have to include the traditional elders, Kangaroo Court, if they are unable to do that then they have to finance those people, that is very important.

So, we cannot move from Merti to go and solve a dispute between Mr so and so, if they are here, we could have solved it, therefore an opportunity should be given for courts to be in locations. If that is not enough, there should be mobile courts, may be the Judiciary should incorporate the mobile courts where we have a Judge who is moving from Marti going to(inaudible) to solve because he is there for the wananchi, if that is not enough we should have mobile courts which might be even cheaper.

Another issue is about the powers delegated to the Local Authority and these local authorities are so powerful and more so the clerk who is a public appointee. I think he should be elected by the people, the clerk himself must be elected by the people because he should be answerable to the community. He might squander some money, which belongs to this community, and he might take us to court because he is there where he has access to money, he can pay one million to the Ministry of Local

Government and most things will disappear, so he must be answerable to the community and not to the Minister or anybody else. The clerk must be chosen or elected by the people that is most important and even the Mayors because we are talking generally about the whole Kenyan Constitution, more so the Clerk, Mayors and many others.

Economic Development: Laws should be introduced by the Government where we have equitable development in all provinces of Kenya where Central Province should not be ranked the best and we the poorest and that is why we have been termed as most of my colleagues said, the marginal land, arid land, waste land. Look at that word, waste land, wastage, something useless, so I think there should be equitable distribution. The Government of Kenya must have equitable distribution of resources to all these people, that should be in the Constitution so that we are not left out.

Development of regions using basic resource like our resource here as most of our old wazee's have said, beef production for example, we have Coffee Board of Kenya, Pyrethrum Board of Kenya, we have Cereals and Produce Board of Kenya name them but I do not know whether I am wrong, have you heard of Beef Board of Kenya or Pastrolism Board of Kenya? I am asking you Mr. Commissioner, is there anything like that?

Com. Lethome: No.

Abdi Kosaye: So this one clearly shows, these Boards have got their laws, most of these Boards have been enacted in Parliament but where is ours? That is why as most of us have said that we are unable to contribute, where can we get money for school fees for our children and our economy is not agriculture, it is this beef, if there is no Board to control and if there is not a single opportunity enacted in Parliament then I think there is nothing going on in this region, we have been left completely out for possible 30 years now. There is no single Board of Kenya concerning our production (Beef production) even Kenya Meat Commission is already dead. So, this is directly killing this region therefore, we want in this Constitution the Government to consider to enact a law concerning pastrolism production or beef production for this community, that is very important especially marketing board.

We must also have pastrolism development programmes to be initiated by the Government, Pastoral Development Programmes to be initiated by the Government in liason with pastoral consultancies that is very important. Pastrol Development Programmes to be initiated by the Government may be through to be enacted in Parliament. We are having this side around how many possible in North Eastern together, out of hundred and above Members of Parliament we have around 20, even if it is enacted may be the Parliamentarians might refuse but this is a Constitution, we are really worried about ourselves because of the limited number of Parliamentatians we have, we have suffering, even democratic representation but we are few, how can we produce through majority? How can we get this law to be enacted? We are even worried about it now as I am speaking. We are talking about changing of the Constitution, we are few in number, and how can we change the Constitution because the Constitution can be change can be changed by raisng up hands or may be by the majority. I am really

worried about even that one.

Environment: The Government has to enact laws to protect and preserve environment especially this side, most of our environment has been destroyed may be through excavation as has been taking place. May be come here because it is no-man's land, he excavates land, the animals are staying there and there might be mineral water for animals it is destroyed or somebody is aspiring to sell that land, it is mineral water for animals, it is medicine for our animals but now, somebody comes and takes it and destroys the environment, the water catchment areas, the birds, the animals, the birds and the wildlife, all these are part of the environment that should be protected and preserved.

Migration of wildlife from the community land: A law must be enacted that a wildlife must not be translocated from this area to another land, it must for the benefit of that particular community, I think that will should be encompassed on the issue of land, the trust land.

Then I want to raise one aspect which is very important, this one is the issue of :

Minorities: I think in the other parts of the world, the issue of minority I do not know whether it is Sweden or Norway where a certain minority is given one member of Parliament just for the sake of that, I do not know whether it is Sweden to represent his community. Look at the Dorobo, they are very few, does the Government take care of them including us, we are minorities we are very few out of the majority.

Com. Lethome: So, what do you recommend now?

Abdi Kosaye: Therefore, I recommend the following: -

That minority Act should be enacted to take care fully, let me support myself, in the universal incarnation of human rights has somebody read the paper, it is article 4 and 5 where it says minority must fully participate in economic progress and development of this country then if all the universal bodies accepts that does our Kenyan Constitution adhere to it. I think there is no issue of minority I do not know whether Mr. Commissioner might be a lawyer, I do not know whether the minority act might be enacted in the Kenyan Constitution. If it is not there it must be enacted to take care of small communities like Borana, Turkana and like Dorobo, I am talking about myself as a member of this community that minority act must be enacted fro us to fully participate in this country.

Com. Lethome: Would you recommend that Kenya being a signatory of the human rights declaration or adapts the...

Abdi Kosaye: Exactly, they must I do not know whether they have been doing that, I hope they are there but they are not

following it.

The issue of education, the issue of quota system, I am really doubting the issue of quota system because if it is the system where we select people to go and represent us there in the National conference may be to enact a law to change our Constitution, the issue of quota system, because of the number, the Central Province has many representatives, out of 600, Central Province has around 300 – 400 but this Northern region might have few people, possible like 100 – 200 let us guess.

If people are told to raise their hands to support the quota system, 400 people will say not, a Kikuyu will not support that quota system I am very sorry to say that and not name an individual. A Kikuyu will not support quota system because there are thousands and thousands of them who have qualified for universities but they are not given that opportunities but here Abdi and his colleagues here, we are 5 people who have qualified to go to the Universities, they will take their people who have “A’s” and live us. I am saying, even if we present the issue of quota system I pray to God for people like the Kikuyu and many others to re-think about it and freely present our issue, the quota system is very important for us because we have been left behind.

Com. Lethome: Do not elaborate the point, can you...

Abdi Kosaye: I also want to present an issue. The issue of positive discrimination in education I am saying positive not negative, discrimination itself as a word is a conontative word, to discriminate somebody is not good, we are talking about unified Kenya, unitary but I am talking about positive discrimination and not negative. That positive discrimination possibly must be in education, we have been left behind especially for the minority, I think it might fall under the minority if it could be in the minority act. That we must have free education, remember there is no Kenya Meat Commision, we are not surviving under agricultural economy, our land is surviving under beef, the beef issue is not there, the Kenya Meat Commission is not there so, free education must be given to us.

On the same aspect, we should also intergrate non formal education into modern education specically I think, that is my view especially the issue or “Madrassa System” this is two way from non formal and formal, it should also be incorporated in the education system of Kenya so that there will be no division. It look divisional a bit, where we have Madrassa class.....Through the educational act the Ministry of Education should take care of mobile schools so that those people who are taking care of animals can learn during the night, during the day they take care of the animals.

I want to summarise the issue of childs right, I do not know whether it has been said before, the issue of child’s right is very important also in this community a child is very important in this community so, the child should have free education, it is the duty of the Government to educate a child.

11. In health care, the Government should also define in the Constitution who is a child? Somebody who is under care of

somebody, who needs assistance, who cannot provide for himself or herself. A law should be enacted to punish offenders; I do not know whether it has been there, like child labour abuse and harassment. A law should also be enacted for the Government to take care of the orphans especially the AIDS orphans. Thank you.

Com. Lethome: Thank you Abdi, Mohammed Goricha, Abdilahi Jirma, yuko karibu?

Mohammed Koricha: *Sallam Alleykumkott abba jalla*

Com. Lethome: Hapana, wewe halafu Abdilahi Jirma, lakini ujue hii ni mara ya pili kwa hivyo nitakupa red card ukiendelea sana.

Mohammed Koricha: Bwana Commissioner, maneno yangu ni kidogo. *Kott abba jalla. Ann dhubbin tiyya wan dhikkayo, dhubbi saddhi challa irr baa*

Translator: Anasema maneno yake ni machache, wakatu huu hatasema mhatatu tu.

Mohammed Koricha: *Garr amm ill Borru kanna laff affur makka dhahhan. Ardhe Midssajidha locationit jirra, Haddhaho south locationit jirra, Loll kutta sub-locationit jirra, Battri sub-location jirr*

Translator: Anataka kutaja sehemu fulani pande hii inapakana na Waji

Translator: Hayo majina ametaja ni Location tatu na Sub Location moja ambayo imechukuliwa kutoka sehemu hii ya Isiolo District na sasa ni sehemu ya Wajir.

Mohammed Koricha: *Amm laffti sunn Isiolo warri sullen laffti sullen, warri sunn Wajir jedde egger duffani, dhubbiy sunni egger Nairobiit issan dhurr marti dubbi tan issan bessis, taa amm adha Kenya warri sunni archi korrata, warri sunnin yoyyu. Yoo warri Haddado location acchi korrata issin Isiolo, Yoo Garsse Kofftu location issin isiolo, Yoo Issin Batiri sub-location issin Isiolo. Battri butt jall jirti laf sehemu Wajir, laff tenn issanitin duffan akk laffti sunnini egger issanit duffti. Yoo issanit duffan, issi warri Isiolo hinkorrata, issan warri Wajir maff korratan gaffadda.*

Translator: Anafanya maombi, Commissioner, anasema sehemu hii ya Bute Location, Gasakordhu Location, Adadu South Location, hizi sehemu yote katika mapendekezo ya Katiba hii mpya. Pengine kwa sababu wanajua wamepokonya sehemu ya Isiolo District, whatasema hiyo sehemu iwe ifadhiwe kama sehemu ya Wajia kwa sababu itakuja kwenu wanafanya maombi, the new Consitution, sehemu yoyote ya district ambayo mtu ame-cross boundary amechukuwa isichukuliwe kama hiyo sehemu kwa hivyo wakati itakuja ku-collide anasema in advance hiyo sehemu mjue ni sehemu ya Isiolo District na bado watu wa Isiolo wako katika harakati ya kujaribu kuphata hiyo sehemu katika sehemu ya Isiolo District.

Mohammed Koricha: *Taa lamesso nuu warri horri kencha, Ministry tenna Agriculture jaal jirti, taa adha Kenya taa*

amman tanna kessa Ministry Horri Kenchaa kobba bassan, issi adhaa taan kessa hinduffne Ministry Horri Kencha Kenya mizima issin koffa adhaa Kenya kess dufft fedd.

