

**CONSTITUTION OF KENYA REVIEW COMMISSION**

**(CKRC)**

**VERBATIM REPORT OF**

**CONSTITUENCY PUBLIC HEARINGS, TIGANIA WEST  
CONSTITUENCY, HELD AT KIMACHIA PRIMARY SCHOOL**

**ON**

**22<sup>ND</sup> MAY 2002**

**CONSTITUENCY PUBLIC HEARINGS, TIGANIA WEST CONSTITUENCY HELD AT KIMACHIA  
PRIMARY SCHOOL, ON 22<sup>ND</sup> MAY 2002**

**Present:**

- 1 Com. Abubakar Zein
- 2 Com. Domiziano Ratanya

**Secretariat Staff In attendance:**

- 1 Roselyne Nyamato - Programme Officer
- 2 George Kariuki - Assistant Programme Officer
- 3 Zipporah Wambua - Verbatim Recorder
4. George Kimanthi - Co-ordinator CKRC Nyambene District

The Co-ordinator called the meeting to order at 10.02 a.m. with Com. Ratanya in the Chair.

**Co-ordinator:** Good morning every one. I think it is time we commence this session. But before we do the introductions I will request one of you to lead us in a word of prayer. Let us have Freshia Nyota.

**Prayer by Freshia Nyota:** Natushukuru. Baba ulie juu mbinguni, tunalihimidi jina, tunaliinua kwa vile umetulinda. Ni asanti kwa vile umetufikisha katika kikao hiki Bwana. Yote tunajua ni kwasababu, ni kwa uwezo wako. Bwana tunakushukuru kwa vile safari zimekuwa njema na Bwana tukafika mpaka hapa. Bwana ebu ukatulinde Bwana. Tunaendelea Bwana katika kutoa maoni ili tuweze kurekebisha Katiba yetu ili ikatuwezeshe Bwana kufika hata huko mbinguni. Bwana katuongoze, na uwe mlinzi wetu katika kikao hiki. Ebu Bwana ukatulinde Bwana. Usituwachiliwe bure Bwana. Ebu yote tutakayo toa Bwana yawe ya muhimu katika maisha yetu, na katika kuiendeleza nchi yetu, ili Bwana tukae wananchi walio furahia nchi yao, na pia wale ambao wanatutawala wanaofurahia kututawala Bwana. Ni Asanti kwa yote, ni asante kwa yote ambayo yatakayo tolewa. Ni asanti kwa siku njema. Ni asante kwa chochote ambacho kitachotokea katika kikao hiki. Na ni katika la jina Yesu aliyo muombezi, tunaomba na kuwa amini. Amina.

**Coord. George Kimanthi:** Okay asante sana Freshia Nyota. Ladies and gentlemen, as you are aware, leo ni siku kuu hapa Kimachia, kama unavyo jua, tumekuwa tukizunguka wilaya Nyambene kutoka wiki uliopita. Tulianza Migembe, tume enda Nyeri, Tigania East, na leo tunamalizia Tigania West na Kibachia. This is our final venue.

In front of us we have Commissioners from the CKR headquarters. Next to me we have Commissioner Zein Abubakar, then we have Commissioner Domiziano Ratanya, then we have Mr George Kariuki who is our Deputy Programme Officer, we have the Programme Officer Roselyne Nyamato and then we have our verbatim recorder Zipporah Ndunge. The Translator, Japan Mwiti, we have Francis Kanake our Office Assistant. Commissioners, these are the residence of Kimachia, these are the people, part of the people you will be hearing their views today in this station. I also have Committee members from this area who have been supporting me in Civic Education, in mobilizing the people and in Net working all the activities in this region. We have Jerusha Muiruthi, then we have Zipporah Muna. There is another Committee member who is not in. He is committed somewhere.

As I said, leo tumekuja hapa kuchukua maoni ya wananchi, na kama muijuavo, tumekuwa tukizunguka wilaya Nyambene kutoka wiki uliopita. Kwa hivyo mimi sitakuwa na mengi. Nitaomba tu mzingatie the other Commissioners, nimewambia atamweleza vile mtakuja kutoa maoni yenu hapa. Kuna wale ambao kuna memorandum yao ambao wameandika, kuna wale wanataka kutoa maoni yao kuongea tu. Lakini sita ingilia hio kwasababu Commissioners watamweleza vile mtafanya mkija mbele. Mimi kwa majina naitwa George Kimanthi, mimi ni Co-ordinator ama Mshirikishi wa Constitution Review hapa Nyambene. Kwa hivyo nitawaomba Com. Zein, Com. Domiziano Ratanya amweleze taratibu mtakao fuata ukija kutoa maoni yenu hapa. Asante. Commissioner.

**Com. Ratanya:** Thank you very much the Co-ordinator. Good morning everyone. (*Response*). The first thing I would do is to declare this sitting the sitting of the Constitution of Kenya Review Commission, officially open. Then we come and try to agree on a few issues. The first one is the type of language we are going to use.

Kwanza lugha ambao tunatumia. Popote ambapo tume enda tumekuwa tukitumia Kiswahili, ama Kiingereza, ama Kimeru. Kwa hivyo kama una memorandum yako kwa Kiswahili, unaweza kutoa ama maoni yako, bila hata kuandika kwa Kiswahili, ueleze sawa sawa. Ama kama kuna ingine umeandika kwa Kiingereza hata hiyo unaweza kutoa. Lakini kama hujui Kiingereza ama Kiswahili, kuna nafasi, utoe kwa lugha yako ya Kimeru. Kuna interpreter, kwa hivyo hapo hakuna tabu. So I think we have agreed. Ama mna onaje kwa lugha? Eh? Kiswahili ni sawa sawa, Kingereza? Yule anataka Kingereza ni sawa sawa. You can have your memorandum, you only highlight the main points, not to read the whole memorandum. Hapo tumekubaliana kwa mambo ya lugha.

Now, about timing, if you have a memorandum or a presentation, we will give you five (5) minutes. This is what we have been doing throughout the district. Five minutes to do that. We expect with the memorandum we are not going to read all the pages you have written, you only highlight the main points, the most important points. Since you know your memorandum, you know everything that you have written there, you just highlight and then you spend your five minutes that way. And when you are informed that you do not have more time please, stop and give the next person chance. We expect to have very many people. We have that experience because we have been having more than 400, 500 per day and we would not like to leave here in the

evening or at night. So try to keep time. I think we agreed. Ama hatukubaliane hapo? Mtu akiambiwa akipewa nafasi yake akimaliza, si heri kwenda tu kuketi ampatie mwingine nafasi. Hata hiyo ni sawa sawa. Tena kama una memorandum ama maandishi ambao umeandika na hutaki kusema lolote, that is also accepted. Unaweza tu kuja, upeane memorandum yako pale, sign register, na ukitaka kuenda kazi yako ingine unaenda. Ama ukitaka kuketi hapa usikie vile wengine wanasema, uketi. Kwa sababu mkutano wetu ni wa kupeana maoni. Huu si mkutano kama Baraza, ama meeting ambao tunakaa zote hapa. Ni kupeana maoni, kupenda kwako ukitaka kuketi hapa unaweza kuketi kusikiza wengine vile wanasema ama ukitaka kuenda kazi yako pahali popote after presenting your views, you go. So you are free.

I think I will give my fellow Commissioner Zein, although we have mentioned his name to introduce himself and also give you a few words on may be what I have left. Then he is the one who is going to chair, I will give him to chair this session this morning.

Commissioner Zein, continue from there.

**Com. Zein:** Asante sana Com. Ratanya. Kama unavyo jua, Mzee Ratanya hunipa mimi heshima kubwa ingawaje yeye anatoka semu hii. Anatoka hapa hapa katika Tigania West. Lakini amenipa fursa kubwa kuanza kazi hii. Habari ya asubuhi. Kama ulivyo ambiwa mimi naitwa Abubakar Zein. Ningependa tu kujalishia mambo ambao Com. Ratanya ameniachia nijalishie, kwa kuwatajia tu kazi umejulishwa kwa hawa wanao fanya kazi na sisi. Pengine ni vizuri mimi kuwatajia kazi gani tunafanya ndiyo kazi hizi tunazifanya namna gani.

Pengine nitaanza na kiongozi wao ambae ndiyo Bi Roselyn Nyamoto. Roselyn atawaonyesha kitabu alichona hicho .....(*inaudible*) mwekundu. Kitabu hiki ni Register inaosema kwamba umetoa maoni. Kwa hivyo ukisha itwa wewe, jina lako ikiitwa unakuja unakaa hapa, unachukua hii microphone, unanza kuzungumuza, ukimaliza kuzungumuza pengine Com. Mwenzangu au mimi ninaweza kuwa na swali la kuliza ufafanue pengine hatukuelewa kitu. Ikiwa hatuna swali unatoka moja kwa moja, unatoka moja kwa moja uandike jina lako kwenye register. Ikiwa kuna swali, utajibu swali halafu uandike jina lako kwenye register.

Tofauti ya register hii na ile unaandika pale, pale nje, unaandika kwamba kuna wengine wanataka kutoa maoni, kuna wengine hawataki kutoa maoni. Wengine wanataka kusikiliza tu. Lakini hapa unaonesha kwamba ushatoa maoni. Sijui kama tunaelewana hii. Ni muhimu sana uandike kwamba umetoa maoni ndiyo recordi yetu iwe sawa sawa. Na ikiwa una maandishi yako umeandika, lazima hayo maandishi utupe na yatawekwa kwenye hii file. Hii file ni ya Constituency hii ya leo tu. Ya jana tushaifunga, na tushai-file. Halafu nataka kuambia kazi anaofanya huyu Binti, Zipporah. Zipporah kazi yake ku recordi. Ona ako na tape recorder mbili. Moja ameweka karibu na speaker ndiyo a-record vizuri, moja ana kaa nayo stand by. Sababu ya kufanya hivyo, tunataka ku-record kila neno kila mtu analosema hapa. Hata ukiguna, sisi Waswahili tunasema kuguna, ukifanya, mm, itakuwa recorded. Tuna record kila kitu, ndiyo hata sauti moja tusipoteze. Ndiyo saa ingine ukimuona Mzee Ratanya au mimi tumeshika kalamu tunakusikiza vizuri kuyaingiza unayosema akilini mwetu tuyaelewe, hatuandiki. Usiseme mbona hawachukui maneno yangu? Maneno yote tunachukua, neno baada ya neno. Sijui kama tuko sawa sawa hivyo.

Halafu, recordi yetu haiwi kamalifu bila kuwambia kazi ya huyu kijana hapa – Kariuki. Kazi yake ni kuandika kwa mkono reporti hii ya maneno unaozungumuza. Kwa hivyo, tukimaliza Nairobi, tuna mpango wa kutumia recordi hizi zote. Ikiwa na recordi, moja ambao ni kamilifu, ukichanganya na recordi inachukuliwa na makamishi sijui kama tunaelewana hapo.

Kwa mtu asiwe na shaka ya kwamba neno atakalosema inaweza likapotea, au linaweza lisisikike, au haikumbukwi.

Jambo lingine muhimu ni kwamba unapokuja kutoa maoni yako, ni vizuri kutaja jina lako. Kwa sababu mtu ana-recordi, hata kama mimi nimekuita fulani na fulani, ukija tunataka utaje jina lako kwa kauli yako mwenyewe tu ku-recordi, ndiyo maneno ianze. Ni sawa hivyo? Kwa hivyo ukija unataja jina lako.

Jambo lingine la muhimu la kukumbuka ni kwamba kuna sehemu zingine tulikwenda kuchukua maoni. Tushakusanya maoni, mkoa wa Kati, tusha kusanya maoni Pwani, tushakusanya maoni sehemu ya Nairobi nusu, na tuko Eastern Province sasa. Tuko mkoa wa Mashariki.

Kuna watu wanatuuliza, jee nikisema maneno wangu hapa ya Kamuthi, mtu fulani, au ya kaudhi ofisi fulani, si ninaweza kuchukuliwa hatua? Tunawahakikishia kwamba, maoni yote unao toa hapa, unalindwa kwa sheria. Sheria inaolinda Mzee Ratanya, na unilinda mimi na wafanya kazi watume, kwa kazi zetu, ndiyo sheria inawalinda wananchi. Sheria inasema wazi, wazi kwamba, hakuna mtu anaweza kuchukuliwa hatua yoyote kwa maoni anayo toa. Kwa hivyo utoe maoni yako, usiogope kabisa. Hii ni fursa yako wa kutoa kila kilicho moyoni mwako. Lakini tusichukulie fursa hiyo kama tumepewa uhuru huo na sheria tuseme tunalotaka kutukanana. Sisi kwetu kule Mombasa tunasema ukitaka kuja kuzungumunza mbele ya hadhara ya watu au kikao kama hiki, lazima utumie lugha ya murua. Maanake utumie lugha mzuri, safi, ambayo mzee alioko hapa anaweza kuisikiliza bila kuudhika, bila kukasirika. Kijana pia anapata heshima yake hapati kuwa na wasi wasi, mbona lugha namna hii inatumiwa. Au Mama aseme, ai, lugha hiyo ni mbaya na anaziba masikio au atoke nje kwa sababu ya lugha inayotumiwa. Lazima tutumie lugha safi. Sijui kama tunakubaliana hapo. Sawa hiyo.

Halafu lingine ambalo inaambatana na lugha, ni kuhusu mambo mengine ya kisheria. Tuseme wewe unakuja kuzungumuzia ofisadi nchini Kenya. Unaruhusiwa kuzungumuzia habari ya ofisadi, na unaruhusiwa kutoa mapendekezo yako vipi tuta maliza ofisadi. Lakini uje uanze kusema mimi nina kesi na jirani yangu, jirani yangu anaitwa fulani wa fulani, yeye ni fisadi, alienda akahongana, sijui kwa ofise ya ardhi, sasa... Hizo ni kesi ambazo hatuwezi kuamua sisi hapa. Huwezi kuja ukamwaribia mtu jina, au, hata kama ni kweli kwamba unamashtaka. Mashtaka upelekwa polisi au mahakamani. Sawa? Sawa.

Lingine ambalo ningesema ambalo ni la muhimu sana ni kwamba Mzee Ratanya aliguzia kuhusu unavyo toa maoni. Ni vizuri sana kuwa na malalamiko, ni vizuri pia kuzungumuzia shida zetu. Lakini ni bora zaidi ikiwa utatupa mapendekezo yako ambao tunataka tutatue haya matatizo. Ukija kuanza kulia tu hapa habari ya shida, dakika tano zako ziishe na hukupata fursa ya kutuambia nataka, mimi kama rahia nataka matatizo haya yatatuliwe hivi na hivi, tutakuwa hatujafanya kazi nzuri. Au tutakuwa

tumefanya kazi nzuri.

Jambo lingine, sisi tuna uzoefu ya kazi, ambao unatufanya tunafahamu mambo mengi ya ku Katiba. Tultayarisha vya kutosha kabla hatuja kuja kwa wananchi watukufu. Kwa hivyo tuna uzoefu wa kazi. Kama kutokea tulipoanza kule Nyambene, kuna watu wamekuja akawa na point zake karibu kumi. Na point ya kwanza ni ya Miraa. Anasema iwe ni kama mimea mingine na uletea faida nchini Kenya. Lakini kabla haija toa pendekezo hilo, alianza kutupa historia mmea huu ulikuja vipi hapa, na kabla ukoloni alivyo kuja 1931, ilikuwa vipi. Vipii watu, wanawake walienda kwa Governor wakasema huu Miraa ipigwe marufuku, halafu governor akapiga marufuku, halafu wazee Wanjiuru Chege wakatuma wazee waende kuona Governor, halafu, Governor akasema sawa nimeruhusu. Halafu 1973, Mzee Kenyatta akasema nini. Sasa akifika kwa Mzee Kenyatta, marehemu, saa imeisha. Akiambiwa saa imeisha anasema ohh, mimi nina point zingine sita. Sijui kama mnanifahamu vile ninavyosema. Ni vizui kusema mapendekezo yangu ni haya. Tuna matatizo ya ardhi, mapendekezo yangu kuhusu ardhi hi hivi. Tuko sawa sawa.

Ya mwisho kabisa ni kusema kwamba sisi tuna furaha kubwa sana kuwa na nyinyi hapa leo na mimi nitakuwa nikiweka time pamoja na kuita watu majina, na ninawaomba sana uniwie radhi ikiwa nitaita jina pengine niporomoke kidogo mahali nitaje jina sivyo inavyotakikana kutajwa Kimeru. Najifunza taratibu kwetu Mombasa. Najifunza taratibu. Kwa hivyo ukiona nimekuita jina lako lakini nimenyambua ile jina kidogo vibaya, unisamehe. Sijui kama unanisamehe. Mimi nina omba radhi mbele. Sijui mzee wangu ana lote la kuongeza, au ni aje. Haya wacha tuanze.

**John K Tharamba:** (Speaking in English) My name is John K Tharamba. And I am presenting a written memorandum and therefore I will just high-light the key issues of my memorandum.

The first among them is about the Pre-amble in the Kenya Constitution. Our Constitution does not have a pre-amble. According to my views, a Constitution should have one and in this preamble, the supremacy of people must be addressed. And this one must be addressed through an open declaration that commonly addresses all Kenyans like we Kenyans.

The next is about directive, principles and state policy. We should retain the state policy of Harambee na Kazi and this policy should be protected.

The Structures and Systems of Government. In fact we should have a strong Central Government, with county councils, with limited powers, Municipal Councils, legislators, whose composition must be about 30% Women representatives, and 20% representatives of persons with disability.

My next issue is about the Executive. In fact the Kenyan Constitution does not specify the qualifications of a presidential candidate. I suggest that a presidential candidate should attain a degree and with time tested credentials from a recognized

public university. About the Executive, the Presidential functions should be clearly defined in the Constitution. For example, if the president is the head of state, he should be the head of Government. Also the president should not just appoint Vice President but the Vice President should be elected by the people. The president should have some limited powers. The government ministries should be reduced to at least ten in order to avoid much government expenditure. And these ministers, cabinet ministers, should not share ministries. That means, that no ministry should be served by more than one Cabinet minister.

The next issue is also on the Executive. The Provincial Administration should be scrapped and these powers to be given to the local authorities and to the people including the police and the magistrates. Also the President should retain the powers to reject a bill passed by parliament, if that bill contradicts the constitution.

My next issue is about the Legislature. MPs occupation should be on full time basis and not part time basis. Their weekly parliamentary sittings should be increased from three to five. Also the MPs should act on the pieces of conscience and conviction from the Constituents and not parties. Also there should be parliamentary service commission which should be charged with the responsibility of determining the MPs' salaries and benefits and not MPs themselves. Their present salaries, I suggest, should be reduced by half. Also the qualification for an MP must be at least an Advanced certificate or at least a graduate. We should also have a two-chamber parliament which should be composed of:

- 1) Constituency Representation
- 2) Ethnic Communities Representation

Also the judiciary should retain powers of declaring the laws passed by the parliament, if they contradict the Constitution. Also the new constitution should permit coalition government to ensure that the various political parties form the government.

