

**CONSTITUTION OF KENYA REVIEW COMMISSION**

**(CKRC)**

**VERBATIM REPORT OF**

**CONSTITUENCY PUBLIC HEARINGS, MACHAKOS CONSTITUENCY  
HELD AT MUUMA ANDU AIC**

ON

14<sup>TH</sup> MAY, 2002

**CONSTITUENCY PUBLIC HEARINGS, MACHAKOS CONSTITUENCY HELD AT MUUMA ANDU AIC ON**  
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**Present**

Com. Hon. Phoebe Asiyu  
Com. Dr. Maranga  
Com. Pastor Zablon Ayonga  
Com. Mutakha Kangu

**Secretariat staff in attendance**

Peter Kanyi - Programme Officer  
Lydia Manyoni - Assistant Programme Officer  
Jacqueline Nyumoo - Verbatim Recorder

The meeting started was called to order at 10.00 a.m by Com. Hon. Phoebe Asiyu in the chair.

**Com. Hon. Phoebe Asiyu:** Tuombewe na mzee mmoja kati ya wale wazee ambao wamekuja kutoa maoni yao halafu tutajulisha kila mtu. Ninasikia kuna pastor ambaye yuko tayari kutufanyia maombi, tungesimama wote pastor atuombe halafu tuaanze mkutano.

**Pastor:** Mungu uishie milele, mfalme wa wafalme, Mungu usiobadilika, tuko mbele zako, tukishukuru jina lako, tukikuinua na kukutukuza maana unastahili. Tunasema ni asante kwa kikao kama hiki, ambacho bwana umetujalia kuwa nacho. Tungependa kusema ni asante kwa wajumbe ambao umewaleta. Tungependa kusema ni asante kwa yeyote ambaye ako katika kikao hiki. Mfalme tunakushukuru kwa fursa hili la kuja hapa na kufikiria pamoja juu ya Katiba. Mfalme tunakukaribisha ukawa mgeni wa heshima. Tunaita utukufu wako ukawe nasi. Mfalme tunakuomba ukatuongoze kwa yote mpaka tukaone mwisho, tukushukuru. Tunawaitisha ambao wako vijijini, wale ambao wako njiani, Bwana tuanawaitisha ukawalete ili tukianzisha na kuendelea, tukashiriki pamoja na wao. Yeyote ambaye atashikilia jambo, tunampeana mikononi mwako, ili akashikilie kwa maongozo yako. Yule ambaye anashikilia programme, Bwana tunampeana mikononi mwako ili mfalme ukamshikilie na yote atakayoyanena. Mfalme yawe katika mangozo wako. Bwana kuwa nasi mpaka tuone mwisho, tukushukuru. Ni asante kwa yote, ni asante kwa kutusikiliza na lote la kuziba maombi yetu. Mfalme tunakuomba ukatusamehe. Na ni katika jina la Yesu Kristo aliye Bwana na mwombezi, tumeomba. Amen.

**Com. Hon. Phoebe Asiyu:** Haya tumepeana asante sana kwa maombi ambayo tumepewa na Pastor, na sasa tungependa

kuwajulisha wale committee members wa constituency kama wako hapa pamoja na coordinator wetu, halafu sisi tulio hapa juu, tutafanya vile vile ili tujuane kabla hatujaanza mkutano. Tafadhali Madam Coordinator, utujulishe kwa wale members wa committee wa constituency kwanza.

**Rose Kimeu:** Members wa Constituency Committee wenye mko karibu, karibieni tukaweze kuwajulisha kwa Commissioners, na kwa mkutano wa leo kwa jumla. Kwa jina mimi naitwa Rose Kimeu, mimi ni District Coordinator wa Constitution Review katika wilaya ya Machakos. Na constituency committee members wenye wamefika kwa wakati huu ni Bidhe Kala. She is the Women's Representative in the committee, na Francis Chanyo. Asante.

**Com. Hon. Phoebe Asiyo:** Asante sana, tuingojea wale wengine wafike, watajulishwa ili tujue wako nasi pamoja. Sisi ambao tumetoka kwa Commission, kuja kusikiliza maoni yenu juu ya Katiba mpya, kwanza upande huu, tuko na Pastor Ayonga, na pale mwisho kabisa, tuko na Dr. Maranga ambaye pia ni Commissioner. Hapa karibu na mimi tuko na Commissioner Mutakha Kangu. Mimi ambaye ninaongea ambaye nitakuwa Mwenye kiti wa kikawo hiki leo asubuhi, ni mama Phoebe Asiyo, na mimi pia ni Commissioner. Asanteni sana, sasa tutaanza kusikiliza maoni ya watu wa hapa, lakini kable hatuja fanya hivyo, ningependa kuongea machache tu.

Ningependa kuwakumbusha kwamba mambo haya ya kubadilisha Katiba ya Kenya ilitokana na mawazo, fikira na mahitaji ya wananchi wote wa Kenya ambao waliona kwamba ile Katiba ilitoka Ulaya wakati wake ulikwisha. Kuna mambo mengi sana ambayo tangu miaka hii, thelathini na tisa, imebadilika kabisa katika nchi hii. Kwa hivyo waliona kuna mahitaji ya kuweka Katiba mpya katika nchi hii. Kumekuwa na mikutano mingi sana tangu kutoka Bomas of Kenya mpaka Safari Park mpaka Ufungamano na ile Parliamentary Select Committee, naju nyinyi mnafahamu mambo yale ambayo yamekuwa yakiendelea ili kuwe na katiba mpya Katika Kenya.

Halafu tulisikilizana, bunge waliona kwamba ingekuwa vyema kupata maoni ya watu wa Kenya kutokana na kila constituency. Kwa maana kama tungesema ni matowns kama Nairobi, kama Machakos, kama Kisumu, au Mombasa, pengine hatungepata maoni ya watu wa Kenya wanaoishi vijijini, kule ambako ndiko kuna watu wa Kenya wengi zaidi ya wale wanakaa town. Kwa hivyo, bunge ilipendelea kwamba, tufike mahali kama hapa ili tuweze kusikiliza maoni yenu. Kitu ambacho kinanishangaza tangu tuanze kazi huku Eastern Province jana, kule tuliko kwenda hatukupata watu wengi. Na kule ambako tumeenda wakati uliopita kama Coast Province, na Central Province, hii kanisa ingejaa sasa. Na hata hatungeweza kusikiliza wale watu ambao wanataka kuongea. Hilo ni jambo la kwanza.

Jamba la pili, mimi wakati ule nilisikiliza maoni ya watu wa hapa Ukambani, sikusikia kitu chochote, mkitueleza kwamba mngpenda serikali ya aina gani maana hiyo ndiyo kitu kikubwa sana kwa nchi hii. Watu hawapendelei mwenendo wa serikali ambayo tuko nayo sasa. Hakuna mtu alitueleza, na mmepata hivi vijitabu nyekendu Hakuna mtu alitueleza mnataka serikali ya aina gani kwa Katiba mpya. Sikusikia mtu akisema hivyo. Ningependa leo tafadhali mjaribu sana kufikiria mambo mhimu. Kwa

kweli kuna shida nyingi. Jana kina mama walitueleza vile mwingine amefiwa na bwana yake, ana watoto, hawezi kulipa school fees. Sisi kama Commission, tufahamu vile anasema, tutaandika, pengine alitaka kuwambia kuwe na free education ili watoto wake wasome. Pengine alitaka kutuambia kuwe na usaidizi kwa wanawake wajane ambao mabwana zao wamekufa. Pengine pia alitaka kutuambia kuwe na ofisi hapa karibu ambayo yeye kama mwanamke mjane hana bwana na watoto yatima wanaweza kufika kusikilizwa shida zao na kusaidiwa. Hatukuweza kusikia mambo mengine ya mhimu sana sana ya kubadilisha Katiba ya Kenya. Tafadhali leo, kwa maana mme pata ujuzi, mtueleze fikira zenu siyo tu ikilinganashwa na kile kitabu chekundu tuliwatumia. Hiyo ilikuwa ni kama mwongozo tu. Lakini nyinyi wenyewe wakaaji wa hapa, ndio mnajua shida zilizoko katika mtaa huu wenu, na ndio mnaweza kutueleza Katiba ikibadilishwa, ibadilishwe kwa njia gani ili watu wa hapa wapate kufaidika zaidi ya vile wamekuwa tangu tulipopata Katiba iliotoka Ulaya. Natumaini itakuwa hivyo leo. Tutawapatia nafasi kila mtu, dakika tano kwa wale ambao wameandika memorandum ambayo tutachukuwa Nairobi, na kuweka kwa computer. Lakini wale ambao hawajaandika na wana mambo ya kuongea na sisi, tunaweza kuwapatia dakika kumi, ili tusipoteze wakati tutaanza mara moja sasa. Tuko na watu wa nne ambao nimepata majina yao hapa, yule wa kwanza ni Reuben. Halafu wa pili atakuwa David, wa tatu atakuwa Justus, na yule wa mwisho atakuwa ni Grace. Natumaini watu watakuwa wakija hivi mara wakija, wanaandika majina yao pale halafu wanakuja wanakaa karibu na sisi. Mkiongea, muongee kwa sauti ambayo inaweza kushikwa na hii machine. Tena muongea kutaja mambo vizuri kabisa, you must be very clear when you make your statement because we want them recorded in this machine. So please, do us a favour by speaking clearly and loud enough for us to hear and for it to be recorded in the tape recorder. Na ninawashukuru sana kwa kufika na natumaini kwamba leo tutakuwa na mkutano mzuri. Kwa sasa nitampa Reuben Lutta nafasi ya kuongea kwanza, asante.

**Mr. Reuben Lutta:** Asante sana Commissioner Asiyu na wale wengine, na wote waliofika hapa. Kwa jina naitwa Reuben Sotta. Mimi niko katika kikundi cha Muum Andu ambacho tulikuwa tukiendelea na kuchunguza kile kitabu chekundu kama vile ulisema mwongozo na tukaandika maoni yetu. Kwanza nitaanza na Basic Rights.

Katika maoni yetu tuliona katika maswali ambayo yako katika kitabu kile chekundu, tuliona ya kwamba our Constitutional provision for fundamental rights are not adequate. The reasons being, the other constitutional right that should be entrenched are .. ..

**Com. Hon. Asiyu (Interjection):** Usituambie mambo yale ambayo yanakosekana, utuambie yale ambayo yanatakikana. Ile recommendation ambayo unataka tuiingize katika Katiba mpya. ili Upate nafasi ya kuongea kwa muda mrefu, sema tu recommendation ya Katiba mpya. Asante.

**Mr. Reuben Sotta:** Culturally as we said, our present Constitution does not reflect anything on cultural values as it was there before colonialism. But the old constitution which came from Lancaster, never entrenched anything based on our culture, social and economic.

We also went to the death penalty, which we found should be abolished, that should be replaced with either life sentence.

The Constitution should protect security, health care, water, education, shelter, food and employment as basic rights for all Kenyans. So from there we meant the government which should ensure that all Kenyans enjoy all basic rights.

The constitution should deal with security, water, health, education, shelter, food and employment. I am not to put it in the contrast. The constitution should provide compulsory standard eight and free education up to higher levels. Kenyans should have access to information, in possession of the state or any agency or organ of the state.

The constitution should guarantee all workers the right to trade unions except the armed forces, because they are expected to obey orders but not to think beyond their decisions.

The other basic rights for Kenyans that the Constitution should guarantee are due to poverty, poor people should be guaranteed a little monthly salary, that is an employment allowance, especially to single mothers, or those who are hit hard by poverty.

Then, let there be dam duty. That is surface dams in Ukambani. Therefore, we recommend irrigation should be practiced alongside other agricultural practices to rid Ukambani of poverty.

Parliament and presidential elections should held on different days. By that we mean they should be conducted differently. Our elections should simplified. Let voters be conducted at the polling stations. When we say simplified, we mean counted. After voting, the votes should be counted at the polling stations. Yes, there should be a limit on the election expenditure by each candidate. There should be electoral financial committee for accounting for the expenditure of all candidates. Thus in order to avoid handouts and extra expenditure, which would lead to pick the wrong candidate, we should have a limit on the expenditure of every candidate. The election date should be specified in the Constitution. The election date should be in a calendar specified being ware not to remain a secrete weapon over a certain group. That is if it is January, we understand it is such a date.

Presidential election should be conducted directly, that is, we elect the president at the proper time. Elections for the year 2002 should be independent that is they should be able to count votes at polling station.

For the qualification to be commissioners, one should be an advocate, have studied law or church philosopher. That is those who have graduated further in divinity. Graduates, and doctors, let them be appointed by the parliament. Then Electoral Commission should enjoy tenure security of five years, and should serve the Commission twice if re-elected.

Commissioners should be removed after their term of service or in competence or inability, whether the final results, which they produce and they are pointed not reflecting the needs and demands of the country, we should get rid of them and replace with the others.

The electoral commission should be funded from the Ministry of Finance. We should appoint 22 commissioners as we are today, to save money for the workforce.

On succession and transfer of power, we recommend that the Chief Justice should be in charge of executive power during presidential elections. The majority winner should be declared the president. By this we avoid the 25% from each province.

The incoming president should take his seat after two months and the Chief Justice should swear him in. And during swearing ceremony, the laid down procedure, should be followed. The President should be subject to law. If the President is in the office and happens to do something against the law, he should be impeached.

The Constitution of Kenya should specify qualifications for presidential candidates in that, they should be university graduates, 40 years of age, married and should adhere to the following code of conduct: No record of grabbing, bribery, corruption, and other immorality related with a dead society.

The presidential tenure should be limited to two terms of five years each.

The functions of the president should be defined in the constitution, which include:

Mobilization of the whole nation to development, secure the country from interference by foreigners. That is external interference and work hard to improve the economy of the country.

The Constitution should set the limit of presidential powers, e.g. nomination and appointment of Commissioners, Permanent Secretaries, DCs and Dos, Attorney Generals...

Constitution should provide for the removal of the president for misconduct while in office. This is when the economy declines when the percentage goes beyond Donde's prospects. When there is public discontent and by demonstrations, he or she should use executive powers to contain it. We should not retain the concept of Mp's nomination.

There should not be any special measures put in place to increase women participation in parliament. Mrs. Asiyo's request to parliament that women should have Preservation of some seats, it is unfair, they should accept themselves as equal members of parliament be ready to represent the interest of their party and be answerable to their party. The Constitution should permit a

coalition government. The coalition government should be accepted. We should change to a system that demands multi party representation at both levels of the government where it is also a decentralized government system.

We should not have more than one chamber in parliament. As we had before. We should not have more than one, that means single unit one chamber, not two chambers, one upper and the other lower.

There has never been adequate powers of voting motions of no confidence with the president and ministers due to unseen powers of the president. In the Constitution, there is no power reserved to bring down a president if he happens either to go against the law.

The president should never have powers to vote any legislation passed by the parliament. The Legislature should have powers to over ride the president's veto, this should be when the parliament is in favour of the nation.

The President should have powers to dissolve parliament when the term of the sitting parliament expires.

There should be a difference between the president and the parliament.

No election should be once for all MPs.

The Executive: The relationship between the president and the parliament should be harmonious and conducive to develop the country and improve the economy and services. The president should be a Member of Parliament.

There is no need for Provincial Administration, we need DCs, chiefs and assistant chiefs. I think I am through..

**Com. Hon. Phoebe Asiyo (Interjection):** Any question for Mr. Reuben Lutta? Yes, there is a question there.

**Com. Maranga (Interjection):** The last comment is not clear, you said, there is no need for Provincial Administration, but again you proceed to talk about PCs and DCs? Can you clarify that?

**Mr. Reuben Lutta:** Through our discussion before we forwarded, we discussed either the removal of Provincial Administration, then at the end we discussed that without them, the security ..inaudible. We would experience lawlessness. That is what we suggested at the end.

**Com. Ho. Phoebe Asiyo:** Ok...ah Pastor...



**Com. Pastor Ayonga (Interjection):** Bwana Reuben, you said there should be control of election expenses, but you didn't tell us the measures that would be put in place to control that expense. You know there are so many handouts that are given during election time., so many things are done, how do we control that? What recommendations do you have? XY Z must be done so that we control the expenses.

**Mr. Reuben Lutta:** Now when we came to that as our group, we went through trying to find out why the majority of people were chasing handouts. At the end, we have a wrong candidate or personality to lead us. So we never discussed anything to do with the system to control the money dished out to voters. But there the discussion just we had to go to the level because, this need and demand of money has led majority to acquire money wrongly and at the same time end up with either stealing or looking dishonest and acquire money dishonestly, that is what we need. So we never said anything about the much we need. Because there are other constituencies which are so big, and need food and I think with African tradition it is good to give out handouts. Urging or trying to buy the votes, but that kind of generosity at the end results in buying votes. So, I recommend that hundred thousand is enough either to chase an office, councillor and MP. That is my proposal personally, Bwana Commissioner.

**Com. Hon. Asiyo (Interjection):** I wanted to ask you one question, you talked about the decentralization of the government, but you did not expand, how do you that government to be decentralized?

**Mr. Reuben Lutta:** ..Inaudible, but this decentralization is not majimbo, what we need is just to go back to district focus have some areas either with Local Authority to run some affairs of the country, and then the central government to assist in advising and material also moral. That is what we meant when we were talking about trying to find out what kind of government can be suitable to our country.

**Com. Pastor Ayonga (Interjection):** You said you don't need to increase the seats for women; there is nothing special about it. Then what is the reason?

**Mr. Reuben Lutta:(** Inaudible), when we compare with other countries, South Africa, Tanzania, Uganda and many other places where gender is considered. Not inability, but we decided that these options either should be set aside but not to be given seats on a platter. We should find a system that can make them to compete as well as these disabilities and many others, we had a very good motion about..(Inaudible), in the parliament I would have supported you.

**Com. Hon. Asiyo (Interjection):** I can explain to you what that motion and any other motion that has followed, even the other discussion. What is done in Tanzania, South Africa and Uganda as you have rightly mentioned is this, political parties have elections for women candidates only in every district, the political party that wins, has a woman going to the parliament.

This is done before the General Elections, so that at least one woman in every party is elected to parliament from whatever party that wins in that district. That in Kenya would give us like 74 women in parliament to start off with. Then there would be general elections and those women who are strong enough to stand against men and other people who would then compete alongside everybody else. Because there has been a lot of imbalance in the country and you also need the wisdom of women, so that when you seem to be appreciating, the fact that this country needs the freedom of women, at the policy making level like the Legislature, but you are saying that no special favour should be done to them. I don't believe we want to do any nomination of special favours, but you now know what is being done in Uganda, in Tanzania, in South Africa and many other countries of Africa and the rest of the world.

Don't tell us to go and see what to do in order to have women in parliament, like you are saying, tell us what to do in order to have women in parliament, like you are saying, tell us what you think we should do. You have said we should not give them special favours, what do you think we should do in order to have increased number of women in parliament?

**Mr. Reuben Lutta:** These are atleast two ways because our women..Inaudible,.. Because the Africans underrate women and they choose the worst language that will heat this woman to discourage her, if it is married, it is regarded as a prostitute and in our society up to this time of gender equity and many others, educational liabilities and capabilities especially in Kenya, because, woman is still placed at the back door that when we go to academic performance with exception of science and mathematics, you find women are fairing, in other areas, even law and many others. But acceptance in the society, I suggest there should be a law to curb this kind of dirty language, loose tongues without gentility or what we call good manners that would encourage capable women to get into the race. But this way of bringing dead language, right from the parliament up to the law courts, I have been a teacher for 35 years, and whenever we used to go ahead and mix here, or where, that kind of male. Chactrisism is also practised right from the beginning when the traditions were going on up to this moment, but the parliamentarians, the lawmakers, have never come around the thing, what can we do to protect this gender. Inorder to have better participation, in what we are doing in nation building. So madam, as you have asked, the only thing we can do, we discourage this male charirism. We allow them on mentally capability, but not material work. They come around; they advocate the technique what they see the efficiency they have about he country. So I think that proposal can assist many..Inaudible.

**Mr. David Muli:** Yes, our Commissioners, my name is David Muli Gala, representing Gumba location in Machakos Constituency. I would start my own opinions with the others, because we had several seminars, in our school and we talked over this That is why I ask you if I fail to answer any question, one of my colleagues who are there, can come up and answer the question because we had also the members of the public with us and then they gave us the opportunity to write down what

they said.

I would start with politics: The objectives of the government should include:

1. Development: Because without development no government can exist.
2. Unification of the people in the whole country in the manner which is possible depending on social, cultural and many other aspects.
3. The other one is social and cultural aspirations: International relationship, not forgetting out motto of Harambee motto must be included in our objectives.
4. Property Ownership: Must be very well declared in our Constitution such that a person knows what he owns or she owns. Experiences: Us as kenayans our in the past, we have experienced:

Tribal clashes, I would request the Constitution that something be done about language because if many people knew many languages, clashes would be minimized because I would know what someone it talking about me. So if the government would include a bit of several languages, learnt in Kenya or even all of them, we would minimize that one. Two: Then we also experienced the Mau Mau times during colonial times. Three: We have experienced famine many a times in our country. We have also experienced coup de tat in 1982. Four: At the moment we are also experiencing something that is very expensive, and that is Aids. The country is experiencing AIDS. The present one.

In the past we also have experienced poverty and it still continues.

We have and are facing and unemployment shortage in our country.

In our Constitution, we need a constitution that is capturing the national philosophy and guidance principles. As regards demarcations of political areas, we are experiencing problems because for example here we have got one part which is politically in Makueni and it is administratively in Machakos district. That is a problem we are facing in our country, it could be here and other places. In the Constitution that one be talked about such that if it is in an administrative area, it is also a political area, because people are suffering they don't know who to report to, they don't know who they are answerable to, this keeps all the political area.

The Consitution should also include fairness, justice, transparency, accountability, and economic and social freedom. That is part of the objective that is our goals.

On citizenship; I would recommend that a child born in Kenya should be automatically, a citizen. Kenyan citizenship can also be acquired by application from the registrar, that is immigration department. I also recommend that citizenship regardless of gender should be allowed to be automatic. Citizenship regardless of gender of any Kenyan should be automatic.

I would also suggest that a child born of a Kenyan parent should be automatically a citizen of Kenya in all rights and no obligations. A citizen of Kenya has all rights and no obligations.

Rights and obligations of a citizen should depend on the manner in which a citizenship is acquired.

I would suggest that, there be a dual citizenship, because there are people who work in some areas and they need to have something to identify them.

In movement, we should only be requested to produce our identification cards. A Kenyan citizen should identify himself by an ID card.

Constitutional Supremacy: I would recommend that in the parliament, the vote to make any amendment should be raised from 65 to 75%. That is, let the present Constitution procedure to be raised to 75 votes in parliament for any amendment on our Constitution.

I would suggest that no amendment of power .. All amendment of the Constitution should only go to the parliament but not to the wananchi. The amendment power should go to the parliament, but not the wananchi because it will cost them a lot of time and money

Political parties: They should not play roles other than advising the government. Political parties should be ready to advise the government and mobilize the wananchi on development. Other aspects include, to bring about peace unification, workload, education and all this. They have got a lot to do in the parliament.

The constitution should regulate the formation, management and conduct of political parties.

I would also suggest that, the political parties, should be reduced, because when we have got very many, a lot of expense goes, to the parties, a lot of time is spent on them, things but when we have got few political parties, there would be majority, I would suggest ten.

The Mayors and Councillors Chairmen should be elected directly by the people and also as we would suggest that Mayors and

Council chairmen should take five year.

**Com. Asiyu (Interjection):** We don't have to worry about.. Explain seven aspects of presentation. Unless you have something burning, otherwise you know if it reach down that we..inaudible. Please we have some questions.

**Com. Pastor Ayonga (Interjection):** I have one question for you. You said that 75% MPs can amend the Constitution, now I don't know what you meant by this 75 of the 210 MPs or you meant the 75% of members present at that particular sitting?

**Mr. Reuben Lutta:** It is very well known that in most cases, there are not all present, so I would suggest that the 75 should come from those who were present because that person who is not in is not ready to move that motion.

**Com. Pastor Ayonga (Interjection):** So if they were 40 MPs or 30 MPs, 75 % of those can go ahead and change the Consitution?

**Mr. Reuben Sotta:** I don't think whether they want...

**Com. Kangu (Interjection):** Infact the current position which you are saying should be increased to 75% the current position is that 65% is of all members of parliament, so you cannot have been increasing from 65 to 75% if you are telling us that it should be 75% of those present in the house.

**Mr. Reuben Sotta:** Because it seems there was a mistake, let me remain 75% of the 210, 75% of the whole house.

**Com. Hon. Asiyu (Interjection):** You have said that you do not want the people to be involved in issues of amending the Constitution, what are your reasons for saying so?

**Mr. Reuben Lutta:** My reasons are that when I elected someone, to go to the parliament, he is a total vote of the people of a certain area. So in this case if he was there, when voting was being made, she represented us all in the constituency where he comes from. So I would suggest that..

**Com. Kang (Interjection):** You said that any child born in Kenya should automatically be a citizen, so it does not matter whether the child belongs to Asians, it does not matter whether the child belongs to a foreigner so long as the child has been in Kenya. Is that what you want to say?

**Mr. Reuben Lutta:** (Inaudible) About citizens of Kenya, the citizens of Kenya.

**Com. Pastor Ayonga (Interjection):** I was going also going to ask you about that but you clarified because I was going to tell you assuming a Ugandan was travelling from Tanzania in a bus, and the labour pains come in Nairobi, are you saying that that child would become a Kenyan, but you have clarified that. Two, the history we are coming from which has made Kenyans decide to change the Constitution is that we had a relatively good constitution at independence but which was subjected to a lot of amendments by MPs, and now you are telling us the people should have no role to play. We leave it again to MPs, we could do a good constitution, and tomorrow again they amend it left and right and we end up losing everything.

**Mr. Reuben Lutta:** What I am talking about now, we are amending the Constitution, we are bringing our views, when that constitution is ready, not everything would be needed for change, a few changes here and there, because of development would be there, so, I would suggest that, those few changes, can only be done by the government. But if there is a whole overhaul of the Constitution, it should come back to the people.

**Com. Ayonga (Interjection):** What would amount to a few changes, and what would amount to an overhaul? Because you know what we are concerned about is how to protect, the constitution we are going to make, from being messed up the way it was done in the past?

**Mr. Reuben Sotta:** According to me, the way we are at the moment is not that it is not the way our grand children are going to be. They would need changes because of development. They will need changes because of scientific things, so with them, it is their, let us leave it for those who will be there.

**Com. Ayonga (Interjection):** Okay, if for example, today we are glad that the Constitution that Kenya would be a multiparty state. Members of parliament get there circumstances have changed, and they want a one party state or they want to increase the number of years that they will be in parliament for example, from five years to ten years, you are telling us that they can take that decision without coming back to you?

**Mr. Reuben Lutta:** No, there are issues, which are principle. There are issues that cannot be done without the consultations of the citizen. So, I would suggest that those, which need consultation, should be taken back to the people. Those which do not need consultation, we can amend them there.

**Com. Ayonga (Interjection):** How do we know? Thank you very much.

**Mr. Justus Mwau:** For the Chairlady, Commissioners, and the other. I am before you to present what we have been doing concerning the Consitution. My name is Justus Mwau Kialo. I am going to start with the cultural ethnic and regional diversity communal rights. Kenayans ethnic and cultural diversity and should have no national culture.

Two of the same; Ethnicity and cultural diversity should be protected.

Three: We need not have one on value because like Uganda they have their Kabakas and we have no sign of the kings or whatever, I think our country is so democratic, we don't have such rulers. Four: The Constitution should ensure the interest of the society groups. Five: The Constitution should ensure protection of discriminations aspects of the culture. Six: We should have one or two national languages. Seven: Constitution should recognize and promote vernacular.

In reference to the red booklet, page 20, management and use of national resources:

One: The executive should not retain these powers and there should be an independent body answerable to the Executive. That is reference t the booklet.

Two: Parliament should retain the powers on public finance.

Three: Government should have farms; this is so that the government might have other funds, apart from taxation.

Four: A special minute should be enacted to ensure equitable distribution. That is in reference to the booklet.

Five: The Government should benefit from the natural resources, not the community alone.

Six: The Controllor and the Auditor General should be controlled by a body appointed by the parliament.

Seven: Parliament appointed committee should be there to control the management of the public finance.

Eight: We should offer them in order to meet their work very well, we should offer them good working conditions, security, good salary, so as to strengthen their discipline, this the Public Service Commision.

Nine: The Parliament should appoint members of the Public Service Commision.

Ten: There should be a code of ethics for the civil servants. They don't need to go to the offices dressing the way they like.

Public officers must be required to declare their assets, wealth and the others.

Still in reference to the book page 21, environment and natural resources: There should be an act from the parliament to the government to recourse for protection of environment.

Two: The ministry and the community should have powers to enforce the laws.

Three: Natural resources should be owned by the government and groups under the government.

Four: Local communities should develop, safeguard and manage, maintain the natural resources with the help of the government.

Five: Indigenous trees, mineral and water catchments, are one the natural resources which we should take care of.

Six: The Community and ministry should be responsible for protection.

Afforestation is just one of the ways of which we can maintain and add to the natural resources.

Still on page 22 of the book is the participatory governance, NGOs should not have a role in the governance.

Auditing of finances: They should be able to audit their finances and again should be registered.

Three: The State should regulate the conduct of the civil society on organizations.

Four: Constitution should not institutionalize civic society organizations.

Women, the disabled, youths, minority groups and others should have representatives in parliament or in the government.

One: International relationships: Foreign conduct should be in the hands of the executive and parliament. So they should be able to carry out this role.

Two: Parliament should give a go ahead in conduct of the foreign affairs.

Three: Parliament dry committee should sort out their international affairs. This is the case whereby some of the international affairs should be carried out in the parliament and the Executive. If like for example America wishes to come to Kenya so as to attack Sudan, that discussions should be carried out in the parliament, not the Executive.



Four: Treaties should have automatic effect in our domestic law.

Five: International laws should have automatic effect still in our domestic law.

Page 24, constitutional commissions, institutions and offices. In reference to the constitutional institutions commission we should have no commissioner so as to save money.

Two: We should introduce the office of Ombudsman and the office should be neutral.

Three: There should be Human Rights Commission, gender commission and corruption commission, land commission and in addition to that, famine commission incase of famine, disaster commission, incase of disasters, death inquiry commission incase people killed by some other people, we have commission of enquiry so as to get the truth.

Four: Commissions should be independent and have full powers to prosecute in court.

There should be a minister of justice in the parliament and the Attorney General should go back to the offices.

**Ms. Grace Gikubi:** Okay, the Commisioners, the Coordinator and the rest I am Grace Gikubi of Machakos I am also representing Mtituni Women Group.

According to the preamble, I think in Kenya we need the preamble in our constitution. Whereby, the preamble should first and foremost recognize that Kenya is supreme.

On the side the citizenship, any person to be regarded as an automatic citizen of Kenyan parents should be born of Kenya after date 12<sup>th</sup> December 1963.

Also Kenyan citizenship can be acquired by citizens. Any person born outside Kenyan after 12<sup>th</sup> December 1963 by the time of his/her birth, his father is a Kenyan, that one should be a Kenyan citizen by registration.

Any woman married to a Kenyan citizen should be entitled to the registration as a Kenyan citizen.

Also by naturalization, the minister for foreign affairs can grant citizenship to a person to be a Kenyan citizen after satisfying the necessary legal requirement.

The documents which a Kenyan citizen should carry as the evidence is ID, birth certificate, passport and the others.

To the basic rights for children and women: Children should have right to education, right to life, freedom from labour, freedom from abuse, right to health care, right to shelter and right to clothing. That is on the side of children.

On the other side of women, they should have right to personal liberty, right to education, right to own property anywhere in Kenya, freedom from speech, freedom of movement, freedom of assembly and association in Kenya.