Translator: Katika misemo ya Kiborana inasemekana kwamba yeyote anachukua jembe ameanza kuangalia ardhi amesahau na mifugo, kwa hivyo katika Katiba ya sasa ama katika mpangilio ya serikali, agriculture na livestock ministry imewekwa pamoja ndio maana shamba imekula mifugo, mifugo imekosa dhamana. Kwa hivyo anapendekeza katika Katiba hii mpya Ministry ya Livestock iwe inawekwa na inahudumiwa na inapangiliwa, isiwe inavurutwa kwa kitu chochote kama itakuwa namna hiyo, ni ile marjinalization ambayo imesemekana, hujuma ambayo imesemekana, per capita income ya hii sehemu imekaliwa kabisa na kifua na watu wa mifugo wameumia, kwa hivyo katika Katiba hii mpya anapendekeza Livestock iwe na Ministry yake na management yake na uhifadhi wa aina yoyote.

Mohammed Koricha: *Dhubbi tiyy ta mwisho Kenya kess goss affurtammi sadhettit Jirra, Gochhi Borran jeddani Commissioners namm sodhoma kessa namm tokkole hinkabthu, adha harrett Kenya Kess, kila mukenya goss affurtammi sadhetti kess jirtu, maro dibbi addha beddelan Commission kaa warri issan kess kahani namu namm uffi kessa kabbutt hakki.*

Translator: Anasema neno la mwisho, hata katika mpango wa uchaguzi ama appointment ya Commissioners, katika kabila yote ya Kenya anaona kama community ya Borana ndio wale wameachwa. Kwa hivyo katika hiyo ngazi ya kutafakari hali yoyote ama kuangalia, wanaona kama wameachwe nje na ile decision making na representation. Wakati wowote jambo la umuhimu ya aina hii inaangaliwa, Katiba hii mpya isahishe hii Katiba ya sasa, kila community wawe represented iwe haki yao ya Kenya wasihujumiwe.

Com. Lethome: Haya, Asante.

Mohammed Koricha: *Wanniti annin jedduffi amm yoyyu nammi kunn chuff maoni amm Kenya mzima walti fuddan marro nammi sodhomma kann walt dhebbiu nuu allat haffn, yoo nuu allat haffne, fulla nammi hinjirre dhubbi tee hinjirt. Akk kannan nuu karra laffa ferenjin egget lakkise Sirkali akk adhaa barangeth kuddani lamma nuut huyisse, nuu agganalle irra nuu laffa dabban, yoo amm Kenyan nuu laffa dabban fette, kayyu nuule Commission sunnit dharranit.*

Taa miisho ta aanin lakisu Kenya kessa loon geredha ka Borans jeddani jirr, kaa Gochi Borana kka Kenya Kess bekkann hinjirtu. Borans grade yeddann kaa Kenya kess namba two, ammo Borani Kenya kessa number three number jeddani nuu namba hinkabnu adha Kenya kess nuu Boran Kenyatt kaa Kenya kessat bekamnu. Assalam Aleykum.

Com. Lethome: Alleikum Salaam.

Translator: Amesema, katika msembo ya Borana, wanasema mahali wewe utakuwapo ama mtu wako hatakuwako, inasemekana maneno yako haitakuwa uko, kwa hivyo yeye.

Interjection: (Inaudible)

Com. Lethome: Haitapotea ime-recodiwa pale, machine imeshika yote.

Translator: Yeye ana hofu ya kwamba hata wakati wa presentation, wakati Commissioners ishirini na sita whatakutana, yeye anahofu ya kwamba maneno yake itabaki kwa sababu hatakuwako, kwa sababu watu whatafuhatana kutokana na yale wanajua na mahali wako. Kwa hivyo yeye hata sasa anasema ako na shaka, mahali yeye hatakuwa maneno yake haitatokea, kwa hivyo katika mpangilio yoyote ambayo itakuja baadaye, representation kamili ifanyike.

Com. Lethome: Haya, asante.

Translator: Pia anasema, sehemu hii ina production ambayo ingeweza kuenda hata mahala pengine ijulikane hata ulimwenguni, kutokana na type ama aina ya mifugo ambayo hii sehemu inazo, sehemu hii imesemekana mifugo ya upande hii ni ya aina ya wanyama na iko na grade yake inajulikana, kwa hivyo hawhatambuliki. Kama wangelikuwa wanhatambulika na ile mifugo yao, wangukuwa na board kama ya Coffee ama wangukuwa hiyo jina, hata jina Borana ingejulikana kutokana na hiyo aina ya mifugo wanazo. Kwa hivyo anasema katika Katiba ya Kenya, community ijulikane na asset ile wanazo, si hiyo asset imesukumwa kando, imekosa dhamana ya mali na wanajua wazi wana-asset, ina dhamana ingeweza kuweka community ya Borana katika map ya ulimwengu kutokana na yale wanazo.

Com. Lethome: Asante sana, one thing, hebu ngoja kidogo. Ningependa tu kuwahakikishia, Kenya tuna makabila zaidi ya arubaini na mbili.

Speaker: Arubaine na nane.

Com. Lethome: Haya sawa, 48 tribes, Commission ni watu 29 sasa sijui ingeweze kama kila kabila iwakilishwe. Halafu pia, ningependa kuwahakikishia ya kuwa, taratibu ile imewekwa na sheria, hakuna vile maoni yako itapotea, angalia leo Merti na Nairobi ni kilometer ngapi, si ni mingi sana? Kwa nini tumekuja hapa, sheria imetulazimisha, tumeambiwa na sheria lazima muenda katika kila constituency ndio tumekuja mpaka hapa, Nairobi ndio kuna meza mzuri na kiti mzuri na nyumba mzuri, tungekaa tuandike, lakini sheria imetuambia hapana, kwenda kwa watu, chukua maoni yao. Sheria pia imesema, hiyo maoni ya watu isipotee, ikaweka taratibu, maoni isipotee.

Taratibu ya kwanza, angalia kwanza tuna machine ina-recordi pale na kuna kijana ambaye hajazungumza tangu asubuhi, na

hhata zungumza, kazi yake ni mkono tu na kalamu. Kuhakikisha kila maneno unazungumza hata ukikohoa, ina-recordiwa pale na inaandikwa, mzee fulani alikohoa, iko pale ndani, itaenda mpaka Nairobi, hiyo yote ni kwa sababu maneno isipotee, halafu itarudi kwenu miezi mbili, itazunguka kwenu miezi mbili kwa maandishi, mtaangalia kama maoni yenu imefika ama haikufika. Tunajua Kenya maoni utolewa na ikifika njiani inapotea ndio mara hii tumesema hapana, tumechoka na hiyo mambo, sheria imesema reporti itaandikwa, maoni itarudi kwa wananchi kwa muda wa miezi mbili, labda uwe umelala ndio pengine itakupita.

Unapewa nafasi ya kuangalia maoni yako, ile ulitoa kama ilifika ama haikufika, taratibu ingine imewekwa, baada ya sisi kumaliza hiyo reporti na kuleta kwenu kwa miezi miwili, tutaitisha mkutano ya Kenya nzima. Hiyo mkutano itakuwa na watu mia sita au zaidi, mkutano ya mwezi miwili, kila district itakuwa na watu whatatu wawakilishi na mmoja hatakuwa ni mama. Kila political party, chama ya dini, kama ni pastrolists organization, women organization, youth organization, professional bodies kama vile KNUT hii ya waalimu, whatachukua watu moja moja, watu mia sita, miezi miwili whatakaa, kupitia ile maoni, kupitisha ile itaenda Bunge na ile haitaenda Bunge, hiyo taratibu yote imewekwa ndio kuhakikisha kuwa Commissioners wasiangalie zile maoni wanapenda wapitishie na ile hawapendi wasipitishie na Wajumbe wote whatakuwa kwa hiyo mkutano. Kwa hivyo, imewekwa taratibu nyingi sana, usiwe na wasiwasi kuhusu maoni yako kama itafika ama haitafika.

Lakini, vile unaeleza shaka yako, mimi ninajua ni kawaida ya wa Kenya kuwa na shaka, wakati tulienda North Eastern Province, mzee mmoja ametuambia, kisha moja ya Nyanyur na Hantut, mnajua Hantut na Nyanjur, alisema siku moja Nyanjur amekuja akasema yeye ametoka haji na sasa yeye hataki kula Hantut tena, amewach mambo ya kula hantut, yeye anakaa kwa usalama na wanyama wote. Anataka waje kwa mkutano wote, hantut akasema hapani mahali iko Nyangur mimi siwezi kuenda kwa mkutano. Wanyama wameenda mkutano ya Nyanyur, isipokuwa Hantut peke yake amekhataa, wanyama walipoenda mkutano, wakarudi wanaambia Hantut kwa nini hujakuja mkutano, huyu amekuwa haji – Nyanyur sasa, hakuli panya tena. Hantut anasema, mimi nimejificha kwa shimo, nimechungulia nimeona yeye akizungumza, mimi najua watu wakienda haji wananyoa ndevu na wanakhata kucha, Nyanyur bado ako na kucha na bado ako na masharubu, kwa hivyo hajabadilika. Sasa ndio mimi najua hiyo wasiwasi, ukiambia watu, serikali imebadilika, anasema hii ni Nyanyur bado sasa nawambia hiyo wasiwasi ondoeni, iko taratibu ya kutosha. Inshallah.

Sasa jamani sikizeni, ni saa saba na nusu, tangu nilipokalia hapa sijaondoka, hebu tokeni kidogo mzunguke kidogo, wenye kuswali, waswali, wenye kukula kitu kidogo wakula ili tukutane saa nane kamili tafadhali. Mtu wa kwanza hatakuwa ni wewe, saa nane kamili.

Nimeona kama inaonekana wanawake wako na maoni na wanaogopa kutoa mbele ya wazee kama mambo ya FGM na mambo mengine mingi, domestic violence, property right wanakhataa kutoa mbele ya wazee wanaogopa.

Abdulah Jirma Duba: Kwa majina ni Abdulahi Jilmaduba, Sasa kile nataka kusema ni hivi, jambo huwa inabadilishwa, ikisha onekana ikiharibika. Hii Katiba yetu ya Kenya ile ya zamani inaonekana imesha haribika ndio tukafikiria kuikarabaki vizuri. Ya

kwanza mimi napenda tuwe na majimbo, tuwe na majimbo, na hii majimbo ziwe zikigawanywa kulingana na mazingira tuseme sehemu kame, iwekwe pamoja, sehemu yenye rutuba iwekwe pamoja. Nikisema juu ya hapa kwetu, mimi ningependa, Moyale, Marsabit, Isiolo district iwe jimbo moja ikiwezekana. Kama haiwezekani, sioni ubaya tukiungana na hata wasamburu.