Then the next issue is on Judiciary. In Kenya we must have a Judiciary with irreproachable judges and magistrates. These Judges should be appointed on merit based on their suitable qualifications and high academic excellence to ensure competence, efficiency, good conduct and the dependence of the Judiciary. Also we should have a Judicial Service Commission with a security of tenure to strengthen the Judiciary.

My next issue is about the basic rights. In the new Constitution, we should protect the following basic rights. That is; compulsory free primary school education, free health services, water, food and employment. The procedures for the enforcement of these rights should be detailed in the rules that must be made by the Chief Justice. In fact these rules have never been made since independence, and this one has enabled most of the courts to violate human rights and other rights.

My next issue is on the rights of vulnerable groups. On the rights of vulnerable groups I suggest that the disabled persons be guaranteed their rights and interests and also discrimination against them to be outlawed. Also polygamy and customary law

marriages should be outlawed to reduce women to be the husband's beast of burden.

**Com. Zein:** Thank you very much. Just hold on John. No question. Please sign our register and hand in the memorandum. Thank you very much John for starting us well and the next person is Francis Muoria. Karibu mzee.

**Francis Muoria:** (*Speaking in Kiswahili/English*) Asante sana Bw. Commissioner. Mimi kile nimefanya, oh jina langu kwanza, naitwa Francis Muoria na nimeandika memorandum nikifuata kitabu chenu ambacho ulitupatia. Kwanza nakuongea na mambo ya preamble. Na langu nafikiria that the Constitution of Kenya should have a preamble.

Secondly, I want to put the Principles of State policy. And I wish to recommend here that the Constitution should become a secret document, nobody can tamper with without a 65% parliamentary approval. I think the other things you will read for yourselves from the document. I wish to go to the Constitution of Supremacy.

I said Constitution should empower parliament and I am here referring to or recommending that when I talk about Parliament I am talking about the National Assembly and re-establishment of a senate, i.e. National Assembly and an Upper House as a recommendation. I am saying, that to be able to amend the Constitution, at least there must be a 65% majority vote by members of both houses.

I wish to go to number four: Citizenship, but I think it is fairly straight forward and I made my own recommendations.

Then I go to Defence and National Security. Same. Perhaps what I should emphasize here is that the Executive, and by this I refer to the President, should not have absolute powers to declare war. I am saying, commenting that action of this nature should be subject to approval by parliament.

Then I go to political parties. And my main recommendation here is that the Constitution should allow, the checker to finance, a minimum of three political parties, which provide the highest number of members of parliament after a general election.

Number seven. I go to the Structure and System of Government and here again Bw. Commissioners I start by saying the right and security of Kenyans should become paramount in the structure of the government envisaged in the new Constitution. And I recommend we adopt, a .... System of government in which the Executive Authority is shared between the President and a Prime Minister. And in this scenerio I see the top executive in the new set up as comprising the President himself, the Vice president and a Prime Minister. I emphasise that the Executive should not be constituted as to become top heavy. In other words, Bw Commissioners I am saying at the top of more than three would be a bit too much. The number of ministers should be limited by Constitution not to exceed 18, that is excluding the three I have just mentioned. And I end that page by saying no person should be above the law.

I would like to go to the legislature and say every citizen aged 18 years and above should be eligible to stand for any elected post. And the recommendations are there. It is a long page with about 12 recommendations. I think you read that for yourselves.

Then I go to the Executive. My feeling is that it is not necessary to specify the qualifications of a President other than being eligible to stand as a member of the National Assembly. If you have gone that far, then you have really qualified, irrespective of whether you have a degree or not. I think John Major, Prime Minister of Britain for a long time, was an “O” level person with a professional qualification and he made a good Prime Minister. I have very little to say about Judiciary because I am not an expert in that area. Perhaps where I should lay emphasis is on local government. And my proposal here Commissioners is that I personally support a Unitary system of government. I do not support *Majimbo* system particularly in the context in which people have been writing about it. Under the new constitution, I propose a meaningful devolution of additional power to local authorities whenever they provide a full fringe of identified services at the grass root at the district or grass-root level. I have made other recommendations there but I would like to end that bit by saying the devolution of power to the local authorities should be as follows:

- The urban centre should have a City Council, a Municipal Council, a Town Council
- At the Rural level, I am recommending a County Council and a Constituency Council similar to what we used to have many years ago when we used to call Area Council.

Chairman, I would like to go to Electoral system and process. I think that you read for yourselves.

Basic rights, I have said something you read for yourselves.

I would like to go to Rights of Vulnerable groups and emphasise a very important point here, that when we talk about vulnerable groups we are leaving out some very sad situations. I know we talk so much about women and children but we forget blind and deaf. We also forget those with chronic regenerative conditions. Commissioner, there are so many people with psychiatric, elephantiasis, heart and kidney ailments which are increasing numbers every other day. We also have the problem of street mothers and children. I saw something in China, in India, in Delhi that I would not like to see in Nairobi. But one can gradually see it coming. I think this is one area where the Constitution should come out very clearly that State should take responsibility for these people. We should also not forget what I may call here, miserably poor. People who are weak and perhaps with zero increase. What do you do about these people? They just die on the road. I think the Constitution should be able to say something about that.

Bw. Commissioners I want to go to Land and I want to particularly come right home and say that here we started land

consolidation and land adjudication under 283 and 284 laws of Kenya. I think something is wrong. It is either the laws are simply bad laws, or the implementation is fundamentally flawed. We started land adjudication in 1966. At 7 years, I'm sure you have heard this, nothing in this particular area where we are seated now, seven years ago we are not even half way through the process. I think this is something, there are two pieces of legislation I think the Commission should look at perhaps with a view either of recommending but one would wish that this issue is sorted out as soon as possible.

I have a long issue on Management of National Resources. I do not think I have time to talk about it because it is quite lengthy, you will read for yourself. But let me mention about Harambee effort which has worked fairly satisfactorily in some instances, but in others it has barely raised problems. I am saying a happy funding of public services should be reevaluated and its Financing system, not under the umbrella .....Act (words inaudible)

I am also recommending that to enhance the work of the Public Service Commission, the constitution should provide for the office of what I am calling Services Commissioner General or as some refer to them Home Guards. And I think this is another area where Bw Commissioners we should lay emphasis, because so many complaints about services and so on and I think it will help us amend the constitution.

I will not go to Constitution Offices. I think they are known. I would like to add one more. Economic situation. I am finishing with succession of .... (*inaudible*) For powers. Let me end up Bw Commissioners by talking just a little, just give me one minute about the security particularly where are. I think you may have heard elsewhere people in this region do not even sleep in their homes because of fearing thugs. I think security in a country is so important and the constitution should have something to say about it. I would like to perhaps mention that there are too many guns in the wrong hands and something should be done about it. Otherwise it is a matter of time before we go the Somalia way. Thank you Mr Commissioner.

**Com. Zein:** Thank you very much Bw Muoria. Mr Muoria, there is a clarificatory question from Commissioner Ratanya.

**Com. Ratanya:** Yea, Mr Muoria it is about land and you are talking about the two legislations, Cap 53 and 54. Now, what is your recommendation about these two. Is it that they have not been implemented properly or they are bad laws that should be scrapped. What do you recommend, because your recommendation is not here.

**Mr Muoria:** Thank you very much Bw. Commissioner. I think there are weaknesses in the two pieces of legislation. I think my recommendation is that they should be reviewed by the minister and perhaps a way sought to administratively deal with the weaknesses so that with a gazette notice, the new land adjudication in this area can be speeded up. I am sure there is a way, the minister has a way through the act.

**Com. Nyamato:** Thank you very much Bw. Muoria. Please hand in your memorandum and sign our register. Thank you.

**Atanasio Koronya:** Ibubwega nuntu bwa umbitikiria Kwaaria. Riitwa riakwa ni Atanasio Koronya.

**Translator:** Thank you for giving me an opportunity to talk. My name is Atanasio Koronya.

**Mr Koronya:** Biira nkwariria ni ruteerene rwa chibu.

**Translator:** I want to talk on issue concerning the Chiefs.

**Mr Koronya:** Chibu naagirite kuringairwa kuura kana milolongo.

**Translator:** I am suggesting that Chiefs should be voted for through *mulolongo*

**Mr Koronya:** Kana akaringawa transfer, kithira ii thirikari yamureta locationione iu.

**Translator:** or they should be transferable.

**Mr Koronya:** Ruteerene rwa councillor

**Translator:** On the side of Councilors,

**Mr Koronya:** Councillor naagirite kwithirwa rira akathurwa ethirwe ii muntu eena kipower buonka akimenyaa muambo ywa kiswahili kana gichunku.

**Translator:** Councilors should be elected somebody who has capability and who knows English and Kiswahili

**Mr Koronya:** Na chairman wa county council kana uu agwita mayor.

**Translator:** And County Council Chairman and Mayor of the Municipal

**Mr Koronya:** Naagirite kuthurwa ni antu bongwa ouria chibu akuthurwa.

**Translator:** should be elected directly by the people as the Chief would elected

**Mr Koronya:** Nikenda aumba gwitithia District iu iri amwe yonthe atikuirua ii councillor baangi.

**Translator:** so that he can lead the district well without interference from other Councilors.

**Mr Koronya:** Nuntu ukethirwa ii councillor baangi baamuthuura

**Translator:** Because if he is elected by other Councilors,

**Mr Koronya:** bara bari acoore ibo baatua kwoonaa autuma. Bara bangi rutere ruu akamama mwanka rii akorouma. Ibubwea nti na yaangi.

**Translator:** it is only the Councilors who are his friends who get benefits or may be will be assisted, the rest will not be getting some of the assistance. Thank you so much.

**Com. Zein:** Asante sana Bw Atanasio Koronya. Asante sana.

**Freshia Nyota** (*disabled- speaking in Kiswahili*): Asante sana. Kwa jina ni Freshia Nyota. Niko hapa kutoa maoni kuhusu hasa upande wa walemavu. Katika walemavu, tuambiwa ya kuamba kunayo elimu ya bure ambayo yapaswa kupeanwa kwa wao lakini ukiangalia hao walemavu, hasa sio ya bure. Sana sana ukiangalia kama vile vifaa ambavyo vyahitajika katika masomo yao tuseme kama ile kama ni ile mti kuwasaidia kutembea, tuseme ni kile kiti ambacho cha wasaidia wanapata garama kubwa katika kupata vile vitu ambavyo, napendekeza, serikali ione ya kwamba hawa wanapewa hivi vitu bure na sio kusumbua wazazi na kuwafanya wawe walemavu zaidi.

Vile vile katika upande wa elimu wa walemavu, nina pendekezo ya kwamba, hao wasipelekwe shule za kipekee, wapelekwe shule ambazo uatakazongana na wanafunzi wengine waone vile wanavyo fanya wakiangalia vile wanavyo fanya pia na wao wanaweza kusoma kwa wao na sio kuwatenga kama ni walemavu kabisa hawajiwezi.

Vile vile hawa walemavu ambao wamekaa katika streets zetu mitaa, ukiangalia kule mitaani utawaona wamekaa kule wakiomba omba, ni kama wao hawajiwezi. Kama wanaweza kukaa pale na wakaomba, ni vipi hawawezi wakawekwa mahali pamoja. Nina pendekeza wachukuliwe wote wawekwe mahali pamoja. Hii Katiba ipendekezwe, wachukuliwe, wawekwe mahali pamoja ili wakaweza kutunzwa wakiwa pale, na sio kuonwa kama ni ma-outcast katika jamii.

Vile vile hawa walemavu, ningependekeza kama wanafanyi kazi pamoja na hao wengine, tuseme ni Mwalimu, tuseme ni Daktari, tuseme amepata kazi yoyote ya kufanya, huyo mlemavu aangaliwe zaidi, aone ni kama hardship. Na kama ni malipo, yake awe ni ya juu kupita ya yule ambaye yuajiweza kabisa, sio kulipwa malipo ambaye yafanana na wale ambao wanaojiweza.

Sana sana yeye anapata shida katika kufika mahali pale, ama katika kufanya ile kazi aliopewa. Kama ni nyumba ambazo zwayjengwa, zinapaswa kuangalia hawa walemavu, sio kupanga nyumba ambazo utaangalia kama ni mwenye mguu ambaye hayajiwezi, kama ni kupanda kule hawezi. Kama ni mwenye haoni, hawezi akafikia pale. Kama ni mwenye kifafa, akianguka atanguka mahali pambaya sana, ambako tamsumbwa.

Kwa hivyo ningependekeza kama ni nyumba zikijengwa, ziangalie hali ya walemavu vile watakavoweza kuzifikia. Na hata kama ni simu, vile vile sio simu ikawekwe juu kabisa, vile yule mlemavu hawezi akaifikia, na pia yule haoni aweze akaipata. Kwa hivyo kama ni simu vile, vile ziangaliwe ili hawa walemavu waangaliwe wakati zinaendelea kuwekwa.

Pia vile vile ningependekeza walemavu wapatiwe fursa muhimu katika Bunge. Kupangwe kuwe hata na Ministry of Disabled. Ikuwe ni hiyo ministry ambao ni ya hao walemavu na pia wawe na mwakilishi wao ambao anaikilisha hiyo ministry ya

walemavu. Asante sana .

**Com. Zein:** Asante sana Bi Nyota, asante sana. Tafadhali andika kwenye hio register yetu au unaweza kuletewa tu hapo register uka-sign. Wacha wakuletee hapo tu uta-sign. Mambo mawili muhimu ningependa kuwaambia. La kwanza, kwa vile niliona mmekuja na utulivu mzuri sana sikutaka kuwambia mambo ya ki amri yaani katika vikao vyetu. Kwa sababu hichi ni kikao rasmi kinacholindwa na sheria. Tunaitajika hapa kuwa kimya kabisa. Watu wanaozungumza ni watu aina mbili katika kikao hii. Either kutoka katika meza hii, au mtu aliopewa ruhusa na meza hii. Au mtu muhimu aliye pewa ruhusa ya kuja kuzungumuza maoni yake, amesema anataka kutoa maoni akatoa maoni. Ikiwa watu wanao kaa hapa kunjogea zamu zao, wanataka kuzungumuza, wanataka taratibu kimia, kimia kule nje, pale mnaona kuna sehemu zuri hapa ..... (words lost as tape ends)

Lazima niseme hiyo.

La pili, kama mmeona tunatumia orodha hii majina. Yule aliye kuja mbele, ndiyo tunamuita mbele. Hatubagui. Lakini itafika wakati tutaitajika pengine kubadilisha mwelekeo huo kidogo, ikiwa kuna sababu za kutosha na tutawaeleza sababu hizo. Kwa mfano, akaja bibi mmoja mja mzito hapa na hawezi kukaa kungoja kwa muda mrefu, tuta tupa ruhusa tumpe fursa ya kuzungumuza. Ama hamta ruhusu . Hamtupi ruhusa hio. Tunapewa ruhusa hiyo. Akaja mzee sana, hata kama kuna mzee hapa ambaye hajui hivyo, tutakuambia hivyo. Ukiwa wewe ni mzee sana, ni senior citizen, unahaki ya kusema nataka kuzungumuza mbele kwasababu nimechoka kukaa hapa, nataka nizungumuze niende zangu. Kama hawa watoto wadogo wako hapa nje, wanafunzi wakitaka kupewa fursa wazungumuze halafu waende kurudi darasani pia tuta wapa fursa hiyo. Na kwa mtu akiwa mgonjwa au mambo kama hayo, tutawaambia sababu tunatoka kwenye list. Sasa ningependa kumwita Bw. Julius Thaituma. Karibu.

**Bw. Julius Thaitumu:** Uuni nkaria na Kimiru. Banthikiire na baigue jaria nkaria. Bwa mbere riitwa riakwa mbitawa Julius Thaitumu.

**Translator:** My name is Julius Thaitumu.

**Bw. Thaitumu:** bwa mbere nkaria mantu ja utamanduni , culture, ethnic and regional diversity.

**Translator:** I will speak about the culture, ethic and regional diversity.

**Bw. Thaitumu:** Mantu ja utamanduni

**Translator:** I will speak about the culture and the tradition.

**Bw. Thaitumu:** utamanduni ibutethakia muno muno kiri discipline ibubwirite kwithirwa bwi ndene ya katiba.

**Translator:** Culture and tradition help so much in installation of discipline and it should be in the constitution.

**Bw. Thaitumu:** Na batwi ndene ya Meru turi organization itawa njuri ncheke.

**Translator:** We in Meru we have a Culture Organization called *Njurinchekei*

**Bw. Thaitumu:** Na nibwirite gukurukua katibene niuntu magita jonthe nitethairia thirikari mantu jamaingi muno mantu ja magamba.

**Translator:** and it should be recognized in the constitution that it is *Njurinchekei*, because it helps the government in terms of cases,

**Bw. Thaitumu:** Magamba ja ithaka

**Translator:** solving land cases, about solving home problems,

**Bw. Thaitumu:** Magamba ya michii

**Translator:** property solving cases

**Bw. Thaitumu:** Mantu ja kugurwa kea aari na mantu jangi jamaingi.

**Translator:** in marriage and other similar areas.

**Bw. Thaitumu:** Nkiariria uu nkariria mantu ja nthenge yaani juri muuma jwa utamanduni, juria juumba gutuma aantu baaria uuma.

**Translator:** I will speak about the oath, the Meru traditional oath that makes people to speak the truth. When you have dispute between two people and you want one of them to speak the truth, we use that traditional oath.

**Bw. Thaitumu:** Mantu jau ijatumaa muntu aaria uuma kethira nakwarakia urongo kinya ukethira court nithikaira mantu ikagita magamba indi muntu aringite nthenge atimenya kwaria urongo.

**Translator:** It touches on taking traditional oath is very important because it will help somebody to solve a case whereby truth is seriously needed.

**Bw. Thaitumu:** baatwi ndene ya kimiru utamanduni twi biakuria beitu biria bibwirite kwaa recognized bitigeetwe irio bithuku

**Translator:** We as Meruans and in our traditions we have oaths that we recognize and we would like them to be recognized as good.

**Bw. Thaitumu:** Kwi nchoobi itawa ee nainchu yumaa kii nainchu itawa njuki nio ni aakuru baunyaa.

**Translator:** There is a local brew that comes from honey and is taken by older people.

**Bw. Thaitumu:** Kwina kinya uchuru bwitawa marwaa ni nchoobi.

**Translator:** There is a form of sour *uji* that is taken by people which also should be recognized.

**Bw. Thaitumu:** Irio biu ni irio biria birijawa ni aakuru na ibitumairwa kinya ndene ya mambura.

**Translator:** These are forms of food taken by older people and they are used in so many other occasions by Meruians.

**Bw. Thaitumu:** bitibwite gwitwa ni bithuku nuntu ibibwithakia mambura ja kimiri.

**Translator:** It should not be clarified as one because it is always taken in several occasions according to Meru rites and traditions.