In election, women should take place such that they can improve their rights Most of them don't think that they participate in the election so, it is better women to participate in election so that they can improve themselves.

**Com Hon. Asiyu (Interjection):** You are telling us that women should participate in elections, but you are not telling us how, so what do you want us to do?

**Ms. Grace Gikubi:** They should be elected as MPs, Councilors and should present their problems to the parliament.

**Com. Pastor Ayonga (Interjection):** Another small question Grace, you said we should have a preamble in our Constitution, did you give some thought to what you would like to in that preamble, or written in that memorandum. Because just saying preamble, that doesn't help us very much, but what you would like that preamble to be like, what it should contain, is very important.

**Ms. Grace Gikubi:** It can referred to the commitment to human rights, and the fundamental freedom, social justice and the dignity and the worry of the human person. Also, it can be calling the need for elimination of more forums of discrimination against women and people with disability

**Com. Kangu (Interjection):** You said that Kenyan who marries a foreigner should confer a citizenship on that foreigner, I don't know whether you have given some thought or..

**Com. Kangu:** I do not know whether you have given some thought to the issue of the procedures to be follows, I now right know, Kenyan men who marry foreigners confer citizenship to their wives but not Kenyan women, nd if you go to border areas, those men are complaining that infact sometimes they live with their wives for 30 years even before they are given citizenship, so have you thought about this? Then you also need to know that in our country, we have very many different types of marriages, there are those who go to church like we are here and at the end of the ceremony they are declared husband and wife and people know. There are others who marry through customary systems which are a process and you sometimes do not know at

what point they become husband and wife, so how do you deal with this?

**Grace.....:** If they can go to the Minister for Foreign Affairs may be they can registers themselves to become Kenyan citizen.

**Com.Phoebe Asiyo:** Lakini Grace, I want to ask you one question following what Commissioner Kangu has said. There are very many types of marriages in this country, the bulk of Kenyan people marry under traditional customary laws. Have you given thought to what guarantees should be given to such marriages so that women are not thrown out or men thrown out by their spouses.

**Com. Kangu:** Or say at election time if I wanted to win votes, I can just import so many women from across the border and make sure they have been declared citizens then after the elections they just go back. You had not thought about it, fine do not worry.

**Com. Phoebe Asiyo:** We will now have Simon Mutunga, Mr. Simon Mutunga, if you have a written memorandum like I can see you have, you only talk for five minutes and you highlight what you have already put in your memorandum and then you sign our register. So please do not wait for me to tell you to stop, I want to be candid and generous to you but you also help me by keeping to the rules of this game. Thank you.

**Simon Mutunga:** Thank you very much Commissioners mine is very short, I am having only three points.

**Com. Phoebe Asiyo:** Your name?

**Simon Mutunga:** I am Simon Mutunga from Umandi Primary School, Lumba Location, Kalama Division, Machakos District.

1. Provincial Administration, I am talking about the Chiefs and the Assistant-Chiefs. My opinion is that Assistant Chiefs and Chiefs should be elected by the public because they are serving the public, and if the public is not satisfied with their work, the government should transfer them for effective performance of duty elsewhere. These people cannot perform their duties effectively because they have built a permanent kingdom where they are and think that they are there to stay as rulers but not servants which makes them corrupt.

2. Child caning act in our institutions and homes: An African child does not need too much freedom and democracy. The Constitution should allow child canning in schools and homes as a method of guiding and controlling discipline in our institutions. Currently, indiscipline cases are rampant in our educational institutions.

3. Free education in primary schools: The government should provide free education in the meaning of free education but not just a disguise. I had only three points.

**Com. Phoebe Asiyo:** Thank you very much. I have one question for you and I know the other Commissioners might have questions. I know the Bible says that if you spare the rod you spoil the child, you are also now confirming that children should be caned in both schools and in their own homes, but we know of cases where teachers have caned children to death. What do you have to say about this?

**Simon Mutunga:** In this case I might say that this caning should not be a punishment sort of, that is not a capital punishment, it should be a method of guiding and not to extremes but just guiding and controlling the discipline.

**Com. Kangu:** You said Chiefs and their assistants should be elected by the people so that they are answerable to the people but then you also said when they are no longer performing, they are no longer serving the people, they should be transferred. Now, why should someone be transferred to other people who did not elect him?

**Simon Mutunga:** I mean this..

**Com. Kangu:** And particularly a person who is not performing because we are saying the tendency in our country has been that you can be taken to one office, you steal everything and the only punishment is to be given a transfer to yet another department to run it down.

**Com. Phoebe Asiyo:** And why do you want to transfer problems from one area to another?

**Simon Mutunga:** In this case I mean, if these people are elected by the people who are staying in that area the chances of messing with the work is going to be minimal but it comes to an extreme, this person should be transferred to another area for the trial and incase he fails there, he can be sacked.

**Com. Pastor Ayonga:** Simon, Commissioner Kangu had asked you, why should this person be transferred to an area that he was not elected, if in my location we have elected a Chief, how should you bring your Chief to my location when he messed in your place? You did not tell us that the same people would again throw him out and elect another one, because you have not jurisdiction over my area with an elected person, it is just like saying an MP of this area if you do not like him you transfer him to another area where he was not elected?

**Simon Mutunga:** I have changed my mind. I meant that if this person messes in that area where he was elected the government should take measures either to throw him away of to do otherwise.

**Com. Kangu:** And then the last question, for a term of how long? Should they be elected to be in office permanently or for a certain period?

**Simon Mutunga:** I would suggest about 5 years as the MP stays.

**Com. Kangu:** Then after 5 years they go back to elections, we go back to elections again, we elect a new one. I have a question, I think you are a teacher if I am not wrong and I am just asking, does it mean to you that caning is the only way of discipline? Are there no any other methods of disciplining children other than the cane?

**Simon Mutunga:** I welcome the question, there are so many other ways of disciplining children but majority of them they seem not to be active enough to control this kids, because today you use one method but if you take a stick and lift it up all of them follow suit, you will find that there is no problem.

**Com. Kangu:** I want to ask you a question, do you use the cane in your house or in your family?

**Simon Mutunga:** Sometimes.

**Com. Kangu:** How often?

**Simon Mutunga:** Just sometimes.

**Com. Kangu:** Varyingly and not all the times?

**Simon Mutunga:** Not all the times.

**Com. Kangu:** But there is discipline?

**Simon Mutunga:** There is discipline with a cane.

**Com. Kangu:** Why don't you apply it.

**Simon Mutunga:** You know in my home, you might find that we are about three but when you come to an institution like this one, you will find that we have over 400 kids so as to control them using the method which I use at home is difficult.

**Com. Pastor Ayonga:** May I note that you have to change your attitude, the problem is your attitude and giving credence to caning as the only punishment that when you raise, you see that is not the discipline that does not correct is not good for a person. A child should understand that this and that is wrong and the benefits are this and that but this cane only causes fear, and we want to go for this short kind of thing, I beat them and then they are afraid they do what I want, but they do it without loving it. Thank you.

**Com. Pheobe Asiyo:** I just want to say Mwalimu I have been a teacher and I have the same feelings you have because when a child is naughty sometimes he needs spanking really but one other question I want raise is, because you are a teacher, I want you to tell this Commission, what do you think about the present system of education, the 8-4-4 you did not tell us anything about it but we really want to know, what do you think about the present system of education?

**Simon Mutunga:** The 8-4-4- system of education in fact is having a lot of work for this kids and the syllabus is too much that you find that within the specific given time or period it is not enough to complete the syllabus. May be if, this system is changed a bit and the burden is reduced to these kids, the cases of indiscipline will reduce a bit because they are carrying too much and instead they riot.

**Com. Pastor Ayonga:** Then are you saying, the system is good except that it has much work, if work was reduced then the system is okay?

**Simon Mutunga:** Yes.

**Com. Pheobe Asiyo:** Thank you very much, we did appreciate, sorry we were hard on you but you are somebody who knows and we needed your input. Thank you very much, now Mr. Kioko Mbayi, tafadhali uje haraka, kama umeandika memorandum ni dakika tano tu na tusikilizane usipite dakika tano, naona umeandika tayari. Just highlight the important issues and eventually hand over that document to the Commission. Start with your name.

**Benjamin Kioko:** My name is Benjamin Kioko Mbayi. To the Chairlady, the Commissioners, ladies and gentlemen. I have written about many topics but I am going to address about basic rights on page 16.

The issue is the current Constitution guarantees civil and political rights but does not make the provision for social, economic and cultural rights:-

Q1. Are our Constitutional provisions for fundamental rights adequate? I am suggesting they are not adequate, we should have other rights, economic, socially and cultural rights also included and guaranteed.

Q2. What other rights should be entrenched in the Constitution? I am of the opinion that freedom of interaction or freedom like freedom of speech, freedom of association also should be included.

Q3. The Constitution guarantees the right to life, should the death penalty be abolished? I am suggesting yes, because it does not make sense, it contradicts our present Constitution because it guarantees life, one should be put into life imprisonment.

Q4. Should the Constitution protect, security, healthcare, water, education, shelter, food and employment as basic rights for all Kenyans? I am suggesting yes because like water is very essential, it is an essential asset, education is very important because our aim is to educate at least every Kenyan by in the near future, shelter for all is an important aspect, food, security and another thing like un-employment allowances should be in place for those who are not employed and actually have gone to school.

Q5. Who should have the responsibility of ensuring that all Kenyans enjoy basic rights such as security, health care, water, education, shelter, food and employment? I think by an act of Parliament we should have something like an Ombudsman, a local office which is neutral rather to see unto this need.

Q6. What specific issues in security, healthcare, water, education, shelter, food and un-employment should the Constitution deal with? Water for all, security, freedom of education, free education either up to Form Four because most of the parents cannot afford with the aim of educating most of the .....Kenyans not necessarily to be employed but to have general education. Food security, like the government can provide money for local stores, Cereal Boards, we can be sending our maize, our products there and we have cash money because our production may be minimal rather you cannot afford to get to the nearest district centers. So, I am suggesting we should have local stores for food security for all.

Q7. Should the Constitution provide for compulsory and free education? Yes, the government already has tried up to primary level but it should think of putting it up to "O" level.

Q8. Should the Kenyans have the right to access information in the possession of the State or any other agency or organ of the State? I am suggesting yes, all freedom of information like when the government is intending to do something, let us say, it should have a Ministry of informing the people to be informed, not necessarily to act but to have the information, information is very important for a healthy nation.

Q9. Should the Constitution guarantee all workers the right to trade union representation? I think it is yes. Thank you, that is all I can say for now, the others are written.

**Com. Phoebe Asiyio:** Thank you very much, there is a question here by Pastor Ayonga.

**Com. Pastor Ayonga:** Mr. Mbayi, you very well know that our economy is bad and since morning you have heard people saying, we want to have free education for our children. Now you have added that there should be an allowance for un-employed people, with this kind of bad economy, how much do you want this allowance for un-employed people to be and who are these because you would find that a good number of Kenyans, millions of Kenyans would tell you, I am not employed but they eat, they have shelter, they dress but they will tell I am not employed because employment means working in a school, working an office and yet those who are working on their small farms and some who are sitting by the road sides who are not working would want to be given this money. Did you take thought, who should be given this allowance and how much?

**Benjamin Kioko:** Yes, I said those like we have several graduates around who are not employed.

**Com. Pastor Ayonga:** So, it should be graduates.

**Benjamin Kioko:** Yes, they should be restricted to a certain allowance to maintain them because they are people who have used a lot of money to acquire the education or else we have others below them who have diplomas, they need to be maintained by the government.

**Com. Pastor Ayonga:** So the diploma and the graduates should be, not others below that and how much.

**Benjamin Kioko:** At least about Kshs. 5,000/= can do.

**Com. Kangu:** I take it that you take unemployment to be a problem in our country, why don't you then make some proposals on how we can create employment instead of just paying allowances to those who are unemployed. How do we restructure our system to be able to create employment for these people?

**Benjamin Kioko:** Yes, I am of the suggestion that, those who have qualified in different areas like in agriculture and are not employed should be assisted by the government to come into the play ground which is the firms and try and do something to educate the people. Let us say like charitable work, they do it without expecting much income but to educate the people how an income can be made because our country has a lot of potential in agriculture but the graduates in agriculture are doing nothing in the offices in Nairobi, they are just sitting there and they are leaving the local or rather the less trained people in the local office around the people. So, I think much is not being done and a lot of potential can be gotten out of the agricultural sector, thus we can create more employment.

**Com. Phoebe Asiyo:** Thank you, I just have one question, you said that only those who have had education should be given some monthly allowance, I thought you wanted to say that they should be given some small loans to start either that farming that



you are talking about or some business because anything that is free, like when you get a free newspaper you do not normally read it, you do not value it. At the same time there are people who work very hard like women, they start very early in the morning and they go to bed very late. May be they work even harder than the graduate you are talking about, should they also not be considered for some payment if you are going to pay people who are not earning?

**Benjamin Kioko:** Yes, I think I had forgotten that one, I should have considered that but you have helped to put that point straight. Those people like the women should be assisted in any way by the government by being given some funds, let us say to do some agricultural work or social like making pullovers, like buying the machines needed. That is a point to add to my suggestions.

**Com. Phoebe Asiyo:** I hope there are no other questions, Mr. Kioko, I want to thank you very much, please go to that table and sign our register and also leave your memorandum with us. Now I call upon Mr. John Kilonzo, I think you would have to come here Bwana Kilonzo otherwise we cannot record you and we want to hear you well. You can come to the front and stand there. Kuna kitu ambayo inanishangaza sana hapa, naona kila mtu anaongea kwa Kizungu tu, sijui kama watu wengine pia wanafahamu, tusiwe Wazungu, tuwe Wakamba na Waswahili, tuongee kwa lugha yoyote ambayo mtu anataka kuongea. Kama mnafikiri Kizungu ndio sisi tunasikia itakuwa na bahati mbaya, mtu aongee kwa lugha yoyote ile anataka, Kikamba, Kiswahili na Kizungu.

**Speaker:** Umefanya vizuri kufungua nafasi ili waongea na Kiswahili maanake wengi wa wazee hapa hawajui Kizungu.

**Johnes Kilonzo:** Thank you Madam Chairlady and the other Commissioners of this Commission. Yangu nitaongea kwa Kiswahili kwa vile nimesikia wakati huu Kiswahili ndio inatakiwa na wetu wengi hapa. Nilikuwa nimeandika kidogo hapa kwa Kizungu lakini nitaipindua kwa Kiswahili.

**Com. Phoebe Asiyo:** Umesema umeandika.

**Johnes Kilonzo:** Sijaandika yote lakini nilikuwa nimeandika kidogo kidogo. Yangu nitaanza na mambo ya hii Commission.

**Com. Phoebe Asiyo:** Sema jina lako tena?

**Johnes Kilonzo:** Johnes Kimatu Kilonzo.

**Com. Phoebe Asiyo:** Johnes Kimatu Kilonzo, haya endelea Bwana Kilonzo,

**Johnes Kilonzo:** Nitaanzia na hii Commission ya Constitutional Review, nyinyi mko hapa, hii Commission ningetaka maoni

yangu iwe permanent, hii Kenya Constitution iwe permanent iwe na review laws after every 20 years.

**Speaker:** Endelea.

**Johnes Kilonzo:** Serikali, tuwe na serikali ya kiraia kama ile pia tuko nayo leo.

**Com. Phoebe Asiyo:** Endelea tu na vile umeandika.

**Johnes Kilonzo:** Ya tatu, tuwe na Rais na Prime Minister.

**Com. Kangu:** I think you can use English.

**Johnes Kilonzo:** Hapana tuendelee tu kuna watu wengi hapa hawasiki hiyo, nataka wasikie kile ninasema.

**Com. Pheobe Asiyo:** Unataka tuweke President tena tuwe na Prime Minister, haya endelea.

**Johnes Kilonzo:** Members of Parliament wawe wanachaguliwa vile wanachaguliwa wanakaa 5 years lakini wawe na kazi wamepatiwa na raia kwa vile wanatuhidi mambo tano, wanahaidi watu wamewachagua vitu tano, kwa hiyo miaka tano na wakikosa kutimiza hizo vitu amesema wawe wanapelekwa kotini na wananchi baada ya hiyo miaka tano, wanashtakiwa.

**Com. Pastor Ayonga:** Endelea.

**Johnes Kilonzo:** Pia ma Councillors wawe wanakaa kwa hiyo miaka tano na ile kitu wanaahidi wananchi, wananchi wanaandika wanapeleka kwa serikali na wakikosa kutimiza pia wanapelekwa kwa koti, wanashtakiwa. Kwa vile wengi huenda kulala na mambo mingi hapo..... *(Incomplete)*

**Com. Phoebe Asiyo:** Endelea.

**Johnes Kilonzo:** Urais, raia wa Kenya awe anatambulika na kabila. Kama mtu, kwa vile tunajua hakuna Mkamba wa Tanzania, hakuna Mkikiyu wa Uganda awe anaangaliwa yeye ni kabila gani. Ikiwa ni mmoja wa kabila za Kenya 42 vile wako awe anaitwa mraia wa Kenya.

**Com. Phoebe Asiyo:** O.K. endelea.

**Johnes Kilonzo:** Haya, tuwe na administration lakini Chief awe ndio wa mwisho kwa administration na awe elected by the

people.

**Com. Phoebe Asiyu:** No D.O. DC na PC?

**Johnes Kilonzo:** From PC, DC, DO to Chief only.

**Com. Phoebe Asiyu:** Hakina Sub Chief.

**Johnes Kilonzo:** Ndio, lakini Chief awe elected na people.

**Com. Phoebe Asiyu:** Umesema hivyo, endelea tu. Kama umeandika na imepotea unaweza patiana hiyo karatasi pale kwa meza halafu mwingine naye apate nafasi ya kuongea. Kuna swali hapa ambayo tunataka kukuliza.

**Com. Pastor Ayonga:** Bwana Kilonzo, umesema MP wako akienda huko parliament na yale mambo alisema atafanya asipofanya ashtakiwe? Kama alienda na akasema mimi nitapasua bababara kutoka hapa mpaka pahali fulani halafu akienda huko parliament anaambiwa hakuna pesa na anasema anataka pesa, unaona kutaka kwake hajafanya makosa lakini parliament imepata hakuna pesa na yeye hajatengeneza hiyo barabara. Ukimpeleka kotini, koti itamfanyia nini?

**Johnes Kilonzo:** Basi naye akiitisha kura asiwe anahaidi watu zile impossibilities kwa vile sasa hata watu wamekosa imani na hawa watu wamechaguliwa, wanasema tumechagua mtu na ameenda kulala Bungeni, tumechagua mtu na hakuna kitu anatumfanyia kwa hivyo aahidi watu, ata ikiwa unawaambia, nitachimba mtaro hapa, ile kitu unajua wewe hata serikali ikikosa pesa utachukua jembe ukachimbe hiyo mtaro waone kama kweli umefanya kazi. Zile vitu umeahidi, uahidi zile vitu unaweza, sio zile vitu za kudhania.

**Com. Pastor Ayonga:** Unataka kumaanisha ya kwamba mtu atakapo kuwa anataka kura lazima aandike na wapatane na constituency yake na hayo mambo yaandikwe chini na aahidi?

**Johnes Kilonzo:** Zile vitu anaambia watu, awaambie ile kitu anaona anaweza.

**Com. Pastor Ayonga:** Lakini asipoweza?

**Johnes Kilonzo:** Asipoweza baada ya 5 years.

**Com. Pastor Ayonga:** Apelekwe kotini.

**Johnes Kilonzo:** Apelekwe kotini ashtakiwe.

**Com. Pastor Ayonga:** Si umyime kura badala ya kumpeleka kotini.

**Johnes Kilonzo:** Alisema ataweza, alituambia ataweza.

**Com. Phoebe Asiyu:** Wacha nikusaidie kidogo, nchi zingine kuna kitu kinaitwa sheria ya kuitisha yaani rule of recall, kama ameonekana alichagulia nyuma muda ya miaka mbili, tatu hajarudi nyumbani, hajafanya kazi yoyote, wananchi wanaweza kukaa pamoja kwa hiyo Constituency wakatengeneze wakapata signature ya watu wengi na kuenda kwa Speaker kwamba huyo harudishwe halafu uchaguzi ufanywe, hii imefanyika kwa nchi zingine hawajapelekwa kotini.

**Johnes Kilonzo:** Ata hiyo ni mzuri, hiyo umenisaida, uniandikie hiyo ni nzuri.

**Com. Phoebe Asiyu:** Asante.

**Com. Kangu:** Wewe umesema uraia wa Wanakenya uwe unafuatana na makabila ya Kenya lakini mimi niko na tashwishi kidogo kwa mfano yale makabili ambayo yanaungana na nchi kama mbili au tatu, kwa mfano upande wa Somalia tuko na Wasomali upande wa North Eastern vile vile tuko nao nchini Kenya, tuko na Masai Tanzania, tuko na Wamasai Kenya, tuko na Wateso ndani ya Kenya, tuko na Wateso upande ya Uganda. Unanielewe hiyo maneno, ata iko Baluya upande ule na upande huu. Sasa tunauliza wewe maneno kama haya tutafanyaje?

**Johnes Kilonzo:** Sasa vile iko, siwezi sema mimi ni Mganda na niko na kitambulisho ya Kenya, hiyo nilikuwa na sema wakati ata Polisi anaitisha mtu kitambulisho awe ana-consider kabila, anajua hiyo kabila iko Kenya au haiko Kenya, ikiwa iko Kenya ajue hiyo ni kitu ya mbele aniwekee right kwa vile hiyo kabila iko Kenya. Sikuwa nasema kuwa kabila uwe na kitambulisho ya Kenya na wewe ni wa kabila ambayo si ya Kenya lakini kitambulisho uko nayo.

**Com. Kangu:** Hapana, mimi nasema hivi, Wamasai ata kama ukiangalia upande wa Masai, wako Tanzania na wako Kenya, umenielewa? Na kuna zile makabila kama Wasomali wako Somali na wako wapi? Kenya tunaielewana, na kuna vile vile Waluhya wengine wako Uganda na wengine wako Kenya sasa kama Mluhya anatembea na ID, apewe uraia mara moja  
.....(Inaudible).

**Johnes Kilonzo:** Hiyo nilikuwa nasema kwa vile Kenya iko na kabila nyingi kama vile tunajua wako wengi, nilikuwa nasema kama hawa hawawezi fika kabila saba, ni kama kabila wanne au tano. Hiyo iwe na Constitution, ile kabila mingi sana kwa zile makabila ya Kenya.

**Com. Kangu:** Iwe inaangaliwe kwanza.

**Johnes Kilonzo:** Kuna kitu ingine nilikuwa nimesahau, excuse me, nilikuwa nimesahau na kitu important, mambo ya chama tafadhali ata ndio ilikuwa ya mbele.

**Com. Phoebe Asiyo:** Sema basi.

**Johnes Kilonzo:** Vyama mimi nasema iwe mbili, vyama mbili tu, ata Yesu aliwacha njia mbili ya kuenda mbinguni na kwa shetani kwa hivyo vyama viwe mbili, ikiwa chama moja ni ya kupeleka watu mahali pazuri ipeleke ikiwa ile ingine ni ya kupeleka kwa shetani ipeleke kwa shetani, ni chama mbili tu.

**Com. Pastor Ayonga:** Hebu ni ku-correct kitu kimoja, Yesu hakuwa na njia mbili alikuwa na njia moja tu, hakuwa na njia mbili.

**Johnes Kilonzo:** Alituambia njia ni mbili.

**Com. Pastor Ayonga:** Ndio lakini hakutuletea njia mbili ya pili ni wewe mwenyewe unachagua, yeye alikuwa na njia moja ya kuchukua watu pahali pamoja hiyo ingine ni wewe utachagua.

**Com. Phoebe Asiyo:** Asante.

**Johnes Kilonzo:** Mimi nasema hiyo juu ya chama kwa vile, sasa hiyo imekuwa kitu ingine, vyama mingi imekuwa mingi mpaka tunakuja kuona kama kila mtu atakuwa na chama chake na bibi yake kwa vile chama ikiwa vile inaendelea zitakuja kuwa 30 million na zikiwa 30 Million kila mtu atakuwa ya yake na bibi yake na hakuna mtu atapatia mwingine kura kila mtu atakuwa na bibi yake watu wawili, kwa hivyo chama mbili tafadhali utuandikie hapo.

**Com. Phoebe Asiyo:** Tumekusikia vizuri, hebu andika jina lako hapo, tuko sana na Bwana Mutuku Mbwika, simama pale, Bwana Mutuku useme jina lako sawasawa kabisa ili tuandike vizuri na uongee kwa muda wa dakika tano tafadhali.

**Mutuku Mbwika:** Naweza kuongea lugha gani? Naweza kuongea kwa Kikamba?

**Com. Phoebe Asiyo:** Ongea kwa Kiswahili ni mzuri.

**Com. Pastor Ayonga:** Ili tukusikie.

**Mutuku Mbwika:** Nashukuru kwa.....kwa sababu hii nchi yetu inaonekana ni nzuri sana kwa vile nchi mingi iko na taabu na hii nchi yetu ni nzuri. Nimeshukuru kwanza kwa President wetu na kupatiwa nafasi ya kutoa maoni yetu, hapo tumeshukuru na kwa wananchi ambao wamekuja hapa vile vile nawasalimu. Mimi maoni yangu si mengi sana.

**Speaker:** Sema jina yako.

**Mutuku Mbwika:** Jina langu naitwa Paul Mutuku.

**Com. Kangu:** Zungumza tu ukituangalia kwa sababu tuna-recordi maneno yako.

**Mutuku Mbwika:** Mimi naongea kwa upande wa sheria kama inawezekana. Kwa hivyo haya ni maoni yangu, ningependa kusema kuhusu mambo ya President naweza kubaliana nayo, PC, DC, DO, Chief na Sub Chief kwa sababu tukikosa watu kama hawa tunaweza kuharibu mambo mingi sana katika villages. Kwa sababu Chifu inaonekana hawezi kutembea kwa village yote yeye analinda location kubwa, lazima awe na msaidizi wake kama Sub Chief / Assistant Chief ndio anaweza kushika wale wanaharibu vitu na kuwapata kwa urahisi lakini Chifu akiwa pekee yake tutakuwa na shida kwa hivyo mimi naomba serikali yetu hapo iangaliwe kwa imani.

Ile ingine nataka kusema, hii sikuandika ni mambo ya kisomo, hii tumefanyiwa vizuri sana na serikali kupatiwa bure kutoka Seven mpaka Eight lakini kuna taabu moja inatusumbua wazazi kwa sababu hapa reserve kwetu watu wengi ni wakulima na saa zingine wanalima na mazao haipatikani, mvua inapotea ata mnajua sasa wakati watoto wanasoma shuleni kuna wakati tunataka kujua serikali sheria wanaweka kwa masomo, kwa sababu wakati wamefunga shule, kuna watu wengine wanafanya tuition na hiyo tuition inategemea pesa na watu wengine hawana pesa, ningependa kama shule unafungwa zamani shule ilikuwa inafungwa na watoto wanaenda nyumbani?

Ikiwa ni contract, kama mambo ya tuition wale ambao ni senior retired teachers yaani waweke shule yao kando ili wasomeshe watoto wakati wa tuition, ndio yule mzazi ambaye hana pesa, mtoto wake akirudi kwa shule asifukuzwe kwa sababu mtoto akikosa kutoa pesa ya tuition akirudi shuleni anaweza kufukuzwa na hii ni taabu inasumbua watoto kwa sababu sisi hatuna mapato. Kwa hivyo tungependelea serikali iamue tuwe na shule ya senior teachers wale wame-retire wapatiwe shule yao kando ama wawe na shule yao kando ndio mtu akitaka kupeleka mtoto wake kwa prep / tuition apeleke pake kwa sababu hiyo ni contract. Lakini shule ikifungwa naomba serikali ifungwe kabisa kwa sababu zote zinafungwa, wale wanapesa wapatiwe nafasi ya kupeleka watoto, sio watu watu wote, hatuna pesa, sasa hiyo itakuwa ni shida kwa sababu mtoto akienda anaambiwa atoe pesa ya prep na mimi sina, taabu iko hapo kwa hivyo serikali ikiwa na msimamo moja na kuamua kila kitu hii nchi yetu itakuwa nzuri hakuna mtu atapigana na mwingine. Yangu ni hayo tu si mengi.

**Com. Phoebe Asiyu:** Asante sana Bwana Mutuku nafikiri mambo yako tumeyafahamu Sijui kama kuna swali lolote kwa

Bwana Mutuku. Asante, tafadhali fika pale uandike jina lako kwa register yetu na kama una karatasi uache hapo. Sasa ningependa kumuita Bwana B. M. Kitaka, tumefurahi umekuja kwa vile kuna watu wengine wanafanya kazi ya serikali na hawataki kuja hapa kutuambia mambo ya serikali. Hatujaona Chifu hapa ameleta habari yake au Assistant Chief, kwingine tumeenda wametueleza mambo na hapa hatujawaona. Muende muwambie wawe wakija hapa wakitueleza habari maana wengine wamesema wafutwe sasa wangetuambia wakiwa hapa wasifutwa, wajitetee, muwaambie hivyo, wasikose kuja hapa. Asante Bwana Kitaka sasa tumekupa nafasi.

**B. M. Kitaka:** Commissioners na wananchi kwa jumla, mimi naitwa Boniface Mboga Kitaka, na mimi ni mfanyi kazi wa serikali (civil servant).

Maoni yangu nitapeana inform of points halafu kama kuna swali nitaulizwa. Mimi nitaanza na hali ya wazee, watu ambao wana-retire kutoka kazi ya serikali na wale wanakuwa retrenched. Ninapendekeza, wale watu wanafikisha miaka hamsini na tano, waki-retire walipwe marupurupu yao mara moja bila kungojea kwa sababu tumeshaona wengi wamepatiwa retire wanangojea mwaka moja, miaka miwili halafu familia na watoto wanafukuzwa shule na wanahama, kwa hivyo Katiba iandikwe, kama mtu ameshafanya kazi ya serikali na amepewa retire, marupurupa yawe tayari aende nayo.

Nikiwa hapa hapo tu, kuna watu wengine walipatiwa ile retrenchment / early retirement, wengine wako na miaka thelathini, wengine wako na 40 hata wengine wako na twenty something. Napendekeza Katiba iandikwe, kama mtu anakuwa-retrenched kwa sababu si kupenda kwake, NSSF imlpe ile pesa yake mara moja bila kumwambia angojee miaka hamsini. Kwa sababu tumeshaona huko vijijini, watu wengi wa aina hiyo walikuwa kazini, wamekuwa retrenched ama wame-retire na kuna shida nyingi ata watoto wamefukuzwe shule kwa hivyo, hiyo ingewekwa kwa Katiba.

Ingingine ni juu ya urithi (property/land), sijui kama ni hapa kwetu Ukambani lakini pengine makabila mengine Kenya. Mwanamke harithi. Niko na maoni; kama watoto wamezaliwa na baba mmoja, wasichana na wavulana na kuwe na msichanani moja au wawili hawajaolewa na wako na watoto, iandikwe kwa Katiba, awe akipatiwa property agawanywe pamoja na brothers asiachwe huko kama mwombaji, kwa hivyo awe na right to own the father's or the parent's property.

Ile ingine ni maoni yangu kwa uchaguzi; wakati wa uchaguzi tunakuwa na kazi nyingi ya kuchagua Councillor, MP na President. Ni maoni yangu Katiba ya Kenya ipinduliwe, kuwe na wakati wa Councillor na MP na kuwe na wakati wa President pekee yake ili sisi sote tu-concentrate huko na tuwe tunachagua bila kutatanishwa. Kwa sababu tumeshaona Councillors wengi, MPs wengi wamepita kwa sababu wanaunga President, sio ati ali-campaign sawa sawa lakini kwa sababu wa mfumo tu, kwa sababu yule anaitisha Presidency anampenda hata wanampigia mwingine Mjumbe, wanapigia mwingine Councillor ambaye hana uwezo kwa hivyo tuwe na wakati wa kuchagua President peke yake.