Nasema hivi kwa sababu, hii sehemu yote nataja, mambo ya mazingira, mambo ya watu, mambo ya hali ya mambo yote huwa ni kama sawa sawa, kwa mfano, sehemu hii yote nataja, ni ya pastoralists, wale watu wanakaa wakitegemea mifugo. Na hali ya mifugo, tukiwekwa pamoja watu wa mifugo, tunaweza kuweka katika Katiba. Sasa mali yetu kabisa hapa, ardhi ni mali moja. Nyinyi mliposafiri kutoka Isiolo labda mliona sehemu kubwa hakuna watu; hii sehemu yote ina kazi, hii sehemu yote ni ya malisho, sisi tunapenda sehemu kidogo tu ya kukaa, sehemu kubwa malisho ziwe zinalishwa kulingana na wakati, kuna pahali tunafuga wakati wa ukame, kuna mahali tunalisha wakati wa mvua, na kadhalika.

Sisi mali yetu kama ng'ombe, mbuzi, kondoo, ngamia ndio ile mali tuko nayo kabisa, vile watu wa huko down Kenya wanakuwa na mashamba na maplot kubwa kubwa, wanakuwa na industries, industries zetu zote huwa hizi mifugo. Ajabu ni kuwa, Serikali yetu ya Kenya ama Katiba yetu ya zamani, haitii maanani kama ng'ombe ni mali, mbuzi ni mali, ama ngamia ni mali kama ingine. Kwa nini na sema hivi? Mimi nasema hivi kwa sababu, ukame inaweza kutokea, yule mzee yuko na ng'ombe mia tano, ng'ombe zote zinakufa na hata Serikali hapana fikiria kufanya mambo yeyote. Unaweza kuwa na ng'ombe elfu moja, kuna mzee ana ng'ombe elfu moja, nafikiri watu wawili tatu hapa, na hawa watu kuuza mali yao, haichukuliwi kama ni security; hawezi kupata loans kutoka kwa banks. Mimi nataka Constitution iwekwe dani, yule mtu yuko na ng'ombe ishirini, hiyo iwe security ya kutosha, yeye kupata pesa kutoka kwa bank, mkopo, kwa sababu iko na security ya hizo mikopo. Na ng'ombe zikikufa na ukame, ningependa serikali iwe ikicompensate, kwa sababu ni juu ya serikali kulinda mali na hata watu.

Watu wengi wameongea mambo ya livestock marketing na KMC, mimi napendekeza kitika hii Katiba yetu ya sasa, KMC zote, kama zitakuwako, ziwe sehemu ile malisho ngo'mbe huwa wako. Sioni sababu ya kunjenga hii KMC huko Nairobi na hali mifugo mingi zinatoka huko kwa Wamaasai, Waborana, na Wasomali. Hii sehemu ambaye wanyama wanakuwanga kwa wingi, iwe inawekwa KMC. Nilisema sehemu ikikatwa kwa majimbo, iwekwe kulingana na mazingira. Kwa nini nasema hivi? Tukifikiria hali ya elimu, education curriculum, iko mbaya sana kwa sababu hapa kwetu sisi watu wa mifugo sio watu wakulima, na watoto wetu wanakuwa wakisoma mambo ya kahawa, mambo ya chai na kadhalika. Na hii mambo ya chai na kahawa, watasoma tu huko shuleni na haina maana kwao. Tungependa katika pastoralists regions, education systems ziwe zinaangalia mifugo zaidi zaidi zaidi. Na elimu iwe free for all the children from standard one to standard eight.

Ya tatu, ni jambo kuhusu Ewaso Nyiro, hii Ewaso Nyiro river, ni livelihood yetu sisi hapana iko na mvua kila siku, lakini hii mto ikitembea, ni kama kuwa tu na mvua, lakini ajabu ni kuwa, huko juu kule unatoka, watu wakubwa wakubwa, matajiri, wakulima na kadhalika, wameshafunga hii maji huko, hii maji ya Waso river na kufika hapa inakuwa shida, hii Ewaso Nyiro, wale wamesha soma shule, wanajua zamani ilikuwa inafikia mpaka huko inapita at Wajir Loriani Swamp inaishia huko; lakini

sasa hii, hata kufika hapa ni bahati. Kwa hivyo mimi napendekeza, enda Ewaso Nyiro North Development Authority iwe inapatiwa jukumu kubwa kabisa ya kuchunga hii maji ya mto isije ikaharibiwa huko. Na hao wawe wanapewa direct link to the donors, sio ati serikali ipatiwe pesa halafu serikali inapatia enda, pesa, kama ni kutoka kwa donor, iwe inapewa direct kwa Ewaso Nyiro North Development Authority, na hawa wawe wakishughulika na mambo ya hii mto, maana ni livelihood yetu.

Ingingine ni security, katika Constitution ya zamani, inasema, security inakuwa inaangaliwa na serikali, lakini ajabu ni kuwa, mimi nashidwa kujua serikali sasa ni nani? Serikali ni nani? Serikali ni mimi, serikali ni DC, serikali ni mjumbe ama ni nani? Lakini mimi kulingana na mimi naona serikali ni mimi na huyu mzee na wewe tukiwa pamoja. Hakuna serikali huko Nairobi, kwa hivyo ile security ambayo inasemekana serikali ilinde, ile serikali ichukuliwe inamaanisha ni sisi, ambao tunaishi hapa. Na wale wanaishi Meru, serikali iwe ya wale wale wananchi pale. Security ya sehemu yote iwe inaangaliwa na wakaaji wa pale. Haswa, watu wetu wa pastoralists, tunakuwa na shida sana ya usalama, ndio tukawa, tukalazimika kujisaidia kwa kununua bunduki na kadhalika na kujisaidia. Hizi bunduki kwa sababu sisi ni serikali, na sisi ndiye tunalinda, tunatakiwa kulinda hii inchi, hizi bunduki ziwe zinahalalishwa, halafu ziwe under control ya wazee, maana wazee, sisi watu wa mifugo, tunatii wazee wetu sana. Hawa wazee wetu, wanatujua sote, na bila shaka wataweza kufanya kuwa na usalama ya kutosha. Kwa hivyo bunduki zote zile zinakuwa na watu, ziwe zinahalalishwa kwa sababu inalinda usalama.

Jambo lingine mi napendekeza, ni kuhusu machiefs, chiefs office, sioni sababu yakuwa huko. Lakini kama inalazimika kuwa kule, lazima kuwa tunachaguliwa kama viongozi wengine, maana hata hawa ni viongozi. Sioni kwa nini mtu anajiandikia mtu halafu afanyie kazi. Zamani wazungu huwa wanafanya kwa sababu wanataka kututawala, sasa kwa sababu sisi wenyewe ndio tunajitawala, sioni mtu aandikwe na mtu, vile tunafanya wakati wa ukoloni, hapana, chiefs, wote hio nini iondolewe kabisa, kama haiwezekani wawe wanachaguliwa kama viongozi wengine.

Jambo lingine ni kuhusu wanawake, sisi jamii yetu ya Waislamu, mwanamke akifiwa na bwana, anatakiwa akae for mourning, kwa miezi nne na siku kumi. Na hizi miezi nne na siku kumi, kuna wanawake wengine wanafanya kazi za serikali, wanafanya kazi kubwa kubwa bahati mbaya labda bwana amekufa, hizi miezi nne na siku kumi, mimi ningependekeza, wawe wanapatiwa leave with full pay, kwa sababu wakati huyo hawa hapana kutakiwa kutembea na kufanya kazi, anatakiwa kutembea na kufanya kazi, anatakiwa akae tu nyumbani, kwa majonvi. Hizo miezi minne na siku kumi, wapewe leave pamoja na mshahara yao yote, kwa Waislam, maana sheria yetu ndio inatutaka tuwe namna hiyo.

Ingingine ni representation, nikisema representation, namaanisha, wale tunawachagua, kama Councillors, MPs, and s. In the elective post zote, lazima iwe limited, only for two terms. Mtu akubalie tu awe akiongoza mara mbili. Hii tabia ya mtu anakaa huko, maisha yake yote, inaharibu demokrasia. Mtu anakuwa too powerful, mpaka ata anasahau kazi yake. Iwe only for two terms.

Jambo lingine ni jambo la politics, hapa Kenya tunakuwa na vyama vingi sana lakini vyama vingine hata hawezi kufikia sehemu

ingine, kwa sababu kuna ile kitu inasemekana DP zone, KANU zone, what zone, na kadhalika. Hii zones, ningependekeza ziwe zinaondolewa kabisa, na kabisa. Yangu ni hayo tu peke yake na asante kwa kunisikiliza.

Com. Ibrahim Lethome: Asante Bwana Abdulahi Jirma, Muktar Boru,

Muktar Boru: Asalaam Aleykum Warahmatulahi Wabarakatu. I will be very brief; I take this golden opportunity to thank Allah, after that, the Commissioner and his group as they are doing sensitive work to this area Merti.

First, I want to put forward my suggestion Muktar Boru.suggestion about the Constitution proposal. The first one to speak on behalf of the community Borana at large, the Government, they are trying to undermine us in some few areas which I will mention just now. In cases, for example the head of Government and the head of the state is having the power to appoint people to important posts. He has that power as the head of the state and the head of the Government. He has the power to appoint people to different ministries and now you see that in our case area Isiolo District, you will see other communities, they are given ministers, but when you consider Isiolo district, we are only left with Assistant Minister for 15 years. Assistant Minister for Isiolo North C.G. Mohku, Assistant minister for Isiolo south Dr. Abdilahi Wako. Now you see that when you look into the work of the Government physically, you will see that they are trying to undermine us. That should be noted first.

Again, previously, the Constitution of Kenya was being carried out by the members of Parliament as they are under the group known as the legislature. Now the members of the parliament previously they had power but now the thing is different case. The Government, they have found out that it is not enough. The members of parliament themselves, they are not in a position to give out what is required and what is needed by all Kenyan citizens.