**Bw. Thaitumu:** Itukwenda language ithirwa iri imwe yaani Swahili ndene ya Kenya.

**Translator:** We want Kiswahili to be a National language.

**Bw. Thaitumu:** Na local languages nachio ja uu nkwaria Kimiru, gikamba, kiambu na bii bingi biarakue ni antu oguntu kwao kwao.

**Translator:** Also other local languages should be emphasized by people to speak in their regional areas.

**Bw. Thaitumu:** Muntu oragwa nabwite kuriagwa kimiru.

**Translator:** When somebody is killed he should be paid according to Meru traditions.

**Bw. Thaitumu:** Mantu ja environment na ja natural resources, nkaria mantu ja irima. Nibiandwe miti.

**Translator:** On part of natural resources I will say that trees should be planted on Mountains and arid places.

**Bw. Thaitumu:** Nuntu antu ibabwiritw kwegwa naara kwi tambararine batiumba gutura irimene. Miithu iria iri o nuntu nithiritue nibwite antu gwita nao irima biandwe miti biae natural resources.

**Translator:** People should not be settled on mountains and arid places. They should be settled in other flat areas so that those areas can be reserved, like the mountains.

**Bw. Thaitumu:** ? ibwiri gwita naa irimene na kinya igukuura antu baakua kwou antu ibabwiritw kwinamua naara kwi tambararine irima biandwe miti.

**Translator:** Because of the risk involved in living in mountain areas and arid places, people should avoid them and trees should be planted in those areas.

**Bw. Thaitumu:** example imwe ni mwithu jwa nyambene jutiinyangakua nuntu ii kirimene juri

**Translator:** One of the examples is Nyambene hills the forest is .....

**Bw. Thaitumu:** Keiga ii kirimene kiri.

**Translator:** Kieiga forest is also in a mountain place,

**Bw. Thaitumu:** indi antu batiumba kuthukangi nau.

**Translator:** so people cannot destroy those areas.

**Bw. Thaitumu:** DC new abwirite kwithirwa akirungamaira mantu ja environment.

**Translator:** The DC should be in charge of the environmental matters

**Bw. Thaitumu:** Na local community baria bari ariene iu.

**Translator:** and the local community in that area

**Bw. Thaitumu:** Na eene guntu bau baikuo ibo babwirite kurwaamira.

**Translator:** and the people of that place.

**Bw. Thaitumu:** Management jabwirite kuthithua ni DC, DO na chiefs.

**Translator:** The management of the environment should be done by the DO, the DC and the Chiefs.

**Bw. Thaitumu:** Tugeta ki mantu ja judiciary

**Translator:** On the side of Judiciary,

**Bw. Thaitumu:** Nikubwirite kwithira kwina mantu ja constitutional court, Njuri Ncheke court yaani council of elders court ndene ya Kenya jonthe nuntu o guntu o guntu kwina elders.

**Translator:** we should have a Constitutional Court, Council of Elders Courts, like here *Njurincheke* (for that matter) Court.

**Bw. Thaitumu:** Na nkea nimenyerwe ndene ya katiba mantune ja magamba.

**Translator:** The poor should be catered for by the new Constitution in case of cases,

**Bw. Thaitumu:** nuntu nkea inyingi itiumbaa kugamba magamba nuntu bwa kwaga mbecha, ibachunagwa into biao muno muno nuntu bwa kwaga mbecha cia magamba.

**Translator:** because most of the poor people cannot carry on with their cases because of lack of money.

**Bw. Thaitumu:** Magamba yatibwirite kuthirakia mwaka jumwe kana miaka ili miaka ithatu, miaka ina. Kwi magamba yathirakia miaka mwaka ikumi. Magamba jabwirite kuthirakia mwaka jumwe aki igamba rikathira riathiria kwandikwa.

**Translator:** Cases should always be staying for only one year, like two or four years, it should only be limited to one year.

**Bw. Thaitumu:** Ki local government major abwirite kwithirwa ena two years.

**Translator:** In local government the mayor should have a time of two years; that is the tenure.

**Bw. Thaitumu:** councillor ura muthuku nabwirite kuritawa ni wananchi indiria aathuka.

**Translator:** Councilors who are non performers should be called back by the people.

**Bw. Thaitumu:** President nwe atibwirite kutharia council itithiritie igita riayo.

**Translator:** The president should not do away with the Council before it finishes its work.

**Interjection:** Which Council?

**Bw. Thaitumu:** Council, yaani County Council

**Translator:** The President should not sack or may be do away with a County Council before it finishes its work.

**Bw. Thaitumu:** Nabwirite gwikia mantu jau ndene ya mbunge yakarirua.

**Translator:** The issue should be taken to the parliament so that people can debate about it.

**Interjection:** (in a distance – inaudible)

**Translator:** (to the speaker) Dakika moja ya mwisho, umalizie

**Bw. Thaitumu:** Indi nkienda kuthiria, mantu ya land.

**Translator:** As I finish I go on the Land issue.

**Bw. Thaitumu:** Cap. 383 nibwirite kuritwa oo buru nuntu nikirite antu asara inyingi mono.

**Translator:** Cap 283 should be reviewed and done away with.

**Bw. Thaitumu:** Magamba jabwirite kugabwa ni njuri ncheke nuntu nio ikumenya mantu ja mianka, mantu jamaingi nio ichii, committee iria igambaa niirite muno.

**Translator:** Land cases should be handled by *Njurincheke* because they know the boundaries and land committee should be done away with.

**Bw. Thaitumu:** Ithaka bia nthenge bionthe bibwirite gucookua na bitibwiirite kunenkerwa antu bangi.

**Translator:** The land that has been taken through the traditional Meru oath should be retained and not be given to other people.

**Bw. Thaitumu:** Aari ibabwirite kwegwa opportunity umwe na nthaka ndene ya muchii, batibwirite kwirawa at to muchii juu, mwari ni mwana ja ungi na nabwirite kwegwa ituui ni muciaru wawe umwe na baa bangi.

**Translator:** Equal ownership of land right to the women as to men.

**Bw. Thaitumu:** Nkithiria polisi ibabwirite kurita ngugi yao injega nuntu ngugi ira baritaa ni chia marwaa, chang'aa na mantu ja makara ibabwirite kurita ngugi jongwa gukaria wananchi.

**Translator:** Police should protect the Kenya citizen and stop doing other jobs, they have been doing, like looking for illicit local brews.

**Bw. Thaitumu:** Ngugi iu nibwirite gutigirwa njuri ncheke na chiefs.

**Translator:** That work should be done by *Njurincheiki* and Chiefs.

**Bw. Thaitumu:** Iubwega.

**Translator:** Thank you so much.

**Com Zein:** Steven Kobia. Steven Kobia. Unajua nitakuwa nikiita mara mbili mara tatu, ikiwa hayuko naenda kwa ingine. David Gitonga, John Gituyu. Paul Mwiti. Paul endelea.

**Mr Paul Mwiti:** Riitwa riakwa mbitawa Paulu Mwiti.

**Translator:** My name is Paul Mwiti.

**Mr Mwiti:** Na nkaria na Kimiru.

**Translator:** I will speak in Kimeru.

**Mr Mwiti:** Untu bumwe bura bwina thina buru gwetu ni mantu ja urimi.

**Translator:** One of the main problems in this area of ours is about farming.

**Mr Mwiti:** Murimi nwe mwananchi uria winyilitue buru nuntu ruteere ruu rungi baatwi twirima kithira ija mpempe utibio kwona kauga nakuo gutibio mbeba iciaurire.

**Translator:** You find that the farmer here has a lot of problems because like in farming there is a lot of problems, and any

form of farming is next to impossible to carry on in this place.

**Mr Mwiti:** Kuuma twaandire Kaua baatwi itwainyililue ii bara bari iguru nuntu baria barwamirite ndene ya Kenya ibabati kutiatwa nuntu mbeba iria barire mwanka kuuma tukwaanda kaua indi ja uuni kuuma ndikwaanda kuuma 1975 mbuga ni kantwere mbandiki na ini murimi oko ii bara bari officine.

**Translator:** You find like in Coffee farming, me being one of them, people on the receiving part of it have been misusing our money and we do not have anything.

**Mr Mwiti:** Na ni ndi murimi ntiumba kuthomethia mwana nuntu utikio nkwoona.

**Translator:** And I being a farmer I cannot actually indicate my town because there is nothing I am getting.

**Mr Mwiti:** Buungi ni mantu ja kithomo.

**Translator:** The second part is about education.

**Mr Mwiti:** Kithomo turirwa ikia utheri na gutikio tukwoona nuntu ja neendi aritwa ibarengiri mbeba cia matinda na matinda jatikulukaa aa cukuru ya Kunene kana jauma kimanchia utinao jageeta nuntu mbeba cionthe ikathira na utukurita indi na president wengwa ariuga tukarita mbeba.

**Translator:** You find that you are being told education is free but still we are being asked to pay a lot of money.

**Interjection:** Anataka iwe namna gani?

**Mr Mwiti:** Ndienda tweekwa kithomo kia utheri turekerwe kugita kethira ii mbecha cia activity fee kana building fund.

**Translator:** Now education should be made free and paying of activity fee, or building fee should be abolished.

**Mr Mwiti:** Bungi ni thirikari itutegeere kana anene nuntu batwi muno muno nja nitukwinyilua kethira sheria iu iria ikirwe oo uria gukwirikana. Nuntu polisi, ukeja gwita kuringa ripoti atia ugwe uti na becha chia guukumana ugwe utiona muntu wa ukuthiata no mwanka wirwe wikire ngaari mauta na itukwirwa ngari icia nthirikari. Niata tumba kugita tweta kuringa repoti aria tutigeetue iuku kana karamu. Ii sheria iriku juumba gwikirwa kweri gwatwika baatwi itukaarua. Witite kuringa repoti, urirwa mbere aandiithia, ugeetua mbere karamu na karatasi. Weeta wagura ukeerwa ugwe utibua muntu.

**Translator:** The police should also be made to cater for the people because you find if you go to report to them you will be told to buy books, buy petrol for the vehicle. So let us have a provision that will protect us.

**Mr Mwiti:** Kwou indi au baatwi ni twinyilitue.

**Translator:** We have been oppressed for so much in that area as police are concerned.

**Mr Mwiti:** Kithomo nakio ikithomawe kuuma clasi one mwanka eight alafu tugeeta form one mwanka form six nuntu irio mwana akethira eena utombo buuneene bwa kwithirwa eena ukuru butina kuthithia kethira imugomo cukuru. Bweeta form four baakithiri form six ukethirwa bwiina ukuru bubweega bwa kwonania kweli kithoomo kiu buthoomete igikiega.

**Translator:** Let us have education from class one to seven and then form one to form six, so that somebody would be mature at the end of the day. Class one to eight and then form one to form six so that somebody would be mature at the end of the day.

**Mr Mwiti:** Gwatwika batiumba kugoma kinya cukuru indi nuntu ibakuri.

**Translator:** People will not be striking at this time because they will be mature.

**Mr Mwiti:** Buungi president weetu oone kethira ija murimi kana rwaria ruu rwaarirue mantu jau jarekebishwe ati muntu nabati kweejawa ngugi iria iri ekie nuntu uuni ndi daktari wampa ngugi ya warimu ntimiumba nuntu ndi daktari.

**Translator:** Again in Kenya, people should be given the job that they deserve. If you have been trained for this job you should get it. If you are a doctor, you be a doctor. If you are this, you are this without complicating, getting what is not yours.

**Mr Mwiti:** Ii buuntu ukwoona kinya economy yeetu ikithuka nuntu uuni ndi daktari ndinenkerwa giti kia waarimu na ntikiumba indi aantu aau kwaririrue muno.

**Translator:** That will fight our economy's plan because if I am a doctor and I am giving teaching I will not be able. So we should actually look at that one seriously.

**Mr Mwiti:** Asante uti buungi ndinabuo.

**Translator:** Thank you I did not have much.

**Com. Zein:** Asante sana Paul for using your time well. Ningependa kumuuta Zakayo Marimba.

**Zakayo Marimba:** (*Speaking in Kiswahili*) Jina langu ni Zakayo Marimba. Mimi nitazungumuza kwa ajili ya mazingira yetu.

Kitu kinacho haribu mazingira yetu ni kitu kimoja tu. Ukiona hii forest inakwisha, haishi tu kwa ajili tu, au kwa vijana. Si kwa vijana. Wale ambao wanaotuma hii forest yetu iharibiwe ni watu wawili tu, nao ni watoka parliament. Zamani hii forest ilikuwa ikiitwa .....(*name not clear*) Forest. Lakini wakati Angaine aliingia kwa seat wa ....(*name not clear*) wakashikana na Naaman akiwa naye Chief, waliungana wakasema isiitwe ..... iitwe Lower Imenti, hiyo ikawa ni ya Imenti. Wa Imenti wakaingilia ile forest, wakaanza kujenga hata nyumbani ukienda upande ya kwao, iko nyumba katika forest. Ilijengwa. Ni kwao.

Wawe ..... walipo ona, kwa kuwa ..... waliandikwa askari wa kulinda na wa Imenti wakaandikwa kulinda ..... Wao waka kata barabara mpaka katikati na wengi wakaja upande ile wa Kata. Na jee, hawa watu waliandikwa Askari wa foresti. Bure

tu ikiwa hakuna kitu yake, atalinda kitu ya Mmenti.

**Com. Zein:** Sasa hio ndiyo historia na ndiyo matatizo. Unataka tufanye nini?

**Mzee Marimba:** Nataka hivi. Vile mfanye, ile division inaitwa Lower Imenti iondolewe ndiwe ... Forest kama ilivyo kuwa zamani, kabla kuja .... Kwa siri.

Jambo la pili tutazungumuza pamoja ilio zungumuzwa na Mzee mmoja hapa. Ile *sengi* ya Kimeru, kusema kweli sio *sengi* hio iliwekwa na wazee wa *Njurincheke* hakuna maskini haingekuwa haana shamba. Tunge kuwa zote matajiri. Lakini *sengi* ilipowekwa, kila tajiri aliogopa ile *sengi* ikipigwa famili yake yote nakwisha ikiwa ni uwongo. Kwa hivyo *sengi* hiyo iwe ni final kama ya koti. Hata hio *sengi* ya kimila iwe ni final hapa ili tupate kusaidika.

Jambo lingine, (**interjection**) sisi wa area hii ambao tunao mpakana na mazingira hii ya forest, tunayo taabu zaidi. Mimea yetu ndovu inaingilia, inatoka kule, ina kula. Mheshimiwa atatutolea chakula wapi? Maana yake ni watu wachache ya hii inapakana na ma-forest pekee yake wanahadiwa na mashamba yao.

**Com. Zein:** Unataka tufanye nini?

**Bw. Marimba:** Hii ndovu ishikiliwe au iwekewe ua iache kutuharibia. Hapa hata nikiachia hapo, shida mengine zaidi ya hao, ni kusema ni asante sana kwa ajili yenu kutufikia.

**Com. Zein:** Asante sana mzee, asante sana. Nenda pale uandikishe kwenye register kwamba umetoa maoni kwa mitume wa kurekebisha Katiba. Jeremiah Mwenda. Sasa mimi nitarudia ile list wale watu niliowaita ambao walikuwa hawako tuone kama wamefika. Steven Kobia. Steven Kobia umerudi na David Gitonga uko? Eh, kaa tayari. John Gituyu. Steven endelea.

**Stephen Kobia:** (*Speaking in Kiswahili/English*) Kwa majina mimi ninaitwa Stephen Kobia. Niko na machache ya kusema.

My points are in form of writing and my colleague will represent it. So yale nilikuwa nataka kusema ni machache tu. My point number one is that the president should not be above the law.

Second our school leavers must be up working working in order to suit for their lives.

Third. Bribes should be discouraged in ..... And those who are caught in that case should resign. Point number four, nobody in Kenya should have more than one post. Point number five, Human rights/freedom should be maintained e.g. right of property. The other point is that the Chief/sub Chief must be elected by the citizens through voting. And with those few points, that is the end of my views.

**Com. Zein:** Asante sana Bw. Kobia.

**David Gitonga:** Kwa jina mimi naitwa David Gitonga na maoni yangu nimeandika kwa kitabu.

**Com. Zein:** (*Speaking in Kiswahili*) Asante sana David. Upeane hicho kitabu akimaliza Kobia. Jeremiah Mwenda. Sasa naenda kwa list ya tatu.

**Johnstone Kibara:** (*Speaking in Kiswahili*) Kwa jina naitwa Johnstone Kibara. Nitasema kwa machache. Sisi wakulima tunafanya kazi lakini hatufaidiki na hiyo kazi. Tunasomesha watoto, lakini sasa tunashida ya school fees. Kwa sababu, ukiona bei ya mahindi sasa ni shilingi tano. Hiyo shilingi tano, ukiwa na mtoto secondary, huwezi lipa fees hiyo.

Mimi ninaambia nyinyi Commissioner wa Katiba ambayo utapanga, uone maslaha ya mkulima. Unajua watu wengi hawa ndiyo wakulima. Lakini, unaona hata watoto wameacha kulima kwasababu hawafaidiki na kilimo.

Sasa nataka kuomba serikali ili itakuwa isimamie bei ya kilimo, ili mkulima afaidike.

Hawa watoto ambao tunawasomesha wako nyumbani, hawana kazi ya kufanya. Tunaomba serikali isaidie ili wapate kazi.

Hapa Kimachia hatuna hospitali. Tuna secondary hapa lakini hatuna hospitali ya kupeleka hawa watoto. Kila mtu akiwa mgonjwa usiku, utalasimika, akomboe gari aende uko Meru hospital, au Tigania. Ninaomba serikali atuangalilie upande huu ili itusaidie. Sina mengi. Ni hao.

**Com. Zein:** Asante sana Bw. Johnson Kibara. Andika jina pale, kuonyesha umetoa maoni yako.

**Josphat Mberia:** Ndiaria na Kimiru. Mbitawa Josphat Mberia.

**Translator:** My name is Josphat Mberia.

**Mr Mberia:** Na nkarita maono jakwa ningwa ja mwiri jokwa.

**Translator:** I want to give my individual opinion.

**Mr Mberia:** Nuntu nindaitirwe njara na ndigwiitwa njara.....

**Translator:** I got slashed and when my hand was slashed.

**Mr Mberia:** Ii ndoneere thiina inene sasa riria ndetire kwaandika igaamba.

**Translator:** I got a lot of problems when I went to report my case.

**Mr Mberia:** Iigaamba riu riagaabwa kwa janji riacoka riatawa oou nuntu bwa uria ntaari na mbeca.

**Translator:** The case was handled by the Judge, but because I did not have money, it was just thrown out.

**Mr Mberia:** Na ndigucoka naa kii njuri ncheke

**Translator:** When I went back to *Njurincheke*,

**Mr Mberia:** Li rionere muromo, riragaambwa ii njurincheke muntu uria waantemete eetikiiria.

**Translator:** I got assistance and whoever had slashed me agreed upon it.

**Mr Mberia:** Aigwitikiria itwetanirie twiitanakia kea kimiru na aretikiri akaria njara iu na indi atandia.

**Translator:** When he agreed, we followed it traditionally and he agreed to pay me but unfortunately up to date he has never paid me.