Ile ingine, ningependekeza kama mfanyi kazi ya serikali, sisi watu wa serikali tumeumia sana juu ya mshahara. Kwa hivyo ni

maoni yangu Katiba iandikwe kuwe na Tume maalum ya kuchunguza mishahara na marupurupu ya wafanyi kazi wa serikali after every 2 years badala ya kunjojea wakati wanasisia watapendekeza wapewe kiasi fulani, kwa hivyo kuwe na tume specifically to review civil servants' salaries.

Ya mwisho, ningetaja kidogo kuusu Provincial Administration. Ni maoni yangu Provincial Administration ama Utawala wa Mkoa uweko, let it be there to stay kwa sababu kama hakuna utawala kutoka juu mpaka chini, uongozi hautaendelea. Kukosa kuwa na Assistant Chief, Chief, DO, DC, ni kama kichwa ambacho hakina miguu kwa hivyo ni lazima kuwa na President na kuwe na chain of authority kutoka top mpaka bottom. Kwa vile watu wengi wakisikia hii jina Chief, Assistant Chief, DO ama DC wana ile mentality ya ukolini hapo zamani, walikuwa wamechaguliwa na mkoloni na wanaletwa mbele na ni watu hawakuwa wamesoma, kwa sababu siku hizi, Chiefs and Assistant Chief wamesoma na ni watu wame-attend courses, na wanafanya kwa other ministries, they should be seen as civil servants but not the colonial rulers ama watu wa "himla" watawala wa "himla". Na kama kuna mmoja Chief ama Assistant Chief ako na makosa yeye aingiliwe kiviake lakini tuwache kujumulisha ati utawala wa mkoa ni mbaya. Ma-Chief na ma-Assistant Chief wale wako siku hizi, karibu wote wamemaliza form four na wamesoma na watu, kwa hivyo ni maoni yangu, iendeleo na kukaa lakini kuwe na watu ambao wamesoma na wawe wanapelekwa seminars ili wajue vile wataishi na watu wao.

Hii maneno ya let us do away with Provincial Administration, it is the language of the opposition and I know they say that because they are not ruling, when it their turn to rule will come (*sorry nimeruka*). Nasema hii lugha ya kusema utawala wa mkoa uvunjwe ulitokana na upinzani kwa sababu hawatawali, lakini wakati wanatawala wakalie kiti, watajua huwezi kutawala ukiwa uko juu na hakuna chain, hakuna kitu kinashikanisha kutoka juu mpaka chini, kwa hivyo I say let the Provincial Administration stay and let us have education people and if possible, kama inawezekana, kama ni Assistant Chief waandikwe kama waalimu na wawe transferred from location to location. Tuseme hata kama si Kenya mzima, kama ni hapa Machakos kwa sababu Chiefs and Assistant Chiefs wanaenda kufanya interview kwa DC, wawe transferred within the district, itakuwa mzuri na wawe kama civil servants kama waalimu na wengine. Kwa hivyo kwa ufupi hayo ndio maoni yangu, asante Commissioners.

**Com. Phoebe Asiyo:** Tumeshukuru sana sana Bwana Kitaka, lakini kuna swali moja kutoka kwa Pastor Ayonga halafu Doctor Maranga.

**Com. Pastor Ayonga:** Bwana Kitaka umeongea juu ya urithi wa wasichana kwamba wawe na haki ya kupewa property.

**B.M. Kitaka:** Kama hawajaolewa.

**Com. Pastor Ayonga:** Sasa kama hakuolewa ya Mungu ni mengi, kesho ikitokea huyu msichana akapata mume, what happens na hii property aliyopewe hapa kwa baba yake sasa ameolewa upande ingine, hiyo hukutuambia?



**B. M. Kitaka:** Hata enda nayo uko if ..... wale wamebaki kwa hiyo boma, akiolewa ana forfeit the right to inherit.

**Com. Phoebe Asiyo:** Na kama kule aliolewa huyu kijana hawana shamba kwao.

*(Murmur)*

Ni kweli, msichana ameolewa kama baba yake amampatia kashamba kadogo na ameolewa na kijana yule hana shamba hata kidogo kule kwao, atakaa na njaa huko?

**B.M. Kitaka:** Vile naona, kama hawana uwezo wa kununua shamba yao, kwa sababu wote ni watoto, kama ni msichana wangu ameolewa na nampenda na napende yule ememwoa, kama niko na big piece of land, lakini hiyo isiandikwe...*(Laughter)* ) waje waongee na mimi.

*(Interjection)*

**Com. Pastor Ayonga:** Ati isiandikwe?

**B.M. Kitaka:** Isiandikwe kwa Katiba, mimi nasema Katiba wakati huu isiandikwe huko, arudi kwa baba yake na son-in-law na sister waje waongee na baba watafutiwe namna.

**Com. Pastor Ayonga:** Unasema hiyo inakuwa katika un-written Constitution, unasema mambo ya namna hiyo yanakuwa katika un-written, si hii yetu tunayoenda kuandika lakini ile ya kufahamiana kwamba mtoto wangu ameenda kwa fulani na hawana kitu, atarudi mimi nitampa kitu. Hiyo haikuandikwa, si ndio?

**B. M. Kitaka:** Iandikwe, kama huko wana shida iandikwa waje kwa wazazi wao, na wataketi iangaliwe.

**Com. Pastor Ayonga:** Mambo yaangaliwe.

**Com. Phoebe Asiyo:** Lakini ya muhimu, wewe umesema watoto wote vijana na wasichana kama wasichana, hawajaolewa baba awapatie ardhi. Asante sana hiyo ndio yako.

**Com. Kangu:** Nikifuatilia hilo, umesema ikiwa msichana anaolewa shamba inarudi igawe kwa ndugu zake. Ikiwa anapatiwa shamba, anafanya development, tuseme pengine ni plot hapa Muuma Andu, amejenga manyumba zake na pesa zake, sasa hii irudi kwa ndugu zake ama itakuwe namna gani?

**Com. Phoebe Asiyo:** Msichana hajaolewe amejanga nyumba.

**Com. Kangu:** Na baadaye anaolewa.

**Com. Phoebe Asiyo:** Halafu anapata bwana.

**Com. Pastor Ayonga:** Hta ana shamba la kahawa ambalo amekuwa akichuna kahawa kila wakati.

**B. M. Kitaka:** Kama huko ameolewa kuna shida hawana kitu, tunaweza pindua tuseme msichana aoe.

**Com. Phoebe Asiyo:** Na hiyo nyumba yake amejanga?

**B. M. Kitaka:** Hapana, nasema msichana ana mali hapa kwa baba yake na kule anaolewa hakuna mali, wacha huyo msichana yeye mwenyewe atoe huyo mwanamume waje kukaa hapo.

**Com. Maranga:** Kimila je, wacha nikulize, mila ya Wakamba inakubali hiyo kweli? Hiyo ni uwongo.

**B. M. Kitaka:** Haikubali hiyo, lakini hatuweze kuwa tied na kimila, kama mambo ni mbaya itakuwa mbaya, huenda ikawa Kikamba inasema namna hiyo lakini watu wamepinduka na wakati kwa hivyo inaweza pinduliwa.

**Com. Maranga:** Niko na swali mbili, ya kwanza kabisa ulisema kura za Rais na ya Wabunge zifanywe siku tofauti, mimi nauliza ni gani inatakiwa ifanywe kwanza na ni wakati gani kati ya Rais na zile zingine, mimi nataka muda gani unafikiria, ni gani inafanywe mbele, ni ya Rais ama ni ya Councillors na Wabunge? Ni gani unaona ije kwanza kwa mafikirio yako? Hiyo ni swali la kwanza.

**B. M. Kitaka:** Kwa maoni yangu ninaonelea tuchague Councillors na Wabunge halafu baadaye tuchaguwe President.

**Com. Maranga:** Wakati gani kati ya hiyo na hiyo ingine, mwezi moja, siku saba ama nini, ama wakati gani?

**B. M. Kitaka:** May be after something like 6 months.

**Com. Maranga:** After 6 months.

**Com. Phoebe Asiyo:** No, hiyo si kweli, hiyo miezi sita unasema nchi itakaa bila President na iko na Wabunge na Councillors halafu nani ataongoza serikali?

**Com. Marang:** Hiyo ni maoni yake mama.

**Com. Phoebe Asiyo:** No, No.....(*inaudible*)

**B. M. Kitaka:** Wacha niulize kama December tutaenda kwa uchaguzi, President atakuwa ametoka kwa kiti ama atakuwa kwa kiti?

**Com. Phoebe Asiyo:** Siku ya President ikifika, according to the present Constitutiton, the life of the President in office expires on the 5<sup>th</sup> of January next year, unasema kwamba yeye akaye miezi sita zaidi tuingojea kuchagua president mwingine?

**Com. Kangu:** Swali ni transitional arrangement?

**B. M. Kitaka:** The ..... (Inaudible) kwa sababu.....

**Com. Phoebe Asiyo:** Untill a new President is put in place?

**B. M. Kitaka:** Because ata kama kuna uchaguzi, yeye anaendelea na kazi kama President.

**Com. Phoebe Asiyo:** Na kwa nini akae miezi sita kama kabla ya uchaguzi ya President ingine, kuna sababu ya hiyo?

**B. M. Kitaka:** Hayo ni kwa maoni yangu na mngerekebisha vile mnaona ama ..(*Incomplete*)

**Com. Maranga:** Swali la pili?

**Com. Phoebe Asiyo:** Another question?

**Com. Maranga:** Wewe unasema provincial administration ibaki na iendelee, kitu mimi nakuuliza, wewe unatosheka vile PC, DC, DO, Chief na Assistant Chief wanachaguliwa, unatosheka?

**B. M. Kitaka:** Vile wanachaguliwa, mimi nasema wameandikwa kama civil servants wale wengine natosheka, lakini mtu akiwa mbaya achukuliwa sheria kivyake.

**Com. Phoebe Asiyo:** Asante sana, nimeshukuru Bwana Kitaka. Sasa ningependa kuuliza Mbithi Kala. Mbithi nimefurahi wewe ni mama na umechagua kuongea na sisi. Ningependa kuuliza akina mama wote walio hapa, kwa maana ni wachache wapange fikira zao na waongee na sisi leo, kwa maana wanaume wote wameongea mmoja tu aliongea habari ya akina mama na alisema

kabisa wachaguliwe kwa Bunge wapigane tu na wanaume ndio wapate nafasi. Lakini wale akina mama walio hapa tafadhali tunataka muongee, wale watu ambao hawajiwezi muongee, wale vijana walio hapa tafadhali muongee ili tupate Katiba iliyo na fikira ya watu wote, wale walemavu, wale vijana na akina mama. Haya sasa Mbithe endelea tafadhali.

**Muna Mbithe:** Kwa jina naitwa Muna Mbithe Kala. Mimi ni mmoja wa 3C's Machakos Constituency. Kile nataka kusema kwa maoni yangu, sorry, akina mama huko nyumba wameniambia niongee kwa lugha ya Kiswahili.

**(Interjection)** Inaudible.

Sasa mimi kwa maoni yangu, yale nataka kutoa hapa, kwanza uongozi huanzia nyumbani. Na uongozi ukianzia nyumbani, sana sana wakina mama, kwa mfano mama akiolewa kama mimi naweza kuolewa na nimalize miaka kumi hivi kama sijatolewa ile mahari ya customary law, ile mahari wanawake wanatolewa. Kwa mfano kwetu, tuna ile mahari tunatolewa ni mbuzi tatu.

**(Interjection)** Peke yake.

Hapana, ya kwanza ile Mkamba anajua, ile ya kwanza na kwa bahati mbaya naweza kufa hata nikiwa na miaka hiyo kumi na sijatolewa ile mahari. Hapo tunapata shida sana sababu gani? Nikikufa, wenye boma wanaweza kusema mimi sio mwenye boma, wanaweza kusema huyu sio wetu wa boma, na sisi tunakaa hapo hata pengine nimezaa watoto wengi, hata pengine nimezeeka kwa hiyo boma na watasema huyu sio wetu apelekwe kwao, azikwe kwao. Hiyo ni kitu moja sisi akina mama tunapata shida sana.

**Com. Phoebe Asiyu:** Pendekeza sasa.

**Muna Mbithe:** Sasa mapendekezo yangu ni kusema ya kwamba, tukiolewa kwa hiyo boma hata tukiwa na miaka mbili, iwe ya kwamba sisi ni hapo kwa hiyo boma.

**Com. Pastor Ayonga:** Mama endelea.

**Muna Mbithe:** Nikiendelea sioni ni kwa nini tunaambiwa ati tukapelekwe huko kwetu kwa sababu tumeolewa na tunafanyiwe hii, naona ata tukiwa ata miaka mbili hiyo hakika ihakikishwe huyu mama ni wa hiyo boma.

Kiti ingine, uongozi wa akina mama, sisi tunataka kuchaguliwa bila kuwa na uchaguzi ile tunakuwa na wanaume pamoja, sisi tunataka kuteuliwa kama akina mama tuwe ma-Councillors, tuwe MPs hata tuwe Chiefs na DC bila upingamizi.

**Speaker:** Bila kujali.

**Speaker:** Hajasema hivyo.

**Com. Phoebe Asiyo:** Tafadhali do not put words in her mouth, give her time to say what she wants to say, please.

**Muna Mbithe:** Sisi tunataka hivi kwa sababu tunaona tukiitisha kura na hawa wanaume, saa ingine wanatutukana na sisi tunajua uwa wanawake sisi ndio wengi. Na saa ya kuitisha kura, hawa wanaume wanatutukana, saa ingine mama anashindwa nitaanzia wapi nitamalizia wapi. Hii ni kwa sababu nikisimama na Councillor mwenzangu ananitukana huyu munaona huyu ni malaya huyu ni ni, na mimi nashindwa na vile nitaendelea na vile nitaendelea na kuomba hiyo kura. Kwa hivyo ndio tunasema tutengewe vitu yetu, tuwe tukipatiwa vitu yetu bila...

Ile ingine, sisi akina mama tunazaa watoto, kwa mfano tunazaa watoto wengine vipofu, viwete na tunawalea na tukiwalea saa ingine wanaweza kupata mimba. Wakipata mimba wanaweza kupata mimba na mtu ana miguu ya kusimama, unaelewa vile nasema, anajishika hivi, na huyu akizaa naye anamwacha hata anaweza kuzaa na mtu ambaye anaendesha pajero na huyu baadaye anajificha anaenda hivi hivi, hiyo hatutaki.

**Com. Phoebe Asiyo:** Unataka namna gani?

**Muna Mbithe:** Tunataka akizaa na huyu kipofu aoe, (*Laughter*) tunataka hivyo, aoe huyo kwa sababu ni yeye alilete hiyo. Kwa sababu akiwa na hiyo mimba mama hawezi kuenda kanisa, hawezi kuenda kwa mikutano kwa sababu anaangalie huyu atazaa namna gani. Ndio sababu tunasema akipatia huyu msichana mimba ama huyu kiwete, amuo na sheria ile inatakikana.

**Speaker:** Endelea.

**Muna Mbithe:** Nikiendelea, nataka kusema ma-chifu wachaguliwe na watu. Iko sababu Chifu anaweza kaa hapa kwa muda wa miaka thelathini au hamsini na awe ama ananichukia ama anachukia mwingine, ndio tunauliza tutakaa na huyu Chifu kwa miaka hizo zote akiwa hanipendi na nakaa kwa hiyo kijiji na ni yangu na siwezi hama? Ndio hapa tunasema Chifu tunataka kumchagua kama tunachagua ma-Councillors. Ata Sub Chifu wachaguliwe na raia vile vile, tumesema.

Ya mwisho, Wajumbe: Sisi tunataka tukichagua Wajumbe kuwapeleka Parliament wasitufanyie chochote, ama hawafanyi kazi hapa kwetu hata ikiwa tunawaita tukiwafuta kazi, tuwe tukiwarudisha hapa kwa sababu hawakutimiza mahitaji yetu, yale tuliwatume waende huko watufanyie.

Nimesema Machifu wale wako hapa wanisamehe kwa sababu ni maoni yangu vile mimi naona. I

**Com. Phoebe Asiyo:** Mama Mbithe, hii ndio wakati wako pekee katika nchi hii ambayo umepewa fursa ya kusema kila kitu kilicha rohoni mwako au rohoni mwa watu wa hapa ambayo unataka irekebishwe kwa Katiba, hata kama President angekuwa hapa, ungesema tu vile unasema.

**Muna Mbithe:** Ningesema ata ikiwa nani, ningesema siwezi kuogopa.

**Com. Phoebe Asiyo:** Ndio, endelea tu.

**Muna Mbithe:** Ile ingine, tunataka President na tunataka Prime Minister. Na ya mwisho ni watoto wawe equal. Kwa sababu wote ni watoto na ni sisi tuliwazaa ata naweza zaa mtoto na niwe tajiri, huyu azae maskini sisi tunataka iwe balanced. Wakipatiwa huku na huko, wawe wakapatiwe na hiyo iwe kama. (incomplete)

**Com. Phoebe Asiyo:** Mambo ya urithi.

**Muna Mbithe:** Na mimi nafika hapo.

**Com. Phoebe Asiyo:** Kuna swali kwa Doctor Maranga.

**Com. Maranga:** Mama nauliza, ulikuwa ulikuwa umesema, kulingana na kimila ya Wakamba, wanatoa mbuzi tatu, hiyo mbuzi tatu inamaanisha ndio imefungwa, si ni hivyo? Kama mbuzi tatu imetolewa basi wewe ni bibi wa ule mtu, asante. Sasa kitu nakuuliza, hiyo ulisema ati wale ambao wanapata watoto na wasichana, wengine hapa, kama watu wa pejero, na unasema walazimishwe kuo hawa watu ama hawa wasichana, sasa mimi nauliza, kama huyu mtu tayari ameoe na sheria inasema hatakiwi kuo bibi mwingine tutafanyaje, kuna njia ingine badala ya kumuoa?

**Muna Mbithe:** Sisi hatutaki, ni maoni yangu, kama mimi sitaki ati akiwa na binti wangu awe akioa huyu wangu alikuwa na mwingine, hapana. Kwa sababu si aliwacha huyo mwingine akija kuona huyu, si alimwacha akaja kwa huyu, na huyu anaona kwamba haoni hata anaona hana miguu. Sasa tunataka amue na amue na sheria ile ambayo ni sheria ya kawaida, ile ya sheria house hata ikiwa sio ya kanisa, amue.

**Com. Phoebe Asiyo:** Nimeitikia hiyo, kwa hivyo unasema kwamba polygamy sio kitu kibaya kwa nchi hii.

**Muna Mbithi:** Ati?

**Com. Phoebe Asiyo:** Polygamy, tuendeleee tu, wanaume wao vile wanawake wengi wanataka.

**Com. Pastor Ayonga:** Je, mama katika hiyo nafikiri Commissioner Maranga alikuwa anataka kukuongaza kuenda upande mwingine. Upande aliotaka kukuongaza kama nilisikia vizuri, alisema badala ya kuo, hakuna kitu kingine huyo mtu aliyemdunga huyo msichana mimba angeweza kufanya ili huyu msichana afaidike na huyo mtoto aliyezaliwa afaidike? Kuliko kum-impose kwa yule mtu, kwa maana hata akimchukua anaweza kumchukua tu kama kimzigo aweke huko, hutafanya chochote. Hakuna njia ingine ungeweza kufikiria?

**Muna Mbithe:** Unajua mbeleni, mafikira yangu haikuwa ya kitu ingine lakini naona sasa iko kitu ingine mimi naelewa.

**Com. Pastor Ayonga:** Hiyo kitu ingine ni nini?

**Muna Mbithe:** Amtengee mali kiasi fulani.

**Com. Pastor Ayonga:** Sawa na kwa wale mbuzu tatu narudia swali la Doctor Maranga tena, ni kwa nini it takes so long, inaonekana kama marriage yenu hii haikuwi confirmed inaweza kuchukua muda mrefu, mbona hamuwezi kuifupisha? Ni kwa nini inangoja, hata ukapata watoto wengi na ukifa ndipo uenda kuzikwa kwingine?

**Muna Mbithe:** Wacha nikueleze kitu kimoja, unajua wanawake wanaweza kuolewa wawili.

**Com. Pastor Ayonga:** Hata watano.

**Muna Mbithe:** Na wakiolewa wawili au watano wanaweza kukaa Nairobi na wanakuja, anakuja na bwana yake na hawa watu wa nyumbani wanasema huyu ni wa Nairobi na ni wake na wanakaa pamoja, unaona hivyo? Ndio sababu ninasema, mwanamke akiolewa akimaliza miaka mbili kwa hiyo boma awe ni wa hiyo boma.

**Com. Pastor Ayonga:** Kwa mila za Kikamba ni nini mngefanya ili mufanye haya mambo, unajua makabila mengine, unaoa, ukifanyiwa harusi, mambo imekwisha. Hata siku ile ile tu, mambo imekwisha. Why does it take you people so long?

**Muna Mbithe:** Unajua Wakamba saa ingine....

**Com. Pastor Ayonga:** Hiyo ndio sijui.

**Muna Mbithe:** Wakamba wengine wako namna hii na wanakaa tu na wananyamaza na wanajua hii ni kawaida wafanye hiyo, na wanakaa tu.

**Com. Phoebe Asiyo:** Nina swali mama. Je ingewezekana kupata usaidizi kama marriages zote katika Kenya zile za Kikamba

au ile ya DC, au ya makanisa zote zifanyiwe registration.

**Muna Mbithe:** Ndio.

**Com. Phoebe Asiyo:** Na kama mtu ana mabibi wawili tena wote wafanyiwe registration.

**Muna Mbithe:** Ndio, kwa sababu ni wake.

**Com. Phoebe Asiyo:** Na saa zile mtu hajaoa, aeleze msichana mimi nakuoa lakini mimi pengine nitafikiri kuleta mwingine, ili huyu mwanamke ajue tu, kwamba hata naenda huu mji lakini nyingine mwingine anaweza kuja. Yaani potentially polygamous system of marriage.

**Muna Mbithe:** Hiyo ni ngumu sana, kuolewa na uambiwe iko mwingine ni ngumu sana, mwanamume anao tu akiwa amenyamaza kwa roho yake. Na kuna wengine wanaambia mabibi zao, unajua nataka kuo kwa sababu bibi yake anaweza kuwa hana mtoto, na hiyo ndio anaweza kuo kwa bibi wa pili.

**Com. Kangu:** Unajua shida yenye tuko nayo mama ni kwamba watu wetu wameenda kwa makanisa hata harusi watafanya kwa kanisa lakini nyumbani bado wanatangulia na mambo ya kinyumbani. Sasa swali inakuwa, tumefika kiwango ya kusema kuna mambo ingine ya nyumbani tunataka tuwache halafu tufuate mambo fulani ama bado tunataka kuendelea na mambo ingine.

Ndio tukisema, sheria iseme kama ni baada ya miaka miwili inaandikishwe mmeoana hata kama hizo mbuzi zimelipwa ama bado. Inaandikishwa ndio sasa kama bibi anakufa inajulikana ni bibi ya fulani, watu wako tayari kuwachana na hizi mambo zingine ama bado wanaona hii ni mila ya Wakamba lazima tufuatilie?

**Muna Mbithe:** Unajua hatuwezi kuwacha mila ya Wakamba lakini ile iko ni tuwe tukiandikisha ata hiyo mila ikiwa, tuwe tukijua hata tukiwa nyumbani mila tutafuata mila lakini nikiolewa kwa hiyo boma, nisiwekwe kama vile paka na paka wanavuta nyama, mama akifa wa aina hiyo, inakuwa....(*Incomplete*).

**Speaker:** Vita.

**Com. Phoebe Asiyo:** Asante sana tafadhali uandike jina lako pale.

**Com. Pastor Ayonga:** Machifu sasa tufanyaje?

**Muna Mbithe:** Sina shida lakini, kwa sababu ni maoni yangu.



**Com. Phoebe Asiyu:** Sasa Grace Mwanza, mama Grace Mwanza tafadhali uje hapa mbele na ufanye mapendekezo zako, naona umeandika kwa hivyo utafanya kwa kifupi tu.

**Grace Mwanza:** Majina yangu ni Grace Mwana, I am a Pastor.

**Com. Phoebe Asiyu:** Hakuna jina ya katikati.

**Grance Mwanza:** Grance Mumo Mwanza, I am a Pastor, AIC Church. Niko na mambo machache tu ya kuongea.

Kwanza ni the word of God to be given first priority in our government since it is supra culture, to our freedom of worship, preachers should be trained kwa maana kuna wengine wanainuka leo wanasema ni ma-Pastor and they are not trained. Kwa hivyo ma-Pastor wawe trained, ikiwa unataka kuhubiru uende kwa training.

Infants to be given special attention, watoto mayatima: All children to be given their rights especially the right to life because we have cases of abortions.

Biological parents to take care of their children.

Children born out of wedlock to be taken care of by both parents, ikiwa kijana amezaa alazimishwe alee yule mtoto ambaye amezaa.

To have birth rate control, watu wapewe watoto wale wanapaswa kuzaa, and myself I am suggesting that people to have a maximum of 3 children.

Drug abuse to be controlled, the government should have a way of controlling drug abuse.

The government should provide for the old women and the old men a place where they can be taken care of because we have heard cases of many of them dying for lack of care.

Freedom to choose or to marry when you are above 18, because we have problems with parents insisting the kind of spouses they want for their children. Therefore, people should be given freedom when they want to get married to choose on whom to marry.

**Com. Phoebe Asiyu:** Grace endelea.

**Grace Mwanza:** Nitafika pale.

**Com. Phoebe Asiyo:** Umefika hapa, asante sana. Kuna kitu ambacho nataka kukuuliza kuhusu pombe, nchi nyingi za dunia hazikubali kamwe kuweka advertisement kwa television au kwa radio kutangaza pombe kali, lakini ninaona hapa Kenya advertisement ya pombe kali ya shilingi kumi na tano na inasemekana kwamba inafurahisha mtu na inafanya mtu ajisikie yeye ni yeye. Sasa wewe ni Pastor na umetuambia habari ya ulevi, ungependa mambo haya ya advertisement ya pombe kali kwa TV na radio iendelee au ipunguzwe.

**Grace Mwanza:** Ningependa ipunguzwe, kama ingewezekana because we are having problems when bia imari advertised. Kwa hivyo ningependa ipunguzwe hata pia ile ina-advertise condoms ingepunguzwa.

**Com. Kangu:** Swali moja, umesema pastors ama preachers wawe-trained na ukasema freedom of worship, kuna wengine watasema kujaribu kuzuia wengine kuhubiru mambo ya Mungu kwa sababu hawana training ni kujaribu kuzuia ama ku-limit their freedom of worship. How do you reconcile those two?

**Grace Mwanza:** Okay, I would say as the other ministries like now in education cannot have a teacher who is not trained so that we call him a qualified teacher. Therefore, as other ministries we get people who are trained we can encourage so to the pastors.

**Com. Kangu:** The right to worship can be limited in certain circumstances?

**Com. Maranga:** Now, I am asking you a question Pastor, two questions. One is about the question of abortion. What is your stand on abortion? That is point number one, number two, you are also suggesting a limitation of a maximum of 3 children, is it not interfering with the freedom of choice which actually you have given? How do you reconcile the two?

**Grace Mwanza:** Abortion is killing and I have said a child should have a right to live and when you abort, you are killing. You can use other methods of contraceptives which are not killing.

**Com. Maranga:** What I am asking is, now that you are a Pastor, you know that there are some countries where abortion is legal, but I know the stand for example of the Catholic Church it is very firm, it is anti-abortion and many other people but also the medical profession who are advocating for abortion because abortion can be given on various grounds. For example, if somebody was raped and you do not want to bring forth that kind of child who was conceived under very difficult circumstances. Don't you think the land can have a right to abort at that point? That is one question I want to put to you, it is a moral question. A girl was raped, she conceived, she does not want to carry the child of the rapist and that child is innocent, what do you decide as a Pastor?

**Grace Mwanza:** The question that the government to have a way of taking care of such children because actually that child has the right to live, to allow the girl to give birth and if she does not need the child, the government to have (incomplete)

**Com. Maranga:** Pastor you did not get my point, the circumstances of that pregnancy originate from rape that was not her consent, she was raped, do you get my point?

**Com. Pastor Ayonga:** I want to come to her assistance. What Doctor Maranga wants you to say is that this girl, her mentality, her psychology, her everything is not for this child because it was done under very bad circumstances, and what you are trying to tell him is that no matter what has happened, the child who has been formed under such circumstances should be allowed to come forth and then the government picks that up and cares for that child. It will leave this woman free from caring for that child, who she would not like to see. A child can be born in a maternity ward, and the child be taken away from the mother without the mother seeing the face of that child, and it can be taken and be taken care of elsewhere. I think that is what the Pastor is trying to put across.

**Com. Maranga:** No, it does not answer my question because, why do you subject a girl to carry a pregnancy she does not want for nine months on medical grounds? She is psychologically traumatized and you want to tell me as a Pastor that you can convince that girl that continue carrying the child of a rapist? I want to put it to you, you will not do it. Thank you.

**Com. Pastor Ayonga:** Now, my other question as regards to freedom of worship. Did you tell us what that freedom of worship entails because these days people are complaining that there are so many religious bodies, others are beating the drums through out the night, and if they are in your neighbourhood, you cannot sleep. What is this freedom of worship really? And others are worshipping Satan, devil-worship. Are you saying that this freedom of worship should not be curtailed, or the freedom of worship should be whatever a person does, wherever, whatever time, whatever interference and whatever not, it should be allowed to continue like that?

**Grace Mwanza:** We should have meaning, caring for the others with knowledge of whom they are worshipping.

**Com. Pastor Ayonga:** And who should be worshiped?

**Grace Mwanza:** It is God.

**Com. Phoebe Asiyo:** There is also freedom of worship, there is a lot of devil-worship these days, you want us to give them the freedom of worshipping the devil. Okay, very good, I think you are done, thank you very much Pastor that was very good, go and sign our register. Now we want Joseph Nguvi, please be brief Joseph, wapi Joseph Ngumbi, kama hayuko tunaita

Dishon Ndonye, yuko? Kama hakuna.....

**Com. Pastor Ayonga:** Ndiye huyu.

**Com. Phoebe Asiyo:** Mzee kuja haraka, kaa hapo mbele utueleze jina lako halafu uongee juu ya mapendekezo yako kwa Katiba mpya. Unaitwa?

**Dishon Ndonye:** Majina yangu ni Dishon Dilo Ndonye. Naanzia na Wabunge, Wabunge wawe wakichaguliwa kwa miaka mitano na kabla ya kuwachaguwa Wabunge ningependelea Rais awe akichaguliwa mbele. Raisi wakati wake uwe mbele wa uchaguzi wa Wabunge, na ichukue kama miezi sita baada ya kuchagua Rais halafu Wabunge na ma-Councillor. Miezi hizo sita ikiisha, tunachagua Wabunge na ma-Councillors kama vile wanachaguliwa.

**Com. Phoebe Asiyo:** Kwanza President achaguliwe.

**Dishon Ndonye:** Achaguliwe kwanza.

**Com. Phoebe Asiyo:** Aendeshe nchi bila Bunge na bila Council. Haya, endelea.

**Dishon Ndonye:** Hapa nanasema ataendelea kwa sababu saa Wabunge wanaendelea lakini yeye anachaguliwa mbele, Wabunge wana miezi mengine ya kuendelea. Wakichaguliwa miezi sita, si wataendelea miezi zingine sita halafu muda wao uishe wachaguliwe.