Now here because we know Mr. Commissioner, may be you might be a lawyer, I don't know, but there is I may say that we have the secret of Government which is not got by the Kenya citizens, for example in Constitution like this one, there is what is known as preceeding and tabling of questions in the National Assembly. Now when it comes to that, you will see that it is only the members of the parliament who have the power to table the question, and the question normally comes if answered by the ministers concerned. I think that one is where I take it. Now this Constitution which is forwarded, it is received by the group of people, who are limited in number known as the quorum, the party quoram. With exception of the speaker, now I want the... in that quoram, I want the MP of Borana to participate in it. The MP of Borana to be written his name in that party quoram because (*interjection*)

Com. Lethome: Which quoram are you talking about?

Muktar: Party quoram, which discuss this Constitution.

Com. Lethome: After you pass it?

Muktar: The quoram, and the (*interjection*)

Com. Lethome: The conference? The national conference or which one?

Muktar: No, the quoram is the group of people selected by the members of the national assembly together with the committees, they come together and discuss the Constitution, they cut out some .. (you've not got me right?)

Com. Lethome: I've got you.

Muktar: Yes, that group. Now they will cut out some objectives which has been raised by the communities, now there, I urge the members of parliament especially belonging to Borana, one of them to act as representative there because of several reasons. Also, that one will assist the, for example when I consider this religion of ours, Islam, for example, people are believing in different religions. Now, as a Muslim, also I suggest that, for the work of the Kadhis to function the people of the high Court Judges, they are supposed to be represented there so that they will have the same powers like the high court judges who are appointed by the , for the law of Islam to function well, I mean that.

Also, I have another point, since morning I was hearing that the Constitution, allows all Kenyans, freedom of rights. Yes, its true. Freedom of right, freedom of movement, freedom of worship, things like this, yes it is good, but the fact behind it is that women are crying for equality, women are crying for equality, this one is good suggestion, but it has a lot of disadvantages, when you look into it Islamically. Yes for example, you will see women; they feel superior more than their husband and that house in the first case. Now you see instead of husband marrying a woman, it is a woman marrying the husband vise versa. Now this one will bring about the family break down, for example divorce, in Merti here, you will see that a lot of women are divorced, they don't have the place, they don't have the place because of that equality which they are crying for, it is good (*interjection*)

Com. Lethome: Why don't you recommend, we know the problem, now recommend.

Muktar: About that?

Com. Lethome: Yes, what you would like to see in the new Constitution pertaining to equality between men and women, family life, how to protect the women from divorce, something like that, you propose.

Muktar: You want my comments, its good, now there I oppose simply because equality brings about the family breakdown.

Divorces increase fast. The Heads victim, now you see that if a woman doesn't have husband, she can roamere she likes, she can go at night, the way she likes, because she feels very free. Now that one will lead to increase of AIDS victims.

Com. Lethome: Recommend something.

Muktar: About what?

Com. Lethome: The same thing. Recommendations.

Muktar: I recommend what? About this?

Com. Lethome: Should women be equal to men or not?

Muktar: No.

Com. Lethome: Okey, as simple as that. Okey recommend something to take care of divorce, we don't want divorces. What do we do?

Muktar: Divorce, there, I would like to suggest that, if they will not be promoted to that equality, it means the husband is superior.

Com. Lethome: Okey, so there will be no divorce?

Muktar: Yes.

Com. Lethome: Okay, fine go on.

Muktar: And now, under this, you will see some problems may arise, some men may lose, may miss their women for example the husband of the house is displaced by the stranger, very common in our area.

Com. Lethome: What do we do? Recommend something to make sure the stranger does not take over.

Muktar: Here, we are supposed to align ourselves with our Islamic law and sheria.

Com. Lethome: Okay so people should follow their religion?

Muktar: Should follow their religion,

Com. Lethome: Okay, go on, recommend something else.

Muktar: To go ahead, the Constitution should also allow the customary law to exist at the local level because it had been proved to be solving problems of individual cases, the minor cases, as it is the court which is nearer at the local level before it reaches the administrative people like the chiefs and the district officers.

Now the other one, I want to touch about the education for the adults. Education for the adults, now here, you will see shortage of teachers, there is shortage of teachers' kwa adults. This is the reason as to why, since morning, you see most of the old people, percentage of them cannot be able to express themselves either in English or kiswahili. It has been brought about about by the problem of the adult education.

Com. Lethome: Do you recommend something about it?

Muktar: I recommend that, more teachers for adults, the Government should add more teachers for us for the adults, so that they can be able to come up and catch up with other communities in Kenya.

Com. Lethome: Something else?

Muktar: The other one is just a piece of advice for the youth. Since morning, I was hearing youth are crying for councillorship, they say that the qualifications for councillorship is supposed to be O' level. I think that one is not something that functions well.

Com. Lethome: Recommend yours.

Muktar: I recommend that, they should go back to their schools as they have, their age is not big, now they go back and study and raise their grade to the university level instead of crying for the local Government work which is meant for the illiterate infact, I can say that.

Com. Lethome: So councilors can be illiterate? That is your recommendations?

Muktar: Yes, *(laughter)*

Com. Lethome: Fine go on.

Muktar: I have that point on closing.

Com. Lethome: Thank you very much, can you register please. Dida Kalicha, Dida Khalicha ameshafika? Karibu mzee. Jaldesa unakazi, anza na jina.

Dida Kalicha: *makkan kiyy Dida Kalicha Dida. Dhubbi tokkot jirr, dhubbin egget dallat kaa amm dhubbiy, dhubbiy dhuur marisissan issitu dhubbi hintanni. Namm nitti hindaal daal irr egatta, gaani kaan duff gaan kant dhabarsu, yoo saffari inni, muchaan tokk, intalti dikkon tokk it hadaa jeddani duwa awwalani.*

Naam, naam dhubbinuu irrat hindallatin dhubbi irr eggat kaa waa itt himmate gull dhemm, kaa famill issatu takk nami wantheffatin, dhubbiy sunn kaa hinarggan muchann sunn irra dhui yeddani. Yoo muchan hindhuin issat dhurra dui jeddani.

Translator: Mzee anazungumza kama anazungumza kwa methali, lakini maana ya hiyo methali yake ana sema bado nina subiri kuongojea pia. Ana sema methali yake ameeanza hivi mtu ambaye anangojea kupata mtoto kwa mwanamke ambaye hawezi kuzaa (tasa) atakuwa akiongojea mpaka yeye mwenyewe atafariki bila kupata hata mtoto moja.

Com. Lethome: Endelea

Dida Kalicha: *Amm dhubba wan ann dhirram kaan daggaut jirr, naam wa middasuti laff duff yeddani. Naam waa middass sunn yoo argan, gudho fenn. Laff tokkot jirr taa makaa Borana kabthu ta ammale Borani ammu ann ejj tanale gubba arki issa chissu. Yoo laff walli Barbadhan yoo Boranni laff kabbatt. Laff tokkot jirr taa ijolle tenn ta dallat arra nadden tenn makaa dofftu. Sabbak yeddani, Sabbakkayo Sabbaka mallo liyye, Bombassaf Nairobi jithu.*

Translator: *Iyoo att wan hidhaan yechu malte, betta dhuri dhuri daaitile dhansa nitti, ammo wanti at yet dhurri. Att wann benni jedde barrate gargari? Benn waan adha harreti middaffat fedd, wann adhaa harreti wann att dhabban bett kaa sii (inaudible) jecchu malt, yoo at ammo faggo nagessit yaa naan murte.*

Dida Kalicha: *Hayye nakkajelch jarti tiyy, ganaa na kajjelch. Amm waan an fedd nuu Borani laff kale issan himman, laff gudho dabbne. Laff dikko nuu haffe, dikko sunn amm kess tetten. Talle dabba ejjin*

Translator: Nimemweleza kwa sababu yeye kutoka mwanzoni, wakati tulikuja, hajashiriki nafasi ya kwanza. Amekuja kupata, yale yana zungumzwa, kwa hivyo, ni vile amepata, ni ya kwamba kuna pengine, mtu anakuja kutengeneza kitu ambacho imeharibiwa ama kama kuna mtu ambaye amekuja ku-redeem what has been taken or what has been misused. But I told him we are for Constitutional change, and he should now recommend what is his views for a new one, what he wants, what he fancies ideal. So ameniambia ya kwamba, yeye ako na land grabbing problem, anaona sehemu ya hii Isiolo, imechukuliwa

kwingi, na anaona amembaki na sehemu ndogo, na ana hofu hata hiyo sehemu ndogo amebaki nayo ni kama atakuja kukosa.

Dida Kalicha: *Waan karra fitte Sirkal irra nuu daggen, laffii abba kabthu, haggi laff tetti minkanke eddan. Minn abba kabbu bila hoddi nami hinssen yeddän*

Translator: Anasema hapo awali, amesikia ardhi ni kama nyumba ya mtu, na ardhi kama ina mwenyewe, ni nyumba ambaye ina mwenyewe. Na nyumba kama ina mwenyewe, mtu lazima abishe mlangoni, ndio apate kuambiwa ingia ama asiingie.

Dida Kalicha: *Amm minni kenn sunn, ya minn hankate free taai tambarare naamum argget senna. Amm minn kenn sunni kaa akk minn nammat dhebiyye. Minn yoo eddan, haggi at kubbat, haggi at dikkat chuff minn kett, laff teen tta akk issit dhebitte min kenn kaa akk min nammat dhebbiy fenn.*

Translator: Kwa hivyo ili hofu yake yakwamba yeye atapoteza ardhi isiwe yeye anapendekeza katika Katiba mpya, ardhi irudi kwa mkono ya wenyewe na waweze kutumia ardhi kwa masilahi yao wenyewe, sio mtu yeyote anaweza chukua, ama anaingia, anatumia kwa njia ambayo haipaswi.

Dida Kalicha: *Laffii.. (inaudible) eddan dhurri tenn akk amattan nuttin jirranit kessa nuu kass, Dadhachh Warrabi kenn, akk amm nuttin jirranit kessa nuu kass. Sunn ya gul jibbane tann jibachu hindhathenu, hatua itt fuddate nami wesso kabbu, kaa laff tenn namm hankis feen, minn kenn.*

Translator: Amesema ardhi ni kama nyumba ina mwenyewe, na nyumba bila mwenyewe mtu hawezi ingia atawale vile anavyotaka. Ametaja sehemu fulani katikati ya Wajir District na Mandera, mahali inaitwa Datachwalab, ni huku mbele one of the location, nafikiri nitarekebishwa, ni sehemu ya Mandera. Amesema katika ukaaji ama historia ya uhamaji, community ya Borana wamesukumwa kutoka sehemu ya Mandera, mpaka wamesongasonga wanafuatwa wamesongasonga, mpaka nusu ya Wajir East, sasa wameanza kuchukua sehemu yao, kwa hivyo anasema, hawana pakusongea sasa, ni kama wamesukumwa kwa ukuta, kwa hivyo anasema hii Katiba mpya, iiweke maanani ya kwamba boundaries idhaminiwe kabisa iangaliwe kikamilifu watu wasisukume wengine kutumia mbinu ambaye sio halali katika Katiba.