**Mr Mberia:** Na chief na sub-chief impayaa thiina kinya umbitia mbecha.

**Translator:** Chief and sub-chief are always giving me problems because they ask me for money.

**Mr Mberia:** Muntu akeja gwokwa buru akiendaa mbecha na uuni ntiandiki, ntiumbaa kurima baambitia mbecha ngaikua maruru yamathuku muno.

**Translator:** They come for money in my place and they know I am not working. This makes me feel very bitter.

**Mr Mberia:** Kwou kinya nii nkwijite ndene ya kuthikira katiba mbona mantu ja jau kethira ijagukurukua bukurukia jau.

**Translator:** So when I heard of this issue of giving views, I decided to come and hear and know whether such views like mine can be taken.

**Mr. Mberia:** Na jathiria gwiita naara bwaumba kwariria muntu andea njara ekwa atandea mwanka indi bwariria. Ibubwega nti na jangi.

**Translator;** And if it is possible, we talk about if this man who slashed me will pay me back. Thank you so much.

**Com. Zein:** Asante sana Mzee. Tafadhali uje hapa tuchukue jina lako. Asante.

**Joshua Thiringi:** (Speaking in Kiswahili) Jina langu ni Joshua Thiringi. Ninakuja hapa kutoa maoni. Point ya kwanza, ukiangalia katika ile ilikuwa ya zamani, wananchi wengi hawajui kwa sababu hawakuiona .

Na napendekeza, Katiba hii mwananchi wa kawaida itatolewa sasa au ananijua kwa sababu ni Katiba yake ili ambaye yeye itamlinda. Kwa sababu wale ambao wa hii ya zamani tulikuwa hatujui na tukawa hatujui sheria, na mambo mengi yakawa ni shida kwa sababu ukiwa na kesi yako, unaweza kuweka advocate. Na ukiweka advocate, nao wanaweza kufanya hio kesi, na ukifanya hiyo kesi, mara nyingine ukaambiwa unafukuswa hata ikiwa ni vile vitu vyako haichukua, na hakuna hatua ambaye rahia atakuchukuliwa.

Kwa hivyo naona, ikiwa ni ule anaandikwa na serikali kama Judge, ama polisi, wawe na wanalifu vizuri Katiba hii. Akifanya

makosa, achukuliwe hatua. For example, ikiwa ni uhongo, kama polisi, kama vile wakienda sasa ikiwa unapigwa na mwizi, na mwizi ameenda na pesa zote, Polisi atakuambia uende ununue kalamu, ukija na kalamu, uambiwe kwenda nunua kitabu. Ukiwa umekatwa, P 3 tuna moja tu. Chukuwa hii uende utoe photocopy. Ukitoa photocopy, askari yule atakupeleka nao anataka chakula. Ikiwa sasa unapewa barua ya kuenda kushika waizi, gari haina petroli, uichukue.

Kwa hivyo nataka Katiba hii iwe na marekebisho kabisa ikiwa ni ripoti ya kunyang'anywa ndiyo unaye, basi hatua ichukuliwe mara moja.

Ya pili, kuhusu kilimo. Watu wengi wameacha kulima. Kunatakikana kuwa na Kamati ile ambaye inapendekeza ikiwa ni mazao yetu, yale ambao yale tunavuna kutoka kwa shamba. Bei ile tuta uza nao, iwe inatoshea matumishi ya yule ambaye analima. Kwa hivyo Katiba hii yetu iwe inaweka hiyo Kamati ile ambao ata..... Mkulima.

Jambo lingine, ikiwa ni haya mashamba, kuna mashamba yale alipewa zamani, na kuna wengine ambao wamezaliwa upya na hawana mashamba. Inatakikana serikali ichukue hatua ya wale ambao hawana mashamba ikiwa kuna sehemu ambaye imebaki wapatiwe.

Sehemu lingine la tatu, ukiangalia katika mitaa yote, ama ma-town yote utakuta machokora huko. Na sasa hawa machokora, kila mtu ukimwangalia, ana dhahabu mbali mbali. Nina taka serikali ama Katiba hii ichukue hatua ya kulinda watu hao. Ikiwa ni wale ambao wamepoteza wazazi, wawe na mahali ambaye wale ambayo watapelekwa kwa shule, wafundishwe, na wakitoka pale, serikali watafutiwe kazi waende wakafanye kazi.

Jambo lingine la nne ni kwa shule. Ukiangalia wazazi wengi tunaambiwa shule ni ya bure. Lakini shule si ya bure. Shule ni ya pesa, na mtoto akikosa karo anafukuzwa. Na kuna watu wale ambao hawakufaidika kupata kazi, lakini ana mtoto. Naye anashindwa na hii karo. Kwa hivyo unaona jamii maskini imebaki bila masomo. Inataka sasa serikali ifikirie wale jamii maskini wawe na shule ya bure. Tena hata hospitali. Hospitali ya serikali tunaambiwa ni ya bure, ya kusaidia wale maskini. Kwa sababu president wa kwanza alisema tutapigana na adui huyu wa magonjwa. Lakini ukienda kwa hospitali zote wamefanya *mulolongo* hata daktari hashuguliki na hao, anaendelea tu saa imalizike kwa sababu yeye ameandikwa. Mara akiona saa imekaribia anaitisha vitabu wawili watatu basi, waandikiwe. Hawa wengine wamebaki. Nikuwe na mwangalishi. Ukiwa sasa kuna kunawaangaliwa kule, unaonwa watu wamefanya *mulolongo* na hawakufanyiwa kazi, hatua ichukuliwe, hawa waastakiwe. Maoni yangu ni hayo. Mheshimiwa sina mengi.

**Com. Zein:** Asante sana Mzee. Tafadhali andika jina lako pale kama umetoa maoni.

**Paskal Kimenthu:** (*Speaking in Kiswahili*) Okay, asanti sana kwa nafasi hii ambao nimepata ya kuweza kuongea mbele ya mkutano huu. Mimi kwa upande wangu, majina naitwa Paskal Kimenthu, mimi ni mshiriki wa kanisa, ninaongea kama mshiriki wa kanisa. Kanisa langu ni Seventh Day Adventist (SDA). Sisi kama washiriki wa kanisa ile wa Seventh Day Adventist (SDA) katika eneo hili, tumepambana na matatizo mbali mbali na shida mbali mbali hasa upande wa kuabudu. Ingawa kuna huru wa kuabudu lakini tumekuwa na shida mbali mbali. Wengi tumegombana na kukosa kazi, watoto wetu kukosa elimu, kama ni upande wa mizezo mingine ambao inafanywa mashule, wengine tumegombana hata na shida ya kukosa kupiga kura, na wengine kukosa mkutano ya wazazi kwa sababu hii siku ambao tunaabudu ambao ni siku ya Sabato,

**Interjection by Com. Zein:** Mapendekezo lako ni nini? Siku ya Sabato iheshimiwe na ijulikane kisheria.

**Paskal Kimenthu:** Kwa hivyo mimi ninasema serikali iangalie na katika Katiba mpya tuwe na right of workship, wabudu wetu waheshimiwe. Na zaidi ya yote, kama ni watoto wetu ambao wanasoma katika mashule, mtihani isifanywe siku ya Sabato. Zaidi tuangalie upande wa job. Kama kuna freedom of worship lazima pia tupate kazi. Na ni lazima hata serikali inangalie upande wa kupiga kura. Wakati mwingine kura zinapigwa siku na Sabato na hata sisi tuko na haki ya kupiga kura lakini kwa sababu siku hiyo ni ya ibada hatuna nafasi. Kwa hivyo tunanyimwa nafasi hiyo, ya kuweza kupiga kura wakati kila Mkenya anapazwa kuwa na right ya kupiga kura. Hiyo mambo yote iangaliwe katika ile kanisa, kwa sababu pia sisi kama washiriki wa kanisa, tunajua kwamba tuna heshimu serikali na kuiombea serikali yetu ili iweze kuwa na viti. Ili nao waweze kuendelea kutulinda na kuangalia maslaaha yetu.

Kwa hivyo, la mwisho ni kwamba sisi kama washiriki wa kanisa hilo, tunaomba Katiba mpya iweze kuangalia, masaa yote yale tunapaswa kuabudu, katika kitabu kitakatifu Exodus 20:8-11, kutoka ijumaa jioni, kutoka kwa jua hadi jumamosi kutoka kwa jua, ndiyo masaa inapaswa kuheshimiwa na Katiba mpya ile kila mshiriki wa kanisa hili awe na funza wa kuabudu mungu akiwa free bila kusumbuliwa. Na kwa hayo nita malizia hapo nikisema Mungu aweze kuwabariki.

**Com. Zein:** Asante sana Paskal. Andika jina lako pale kwenye register yetu. Jeremiah Kiburi.

**Jeremiah Kiburi:** Maoni jakwa nikwithirwa baatwi itukwenda.....

**Interjection:** Ngoja, ngoja Mzee. Ningekuwa nataka ukae hapa. Kama una kazi huku useme, tufanye mipango mwingine. Nataka ukae hapa, mzee akija, aanze kusema na wewe unasema.

**Jeremiah Kiburi:** Riitwa riakwa ni Jeremia Kiburi.

**Translator:** My name is Jeremiah Kiburi.

**Mr Kiburi:** Uuni buria kwendaa kuuga.

**Translator:** What I wanted to suggest,

**Mr Kiburi:** Baatwi mantune ja kurima, Kii kurima twi na thiina sana nkuruki kinya igita riu tukwithirwa tukirimaa.

**Translator:** I wanted to propose an issue on farming where we have a lot of problems.

**Mr Kiburi:** Mono kurima kii kauga, baatwi guti gintu tukwona gi kua kinya aana baria bathomaa ariene ii turi bonthe ibathamite cukuru bakauma secondary nuntu bwa uria tukailia mwarimu mbia ii ichiyyite, tukeerwa tugwiita kuromberwa ciringi ikumi, tugita kuromberwa ikumi bagaita nario, tukeja tukanenkerwa rubia naruo bakajukia bakauga twina marandu joo.

**Translator:** Mostly on Coffee farming we find that we do not get money and our children in school are actually having a lot of problems in terms of paying school fees.

**Mr Kiburi:** Mwarimu nww ntuku ikithira ithatu nuntu indamwirite mbacha nkeja nachio akenga mwana ambikira nja.

**Translator:** You find after three days the children are taken out of school because of lack of money. Because of this problem there is actually a serious issue.

**Mr Kiburi:** Uuni buria nkwarairia kii katiba ii I thirikari itumenyeere mono manture ja kua keenda aana bomba kwoona no kithomo nuntu ibaukite gwachia kithomo nuntu guti urimi bungi tumbaa kurima naa, tutii ng'ombe chia kuriithi tutiona akurithia bura no antu bakuriithia Rwanda bakoona into bingi, kiu nikiu gintu kiria gionka twigetie kia kurita nakio ngugi.

**Translator:** Since we have only Coffee in this area as the cash crop we would like the government to protect it so that it can never pass and we help our families.

**Mr Kiburi:** Nabo arimi bautwika moyo uu kinya kua ikambiriritie kuura konthe kabisa baaremwa nikubwithia nuntu utiumba kuthikiriria muntu ungi njaa eeku ajukakia into biria biikuo.

**Translator:** Because of poor payment in coffee you find people lost the morale and now because of that reason the productivity is very low because we cannot take care of other people who are actually coming to pick the final product of Coffee.

**Mr Kiburi:** Indi uuni buria nkwarairia kii katiba ii thirikari ikamenyaa mantu jau ja kuuma mbecha, ara ikaumaa kua karikia kuurwa, ikoona joongwa ciukinya factory, ikoona murimi akwona into biu biaeta no feesine. Nii ibuo nkuuga uu nti na mantu jangi ja kwaria.

**Translator:** The government should oversee from the processing upto the selling of Coffee and should make sure the money reaches the farmer. That is what I was suggesting. I did not have much more.

**Com. Zein:** Asante sana Mzee. Tafadhali andika jina lako kwenye register pale.

**Julius Kairithia M:** (*Speaking in English*) Thank you very much Mr Chairman. My names are Julius Kairithia M. I would like to make a number of proposals to the Commission. I propose that the new constitution should have:

- i) a preamble which is to believe that Kenya is a democratic state committed to rule of law, equal rights for all and that

the new constitution is being enacted by the people of Kenya in order to maintain and promote national unity, social, economic and cultural development.

- ii) The new Constitution should ensure that Constitutional amendments are only enacted through a 75% majority vote in parliament.
- iii) The parliament should not have powers to amend the constitution on issues such as, which touch on separation of powers, Bill of Rights, Constitutional offices. These ones should only be amended through National Referendums.
- iv) I also propose that the new Constitution should be drafted in simple language than technical and it should be available to every Kenyan in English, Kiswahili and other local languages.
- v) The new constitution should make it compulsory for College students to undergo military training before embarking on their academic programmes.
- vi) On political parties, I suggest that the new constitution should limit the number of political parties to only three. I propose that Kenya should have a structure of government which is headed by a Prime Minister, who shares powers with the president.
- vii) The constitution, I propose, should also provide for impeaching of the President and the Prime Minister especially if they mismanage natural resources.
- viii) I propose also on elections that voter registration should be a continuous exercise.
- ix) Another point is that Presidential, Parliamentary and civic elections should be separated. I propose that we hold presidential elections separately from Civic and Parliamentary elections.
- x) Constitution should also make provisions which guarantee social, economic and cultural rights. I propose that education should be made free and compulsory up to secondary level. I propose also that Kiswahili should also be elevated to become our national language so that we have two national languages.
- xi) I am proposing that the Constitution should provide for immediate sacking of corrupt officers and if they have obtained public money corruptly, they should be made to pay.
- xii) I propose that the police should have a police authority which has the capacity to hear complaints by people so that if police mistreat people, they can have somewhere where they can go and air their grievances.
- xiii) My last point I am proposing that the constitution should protect the works of artists such as musicians, actors, composers, etc from piracy and this I propose could be done by meting very stiff penalties to the culprits. Thank you.

**Com. Zein:** Thank you. I have a small clarification to make, if you could clarify for me when you say Kiswahili should be elevated to a National language. It is already the National language. What it is not is, it is not the formal language. So when you say it should be elevated to National language, it is already a National language. Did you mean you want it to be also a formal language? In other words, it can be used in offices.

**Julius Kairithia:** Yes. Thank you very much. I would like it to become official. It should be official and though I have not

mentioned here, I have left some points, I propose also that it should be used in parliament and to conduct business.

**Com. Zein:** Okay. Thank you very much. Please hand in your memorandum. We will read it and sign our register.

**Nathan Maingi:**

**Julius Kairithia:** He had sent me so I am just going to hand in his memorandum

**Kaindio Ibaya:** (Speaking in Kiswahili) Ninashukuru kwa kufika mbele ya mtume na kusiza maoni ya Katiba na ki-historia sijui kama ningeweza kuwa mbele ya hawa tume. Nilikuwa ninaskia tu kwa radio. Lakini ninafurahi. Maoni yangu ya kwanza ni kuwa ukulima wa Kahawa uangaliwe pande hizi za kwetu maana wakulima wamekosa ile morale ile ya kulima Kahawa kwa sababu washa punjwa sana. Pesa hakuna, miti yenyewe ya Kahawa yenyewe imeanza kuwa kuni kwa shamba, watoto wameacha shule. Kwa hivyo ukulima wa Kahawa uangaliwe vizuri na serikali.

Kitu kingine ni kuwa, Mawaziri. Mimi nina toa maoni yangu kuwa Mawaziri, wawe wanapewa wadhifo wao kulingana na vile wamesoma. Kama ni Daktari apewe kazi ya afya. Kama ni Wakili apewe kazi ambaye inalingana na kipawa chake. Kama ni Engineer wa barabara ama mijengo watoe kazi kwa Works. Sio ati Engineer wa Works apewe kazi ya Udaktari. Hio haiwezi kuwa mzuri.

Elimu pande ya msingi. Hii elimu tunaambiwa ni bure lakini pamoja na kuwa bure, wengi wa maskini tumeshindwa kusomesha watoto wetu, kwa sababu kweli tumeambiwa ni ya bure. Pamoja na kuwa bure, hakuna cha bure. Kwa kila kikundi, karo, nini na karo zinaendelea kupanda kila siku. Kwa hivyo, naomba serikali iangalie maslaha hayo.

Kingine nacho ni usalama. Usalama kabisa hatuna na serikali yenyewe haija, yenyewe inaonyesha bidii lakini pamoja ni hiyo, hizo bidii hazitulipishi, maana tunakaa kwa uoga kila saa. Kila saa nduru, kila nini. Na ukienda kupiga repoti hakuna hatua inachukuliwa ki haraka. Sijui tutamlaumu nani wala nani, lakini kichanzo kwa usalama ni kuwa ni uchumi mbaya – mismanagement of economy. Iangaliwe. Kwa sababu ambao wanaushika katika visa vya walimu ni wale ambao hawana kazi, nini. Kwa hivyo, sisi manyumbani yetu tunakaa kwa uoga. Na ukipiga reporti hio uchunguzi haiendi sawa sawa wala hakuna culprit anapelekwa kotini. Tunaomba polisi wawe na uwezo wa ku-stamp out .....

Lingine, mimi upenda kusikiza radio sana. Sehemu ya Nairobi wanasikiza radio nyingi kulingana na chaguo lao lakini tumechoka na KBC. Ime-dominate air waves mzuri sana. Tunataka hapa tuwe tunasikiza radio kama vile Nairobi wanasikiza radio. Tunasikia Citizen, Nation FM, Captial FM, kila kitu watu wana matelevision tuwe tunasikia. Sio mara ingine Citizen kupewa frequency halafu mara wanakatishwa. Mimi napenda kusikiza radio na kuangalia television sana. Tunataka tuwe na msimamo upande ya kusikiza habari. Kwa sababu, sasa ukiangalia, liberalized air waves inamanisha liberalised air waves in Nairobi but sio hapa Tigania. Sio hapa Tigania West. Kwa hivyo tunataka hiyo.

Kitu kingine tunataka Raisi ambao ana Executive powers na Prime minister, na one Vice-President. Hiyo ni maoni yangu mimi, sio kusema mimi sio kusema tunataka. Halafu na Judiciary iwe free. Kitu kingine tunataka, appointments ya watu kama Commissioners of Police, Head of Parastatals iwe kuna Commission ambaye imechaguliwa na Bunge ambaye itakuwa transparent. Iko na watu wa chama yote, ambao wataweza kupendekeza majina kwa rahisi. Ama kwa Baraza la Mawaziri ama kwa wanaohushika ili hawa watu wawe wanafanya kazi kwa njia ambaye iko mzuri. Unajua sasa ikiwa ni appointment through Executive, watu watafanya kazi wakiogopa, they will serve their own ..... Na hiyo hatufurahii. Kwa kweli hatufurahii hiyo kabisa.