Mayors wewe wakichaguliwa na watu na Chairmen wa County Councils, Chifu wawe wakichaguliwa kama vile wanachaguliwa, lakini wawe wakipewa transfer kama watumishi wale wengine.

Ningependelea watu wakiona Mbunge wao hafanyi kazi vizuri, miaka miwili wanamkataa wanachagua mwingine tena.

Akina mama wawe wakichaguliwa wakati wao, lakini napendelea kama Machakos District, pawe na mwanamke mmoja ambaye hatachaguliwa lakini yeye tunamchagua mmoja tu, kila district mwanamke mmoja achaguliwe ili awe akiwakilisha wanawake wale wengine bila kuchaguliwa pamoja na wanaume.

Urithi, naonelea hali ya urithi kwa watoto wote ni sawa lakini kunakuwa na tofauti msichana akiolewa. Akiolewa hawezi kugawiwa mali lakini asipolewa anagawiwa mali. Akigawiwa mali na apate mwanamme hiyo mali ni yake kwa sababu amechelewa sana bila kuolewa, ikaonekana huyu hataolewa.

Mali ya asili serikali inangalie sana sababu inaenda vibaya kama misitu, maji, serikali iangalie, hifadhi mali ya asili, misitu, maji.....

Elimu tunaambiwa na ya bure siku hizi lakini hakuna cha bure. Wiki moja mtoto anaenda safari tatu akiitisha pesa za kuendesha mambo ya shule, serikali iliharibu kupeana elimu ya bure, itafute pesa za kuelimisha watu wake. Ningesema ikiwezekana wanaweza kutoka Nursery mpaka wamalize elimu yao katika chuo kikuu ama vyuo vile vingine vidogo, hiyo iwe jukumu ya serikali.

Madaraka ya Rais punguzwe isiwe zaidi.

Kitu kingine ningesema ni kupindua Katiba: Ni lazima Katiba ya Kenya tuwe na referendum. Wabunge wakitaka kupindua sehemu fulani ya sheria watuuliza, sio kufanya vile wanafanya siku hizi, wakitaka kitu wanapindua leo, tunataka tuilizwe sisi wananchi.

Wale watu disabled waangaliwe sana kila kitu chao kifanywe bila kulipa kitu, kusomesha, malezi kwa disabled na wale watu ambao wamezeeka kwa sababu mtu akizeeka anakuwa taabu kwa watoto wake. Serikali iwe ikiangalia mambo ya wazee, wazee wanawake na wanaume watengewe sehemu ya kukaa.

Ningeona mshahara ya watumishi wa serikali iangaliwe ..... Wengine wanapata mshahara ya juu wengine ni chini na kisomo ni kile kile. Nafikiri nikikomea hapo ni vizuri.

**Com. Phoebe Asiyo:** Asante sana Mzee Dishon tafadhali mzee ukifika pale sasa mzee utaandika jina lako kwa register yetu na tumeshukuri sana kwa maoni mazuri. Sasa tutasikiliza Bwana Charles Maluti.

**Charles Maluti:** Nitasema kwa kifupi iwezekanavyo. Kwanza ni juu ya Presidentkuchaguliwa pamoja na bunge. Lazima uchaguzi uwe tofauti. Presidentkwanza, na baada ya kuchaguliwa kwake, tuchukue muda wa mwezi mmoja, ndio nao ma-councillor na ma-MP nao wachaguliwe. Baada ya mwezi wa pili wawe tayari na mwezi wa tatu government iendelee.

Kitu kingine ni elimu. Elimu katika Kenya imekuwa kama gorofa inawaka moto. Inaenda upande huu na huu na huu. Kwanza, tunaambiwa kuna free education in kenya, there isn't, hakuna.

**Com. Asiyo:** Pendekeza tu mapendekezo mzee.

**Speaker:** Ndio nakuja, yale mapendekezo yangu, ni free education iwe mtoto hahitajiki kuitishwa kitu chochote. Ili asome

kama wakati mimi nilikuwa nasoma sikuitishwa chochote isipokuwa kile kilihitajika cha dhati... Std. 8 wamalize hapo kila mtu awe na stand kila mtu Kenya apate elimu ya primary, sio ya kuitishwa hiki na hiki na hiki.

Kile kingine ni kuwa uchaguzi ukiwekwa hapa kama ni siku ya elections, tuhesabu kura hapa ili tuepoke ule wizi wa kura. Tukimaliza kura tuhesabu na ziende zikihesabiwa. Zisiibiwe njiani ama ziwekwe vingine.

**Com. Asiyu:** Tayari mzee hiyo sheria iko tayari. Safari hii ukienda kupiga kura zitahesabiwa pale pale, sheria ile iko.

**Speaker:** Unajua Kenya ni nchi tajiri sana na, ikiwa tajiri, ule utajiri unaweza kupatikana Kenya umechukuliwa na watu wachache sana ili yenyewe ikabaki bila chochote; kama ingechukuliwa hatua kwanza, hatungekuwa katika hali tuliyo nayo leo. Kwa hivyo, ni lazima mwenye kutumia mali ovyo katika Kenya afikishwe kotini, afungwe, alipe na vitu vyake viuzwe vile amechukua kwa magendo. Ndivyo mali irudishwe kwa wananchi. Katika Kenya yote, iko na rasilimali ya nchi nyingi lakini haitumiwi ili kutoa mapato kama tunajua Kenya yetu ni agricultural. Kuna maji kama hii mvua imenyeshwa hapa, maji hii yote imerudi kwa bahari. Na nchi hii na nchi zingine huwa na ukame. Hayo maji yangeshikwa tayari hatungeendelea kupata njaa. Yanyunyishiwe katika kila mahali kwenye ukame tupate chakula na tupate wafanyi kazi kwa sababu iko mahali ya kufanya kazi kutoa mazao.

Kile kingine, katika Kenyakuko na ukoloni mamboleo, kama tuna factory na wenye kushikilia hii factory wametuweka kama stairs. Unakuta mtu anaandikwa wiki tatu anafutwa, asitimize ile miezi mitatu ya kuandikwa. Anawekwa mwingine, na ile mshahara anapewa hawezi kujimudu hata kidogo. Kama sasa ukimpa mtu shilingi mia moja atoke hapa. chakula hali, ana watoto nyumbani ana bibi, ile mia moja, itamfaa nini? Pendekezo, watu wengi wameshikilia hii kitu ni wahindi, wawekewe sheria ya kuandika watu sawa sawa na wawape mshahara tosha. Sio ile mshahara wanawapa watu mia moja, mia mbili, mia na hamsini. Na wahakikishiwe ya kwamba mtu awe kama kibarua kama ni miezi tatu na aandikwe permanent. Hawa wametunyonya hata kupe ni afadhali. Na mimi namalizia hapo.

**Com. Asiyu:** Asante sana Mzee John, tumeshukuru sana kwa maoni yako, tafadhali kama ungefika pale uweke jina lako kwa register yetu itakuwa mzuri. Na maoni yako tumeyachukua. Sasa tuko na councillor John Kimili, kama uko hebu fika hapa mbele, na utafuatwa na bwana Ndunda S.M ukishamaliza maoni yako mzee councillor.

**Clr: Kimili:** Madam chairlady na commissioners wengine, jina langu ni John Kimili. Mimi ninawakilisha wodi ya kalama location constituency ya Machakos. Ningependekeza political parties ziwe less than ten, na ziwe zinajitafutia uwezo wa kujiendesha.

Pia ningependekeza any ruling party iwe linked kutoka kwa Central Government. ningependekeza mayors na wenye viti wa Local Authorities waendeleo kuchaguliwa na madiwani wenyewe. Sababu yake wananchi wa kila mahali hakuna njia wanaweza

kujua mwenyekiti tuseme tukiwa Machakos na tuseme mwenyekiti anatoka kama Kangundo hapa hatuwezi kujua. Lakini wale madiwani wanaokaa na yeye pale, wanamjua na wanaona vile anafanya kazi. Kwa hivyo ningependekeza huo mtindo uendelee hivyo hivyo.

Elections ningetaka ziendelee pamoja, election ya madiwani, ya wabunge na ya rais. Iendelee kwa wakati mmoja. Kwa sababu tusipofanya hivyo kama tuna mjumbe hapa na hanitaki niwe Diwani, akiwa free anaweza kuingilia ule uchaguzi na usiwe fair kwa wananchi. Kwa hivyo anaweza kusukuma yule councillor ama yule Diwani anayetaka yeye mwenyewe na isiwe ndio mapendekezo ya wananchi. Kwa hivyo ningetaka ziendelee pamoja zote. Ndio kila mtu awe busy na asiwe na wakati wa kuangalia mambo ya mwingine.

Ningependekeza pia Katiba kila wakati iwe ikiangaliwa na wabunge, kwa sababu tuliwachagua kama wabunge wetu na tunawaamini na tunachagua yule tunafikiria he is the best for our area. Kwa sababu kama hana hiyo wajibu pengine they have no business of being there. Tumewachagua kutengeneza sheria. Kwa hivyo ningependelea waendelee kuwa na uwezo wa kubadilisha Katiba for time to time kama wajibu wao.

Property ownership, ningetaka kuwe na uhuru wa kila mtu yeyote awe mwanamume mwanamke awe na uhuru wa ku-own property kwa mahali popote katika jamhuri yetu. Ningetaka lugha ya taifa idhaminiwe. Wakenya wote waweze kuungana kwa kuwa tunaelewana. Lakini mimi nikiwa naelewa na Kikamba na mwingine haelewi naweza kumsengenya wakati wowote na nimbandike kitu fulani, pengine kiende kombo.

Provincial administration ningetaka ikae, lakini this must be chiefs wachaguliwe na wananchi wa ile eneo ambayo wanatoka ndio wawe wanajua wana wajibu wa kutumikia hao wananchi vizuri, wasiwe kama kings katika ile area. Ikiwa na kosa na imejulikana kwa Serikali wawe wakiadhibiwa hapo hapo na ikiwa kuna chief ambaye ame-prove kuwa capable kuwa promoted, na ana qualifications zile zinatakikana, anaweza kuwa promoted as the D.O.

Kuna wale wazee wengine wa vijiji ambao wanasaidia administration na hawa ni wa muhimu sana kwa sababu ile kazi wanafanya hata saa ingine wanafanya kazi zaidi ya assistant chief, kwa hivyo ningependelea Katiba iwaruhusu hawa wawe wakipewa kitu, kama sivyo waondolewe kabisa.

Ningetaka kuwe na free education kutoka darasa la kwanza mpaka la nane, na iwe ni lazima kwa kila mtoto. Kwa sababu hiyo ni njia moja ya kupatia watoto haki yao. Na ikiwa ni free education, tusiwe tukiona watoto wanatumwa na waalimu kila wakati, 'nenda mkalete hiki, nenda mkalete kile'. System yenyewe ifanye mpango, iwe mtoto akienda shule, kazi yake ni kusoma mpaka wakati ule anamaliza shule aende nyumbani.

Uchaguzi - kama mtu yeyote anasimama anataka kitu fulani kama ni diwani, kama ni mjumbe, tuwe equal. Awe ni mwanamume

ama ni mwanamke bora auze lugha yake kwa wananchi wale wana kura. Kwa sababu hii mambo ya kusema kama ni wanawake wawekewe a special consideration, saa ingine itatulazimisha tuweke mtu ambaye ni kiwete na hajiwezi kwa ku-deliver goods kwa wananchi.

Pia, medical scheme ama mambo ya matibabu yawe free kwa kila mwananchi. Kwa sababu kama siku hizi tunaangalia watu wengi wanakufa kwa sababu hawezi ku-afford medical services. Na sisi wote ni kama tumekuwa wagonjwa. Kila mtu akionekana ni mgonjwa ama akifariki tunasema ni AIDS, ni ugonjwa pengine wa kawaida na mtu hawezi ku-afford na tunampoteza.

Discipline ya watoto shule, naona hiyo ni ya lazima. Kwa sababu hata nyumbani wazazi wengine tumezoea. Mtoto akinikosea namwambia nitaenda kumwambia mwalimu. Bora mwalimu ajue ni kiasi fulani ya punishment anapatia mtoto, asiwe excessive, ikiwa excessive pengine iwe na disciplinary committee ama board fulani ya kuangalia mwalimu ameenda excessively na anaweza kuwa disciplined hata na yeye kwa hiki na kile.

Pia, ningependekeza Kenya kama agricultural country, kuna nchi kubwa ambayo inaonekana inakaa bure na watu wanaendelea na njaa, Tunaendelea kuomba misaada ya chakula hapa na pale, tumekaa kama beggars. Ningependekeza sheria ama Serikali ifanye mpango kuwe na watu wale ambao ni landless na pengine wamemaliza darasa la form four na kuendelea juu. Wawe wakikatiwa sehemu fulani watafute pesa zao pale daily living na hata kulisha watoto wao.

Ningependekeza Local Authority iwe na uwezo wa kupitisha mambo yao bila kuomba omba kwa Serikali kuu. Kwa sababu councilors wengine wanaenda wanakuta wana shida and their hands are tied hawawezi kufanya chochote. Kwa sababu the executive or the senior officers of the council ni wafanyikazi wa Central Government, and they cannot discipline them. Ile system inafuatwa ni ndefu sana na kwa hivyo, chief officers wanaendelea kufanya kazi vile wanataka hata ikiwa ni mbaya. Kwa hivyo ningetaka councilors wawe na uwezo wa ku-run their own council kulingana na mahitaji yao.

Mfanyi kazi yeyote awe ni wa Serikali ama ni wa private sector, wakati ukifikia wa kwenda retire, atayarishwe na mambo yake, pesa na nini, aende kufurahia matunda yake. Kwa sababu ameyafanyia kazi kwa muda mrefu, amechoka, amejinyima, na ule mtindo wa kuwa anafuata pesa zako ukiwa umetoka kazini, na huna pesa zimewachwa huku, that opens room for corruption. Kama huku utaenda uambiwe kama unataka tumalize hii leo fanya hivi. Hizo ni pesa wanapeana. Kama ni wakati unatupa, na pengine umetoka mbali na huna uwezo wa kuja hapo kesho.

Ningetaka kuwe na tume mbili za kuchunguza mishahara ama marupurupu ya wafanyi kazi wa Serikali, na ingine ya private sector ili kila tume iwe inapendekeza ama inafikisha mambo ya wafanyi kazi wa that sector kulingana na vile wanaona mambo yanaendelea, vile wanaona gharama ya maisha inaendelea na hivyo hivyo.



Isiwe kama juzi tulisikia wajumbe walijiongezea pesa chungu nzima na madiwani wangali wanalia lia ofisini na wao ndio wanakaa na wale wananchi ambao waliwachagua wajumbe. Na sisi ma-councillors ndio tuko karibu na wananchi, mwananchi akiwa na shida ya school fees ama ya ugonjwa ama ya njaa anakuja kwa councillor kila asubuhi, na councillor hana uwezo, ile pesa anapewa pale ni kidogo sana, na wajumbe wana-enjoy. Ana pesa zile pesa na hata mwezi mzima hawezi kuonekana kwa electoral area yake. Kwa hivyo ningependekeza kuwe na tume ambayo inachunguza mambo ya madiwani.

Freedom of worship iwe controlled to an extent kwa sababu ule mtindo wa kusema kuna uhuru wa kuabudu siku hizi umeonekana ni kama wengine sio kuabudu, ni kazi wanafanya for their living. They have not even gone for any course or training, they are not even registered in the government, lakini kwa vile tunasema kuna freedom of worship, kila mtu anasimama kwa soko, pengine kuna dispensary hapo karibu kuna ugonjwa wanatibiwa hapa na anawapigia kelele. Kwa hivyo ningetaka kama ikiwezekana, hivi leo tungesema Katiba iseme no more registration of churches or religions ama nini, zile ziko kama sitosheki hapa niende kwa hiyo ingine lakini not new denominations.

Ningetaka kupendekeza pia ugawaji wa national resources. Mali kama ni ya Serikali iwe inagawiwa kila sehemu kulingana na population. lakini sio kuwa kwa vile hiyo ni region kama ingine kama ni province, iendelee kulingana na population kama sisi sote ni wananchi wa Kenya, inafaa tutumikiwe the same.

Mambo ya wasichana kama ni my daughter na ameolewa mahali, ningetaka akae na adabu kwa ile boma na atafute mali yake akiwa hapo. Lakini hii mambo ya kusema aje hapa kwangu akatiwe sehemu, kuna hata wanaume wengine wana mtindo wa kumwambia bibi nataka tutafute mali kwa hivyo nenda kwenu ujifanye umerudi ndio nikija kule tugawiwe kitu. Kwa hivyo ningetaka mwanamke akiolewa akae na adabu na atafute mali yake kule lakini sio anakuja kuchukua sehemu hapa. Sababu hiyo itaendelea kuongeza watu kuacha mabwana zao na itaongeza ile shida ya ukimwi. Na ni hayo mwenye kiti, ningetaka kukomea hapo, asante.

**Com. Asiyu:** Asante sana councillor, sijui kama kuna swali yoyote kutoka kwa wenzangu hapa.

**Com. Kangu:** Na bwana councillor, hii mambo ya freedom of worship, umesema wengine wamegeuza imekuwa kama biashara. What is the best way of controlling this? Kwa sababu kama unasema ni biashara na ni kweli those make a lot of money, wengine wana-run businesses, they run hospitals, they run schools from which they make money. Do we subject them to income tax ama tufanye namna gani?

**Cllr. Kimili:** They should, kwa sababu hiyo ni income wanapata, there is no way they should be left to go without saying anything like any other employee or any other person. And out of that living anakata sehemu inaenda kwa Serikali kama tax.

Kwa hivyo huyu naye kwa vile anapata income kutoka pale na wengine tumeona wamekuwa very rich hata kushinda wale tunafanya kazi. Kwa hivyo ningetaka wawe subjected to income tax kama wananchi wengine.

**Com. Asiyu:** Niko na swali moja hata mimi. Umesema kwamba chama kinachotawala kiwekwe mbali kabisa na Central Government, na je, kama hii chama ndicho kimechagua ma-ministers, maana ndio imeshinda uchaguzi, na pia ndio imeteua ma-permanent secretaries na wale wote wanaofanya kwa Central Government. Ni nani sasa atalinda watu wa Central Government kama sio wale watu waliochaguliwa na ile party iliyoshinda?

**Clr. Kimili:** Kama ni financial matters, chama kisiwe kinatumia pesa za Serikali.

**Com. Maranga:** I want to ask you something, umesema unataka Local Authorities iwe autonomous imetoka kwa Central Government. Ungefikiria Local Authorities wangukuwa wanafanya nini kama wangepewa huo uhuru wa kujiamulia maneno yao?

**Clr. Kimili:** Ni uwezo tu wa kupitisha maneno yao, kama ni senior officers wa council kwa sababu amejiriwa na Central Government and the Local Council cannot discipline him kama amekosa. Anataka kufanya kazi vile anataka, na hawa ni madiwani wamechaguliwa wamechaguliwa, na watu wanaendelea kulia.

**Com. Asiyu:** Nataka kukuambia hiyo halafu nitampa pastor Ayonga nafasi. Councillor wewe ungetusaidia sana kwa mambo ya Katiba mpya. Sasa wewe unaongea tu mambo ya wafanyi kazi wa County Councils na Municipality. Lakini hujatuambia ile kazi ambayo Local Authorities wanaweza kufanya. Zamani ndio walikuwa wanatengeneza njia, ndio walikuwa wanaangalia mambo ya shule, mambo ya ma-dispensary na kadhalika. Sasa wewe ukiongea tu juu ya wafanyi kazi na unawacha umuhimu wa kazi ya Local Authorities, tutajua namna gani vile unataka kazi ya Local Authorities zitengwe?

**Clr. Kimili:** Madam Chair please, ni hiyo shida, hawa senior officers wanakuwa vikwazo. The councilors don't have powers kusema twende tukate barabara mahali fulani na pengine kuna pesa, huyu amekaa kama kikwazo, senior officer, na council kazi yake ni kupeleka huduma kwa wananchi.

**Com. Ayonga:** Com. Asiyu amekuuliza swali na ambalo ningekuuliza na sikutosheka na jibu, kwa maana kila wakati unasema kwamba wale senior officers ndio wamekuwa mzigo kwa Local Government. Ni kama kwamba kama hao watu wangetoka, mambo yote yangukuwa sawasawa na hali ninasikia na wewe unasoma pia kwa magazeti, bankruptcy ambayo imejaa katika local councils zetu, na services ambazo haziwezi kuwa rendered na hali watu wanalipa rates for this and rates for that, mara hakuna maji, mara hakuna taa, mara barabara hata within, katika councils zetu. Senior officers ndio wamefanya haya mambo yote? Na tena councils hizo zikipewa nguvu watazatumia namna gani? kwa maana mtu akiwa mwaminifu kwa kilicho kidogo huyu atakuwa mwaminifu kwa vilivyo vingi, au sivyo? Sasa hapo hujatuweka vizuri.

**Cllr. Kimili:** Nimesema kile kinafanyika councilors wanaona kuna haja ya kupeleka hiyo huduma mahali fulani within the area as the council area of jurisdiction, lakini officer amekuwa hataki.

**Com. Ayonga:** Na pesa ziko?

**Cllr. Kimili:** Pesa ziko kwa sababu he is the signatory of everything.

**Com. Asiyo:** Na hizo pesa zinatoka wapi?

**Cllr. Kimili:** Inatoka from the Local Authority na inaongezwa na zinazotoka kwa Central Government, lakini ikija hapa... inatosha.

**Com. Asiyo:** kufanya kazi gani?

**Cllr. Kimili:** Kazi za huduma kama ni barabara...

**Com. Asiyo:** Mna pesa za kutosha za kutengeza barabara kwa County Council?

**Cllr. Kimili:** Ikiwa well-managed.

**Com. Asiyo:** Na mahospitali?

**Cllr. Kimili:** Pengine inaweza kuangaliwa.

**Com. Asiyo:** Okey, tumeshukuru bwana cllr. Kimili, sasa ni bwana Ndunda S.M tafadhali kuja na uchukue nafasi. Is it D.M or S.M?

**Mr. Mutua:** Samson Mutua Ndunda.

**Com. Asiyo:** Bwana Ndunda tafadhali endelea kutoa habari yako lakini kwanza taja jina lako mashini ishike ndio uendelee kuongea.

**Mr. Mutua:** Naitwa Samson Mutua Ndunda. Nina maneno matatu hivi ya kuzungumza. Ya kwanza ni kuchaguliwa kwa rais. Kulingana na experience ambayo imekuwa hapa na mahali pengine, Presidentni lazima awe na minimum education na hiyo

minimum education should be form four and above. Sababu yake, ikiwa hana education enough, ataweza ku-sign ama kutia sahihi kitu ambaye hafahamu zaidi.

**Com. Asiyo:** Na hiyo umetueza vizuri.

**Mr. Mutua:** Na hiyo kwa sababu akiwa hana elimu ni makosa. Jambo lingine ni juu ya wale ambao hawafanyi kazi na Serikali ambao walistaafu. Walikuwa wanafanya kazi vizuri na wakishatoka wanakuwa kama mchanga tu. Serikali haiwatunzi vizuri. Ikiwa mishahara umeongezewa kwa sababu ya mambo mengi hawashughuliki. na ukiuliza watasema nitafanya hivyo wakati pesa zitapatikana, lakini hazitapatikana.

Ingingine ni kuchelewa kwa mishahara yao. Hao watu wengine walikuwa na watoto wachanga, hawana fees na kwa hivyo ikiwa analipwa tarehe kumi na tano, ama kuendelea, unaona ukiulizwa ‘mzee ulikuwa unafanya nini, wapi, ulikuwa huku Nairobi’ unaambiwa na wale watu ambao unaketi nao yuko nyumbani hapa anataka kutengeneza mambo yake lakini haitawezekana. Napendekeza wawe wakilipwa kama mwisho wa mwezi.

Kitu kingine, ni medical care. Hawa watu ambao wanafanya kwa Serikali ni watu ambao wanahitaji msaada kwa sababu hospitali bei inaenda juu kwa hivyo mtu akiwa mgonjwa atakufia hapo tu kwa sababu hana pesa ya kulipa. Kwa hivyo ningependekeza kuwe na package. Ile pesa ambayo Serikali inaweza kuwalipia wawe wakiletewa kama wale wafanyi kazi wengine wa Serikali.

**Com. Asiyo:** Yaani wafanyi kazi walioajiriwa pekee yake watibiwe na wananchi wengine waache kwao?

**Mr. Mutua:** Hapana nasema, kama wananchi wengine ambao wanafanya kazi kwa sababu ukiwa civil servant sasa. Kuna allowance ya medical kwa hivyo hiyo nataka iwe ikija kwa wale ambao wamestaafu.

Jambo la mwisho, ni development. Ningependekeza kwa kila district, nafikiri iko karibu sabini, kuwe na a plant. Serikali iangalie mahali hapo ni kitu gani tunaweza kuifanyia katika hiyo district ili watu wale tupunguze umaskini.

**Com. Ayonga:** Lakini si ni wewe ungetuambia Serikali ifanye hivi na hivi ili ipunguze umaskini?

**Mr. Mutua:** Okey, kwa kupunguza umaskini kila district iwe na factory ama a plant, kila district. Asante.

**Com. Asiyo:** Kabla hujaenda kuandika jina lako kwa register yetu pale bwana Ndunda nataka kujua kama kuna commissioner ana swali yoyote. Okey, hakuna swali kwa hivyo unaweza kuenda pale kuandika. Ninashangaa unahusika juu ya mambo ya afya ya watu wa Kenya na hujasema wapatiwe free medical care. Unataka tu wawe retirees ndio watibiwe. Lakini umesema...

nenda pale tu uandike jina lako na basi ...Sasa tuko na Rosemary Makau, tafadhali kuja hapa mbele uongee mama kwanza uanze na jina lako ili ishikwe kwa jambo hili kwa hii kimashini na naona kwamba kama umeandika mambo yako kwa karatasi, kwa hivyo utaongea tu mambo ya muhimu hapa na pale halafu utupatie memorandum tutaweka kwa computer yetu kule Nairobi. Asante.

**Mrs. Makau:** Kwa jina naitwa Rosemary Mbithe Makau, mimi ni member wa 3Cs katika division yetu ya Kalama. Nitaongea mambo machache nikianza na political parties.

Kwa maoni yangu mimi, naonelea vile vyama nyingi sana hapa Kenya vinaundwa. Naona ni vizuri kuwe na taratibu ama mpango wa vyama vile vinaweza kuanzia, maana zikiwa nyingi sana vinaongeza shida. Watu wengi wanaanza kugombana, kuchukiana, pia inaleta confusion kwa watu wale ambao wanataka tuwachague.

Ile ingine kwa maoni yangu mimi naona kama kungekuwa na limitation ya hivi vyama, viwe kama viwili hivi, ili chama kimoja kikitawala kile kingine kiwe kinaweza kusaidia kwa upande wa upinzani badala ya kuwa na hivi vyama vingi sana. Kama kuna vyama pengine wanapendelea kuwa na vingi, pengine viwe vinahusika kwa upande wa maendeleo sio wakimaliza elections wanapotelea ama wanaanza vita. Wawe wanaweza kuchangia maendeleo katika nchi yetu.

Kwa upande wa elections, mimi naona wakati mwingi tukiwachagua wabunge, wengine huenda katika bunge na wanapotea kabisa kutoka kwa watu wale waliowachagua. Na wakati walikuwa wanaomba kura walikuwa wametua giza mambo mengi sana. Lakini sasa wakiingia katika bunge, kama wanaona kuna shida fulani, ama mambo mengine walioyotuahidi hayawezekani, nafikiri ni vizuri warudi kwetu tuje tufikirie pamoja tuone ni vipi tutafanya ndio tuweze kuendeleza yale mambo ama tuone tufanye vipi badala ya kupotea. Wengine wanaanza kuuliza yule mtu tulichagua ameenda wapi hatumwoni.

Pia naona kwa upande wa kumchagua president, kwa maoni yangu President sio vizuri akiwa ni MP wa mahali fulani kwa maana President ni wa nchi yote, wa state na ni wetu sisi sot. Maana akiwa ni MP wa mahali fulani na ana uwezo mkubwa kuliko wale MP wengine anakaa nao hapo. Kutakuwa na shida maana ana uwezo mkubwa kuliko hao. Kwa hivyo naonelea wakati wa kuchagua. tumchague MP halafu watu wote katika nchi sasa wachangie kwa kumchagua president. Lakini kama ametoka kwa MP mmoja akiwa President kuchaguliwe MP mwingine pahali yule alitoka.

Kwa wakati wa wataka kura wanaomba kura kutoka kwa wananchi, mimi naona ni vizuri kuwe na mpango ndio wawe na tabia nzuri, kwa maana mara nyingi inashinda watu kama wanawake watu wasiojiweza, vijana kupambana na wao. Na kwa sababu ile lugha wanatumia pengine kwa mwanamke mwenye tabia mwenye anajiheshimu sasa akisimama hapo waanze kurushiana maneno yale machafu na wale watu, watoto wake wanasikiliza, bwana yake anasikiliza, majirani wanasikiliza, wanawake hawawezi hiyo ni ngumu sana kwao ndio wanaanza kurudi nyuma kidogo unaona hawapendelei sana kujitokeza.

Pia, kama ni mtu kijana na anataka sana kuingia kupambana na wao katika kura, akiingia hapo anaanza kuitwa kijana, mtoto, wewe tunakujua hivi na vile na vile, sasa anaona haya na hata kurudi nyuma. Kwa hivyo kuwe na restriction, kuwe na discipline ndio watumie lugha nzuri, wananchi wanawaelewa wanaweza kujua ni nani mzuri hata asipotukanwa.

Nikija upande wa basic rights, nikiangalia vizuri, nchi yetu haizingatii sana mambo ya basic rights kwa watu wake. Maana tukiangalia upande kama maji masafi hata ya kutumia. Health care, education na mapato hata chakula. Tunaona watu, kuko na difference kubwa sana. Kuna watu wengine wanataabika sana kama sio wa nchi hii na kuna wengine wametosheleka kabisa. Kungekuwa na a little balancing na ninaona Serikali ingejaribu sana tuweze kuwa na maji ya kutosha maana maji ni uhai. Na watu wakikosa maji, ni lazima wawe na shida nyingi.

Pia, wakati mvua inaponyesha hii maji yote inapita inaenda mbali sana na tunaachwa na ule ukame wetu. Tungekuwa na technology ya kuzuia hii maji yote isipeleke mchanga wetu wenye rotuba kupelekwa mbali maana mchanga ndio mali yetu. Serikali ikiwa na mpango mzuri wa hiyo technology tungefaidika sana wananchi wa Kenya Ule mpango mwingine ni ule wa health care. Kwa kweli Serikali yetu imetuahidia kuwa na matibabu ya bure, lakini tukiangalia sio kweli maana tunaona vile watu wanataabika sana. Mara yote dawa ni kununua hata ile health center iko karibu ukienda unapewa kibarua unaambiwa nenda ununue hii dawa haiko ama unanunua hapo papo.

Sasa hiyo inakuwa ni shida kubwa na watu wengi wale wasio na mapato mazuri wanaumia tu wakiwa ndani ya nyumba.

Upande wa mapato nasema, employment ningeweza kuwa na nafasi zitafutwe lakini nasema watu wapatiwe ujuzi mzuri waweze kutumia the available resources in our country, so that we can earn from there those who are not employed.

Na Serikali iangalie ama the government should have the responsibility of ensuring that Kenyans enjoys the basic rights. All Kenyans enjoy their basic rights. Even the unborn children so abortion should be strictly illegal. Mtu mkenya kama mtoto niko na mimba ndani yangu na mimi ni mkenya, yule mtoto pia hata akiwa hajazaliwa ni mtu wa Kenya na ni vizuri apewe nafasi ya kuja kufurahia kama vile nimefurahia nchi yangu. Nikiwa siko huku yeye ataachwa na ndiye na atakuwa kenyan. Kwa hivyo naona Serikali hapo iangalie sana mambo hayo.