Com. Lethome: Asante sana. Hassan Bonaya, afuatwe, na Abdi Galgalo, Abdi Galgalo yuko? Hajafika. Halafu mwalimu akae tayari, mwalimu kaa tayari, tulikuwa tumekuita ulikuwa hauko.

Hassan Bonaya: Thank you Mr. Commissioner and his team. My points will be very few.

Com. Lethome: Your name first.

Hassan Bonaya: Hassan Bonaya. I will begin by giving my views on the vulnerables and in particular I would like to touch on the handicapped people. What you find is that children in our country, are often at times, born with sort of handicapped. They are either born blind, or some physical problems, others are born with some mental problems and what I have discovered is

that very little attention has been accorded to them or rather they have not been given that concentration which allows them to catch up with the normal children or as they grow up the normal adults.

Now I feel that time has come when the Constitution gives them all due consideration, special consideration for that matter so that if a child is born with a handicap of any kind, they should either be given medical attention, from the time they are born because at times if that intervention, is made by the Government because some parents could not afford to take these children to hospitals for medication. Now what happens is that the child whose handicapped would have been addressed, and cured, ends up being permanently deformed. In fact, that has been a very very big loss, human loss resource which has been lost and in particular, that area is very much pronounced, in our community, the Boranas because from the beginning, we feel that one, when a child is born with a handicap, we feel that thing is being a disgrace, we even don't expose them to the public.

Com. Lethome: Why don't you recommend on how the Constitution can take care of them. Special consideration.

Hassan Bonaya: First consideration I will put across is that, there should be financial assistance to parents from these children are born, so that if it is a matter that can be taken up to the hospitals, it is done so in time. Also, we would like special schools for the handicapped to be brought very close to our areas. We do not have special schools for the handicapped. Such provisions I think should be there. And if I close abit from that particular area, I would start something on education. The kind of education we have had, the little, or the scanty education that we have had has always had problems in relation, or when we relate to the educations we find elsewhere, its very different because when we can have a school, but the kind of schools we have here, and the very kind of the schools we have elsewhere, are different in terms of the kind of books we have, the kind of resources, teachers are permanently deployed there, there are enough staff, there is enough books, and other facilities ... (*interjection*)

Com. Lethome: So what do you recommend?

Hassan Bonaya: So we feel that, where schools are set up, there should be standardized, there should be a gauge, that school should be in place before an institution can be called a school, because we feel that a parent would take his child to that particular school just because it is a school and not by knowledge of what the school provides or what is available in the school.

Com. Lethome: Point made! Go to another point.

Hassan Bonaya: Then there is that problem where education is inaccessible because of I mean these fees.

Com. Lethome: Recommend something about school.

Hassan Bonaya: I would say that education, especially the higher education, its unfortunate its very very difficult for any nomad child or any nomad person.

Com. Lethome: Recommend!

Hassan Bonaya: I would say that the cost of getting the higher education should be reduced.

Com. Lethome: Recommend, free education or not?

Hassan Bonaya: Free education.

Com. Lethome: Sasa ulikuwa unazunguka hivi, sema tu “Free education”.

Hassan Bonaya: “Free Education” Ya, and those are the only points I had in mind.

Com. Lethome: Thank you very much Bonaya. Kama Abdi Galgalo hayuko, can we have huyu mwalimu, mwalimu karibu, tulikuita asubuhi, you were not there.

Tache Bonsa Golo: Shukurani kwa Mwenyezi Mungu, ya pili shukurani kwa macommissioners, na ya tatu shukurani kwa washiriki. Hamjamboni. So yangu pia itakuwa machache

Com. Lethome: Eleza jina tafadhali.

Tache Bonsa Golo: Jina langu in Tache Bonsa Golo, Commissioner vile umesema mimi ni mwalimu na nina maoni matatu hapa, ya kutoa, ya kwanza, it is about essential services. Essential service to the citizens, huduma muhimu kwa wananchi. An essential service ni kama huduma kama tuseme huduma kama ya hospitali, ya barabara, ya telecommunication na salary services such as banking, postal services. I would like to suggest that the new Constitution makes sure that these services are given to all citizens regardless their geographical location, regardless their race, regardless their political affiliation, what I want to say this, what I have in mind is that in the old Constitutions, ama Katiba, ilikuwa hapa mbeleni, ilikuwa huduma hii inapeana kulingana na labda rasilimali ya sehemu fulani. Na mi napenda kusema hivi, sehemu hii yetu kama tuseme Northern Kenya, Isiolo, Wajir, Mandera, ama Moyale, hakuna barabara moja ambaye imepigwa rami, hii ni kwa sababu tunasemekana ya kwamba sisi hatutoi rasilimali kama kahawa, majani chai, miwa, pyrethrum, na hii si makosa yetu, ni makosa ya kimaubile kama ni makosa. Ni vile Mungu ameumba hii ardhi, na if the Government is not giving us these services, just because we happen to be in arid land, I think it is very unfair to this citizen.

I therefore strongly recommend, that the Government should see that a human being is the most important resource, that given, an appropriate environment, they can be more productive, or they can give more than what the coffee gives, than what sugarcane give, than what pyrethrum can give, so it is mandatory that we must, our land must be tarmaked, the new Constitution must provide for that and road that connects two countries from Isiolo to Moyale. Why should it not be tarmaked? A road connecting Isiolo to Mandera, or to Somalia Republic, why should it not be tarmaked? Simply because we are in arid land. I'm therefore strongly, very strongly suggesting that the new Constitution should provide these essential services like road, banking services, postal services, hospital services, so many people have lost lives, because of lack of attention, and because the areas are not accessible or inaccessible. That is what I'm suggesting in brief. I think Mr. Commissioner that is very clear,

Com. Lethome: Yes it is.

Tache Bansa Golo: Then my point No. 2 is also about human rights, haki ya binadamu, I want to say something about this, in just one specific area because many people have said about it. I see in Kenya there are a lot of sometime unfair treatments especially in part of the police force. A policeman may convict you ama police anaweza kushika wewe, bila hatia, ata mnaweza kupigwa, mnachapwa and you are taken to the same police post, to investigate or to deal with your case. This is the same police, and then there is no way that this victim can win this case. So I'm suggesting to the new Constitution, for establishment of a strong impartial and independent body to oversee the right of all citizens. Watu ambao wako na nguvu, institution ambayo iko na nguvu, which can investigate or convict the same police if they are found guilty.

Of course their part has to be also seen but at the moment, the kind of treatment is very unfair especially to a region like this one of ours where many people are illiterate. You can be easily victimized and you have nowhere to go. You are reporting to the same police, who will report in the way, which is favouring them. So I'm recommending an establishment of a strong impartial and independent body that oversees the rights of all citizens. I think that is also very clear.

Kwa hivyo sehemu hii izingatiwe, iwekwe sheria special ama affirmative action, a special programm ya maendeleo ili sisi tuwekwe sawa na wale sehemu nyingine. Kwa sasa hatuna barabara hatuna nini, utaona watoto wa shule yetu wanaanguka, vitu vingi sisi tuko nyuma, watu wetu hawana kazi, tatizo yetu ni mingi, vita tu na nini, kila siku tu namna hiyo. Kwa hivyo tunataka affirmative action katika hii sehemu, tena sehemu kama hii.

Point ya sita, sisi tunataka sheria iwekwe siku ya Ijumaa Waislamu wawe wanafanya kazi mpaka saa tano. Ikifika saa tano wanaenda misikiti. Shule saa tano ikifika inafungwa, wanaenda misikiti, wakitaka baadaye, wanaweza kurudi kama saa nane.

Namba saba, sisi Waislamu tunadhulumiwa sana; Serikali inatadhulumu. Serikali wakati wa Kenyatta, Serikali wakati wa Moi, nahesabu Waislamu, tunabaguliwa. Hasa hata wengine makabila unajua katika Kenya kuna makabila tofauti tofauti. Ukiingia maofisi, uangalie Msomali, Borana, watu wanafanana. Huwezi kuhesabiwa kama mwananchi wa Kenya. Hata Waislamu

wanavaa kofia, unazingatiwa sio mwananchi, unaenda ofisi ya passport, unapata shida, ID card unaenda unapata taabu, unaenda kutafuta kazi unapata taabu. Kwa hivio sisi tunataka dhuluma kama hiyo iondolewe ili tuwe sawa sawa na wananchi wengine wa Kenya. Kwa hivyo sheria iwekwe sisi tuko na haki, kwa mfano ukiangalia dhuluma, uangalie Mombasa, ni town mji mkuu baada ya Nairobi na hakuna university hata moja. Kwa nini na kunazo katika town ndogo? Juzi Kisumu imepelekwa mbele, utaona Waislamu wanadhulumiwa, hata wanachukiwa.

Sisi tulisikia wakati mwingine alipochaguliwa Mheshimiwa Godana kufanywa Foreign Minister, Wakristo wengi walienda kwa wakauliza kwanini una mfanya huyu Muislamu Foreign Minister? Na wao hawajui lakini anajua alikubali huyu ni mkristo kama nyinyi tu. hiyo ni dhuluma, hiyo ni kusema Muislamu haruhusiwi kupewa nafasi mzuri katika Serikali, hii ni dhuluma lazima kuna mingi ya kufichwa, ndio sisi tunataka sheria ichunge Waislamu, wazingatiwe kama wanachi wengine.

Point ya nane, sisi tunataka intergrated system of education katika mashule yetu, hasa sehemu yetu Waislamu, tunataka intergrated system. Ya kwamba watoto wetu tunawasomesha system, subjects tofauti hata dini wakati huo wa shule tu. Wanasomesha Kiarabu, wanasomesha Koran, wanasomesha Habib, kuchanganya pamoja na subjects kama Hesabu, Geografia, Historia namna hiyo.