Kitu kingine ningependa Chief nao wanachaguliwa ama serikali atafute njia transparent ambao ma-Chief watakuwa wanachaguliwa, na wakichaguliwa, ma-chief wapelekwe para-military. Ma-chief wengine hawajui hata kushika bunduki, na hapa tuki pata waalifu, Chief wengine hawezi kutusaidia. Serikali iwafundishe bunduki na para-military wawe ya discipline kama members of the armed forces, na pia wawe administrators waonyeshwe ukitokea ualimu pia awe pia ni msaidizi awe na bunduki yake na kila kitu. Hatusemi sisi tutoe bunduki tujikinge lakini inatakiwa Ma-chief, na Ma-sub chief, na wale ambao hawaja fundishwa para-military kwa sasa, naomba serikali wapelekwe, wafundishwe, wawe kama askari kabisa. Hapa naye kesi za mashamba hapa Tigania West kesi zimesukumana muda mrefu sana. Kuanzia nizaliwe, kesi zinasukumana. Naomba serikali ituangalie hapa Tigania West tupate titles haraka maana kwa sasa ... zime-jam kwa sababu wengi wa wale Land Adjudicators wamekuwa retrenched, ama kuwa retired na hawajakuwa replaced. Naomba serikali iwaleta ndiyo tuendelee vizuri.

**Com. Zein:** Ni vibaya muda wako umekwisha. Chukua fursa hiyo kumaliza mambo mawili ya mwisho.

**Bw. Kaindio:** Haya. Kitu kingine, naomba wafungwa wapewe haki ya kupiga kura.

Kitu kingine naye, Katiba iwe imeandikwa kwa lugha ambayo wananchi wataelewa. Kwa Kizungu, Kiswahili na iwe na booklets.

Kitu kingine ni kura ya maoni. Naomba maneno ambaye iko ngumu, itolewe kwa bunge iletwe kwa wananchi wapigiwe kura ya maoni.

**Com. Zein:** Ngojea kuna swali Commissioner anataka kuuliza.

**Com. Ratanya:** Bw. Kaindio, ningetaka, pengine hufahamu, katika Katiba ambayo tunayo, kuna pendekezo ya Ma-chief, hata Ma-DO kwenda kwa course Embakasi, para-military training kwa sasa. Kwa hivyo, pengine ungetaka kupendekeza kama hawafanyi hivyo, kwa sababu Katiba sasa ina-provide hiyo, ungetaka pengine kusema kama hawafanyi, wafanye kwa sababu iko.

**Bw. Kaindio:** Mimi nilikuwa sina habari. Kwa hivyo, ilikuwa ni mapendekezo wangu, maana mimi ni lay man.

**Commissioner:** Asante sana. Tafadhali andika jina lako pale kwa register. Ningependa kwa karibisha wanafunzi wa hii shule ambayo tunaitumia hapa, Kimenchia Primary School, katika mkutano huu na kikao hiki rasmi cha kukusanya maoni ya kurehebishia Katiba yetu na kueleza kwamba mmepata fursa nzuri kushuhudia na nyinyi kuwa mashahidi kwa mfumo huu wa

kurekebisha Katiba na ni jambo kubwa la ki-historia. Mtakapo kuwa wakubwa, badaye watoto zenu watakuwa wakiwauliza mlikuwako wakati huu mambo haya ikifanywa. Na mtasema mlikwako na kwa hivyo nimewakaribisha sana na ningependa kumwita Rosemary N’Katha, mwakilishi wa hawa wanafunzi aje hapa atoe maoni kwa niaba yao. Karibu sana.

**Rosemary N’Katha:** Thank you sir.

**Interjection:** Rose, weka microphone karibu na mdomo, halafu, utaje jina lako. Utaingia kwenye historia kwamba ulitoa maoni katika Tume Ya Kurekebisha Katiba.

**Rosemary N’Katha:** My names are Rosemary N’katha. My first point is, government should provide books, pens, piece of chalk and other necessary things in school so that education should be free.

ii) Retired people should not be given other job, but young people should be employed.

iii) School children should be provided with milk.

iv) Games equipment and sports equipment should be provided in primary schools by the government to make games and sports compulsory in primary school.

v) Child labour should abolished by providing good laws to punish those who employ children.

vi) More teachers should be employed in primary schools so that all subjects can be taught effectively. That is all I have to say.

**Com. Zein:** Thank you very much Mary. Mpigieni makofi. Mbona hampigii makofi. Mary, how old are you.

**Mary:** Fourteen years.

**Com. Zein:** Mary is fourteen years old, mpigieni tena makofi. Amezungumuza vizuri kabisa na Mary anakwenda pale kuandika jina lake kwenye register yetu kwamba aliwakilisha maoni yake kwa niaba ya wanafunzi wa hapa. Uko class gani?

**Mary:** I am in class eight.

**Com. Zein:** Thank you very much Mary, thank you and we wish you all the best of luck in your life and the exams that are going to come this year. Is there any other student who wants to say something.

**Translator:** Kuna mwanafunzi mwingine anataka kusema ...

**Com. Zein:** Hakuna. Haya pigieni tena Mary makofi na wanafunzi. (*Clapping*) Asanteni sana. Mnaweza kukaa msikize watu wengine kidogo au mnaweza kwenda mmehitajika kurudi darasani. Na muomba Francis Mwangangi. Karibu.

**Francis Mwangangi:** (*Speaking in English*) My names are Francis Mwangangi. I would like to bring my views as follows.

i) Provincial Administration should be scrapped ..... (inaudible) because some of them... Some of them removed, and

their roles be played by others. The channel seems to be colonial, using a local government to review their salaries.

- ii) Chiefs and sub-chiefs be left for people to choose themselves, people of good reputation. There are doing nothing as pertaining to the duties of maintaining law and order. Their prime law is to collect ..... (inaudible) and sue people. If not so, they be transferred to different parts of the country like any civil servant.
- iii) Laws concerning work done by police should be amended. Basic ... ..... Of colonialists. Their main work also is to harass wanainchi .....where..... and their money stolen and other evils rampant to the show. Some have established even Kangaroo Courts where they settle disputes demanding money from those concerned. That is practicing ... I do not know where this money go.
- iv) Laws be made to establish where mainly civil servants have acquired wealth from. Money meant for development have been diverted to their own motives so they can be prosecuted as money stolen ....
- v) Strict laws concerning drugs brought for hospitals should be enacted. No drugs in hospitals or dispensaries. Only structures. .... at least every ... and doctors sell drugs. The same drugs are not available in government hospitals.
- vi) Education be free if possible. Illiteracy cannot be elevated because the cost of education has risen highly hence, children brought up in poor families have no chance of getting education. Even money allocated by the government for poor children has disappeared with the few rich to be ... selfishness.
- vii) **Employment:** People be employed as pertaining their merits not because one has come from a family related to ministers or other government executives. Strict laws be made to curb this evil of corruption and bribery.
- viii) **Land:** Laws governing adjudication of land be reviewed if possible. Land be demarcated again. Rich people have stolen land belonging to poor families by collaborating with the Land Officials. Some have been dismissed having been living in a land for over 30 years by these wealthy people.
- ix) Last, natural resources. Laws governing forest and other natural resources to be amended. Cutting of trees in forests has gone high hence no catchment of rain. Proper supervision be in forest. Chiefs, assistant chiefs have collaborated with charcoal bunnners to cut trees by offering bribes .....
- x) **Roads:** They are impassible despite people paying taxes for them, management of them has still deteriorated. Laws for roads people ..... Councilors are doing nothing, though he is elected to care for people, receive ..... their work may be done by Chiefs if possible.
- xi) **Presidential Powers:** Some of them should be abolished like he is above the law, cannot be prosecuted in a court of law. Power to appoint all senior people in parastatal bodies and also parliament members. Parliament be allowed to

vote for them. Some parliament members have ..... root of scandals including billions of money.

Power Concerning Judiciary. Power should be strict. Not just issues done by Judges and Magistrates concerning cases because of ..... within them and ..... Life of parliament to be reduced. P.... appoint their ..... to three years ...

People known to be involved in corrupt deals should not be left to stay in office because of their relationship with ... Laws should be enacted to curb this . Also in this area, concerning most ..... Coffee people should be paid at least, if possible, by the end of the month because this .....

**Com. Zein:** Thank you very much Francis. Tafadhali toa hiyo memorandum, tutaisoma na u-sign register yetu kwamba umetoa maoni katika timu ya kurekebisha Katiba. Asante.

**Marete Francis:** (Speaking in English) Thank you Mr Chairman. My name is Marete Francis. I would like to address a few issues. One is the separation of powers. It is my feeling that the Chief Executive has too many powers. I think those ones should be reduced. And I feel that some of this power should be invested in members of parliament. Our members of parliament are more closer to us. They know our problems, therefore when they go to parliament, they are in a better position to present our views and our needs than the Chief Executive. And I feel this ... will be doing some unnecessary delegations to the Chief Executive. As they say power corrupts, but a lot of power corrupts completely. I think there should be checks and balances.

I also feel that appointment of public servants should be done by a Commission rather than an individual because once they are appointed by an individual, they serve the interest of that individual. Some of them are dismissed over the radio. And I feel this is terrible. They should have a channel. I also feel that the constitution should adequately address Land policy in this country. Many of us do not know anything about public land. In fact those who were given land are our grandfathers. Our fathers did not get any land, we did not, our children may not and we see people getting land. We are concerned, how do they get land, what is the channel? When I am landless, I do not regard myself as really a Kenyan. What do I have that makes me a Kenyan? I do not have a piece of the Kenyan soil. What makes me a Kenyan if I have nothing? I have no job, I have no land. That creates a feeling that I am not a Kenyan. Landlessness should be looked into.

And then there is a question of Citizenship. We know the present Constitution addresses the issue of citizenship. But we have often heard of guests in Kenya. We have heard of people being called guests, who should also respect people from that area. Who is a guest in Kenya? This is an issue that has caused conflict and it should be addressed. Let us know we do not belong to tribes, we belong to Kenya. We do not have tribal lands and so forth. Let us address ourselves as Kenyans. This is something that should be addressed before it gets out of hand.

Also, although someone has addressed this problem before, freedom of expression. First, we should allow people to express themselves through media and press. When we hear that papers are getting muzzled with hefty fines, a lot of investment, we

feel that our views may never become public. I think while we really do not like press, we also would like the press to have some freedom, of course with some regulation. So the constitution should really guarantee freedom of expression.

Another thing that should be addressed by the Constitution is remuneration. We hear of employment, but sometimes, we do not know how people get employed. Who is getting employed. Sometimes we are tempted to count who comes from where, because of the secretive nature in which employment takes place. And we start counting oh, so and so comes from such a place, we have so many numbers. But if we are told this is how employment is being done. We have employed those who are qualified. They might come from the Rift Valley, they might come from Western, but they are qualified. The public will understand. But if it is secretive, we tend to think this is a Kikuyu, this is a Kalenjin, this is a what and we start counting the numbers and say well, you see, we are employing our tribesmen. We are not actually employing Kenyans. So this should be addressed properly by the constitution.

Lastly, I would like the Constitution to establish an office where the public can send their complaints. Whether they are constitutional, whether they are administrative, we should have a neutral office, where we can send our complaints, an office which is constitutionally protected. When you have a problem with a policeman you go and complain to the next policeman, it makes no sense. The policemen are working in the same department. When you have a problem with the judiciary you are told to go to the same people. You do not expect these people really to look at themselves, blame themselves, condemn themselves. That is asking too much. Those people are human like ourselves. So if we have a separate office, with no connection to the police, with no connection to the Judiciary, and so forth, I think that office will be more effective in listening to the wananchi than simply the office you are accusing. Mr Chairman those are my views. Thank you very much.

**Com. Zein:** Thank you very much Bw Marete. Tafadhali sign register huku.

**Charles Mbabu:**

**Com. Zein:** Nitafanya kitu ambacho kawaida mimi huwa sifanyi. Nitarudi kwenye list kwanza kuita watu pengine niliwaita halafu walikuwa hawako nione kama wamesha kuja kabla sijaendelea. Sasa subiri tu. Nataka kutizama wale wengine ambao nimewaita pengine hawako. John Gituyu, Jeremiah Mwenda, Grace Maiti, Frederick Gichugu, Laban Kaberia. Charles Mbabu, sasa kuja. Chukua microphone, taja jina uendelea tafadhali.

**Charles Mbabu:** Asante. Jina langu inaitwa Charles Mbabu. Nataka kupeana maoni yangu. Ya kwanza, nataka kuzungumzia poverty. Mimi vile ninaonelea, serikali itafute njia vile watu wamekuwa maskini zaidi na hii inatokana na kama zamani sisi Kahawa ilikuwa na pesa, kitu kama mahindi ilikuwa na pesa. Kulikuwa na vitu mingi, hii Agricultural Sector. Na serikali ilikuwa inasaidia sana, tulikuwa hata na Cereals Board, na zote zilikwisha. Na hii inakuonyesha mwananchi wa kawaida hawezi faidika. Serikali itafute njia vile watu watakuwa, wakilima lakini watafutiwe masoko wa kuuza hizo vitu yao.

Ya pili ni education. Mashule. Zamani hapo tulikuwa tunasoma vizuri sana. Sababu education tulikuwa tunasoma free. Tulikuwa ukimaliza kitabu, unaenda kwa staff room headmaster anakupatia kitabu. Ukimaliza pencil unaenda huko unapewa. Ukimaliza rubber, unapewa. Lakini mpaka sasa, 90% ya watoto Kenya hawezi soma. Kwa sababu maneno imekuwa mingi na shule imepanda. Mtoto akinunuliwa kitabu akirudi kwa shule saa hio ingine anaitishwa za watchman. The following day anaitishwa building fund. Sasa imekuwa shida sana. Kwa hivyo ikiwezekana, serikali ifanye education iwe free. Iwe free. Ndiyo watoto at least wapate kupata haki yao.

Ya tatu, ni land issue. Hasa hii district yetu ya Meru North. Tumekuwa na shida sana. Hata mababu zetu, mababa wamekufa bila kupata ile kitu inaitwa title deeds. Na sijui hii shida imetoka wapi hii ministry yenyewe ile concerned ndiyo inaonekana wanacheweza hii kitu ndiyo pengine, kwa sababu kuna kitu wanapata. Mimi ninge omba serikali watafute njia vile mtu atakuwa akipata title yake wakati inaofaa. Kwa sababu kutoka 1963, tumekuwa tukililia title deeds. Na ukienda pale kwa ofisi ya land, ule mtu alienda pale miaka kumi iliopita, mpaka saa hii ako pale. Sijui kama ni kukosa mtu wa kumhudumia, ama kama ni kitu gani inakosekana, itafute njia vile hawa watu wanaweza saidiwa. Kwa sababu hii ndiyo imekuwa matatizo kabisa, hasa wale wa district yetu.

Ya nne, ni kuhusu sheria. Kunaonekana kama sheria zingine zile zimekuwa zikifanya kazi hapa ni kama hazina umuhimu sana, kwa sababu mwalifu anashikwa leo, anapelekwa huko, anafungwa siku mbili, siku tatu, kesho anarudia ile ile makosa. Ningeonelea, kama ni hii wakati wale watu wanafunga, ama ni hiyo sheria sio effective sana, iangaliwe njia. Tena, kuna wale watu wamefanya makosa makubwa makubwa. Unasikia kama ni mawaziri ya serikali, wale watu wakubwa kwa serikali, amesimamia kiti, amekula pesa zote. Kesi inachukuwa kotini hata miaka ikizikiswa tu. Na wale watu vitu yao ilienda wanaendelea wakiangaika. Mimi ninge onelea kitu ya kwanza kabla mtu hajafungwa, alazimishwe, kulipa mali ya rahia, halafu kufungwa ikufwate baadaye. First pay ile vitu ameiba, halafu afungwe. Lakini kufunga mtu miaka tano, sababu ya milioni 20, wale watu walikuwa wameibiwa wanaachwa tu wakiangaika. Wewe unaenda huko jela miaka mitatu, wa pili, wamerudisha, halafu anafanya nini? Anaenda, anaenda na mali ya watu. Hiyo ninge omba serikali wawe wanalakimishwa kulipa hiyo kabla ya kufungwa.

Ile kitu ingine ni kuhusu kazi. Ukiangalia watu wengi wale wamesoma hasa the young people wale wamesoma Kenya hii, hawana kazi. Na ukiangalia wale watu wakubwa kubwa kwa serikali kama ni wamwaziri wa serikali, kama ni commissions zingine zimekuwa appointed, kama yenu. Unasikia mtu anakula mshahara, unasikia watu wakilalamika mtu amekula mshara kubwa hata milioni moja. Hiyo mshahara ingepashwa iandike at least wale wana angaika. Hawa wale wame maliza shule, hata wakilipwa elfu tano, tano, tano si inaandika watu kama ishirini (20). At least hiyo mshahara iwe limited, ndiyo wale wengine wapate kazi. Hakuna haja ya mtu moja apate milioni moja na yule mwingine anapata pesa kidogo. Ama mwingine kabisa haana kazi. Kuna ile tume zingine zinachaguliwa. Kila wakati, unasikia tume imechaguliwa. Na zile tume zinachaguliwa rahia wale wanafanya ..... (Tape ended) Hakuna rreport imekuja. Kwa hivyo ninge omba at least, kama ni commission imechaguliwa, iwe muda. Kama ni mwezi moja, inapewa mwezi moja, mwezi miwili, mitatu ama mwaka. Na wakati ikifika ile

imechaguliwa, ipeane report yao na itangazwe hadharani, ndiyo watu wajue hiyo tume ni kitu gani ilikuwa inafanya.

Ile ingine ni kuhusu mazingira. Ukiangalia ... tulikuwa na misitu mingi sana kwa nchi hii. Hakukuwa na njaa. Kwa sababu kila wakati tulikuwa na mvua ya kutosha. Maji ilikuwa ya kutosha. Hiyo misitu imekwisha. Ndiyo sasa watu wameanza kusema hawa ndiyo wamemaliza misitu. Mimi ningeuliza serikali. Kwa sababu, wale, kama ni mwalimu, anaenda kwa darasa na hajui kitu ingine, kando. Na watoto wakianguka, yeye ndiyo responsible. Sijui ni kwa nini serikali ianze kuliza, kwa nini misitu inakwisha na wako na kutoka huko. Kuna Provincial Forest Officer, kuna district, kuna wa divisional. Kila misitu kuna Forester, iko na askari. Wanalipwa pesa ya nini, na misitu ile mti wanatunza imekwisha. Ninge omba, kama ni serikali, kama ni hii misitu yetu, kwa sababu sasa imekuwa ni mashindao. Zamani walisema ..... misitu. Na miti haikuwa inakatwa. Kwa hivyo, ikiwa wale maaskari wa misitu wako, ni kuonyesha hakuna kazi wanafanya. Kama ni misitu, ao walasimizwe wafanye kazi ile inatakikana. Ama serikali itafute njia ingine ya kulinda hiyo misitu.