Na kuna ile haki ama haki za wanawake ningezichangia kidogo hapo, the interests of women are not fully guaranteed in the constitution. Women legally married should have the right of ownership of the family property. For that, if my husband dies nobody will claim or come to complain about our land. Na kama bwana ameo wanawake wawili, na ifikie wakati mmoja afe, tuseme kwa mfano kwa mila yetu ya Kikamba bwana anaweza kuwa na wanawake wawili na awe ameo amepelika ile mahari inatakikana wote ni watke lakini incase of death, azikwe kwa bibi yake wa kwanza. Kusiwe na kujadiliana ni wapi na ni wapi. Na kama bwana ameandika kitu ameacha nyuma ndio ile inaitwa will, ifunguliwe wazi kwa watu wanaohusika wote waione wajue amesema nini. Mtu mmoja asiseme ni mimi mke wake ama ni mimi mtoto wake na nimeiweka. Ifunguliwe wote waweze

kuona amesema nini.

Tuseme kama kuna mwanamke ambaye ameolewa na mtu na wamekaa. Sisemi kuoia maana walikuwa wanakaa tu. Kama wamekaa muda wakiwa pamoja na haijafahamika kama ni ndoa ama wanakaa sasa huyu mwanamke wakati mwingi tunaona kunatokea shida wengine wanaanza bwana anatoa mahari mwanamke akiwa ndani ya sanduku apeeane huko ndio akubaliwe azike. Hiyo shida isitokee kama mwanamume amekaa na mke kwa muda wa miezi sita wakiwa pamoja kama bibi yake kwa ile hali ya ndoa. Ni lazima amuoie, maana sasa amemharibia ile heshima yake na akiwa na mwanamke mwingine basi na huyu mwanamke awe amepata watoto, huyu mwanamume awe responsible alie wale watoto mpaka waweze kujitegemea.

Incase of the disabled, they should be given equal chances to participate as candidates in elections. Wapatiwe nafasi nzuri kama kuna wanaweza kuingia kwa siasa ama kwa elections na wakati mwingine tunaona kuna shida katika mijengo yetu ya Kenya kwa wale wasiojiweza wanakuwa na shida sana. Tujaribu kuwa na mijengo mizuri ambapo kama ni office na ni mtu asiyejiweza anafanya kazi hapo, anaweza kuingia kwa urahisi na kutoka kwa urahisi. Namalizia hapo.

**Com. Asiyu:** Mama asante sana kwa maoni yako. Kwa maana umeandika tafadhali peana hiyo karatasi pale na uandike jina lako. Sijui kama pana swali.

**Com. Kangu:** Mama umesema vyama, vya siasa vipunguzwe vibaki viwili kwa sasa tuko nayo zaidi ya arubaini. Tukiamua ibaki mbili tutatumia utaratibu gani kusema hii ndio itabaki na hii ndio itatolewa?

**Mrs. Makau:** Ndio maoni hapo mwanzo nikasema kungekuwa katika nchi yetu ama Serikali yetu ingekuwa, hata kama haiko sasa, lakini ndio maana tunaandika Katiba siku ya leo. Kungekuwa na taratibu ama mpango wa kufuata chama kijiandikisha ndio wasije wengi kujiandikisha kwa vyama vingi.

**Com. Ayonga:** Mama ulisema ingekuwa kitu kizuri kama bwana anafariki azikwe kule kwa bibi yake mkubwa. Bibi wa kwanza. Je mila ya Kikamba inasemaje?

**Mrs. Makau:** Mila ya Kikamba inasema hivyo.

**Com. Ayonga:** Kwa hivyo shida imetoka wapi?

**Mrs. Makau:** Imetoka sasa siku hizi wake wengine wakiolewa pengine bwana ameenda mahali pengine na anakaa mahali pengine tunasikia wanaanza kuvurutana, yule anataka apelekwe kwake, na huyu mwingine anataka apelekwe kwake. Pengine wale wako siku hizi ni wale wajane ..

**Com. Asiyu:** Asante mama, umefanya vizuri miaka hamsini ijayo hiyo maoni yako itakuwa mzuri kwa maana sasa bado kuna culture lakini itakuja potea. Sasa ningependa kuuliza bwana Wilson Mativo, yeye ni councillor. Mzee amekuwa na sisi hapa karibu kwa muda mrefu, unajua maoni yako yatakuwa ni ya maana na pia utayasema kwa kifupi na kinaganaga ili watu wafahamu ile Kiswahilisanifu au Kizungu vile utakavyopenda.

**Mr. Mativo:** Asante sana, madam chair. Jina langu ni Wilson Mativo Kyalo, councillor kutoka Koola location, vice chairman Masaku County Council. Na ningeanza kusema ya kwamba ningepomba Katiba yetu ianze na kusema sisi waKenyatunasema hivi, ikiwa tunataka Katiba ibadilishwe ipate theluthi moja ya waliopiga kura. 1/3 of those who voted.

Pili, nataka hii Katiba iandikwe na lugha, Kizungu, Kiswahilimpaka Kikamba. Iandikwe iwe nikiwa shambani ninaweza kusema wakati umefika wa kuchagua rais.

Ningeruka kwanza nizugumze mambo ya shamba. Nataka tuwe katika Katiba, tuwe na permanent land commission. Hii permanent Land Commission iwe ndio inachunguza mambo ya misitu, mambo ya government land, mambo ya mineral resources, mambo ya kuendesha ni wapi ambapo tunaweza kupata minerals exploitation na pia iwe na uwezo wa kukaa chini na kujua kwamba wewe ulinyakua shamba letu ukajitayarisha tuinyakue hiyo shamba kama ulikuwa wakati ulipokuwa President au wakati ulipokuwa member of parliament, ama wakati ulipokuwa na nguvu fulani. Land Commission ambayo haitaingiliwa, iwe inaweza kusema haya. That is what I will say is corrupt means contrary to the government interest.

Kusiwe na mtu yeyote ambaye anaweza kuwa na zaidi ya acre mia moja. Wengine wana 24,000, wengine wana kila kitu. Mambo ya nyumba sitazungumza, wewe kuwa na nyumba Nairobi, kuwa na nyumba Mombasa na nini lakini tukiingia katika land mwananchi hapa anatembea bila land ya robo acre na wewe una 24,000. Ulizaliwa namna gani? itakuwa ina-receive and assist government application of compulsory acquisition of private land to simplify all land-locks in the government, ile permanent commission iwe mimi mwananchi nikiwa pale, nikisema namna hii ninaweza kusoma ile land law nijue inasema namna gani.

Mahali ambapo patatokea ubishi tunatatizika ningependa ile Permanent Commission iwe na branch mpaka chini. Iwe imepeana uwezo mpaka chini, na pengine hapa tuna shida ya mipaka. Tunang'ang'ania kichaka. Kuwe kuna wazee wamechukuliwa kutoka ukoo ule na wazee kuja kusikiza hii dispute katika jambo la Mativo Kyalo ambao sio ukoo wangu. Ukoo wangu siusikilizi. Ukoo ule utolewe wazee waje wasikilize.

Ile ingine inheritance imezungumzwa sana, niko pamoja na wale waliosema wasichana wale ambao hawajaolewa wapewe nafasi ya kupewa mali kwa kiwango fulani.

Uchaguzi wa president.... ama kwanza niseme uchaguzi, 1963 tulichagua councilors siku yao, Members of Parliament siku yao



na Prime Minister. Au President siku yake, lakini ilikuja ikaonekana wewe mpaka Councillor ukitaka kuchaguliwa mpaka uimbe mjumbe kwa kuwa unaanza kuchukuliwa kwanza na bila kumwimba yule mjumbe huwezi kuchaguliwa. Kwa hivyo ningali ninaona ile tunaendelea nayo, uchaguzi uwe hivyo hivyo na ukiwa hivyo hivyo President asiwe anatoka constituency fulani. Achaguliwe bila ya kutoka constituency yoyote.

Pia, awe na running vice president. Hapo President awe na two terms, maximum of five years each. Parliament iwe na uwezo wa kumshtaki President ikiwa anakosa ameifanyia nchi lakini ipitishwe na 75% ya members of parliament.

Prime Minister awe appointed na President lakini wakati wa kutaka kumtoa asiwe na uwezo wa kumtoa atolewe na bunge 50%. Ninakataa kata kata majimbo. Majimbo yataleta ugawanyiko mwingi zaidi katika nchi hii na watu wengine maanake tumehamia kama sisi Wakamba tuko Shimba Hills, tuko Mariakani, tuko Mwea, tuko Taveta. Ikiwa ni jimbo utaambiwa usiseme, fuata wale wenyeji wanaosema hawa. Itakuwa ni kuwindana na ni kama watu wanataka pengine hawana freedom vile tunataka. Kwa hivyo mambo ya majimbo yataleta mvurugano. Tukae Taveta na wajaluo, na wakikuyu, waende settlement Tana River na sisi tukutane Mwea na wameru na waambu tuwe sawasawa, mahali popote tunakaa kusiwe kukawa kuna mmoja mkubwa kuliko mwingine.

Nataka kuja juu ya Local Government. Local Government ziwe na autonomy ile ilizungumzwa na mwenzangu councillor hapa. Zikiwa na autonomy, wachague chairman na vice chairman wachaguliwe na raia na wakienda wale madiwani wachague speaker na wao watapanga budget yao na resources zao itakuwa namna gani na ili Serikali kuu iwe ingali iko na nguvu zaidi 25% ambayo inayotoka kwa Local Government iende kwa Central Government. Any collection from the Local Government iende 25% to the Central Government na wao walipe madiwani itoke katika consolidated bank mshahara wa madiwani utoke katika Consolidated Fund na walipwe not less than 70, 000 per month.

Kiwango cha elimu cha madiwani wawe form four or equivalent maanake elimu ndogo ndogo saa ingine itaharibu mambo. Na kule Turkana walisema maana watu wa form four shauri yao. Hiyo mtaangalia lakini nimesema equivalent.

Human rights- to investigate should be a Human Rights Commission ambayo itakuwa ina-investigate any breach of fundamental rights. To examine the causes of economic and social disparity and conflict among the people of Kenya then to educate them.

Katika vyama vya siasa, kisiruhusiwe ki-apply lakini kiwe na one million members. Not less than registered members than one million for one to be registered as a political party in Kenya. Wafungwa wale wanaofungwa katika majela, ikiwa mtu amepatikana na haya makosa madogo madogo ya six months ya kuiba kuku, afungwe six months aje kulima huku kwetu barabara. Ya nini wawekwe wote jela zimejaa mpaka wanakufa huku jela?

Ya mwisho, civic education, hii ambayo tumekuwa nayo ya Katiba, iwe ikiendesha wakati kwa wakati. Mnaona shida ambazo

zimekuweco, mara watu hawajui hivi wengine wanasema hawajafundishwa, mara mnasema pesa hakuna, kuna wengine nimekutana nao wanalia wanasema hata wanatembea kwa miguu hawajapata hata ndururu, hii ni kwa kuwa kulikuwa hakuna long term plan. Ikiwa civic education itakuweco after a certain tukiwa karibu katika uchaguzi. One year earlier wale wanahusika na civic education wanaingia uwanjani wanafundisha wananchi. Thank you very much.

**Com. Asiyu:** Asante sana mzee. Umeongea vizuri naona hakuna swali, oh! Dr. Maranga ana swali.

**Com. Maranga:** Mzee niko na swali muhimu. La kwanza kabisa ni Local Government, kwa hiyo umesema ungetaka kuwe na speaker wa Local Authorities, ile council. Sasa unataka kutoa speaker ndio muwe na badala ya clerk to the maybe County Council ama kwa County Council ama kwa ...

**Mr. Mativo:** Iwe ni running of the council.

**Com. Maranga:** Kwa hivyo mnataka kuongoza kama bunge?

**Mr. Mativo:** Partly yes.

**Com. Maranga:** Partly yes? No, now I want you to be clear. Do you want a parliament at the Local Authority level?

**Mr. Mativo:** Yes, yes a parliament

**Com. Maranga:** A small parliament.

**Mr. Mativo:** Ambayo inaendesha mambo yao.

**Com. Maranga:** Okey, question number two, umesema maana ya political parties. Unasema eti ni lazima wawe na registration ya one million. Sasa hukuniambia kama ni watu ama ni registered voters.

**Mr. Mativo:** Ni watu.

**Com. Maranga:** Watu, thank you.

**Com. Kangu:** Na bwana councillor umesema Local Authorities ziwe autonomous. Hukufafanua maana ya hiyo itakuwa ni hiyo kazi zake zitakuwa nini na nini na zile zinabaki kwa Central Government...ngoja tu Nitamaliza ushike yote, zile zinabaki kwa Central Government ni gani. Ukasema tena Local Authorities, revenue zake zipeanwe kwa Central Government only 25%, na

hukusema ni which revenue, which taxes zitakuwa raised na Local Authorities and which ones zitakuwa raised by the Central Government.

Ya tatu, unasema Local Authorities zipeanwe only 25% to the Central Government but at the same time unataka mshahara ya ma-councillors ilipwe kutoka kwa consolidated fund. Sasa ikiwa council zina-retain more money why should the consolidated fund which receives only 25% iwe ndio inalipa mishahara ya Councilors?

**Mr. Mativo:** One, ikiwa autonomous Local Authority ikiwa autonomous na ni kama zilikuwa autonomous before 1974, ilikuwa waalimu wanalipwa na Local Authority, hospitali ilikuwa katika Local Authority, mambo mengine yote na ilikuwa na GDP. So, hii revenue ambayo inatoka humu katika province, market, minerals, coffee, pyrethrum na vitu kama hivyo vyote viwe mikononi bila mkono wa Central Government, yote inaingia hapo kwa Local Authorities. Wakiwa namna hiyo utakuta wanaendelea vizuri na pesa watapata za kuendesha council bila wasi wasi. Watatengeneza barabara watangeneza kila kitu na pengine hata health centers kama vile tunasema ziwe chini ya Local Authorities.

**Com. Kangu:** Na hiyo wakati unasema mimi najua kweli Local Authorities zilikuwa na nguvu mingi na kazi mingi. Zilikuwa hata zinaruhusiwa kuitisha ile inaitwa graduated personal tax, kutoka kwa kila mtu. Hizo zote zikaondolewa, unataka zirudishwe ama namna gani.

**Mr. Mativo:** Hazitarudishwa, vile vile tunapata V.A.T ambayo inaingizwa katika Serikali, itakuwa katika Local Authority. Na taxation, moderlity yake itatengenezwa, itakuwa namna gani.

**Com. Kangu:** Local Authorities zenyewe tuko nazo saa hii zina a lot of confusion kwa sababu kuna municipal councils, tuna city councils tuna Town Councils, sijui urban councils, County Councils, unataka tuendeleo na structure hiyo ama tutapanga Local Authorities za aina gani.

**Mr. Mativo:** Tuwe na Local Authority kutoka 1974 or 5 zilikuwa zinaenda kisiasa. Unakuja hapa, market ambao haiwezi fanya sewage inaambiwa hiyo imekuwa promoted inakuwa Urban Council, town council, inaingia katika nchi as it wish. Pili, inakuwa marafiki wawe the big man, the big boss. Unachukua watu ambao pengine hawajaenda skuli kwa maana wanakuimba, unawaweka hapa halafu unasema niletee kitu, lazima ziwe restructured. Iwe hakuna zile zimejaa. Hata juzi Electoral Commission imepunguzwa number of councilors. For your information Wajir iko na a hundred and four councilors na wafanyi kazi ni themanini. Now, who is who?

**Com. Kangu:** Sijamaliza, wewe ni mzee umezungumzia hata mambo imekuweco 1963 na wakati imefika majimbo unasema majimbo itagawanya nchi, Wakamba pengine watafukuzwa Shimba Hills na mambo kama hivyo. Wakati tulikuwa na majimbo 1963 kama haijaondolewa 1964, ilileta haya mambo tunayosema ama haya mambo ya watu kufukuzwa ni mambo imeletwa na

wanasiasa whom we should deal with and just choose a good system?

**Mr. Mativo:** For your information mini nilikuwa Mombasa na nilipigania kiti cha senate 1963. Nikaanguka anyway for your information. President wa jimbo alikuwa Ngala. Wale watu wa coast walikuwa wanakuta by that term, sorry to mention kikuyu ndio walikuwa wanafagia the whole town. Kazi hiyo ilikuwa haitakikani na mtu mwingine. Mtu anakuja anachukua ile kifagio anamwambia hata sisi tunajua kufagia, nendeni kwenu, wabara kwao, hata sisi tunajua kufagia. Anafagia na mshahara hapati. Anafagia yeye na mshahara mwisho wa mwezi anaenda kupata yule mtu. Ikawa imepitishwa katika coast province regional assembly hakuna mtu ataandikwa kutoka any other province. Yaani nakwambia hiyo practical.

**Com. Kangu:** Nieleze ningetaka kujua hiyo historia.

**Mr. Mativo:** Sasa ikawa kwa kuwa partly ilikuwa ni njia moja ya kunyakua uhuru. Ikawa sasa tumefika majimbo ya bure. Lakini ile doctrine, ile iliyowekwa ya majimbo, ingali inafanya kazi. Leo leo tukichaguana katika KANU, unasikia na Eastern, na Nyanza, na coast, na kwetu, tukianza kuchaguana hapa hapa, utanza kusikia kwangu ni pale, utanza kusikia wa kwetu ni nani? Imeingia katika bongo za watu mpaka tunakuwa hata sasa on the regions na iliyoko ni kuondolewa katika Katiba.

**Com. Kangu:** Na sasa shida yenye tuko nayo kwa sasa, wakenya wengi ukisikia wakizungumza shida tuko nayo wanasema nguvu zote zimewekwa mahali pamoja, saa ingine kwa mkono ya mtu mmoja ndio hata waKenya ndio hata waKenya wamefika kiwango unasikia sasa it is our turn, kikuyus have had their turn, the kalenjins have had their turn it is now our turn. Sasa watu wanalia na sababu hiyo ni kwamba nguvu zote tumeweka mahali pamoja Central Government inakuwa ukipata nafasi it is your turn unaweza kuchukua everything unaacha wengine bure. Shida hii tutatatia namna gani?

**Mr. Mativo:** Hii imekuwa ya Local Authority. Nyinyi Machakos mkiwa na autonomous yenu makuoni muwe na autonomous ya Local Authority na embu mharibu shauri yenu. You must work hard muone mmeandika watu na mmetengeneza na hakuna mtu ata-interfere na nyinyi, hakuna jambo lolote lakini sauti iko katika Central Government.

**Com. Kangu:** Na hii Local Authority unasema, hatutafika kiwango watu wa Mombasa waseme tutaandika watu huku kwetu tusiandike wa nje.

**Mr. Mativo:** That is obvious.

**Com. Kangu:** Wanaandika wa kwao, so how are they different with majimbo then.

**Mr. Mativo:** Inaangalia Mombasa itakuwa namna gani, Nairobi itakuwa namna gani, Kisumu itakuwa namna gani, tutakuwaje Kenya ikiwa tunatoka Machakos mpaka tunafika Nairobi?

**Com. Asiyu:** Wewe ndio umetuambia.

**Com. Maranga:** Mimi mzee naona com. Kangu anauliza swali. Anasema tutafanyeje ili tuweze kupatia watu nguvu katika sehemu zao bila kubagua wanaKenya. Hiyo ndio swali anauliza. Yaani mtu anaweza kuwa mluhya anaandikwa Machakos lakini authority nguvu iko Machakos. Tunaelewana? Nafikiri hiyo ndio swali anauliza, ile sasa watu wa coast walikuwa wamepitisha, hiyo ilikuwa makosa, kusema eti mtu mwingine wa Kenya asifanye kazi Mombasa. Tumelewana? Mnaweza kuwa hapa nyinyi Wakamba eti mnakataa watu wengine lakini hamna watu wa kuchonga chuma ambao wanaweza kutengeneza kazi fulani. Tunaelewana? Lakini ndio tunauliza, itakuwezekanaje ili tuweze tukapeana nguvu kwa sehemu kama Machakos, district kama nini hiyo ndiyo maoni tunataka utupe.

**Mr. Mativo:** Tuko na Serikali kuu. Pale nilichagua President, nilijua wewe umejua President hawezi kuwa mahali ambapo hakuna Serikali kuu. Tuko na Serikali kuu ambayo iko mahali inaangalia mambo ya Central Bank. Inaangalia mambo ya port, inaangalia mambo ya security, inaangalia mambo mengine ambayo yanahusika katika nchi. Security haiwezi kuachiwa Machakos, security lazima iachiwe Kenya. Port ya Mombasa hatuwezi kuacha iwe ya watu wa pwani? Lazima tuwe katika Kenya, airport.

**Com. Asiyu:** Mzee vile unaulizwa ni hivi, hata sasa tuna huo huo mpango, lakini kuna shida kubwa katika Kenya, kwa maana minister kama ni wa works ana uwezo wa kuchukua pesa ilikuwa imeandikwa kutengeneza njia kutoka Masii kuenda pande hiyo ya Kitui apeleke kwao itengeneze njia ya kwao, na wewe huna la kufanya kwa maana ana hiyo haki na nguvu ya kufanya hivyo. Sasa utuambie, ni mpango gani inaweza, utusaidie tafadhali, tunaweza kuweka mpango gani ile mali ya umma iende kwa wananchi bila ya kuchukuliwa huku juu na wakubwa kupelekwa kwao na wengine wasio pale wanakosa huduma hizo.

**Com. Kangu:** Na nikiongezea tupate coffee inatoka Central Province, lakini kwa sababu ya Central Government, watu wanawekwa ku-manage coffee board, hawatoki central Province. They don't care about coffee. They run down the whole thing na wakulima wa coffee wanaumia. Because Central Government ukiwa nayo you can control everything everywhere. How do we deal with this/

**Mr. Mativo:** Hapo, tulipokuwa tuna autonomous ya Local Authority haikupi nafasi ya everything, tutakuja tukae chini tuseme this is want. Hii 25% niliyokupa kule ya collection ni ya ku-maintain the Central Government katika mambo yale ambayo nimetajataja, na ndiyo hiyo nilikuwa nikikujibu ya kwamba 25% ninakupa ili ulipe my Councilors. 25% ya income yangu ili ulipe the councilors from the Consolidated Funds na nimekujibu hivyo. Kwa hivyo ikiwa the Local Authority iko hapa iko na power, ina powers na ina nguvu ya kutafuta resources zao ya kutafuta management yao, hatuna daktari tutakuja Kisumu tutafute daktari hakuna engineer tutakuja Coast Province tukatafute engineer. So, through that, tutakuwa na autonomous na tunaweza kuzungumza na ...

**Com. Asiyu:** Kwa wakati huu, na unajua kwa kweli, kuna nchi zingine zimekuwa zaidi, zina lami zina mashule ya ajabu, zina mahospitali, kwa maana watu wakubwa walitoka upande hizo na pande zingine hakuna kitu. Wewe utusaidie tuandike Katiba ambayo itaangalia pande zote za Kenya, tufanye namna gani, tuandike namna gani?

**Mr. Mativo:** Tunataka Commission independent ambayo itaangalia distribution ya hizi pesa ambazo ni za Central Government, independent ambayo haiwezi kuingiliwa na President na mtu yeyote, an independent Commission of not less than 15 people.

**Com. Ayonga:** Ngoja kabla hujatoka, mimi nilitaka tu kukusaidia mzee. Unaona hawa watatu maswali ndio hayo, ulikuwa hukujitayarisha na haya maswali na kwa hivyo you need breathing space. Mimi sasa nataka nikuulize tu swali lile jororo maji tu, to finish off. Ulisema hii Katiba iandikwe in English, Kiswahilina Kikamba, I know uliposema Kikamba, hukusema itakomea hapo. In Kikamba means and other vernaculars?

**Mr. Mativo:** Yeah, kama the bible imeandikwa na kijaluo, na Kikamba na kiturkana, kwa nini si Katiba?

**Com. Ayonga:** Basi ambacho ulitaka kusema ni kwamba iandikwe kwa lugha zote za kenya. Asante ni hiyo tu.

**Com. Maranga:** Mzee nauliza swali la mwisho na unijibu vizuri, wewe ulisema hivi, mimi kama Wilson Mativo nimekataa kata kata sitaki majimbo lakini wakati unasema ati watu wa Machakos ndio wataajiriwa kazi tukiwa na autonomy ya Local Authority, hiyo inamaanisha hiyo ni majimbo kwa sababu wewe hutaki watu wengine unasema watu wanatoka hapa ama tuseme watu wa area hii ya Muuma Andu kwa mfano watasema hatutaki mtu kutoka Woote, hatutaki mtu kutoka Masii, hatutaki mtu kutoka Machakos, tunataka watu wa area hii sasa ndio watafanya nini, watapewa kazi. Si hiyo ni majimbo?

**Mr. Mativo:** Sio majimbo. Ni nyumbani.

**Com. Asiyu:** Asante sana mzee, tumekusumbua sana kwa maana wewe ni mtu mzee na una ujuzi mwingi na tulitaka kujifunza kutoka... hebu tunyamaze tafadhali. Tulitaka kujifunza kutoka kwako mzee ndio tujue tutaandika Katiba mpya namna gani na tulijifunza mambo mengi sana kutoka kwako. Tunakupua asante sana. Sasa namuliza bwana Samson Nguli aje na afuatwe na Dominic Kitilu. Tafadhali useme kwa kifupi mzee tuko na watu zaidi ya sitini wanataka kuongea na itakuwa ni vibaya sana kama wataenda bila kuongea kwa hivyo ongea tu kifupi, yale mambo ya muhimu tu. Naona umeandika tayari. Asante.

**Mr. Muteti:** Na ninaanza na hii mambo ya mahindi.

**Com. Ayonga:** Jina tafadhali.

**Mr. Muteti:** Samson Muteti, hii mambo ya farm produce ambayo ni juu ya mahindi, imekuwa kidogo, ni mbaya kwetu hapa na njia ya highlands. Mahindi yote ikipatikana, Board of Kenya Cereal Board inakimbilia highlands inasahau the arid areas kama hapa na Makueni, na wako na mahindi ambayo inaweza kununuliwa ni wale ili mkulima apate pesa ya kumsaidia. Wana-concentrate na highlands pekee yake.

**Com. Asiyu:** Unapendekeza namna gani?

**Mr. Muteti:** Napendekeza Katiba itambue fair distribution of purchase of farm products, mahindi.

Ile ingine, ni hapa kwa administration. Kuna shida kidogo kwa hii mambo ya democracy. Watu wameitumia mpaka wakasema ya kwamba chief akiitana watu wasije mtu anaanza kwenda kazi yake, kwa sababu hiyo democracy wanasema mimi ni upande wa DP... Katiba inaweza kuweka kitu kidogo ndani ya administration ya kwamba wanaweza kuita watu na wakuje bila ya kufanyiwa kosa lakini iko lazima wakuje na waambiwe ni kitu gani inaendelea kwa Serikali na waeleze kwa sababu ya hiyo kukatalia nyumbani.

**Mr. Muteti:** Wakati ya National days zile flag za Serikali, unaambia mtu aweke kwa duka, naye anakwambia, mimi apana wa chama cha Serikali ile iko, ile democracia imezidi kuwa mbaya. Kwa hivyo ile heshima ya Nation days haiko.

Jambo lingine, ni hii taabu ya DO, wanataabu sana. Utapata DO hana nyumba, raia wanaambiwa wachange pesa wanjenge nyumba. Serikali haiwezi ianze ile budget yetu ya mwezi wa sita or anything like that, inaweza kuspare some money kwa manyumba ya Mad.o halafu wanajengewa bila kusumbua wananchi.

**Com Hon Asiyu:** Jambo lingine.

**Mr Muteti:** Jambo lingine ni ile right ya watoto, kuna sheria moja ambayo ni ya mwisho huko, mtoto anajua ya kwamba ana ile right za kufanya zile rights zake mingi sana, na ile mbaya ni ya discipline, unamwambia leo tunaenda kulima, yeye anasema leo yeye anacheza mpira, haendi kulima, Kwa sababu anajua zile rights zake huwezi kumforce. Inaweza kataliwa kabisa wazee wawe na mambo ya kuzungumza na watoto, Katiba ina weza kuspare that one out? sababu nikimlazimisha atanishtaki, shauri ya hii Katiba ya sasa inasema wawe na full right ya kila aina?.

Ile ingine ni wale wazee wamezungumza mambo ya, tukiwa na Masaai pale na tuwe na Wakamba pande hii na tuwe na taabu ya mpaka, halafu inatokea vita, halafu Serikali inaingia huko kujaribu kutatua hiyo taabu, inawashida. Wanasema wazee waende wakatengeneze upande huu na upande huu waketi chini wazungumze hii mambo. Na wale wazee, wanaitwa village elders locally, hapa nyumbani, hawatabuliwi na ile Katiba iko, wanaweza kutambuliwa, na ile free service iliotolewa, Kwa sababu

wabunge walikataa kabisa wakasema Chief alipe wao? Sina mengi asante.

**Com:** Asante sana Mzee na unaweza kuweka sahihi pale, na umetusaidia sana kwa kusema mambo ya muhimu na kwa mambo machache. na wale wanaokuja wafanye vile umefanya, asante sana. Sasa tutampata Dominc Kitivu, kama Dommic hayuko, Bwana Phillip Kathuma Katumbi, kama Phillip hayuko, nataka Josphat Mutua, Josphat Mutua tafadhali kuja hapa mbele tuongee, maana Dominic na Phillip hawakuwako, sasa Josphat hebu kaa hapo uongee.

**Josphat Mutua:** Asante sana Commissioners na wale wote walikuja, kongea juu ya Katiba. Kwanza mimi natoa maoni yangu, na ninaanzia. Kwanza kwa jina naitwa Josphat Mutua, mimi ni Assistant Chief. Natoa maoni yangu kuanzia kwa Local Government, na ninaonelea, Mayor na Chairman Councils wote wachaguliwe na wananchi lakini sio Councillors. Na Macouncillors wote na MPs nao, wawe na kiwango fulani cha elimu wakichaguliwa, wasichaguliwe kutoka wa std 7 ndio sababu wanaangucha pahali wanatoka, kwa hivo wawe Graduates.Or so wasichaguliwe watu hawajasoma. Watu wapewe rights zao wa kuwaita hao ma MPs ma Councillors, wakiwa hawawasimamii vizuri, watumie Electro Commission kuita hao watu na wachague wengine, kama wale walipeleka huko hawawatumikii kwa njia ile inayofaa.

Upande wa land, all Kenyans should own lands anywhere in the Country without restrictions na wapatiwe limited acres, kama 50 acres hivi. There should be restriction of ownership of land by noncitizens.

There should be Ministry of Churches.

Halafu kuwe na Tume ya kuangalia mishahara ya wafanyi kazi wote wa serikali, ma MPs na kadhalika. Kutengwe viti vya watu kama walemavu, vijana, vipofu, kanisa, wanawake Kwa sababu wananyimwa haki zao, lakini hiyo viti iwe katika kila Constituency.

In the whole Country kuwe na vyama mbili tu, kusiwena hivi vyama 40, 100 hiyo yote ni ya kuharibu tu, kuwe na the ruling party and the opposition.

Masomo ya Msingi yawe ya bure na ya lazima.

Kuwe na Prime Minister na President, na hawa wote wagawanye mamlaka. Utawala wa mikoa uendelee na upatiwe uwezo wa kuongoza watu.

Wazee wa kijiji wawe huko na wapatiwe mishahara.

The retired personnels' pensions to be given increament yearly, and that is my points.