Point ya tisa, tunataka Arabic language iwe inafundishwa kutoka primary level, kwa sababu gani? Kwa ajili, unajua kitabu cha Koran ni kitabu kitakatifu kwa Waislamu na ndio sheria yao. Ndio Waislamu lazima wafundishwe, kwa hivyo ni lazima wafundishwe ili wajue hiyo kitabu ya Koran ni muhimu kuanzia kufundishwa kutoka primary level. Serikali inaruhusu foreign languages katika secondary level, hii haitoshi watoto peke yake kujua Kiarabu, ili wajue Koran, ni muhimu ianzishwe kutoka mapema ili Waislamu wajue dini yao. Point ya kumi tunataka Ramadhani iwe Waislamu wanafanya kazi nusu ya mchana. Kwa anjili gani? Unajua sehemu hii yetu iko ukame, jua kali. Watu lazima wafunge; Mungu ameamurisha na kazi ni muhimu. Mara nyingi wakati wa ramadhani, watoto wa shule wanasumbuka, Waislamu hata wafanyi kazi wanasumbuka. Kwa hivyo wakiwa watafanya kazi nusu mchana, hiyo nikusema wao wamesaidiwa, wanaweza kufanya kazi nusu, hiyo nayo inatosha kwa sababu ni haki yao wapate yote mawili.

Pointi yangu ya kumi na moja, unajua Waislamu kulingana na population yao ni one third ya nchi hii. Yaani katika million thelathini, million kumi ni Waislamu. Kama nilivyowaeleza hapo awali, Serikali haipendi sisi na inatuchukia. Kama inatuchukia, lazima sheria ipatikane ile inatuchunga, ile inatupa sisi haki yetu. Nafasi hii sasa tunapewa ni ndogo sana katika Serikali kwa hivyo sasa utapata katika Serikali, hasa vyeo vya juu, hakuna Waislamu. Ukiangalia ma permanent secretaries, ni wachache sana. huwezi pata Muislamu, ukipata ni mmoja, kuzidisha mbili. Angalia cabinet ministers, hatupati kulingana na idadi ile, tunafaa tupata lakini wanatuchukia. Tunataka sheria iwekwe ile inatupa at least tupate haki yetu katika hivyo vyeo ambavyo nimetaja vya juu. Kwa mfano nimetaja kama cabinet ministers, kama Kenya kuna ma-ministers ishirini, watano sisi tupewe, sheria iwape Waislamu watu watano. Hiyo ingine ni dhuluma.

Point ya kumi na mbili, graduates wa Waislamu kutoka universities za nchi za nje, waajiriwe na Serikali kwa sababu kuna ma

graduates wengine wa Waislamu wanatoka nchi zingine wanarudi, Serikali haitaki kuwaajiri kwa sababu hao wanataka kudhulumu tu. sisi tunataka tusidhulumiwe ndio waandikwe kazi.

Point yangu ya kumi na tatu, nina suggest shule yetu ndio madarasa yetu, madarasa yetu ndio shule yetu. Serikali itambue hivi, sisi Waislamu tunajengea mashule, shule hiyo tunasoma masomo ya kawaida halafu baada tunatumia kama madrasa. Tunataka Serikali itambue Waislamu wana haki yao ya kutumia vifaa vyao, shule yao ndio madrasa yao, madrasa yao ndio shule yao, nafikiri inaeleweka hiyo.

Point yangu ya kumi na nne, unajua kwa sasa, siku ile multi party imekuja, Serikali inatumia nguvu kukataza islamic parties kuandikishwa, to be registered. Sisi tunataka islamic parties ziruhusiwe, waandikishwe kama parties za kawaida. Kwa nini inakatazwa na countries zingine kama Germany wanaandika, Uingereza wanaruhusiwa, nchi zingine wanaandika, yetu kwa nini inakatazwa? Wanafaa waruhusu islamic parties zikubaliwe, waandikishwe. Sisi tunataka islamic law itumike kwetu sisi, kwa Waislamu. Area ya Waislamu, islamic law itumike ambayo inatawala Waislamu wenyewe. Namba ya kumi na saba, hali ya sheria ya ardhi ibadilishwe. Kwa sasa, trust lands ziko mikono ya, anaitwa nani huyu, Commissioner of lands. Inyang'anywe yeye sheria na ipewe communities kwa sababu sasa mtu anakaa Nairobi, ardhi ya Merti inapewa mtu mwingine kwa hivyo Commissioner of lands anyang'anywe huo uwezo na uwekwe kwa mikono ya wananchi wenyewe wajigawanyie ardhi yao wanavyotaka.

Point ya kumi na nane ni mambo ya school uniforms, school uniforms katika mashule iwe chaguo la wenyewe, watu wakitaka kutumia kanzu kama hii mimi nimevaa iwe uniform, bui bui, mtu anaweza kuvaa bui bui wanavyotaka, mtu anaweza kuvaa kikoi kama anavyotaka aenda nayo shule kwa sababu hiyo ni haki yao. Mtu anafaa avae anavyo taka bora wasomee shule na uniform iwe inafanana.

Point yangu ya kumi na tisa, unajua kuweka madevu katika sheria ya kIslam ni suna na ni muhimu. Mtume (*Arabic -inaudible*) amesema watu waweke madevu. Utaona mfanyikazi wa Serikali, polisi au nini wanaambiwa lazima wanyoe. Kwa Muislamu, hafai anyoe inafaa awache madevu. Sheria iwekwe watu wanaweza kuweka madevu yao na wawe polisi, wawe chochote na si lazima mtu anyowe madevu. Salaam Aleikum.

Com. Lethome: Asante sana bwana Abdulahi. Kuna nini, mzee asubuhi nimekupatia nafasi, umezungumza, siwezi kukupa nafasi nyingine.

Speaker: (inaudible)

Com. Lethome: Moja peke yake kwa sababu tunaingia time ya watu wengine ambao hawajazungumza sasa. Moja peke yake moja

Speaker: Moja

Mzee Jatani: *Mooni tiyya, mooni am dhukkub namm hobbase kaa amm AIDS kaan. Moonin tunnin, adhaa wakki kodheeti jirr, taa dhurruyu dubba wakki koth. Adhaa dhurru katika Kenyan uhuru argatt dhurrati binaadamun kess dakkat, dukkubb namm basless kaa amm Kenyan kassarra irra argatt kanna, dukkubi kunnin, dukkub bulti uwwa dirra gull dhemm. Warr adhaa wakki kessat koddeff bulti uwwa dirra sunn hinkabnet jirr, Intalti thubra ka bulti adhaa wakki koddheff intalti dubba hinkabnet jirr. Adhaa binaadamu kessat, bulti sunni kaa intali dhubra hinkabnet jirr.*

Amm yoo warr adhanu dhurruu bulti nami adhan kabthu, warr fuddan kaa bulti, garte dirsa niiti kaab, yoo ammo adhaa sunn am kaa adhaa bulti dibbiy kaa adhan sunn hinkabne kessat amm (inaudible) namma kaa dhubra amm dukkub sunnin hobbau, adhaa hamtu nam balesitu taa Kenya mite. Adhaa sunni taa kess dhabarsan adhaa intal dhubbra nami betta dakkattenni dhukkub sunnin issin hinraane kaa Katiba kaan kess dhabarsani irre itt tochanni sharia tann kess dhabarsan adhaa intalti dhubraa dukkub sunnin hinraan ee.

Translator: Asante mzee Jatani. Mzee Jatani amesema kutokana na nidhamu ya binadamu tangu awali, kuoa na kuolewa ni taratibu na haki, ni sheria ambaye hata kwa dini ina himizwa hata kwa Serikali inajulikana, hata katika utamaduni inajulikana. Ugonjwa kama huu tunaita HIV/AIDS ni ugonjwa ambao unaenda na spouses, man to woman relation, kwa hivyo amesema ana hofu sana. Huu ugonjwa umeanza kuuwa Wanakenya hasa vijana kutoka miaka kumi na tano kuendelea arobaini na tisa, sasa anavyo ona, ni wale ambao hawana relation, hawangetakikana wawe na relation pamoja, wasichana ambao hawajaolewa ndio wanaingia katika taratibu ya kuwa na wanaume.

Na ikiwa namna hii, Wanakenya hatutaendelea, tutakwisha, kwa hivyo anapendekeza sheria mpya ithibitishwe ya kwamba katika Katiba mpya isemekane ya kwamba hakuna mtu yeyote anaruhusiwa kutumia msichana ama kijana asitumie msichana ambaye si bibi yake. Mtu yeyote anaye tafuta relation, awe ni wale halisi ama wale ambao wamepitishwa na sheria ya kwamba ni bibi na bwana. Kama kuna nafasi yoyote mtu anatumia wasichana ama wanawake, sheria iadhibu. Katika Katiba mpya iwekwe wasichana wasiwe na relation na wanaume, na mwanaume yeyote atatumia msichana ambukizwe huo ugonjwa, adhibiwe na sheria.

Com. Lethome: Asante sana, nafikiri sasa tumefikia mwisho wa wale wote walijiandikisha wanataka kuzungumza, ningependa kuwashukuru sana. maoni yale tumepata hapa ni ya hali ya juu sana, hatukutarajia na memorandum hata program officer ndiye alikuwa akiniambia, tangu tuingie Isiolo district hatujapata memorandum nyingi kama hapa. Kwa hivyo tunawashukuru sana watu wa Merti kwa maoni yenu ambayo mlitoa na nitarudia vile nilisema asubuhi; hii sio mara ya mwisho wewe kutoa maoni yako. Unaweza kukaa kama mzee Jatani, amekaa akakumbuka point nyingine. Usiwache ipotee kwa sababu ukiwacha ipotee na ni muhimu, utadhulumu wale watoto wangepaidika na hiyo Constitution mpya miaka mia tano ingine au miaka mia moja, mia

mbili ingine. Kwa hivyo hio point yako, tufikishie.

Niliwaambia kuna ofisi Isiolo ya District Coordinator, unaweza kutufikishia. Hapa pia ninajua kuna committee members, we have some committee members from here. Ukifikisha kupitia kwao, maoni hayo tutapata. Ikiwa una safari ya kuja Nairobi, utuletee maoni yako, itafika. Na ninarudia tena vile nilivyosema kabla hatujaenda kusali thuru, ni kuwa maoni yenu hayatapotea.