**Interjection by Commissioner Zein:** Asante sana Bw. Mbabu. Ikiwa kila mtu ninampa tano, na zako sasa zimefika saba. Sasa nakupa useme la mwisho kabisa. Na wala usiniambie hati ni ndefu. Umalize haraka ya mwisho.

**Bw. Mbabu:** Asante Bw. Commissioner. Ya mwisho mimi ninauliza kuhusu sub-areas, wale wanaitwa ma-Youth. Hata juzi nilisikia parliament huko wakilalamika, ati some areas wawezi lipwa. Commissioners, mimi ninataka kusema hivi, kitu ya kwanza, wale askari wako pale, wanashikiwa watu wanapelekewa. Kabla sub-areas hawaja fika nyumbani, wako na yule mtu. Hajapelekwa kotini, hajui ni kwa nini ameletwa huko, na sub-areas ndiyo wanajua wale criminals. Kwa hivyo mimi ningeomba, serikali at least wapate kitu kidogo wa kulipa hawa watu. Kwa sababu hiyo kazi wanafanya ni wa kujitolea, wanalala huko, saa zingine ndiyo wanatunza, waizi ndiyo wao, na ni risky hata kwa maisha yao. Uwa wakilipwa kitu kidogo hata wao watunde serikali yao. Asante sana.

**Com.Zein:** Asante sana Bw. Mbabu. Tafadhali andika .. una swali yoyote Commissioner? Asante sana. Andika register yetu tafadhali.

**James Maingi:**

**Com Zein:** Tunge subiri tuwape fursa wanafunzi watoke. Asanteni sana wanafunzi. Huyu ni mwalimu yao. Asante sana mwalimu. Haya Bw Maingi tafadhali endelea.

**James Maingi:** (*Speaking in Kiswahili*) Asante Bw Commissioner. Kwa majina naitwa James Maingi. Na ningependa kupeana maoni kuhusu Wizara wa Elimu. Maoni yangu kulingana na vile haki ya education inasema kuhusu appointment ya walimu wakuu wa shule za primary, hapa ningependa kupendekeza maoni yangu kwa sababu walimu wakuu wa Primary wachaguliwa kulingana na vile sponsor wao wanakubali au denomination. Ningependa wizara ya elimu ipewe mamlaka ya kuchagua walimu lakini si kulingana na vile sponsor wanachagua siku hizi. Nikionelea kwa maoni yangu, hiyo appointment ya heads imeleta shida sana kwa sababu wakati mwingine unaona sponsors wanalalamika wakati Ministry au .... Wao wakichagua walimu mkuu wa shule ya primary, wanaleta shida kwa sababu kulingana na Act, wamepewa mamlaka ya kufanya appointment

kulingana na denomination.

Mambo mengine ni kuhusu watu ambao wamefanya kazi, wamefikisha umri wa retirement. Siku hizi watu wengi sana wameacha kazi kulingana na umri lakini hawapati benefits zao. Wanaambiwa wangoje hata zaidi ya miaka mbili. Hapa, kwa maoni yangu, nasema mtu akiacha kazi, kunatakikana akae kwa muda wa miezi kama sita hivi halafu apewe benefits zake, kwa sababu muajiri ako na documents zote. Hakuna haja mtu kuambiwa akaye hati pesa yako inatafutua. Hakuna kitu kama hicho.

Kwa sababu wakati alikuwa anafanya kazi, file yako ilikuwa inafanyiwa kazi na unapata mshahara. Nataka kuwa na limitation, kwa sababu, watu wengi wanakufa bila hata kupewa ma... yao, wakati wameacha kazi.

Eh, tuje kwa Wizara wa Elimu tena. Hapa ningependa kuleta maoni yangu kuhusu walimu. Hapa wizara ya elimu hayangalii maslaha ya non-graduate teachers, au walimu wa primary, vile wanafanya na walimu wa secondary. Walimu wa secondary wanapatiwa promotion. Akimaliza tuu miaka tatu, basi, anapatiwa promotion to the next grade automatically. Hapa nasema, ministry of education wafanye vile vile kwa primary, non-graduate teachers, ili matatizo ya hapa na pale yamalizwe. Ukiangalia wakati kuu hakuna kazi walimu wa primary wanafanya ndiyo wanapendekeza hata mgomo, kwa sababu, hawapati marupuru kama vile walimu wengine wa secondary wanafanywa. Hapa sasa ni maoni yangu. Serikali wakifikiria na wafanye vile wanafanyia waalimu wa secondary, hata masomo ya primary atafanywa vizuri kuliko vile walimu wanafanya sasa.

Ya mwisho, nataka kuzungumzia juu ya equipment, kwa sababu wakati wa mbeleni hapa Wizara ya Elimu ilikuwa inaleta vitu vyote kama vitabu, kalamu, maziwa, walikuwa wanaleta kwa shule. Nataka kutoa maoni yangu kuhusu equipment, wizara ya elimu ihusike tena kuleta vitu hivyo mashuleni ili watoto wasiwe na shida ya kuenda nyumbani, kuleta vitabu, kuleta vitu mbali mbali kama vile wanafanya sasa. Hayo yakifanywa Bw Commissioner, nafikiri masomo yatakuwa yanaendelea vizuri mashule yetu ya primary. Ni hayo tu nilikuwa nayo asanteni.

**Com. Zein:** Asante sana Mzee Maingi, asante sana. Aam, sasa nitatumia ile discretion nilisema tutakuwa tukitumia wakati kuna dharura ya kufanya hivyo. Na kusema kwamba kuna wanafunzi kama nane hivi, wanataka kutoa maoni halafu warudi darasani. Wanafunzi wa Kimanchia Secondary School. Kwanza ningependa kwa karibishwa katika kazi hii ya ki-historia ambao tunafanya ya kupokea maoni ya wanainchi kwa mnajili ya kubadilisha Katiba yetu. Na nyinyi mtausika katika kazi hii ya ki-historia na kutoa maoni yenu. Lakini kitu nitachofanya, sitawaita wote nane kwa sababu hiyo itakuwa pia ni kuwaonea wale walio kuja mapema. Nitakuwa nikimwita moja narudi kwenye orodha yangu, namwita mwingine namna hiyo. Au si sawa hiyo. Sawa. Kwa hivyo nimuite wa kwanza. Ameandika jina ya pili kwa mwandiko wa mcharazo kwa hivyo ikiwa nimelikosea jina lako, usilalamike sana. Timothy Kathiani. Kathiani or Kathiari. Unaitwaje Timothy? Kathiani, kwa hivyo sikukosea sana. Karibu. Hapa ukichukua mic. Unataja jina lako, kwa sababu tuna record kila kitu. Uki maliza hapo, unanza kutoa mazungumzo yako, kila mtu anapewa dakika tano lakini ukiwa kwa ufupi bila kueleza mambo mengi, unataja tu mapendekezo yako. Unataka nini iwe kwenye Katiba. Sawa Timothy?

**Timothy Kathiani:** Jina langu ni Timothy Kathiani. Mimi maoni yangu nataka kusema juu ya mafisa wa usalama. Kama wale

wana kaa hapa Kimacha wako na security, AP. Wakikamata mtu akiwa na makosa, wasio wanampiga, wanampea punishment hata kabla apelekwe koti. Hayo ni makosa, kwa sababu anaweza kuwa hata haana makosa. Nataka kusema, hiyo sio jambo zuri. That is it.

**Com. Zein:** Asante sana Timothy. Njoo Timothy, nilikuambia ukimaliza hapo, unakwenda pale, una-sign register. Ni ushaidi huo utawekwa jina kwenye, mwisho wa mambo hao tutachapisha Orodha ya watu wote walio maoni kwa tume wa kurekebisha Katiba. Kwa hivyo Timothy lake lita limetokezea hapo. Narudi kwenye orodha yetu.

**Kinyua Robert:** I am Robert Kinyua. What I wanted to suggest is that the powers of the president to be trimmed because he has all the powers. Once one retires, he/she should not be offered any other job because there are some young people who are capable of doing the same job and they are not given, simply because they are told that they have no experience.

The third point, the president should not have power over Judiciary. There should be courts in rural areas, to enable all people to have ample time to reach the courts in time. Because you cannot imagine a person coming to Kitui, coming to Kilindini, that is not so good. Let there be courts everywhere in the rural areas.

When the government intends to start any trade link with any other country, for example, the East Africa Cooperation and the COMESA, the public should be alerted so that they know the advantages and disadvantages of such trade, because they are the ones which are ruining our economy. People do not know the benefit, what we are getting from the.

Also the trips of the president abroad should be looked at in the parliament so that they can vote if he can go or not. Also the government should be able to produce free birth certificates to identify the real Kenyan citizen because when you want to get your birth certificate, you are asked to give money. The Opposition Parties should be given equal rights with the ruling party to enable smooth running of the country. Also the Kenya police should be given enough salary to enable them sustain their needs to avert corruption.

Strikes should not be the only antidote to the government so they can be able to listen to workers' grievances. The offices of issuing identity cards and that of Electoral Commission throughout the year to enable those who reach 18 at that particular moment to exercise their voting rights.

Torture to the offender should be restricted to enable them live happily until the day of judgment. Also we need to have a quarter system in distribution of resources. Another point is each part of the country should be valued equally with what they produce most to enable them earn their living. The ministry of education should restrict the payment of school fees and bursary distribution to enable every Kenyan to have education. Also the president should not appoint judges. The parliament should be chaired throughout the week except Sundays and not three days per week. The public vote for a member of parliament and is

not able to sustain that seat, the same people of that constituency should file a vote of no confidence with MP thus declaring the seat vacant and calling for election in that constituency. The president should vie for the seat for only two terms and he should be an elected member of parliament.

**Com. Zein:** Muda wako ndiyo umeisha sasa taja mambo mawili ya mwisho halafu tutasoma hiyo memorandum yako.

**Bw Kinyua:** There should be co-operation between the church and the government because the two are a complimentary sense of the same goal. Thank you.

**Com. Zein:** Thank you very much Bw Robert. Tafadhali toa hiyo memorandum yako, tutaichukua halafu u-sign register yetu. Sasa narudi kwenye list ya wanafunzi. Ningependa kumwita Patrick Kaithara. Taja jina lako, uanze kusema halafu ukimaliza una-sign register. Asante.

**Patrick Kaithara:** First of all my names are Patrick Kaithira. My first point is this, the powers of the president should not be exceeded, i.e. he should not be the Chancellor of Universities. Second point is this, there must be free and compulsory Primary education. That is, the government should provide equipment to the students and if anybody denies his child the primary education, he should be sued in a court of law.

Teachers' needs should be fulfilled by the government because when they strike, it is the students who suffer and not the government and the students are the leaders of tomorrow. So they should not suffer. That is all I have.

**Com. Zein:** Thank you very much Patrick. Nilikuambia Patrick ukimaliza unarudi kule. Wenzako washajua huo mtindo ndiyo unaona wanakuambia haraka haraka urudi huku. Narudi kwenye list, nimetoka kwa wanafunzi tena.

**Peter Kiburi:** Riitwa riakwa mbitawa Peter Kiburi.

**Translator:** My name is Peter Kiburi.

**Mr Kiburi:** Maoni jakwa jaa nkwenda kurita ni iguru ria kithomo kia secondary..

**Translator:** My contribution is concerning secondary school education.

**Mr Kiburi:** Kithomo kia secondary igititie iguru mono kiri fees na tukeja kwalilia mono ja cukuru cietu cia province ndene ya Meru North mbuga marii yayo ni uu gintu ngiri mirongo ili na ithatu na bira bingi biri nthi nthi nkuluki bii bia District school lakini.

**Translator:** Secondary school education in Nyambene district or may be secondary education for that matter is very expensive. For example in Nyambene it is over Kshs.23,000/- per year.

**Mr Kiburi:** Ugeeta ukaona kethira ii ja miathene Buurieruri iu ni 23 thousand oo mwaka.

**Translator:** You find that Nyathune and Buieruri it is more than Kshs.23,000/- per year.

**Mr Kiburi:** Na ukeja kwaalilia mukuru uu akeja kuthomethia mwana wawe ndene ya cukuru iu ura mwana wawe ari umume akija ukinyia aantu a kuthiria cukuru iuu natumiire nkuluki ya ngiri maana yaili.

**Translator:** You find that parents are finding that educating a child may cost more than Kshs200,000/-

**Mr Kiburi:** Na twaalilia ndene ya micii yetu ? kira tumba kwoona ngiri maana yaili kenda mwana uu athoma utiyo tukumba kwoona noka ikalazimiza mukuru aagite kamuunda eendie nikenda mwaana uu wawe athoma nuntu nakwenda athoma nuntu numuume.

**Translator:** And you find that getting this amount of money is a bit hard so you may be forced to sell a piece of land.

**Mr Kiburi:** Alafu mantu jaa manene riria mwana uu akathiria cukuru na kinya ari umume aacoka acoke oo naa mucii ringi.

**Translator:** You find this child again after finishing school coming back home again.

**Mr Kiburi:** Akija ati na antu a kurima nuntu ithe neenderie aantu na ati na ngugi.

**Translator:** When he comes back he will not have anywhere to farm because his father has sold everything.

**Mr Kiburi:** Kwou ankwendaa kwira thirikari irekebishe kethira ni rira mwana wa muntu uria eena thiina eena grade injea nabwiri kwandikwa nuntu aana baria ba itonga nibo baandikawa nuntu kutonya nguine kaugaukumana na ngiri mirongo ina. Mukuru neenderie kithaka kirathira ationa ngiri mirongo ina cia gunkumana na cio ringi kenda mwana wawe aandikwa. Ka muchii yuu yukathiina buru nuntu kithaka ikienderue na ngugi yaura kwou kabaatura ukiene maishene yoo.

**Translator:** I am proposing the government job opportunity so that these people who have actually school can have somewhere to go because if you do not anywhere to go and you have sold the piece of land, it will be a bit hard.

**Mr Kiburi:** Kwou mwana nabwiri kwandikwa na grade yawe na ethira kari umume aandikwe ti mwana wa itonga aandikawa nuntu itonga kiina mbecha weeta aukumana na ngiri mirongo ina kana nkuluki mwana akandikwa lakini uria wa muthiini wee atuura muchii na eena grade injea nuntu ba kwithirwa ithe ati na mbecha cia gunkumana iciathirire.

**Translator:** So people who have passed and have good grades should get jobs instead because you find that the situation now is that the people who have money are the ones getting these jobs. So people from poor families are not getting any opportunity. I am suggesting let us have a provision that will cater for that.

**Mr Kiburi:** Kwou ara angi ni rutereene rwa land.

**Translator:** Second point is concerning land issue.

**Mr Kiburi:** Land yetu ndene ya Nyambene miunda yaambirie kuthimwa aana bamwe bai baanini kuuma 1966 irio

jaambirie kuthimwa na batoona title.

**Translator:** Land was adjudicated in these places in 1966 and we do not have title deeds. People were in the process of demarcating .....

**Mr Kiburi:** Akuru baria baathimite ibaakuire

**Translator:** People who actually we in the process of demarcation are all dead.

**Mr Kiburi:** Aantu au nakuo gwikara yaka muthia jwa land jutigukuamilwa kisheria, jukwamilwa ni thirikari nikenda kwonwa gucheretheria kuu ii naa kuumite nuntu kwonania ni bara bari turani tura nibo bacheretherakia ti mukururu ura nuntu ura athimaa kenda oona title atikuire imutethia. Lakini thaa ii atiumba kumiona nuntu nakuire.

**Translator:** So in this area the constitution should look upon it because you find since this land was demarcated for a period of time and there are no title deeds, we are requesting that a proper way of trying to find what is causing the .... Will look upon it so that people can get their title deeds.

**Mr Kiburi:** Point iria ee mwisho buru na ya muthia ni side ya Nchoobi cia kienyeji

**Translator:** My last point is concerning the local brews.

**Mr Kiburi:** Rais nathiulunkire ndene ya Kenya akibingaa nchoobi akiugaa itibwiri gwita na mbere nuntu nikuthukia wananchi.

**Translator:** The president said that these local brews should be stopped.

**Mr Kiburi:** Lakini ciachokere kuruwa naa kithakene.

**Translator:** But you find that these brews are being brewed in the forest.

**Mr Kiburi:** Yaani mbecha igikairua antu bamwe kethira ii ya borisi, AP kana chief.

**Translator:** The Chiefs and Police are being bribed.

**Mr Kiburi:** Na antu nau bari ithakene inao bakamuntangana na imindo booraane nuntu guti security inao nuntu ii kithakene bari.

**Translator;** Those who take these brews take them in the forest and there is no security and they are fighting and killing each other.

**Mr Kiburi:** Kwou mathuania jakwa nkwendaa kuuga thirikari inenkanire kethira ii lisenche chia nchoobi iture thokone kenda ikarua ni thirikari.

**Translator:** So my proposal as the local priest is that the government should licence them so that people can sell with

openness.

**Mr Kiburi:** Ura akaumba kuita lisenchi iu aumbe kwendia wazi na akaritue ni thirikari guti na dwa. Kenda mbecha iu itethia thirikari aantu inenkerwa muntu personal ciita umutethia na ititethia thirikari.

**Translator:** Whoever will be able to pay the fee for this licence will sell it in openness so that this money can help the government instead of bribing the Chief and Police.

**Com. Zein:** Ninarudi kwenye list ya wanafunzi.

**Thuranira Dominic (Student):** Thank you sir, my names as you have heard are Thuranira Dominic. I want to contribute to the commission about the Children Rights, like we in secondary school, we some students are very very bright but in some situations some schools do not have physical facilities like Lab Equipments, some major books like set books, text books. The government should be fascinated with the learning of the Kenyan Youth. The government should participate in providing those major books, set books which are very costly to our parents. They should provide us with those things like Lab equipment. I think the government of Kenya is even able to construct or to erect a lab in any school. So let them contribute just a single lab in any school. Like this era we are taking pure science and we know that in some schools we do not have those things. Competition is very high because some schools have those facilities. Some schools do not have. So let the government participate to provide our youth with full education. When an exam comes, you see like this era of pure sciences we need facilities, those lab equipments are very useful to us.

Another thing which I want to contribute is about the powers of the president. Powers of the president should be decentralized, should not be centralized. The powers of the president like for example, the president sometimes has power even to go contrary to a high court. The president should not have power over the high court. Let the high court be the final judge.