**Com.** Thank you very much Mr Josphat Mutua, and I believe there are no questions. Okay you can please go to that table and sign our register and also leave whatever documents you might have written for our reference. Now Councillor Titus Kiilu, asante Councillor, hebu kaa pale na useme jina lako na tafadhali sana ujaribu kufupisha ili watu wote waliofika hapa leo wapate nafasi ya kuongea, lakini sema mambo yale muhimu ya kubadilisha Katiba.

**Councillor Titus Kiilu:** Asante sana to our Hon. Com. I would like to start by saying my name I am Councillor Titus Musyoka Kiilu representing Muuma Andu Ward where you are, before I give my views, I would like to invite you to Muuma Andu and feel with us and enjoy being at Muuma Andu. I will be very brief because I am one of the people who have gone to school, not a class, and I think I will be very brief and to the point. I have divided my points in four categories, mentally, socially, culturally, economically, politically, and spiritually and then I will be through, and I will start by mentally.

Nitakuwa nikiongea Kiswahili kidogo na Kizungu kidogo ndio kila mtu awe ana sikia na probably you will follow. Kwa mentally nilionelea tukiendelea na kuandika Katiba, education iwe free kutoka Std one up to O' level, na ikifikia O' level Serikali itafute Education Trust Fund, wale watoto watasoma wamalize O' level wawe wanaweza kuingia University, lakini wakipatiwa hizo pesa wawe wanawezalipa baadaye, kwa hivyo hi ni kama loan. Ile ingine nilionelea ni ya kwamba kuwe na masomo yale ya handouts lakini iwe divided, iangaliwe wale resource persons kwa kijiji, kama traditional birth attendants, kama people like Community Health Workers, wawe trained on matters concerning health wawe wanaweza saidia Wananchi.

Kwa mfano tuwe na Community Health Workers wale wanaweza saidia Wananchi beyond the dispensary. Wale wazee walikuwa wanajua mambo ya miti shamba, kwa mfano kuna wazee kwa Wakamba, wako Waluhya, walikuwa wanajua kutibu watu, hivyo resources ziwe trapped wawe trained, on personal hygiene, na hizo resources zikuwe tapped ndio wawe wanasaidia watu na ziwe zinaweza tumiwa. Ni Kisasi ambao kinaweza kuja, Kwa sababu kwa Katiba imesahauliwa na ilikuwa ya muhimu sana.

Nataka kuenda socially. Clan, you know in our Country there are Clans like Watangwa, Wauwana and the like, zipatiwe nguvu kwa Katiba ziwe zikikaa chini, zikipitisha mambo yao, zinaweza saidia kwa mambo ya mipaka, discipline, kama mimi ni kijana na nimesoma na nimesomesha na Community ama na baba yangu na ni kama sitaki kumsaidia, hivyo Clan inaweza kaa chini na ione kama inaweza saidia babangu. Sababu wazee wengi wamesomesha vijana na wakimaliza kuwasomesha wanaenda na wanakaa town na hawa vijana hawarudi kuwasaidia wazazi, kwa hivyo Clans zipatiwe uwezo kama mambo imeenda mbaya waone kama wanaweza saidia.

Nikiwa hapo kwa Clan, waangalie women kama vile wengine wameongea hapo mbeleni. Kama hapa Ukambani mwanamke akiolewa unapatiana mbuzi 2 ama 3 halafu unakuwa ni bibi wa hiyo boma kama vile wengine wamesema, hivyo Clan wakuangalia sababu ndio inaweza jua fulani amepoleka ama fulani amepoleka. Na kama mtu anakaa na bibi mwezi moja na hajapeleka hiyo Clan ingilie, iulize huyu mzee ama kijana kwa nini haukupeleka mbuzi, ndio huyu mtu awe anaweza ridhi mali ya

hiyo familia. Kwa sababu wengine wanakaa. na hakuna mtu anacounter check.

Ile ingine ningesema ni hii ya marriage, I am a sociologist by profession na nimejaribu ku cancel youth sana na wanasema siku hizi, marriage imekuwa ngumu sana na ndio hata ika contribute maneno ya AIDS na ndio sababu hawaoi kwa sababu sababu nikitaka kuoa msichana na amesoma, naongea ile ilikuwa right ya kucheose, nataka kuoa msichana wa huyu na amesoma, ninaambiwa nilete ng'ombe 40 na ninunue sofa set na nipatiane elfu ishirini, ama nilipe ile pesa huyo msichana alisomeshwa, kwa hivyo inakuwa kikwazo kwa vijana kuoa, na ni kama inmaendelea sana, kwa hivyo ningepomba tukiandika Katiba tuweke a minimal, tuangalie WaKamba, WaLuhya, WaKikuyu, tuone kama tunaweza neutrolise, tuseme kama mimi natakakuo msichana wako na amefika University, tuone tunaweza lipa nini. Sababu wengine we are very expensive na ndio vijana wamesema a-a hatuoi tukae, na wengine wameanza kurandaranda na ukimwi itaendelea, na mambo yataenda kombo, kwa hivyo wazee waone wanaweza fanya namna gani.

Ninaenda economically, natural resources zote ziwe controlled by the Local Community by forming Co operatives, kama ni mchanga, ama all the natural resources ziwe controlled by a particular Community. On Locational level, kama kuna changarewe ya Muuma Andu na kwingine, tukae chini tuone kama Cooperative tutaweza kuiuza namna gani, na zile pesa tutauza tuone zimeingia kwa Community, ipangwe mzuri ionekane inasaidia Community mashule, Churches, kufanya hizi gabions and what have you ziwe controlled by the Local Community. There are a lot of NGOs and it is as if there are not controlled. Central Government ingilie na icontrol, na hizi NGOs zitumie hii tunaita bottom approach ziende chini kwa Community, zianze na hiyo Community naziende chini.

Kwa mfano, siku hizi unasikia ana NGO like World Health Organisation na unasikia wana seminar Five Views na wanakaa Five Views mwaka unakwisha, uansikia wana seminar ingine, na zile pesa wanamalizia huko kwa seminar x3 limit, siku hizi NGOs nyingi zinaongea juu ya HIV and AIDS na unasikia wana mkutano Five Views Hotel ama mkutano Garden Hotel na hazitafika kwa Community. Kwa hivyo ningepomba kama ni seminar wanafanya wakuje huku, waanze hapa ndio waende juu iwe ni bottom up approach, sio ile ya juu kutoka chini. Hiyo ningepomba iandikwe na iwe controlled by the Central Government or the Local Authority. title deeds, kwa Katiba iandikwe watu wanaweza fanya ninyi ndio wapate title deeds, sababu Kenya unarithi kitu ukiwa na document, na ni kama ukiangalia, watu wengi tuseme sehemu hii ya Machakos wana shamba na amekaa kwa hiyo shamba kwa miaka kumi na hawana barua na ile process ya kufuatilia ni ndefu sana, ifupishwe, ionekene itafupishwa na mna gani ndio watu wapate Title Deeds siwasidie kuchukua loan, wafanye biashara, siwasaidie kwa security na just enemy.

On political bases, mimi kwa maoni yangu ningeponelea, political parties siwe reduced to three na civic education ifanywe kila mwaka iwe inaendelea. Ningetaka kuiunga na wengine vile wengine wamesema. Na on political parts watu wachaguliwe bila kujali huyu ni mwanamke ama ni mwanaumme, ningepona tu kama ni uchaguzi kila mtu auze policy yake ama aseme objectives zake na achaguliwe. Ningepomba wanawake wahesabiwe kama human beings sio property. Wawe involved in decisionmaking, in running the location, the District and the whole Country sababu inaonekana they are not very much involved, ndio unasikia

wengine wanasema watengewe kiti, they are human beings. Hapo ningetoa ujumbe ya kwamba, siku hizi tunashidwa sana na maneno ya women battering na wanapigwa na ni kama theyre are not regarded as human beings, kwa hivyo ningesema kwa Katiba ionekane, wanawake waingishwe katika mambo ya kujenga Nchi na maendeleo na wahesabiwa kama watu hata wakati wa kura, hata kama mwanamke anataka kuomba ya President, aombe because she is a human being.

Ya mwisho kabisa nilionelea, Councillors, MPs, na President, wachaguliwe mara moja tu kama vile inaendelea, lakini Mayors and Chairmen ni ngeonelea wachaguliwe na wananchi, na Council zipatiwe autonomy. Ningetaka hapo nisema CAP 265, to be amended, na ningetaka kuongea hapo niseme ya kwamba hii autonomy, tuseme kwa mfano mimi ni Councillor na I am the Chairman of Wards Town Planning na juzi tulikuwa tunataka kupatia watu title deeds, tuseme Muuma Andu market ama Masii na tukakaa chini kama Council, tukapitisha na kila kitu na tukatafuta pesa sitatoka wapi za watu wa Muuma Andu walipe wapatiwe title deed, lakini tukaona kila mtu alipe 3000, tukaona pesa, lakini tukaambiwa we must seek Ministerial approval. Sasa Minister anakaa huko Jogoo anapprove nini, kitu ya Market ya Muuma Andu na nikupatiana title deed, kwa hivyo inaonekana tuna resolute na tuambiwa tu seek approval. Na minister anapprove akiwa huko. Na kama nilisikia swali ingine mukiuliza mwingine tunafanya nini? Juzi tulisema tuweke gabions kila mahali, na tukasema 20% of the total money collected from every location should go back to that Location, na tukaweka mahesabu na tukaona na hizo pesa tukaweka kwa hiyo kiti ikakaa, lakini tukaambiwa tu seek Ministerial approval, na nilipoenda Minister akasemahapana, kwanza tuliye kwanza wafanyi kazi, na service delivered kwa Community haijaenda na sasa tukawa our hands are tied, na miaka mbili tatu itakwisha bila sisi kufanya maendeleo ama bila kufanya any service kwa Community yetu.

Na kwa vile ninaona masaa yangu inaenda sana, ningeonelea MPs wakichaguliwa kuwe na system in place ya kucounter check, who, how, where, and when Kwa sababu wengine wakichaguliwa miaka tano wanaenda na hakuna kitu wanafanya na kama wananchi tunakaa, kuwe system in place. Akapitiwa miaka mbili na nusu na akaonekana he or she is delivering, tuone kama tunaweza kumuita na tumuambia tumemfuta na tuchagua mwingine. Na hiyo iwe pamoja na Councillors wengine hawaonekani, kama Councillor amechaguliwa na anaenda na haonekani na amekaa tu, na amenunua gari, tuone after two years watu waitwe waone wa countercheck.

On spritual back grounds, religious groups to be limited, na jiunge na mwingine amesema all the pastors, wale wanataka kuhubiri, wawe trained wasitoke tu kwa mtaa na aanza kuhubiri na anahubiri kila kitu hajui.

On administration line, wawe trained, na mtu akiwa employed, akae hapa Muuma Andu kama Chief na aonekane anaendelea mzuri apelekwe pahali pengine akaendeleo, na akionekana anaendelea vibaya afutwe, na akionekane anaendelea mzuri sana, awe promoted to DO na asante sana, thank you very much.

**Com.Phobe:** Asante sana (inaudible)

**Com:** Bwana Councillor umesema Local Communities should be allowed to manage their own resources na umesikia mwenzako na wengine wakisema, Kenyans should be free to own land anywhere. Now in your list of local resources is land included? And if a Community is allowed to manage their own resources, can they decide, we are not allowing people to come from elsewhere and buy land here, supposing someone came with millions and decided to buy all of you from here can you resist that and say no as people of Muuma Andu we don't accept that?

**Councillor Titus:** No, no, what I meant myself is if I go and buy a land at Kikuyu, there are other Kikuyus there, if a Kikuyu comes in Muuma Andu, he marries here and buys land here that one according to me is allowed, but let all the natural resources be controlled by these Community, even if they are Luhyas, Luos and anybody.

**Com. Phoebe:** That means that whoever comes and buys land here, must accept to become part of the Local Community, and participate in Community activities.?

**Councillor Titus:** Sure

**Com:** Thank you

**Com Phoebe:** Tumeshukuru Councillor umesema vizuri tafadhali weka sahihi yako kwa register yetu. Sasa Bwana Mutiso yuko, kuja hapa mbele na useme kwa kifupi mzee ile ya muhimu ukiwa ambayo unataka itusaidie kwa kubadilisha Katiba yetu ya Kenya.

**Bwana Mutiso:** Majina yangu ni Mtiso Mwita, na ningependa kutoa maoni kidogo, sababu mengi yamesemwa na ile nilikuwa nataka kusema, lakini nitasema ile badu semwa Kwa sababu ile imesemwa na watu wengi na ikaonekana, hiyo inaendelea kushikika watu. Kwa hivo nataka kuhusu maneno machache kuhusu wabunge wale wamechaguliwa na kwenda bungeni. Tumesikia mara mingi Speaker akisema quorum haijatosha, watu wengine wabunge hawajafika. Tunajua hapo ukichelewa safari kadhaa kuna sheria ambayo inakuhusu vile unachelewa, na tujawahi ona tukiletewa mbunge wetu tukiambiwa huyu mbunge wetu hahudhuri kibunge cha wakati fulani na Fulani. Kwa hivo ninyi wenyewe sababu ninyi ndio mulimleta mtajua vile mtamfanya. Kwa hivo hapo nataka Sheria iangalie sana sababu tunaambiwa wabunge hawajafika. Na hawa wote wamepatiwa allowances na pesa ya kwenda huko na transport na vitu vingine zinakaa pending, labda mbunge ule unataka kuuliza swali hajafika, kwa hivo nataka hapo tujue tunaweza kuweka sheria gani ili mbunge wetu akienda huko, kama sisi tunaweza kurudishiwa tujue tunaweza kumfanya namna gani. Kwa sababu hawajawahi kurudishiwa. Hatuna uwezo wa kwenda huko ili kujua huyu hahudhuri bunge ndio tujue vile tunaweza kumfanya.

Mahali ingine sija sikia ikitajwa hii inaitwa receivership ikiwa mtu amefilisika ama kampuni imefilisika. Kampuni mingi zimefilisika, wale watu wako wadogo hapo kwa hiyo kampuni ndio humia, sababu tunasikia kuna creditors, Serikali na

Wafanya kazi. Sasa receivership akiingia hiyo nimesikia hata miaka na miaka haijabadilishwa hata kidogo, Kwa sababu receivership akiingia, wanashika, na wale wanashika labda ni banks na hii banks ni ya watu wale wa kuu wenye Kenya tu, na wako na mali. Saa ile wanaingia unasikia unalipa ule mtu ameleta mali hapa kwa hii kampuni, mwingine ni serikali watatu ni mfanya kazi. Unakuja na unaambiwa mfanyi kazi kwa sheria hana uwezo, na hii kampuni ikionekane haina faida, inauzwa, na ikiuzwa inalipwa watu mbili, ndio Serikali, na yule mtu alileta mali pale labda alichukua loan, na mfanyi kazi hakuna sheria mahali anaweza kulipwa, hali kampuni ikiisha na haina mali ya kulipa mfanyi kazi wako free wanaenda kabisa bila kulipa chochote, na labda umefanya more than 10 years na mtu anatoka kama mtu wakibarua tu. Hapo tunataka sheria iangalie vile inaweza kufanya namna gani juu watu wengi wameumia. Ikiwa hii receivership wanaingia wanakuja wanauza kampuni au wanaendesha wanashidwa, ikubuliwe kuwekwa Sheria yule mtu alikuwa nayo hapo mbeleni, wale wafanyi kazi wafuate yule mtu mpaka amlipe kama sivyo hii receiverships hawa wametoka labda wameuzia mtu ingine na labda haina pesa ya kulipa wafanyi kazi, basi na yeye afuatwe vile vile na ashtakiwe na amlipe.

**Com :** Songa to the next point.

**Mr mutiso:** Upande wa wanawake tuko sawa nao, kwa Sheria kwa maoni yangu, inaweza kuwekwa kama A na B, sheria ikitengenezwa, maanake tunasema wanawake tuwekwe pamoja saa ile tunawekwa pamoja tunawekwa kwa vitu ile rahisi, na ile vitu ngumu ngumu unasikia mwanamke anawekwa mahali pale soft na mwanaumme anawekwa pale pangumu, kwa hivyo nataka kusema kama inawezekana, tuwekwe A na B. maanake ukiwekwe kwa polisi, akiwekwa Polisi unamkuta kwa station, na kama ni hii ya traffic utamkuta kwa traffic akisimamisha magari, lakini saa ile kukitokea vita hivi huwezi kuta mwanamke ati ametumwa hapo, sisemi watengwe, lakini na sema , ikiwekwa Sheria, wanaumme wawe na sheria ya A na wanawake wawekwe B. Wakati tunaenda kwa vita, wanaenda huko wanaandikwa kwa Army, huwezi kumkuta anaenda huko Eriteria ataenda na ile cheo ya ku command, kama tutawekwa pamoja tumuone pale kwa field akipigana akiwa na bunduki, lakini akiwa ni hapa kwa station au kwa mahali pengine, akipatiwa bunduki, hiyo ni ya kujilinda yeye mwenyew lakini si kulinda wale watu wengine hawakuwa area hiyo.

**Com:** hufikiri anaweza kukupiga bunduki ukafa?

**Mr Mutiso:** Anaweza kunipiga bunduki

**Com:** unawezwa pigwa na mwanamke

**Mr Mutiso:** anaweza kunipiga akiwa na bunduki lakini, akiwa labda hana hapa, mimi nasema vile naona. Kwa hivo nataka kuona hiyo kitu inaweza kuwekwa na mna hiyo.

**Com Phoebe:** Umemaliza ama bando.

**Mr Mutiso.** Nimemaliza

**Com. Ayoga:** Ulisema kwamba Parliament, the members wanakwenda huko na wanakuwa absent kwa hivo quorum haiko,

**Mr Mutiso.** Ee quorum haiko.

**Com:** je ulikuwa unatuambia ni njia gani ambayo wewe utajua hapa kwamba Member wako, haudhurui on time, kwa hivyo unataka Speaker wa Bunge au Clerk wa Bunge awe anakutumia attendance list ya wabunge.

**Mr Mutiso:** anawatumia wale, si mimi pekee yangu

**Com Ayoga:** anaituma je?

**Mr Mutiso:** tujue

**ComAyoga:** mtajua aje?

**Mr mutiso:** atatumia atuambie mbunge wetu anahudhuria bunge namna gani, Kwa sababu kuna ile sheria akihudhuria wakati fulani masaa fulani anachelewa, na akichelewa hatajua mambo yote.

**Com Ayoga:** Thank you, thank you so much

**Com Phoebe:** Okay, Bwana John Muli akifutwa na David Donye, John Muli? Hatutaki watu wengine wasiongee, inaonekana John hayuko, David Donye.

**David Donye Muli:** Mapendekezo yangu ni mafupi mimi ni David Donye Muli, Ass. Chief. Mambo mengi yamezungumzwa na yale ngingezungumza na kurudia mengine itakuwa ni juu yenu Commission kutilia maanani yale mtaona yako na maana. Kwanza, nikionelea katika mapendekezo yetu, Common man awe considered wakati ana retire, tuseme mfanyi kazi yeyote awe kwa Serikali, awe kwa Private Sector awe considered kabla ya miezi miwili kumalizika.

Na mashirika yale yana retain pesa za mfanyi kazi aki retire kama ya NSSF, Kwa sababu corruption ni wazi iko kwa wingi hapa, mzee anagonjeka na anaenda (inaudible) na anaenda huko kuangaika, ikiwa imechelewesha hatua ichukuliwe.

Namba mbili, cases of dead people at court should not be thrown, yani hapa na maanisha, unaweza kuwa na mtu wako alifanya accident na akafa, na ile case imeenda kotini na imekaa kotini miaka nenda rudi na mwishowe unakuja kusikia hiyo case imetupiliwa mbali, na mtu hajalipwa. katika mapendekezo ya Sheria mtu yeyote amekufa inafaa itiliwe maanani hata kama niamiaka ishirini.

Namba tatu, ningesema Ass. Chief na Chiefs wanaweza kuwa transferred, Kwa sababu hapa kumekuwa na mambo ya kutatanisha. Utakuta mtu ana ujuzi wa kazi, alikuwa mahali pengine amefanya kazi, na wakati anakuja kuandikwa kama Ass. Chief anapewa grade ya chini. Hapa ningesema wawe transferred na mishahara yao iwe considered kama ya Civil Servants wale wengine, lakini hapo na pinga maneno ya election Kwa sababu nikienda kwa uchaguzi na mtu, nitakuwa nikichaguliwa mpaka nipendelee, Kwa sababu sitaki kulose kiti yangu si nimechaguliwa, sitatekeleza wajibu wangu ipasavyo, kwa hivyo njia ile tunatumia wakati huu

kwa sasa, kwa watu kuenda kwa interview na yule amequalify kuandikwa itumike hio hio.

**Com. Phoebe:** ingine.

**Mr Mutiso:** Namba nne, wananchi wa kawaida wana shida ya passports, mtu wa nje anaweza chukua passport kwa urahis. Lakini mwananchi wa kawaida, hataawe nimfanyi kazi, pengine hajui passport ni nini, hapa nigesema passport ipewe wa Kenya kama vipande.

Namba tano hii imezungumziwa sana lakini nitaiongezea, ile ya the President should have his own date of election. Ningeonelea ya kwamba ju hakuna mti bila mzizi ule mkubwa, President achaguliwe kwanza, na after 15 days, wabunge na maCouncillors wachaguliwe.

Namba sita ni mambo ya title deeds, hizi zimesumbua mwananchi wa kawaida na kama ingewezekana, title deed ingeteremshwa mpaka kwa Location level na kuwe hakuna malipo.

Ya saba, baada ya President kutumika katika kipindi yake ya kuchaguliwa mimi napendekeza katika Katiba iwe hakuna kumshtaki, na badala ya hiyo kama amekosea kwa njia ingine moja ama ile, mali yake nusu ichukuliwe, kwa sababu ametumika ki kazi ngumu na hakuna haja ya kumshtaki.

Ndipo kila Mkenya awe amepata elimu, kuanzia Nursery mpaka darasa la nane, elimu isitoshwe malipo yoyote, na hii ni sehemu moja ile imesubua mwananchi kabisa.

Namba nine, mishahara kwa yeyote popote iwe na Tume.

Na kumi, watu saidi ya elfu ishirini wapewe mbunge.

Namba kumi na moja wizara zingine vile nimeonela kwa upande wangu iwekwe katika mapendekezo ya Katiba ni Ministry of Health and Finance, kama ni Minister ipewe ile mtu qualified kabisa.

Namba kumi na mbili, nimeiweka hivo Kwa sababu nimeisikia hapa, uwezo wa Minister, pesa ni ya Muuma Andu, na kwa sababu yeye si wa Muuma Andu, achukue ile pesa apelike Kajiado, nimeonelea hapo huo uwezo uwe rubbed, pesa pahali zimetengewa ziende zikatumike hapo, hata kama Minister si wa upande huo. Namba kumi na tatu, Public collection.

**Com Phoebe:** malizia

**Mr mutiso:** Nabakisha tu hiyo moja tu, Public Collection, katika upande wa Public collection, mbeleni Machiefs kabla



hawajaanziwa kuzungumziwa maneno ya kupunguzwa uwezo, barua zilikuwa zinachukuliwa. Lakini siuku hizi utapata watu wengine werevu wana njia nyingi za kucollect public collection bila kuconsult mtu yeyote, na pesa hizi hazijulikani zinafanya kazi gani. Kwa hivyo ningesema hapo, ile uwezo wa Chief utiliwe nguvu saidi kuambatana na desturi ya pahali tumefikia ju hatujaendelea mbele sana. Na resources ndio ya mwisho, resources ya mahali isaidie mwananchi direct, asante.

**Com Phoebe:** Asante sana, kuna maswali mimi nataka kukuuliza mambo, umesema kwa kila 20,000 iwe mbunge, ni kusema tutakuwa na wabunge 1500 kwa bunge na ile kabila ilio na watu 4 million watakuwa na wabunge 200 kwa bunge, sisi vile umesema tutachukua tu lakini itategemea vile watu wengine wanavyo fikiria, asante.

**Com Ayonga:** Si umemaliza?

**Com Phoebe:** Sasa ukiweka sahihi pale itakuwa mzuri, Bwana Lucas Murwa, kama Lucas hayuko, tunataka Alphonse Musyoki.

**Alphonse Musyoki:** Mimi naitwa Alphonse Musyoki, ile nataka kuzungumzia sana ni office ya Rais. Mambo mengi yamezungumzwa, mengine yametokelezwa, lakini kwa maoni yangu, nataka kusema hii Sheria ya kupea Rais miaka tano tuko na imani na yeye na amekalizwa na hiyo Sheria ya miaka kumi mwisho basi tumekosa kiongozi.

Ugombeaji wa kiti cha uraisi, ikiwezekana awe anachaguliwa na kura zaidi ya 50% ili awe na majority vote. Lakini awe na nusu ya kura zote zile zimeandikishwa. Maoni yangu ni kusema ikiwa mimi ningombeaji wa kiticha urais nisikuwe Mjumbe, mgombeaji awe ni hicho kiti pekee yake, ju nikiwa Rais wa nchi hii na Mjumbe wa sehemu hii, kwa Katiba ilioko sasa, niko na uwezo wa kufanya maendeleo hapa na kuweka kidole, hii ifanyike na hii ifanyike, na kwingine kunakaa bila maendeleo. Kwa hivyo mjumbe asigombe kiti cha uraisi, hata Makamu wa Rais asiwe Mjumbe wa sehemu fulani awe, ni makamu wa Raisi amechaguliwa na wananchi wa Kenya, ili aweze kutumikia nchi akiwa msaidizi wa Raisi kama sheria inasema sasa, lakini ni mjumbe na uwezo wake si kamili ili wawe wakikumikia wananchi kabisa.

Wengi wanasema uwezo wa Raisi upunguzwe, ndio unaweza kwa kaisi fulani, lakini Rais akiwa kiongozi wa nchi na anaunganisha nchi yote na amechaguliwa na 50% (inaudible) na uwezo wa kusimamia usalama wa nchi na kuonyesha muelekeo. Maoni yangu kwa uchaguzi Raisi ningependa uwe kado na uchaguzi wa wabunge na madiwan raisi achaguliwe siku yake, wajumbe na madiwani siku yao.

Utawala wa mikoa mimi naona hii theorocracy imetatisa saidi, mimi nigeendelea office ya Mkuu wa Mkoa ivunjwe, lakini office ya wilaya sababu huyu officer ana wasiliana na wananchi wa sehemu hiyo direct, lakini kupitisha Embu Nairobi, mambo ingine inachukua mwaka moja hata bila kujibiwa sababu Province lazima ipeane idhini ya mambo mengine ifanyike. Kwa hivyo hakuna haja ya kuwa na Provincial Commissioner, ama maofisa ya huduma ya wananchi katika mkoa, lakini ikuwe katika wilaya.



Nikija kwa Ass Chief na Chief, hawa watu ni watu wa maana sana, Kwa sababu wanashiriki na wananchi kila siku, usiku na mchana, mishahara yao, iwe inaongezwa kama watumishi wengine wa Serikali. Wale wazee wa kijiji ambao wanafanya kazi na wao, Sheria ya bunge ndio imewawezesha ma Ass. Chief kuteuwa hawa wazee ama hawa wazee kuchaguliwa na wanakijiji. Wanafanya kazi ngumu na hawapati hata dururu. Ikiwa wataendelea kuhudumu raia kupitia office ya Ass Chief basi wapew mishahara, token appreciation hata kama ni 3,000 ili hii mambo ya kutoa kitu kidogo baada ya kusikiza kesi saa ingine itaisha

**Com Phoebe:** Tupe mapendekezo.

**Mr Alphonsal:** Mapendekezo yangu nikuona hawa wapewe mishahara at least kwa kuappreciate ile kazi ambao wamefanya. Kwa sasa tuko na Serikali kuu na ndio iko na jukumu ya kupitisha maendeleo katika kila sehemu ya nchi. Mimi nilikuwa Mjumbe na mimi naweza kusema na kuhakisha na kusema katika hiki kikao hakuna usawa ya kugawa rasili mali katika nchi. Ili usawa ukuweko tuwe na Serikali kuu lakini tuwe na Regional Government ambao wajumbe wa sehemu hiyo wanaweza kuketi na kujadiliana miradi ya maendeleo ambayo ina takikana kufanyika katika sehemu hiyo, na ile wanapitisha, ile pesa inatengwa na Serikali kuu itumike katika hiyo miradi. Hiyo hao viongozi wa regional government wawe na jukumu la kusimamia.

Kwa sasa tuko na DDC Mjumbe anaweza kukaa hapa miaka tano na kupitisha project ile anataka ifanyike, lakini anamaliza miaka tano bila kuona moja inafanyika. Ili Mjumbe awe accountable na responsible katika wale watu amewachagua, ile miradi wamepitisha hapo katika hiyo region, at least wakipewa hiyo pesa awe mwana kamati wa kuidhinisha matumizi ya hiyo pesa na kuangalia hiyo miradi imefanyika, ili priority project ambayo inaweza kusaidia wananchi wa sehemu hiyo ipate kutekelezwa. Lakini kwa sasangumu zaidi.

Katika hii sheria ya urithi ni ngumu zaidi. Kwa sasa mjane akiwa ni mwanaume au mwanamke kujiandikisha apewe ile cheti ya kurithi mali ya marehemu inakuwa ngumu sana. Ile utaratibu inafutwa na malipo inahitajika hata inaweza kumugharimia elfu kumi, ili apate hiyo letters of administration. Kwa hivyo hiyo sheria ipunguzwe ipewe mamlaka ya Ass. Chief, na Chief wakishaidhinisha, mimi ndio Bwana wa marehemu bibi yangu, ama huyu ndio Bibi ya marehemu Bwana fulani, awe anaweza kupewa hiyo cheti cha kumiliki mali ya marehemu bila kuwa anafanya gaz ettament mpaka Nairobi mwezi tatu, miezi tisa watoto hawaendi shule, Bwana alikuwa na mali Bibi alikuwa na mali na haiwezi kusaidia hiyo familia. Kwa hivo hii sheria ya urithi irudishwe chini isimamiwe na ma officer wa Serikali wa utawala walioko karibu ili iweze kusaidia wale wanaobaki kwa hiyo jamii.

1963 motto ya uhuru wa Kenya ilikuwa kumaliza ujinga, umasikini na ugojwa, hiyo sasa imebaki tu kama kikaratasi tupu, hiyo sasa haiwezi kuendelea. Mimi maoni yangu ningesema, matibabu iwe ni ya bure na isimamiwe na Serikali. Tuseme kama mmoja akigojeka hapa hata kabla hajachukuliwa hospitali yoyote, iwe ni ya kibinafsi ama nini analipa deposit na kama sivyo anambiwa tafuta hospitali ingine na saa ingine anakufa hata njiani akitafutiwa atawekwa wapi. Kwa hivyo matibabu yawe ni ya bure na

yasimamiwe na serikali.

Ikiwa ni elimu kutoka Nusery mpaka elimu ya upili, iwe ni bure. Kwa hivyo wale wanasoma sasa ni wale tu wana uwezo na jamii maskini watoto wao hawawezi kupata elimu sasa. Hata afadhali iwekwe kodi fulani, ikiwa mimi naweza kutozwa kodi fulani itozwe, ili watoto waweze kupata elimu sawa bila kubagua.