Kumewekwa taratibu ya kuhakikisha maoni yote yanafika. Na nina shukuru mumetoa maoni bila kuogopa na Merti imevunja record katika Isiolo, hata sio katika Isiolo, tumezunguka Coast Province, tumezunguka Central Province, hii ndio province ya tatu. Ndio mara ya kwanza watu wa disciplined forces wamekuja wanatoa maoni na pia wanajikashifu hao wenyewe, wanatoa mambo yao wenyewe, wanaeleza. Kwa hivyo Merti ndio imeingia kwenye record kuwa ni sehemu ya kwanza kupata maoni kama haya. Kwa hivyo muendele hivyo hivyo, inaonekana civic education imefanyika vizuri, muendele kutoa maoni yanu, anzeni kufikiria sasa, ni watu gani watakao waakilisha katika conference kwa sababu ni muhimu sana. Msipo wakilishwa na watu wazuri, mkipeleka wale watu tunaita chuche, maziwa lala, mwajua chuche?

Audience: Ndio

Com. Lethome: Mkipeleka maziwa lala huko, maoni yenu itapotelea huko. Mtafute watu sawa sawa ambao watawakilisha maoni yenu huko. Wakina mama msibaki nyuma katika district, kiti moja ni yenu, katika district level. Kisha kuna Women organizations katika political parties mpigania viti vyenu pia huko. Katika religious organisations, watu wa dini, mjue kuwa kuna viti vyenu huko. Msiwachie watu wa province zingine ndio wachukue na nyinyi mubaki nyuma kwa sababu huko ndio mtaenda kupigania maoni yenu ile mumetoa hapa. Munataka majimbo, munataka hiyo Borana district, mtaenda kupigania huko kwenye conference. Sorry. Watu wa Modogashe ndio walisema Borana district, nasikia hapa ni Borana province, tunaendelea kidogo.

Kwa hivyo tunawashukuru kwa hayo machache, nitamuomba Sheikh mmoja ama one elder aweko kwenye program elder atufungie kwa dua halafu nataka kubaki, I have a small meeting with the women, kwa hivyo mtatupatia nafasi baada ya hapo, baada ya dua, wazee mtaondoka (Arabic-inaudible) mwende mkaangalie mbuzi huko nje na mtuangelilie tutakula nini, hatujakula lunch, mkaangalie huko; tubaki na wakina mama hapa kidogo na tunawashukuru sana. kwa hivyo, can one elder atufungie na maombi, dua tafadhali. Sheikh Abdulahi. Itoe Abdulahi lakini isifikishe saa kumi, saa kumi ni time ya wakina mama. Sasa ni dua tu, wacha atoa dua halafu mtoke. Wazee wamalize, tunawashukuru wazee sana.

Sheikh Abdulahi: Ilikuwa point moja nimesahau namba ishirini, tunataka establishment ya institution ama an office ambaye inajulikana Muftis office ambayo itajishugulisha na mambo ya sheria ya Kislamu ambayo inakuwa kama reference au referral kwa maneno ambayo inahusika na sheria ya Kislamu. Iwekwe namna hiyo katika sheria, ni hayo tu.

Com. Lethome: Dua

Sheikh Abdullahi: Audhu billahi minalshaytani rajim, Bismillahi Rahmani Rahim. Alhamdhu lillahi

Com. Lethome: (inaudible) bila uwoga wowote, tunajua kuna mambo mengine kwa sababu ya mila au dini hamwezi kuzungumza mbele ya wazee.

Speaker: Tusemejee?

Com. Lethome: Haya mzee na kijana we toka. Sasa useme maoni yako bila kuwogapa kitu yoyote kwa sababu hatutaki wakina mama pia wabaki nyuma. Sema jina lako na uanze kuzungumza.

Dokatu Halkano: Jina langu ni Dakatu Halkano. Sasa mimi nataka kuzungumza vile wanaume wanatesa wakina mama. Kwa sheria yetu ya Borana, wakati wa kuolewa msichana anapoolewa, babake anapatia kijana mawaidha, saa zile anapeleka nyumbani kwake. Wakati wa kufanya arusi anakuwa tayari, baba ya msichana anapatia kijana yule shemeji yake, mawaidha vile atatesa msichana yake. Saa zile kijana anataka kwenda nyumbani anamwambia, 'kijana, sikiza mimi nikupe mawaidha. Mawaidha ya kwanza, msichana yangu sasa wewe unaolewa. Usitowe macho, usivunje mguu lakini chapa vizuri kama yeye anafanya makosa. Hii mawaidha, baba zetu ndio wanatutesa mara ya kwanza.

Ya pili, wanawake ni wa aina mbili. Iko wanawake wamesoma na wale hawaja soma. Wanawake ambao hawajasoma hawana mali nyingi. Wakati wa kuolewa, babake anampatia ng'ombe moja. Saa zile msichana anaolewa si lazima anahama kwa bwana. Anachukua ng'ombe moja na moja ni ya (*Borana word*) ile ya Kislamu, ng'ombe mbili tu na ile nyumba (*Borana word*) hakuna kitu ingine iko ndani kama sofa ile ya kitanda. Sasa hiyo tu, sasa hiyo ng'ombe hata jina yenyewe iko nayo na hiyo baba ni kama baba tu, jina lake ni baba. Kila mtu unajua ni kama baba, hata mkikosana na huyo kijana, hiyo ng'ombe yake kila mtu anajua. Hata hiyo ya kufuga unaondoa, kila mtu anajua. Sasa vile mwanaume anatesa hawa ni kuchapa vibaya sana. Wakati unawachana na mwanaume, wale wanawake wa reserve wanachukua tu malala yake, ile ng'ombe yake alipatiwa na babake na anaenda nayo.

Com. Lethome: Na kama amesaidia bwana kutafuta mali, wamesaidiana na bwana wamepata mali?

Dokatu Halkano: Hawezi pata, hio hawezi pata. Ni ile tu yake alipatiwa na babake ile ya ndoa, hiyo tu. Hata si ile nyumba analeta ni ile tu ya malala. Unajua kwetu ukienda reserve, ile nyumba yetu ni ya malala

Com. Lethome: Najua

Dakatu Halkano: Sasa ile nyumba yako, wakati unakosana na mwanaume unaichukua na ng'ombe ile ulipewa na baba yako.

Ile malala yako yote unapeleka kwenu, hii ni wale bado hawaja soma.

Com. Lethome: Na watoto?

Dokatu Halkano: Watoto hauwezi kupata, hata hiyo iko nyuma mimi nauliza hivi, sasa wewe unazaa watoto saba na unamwachia mwanaume. Wanawake hawapati, sijui kama sheria imewekwa hivi, sijui kama hio sheria ni kwa wa Borana peke au iko Kenya nzima. Sisi tunataka hiyo sheria iwekwe kwa sheria mpya kwamba watoto wagawanywe kati ya baba na mama.

Com. Lethome: Kama wamekosana

Dokatu Halkano: Ee kama wamekosana, au kama sheria inaweze kuwagawanya, inagawanya nusu wawe wa baba na nusu wa mama. Au kama hauwezi kugawanywa, watoto wakae na mama tu badala mtu achukue mtoto anamtesa mtoto mdogo, mchanga ambaye ananyonya. Kisasi anaenda kuchukua kwa mama mtoto anakufa, mara mingi watoto wanakufa sana kwa ajili ya kukosa kunyonya, hii ni upande wa wale hawaja soma.

Kuna wanawake wengine wamesoma, wana mshahara. Sasa kama umeolewa na unakaa na bwanako, anasema kila kitu ni moja, mwanamke anajenga nyumba ya mawe, tusema nyinyi munaweka pesa pamoja na munajenga nyumba pamoja. Gari na ng'ombe muna nunua pamoja. Pengine huyo msichana ni mkubwa na yuko na pesa zaidi ya bwanake, wakati wanawachana, pengine yeye anapewa mshahara kubwa, gari ananunua na pesa yake lakini anaandika jina la bwana. Wakati huo hajafikiria kama watakosana na huyu bwana halafu anafukuzwa. Hawezi kupata hiyo gari, mwanaume anakaa nayo anasema gari iko kwa jina langu, nyumba ni kwa jina langu na wanawake wanateseka sana. Mimi nataka uweke kwa sheria mpya

Com. Lethome: Kama wanakosana kila moja anapata haki yake?

Dokatu Halkano: Haki yake, kwa sababu hawa wako share pamoja. Si lazima kama wewe una bibi yako kama hamja kosana, hauwezi ku nini, na pia wakati unaolewa, wewe ni msichana, una account yako. Wakati umeolewa anasema muwe na joint account, account inakuwa moja. Kwa sababu unaona ni bwanako, munaweka pesa pamoja, pengine anakunywa pombe anamaliza pesa kwa miraa na mwanamke hatumii chochote, ni kukula tu. sasa sisi tunataka iwekwe kwa sheria mpya, wanawake waangaliwe sana.

La pili, nataka kuzungumza juu ya haki za watoto. Watoto, si hapa peke yake, Kenya nzima, NGOs wanapiga watoto picha na wakiwapiga picha, badala ya kuwapatia haki yao, wanasema watajenga ardhi. Ardhi ina haki ama ni binadamu? Haki ya mtu ni kubwa ama ni ya ardhi, lazima iweko kwenye Katiba mpya, hata wakipiga picha, nusu iwe ya arhi, nusu iwe ya watoto ya kusoma. La tatu, kuna chama cha maendeleo ya wanawake, inasemekana elections ya maendeleo ya wanawake. Sisi hatujui hiyo ni nini, ni chama chetu lakini hatujui ni nini kwa sababu kila kitu kinaishia huko tu na wakati wa elections mtu anakuja pande

hii.

Com. Lethome: Sasa, nyinyi mnachagua watu wenu pia?

Dokatu Halkano: Tunachagua lakini yenyewe wale sisi tunachagua wako hapa tu, hawaendi huko, hatujui watu wa huko. Vile kuko Nairobi sisi hatujui, vile chama kinaendelea sisi hatujui. Sisi tunataka iweko kwa sheria mpya, vile wengine wanaendelea huko Nairobi, hata sisi tuendelee hivyo. Kama ni seminar wanafanya hata watu wetu waende kutoka hapa kwa sababu si hata wewe umetoka Nairobi na gari na uko Merti leo

Com. Lethome: Ndio

Dokatu Halkano: Walete gari ituchukue, na sisi tuweze kuona kama Mombasa ni kuzuri au kubaya. Hiyo iwekwe kwa sheria mpya, kama ni chama cha maendeleo ya wanawake sio chama cha walio soma peke yake, hata wale hawaja soma pia.

Com. Lethome: sasa kuna mila zingine za Kiborana ambazo pengine mnaona ni mbaya?