Another thing I want to contribute is about the rights of children. The rights of children should be valid. The children all over Kenya should have their rights, like “chokoras” should be treated well, they should not be sleeping just anywhere in the streets. Let the government see to it that those children are treated and they join schools, they join formal basic education. That is all I had. Thank you.

**Com. Zein:** Thank you very much Dominic. Just sign the Register. Narudi kwenye list yetu. Peter Kiburi alikuwa hapa, sasa namwita Wilfred Kitile.

**Wilfred Kitile (Speaking in Kiswahili):** Asante sana Bw Chairman. Jina langu ni Wilfred Kitile ambaye maoni yangu yale ningependa kutoa kwa tume hii, ni upande wa hii Wizara ya Elimu. Kwanza, wazazi wengi sana wameshindwa na kusomesha watoto kwa sababu kila mara wanaambiwa ati shule ni ya bure. Lakini kila wakati unaitisha pesa na mtoto. Tena ukiwa mzazi,

huna kazi, kazi ni kulima, mvua imekosa, hakuna mavuno, kwa hivyo, mtoto analasimika alale nyumbani. Kwa hivyo, ningependa kusema mbele yenu, serikali ifikirie hali ya elimu ya primary school, sababu ndiye mwanzo wa kila mtoto. Ni hayo tu niko naye ya kusema.

**Com. Zein:** Asante sana, asante sana. Register tafadhali. Narudi kwenye list ya wanafunzi.

**Esmond Mureithi** (Student): Thank you Sir. I would to share my views with you. My views are that president should not be appointed as the Chancellor. This is because as you see, some presidents are not fully educated, so that when you look at our President Moi, he is not educated yet he is the Vice-Chancellor of the Universities.

Another point is that Chiefs and sub-chiefs should be appointed by people. As you see, some Chiefs are appointed by public commission and some are appointed this way because they have money. So people themselves should be the ones to choose their leader. The other point is that these people who help Chiefs whom we call sub-areas or elders should be paid at least some money. Like you see these days, some people who assist the sub-chiefs are not paid yet their work is maybe more than the Chief.

The other point is that salaries should be limited. Some people are taking a lot of money, whereas when you look at our country like now, some people are not yet employed. So salaries should be limited so that people who are not employed can be employed, so that we can share our national cake equally.

The other thing is that President should not appoint judges. This appointment of judges, the President himself may appoint because he is coming from his area. So judges should not be appointed by the president. They should be appointed by either people or the ministry. That is all.

**Com. Zein:** Thank you very much Esmond. But Esmond let me tell you something. You said that President Moi is not educated. You know President Moi was a teacher. I understand the point you are making that President should not be Chancellor of the University. Thank you, just sign the register. Narudi kwenye list yetu. Hayuko.

**Joel Ndumboi:** Ihubwega sana ni untu bwa umbitikiria kwaria

**Translator:** Thank you so much for allowing me to talk.

**Mz. Ndumboi:** Riiitwa ni Joeli Ndubai.

**Translator:** My name is Joel Ndumboi.

**Mz. Ndumboi:** Ndienda kwariria aantu a muntu uria utiandiki.

**Translator:** I want to talk on behalf of the unemployed.

**Mz. Ndumboi:** Muntu uria utiandikii eena thiina inyingi muno nuntu bwa kwithirwa kamuunda kara enako mbuga ni gakai pengine withirwe ni uu ika ithano lakini niuntu miunda ii niakurire itionaa kinya irio. Womba kurima kinya uu nkunia ikumi atumirite ferterlizer.

**Translator:** I want to say that unemployed people have a lot of problems because they only having a small piece of land which is not producing anything.

**Mz. Ndumboi:** Na kiri nkunia iu ikumi itumba gukinyia mwana secondary.

**Translator:** You find that from the produce, for example, ten bags from that piece of land cannot take anybody to school, that is your children.

**Mz. Ndumboi:** Uria atutumira ferterlizer kinya biakuria bia nja biongwa atikwona.

**Translator:** If you do not use a fertilizer to get anything to eat from that shamba is a bit hard.

**Mz. Ndumboi:** Kwou untu bu bukalazimisha muciaru uria uragita mwana umuume ukumba gwita secondary akeendia kithaka keenda mwaana oona mbecha chia gwiata cukuru.

**Translator:** So due to lack of this problem who is secondary school, you will be forced to sell a piece of land.

**Mz. Ndumboi:** Kethira eenderia ika imwe kenda atigwa na inya thiin ka ikwongeleka tu.

**Translator:** So you find that for example you sell one acre of land to take your child to school, poverty is still increasing.

**Mz. Ndumboi:** Mwana uria riria akathoma eena uume bubwingi muno, uume buu butiumba kwendelea niuntu muciaru okie eena thiina nuntu akaingawa magita jonthe akirawa akaire mbecha na nja batikwona kinya biakuria bia kuria banyira.

**Translator:** And you find that if this child is in high school or whatever form of education he is getting, it will be a bit hard for him to continue because of poverty, lack of food and other amenities.

**Interjection by Commissioners:** Kwa hivyo anapendekeza nini.

**Mz. Ndumboi:** Ndienda kuuga kiri muciaru uria araciumia arathomethia mwana arakinya form four aroona grade ekie injega ya fee nabwirite kwaandikwa nuntu untu buu ibuo buutuma kinya aana baa baa aamba babaingi mono.

**Translator:** I am proposing that all parents who are able to educate their children up to form four and they pass well, let them be given some form of assistance. Because if he will not get any job or anything to do it will be too bad for him because when people are not able he will lose the morale to read. Thank you very much that is what I wanted to speak.

**Com. Zein:** Narudi kwenye list ya wanafunzi. Isaac Mwingirwa. Najifunza Isaac. Nilisema kabla nyinyi hamjakuja hapa, nilisema mimi mswahili sijajua kutamka majina. Nikitamka vibaya msione vibaya nawaomba radhi.

**Isaac Mwingirwa.** (*Speaking in English*) Kwa majina naitwa Isaac Mwingirwa. My point is as follows. Parliament to have power to appoint ministers and other senior civil servants, instead of the president. Elected president to be at least a university graduate so that he or she can have enough knowledge and skills to govern the country. A situation like that of *Mungiki* to be declared illegal. The government to offer free education to the needy students. That is all.

**Com. Zein:** Asante sana. Andika hapo jina. Narudi kwenye list ile ingine. William Muchiri, karibu.

**William Muchiri:** Mimi kwa jina naitwa William Muchiri. My point ambayo nataka kujulisha tume hii ni kwamba, kuna watu ambao wanateseka sana kupitia idara ya sheria. Na idara ya sheria imeweka vikwaso vikubwa sana ambavyo vinasaidia yule ambaye yuko na pesa. Maana kusema hivyo ni kwamba ukiwa na pesa huwezi kupeleka kesi yako kotini. Hiyo ndiyo nilikuwa naona mapendekezo yangu kweli ambaye watu waweze kusaidika au kuwa huru yoyote, kila mtu awe na uhuru. Na ako na nchi ambaye anaivunia ile idara inaitwa State Council, awe anaandikia mtu yoyote maneno ambayo anataka kupeleka kotini bila kupitia kwa mawakili. Maana wakili ukienda, atakuitisha zaidi ya Kshs 25,000/- na wewe huna kazi yoyote ya kukusaidia.

**Com. Zein:** Kwa hivyo Bw Muchiri were unapendekeza kutolewe hudumu ya kisheria kusaidia watu kupeleka malalamiko yao mahakamani.

Neno langu la pili, ni hiyo idara pia iwe ikiingia kwa jela. Huyo mwakilishi awe akiingia hata jela kuchukuwa appeal kwa yoyote kwa mtu yoyote ambaye anaweza kuwa anateswa na ndungu wake au mtu yoyote. Awe wakimwandikia appeal ili ipate kuingia kisheria, na asikizwe kwa maoni yake ni nini ametezeka nao.

Neno langu la tatu, mtu akipeleka tabu yake yoyote au akihitaji kuhudumiwa na Chief au Assitant Chief, akienda kwa assistant chief au kwa chief na chief akataye kumhudumia, awe akimpa barua kwa kuonyesha, mimi nimekataa kukuhudumia, nenda kwa mwingine ambaye ataweza kuhudumia. Sio Chief peke yake. Yoyote ambaye anaehusika na serikali ameandikwa kwa serikali awe akipeana kartasi kuonyesha hati nimekataa kukuhudumiwa. Hiyo ndiyo itaonyesha ati serikali aifiche huyu mtu awe akitesa wengine. Maana Chief akiwa akitaka kukutesa huwa anataka honga mpaka akuitishe hongo au usipotoa akutupe uko nje, aende kwa DO amwambie DO mimi huyu mtu haja ingia kwangu. Lakini akiwa atakupa karatasi ya kuonyesha amekataa kuhudumia, hapo uwongo itaondoka.

Neno langu la tatu ni hili. Serikali isikubali kupenda wanyama zaidi ya mwanadamu. Maana mtu ndiyo ali umbwa kama Mungu. Kufunika mashamba ambayo anaweza kusaidia watu kwa chakula, hiyo mashamba inapewa wanyama. Hii wanyama wanapokuja kuangaliwa na watalii uwa wanatolewa pesa mingi sana, hizo pesa wanyama wawe wakipewa chakula au kulishwa na zile pesa inatoka huko ile mashamba yao ipunguzwe, watu wapewe.

Pia ya kupitia hapo, hapo kwa mashamba, ukiangalia ukienda pande ya Nanyuki na mahali ingine huko Voi na wapi utakuta mashamba ambayo wanyama wanakimbilia huko na watu hapa unaona wengine hapa hawana hata point tatu au nusu acre. Hiyo, wale watu wamekubaliwa waangaliwe na waambiwe, sheria iwekwe au Katiba ikubali mtu asiwe na zaidi ya acre 20. Na mtu naye yule mwingine naye asiwe Kenya bila shamba nusu acre. Hiyo itasaidia watu wawe wakipata chakula.

Idara ya Kisheria iangaliwe hapo. Yule State Council anahakilisha wale watu ambao wameandikwa na serikali, ati mtu wa serikali akifanya kosa, yeye ndiyo msaidia na msimamia kwa kesi yake.

**Interjection by Commissioner:** Hiyo ushasema kwamba kupea watu legal aid, Huduma za kisheria. Huyu ulisema mwanzo, na muda wako umeisha.

**Speaker:** Imeisha?

**Com Zein:** Eeh.

**Speaker:** Hapo mambo hao akiisikiswa naona watu wote watakuwa huru na watafurahia Kenya yao.

**Com. Zein:** Asante sana Bw. Muchiri. Kartasi umpe ule dada na uandike kwenye register kwamba umetoa maono. Asante sana. Haya narudi kwa list ya wanafunzi.

**Lilian Muriungi:** Okay thank you Sir. First of all my names are Lilian Muriungi. I am here to enlist the point on Constitution Review. Teachers like headmasters should not be transferred at the course of the year because we know that at the course of the year, the students are near to do their exams like KCSE, students of secondary school are near to do that exam. So when teachers are transferred like headmaster, it will be a lot of problem. Also headmasters should not be transferred to another school when they have not stayed for about five years, because once the headmaster is transferred, whether she or he was building a laboratory or something, it will not be completed. And when the other headmaster from another school comes to the school that headmaster has transferred from, it will not be possible to continue at the right time and we students are the ones to suffer. Thank you.

**Comm. Zein:** Thank you very much Lilian please sign our register. It is all right. Just sign the register. Back to the other list. Josephine Ntara. James Murungi. Karibu ndugu. Wewe ndiyo James Murungi. Karibu.

**James Murungi:** Riitwa riakwa mbitawa James Murungi.

**Translator:** My name is James Murungi.

**Mr Murungi:** Uuni maoni jakwa jaria kwarairia,

**Translator:** My contribution to this Review process

**Mr Murungi:** ni thirikari itue kujukiria wananchi jukumu niuntu bwa kwendagia biria bakurima.

**Translator:** Is for the government to look for market for their farmers are farming, for what the citizen have on their farms.

**Mr Murungi:** Nuntu riria baari na mathoko baguraa bagiikaa control, aarimi ibonaa bia gutethia aana na bia kuthomethia. Indi guti thoko twonaa nuntu kethira ni mpempe kimbo ni ithano, mung'au kimbo ni ikumi. Indi thiina gutirio tugaitethia.

**Translator:** You find that before, the government used to have a mechanism to buy from the people the produce that they have but nowadays, there is nothing like that and now since the market is very little, like maize selling at a thro-a-way price and beans.

**Mr Murungi:** Ntiukari na jangi jamaingi. Ibwega.

**Translator:** I think that is the much I have to say. Thank you very much.

**Com. Zein:** Asante sana James. Narudi kwenye list ya wanafunzi. Denis Munene. wewe ndiyo Josephine? (reply) subiri akimaliza huyu nitakuita. Thank you.

**Denis Munene:** *(In English)*As you have heard, I am Denis Munene. I am coming to contribute in this Constitutional Review Commission by adding these points. It would be better if we have a federal government so that all parts of the country can be able to enjoy the resources equally.

The other point is that Chiefs and their assistants should be elected by general people and not Public Commission because general people can be able to know who can be able to counsel people.

The Court of Law should not repeat a case twice because this leads to slow running of the cases in the courts, which may lead to losses, e.g. there are some people who can be able to pay their fare to and from Nairobi to go and listen to their cases.

The other point is about VAT (Value Added Tax). I would like government to have a watch in this because we can see that the government is saying that our economy is not running well because teachers cannot get enough money to be paid their salaries, why then if VAT is paid.

The other point is that the President should not be the Chief of the Armed Forces because he may declare war which may lead to great losses, whereas the public is not aware. Thank you.

**Com. Zein:** Thank you Denis. Please sign.

**Josephine Ntara:** *(Speaking in English)* Naitwa Josephine Ntara. Ningependa kusema ya kwamba, to eradicate poverty

in our country, which is so much, there should be one man, one job. There are so many young people who are not employed and it is because some people are having more than one job. That is one point.

Another point still on eradication of poverty is that, for those people who have retired, let them not be given government jobs any more. Tunaona nchi yetu siku hizi watu wenye wame-retire wanaendelea kupatiwa kazi, when the young people, the “young turks” or the “dot com” people have no jobs. That one should stop.

Concerning the education system, the government should go back to the old education system so that those pupils and students who are coming out of our education system are better people.

Then there is the problem on corruption. There is a lot of corruption and this corruption is the one that is making so many people have a lot of problems. So the government should see to it that we are not that corrupt.

There is the improvement of the rural areas. We should go back to the District Focus for Rural Development Policy which said that the Rural areas should be developed. The rural areas should be developed by having electricity, piped water, and industries so that many people do not go to the towns where they get no jobs and crime increases. So to curb rural to urban movement, we should have District Focus for Rural Development. Our rural areas should be developed.

Then there is the other problem in the rural areas is the lack of title deeds. Most of the land do not have title deeds and when we do not have title deed, the land is not much developed. One can not develop land where he is not having title deed. Kwa hivyo yale mashamba hayana title deed, the government should see that people have proper land ownership.

When it comes to women, they are the weaker sex in the community. I am thankful the government has done a lot to improve women problems or women issues; but there is still something. Watupeleke karibu na wale wengine bado. Bado hatujafika pale.

Then when it comes to health, tunaona siku hizi kuna magonjwa mengi na hospitali zetu zinashida sana, we go there, especially the public hospitals, people are not getting good treatment. So there should be free medical treatment. Free medical treatment for some common ailments like malaria, and also for the children who are below some ages. That is how we can help our country. Thank you.

**Comm. Zein:** Thank you very much Josephine. Please sign our register. And if you have a written memorandum give it please.

**Douglas Kiburi** (*Student speaking in English*): Thank you Commissioners. I am to raise my points to this commission

majorly concerning our leadership. We would like to have, sorry, my name is Douglas Kiburi. I would like we Kenyans to have a President who is elected by people in general election in general election like the president. Such that we have democracy, because president is these days is electing MP, ministers, and other senior civil servants, at those ones are serving the public. There are not serving, only the work of the president. They are supposed to be elected by people. Also the ministers are supposed to be elected by President but approved by MPs.

The other thing I have is concerning those who are employed. People who are over 60 years are supposed to be retired and those younger ones should be given jobs. For example somebody who was serving the public for about sixty years should retire and the vacancy be declared to others. I would like to comment to the Commissioners that cases should not take more than one year in the courts. Thank you.

**Com. Zein:** Thank you very much. Nafikiria kwa vile imebakia mwanafunzi moja na naona wanakimbia darasani, wacha nimwite wa mwisho Charles Mururu, huo ndiyo mwanafunzi wa mwisho halafu waende zao darasani.

**Charles Mururu:** (Speaking in English) Thank you. My names are Charles Mururu. My points are as follows:

- i) Action should be taken against people those.....(inaudible)
- ii) The president should not be one to choose changes
- iii) The Chief is not supposed to settle cases because they are not judges. Thank you.

**Com. Zein:** Thank you very much. Wewe umesema mara moja umemaliza. Andika jina lako pale. Asanteni sana. Nawashukuru wanafunzi kwa kutoa maoni yenu. Narudi kwa ile list yetu. Jackson Mugambi. Jackson hayuko.

**Jason Rukunga:** (*Speaking in English*) My name is Jason Rukunga. I am coming to present this memorandum of Ringo Divisional *Njurincheke* elders. What a good constitution contain:

**Supremacy of the people.** We the people hereby agree and adopt this constitution. Leaders and Governors are not supposed to be the bosses over the people. All organs of the government are servants of the people including the president.

**Constitution:** Parliament to amend any part of the constitution by 65% majority involved. Though part of the constitution should be beyond the amending power of parliament, the government should conduct the referendum involving publics if the parliament to find any disintergration of a nation.

**Directed Principles of State Policy:** The Principles and the values that govern how state power is exercised. There should be a president who is responsible of all Armed Forces, military, para-military, police, prisons, navy and security. There should be a Prime Minister appointed from majority party in parliament. He/She has power to appoint or sack ministers and assistant ministers. There should be a public service commission formed from retired government servants, Law Society of Kenya, retired Armed Forces, Church leaders, Education Department and Medical and Judiciary. The Commission has power to appoint or discipline anybody they appoint to run any post in Kenya, e.g. Attorney General, Executors, Chief Justice, etc.

**Citizenship:** Spouses of Kenyan citizens regardless of parent gender be entitled to automatic citizenship. All spouses born of both parents Kenyan citizens should be entitled to an automatic citizenship. A child born of one male parent be entitled to automatic citizenship. The rights and obligations to be safeguarded such as freedom of thought, conscience, expression, movement, association, assembling, non discrimination. Right to food, clothing, shelter, education, work, healthy environment regardless the manner in which citizenship is acquired. The document should be carried by a Kenyan is his Identity Card. Thank you. That is all about what men said.

**Comm. Zein:** Asante sana Mzee Rukunga. Kwa niaba ya *Njuringi*, pia uwambiye tumesema asante. Tafadhali andika jina lako pale kwenye register.