Title deeds, watu wengi hata wanaogopa kwenda office ya msajili wa cheti za kumiliki mashamba, sababu akifika ataambiwa leta 1000 ili apewe hiyo cheti: Title deed iwe free, ipeanwe free in Kenya. Ili watu wetu waweze kuwa na cheti cha kumiliki mashamba. Value, dhamana ya mchanga, ni mbaya saidi Kenya saa hii tuko kwa Muuma Andu market, ukienda kwa Muuma Andu market, ulize plot 50 by 100 unaweza kulipa 100 000. Ukienda pale Karanzoni na Location moja utafute plot hapo 50 by 100 utalipa elfu 10 ama 15 ama 20, dhamana ya mashamba ya mchanga ikuwe sawa sawa ili wale watu ambao wanataka kukopa pesa kwa benki na mashamba zao waweze kupata pesa ya kufanya biashara ama kufanya kazi zingine lakini watu wote sasa wamehamia miji mikubwa sababu hapo ndio wako na factory wako na maduka wako na kila kitu, lakini dhamana ya mashamba ikiwa sawasawa, Nairobi ikiwa sawasawa na Machakos wale watu watatoka Nairobi wakuje Machakos wafanye viwanda hapo na watu wataweza kupata kazi. Dhamana ikiwa sawa sawa itakuwa usawa wa kupata pesa kwa mabanki, kwa hivyo mimi nasema dhamana ya mchanga ikuwe sawasawa.

**Com Phoebe:** malizia.

**Mr. Alphonsol:** Vile mimi nasema ikiwa tutapunguza umaskini, sasa CDA akiwa hapa ni wa kuangalia vikudi ngapi wameungana ya vijana, wakina mama, hata wanaumme lakini hana njia ya kuwasaidia, ikiwa tutapunguza ukosefu wa kazi katika hii nchi, Serikali itenge hazina fulani wa kusaidia. Ikiwa vikundi vyaakina mama wana ujuzi Fulani, wanaweza kukopeshwa pesa na wasimamiwe, wafanye biashara ili wawe wakipata mapato wa kujisaidia, hata vijana wetu wale wanatoka University wamesoma na wale wamefanya form 4 wamesoma lakini hawana njia ya kujisaidia. Ili tupunguze upungufu wa kazi na watu tuwafanye waweze kujitegemea kwa mapato, serikali itenge hazina fulani ya kusaidia vikudi, si kwa mimi binafsi nipewe pesa lakini ni wale vikudi wameungana pamoja.

Mahakama siku hizi, imebaki wale wanaenda huko ni maskini, na wale wanafanyiwa haki huko ni wenye pesa. Hapo mbeleni Serikali ilipeana mawakili yake, kama huyu tunashidania case ya shamba na hana pesa ya kushidana na mimi, anapewa wakili wa kumtetea, kwa hivyo Serikali ipeane mawakili wa kusaidia watu na ikiwezekana, case kotini ipunguzwe ili ile gharama ya kulipia kesi ndio iendelee. Taxation ya kupeleka case kotini ni ngumu na wengine wamenyang'anywa na wanakaa nyumbani bila haki sababu hawana pesa ya kuweka wakili ama kuendesha case kotini ju hawana pesa.

Kipande ningetaka zipeanwe bila kulipa pesa. Sasa wewe kama ni mwananchi wa Kenya ukipoteza hiyo kipande utaenda unalipa shilingi mia 300 ili upewe ingine. Ningependelea ya kwamba mtu akifikisha miaka 18 apewe na ikiwezekane hii

bureaucracy ya Ass Chief , Chief , DO, DC waweke sahihi hiyo ivunjwe, iwe tu ni Ass Chief na Chief tu wananiidhinisha ya kuwa mimi ni mzaliwa wa hapo, niwe nimeweza kupewa kipande mara moja. Living certificate ile inaitishwa sasa watu wameanza kuchukua fake sababu wanataka kipande , iwache kuitishwa.

Naona saa ni kidogo na iko mengi ya kusema lakini mimi nigeponda Mayor wa Municipal na Deputy wake, mwenye kiti wa County Council wawe wanachaguliwa na raia ili waacha kuwa mahabusu wa ile Macouncilors wanafanya kazi na wao ili waweze kuhudumia wananchi sawasawa kwa kipindi ya miaka tano bila kusumbuliwa. Wachaguliwe na raia ili waweze kuongoza baraza zao.

Vyama vya kisiasa, ningependa hizo zipunguzwe, ili zisikuwe nyingi kama vile ziko 47, na ukiuliza mwenye kiti ni nani utaambiwa ni Bibi yangu, dadangu, hii ni kitu ya kuuza, kwa hivyo zipunguzwe na zizidi kumi. Ili ziweze kuwa na msingi wa kisiasa na udhabiti uweze kuonekana katika hii nchi. Na ikiwezekana hizo vyama ziwe funded by the government.

Uhuru wa kuabudu, makanisa imekuwa mingi na ingine haina msingi, ningepomba kwamba kabla kanisa haijaandikishwa, kwanza ichunguzwe, msingi wake uko namna gani juu zingine zinaconfuse wakristo, na haina msingi. Hata sasa uhuru wa kuabudu umepatia Serikali wakati mgumu wa kutangaza wale wanaabudu mashetani. Kwa hivo serikali ikishatabua, hii dhehebu haina nia nzuri, ya kuelekeza watu kwa mwenyezi Mungu ina peleka kwa shetani, hiyo ivunjwe hata bila notice na wenyewe washitakiwa ili tuweze kuwa na ukristo umeenea katika nchi bila kutatizika.

Ya mwisho ni kusema sheria hii tunayoiunda sasa, iweke nguvu mila na desturi za jamii zote katika nchi ili jamii ikamua tulinde mila yetu na njia hii na hii wawe wanaweza kuendelea vizuri. Hiyo ndiyo ilikuwa ya mwisho na asante sana Mheshimiwa Commissioner kwa kunipatia nafasi.

**Com Phoebe:** Asante sana kwa yale mambo ulioyasema, sijui kama kuna maswali.

**Com:** Just two questions, mambo umezungumzia ya tofauti ya dhamana ya mashamba, si tu hapa Muuma Andu, ukijaribu kuangalia tofauti ya hiyo dhamana tuseme katikati ya plot in Machakos and Nairobi, it is so huge, na ukichunguza sana utapata saa ingine ni sababu tumechukua mambo yote ya Serikali ya biashara kila kitu tumeweka Nairobi ndio demand ya Nairobi imekuwa juu. Tunaweza fanya namna gani if we want to raise value ya mashamba kwa town hizi Zingine.

**Mr Alphonso:** Ikiwa nikipewa letter of allotment ya plot ya Muuma Andu na county Council inaweka value ili natakikana kulipa ili nimiliki hiyo plot, ikiwa ni mepewa allotment Nairobi na Commissioner of land, wameandika stand premium wameandika nilipe pesa fulani, hiyo ndio inatumika kufanya hizo calculations ya value ya mchanga. Ile tunataka ni uniformity, ikiwa ni acre moja ya mchanga, inawekwa bei ile iko Machakos na ile bei iko Nairobi siwe sawasawa.

**Com:** Ni sababu gani Nairobi bei ya acre moja iko juu kuliko bei ya acre moja ya machakos?.

**Mr Alphnsos:** ni sababu mtu akijenga plot huko sasa, tuseme kama ni duka, hata kabla haijanjenga Nairobi, sababu hapo Nairobi watu wote wanaenda maafisi ya serikali iko hapo, factories ziko hapo, kila mtu anajua akinunua plot Nairobi, akijenga haraka atapata wateja wa haraka wakuchukua hiyo plot, lakini akijua value ile iko Nairobi ndio value iko machakos, na rasli mali ya nchi imekuwa, sasa iko maji, iko stima ,iko simu na iko barabara sawasawa, akiwa na plot value yake hapa na Nairobi ni sawasawa atakuja kuweka factory yake hapa, na watu hawataenda Nairobi na watakuja hapa.

**Com:** Kwa sababu umesema iko kitu ya demand, hata serikali inasema tuweke value itoshane utapata Nairobi atauza juu Kwa sababu the demand in Nairobi is high, ndio swali yangu ni kwamba, why is the demand in Nairobi high ? Sababu tumeweka mambo yote yako huko, can we remove some of this things tuweke Machakos? Tuseme kama Ministry moja, mbili siwekwe Machakos ndio demand Machakos nayo ipande?

**Mr Alphonso:** Wakati nilikuwa nikisema majimbo, tukiwa na majimbo hapa Ukambani region tuwe tuna control resources zetu ukambani yote, tukitangaza saa hii tumeweka maji, stima, simu sehemu hii kwa hivo wale wanataka viwanda wakuje waweke hapa Machakos,si watakuja. lakini sasa sababu ni jagwa, hakuna kitu, resources zote ziko Nairobi hawawezi kuja hapa that is why I was dwelling on majimboism for development not for economic side, yah that was my point, thank you.

**Com. Phoebe:** Tafadhali ukiweza kuandika pale, na utuachie hiyo karatasi yako tafadhali mheshimiwa, tujaribu kwenda haraka. Joseph Kathung?, Bwana Kathungu uko hapo mbele jaribu kusema yale mambo ya maana umeandika, don't take more than five minutes because you have already written, we are going to take your document and release it to the board, please be very brief and only highlight those important issues.

**Joseph Kiiru Kathungu:** My names are Joseph Kiiru Kathungu,

**Com. Phoebe:** Sema kwa Kiswahili hayo, watu walisema tuongee Kiswahili, lakini sidhani (Inaudible)

**Mr. Kiiru:** I have written in English.

**Com. Phoebe:** Okay go ahead, go ahead.

**Joseph Kiiru Kathungu:** Nimesema majina yangu ni Joseph Kiiru Kathungu na wakalisha Catholic dioceses of Machakos and I am dwelling on the childrens rights issues, that is highlighting on the major children's rights. One education should be free and compulsory at all levels and that should be the state's responsibility. Protecting rights from labour, abuse, drugs, and any physical emotional abuse have ana access to basic needs, that is food, shelter, healthcare, education, nutrition and social services.

Civic and legal education should be included in the school curriculum.

Right to life, from conception until death. Right to inheritance and own property without discrimination for both sexes that is boys and girls. In this case I would suggest that there should be provision of child identity card to be issued to enable the child under 18 years to have a bank account and be able to have a title deed, in case both of her parents die.

There should be proper accessible facilities for people with special needs. All public buildings especially learning institutions and others should provide for easy access to children with disabilities. There should be a free access to a legal services for children that is every child whether disabled or not.

There should be special protection for orphans.

Recreation facilities that is games, sports and cultural activities so that it enhance positive values. Disciplinary measures in schools should be properly prescribed by the government, not by the institution.

To be more practical if somebody brings fourth a child, that person should be forced to maintain the child until he or she attains the age of 18 years.

The last two. On freedom of worship I am suggesting that there should be a special ecumenical commission under the Ministry of Religious and Cultural Affairs to accredit and monitor religious sects and preachers. Lastly, Constitutional and Civic Education should be a continuous process and in simple language under the ministry of Constitutional Affairs, thank you.

**Com. Phoebe:** Thank you very, much Joseph, usiondoke kwanza, kama hakuna maswali, tuanataka hiyo karatasi yako, memorandum ile uliandika, uweke hapo kwa meza na pia uweke sahihi yako Joseph kwa register yetu ndio tusingahau yale mambo uliyoongea. Sasa Jackson Kialo, Bwana Jackson Kialo yuko? Tafadhali kuja haraka mzee uongee. Ulikuwa ushaongea?

**Jackson Kialo:** Sijaongea mimi.

**Com Phoebe:** Okay

**Jackson Kiario:** Mimi naitwa Jackson Makau Kialo, na....

**Com:** Endelea Mzee machine iko

**Mr Kiario:** Ya kwanza yangu nisema kwa maana saa Zimekwisha na watu wamechoka, mimi ningesema ya kwanza, elimu katika Kenya kutoka Nursery mpaka University iwe ya bure, kwa maana iko hata ukienda katika hii shule utakuta wale watoto warevu ni wa maskini, na wakimaliza Std. eight hawaendi shule. Tunapoteza watoto wa Kenya yao. Ukienda form 4, wale watoto wanapita kwenda university ni wa maskini na hawaendi University.

Ya pili ningesema namna hii kwa maana wakati umekwisha, kile kingine ni treatment. Katika Kenya mzima  $\frac{3}{4}$  ni maskini na  $\frac{1}{4}$  ni wale wako na pesa, ningesema watu wote wa Kenya wapewe treatment ya bure. Ile kiwango tunatoa katika general hospital kimalizike, kwa maana kina- maliza watu. Iko katika Kenya kuna watu wanamaliza miezi 6 au 3 bila kuona shilingi mia moja.

Kile kingine ni agriculture katika Kenya ilikwisha kabisa, agriculture officers hakuna. Mtu ndiye anajifanyia ile terraces na anafanya makosa kwa sababu haiwezi kupeleka maji sawasawa, agriculture officers I don't where they are and I don't know why they are getting their payments from our money.

**Com Phoebe:** What will do now?

**Mr Jackson:** Hawa watu wafanye kazi, kama hawafanyi kazi wafutwe. Tujifanyie kazi. Kile kingine nasema it is pitful and shameful to (inaudible) kuona mtu ako na degree mbili ama moja anakaa nyumbani. Hapa tunaweza kukupatia watoto karibu kumi hapa wako na degrees. Ningeuliza Serikali yetu tukufu ile itakuwa na ile iko iwe ikifundisha kazi ya mikono kama kutengeneza baiskeli au motokaa hiki na hiki ili mtu akitoka university ajifanyie kazi mwenyewe, ama awe mtu wa kutengeneza nucleus.

Kile kingine nikiongeza juu nataka kumaliza upesi, sana sana Commisioners Officers who are here, ukienda nyumbani, tulimaliza ng'ombe tukisomesha watoto, degrees there are there, form fours, Std eight they are there, we are there with them sitting down with them. Nami naenda kufanya kibarua niwapatie chakula na hawa. Sasa elimu Kenya ni lazima iangaliwe sana isiwe elimu ya bure. Kile kingine,

**Com:** Haiko.

**Mr Jackson:** Iko, mzee ako na kila kitu. Kile kingine, Watu wale wameandikwa na serikali yetu tukufu  $\frac{3}{4}$  ya hawa watu nimaskni na ako kazini ju anapewa mshahara kidogo. I want them to be paid well like others who are employed by companies. Mimi niko na degree tatu na Bibi yangu ako na mbili, anaenda anaandikwa na kampuni na anapewa elfu mia moja, na mimi niko kwa serikali napewa shilingi elfu arobaine. Huyo mwanamke wangu atanisikia kweli.

**Com Phoebe:** Kama mnapendana atakusikia.

**Mr Jackson:** Hakuna cha kupendana, ya kupendana ni mamangu na mamako. Hiyo ni hiyo imekwisha. Kile kingine, ni wale watu wanajifanyia kazi kama walimaji, nikiwa moja wao. Nilazima tupewe loans na serikali, ili tujiendeleze. Kingine, mimi ningesema election iwe Councillor, MPs, President na Prime Minister iwe wakati mmoja.

**Com Phoebe:** Asante sana.

**Mr Jackson:** Wacha niseme cha mwisho kwanza kwa maana nimesikia wewe umechoka sana na ni Asante sana, mimi ningesema, katika Kenya nzima ili tuwe katika peace, ni lazima tuwe na vyama four parties. isiwe saidi ya hiyo, kwa maana

ikiwa mbili watakuwa wakisema, si unajua mimi ni mkubwa wa chama changu, tupendane tuwe kitu kimoja, lakini wane hawatapendana. Nikiondoka Madam, ni lazima wale watu wa NSSF alipwe awache kuambiwa angoje miaka hamsini, akifa iko faida gani, hiyo pesa ipewe Bwana na Bibi wasomeshe watoto ama wakule kama mimi, sawa tu.

**Com Phoebe:** Asante sana mzee, tafadhali uende uandike jina lako kwa register, na kwa sasa nitaita yule kiongozi wa maendeleo ya wanawake, najua wanaenda mbali na wamengojea sana, aje hapa mbele aongee. Wale wa Maendeleo Ya Wanawake wako wapi? Mnataka kuongea mmoja mmoja, au mmoja ataongea juu ya ninyi wote. ?

**Wanawake:** Mmoja mmoja.

**Com Phoebe:** kwa hivo mnasema kitu kimoja na ninyi ni, ni watu wangapi? Mje hapa mbele tafadhali, mje hapa mbele na mtu mmoja aongee kwa niaba yenu.

**Wanawake: (inaudible)**

**Com Phoebe:** kila mtu aongee yake?.

**Wanawake: (inaudible)**

**Com Phoebe:** Basi mnataka kila mtu aongee yake.

**Wanawake:** No. We were here yesterday we combined our points (inaudible)

**Com Phoebe:** Oh Josephine atasoma maoni yenu wote, ati umekubali, sawa kaa pale kaa pale, hakuna shida, wanawake wachache sana wameongea, tutawpatia nafasi kwa maana, mko wachache sana, muongee, saa ingine mnasema mambo ya muhimu sana sana ya familia na nchi mzima. Sasa tumekupa nafasi mama Josephine ili uongee. Josephine Mutua, sawa, Josephine endeleae na uongee, nyuma yako itakuwa Grace Kimeny?, wapi Grace, amend? Wewe ndiye unaitwa? Joyce Kioko, Okay utaongea nyuma ya Josephine akisha maliza, lakini mmeandika, mlikaa chini mkaandika usisome hiyo karatasi, eleza mambo chache, juu hiyo karatasi tutaweka.

**Josephine mutual:** I will be very short and brief. Kwa Commissioner on behalf of the Maendeleo Ya Wanawake, I am going to represent whatever the resolution.

**Com Phoebe:** Tafadhali tusiongee tusikilize huyu mama akiongea.

**Ms Josephine :** vile wamama wa Maendeleo Ya Wanawake waliona ni muhimu waletu mbele ya kamati wasikilize. Na sasa akina mama tunasikia we are so much pressed, just vile umesikia mwanaume akiongea kama hana position ya wanawake. Mimi I am not very fluent kwa Kiswahili, but I will mix. Ile tulitaka sana ni citizenship tukaulizwa, who should be regarded as automatic citizen of Kenya? Sisi wamama tuliona, ukiwa wewe ni mzaliwa wa Kenya, ukiwa kama wewe umejiandikisha kama Mkenya automatically you are a citizen of Kenya. It can also be acquired by application. Also spouses of Kenyan citizens, regardless of their gender should be entitled to automatic citizenship.

A child born in Kenya by one of the Kenyan parents should be accorded citizenship. The rights of a Kenyan citizenship, obligations are registration card, an ID card, theThe rights of a citizenship obligations depend on the manner in which the citizenship is aquired. The Constitution should not allow dual citizenship for security purposes. Kenyans should have an ID card as an approval of Kenyan citizenship

Political parties, they should join arms to initiate and follow up development activities. The Constituion should regulate formation management and conduct of political parties. Political parties should be limited. To avoid confusion among the Kenyan and uncontrolled and unnecessary defections. Political parties should be self supporting they should not use the public funds. Political parties should respect the State e.g when there are public meetings they should attend.

Structures and system of government. Kenya should retain the Presidential system government. We should retain the unitary system in which all affairs of the state are controlled by the Central Government, because the central system will disunit Kenyans on tribal lines. The Local Authority should be empowered to reach the Community at their grass root level. Electoral system and process, for electoral system we should use the secret ballot, the electro system should be designed in a way that, there are seats preserved for women and the disabled in Parliament and in the civic. Instead of the 25% in five Provinces, we should go by the majority vote. The President should not be a member of Parliament in either of the constituencies in the country because favour will be very definite.

Parliamentary and Civic elections should be conducted in one day, while the Presidential one should be done on its own day, starting with the Presidential, then after 21 days we have the others simultaneously. President tenure of office should not be limited because we might have a good President who works with his people comfortably, and you find that because of that limitation atafukuzwa kwa office, watu hawatafurahia. There must be some limitations of utilization of funds by candidates. There should be a financial commission within the commissioner to control the funds. Election date should be specified in the Constituion so that people should be aware of what is happening in our Country. Within the Local Authorities, the mayor should remain in the leadership for five years and be elected by the people, because if that is not going to happen, he will not be able to complete the projects he had initiated. Senior officers should be under the civic leaders in the law.

Basic rights, our Constitutions provision for fundamental rights are not adequate. One, there is scarcity of clean drinking water, , there is no electricity, health facilities, like right now the maternity fee is very high such that women are not able to pay for, so whenever one becomes pregnant you start worrying because you don't know whether you will be able to go to the maternity.

Also, cost sharing has become so expensive such that children are dying, women are dying, they are covering long distances going to the health facilities.



Free education for our children from nursery to form four level. Food is not adequate, that is agriculture sector must be boosted. Employment for all Kenyans especially so women and the young girls.

The Constitution should not allow death penalty, but should be substituted by life imprisonment.

The government should have the responsibility of ensuring that Kenyans enjoy the basic rights. Kenyans should have freedom of worship.

The rights of vulnerable groups, the rights of women are not fully addressed in the Kenyan Constitution today. Women legally married should have the right to ownership of the family property. There must be a joined title deed bearing the names of the both the husband and wife. If a man have one more than one wife and he dies, he should be buried at the first wifes homestead as the Kamba culture. Incase there is a will let it be an open documents to the parties concerned. If a man cohabits with a girl for a period of one year, automatically she should be his wife. And the children born out of that cohabiting must have the right to ownership, and the man must take care of that child. They must inherit what he has. The dowry should remain in respect to the culture only that it should be to some limitation because some people are exaggerating the figures and wife beating should be abolished and illegal.

*(end of Tape 4)*

Child should remain in respect of the culture only that it should be to some limitation because if some people exaggerating the figures and .....while meeting should be abolished and illegal.

**Disabilities:** building should have facilities for disabled people. Disabled people should be given equal opportunities in all the sectors of employment and education. They should be given opportunities to vie for parliamentary and civic seats and nomination too.

Any man impregnating a disabled girl or woman should take care of the both the baby and the mother. The baby must have the right of ownership.

**Children's right:** both parents should have the right to care for their children's basic needs equal e.g. Education, Food, shelter etc

Parents should take care of the children or otherwise be prosecuted. Now the last one which is not written is on rape, it is on the increase, it must be a law and the rapist must be given very steep penalty on the same because it as turned to be a joke now.

How steep? Life?

Almost because when one is raped one feels so stigmatised such that it is almost killing so can you talk about death penalty.

(Inaudible)

We can go for life imprisonment (not clear) laughter..... thank you very much. In some areas we have been told habitual rapists watoe hiyo mahali inatupuwa that's what we have been told in some areas.

Any questions?

**Commissioner Hon. Siyo:** Ok thank you very much, please nenda uweka hiyo karatasi pale. It is a very important document and sign the register. Please give us your name because you came together.

**Commissioner Hon. Siyo:** And where is Josephine mutua? Ni huyo? A, eemda?

**Joyce:** Ametoka

**Commissioner Hon. Siyo:** And you are Joyce Mutua?

**Joyce:** Muthuwe Kioki

Bwana mwenye kiti, utaniruhusu nizungumuze kwa Kikamba kwa sababu kuna wakina mama pale wanasema niongee kwa kikamba wasikie na wazee wako nyuma.

**Commissioner:** Nani atatafsiri

Hebu tupate mtu wa, wewe mama unatoka kuongea, kuja usaidie huyu mama kutafsiri kutoka kwa Kikamba ili na sisi tufahamu kwa kizungu au Kiswahili

Nitaongea juu ya basic rights ya watoto wetu wa wanaume

**Translator :** She wants to talk about the male children

**Kikamba**

**Translator:** After attaining the age of 18 they go out to look for employment.

**Kikamba**

**Translator :** And sometimes they are arrested

**Kikamba**

**Translator :** They are taken to the Police station

**Kikamba**

**Translator :** Then they are told they have bhang in their pockets

**Kikamba**

**Translator:** And that bhang can sometime make that child to be beaten and get a disease that he didn't have before

**Kikamba**

**Translator:** So as Kenyan women we are requesting if instead of these children being taken to the police station straight to be taken to the Chiefs or the sub chief.

**Kikamba**

**Translator:** Female children

**Kikamba**

**Translator:** When these children get to std 8 even in lower classes, male teachers start tempering with them

**Kikamba:**

**Translator:** Then they start knowing about men when they are still small.

**Kikamba:**

**Translator:** When they get pregnant while in school they leave school because of a certain teacher

**Kikamba:**

**Translator:** they want it as a law for the protection of such children

**Kikamba:**

**Translator:** Married women

**Kikamba:**

**Translator:** You can be married as a first wife, second or third.

**Kikamba:**

**Translator:** When you get there the man leaves the family

**Kikamba:**

**Translator:** When the man dies the first wife gets into problems because she found the husband without anything.

**Kikamba:**

**Translator:** When the husband marries a second wife and has other ndogo ndogos' as a first wife you still feel very much irritated when you are told that whatever is there is going to be shared amongst the new comers

**Kikamba:**

**Translator:** She is asking what can they do towards that if.....

**Commissioner:** You tell us what you think we should do

**Kikamba:**

**Translator:** The first wife must own everything alongside with the husband.

**Kikamba:**

**Translator:** She is suggesting that we have a province in Machakos

**Kikamba:**

**Translator:** She is talking about the scarcity of water because there is an outlet pipe line which passes by, if they do not enjoy the fruits of it. So she is requesting if they could have dams

**Kikamba:**

**Translator:** She is saying she is citing an example of Machakos town where they have elected somebody who does not come back home, and she is requesting if they can sack that member of parliament who does not come back home

**Kikamba:**

**Translator:** She is suggesting that the member of parliament must be sacked if he doesn't initiate development programmes in

the constituency.

**Kikamba:**

**Translator:** When the relief food is being distributed women get a lot of problems

**Kikamba:**

**Translator:** They are told by the Assistant Chief to come tomorrow there is relief food.

**Kikamba:**

**Translator:** They come without tendering their flock and come to stay where the relief food is, and wait for it.

**Kikamba:**

**Translator:** Then the food start being distributed as from 4.00 pm.

**Kikamba:**

**Translator:** And then after that they are given very little while they have worked for it and it, is not enough and it is late.

**Kikamba:**

**Translator:** She is saying that when they get home sometimes the husbands beat them because of the lateness they don't enjoy the food. So there is no need of giving them the food when it is distributed at 4 and their children too.

**Commissioner:** Are you about to finish I can see people running away.

**Kikamba:**

**Translator:** she is saying that women are asked to give kitu kidogo and women don't have anything to give kitu kidogo.

**Kikamba:**

**Translator:** No more wife beating otherwise if beaten by the husband should be prosecuted.

**Commissioner Hon. Asiyu:** Tumeshukuru sana mama kwa mambo yale umetueleza na kama kuna maswali yoyote macommissioner watakuuliza halafu uende uweke sahihi pale.

Hakuna maswali tumeshukuru sana kwa maoni yako and wale ambao mmekuja na wao natumaini yale umeongea juu ya maji ya kilimanjaro hakuna mwanaume ameongea hayo tangu asubuhi na hata habari ya province ya Machakos hakuna mwanaume ameongea na vile niliwambia wanawake wana hekima nanyinyi mnataka wasiongea. Leo wanataka tuwaletee province karibu, na pia tuwaletee maji. Kwa hivyo muhimize sana mambo ya wanawake kukaa pamoja na wanaume wakiongea mambo ya kujenga nchi hii yetu tukufu. Sasa tuko na mama Teresia kilundu. Utaongea kwa Kiswahili au

**Teresia:** Asante sana, nitaongea Kikamba sababu Kiswahile ni ngumu kwangu

**Comm. Asiyu:** Lakini uongea vizuri.....

**Teresia:** Ninajua kidogo kidogo tu, sio mingi, in ya kuomba maji tupekee yake.

**Comm. Asiyu:** Endelea umesema vizuri.

**Teresia Kirundu:** Asante sana (**kikamba**)

**Interjection:**

**Kikamba:**

**Translator:** she says that she is very much concerned with the male children because they are involved in taking liquor while in school and there are a lot of problems with children because of the liquor so she doesn't know where the law has gone to that

protects the children from taking the liquor.

**Kikamba:**

**Translator:** That liquor might have the bhang and change the children and change their mind and make them drop out of school.

**Commissioner:** Sasa toa pendekezo

**Translator:** She is suggesting that the government should abolish traditional beers which are coming up and leave the drinks only because they can not afford the beers.

**Kikamba:**

**Translator:** a child cannot afford buying miraa and bhang because they are in school

**Kikamba:**

**Translator:** She says that she is suggesting the government should take measures to abolish miraa and liquor taking and .....

**Kikamba:**

**Translator:** Female children

**Kikamba:**

**Translator:** She is saying that the girls do not know whether the bodies they have are sacred. They should not temper with the bodies. Incase she befriends a young man, she should tell the parents because she does not know that she has a important body. The friendship must be known at home by the parents.

**Kikamba:**

**Translator:** Incase she gets pregnant both parents will be involved in bringing up the child.

**Kikamba:**

**Translator:** The government should support the parents so that even if an issue comes up they will know what to do so as to bring up their children.

**Kikamba:**

**Translator:** Because that is why they were not just getting pregnant any- how, because they knew one another.

**Kikamba:**

**Translator:** Problems of widows:

**Kikamba:**

**Translator:** Widows

**Kikamba:**

**Translator:** When you are a widow and you do not have a title deed, once your daughter or son is arrested, you just remain poor because you have no money to pay the fine, and have nothing to go and rescue your son with. So you remain poor.

**Kikamba:**

**Translator:** So the Constitution should take care of the poor, mostly the widows, so that they will be put somewhere.

**Kikamba:**

**Translator:** She hears that there are other groups who are left without parents. They are left with old parents like herself, and

she hears that there is some assistance (aid) from the government, which does not reach that poor family at the grass-root. Can the government take care of that one?

**Kikamba:**

**Translator:** She is finishing by saying that the Government must make sure that alcohol is abolished and especially kumi kumi and the traditional beer.

**Comm. Asiyu:** Tumeshukuru sana mama kwa maoni yako juu ya pombe and mambo mengine ambayo yanaharibu vijana, na tungependa uweke sahihi pale kwa maana umeongea na sisi. Itakuwa vizuri tukiwa na jina lako katika register yetu. Asante sana. Sasa tunataka Johnson Nzioka, kama Johnson ameende, tunataka James Kialu, Benson Muhya, Alsent Muisye, Martin Muli karibu Martin.

**Martin Muli:** Asante, kwa majina naitwa Martin Muli, na haya ndiyo maoni yangu kuhusu kubadilishwa kwa Katiba.

- Mwanzo ningeomba sana watumishi wa uma wasitengwe na siasa za inchi.
- Uchanguzi wa raisi na wabunge na macouncillors uende pamoja.
- Tatu viama vyote viwe financed sawa sawa na Central Government.
- Appointments zifanywe na parliament sana sana za parastatals leadership.
- Provincial Administration na security force wasiwe biased kupendelea serekali iliyoko mamlakani.
- Katiba ikubali serekali ya muungano Vyama vya kisiasa vipunguzwe kufikia vitatu au mwisho vinne kulingana na uiano wa manifesto na policy zao.
- The length of Parliament ikiwezekana iwe miaka minne lakini sio mitano.
- Rights za watoto kama ni kijana ama msichana wawe na urithi sawa haswa kama msichana hajaolewa awe na sehemu ya urithi katika nyumba ya baba yake.
- Katiba itie nguvu mpango wa uzazi maana utapunguza umaskini na gharama sisizo za maana.
- Ma-Judge wanawake waache kupendelea sana kesi za ubagaji ama rape maana unakuta ya kwamba mara nyingi mwanaume ambaye ame-rape haikuwa kupenda kwake;
- Mwanamke amecontribute towards the rape itself kwa njia moja ama nyingine, sana sana kwa njia ya mavazi kama mwanamke amecontribute towards yeye 'kurapiwa' afungwe kulingana na ile hali aliyokuwa sawa sawa na mwanamume. Hali ya kimaisha hasa ya wanawake katika mavazi iangaliwe kwa sababu ina-elekeza wanaume katika kuwabaka. Ikiwezekana, mwanamke anaye-vaa nguo kwa njia ambayo si ya kistaarabu, ambaye anaencourage social immorality, ashikwe na awekwe seli kwa sababu we men or all men are reactive, we are reactive both positive and negative na kwa hivyo kama unanifanya niwe- reactive, you are also part of the reactivity na kwahivyo na wewe pia uwekwe katika clause ya sheria ambayo inawashika wabakaji.