Dokatu Halkano: Iko, sasa iko hivi, kwa sheria yetu Waborana, wanawake sisi hatusikii kitu. Wakati Waborana wanafanya mkutano, si mkutano kama huu, hii ni ya Serikali kwa sababu nyinyi mmetuita sisi, lakini ile mikutano nyingine ambayo wanakaa kwa miti, wazee wanakutana, kuna wazee wengine kwa ajili wa mkutano wanatoka Moyale, wengine wanatoka Marsabit. Huo mkutano wao wanawake hawaingii, wanakataza wanawake na vijana wadogo wa miaka kumi wanahudhuria na pengine ni mtoto wangu. Yeye na baba yake wanaenda. Wakati wanatoka mkutano unauliza, ‘mkutano leo ulikuwa namna gani’ anasema ‘mzuri’. Unauliza, ‘sasa nyinyi mumezungumza nini?’ anasema, ‘hakuna, sisi tumechangia wale tu hawana mali’. Pengine hao wamesema tuuwe wanawake tuwamalize, sisi hatujui na hawawezi kukubali wanawake wahudhurie.

Com. Lethome: Sheria mpya mnataka pia wanawake waende kwenye mkutano?

Dokatu Halkano: Sheria mpya tunataka lazima iwe na mkutano ya Borana, ile ya kijumla, ile wanatoka Moyale na nini, iwekwe hata wanawake wahudhurie. Kwa sababu sisi hatujui vile wanazungumza huko hata kama ni kitu mbaya ama mzuri. Na tukiuliza kwa nini sisi hatuendi mkutano tunaambiwa wanawake hapana enda, ni wanaume tu. Sijui kama kabila yenu huwa hivi. Zamani, kama babangu angezaa wasichana peke yake kwa Waislamu, hakukuwa na shida yeyote kwa sababu kwa Waislamu kama baba amekufa, haki ya vijana na wasichana ni sawa. Kwa upande wa Borana, wasichana hawapati mali ya baba zao kama hakuna mwanaume.

Mali inaridhiwa na watu wengine wa kabila lao, msichana anafukuzwa. Iwekwe kwa sheria mpya kuwa wasichana na wanaume wawe na haki sawa kama baba anakufa. Mimi naona watu kama wa Jaluo ni kama sisi tu kwa sababu nasikia kwa

radio, Wajaluo wanalalamika juu ya wasichana.

Com. Lethome: Ni kabila nyingi za Africa

Dokatu Halkano: Iwekwe haki ya baba kwa wasichana na wanaume pia

Com. Lethome: Kuna kitu kimoja nitauliza, mtanisamehe lakini lazima niulize. Hii mambo ya wasichana kutairishwa, mnasema nini?

Dokatu Halkano: Hiyo mambo ya kutairisha, sisi hatutaki wasichana watairishwe, kwa sababu

Com. Lethome: Kwa nini mnanyamaza?

Dokatu Halkano: Kwa sababu wasichana wanapata shida sana wakati wa kuzaa. Ni shida sana kwa wasichana.

Com. Lethome: Kwa hivyo mnataka ipigwe marufuku?

Dokatu Halkano: Marufuku, hata wakipiga marufuku kwa dini yetu hakuna.

Com. Lethome: Unajua iko sheria imepitishwa ya watoto siku hizi, imezuia imesema mtoto kama hajafikisha miaka kumi na sita, akifanyiwa hivo ni makosa, mtu anaweza kufungwa. Mnajua hivyo ama

Dokatu Halkano: Hiyo kitu, si mzuri hata kidogo, sio kitu ya maana sana. Kwa sheria yetu ya Kiislamu, hakuna kitu kama hicho.

Com. Lethome: Sawa, asante, sasa andikisha jina lako hapo twendelee. Tupate mwingine sasa, mama mwingine.

Fatuma Boru: Mimi ni Fatuma Boru

Com. Lethome: Asubuhi ulizungumza sasa ongeza yote ile haukutaka kusema asubuhi, sasa itoe yote

Fatuma Boru: Mimi kwanza kitu cha kwanza I would like to talk about equality, me I feel, especially in our community, equality is misunderstood that is why somebody was saying equality is the one, which is breaking homes. Our people still feel that when we are talking of equality it is like we want to run the whole house alone, the woman wants to take the role of a man while we understand equality means you have to share decisions, properties and all that, so I would like in the new Constitution,

this is supposed to be put it in a condition that it should be understood by every body.

And the other one is property ownership and the I want to divide into two; women who are not employed, the housewife in our community a housewife is the person who is just supposed to run, who does not have education. And saying discrimination starts at home, because your father, as somebody has talked already, you do not own any property from your father. Maybe very few people have got one or two cows but then boys own the whole property because there is that discrimination. According to them, you are less important because you will go away and this person whom you are marrying to is taking you as if he has bought you, he doesnt take you as a human being, he takes you as his property.

Lets say, you are in that boma for 20 years with this husband, you have been building together your family and maybe already you have gotten alot of property that you have joined but once that conflict happens, you will go away with nothing. Which means you did not bring anything from your father because of the tradition although in religion there is that provision. But still am seeing there is a loophole in religion because they are saying in inheritance, a girl should get half and the boys get 100% and the girl gets 50% and am wondering why the difference, because this are of the same father and mother.

So, according to me, even in religion, there is that loophole but going back to tradition because the fact that our community is Muslim, still the traditional one is still the man who gets the inheritance. So, you are already wasted for 20 years, you never got anything from your family nor from your husband after 20 years, just to go away with nothing, not even your children. I dont know whether it was in this present Constitution which says children should belong to a man, we dont know how that happened because if you see how this children come about, lets say for a man it is like enjoyment although it is also enjoyment for a woman but at the end she is the one who is carrying the burden and then she is the one to struggle to bring up this child. So at the end of the day when you are in conflict, the child is for the man and then you go away with nothing so it is like we have no right over this and....(interjection)

Com. Lethome: So what would you like the new Constitution to do?

Fatuma Boru: I would like the Constitution to provide a chance for women to have equal share with the husband in the property they have already contributed together, it should be put in place and therefore the woman who is employed is also having a problem, when you have put together your salary, 100% of that salary from the woman is running the family's affair and maybe 25% from the man because he likes using his salary for enjoyment. But still when you own property together like a vehicle, a plot, everything is in his name and then when the conflict come, whether or not you have been employed, you will go with nothing and there is no law to protect this. We would like the new Constitution to provide a chance for this so that women can get access to a share of the property with the husband incase of conflict.

About inheritance, inheritance should also be put in the Constitution for the girl child to inherit the same amount of property as

the boy. There is also another problem women are facing, disappearance of a man, you are still married to him and then some of them disappear for many years and then maybe he is earning a lot but doesn't care about the family. Although the Islamic law is also there, there is also a loophole, this man is just there and nobody will ask him or question him why he is making his family suffer. Many women have already suffered and we would like (interjection)

Com. Lethome: So you would like the law to force him to maintain you?

Fatuma Boru: To force him to maintain his family

Com. Lethome: Okay

Fatuma Boru: I want to talk about the girls, young girls. In our community, there is sexual abuse of young girls especially these days although in our traditions as Mzee has already mentioned, we don't usually practise sex before marriage but because of these mixing of other cultures, our culture has been eroded and so girls are being misused sexually when they are very young and when they become pregnant, this person disowns. When wazee come together and question about it, there is usually nothing which will happen to help her. This girl will drop out of school and then nobody will take care of her and then she will be taken as an outcast because she got pregnant outside marriage so we would like the Constitution to safeguard the young girls against somebody damaging her life through sexual abuse.

I would also like to talk about disability; people with disability are being neglected in our community. They are not people who can be involved in decision making so I want in the new Constitution, we rehabilitate them to make them also have that share as any other citizen. Thank you.

Com. Lethome: Talking about force marriage is it very rampant here? Because Islamically a girl is supposed to give her consent, anatakiwa atoe ruhusa yake, akiolewa. Do the women here have the right to say no, I don't want to marry this person even if the father wants her to marry that person, can she say no?

Fatuma Boru: Very few, let's say it is a negligible number which can't then just accept even if they don't want.

Com. Lethome: So there is forced marriage?

Fatuma Boru: The forced marriage is still there

Com. Lethome: So are you women comfortable with that?

Fatuma Boru: No, we are not comfortable.

Com. Lethome: What would you like in the new laws, about forced marriage, what do you say about forced marriage?

Fatuma Boru: We say marriage should be from 18 years of age and the two who are marrying each other should be given the same chance of deciding.

Com. Lethome: Okay.

Fatuma Boru: Deciding who to marry and when to marry.

Com. Lethome: Okay, can we have somebody else, mwingine, wale wanataka kuzungumza. Kuna wamama wengine wanataka kuzungumza? Among the first women to speak.

Dade Kambicha: Habari zenu

Com. Lethome: Mzuri sana

Speaker: Utasema jina.

Dade Kambicha: Mimi ninaitwa Dade Kambicha. Basi sisi tuko na shida na wanaume, shida yetu sana sana wale wameolewa tuko na shida kwa sababu unaolewa, hizo shida zinaanzia kwa nyumba yenu, inanzia kwa wazazi wetu kabla hata hujaolewa. Kwa sababu ukizaliwa, wakati mamako ana mimba, baba anataka kujua mama amezaa nini, kijana ama msichana. Mama akizaa msichana anaambiwa kila siku kuwa hajazaa kitu ya maana, inanzia kutoka nyumbani na kwa sababu wamekuzaa, hutatupwa. Wanakulea na mama akiza kijana, anapewa mali lakini akiza msichana hakuna kitu anapatiwa, kitu anapangiwa ni kuolewa.

Unalewa na wakati unakuwa mzuri, unaenda kuolewa, na ukisikia unaolewa ni kama unaingia kwa (inaudible), yaani ukiolewa umeingia kwa (inaudible). Sasa unaambiwa kwa sababu wewe umezaliwa na wewe utazaa na sasa mahali umefika, unakaa hapo, unazaa, unamfanyia huyo mtu kazi, kama ni kuchunga unachunga, kama ni biashara mnafanya pamoja. Wakati umekaa hapo na pengine ni miaka thelathini ama arobaini ama thelathini na tano hivi, sasa kwa vile umeolewa na umezaa ni tofauti, wakati umezaa watoto tano au sita na una miaka arobaini na tano, mwanaume anakuambia uende nyumbani kwa sababu umezeeka.

Kufanya kazi umefanya, kama ni biashara mmefanya, kama ni kujenga mumejenga, kama ni kulea watoto mmelea na sasa