Dini na siasa haziwezi kutenganishwa, maana dini inaendeleza siasa nzuri. Dini zilizo njema zinaadvocate for peace na mandeleo. Kwahivo hii hali ya wanasiasa kusimama katika sehemu zao za kuitisha kura, ama kuongea wakisema viongozi wa makanisa au wa dini watoke katika siasa haiwezekani na iziwezekane kamwe.

Maana dini ni sehemu ya serekali na serekali ni sehemu ya dini.

Hii hali ya review iendelee isikomee mwaka ujao Electoral Commission ya Kenya, registration of voters' cards, iendelea. Civic Education iwe financed by the government na iendelee.

Constitution ifundishwe katika mashule na katika society ndipo watu wajue ni sheria gani inawaongoza washtakiwe nayo. Kama mtu hajui ile sheria inaongoza inchi katika ya Kenya, asisitakiwe, maana serekali imefail kumuelimisha.

Retrenchment exercise isimamishwe kama gharama imekuwa juu, serekali iachie kifo, retirement ama termination zipunguze wafanyi kazi, la si hivyo, kuwe na departmental transfer kutoka ministry kwenda nyingine badala ya watu kusimamishwa kazi.

Napenda freedom of worship maana mini ni mkristo na nimeokoka. Katika freedom of worship there is competition; and where there is competition, there is perfection. Utapata kilicho chema zaidi katika ile hali ya kuangalia na kusoma. Kile kibaya utaona matokeo yake na kile kizuri utaona matokeo yake pia kwa hivyo watu waachwe waabudu Mungu. Kama wewe unaabudu Shetani, umefuga majini, sawa tu Tatakuangalia tu mwisho wako utaliwa na majini. Kama wewe unaabudu Mungu aliye hai tutaona matokeo ya Mungu aliye hai. Kwa hivyo mtu aache kuzuiwa katika hali ya kuabudu. Kwa sababu ile sadaka inatolewa inafanya kazi inanunua vitu na vitu vinakuwa taxed.

Ndoa ya Mke kwa Mke au Mume kwa Mume itakataliwe katika Katiba, haikubaliki. Nimeikataa mimi binafsi na kwaniaba ya wa Kenya.

Serekali ikubali dini zenye imani zinazounga mkono amani na wema katika watu. Serekali ifinance zile policy inazo-advocate. Parliament ikiamend kitu iwe final, maana siamini watu mia mbili wakae mahali wapitishe kitu, na mtu mmoja aende akatae. Hiyo si haki ya kimwanchi.

Nomination ya leaders ikome, leaders wawe elected.

Bullying of suspects in prison ichunguzwe na kusimamishwa kabisa maana you cannot consider somebody guilty unless proven so.

Kifungo cha nyumbani kwa makosa madogo madogo kidumishwe. Katika kesi za polygamy, watoto ndio wanapasa kurithi mali sio wamama ambao wameolewa. Kimila ya wakamba vile tunakaa, kama mtu alikuwa na wake watatu anagawanya kwao kulingana na watoto. Kama na wa kwanza alikuwa na watoto kumi, wa pili alikuwa na wawili na watatu hakuzaa, wa tatu hatapata kitu maana yule angekuwa na right ni mtoto si mama mwenye kuzaa kwa hivyo watoto wapewe rights zao na wamama watengwe. Nikiongezea, mzazi mwenyewe asiachwe bila chochote aache sehemu ambayo itakuwa neutral ndiposa watoto nao wamlee, na kama itafikia kesi ambapo kuna moja amemfanyia mema zaidi, anaweza kumbariki.

### **Interjection:**

Please nitaharakisha ninaomba ruhusa.

Government nayo iaccount for loans ambazo inapata kutoka nje. Wale wanamisappropriate wawe prosecuted.

Sacking iwe justified by court especially wale wameajiriwa maana Cotu na waakilishi wa wafanyi-kazi wengine wamekuwa corruptible. Gharama ya court ya kuendesha kesi ipunguzwe maana watu wengine hatuwezi kufikia. Loans na donors ziwe injected direct to the intended project. Sheria ya mbari, dini ama nchi ifafanuliwe tujue ni wapi dini itaingia, ni wapi mbari inangia na ni wapi serekali inaingia. Maana zingine zinafanya mwananchi.

Dini ambazo hazi- advocate maendeleo na amani, that is violent religion, ziwe nullified. Nyingine, serekali ifikishw kotini kwa kukosa kufikia policies zake..

There should be free education, health and security.

NGOs' should account to the government on their expenditure.

Mambo ya watu kuuawa katika hospitali on medical grounds ningependa yachunguzwe. Ninaipenda maana kuna kesi za AIDS unakuta mtu aliye HIV positive ametumia mali yake yote na yuko na watoto. Ningeomba sana in such a case, wenye mtu wawe informed na ipitichwe kama mtu amefikia hali hawezi kutibiwa aachiliwe afe vile vile abortion inaweza kufanywa on medical grounds maana unawezepata mke amezidiwa hajiwezi, ni labda mtoto abaki hai mama afe, ama mtoto atolewe mama baki hai. Kwa hivyo, abortion on medical grounds ikubalike.

Nyingine ni will ambayo ni njia moja ya injustice, maana kama ingekuwa nzuri ingetangazwa hadharani. Kwa hivyo kama will itakubalika katika sheria hii mpya tunaunda, kwanza mtu mwenye kuandika will afahamishe wazee wa nyumbani na watu kadha. Kama si hivyo will isiwe- honoured.

Tender za serekali za kila sehemu ziwe wazi. Mwisho kabisa, kumekuwa na commission ikiappointiwa baada ya nyingine kutoka uhuru. Kuna kama kumi zimeappointiwa, zimetoa maoni na hakuna moja tumesikia ikitangazwa ama ikifanyishwa kazi. Tunataka commission ikiappointiwa kuchunguza jambo fulani itangazwe hadharani na mapendekezo yake yawekwe. Kama si hivyo, wenyekuiappoint watalipia gharama yote itakayopatikana bila maswali. Asante sana.

**Com.Asiyo:** Asante sana Bw. Martin, tafadhali unaweza kufika pale uweke sahihi na pia utuwachie hiyo karatasi ambayo uliandika hayo maoni yako. Sasa tuko na Agnes Wathome. Agnes Wathome yuko wapi? Haya Agnes tueleze jina lako na uanze kutueleza maoni yako.

**Agnes Wathome:** Jina langu naitwa Agnes Wathome. Taabu zangu sikusikia mtu akizisema. Niko hapa kuzisema. Kwanza, wazazi tunachokeshwa na vijana wetu kwa sababu yule msichana wangu, kijana atajifanya anamtongoza awe bibi yake. Anazaa naye watoto ngapi nami naletewa mama mzazi. Na huyo kijana anamtoa yule msichana wangu shuleni na yeye anendelea kusoma.

**Commissioner Asiyu:** Sasa ungependa tufanye namna gani?

**Agnes:** Ninataka yule kijana akimtungua ule mtoto wangu mimba azae, alee mtoto hata akiwa hamuoi lakini alee mtoto mpaka asomeshe. Kwa sababu wazazi wa wasichana ndio tunachoka. Ninaweza kufukuzwa hata na bwana wangu shauri ya huyo msichana akaniambia mimi ndio nafunza yeye.

**Commissioner Asiyu:** Jambo lingine



**Agnes:** Hata jambo lingine, sisi wajane hatuna udizaidizi kwa seikali. Tungependa serekali ingie kwa ile mama 'ndiwa' sababu yeye ana watoto na wale watoto wa 'ndiwa', kama bwana alifariki na hana chochote ndio watakuwa wezi.

**Commissioner Aisyo:** Serekali ifanye naamna gani?

**Agnes:** Implipie shuleni kama zamani. Kulikuwa na bursary ya yule mtoto hana baba yake akosoma. Lakini siku hizi hakuna. Kwanza waalimu munapanga sisi ni kama banki yao. Serekali ichunguze hiyo kwa sababu mtoto wangu akitumwa kesho mia moja kesho kutwa anatumwa mia moja, na sijui ni ya nini, na tunabiwa elimu ni ya bure.

Kwa hivyo wale watoto munaona wengine wanakuwa kule Machakos na Nairobi niwa wale wanawake wengi bwana wao walifariki, sababu hawana nguvu. Zamani kulikuwa bursary ya yule mtoto hana baba, na siku hizi hakuna.

**Commissioner Asiy:** Kwa hivyo unasema kuwe na bursary kwa wale watoto wasio na baba zao, na hiyo tumeandika chini mama. Kitu ingine?

**Agnes:** Kitu ingine, wazazi wanaweza kuwa na wavulana nne na wasichana nne. Wasichana wakose kuolewa na wakae nyumbani. Yule mvulana anaanza Kumfukuza msichana aondoke. Sasa anamfukuza aende wapi? Vile nilivyombebe mvulana miezi tisa ndivyo nilivyombeba msichana. Kama hakuolewa, apate shamba pale nyumbani, asihangaishwe baada ya sisi kufariki na baba yake.

**Commissioner Asiy:** Vizuri mama, ingine tena, ama mwisho? Tumeshukuru sana tafadhali usiende bila kuandika jina lako pale kwa register ili tujue kwamba uliongea. Kuna huyu mzee Mutula Msyoki endelea kuongea tutaandika maoni yako. Mtu atatafsiri kwa mzee. Tafadhali mtu asaindie mzee.

**Kikamba**

**Translator:** He was left with the kids by his daughters and they all went to Nairobi and he was left without money

**Kikamba:**

**Translator:** He has no money

**Kikamba**

**Translator:** This kids should not be chased by the teachers

**Kikamba:**

**Translator:** He has no job

**Kikamba:**

**Translator:** He suggests that a committee should be formed to assist those kind of destitute kids

**Kikamba:**

**Translator:** He is saying all kids should be equal in the Constitution all kids should be equal, boys and girls should have an equal inheritance of the land.

**Kikamba:**

**Translator:** He does not want a situation where by the boys will

**Translator:** Refuse him giving land to his daughters.

**Kikamba**

**Translator:** Because all of them are his kids

**Kikamba:**

**Translator:** He does not want his decision of giving land to his kids being influenced by the clan

**Kikamba:**

**Translator:** Because they take he is old

**Kikamba:**

**Translator:** That's enough for him.

**Commissioner Asiyo:** Thank you ingekuwa wewe umemsaidia mzee kutafsiri ungemsaidia mzee kuandika will yake vile ameongea ndio watu wa clan wasije wakainterfere na land yake vile amesema. Hiyo itakuwa ni jambo ya muhimu kabisa. Sasa tunamuita Jackson Masewe? Joyce Kioko? Samwel Musau? Francis Ndeto?

**Francis Ndeto:** Yangu ni machache. Kwa vile saa zinakwenda sana nitaanzia ..... Jina langu, Francis Ndeto. Ya kwanza, nasema kesi katika koti za Kenya zinakaa pale miaka mingi. Kwa hivyo, mtu akipeleka kesi koti inachukua hata miaka kumi ama ishirini. Pendezo ni kwamba kuwe na timu ya kungalia hii makesi ikipelekwa hiwe kama miaka mitano. kabla sijatoka hapo, kuna mawakili, ukiweka wakili na wewe mwingine wakili, hawa mawakili inakuwa ni kama kazi. Ingefaa tupatiwe wakili wengine wa serikari awe akikaa na hawa ama wazee wengine. Ya pili mutumishi yoyote wa serekali, sioni vizuri awe na biashara ingine; kuweka duka, kuweka kliniki. Kwa sababu akiwa kazini, akiweka hii kitu ingine, kazi ile anafanya hitakuwa mzuri. Mimi nastajaabu nikienda hospitali, naambiwa enda ukanunuwe dawa mahali fulani. Kwa nini serekali haileta hiyo dawa ninaambiwa nikanunuwe pale?

Kenya kama mwaka huu mvua imenyeshwa napendekeza tupewe tanga tanga moja kila ili iweke mchanga hapa. Mtapata maji mengi hamtakuwa mkinunua chakula, na hamtakuwa mkiandika watu. Kwa sababu hiyo dam ikijaa maji, hata tunaweza kuweka samaki. Watu wengine wanaenda kutega samaki wakiuza, na wengine wakilima mboga, na hii dunia yote inaweza kuwa inatoshelzwa chakula na hiyo maji.

Ya mwisho Kenya kuna ugonjwa uliandikwa na Mungu katika kitabu. Huu ugonjwa unaitwa Ukimwi. Mwanume, baada ya mwezi mmoja ama mb bibi yake anakufa. Nigependelea hawa watu wapimwe Kenya yote, hata mimi nitangulie kupimwa. Watu wakija Kenya kutoka Tanzania, kutoka America kutoka kila mahali, Serikali ipime huyu mtu anaingia hapa. Tukipatikana na ugonjwa mwanamume awekwe mahali fulani, bibi awakwe mahali pake.

Pajengwe mahali fulani ili watu wajue huyu mtu ni mgonjwa, maana wasipojua wazi wanazidi kufa kiholela. Katiba yetu iandike, tujue watu kwa sababu mtu mmoja akiwa mgonjwa, anataka kuwaambukiza wengine. Hatuwezi kmwekea alama aonekane hapana nipimwe nijulikane ni ugonjwa, nisiachwe nikae na watu wengine

**Commissioner Asiyo:** Tumeshukuru sana juu ya maoni yako na zaidi sana juu ya AIDS, na tumesikia mapendekezo yako.

Sasa kama unaweza kuweka sahihi katika register yetu, na hiyo karatasi uliyo-andika utuachie, nitashukuru sana. Bw. Fredrick Kyalo,

**Interjection:**

Bw. Muli Wang'unga? Bwana Fredrick Kyalo, njoo uongee na ufanye upesi ili wengine waongee.

**Fredrick Mwanzia Kyalo:** Mimi I am Fredrick Mwanzia Kyalo from Machakos, from Mumbuni location. My views are that since the first Constitution that was done in 1963, we have the structure or the table is the Republic of Kenya since it was not done by the people of Kenya, I want it to be the people of Kenya who have written it.

The president should be elected by the people. He/She should not be a member of parliament.

He should be 55 and above years so as to have a good wisdom to run the country. He should be a Kenyan citizen. When there is by- election, he should not contest because he is the father of the Nation.

He should not show any favourism in the parties while in by- election .

The Judiciary should be independent. The judges should be given tenure of their work. They should not be interfered with. The judges should be appointed by the parliament itself not by the president. There should be a probation period . They should have worked at the court for about 5 years to be elected as judge in the Judiciary.

The Attorney General should bein the parliament and he should not be appointed by the President but by the house.

Also Chief Justice should be appointed by the Parliament and not the President.

The Auditor General should be appointed by the Parliament and he should not be dismissed by the President.

The Mayor should be elected by the people.

Chairmen of local councils and other authorities. He should serve at work for 5 years, not 2. Local Authorities should be under the Local Government.

The Chief should not be appointed but employed by the government authorities but with certain education such a form four leaver or its equivalent. The same applies for the Sub-Chiefs.

Natural resources; every location should have a forest which is managed by the Government and atleast two dams which are managed by the Government. We should have dams in every location for irrigation and one for domestic use. We should have KACA, and every person in the Government should be employed on merit seas to prevent corruption.

Grace yuko wapi?

**Interjection:**

**Grace**

**Transilator:** She is Grace Mwate Muli

**Grace:**

**Transilator:** She says that education is very important and she tried to study when she was an adult.

**Grace:**

**Transilator:** She is proposing that the aged people like her should be taken care of by the government.

**Grace:**

**Transilator:** She is also saying there are children who have a lot of problems with education because they cannot go to school

**Grace:**

**Transilator:** she is proposing that the government should be able to educate children

**Grace:**

**Transilator:** she is saying that the government should be able to support her and right now she needs fare to be able to get home

**Commissioner Asiyu:** mama tumesikia mambo yako, na fika pale uandike jina lako. Mtu anaitwa Muli wa Ngunga. Hayuko. Agnes alikuwa ameongea. Kuna Rashidi? Hayuko. Alex Ndeti? Mary Muteti? chief Makau?

Na Peter Nzioki atakuwa wa mwisho

**Chief Makau:** My name is Joseph Makau, Senior chief Kola location. Briefly I will say that Provincial Administration should be strengthened, and Chiefs Authority Act should be reviewed again. There is a section that was removed which was very important.....

Then on education, about bursaries and accountants to be employed in primary schools and audit be done in government school. We could make man-made seas and irrigate our land because our land is fertile, and this water be piped to various homes. This one will help in poverty eradication.

On inheritance we have widows and orphans who should be protected. They should be given lawyers special when they have problems with letters of registration.

Not everybody in Kenya should be Farmer.

Farms should be given to individual farmers, skilled who can provide food for the country.

ID cards: in Ukambani we have concubines, women who marry other women. We have problems with them getting ID cards, that section should be included. The concubines, should get ID cards.

Widows' registration and change of particulars should also be looked into.

**Commissioner:** Tumeshukuru sana, andikisha jina lako pale Peter Nzioki. Sema vifupi vile chief amesema

**Peter Nzioki:** My name is Peter Nzioki, as you have mentioned commissioners. I would like to just put a few comments.

- The Commission should be made to continue its process all the years round because manipulation could be done after you have written and gone to other points
- There is too much reporting within the Government I would like Provinces and Districts to be eliminated to be replaced with divisions authority.
- I would like also to eliminate Country Councils and replace them with divisional authorities which will be manned by the

MPs and the Concillors and they should all report to the Central Government.

- I will also like to talk about the education, the education in this country is too tedious. Time should be reduced at different levels primary, secondary, university level. The university students also must be given facilities to work when they are learning and they should be paid to facilitate their expenses.
- I would also like to say unemployment is too much in this country, and those people who leave school without jobs should get some small support from the government.
- Also disease has become a problem. People have mentioned about HIV negative and positive. Those people with HIV should be isolated and must have rehabilitation centers where- by they would get support from the government only.
- Lastly the foreigners can own business in this country but their employees should be got from local people except from small part where there is expertise needed.

Thank you very much

**Commissioner Asiyo:** Thank you very much Bwana Peter. John Mutethia alikuwa amenda.

**John Mutethia:** Am John Muteti. What I propose the abolition of province offices such that we only have districts resources all resources to government finances and all other resources should be taken closer to people, that is in the division. That is where the focus should be, at the divisional level. Then the district will be administrative and regulation.

The other thing is that NGOs it should be regulated by the divisions and the relevant departments if it is an agricultural NGO should be controlled and regulated by the a divisions and the people and the community should know what they are doing so that they don't get funding from other donors and don't help the people.

On land, am proposing the maximum people should have is 50 hectares only. So any other land exceeding that, people should sell to others because we have landless people when we have idle land.

Then agriculture should be strengthened and boosted. Irrigation should be the key, it should be stated in the Constitution. That dams and bore- holes should be dug so that we solve the problem of food security in our area.

Election: Presidential election should be separated from the civic and parliamentary ones. The president should be a graduate, that should be the minimum. The same applies to to the MP, but with the civic they should be somebody who knows something, not a form four leaver. At least a diploma or its equivalent. I also propose that appointment of key offices like the Chief Justice, Auditor General, PS, Police Commissioner, MDs of government parastatls and DCs should be vetted by the parliament.

Registration documents like passport should be decentralized to reach the people, not being in Nairobi for that is where the biggest problem. I would also propose for an office of omubudsman where people can take their grievances. On Local Authority the Mayor and chairman of Council should be elected by people. Local Authority to be given a lot of power- autonomy. And I think there is something I wanted to mention on salaries. We have an amorphones salary regulation body. I would propose we should only have one commission that looks into all government pay, may it be in the Judiciary, Civil Service, teachers parliament,..... we should have only one body because they all people get money from the government.

And by so doing, I think that is what I have.

**Commissioner Asiyu:** Thank you very much James Kyalo

**James Kyalo:** I honour the commissioner, my name is James Kyalo, chairman of Nzaeni Care Multipurpose Society. Nasema President awe elected na wanainchi wa Kenya na asitoke kwa any constitutency, awe independent, asipendeleo mahali popote, aserve Kenyan citizens.

Nataka kuwe land disputes, nataka pawe na Land Commission ya kuangalia makesi ya mashamba. Nataka kuwe na Land Policy ili mashamba isimamiwe na itoe mapato kutoka kwa shamba letu. Nataka kuwe na Food Policy ili mashamba yale tunayo tuwe na chakula ya kutosha ya watu wa Kenya wawe hakuna njaa. Kila shamba liwe linatoa mapato, hakuna idler. Nataka kuwe na Cooperative Societies, na members ambao ni wanainchi wa Kenya wapate mapato kutoka kwa Cooperative Society ambayo serekali inangalia inasimamiwe vizuri ili ilete mapato kutoka kwa society ya kusaindia wanainchi. Lazima pawe na proper management of public societies. Na iyo ndio maoani yangu.

**Commissioner Asiyu:** Asante sana Bwana James Kyalo, tafadhali andika jina lako kwenye register yetu ili maaoni yako yasije yakapotee.

Sasa ni saa kumi na moja inakaribia tulianza saa mbili. Kuna watu wamekuja saa hii kuna Musau Munuku, Ndonga Katumu na Julius Mwindu wanataka waongee, na kuna watu wanaenda mbali watafika usiki. Kama mgekuja mapema asubuhi mgeongea. Sasa mmechelewa hebu mkuje hapa na kila mtu aseme mambo yake lakini kama kuna mambo imesemekana hapo mbele hakuna haja ya kurudia. Wewe unaitwa Julius umeandika maoni yako hakuna haja ya kuongea sema moja au mbili lakini utupatie hiyo kartasi.

Your name is not there you did register

why don't you give him time .....

**George Mutua Kiilu:** Jina langu ni George Kiilu

**Interjection:**

Maoni yangu ni pendekezo la kuondolewa utawala wa mikoa. Mengi yamesemwa lakini nitaguzia kidogo. Kwa kweli ni lazima raisi awe na mwakilishi wake, na ningependekeza awe PC mahali pa DC, DC, DO, Chief na Asst. Chief tukuwe na watu ambao tumechagua. Tuwe na watu kama maconcillors, the mayor and the MP. Bila ya hawa watawala, utakuta wao huenda kinyume.

Ningependa hawa waondolewe pamoja na kikosi cha utawala cha Administration Police vile utakuta kazi ya Administration Police ni kuangalia utajiri wa hawa watu. Ningependa hicho kikosi kifunjwe kiingizwe kwa Regular Police, under Police Commissioner. Habari ya ardhi nasema kuundwe Truth Commission ndio wale wamenyakua ardhi wanyang'anywe wapewe wale hawana. Ni hayo tu.

**Commissioner Asiyu:** Tumesikia tumeshukuru Bwana Julius

**Julius:** My names are Julius Mwenje Mwindo. In Kenya we should have what we call majority vote if you don't get above 50% kwa Councilors, MPS.

Workers, if a company is under receivership, if it recovers whatever it was recovering, the workers should get their benefits

later.

Sometimes you find they lose their benefits. The President should resign if the economy of a country drops to a certain point and by expert (I am not an expert) if the drop is caused by bad governance.

Four, development should not skip an area be done in another adjacent area, otherwise I am suggesting something like water if it is passing here, it should supply the areas it is crossing. The same for electricity otherwise thank you so much.

**Commissioner Asiyu:** Thank you so much Bwana Julius, tafadhali yaweke maoni yako pale and uweke sahihi kwa hiyo register yetu. Sasa ningependa kuwashuru wale watu wote

Jina lako ni nani Ndunge Gatimo haliko hapa and if you have them I must have called you and you didn't respond. You say you were 37. We called you many times but you did not respond. Your name is not here hebu Ndunga Gatimo

**Ndunga Gatimo:** First of all we should have code of leadership (code of conduct) because we don't have any.

Second I propose that when each political party nominates candidates for Presidency should also nominate a vice president. The sitting president should not hinder the other parties from selling ideas to Kenyan citizens.

Third and the last, there should be fair distribution of resources by the parliament but not by the will of the president thank you very much.

**Commissioner Asiyu:** thank you bwana Gatimo Bwana Musau anatoroka na aliweka jina lake hapa .....

*(end of tape 5)*

**Mr. Musau:** To start with, it will be better to get rid of the "misako" ya police.

**Com. Asiyu:** To get rid of?

**Mr. Musau:** "Msako" ya police, kwa sababu inashika watu wasio na hatia wengi badala ya kufuata criminals.

Secondly, commissions of inquiries and the presidential directives should be stopped. If there is any necessary one, it should be through the Parliament.

Councillors – yaani kufuta councillors na MPs: kunahitaji kuwe na clauses within the Electoral Commission ambayo ndio inaandika ma-councillors na ma-MPs. Vile watu wanaweza kulalamika kama wanashida, kwa sababu hatuna njia nyingine ya kulalamikia MP.

Tukiangalia vile ma-MPs wetu walijipatia pesa, na wakasahau wenzao ambao wako katika Local Authorities, inasitahili kuwe na Commission moja ambayo itahusika na mishahara ya ma-MPs na their counterparts – the Councillors.

Na pia, kulingana na vile wamejipatia pesa na hawana taabu nyingi, kuna watu ambao wanakufa huku kwa sababu ya taabu,

kunastahili kuwe na scheme ya pension – pesa kidogo ya kusaidia wazee ambao wako juu ya miaka sitini. Hii pesa, kuwe na kiwango fulani ambacho kitatolewa kwenye pesa za wafanyi kazi wa viwango vyote, kama ni ku-contribute, na kingine, Parastals i-contribute.

Na hii amount ya pension ambayo MPs walijipatia, iondolewe by 50% ipelekwe katika hiyo scheme.

Nyingine ni shida nyingi ambayo imetokea kwa sababu wa unywaji pombe na utumiaji mbaya wa dawa za kulevya. Ili tuepuke vifo vya beer za kumi kumi ambazo zinatengenezwa vibaya, turudishe zile beer laws ambazo zilikuwako mbeleni, kwa sababu watoto hawataingia kwa vilabu kama hawaingii kwa bar. Lakini, kupigwa marufuku pia kumewanyima watu wengi katika Kenya socializing grounds.

Halafu, places zitaachiwa matajiri kwa sababu ndio wata-afford hizi beers. Kwa hivyo, kurudishwe zile club zilikuwa zilizokuwa kwa market, ili ziwe regularly inspected, watu wasiendeleo kufa.

Lastly..

**(Interjection: Com. Asiyu:** Maana umeandika, hakuna haja ya kusoma kila kitu.

**Mr. Musau:** Okay. Pia, nikimalizia, wale wana-grab public land wapewe penalty ya vifungo jela. Kwa sababu, hautakuta mtu maskini ambaye ameenda kunyakua chi. Ni matajiri tu utakuta wanafanya hiyo kazi all over the country.

Lastly, kutengenezwe policy ya kuangalia vile ma-chokora katika towns watasaidika. Kwa sababu, hatuwezi kusema tutapigana na umaskini, na maskini wanaenda kujitengeneza kwa ma-town, wanakuwa ni watu maskini hata zaidi.

Na kwa hayo machache, asante, sababu ya wakati.

**Com. Asiyu:** Tafadhali utuachie hiyo karatasi ambayo umeandika kila kitu. Itatusaidia kusikiliza zaidi hapo tena. Bw. Patrick, wewe ulikuwa haujajiandikisha mahali popote lakini nitakubali uongee.

**Patrick Lumumba:** I am Patrick Lumumba.

**Com. Asiyu:** Endelea tu.

**Patrick Lumumba:** Kile ningependelea, is the health of the mother. Ante-natal care should be compulsory, and this one goes with maternity, and the mother is an individual. Let the husband not decide for this ante-natal mother to go to the clinic or



not. I attend to them. There is a period when a mother is in labour and has to wait for the husband to decide before she can be taken where she can be helped.

**(Interjection) Com Pr. Ayonga:** What do you recommend?

**Patrick Lumumba:** I recommend that the mother should decide on her health.

Then the gender education -- (that is the sex education): it should be given to our youth. Population control should also be in our Constitution.

Mental health: The ante-natal health should be the one which guides our mental health also. Most of our people at an age get mentally ill because of our birth injuries, etc. However, if a mother has been given the chance to make her decision, we wouldn't be in these messes.

I think that is all I had for the mothers. Thank you.

**Com. Asiyu:** Thank you very much, you have given us very important information, now we want you to sign our register. Please don't go away without signing. Bwana Wambuu uko wapi? Kuna mtu anaitwa Christopher ..... eeh, ndio, tafadhali Bwana Christopher ongea.

**Christopher:** Asante Commissioner. Nitasema kwa upesi.

Kuhusu Presidency: ningependelea President achaguliwe kwanza kwa maoni ya wananchi.

**Com. Asiyu:** Endelea.

**Christopher:** Halafu, asiwe Mbunge kutoka mahali popote.

Mbunge, ikiwa amechaguliwa, awe na ofisi mahali ambapo anaweza kuonekana na wananchi wale ambao walimuchagua.

Kuhusu chama: Sitasema vyama vipunguzwe, lakini kwamba, kile chama ambacho kitakuwa chama cha upinzani halali, na awe President amechaguliwa, Vice President atoke kwa chama cha upinzani.

Halafu in between awe Prime Minister.

**Com. Asiyu:** Nani atachagua huyu Vice President?

**Christopher:** Yule atachagua Vice President, yule President atakayekuweko...

**Com. Asiyu:** Ndiye achague huyu Vice President.

**Christopher:** Ndiye sasa kutoka pale kwa Bunge,

**Com. Asiyu:** Wachague Vice?

**Christopher:** Wakiwa pale kwa Bunge, Vice President atoke kwa upinzani.

Kuhusu mama aliyeolewa na awe na, mfano Bwana kama mimi niko – (na summarize) na ma-bibi wawili. Hawa ma-bibi wawili, kuna wakati inatokea mmoja ametoweka, kwa sababu ya differences, maybe the first wife ameenda. Ikiwa ameenda, amekaa nje kwa muda wa miaka tano, ningepitisha kwamba huyu sasa, sio bibi wa huyu bwana.

**(Interjection) Com. Asiyu:** Na watoto wake ni wa nani?

**Christopher:** Sasa niko kwa bibi, sijaongea kuhusu mtoto, kwa maana, nina summarize, ninaona saa zimeisha. Awe ni disqualified kuwa bibi halali wa huyu bwana. Naye huyu second wife, akiwa amekaa naye kwa miaka hizo tano, awe qualified kuwa bibi yake halali. Na huyu amekaa nje kwa kipindi cha miaka tano, awe disqualified kwa sababu.....

**Com. Asiyu:** Aah, hakuna haja ya sababu.

**Christopher:** Okay.

Kuhusu watoto: Kwa sababu watoto hawajui kile kiliendelea kati ya hao watu wawili, hao watoto wa huyu mama ambaye amekuwa disqualified, wakae kwa baba kwa sababu ya urithi, wakae kwa baba.

**Com. Pr. Ayonga:** Na mama yao akitaka kuja kwa watoto wake?

**Christopher:** Sasa ndio hapo ninakuja. Mama yao akitaka kuja kwa watoto wake, sasa hapo, watoto wenyewe, ndio sasa wataamua kama watakaa na mama yao. Kwa sababu, sheria imepitisha kwamba amekaa miaka tano, na siku hizi, kuna ule ugonjwa. Kwa sababu, ninaamini kwamba akikaa miaka tano, hatakuwa mama mwaminifu, na akirudi kwangu pengine, mimi mwenyewe nitakuwa na doubts kwamba ana pengine virusi. Sasa watoto ndio wataamua ni wapi wataenda.