**Duncan Waweru:** (*Speaking in English/Kiswahili*) Kwa majina naitwa Duncan Waweru. Na niko na haya maoni ya kutoa. Kwanza sheria ya Ma-Chiefs. Chiefs' order to be amended, that is, it should be selected, kama ni Chief, ama ni sub-chief, they should be elected by the public.

Ingingine, Chiefs and sub-chiefs should not take any money from wananchi. That is corruption. Caution to Chiefs: waache maneno ya kuchukua pesa za watu. Wanachukua, wanaenda, wanamaliza kesi ambao inatakikani imaliziwe kotini wanamaliza wao wenyewe uko nyumbani. Hiyo wasiruhusiwe tena na Katiba hii ijao.

Ingingine ni kuhusu Education – walimu. Walimu wakatilie ..... ikiwezekana wasiruhusiwe kuchukua pesa kutoka kwa wanafunzi ama kwa wazazi. Kwa mana wanazitumia kwa njia ambazo sio nzuri.

Ingingine ni ile ya DO's office – Administration. Ile ofisi ya DO hakuna haja iwekwe. There should be only a Assistant Chief and Chief. Hii ya DO inatumia pesa bure tu ndiyo hata serikali inakuwa maskini. Hii ofisi ya DO haina kazi kwa watu.

Ingingine, President should not be above the law. He should be under the law. Ili yeye akifanya makosa, awe akiwekwa mahakamani. Ni hivo tu.

**Comm. Zein:** Asante sana, asante sana Duncan. Andika jina lako pale kwenye register kwamba umetoa maoni Duncan. Silas Muturia, karibu. Unataka kutumia lugha gani Silas. Kimeru, eh?

**Silas Muturia:** Silas Muturia.

**Translator:** My name is Silas Muturia.

**Mr Muturia:** Maoni jakwa ni kwoona thiina ii tukwithirwa tukiona. Turiona thiina ya miuunda.

**Translator:** My opinion is concerning is concerning the land cases in this area.

**Mr Muturia:** Baaria bati na inya bagacokerua ni itonga.

**Translator:** The land of the poor is being taken by the rich.

**Mr Muturia:** Itonga bikethirwa biitumaira mbecha guchuuna baria bati na inya muunda bagiikairwa miundeene ya antu.

**Translator:** You find that the rich are using their money to take the poor's land, that is, they take if your land is in a good place, it is taken by them and then you are allocated a place that is bad.

**Mr Muturia:** Na wiitite kuiria shamba riaku ukeerwa muunda oku uri iguru.

**Translator:** And when you go to ask about the issue of the land they just tell you their land is somewhere, basi.

**Mr Muturia:** Na utikumenya na ukethirwa juri.

**Translator:** You are not shown where it is.

**Mr Muturia:** Wachoka aangi nario ukethirwa no mbecha ukwithirwa ukiriwa ni land.

**Translator:** Again if you try to use some other means you find you still have to use money and they will take money from you.

**Mr Muturia:** Na gitonga kira gitiitwa kija kii muundene oo juria bwaaraniria nakio.

**Translator:** That rich person who has been allocated your area will never come for you to work argue the case with you.

**Mr Muturia:** Ndene yau machief bakeeja baakugwaata yaunkumitwe jaakuthaika.

**Translator:** And again you find that they will talk with Chief and the Chief will arrest you.

**Mr Muturia:** Ugaunkumua ncheera kenda ukija muunda ooku ugwikirwa thikingi.

**Translator:** The Chief will arrest you so that by the moment you come back you find that your land has been fenced.

**Mr Muturia:** Jau nojo maoni ngukuri najo jamanene kii kiama kirio kiumba kwonania kithira kiatwalilia mantune yau.

**Translator:** That is the only view I had for the Constitutional Review so that my views can be taken into consideration;

**Mr Muturia:** Muunda jwa nkia jukethirwa jugeetaa kii itonga aana ba muntu bakethirwa bakirijaa thiina. Jau jo maoni

jakwa ngukari najo. Ibwega.

**Translator:** So that when your land is taken away by the rich that there is a mechanism for you to be protected out of it. That is only what I had I'm Silas Muturia, thank you.

**Comm. Zein.** Asante sana Bw Silas. Andika jina lako hapo. Samuel Kiuberu. Pole Mzee kwa kutaja jina hivyo, najifunza tu. Endelea mzee wangu. Chukua microphone na utaje jina uendelee.

**Samuel Kiuberu:** Uuni ndiritwa Samweli Kiuberu. Kwetu nchiiriri oaa kimanchia.

**Translator:** My name is Samuel Kiuberu.

**Mr Kiuberu:** Na nchiiriri aa Kimanchia.

**Translator:** I was born in this place, Kimachia.

**Mr Kiuberu:** Na kukurune gwakwa no aa nkuririte.

**Translator:** I have grown up in this area.

**Mr Kiuberu:** Nguchokia nkatho kwa kamati ii iri aa iruarii Kimachia.

**Translator:** I am thankful for this Commission that is here in Kimancha today.

**Mr Kiuberu:** Na ni bubwega kambuge maoni jakwa jaa janoetie nkorone jakwa.

**Translator:** Thank you so much, let me now give my views.

**Mr Kiuberu:** Kamwe ka mbere miunda itwathimire.

**Translator:** Land was adjudicated in this area.

**Mr Kiuberu:** Twikurikia kuthima miunda yetu itwakamatirwe miunda turekiirwa ? itonga mutonga areeja jwaku.

**Translator:** After adjudication of land the rich took our land and we had nowhere to be.

**Mr Kiuberu:** Na wethira nwari na ika chiaku mirongo ithatu ukeerwa ciaku ukuairwa ? iti na muthia utikumenya niatia iri.

**Translator:** And you find that for example, if you had 30 acres of land it may all have been taken away.

**Mr Kiuberu:** wariikia kuthiatathiata uti na inya ya kuthiata nkurukaruki na uti na mwaana uria uumba guutethia mantuune jaum

**Translator:** You find that if you want to follow, you do not have a mechanism because you do not have money and probably you might not even have children who have the capability to follow.

**Mr Kiuberu:** Irio tukwira kamai yai ikeja kwoona mwanya juria jumba gutethekia antu baria bati na inya bagerie ntheto iu na njira nio injega.

**Translator:** So, that is why we are requesting this Commission as they collect our views, let them think of a way that can protect us.

**Mr Kiuberu:** Aangi nario kuri aantu amwe nao ndinao twaurire baatwi twi mukila yuu twaura naa mukila ywa kimiri.

**Translator:** My second point concerns some of the piece of land that we brought from the other side.

**Mr Kiuberu:** Ii tuunda tutikwana yaani ni tuunda twa gwaaka tunyumba.

**Translator:** Those were small pieces of land.

**Mr Kiuberu:** Indi tuunda tura natuo iturekiri zaini na ntuku inkai ndene ya kimirii kwatwika saini ira ikuthira nendi baria bati na inya bakeerwa ibete Maua.

**Translator:** You find that in case of those pieces of land people did not have a mechanism to follow a refund in Maua town.

**Mr Kiuberu:** Mukuru rira agaita Maua ni ngarama, ni shiringi maana aili akarea na offici nio aamiona.

**Translator:** You find that if you go there you spend over Shs. 200/- and you still have money to use in the office.

**Mr Kiuberu:** Aangi nao ara nkauga ni baatwi aciari itukuria thiina mono nuntu twikara yaka tuti na uhuru twakara yaka twi igita riria riari ria kibeberu.

**Translator:** The other point I would like to contribute is that we parents are having a lot of problems, it is like we did not get the freedom in this country.

**Mr Kiuberu:** Kiri antu baa beetu bautukaria aa mukuru aigwatwa au methone ja mwekuru akaurwa na twana turiau mwanka mukuru arikiya kinya kuumaga.

**Translator:** The thing is that you find that the people that are protecting us, that is, the Chief, and the Police Officers,

**Mr Kiuberu:** Na mwaana uria ukurikia umuura

**Translator:** They are not protecting us and actually misbehave in front of children.

**Mr Kiuberu:** Mwana uria ukurikia kumuura ni mwana wawe.

**Translator:** You find that these Police Officers are people who are protecting us, who are beating us are our own children.

**Mr Kiuberu:** Na nendi uuni ntiukari na yamaingi ya kuuga, kamati ii ya iruari inkumichokeria nkaatho ikeya kwoona ura yuumba ututethia itutethie baatwi ndene ya Kimanchia nkurukaruki.

**Translator:** So, I do not have much to say, but I am requesting the government to look on ways that can assist us. Thank you.

**Comm. Zein:** Asante sana Mzee Samuel. Henry Ithaimba. Karibu mzee wangu.

**Henry Ithaimba:** Jina langu ni Henry Ithaimba. Maoni yangu ya kwanza ninataka kutoa ni juu ya uchaguzi. Ningependa Commission hii itengeneze Katiba ambao itakataza mchaguzi ya mulolongo. Uchaguzi wetu uwe ni wa siri. Hata vyama vikitaka uwe vinafuata sheria hiyo Katiba.

Langu la pili, nilitaka kusema ya kwamba kuna watu walio staff kama mimi ambao hawaangaliwi ipasavyo. Ningependa Katiba iongoze watu wa Kenya ya kwamba, wazee walio staff wakiwa kiume, wakike, waangaliwe, wapatiwe pengine makao na iwe kidogo kidogo wanaopewa iwe iongezeka, labda baada ya miaka mitano hivi, mara shida yao ni nyingi.

Nyingine niliotaka kuongeza ni ya kwamba, baada ya uchaguzi, President atakayochaguliwa asiende zaidi ya kuchaguliwa mara mbili. Asifwatanize watatu.

Na langu lingine ni la kwamba ningetaka nchi hii yetu, iwe nchi moja ya Kenya. Watu wote wawe na umoja, wafanye kazi pamoja, serikali kuu iwe ikiwapa wale wa serikali ya mitaa msaada wa kutosha ili watu huko wapate maendeleo ambayo yanaitajika zaidi. Ni hayo tu. Asante sana.

**Comm. Zein:** Asante sana Mzee. Tafadhali andika jina lako pale Mzee Henry. Asante sana. Joseph Kinyua. Box yako ngapi. Mama karibu. Wewe kijana niambiye. Imeandikwa Joseph Kinyua peke yake, wa sanduku la posta 1960 Meru.

**Sara Ithaiba:** Mimi naitwa Sara Ithaiba. Maoni yangu kwanza, nataka uuni nkaria Kimiru.

**Translator:** My views, kwanza kabisa ....

**Mt Ithaiba:** Mbere ndianda kwariria mantu ja cukuru.

**Translator:** First and foremost I want to talk about the issue of schools,

**Mt Ithaiba:** Aciari ni bakuria thina sana riria bakuthomithia aana bao.

**Translator:** whereby parents are getting a lot of problems to educate their children.

**Mt Ithaiba:** Bumwe muchiri ariendia kithaka kiawe nikenda athomithie mwana.

**Translator:** First a parent is selling their piece of land to educate their children.

**Mt Ithaiba:** Muchiri akaria thina mwanka mwana akathoma na agakuruka.

**Translator:** The parents struggle so much until their children get education then they pass.

**Mt Ithaiba:** Alafu nyumene

**Translator:** Then later

**Mt Ithiba:** Ugatwikwa ati no mwanka muciri oo uria riria mwana ageeta kwandikwa

**Translator:** Then later, the same parents will be forced again, when their children are to get jobs,

**Mt Ithaiba:** Tariria polisi itite kwandikanwa

**Translator:** for example when people are taking jobs with Police Force,

**Ms Ithaiba:** Mwana arita akaurua nuwe bwi nawe.

**Translator:** the applicants are asked who they are with.

**Mt Ithaiba:** Kinya athithia interview mwanka akuruka mwishowe ugatwika ati no mwanka agetua mbecha.

**Translator:** Even if you pass those interviews in Police Force you have to give money.

**Mt Ithaiba:** Na muchiri uria neendirie kithaka arendia mpempe arendia ng'ombe irathira nja kwogu mwana akarega kwandikwa nuntu bwa kwirwa muchiri atikumba kwona mbecha cia guukumana 60,000.

**Translator:** Yet you find that the parents of this applicant has sold everything to educate him and so it means he will not get the job.

**Mt Ithaiba:** Kwou ndiuria commission iji ite na views bagastop bribe ndene ya Kenya.

**Translator:** So we are requesting this commission, to take our views to stop bribes in Kenya.

**Mt Ithaiba:** Tweja naa mantune ja waarimu

**Translator:** When we come to the issue of teachers,

**Mt Ithaiba:** Mwana akienda kwandikwa kinya eena E

**Translator:** You find that if somebody wants a job, even if he has grade E,

**Mt Ithaiba:** Mwana uria wina A kana B kana C- agatigwa niuntu bwa mbecha.

**Translator:** you find that whoever has may be a grade B+ or A, C- will be left out but somebody who has failed will pass because of issue of money.

**Mt Ithaiba:** Nandi kankuuga mantu jau jae stopped

**Translator:** So I am requesting that those deals must be stopped,

**Mt Ithaiba:** Nuntu kinya twitite na ngari nukwoona ndereva bakigukuma bolisi

**Translator:** because you find even in our Matatu sector, police are still receiving money from Matatu operators.

**Mt Ithaiba:** Kwou mantu jaa jonthe jakeeja gustopwer ndeene ya Kenya mbuga commission ii igatutethia.

**Translator:** So we are suggesting that such act should be stopped, that is bribing. The Commission should look upon it.

**Mt Ithaiba:** Weeta cibitari nouu no mwanka ukiona daktari uukumane. No mwanka unenkanire mbecha nikenda ukoona dawa.

**Translator:** When you go to the Hospital to see a doctor, you have to bribe. You have to give money so that you can get drugs.

**Mt Ithaiba:** Indi nkaruria atiri, mutu waajitue niatia akoona mbecha cia guunkumana cia kugura dawa.

**Translator:** So this is what I ask, how can sick people get money to bribe and buy medicine.

**Mt Ithaiba:** Kwou untu buu ndene ya Kenya bribes should be stopped.

**Translator:** So my request is that bribes should be stopped in Kenya.

**Mt Ithaiba:** Aangi ni aantu aa ekuru

**Translator:** The second point is about women.

**Mt Ithaiba:** Eekuru ni babwiri kwailua kinya bo.

**Translator:** Women should be looked upon and be assisted.

**Mt Ithaiba:** Kethira muntumurume akwaa president, mwekuru akaa vice president.

**Translator:** If the president is a man the vice President should be a woman.

- Mt Ithaiba:** Nuntu kinya biblene nikwiri mukuru niwe kiongo na mwekuru niwe munini wawe.
- Translator:** Because even the Bible says that the man is the head, and the woman is the neck or may be his assistant.
- Mt Ithaiba:** Aangi ni tukuga kethira ni chief kana sub chief bakuthuurwa ni babwiri kuthurwa secretly.
- Translator:** Another issue is about Chiefs and sub-chiefs if they are being elected, let them be elected secretly.
- Mt Ithaiba:** Aangi ni mantuune ja aana ba aari
- Translator:** Other issue is about ladies.
- Mt Ithaiba:** Ibabwiri kureka gutaana ndene ya Kenya.
- Translator:** Circumcision of girls should be stopped.
- Mt Ithaiba:** Aana nibakuthangikua mono nuntu bu.
- Translator:** These people are actually being terrorized a lot because of the issue of female mutilation.
- Mt Ithaiba:** Aangi ninkwoona kinya aantu au turi
- Translator:** Again you find bribe is still continuing on,
- Mt Ithaiba:** antu barita bakoona anene
- Translator:** people are bribing the senior bosses or people in big offices.
- Mt Ithaiba:** baa anene baatwika noka bakainyilia baa anini.
- Translator:** And people in these big offices will still continue to terrorise people in other small offices.
- Mt Ithaiba:** Untu buu nibubwiri kwaa stopped.
- Translator:** It should also be stopped.
- Mt Ithaiba:** Aangi ndene ya Kenya nitubwiri kwithirwa muntu akiandikawa na kithomo kiawe.
- Translator:** Again in Kenya we should be getting jobs according to our qualification.
- Mt Ithaiba:** Muntu uria ee na D akareгаа kwandikwa baria bakurukite bakandikwa na muntu akajukia ngugi imwe ndene ya Kenya.
- Translator:** People who have failed should not get jobs of those who have passed, and everybody should have one job for one person in this country.

**Mt Ithaiba:** Aangi ni aria nkuuga baria baandiki na baria bakuritana katiba batikuriwa mbeba bwega ni baria batongeretie.

**Translator:** Again I am saying people who have been given the responsibility to teach Civic Education,

**Mt Ithaiba:** Bariita bakariwa mbeba bakarega kuria aantu bamwe

**Translator:** They are not paid money well by the people who are leading them. They are paid money but they do not pay other people,

**Mt Ithaiba:** Bagafavor baangi.

**Translator:** And they favor others.

**Mt Ithaiba:** baanenkerwa mbeba first time bagacoka bakanenkerwa second time bagacookeria oo baria baanenkeere.

**Translator:** If they get money they pay the same same people who were paid the first time.

**Mt Ithaiba:** Kwou ninguappeal ki Mr Kimathi our co-ordinator eetage antu baria bakuritata ngugi akabaria weengwa. Asante.

**Translator:** So I am requesting Mr Co-ordinator, he should be calling the people who work and then they should be paying themselves. Thank you.

**Comm. Zein:** Asante sana Mama, tafadhali andika kwenye register. Ndugu yangu ulikuwa umeinuka unasema wewe Kinyua. Wewe ni Patrick K, Patrick K Kinyua. Jina lako ni nani (inaudible response). Hapa imeandikwa Joseph Kinyua peke yake ndiyo nakuliza ni wewe. (inaudible reply). Sanduku lako la posta ni gani? Haya, mwacheni tu.

**Joseph Mbaya:** Riitwa riakwa mbita Joseph Mbaya

**Translator:** My name is Joseph Mbaya.

**Mr Mbaya:** Maoni jakwa jaria ndi nayo ni kuhusu mantu ya njou.

**Translator:** My view is concerning the issue of elephants.

**Mr Mbaya:** Miunda yetu nikuriwa Muno ni njou baria boomene na naria njou igukara.

**Translator:** Our farms are being eaten and destroyed elephants, people are nearing forest.

**Mr Mbaya:** Kwou ninkuomba thirikari iria ikeya ibui gwikira ciginki ya kuriiria njou kwija kiri antu.

**Translator:** So I am requesting that the government to come and put fence to prevent these elephants.

**Mr Mbaya:** Aangi ni tukwiinya mono ni cibitari nkuluki

**Translator:** The second is about medical attention. We are actually being oppressed so much in this issue of Medical attention.

**Mr Mbaya:** Nuntu cibitari ugeeta ukiendaa dawa na nwaiitue, no mwanka witue ciringi igana..

**Translator:** Because in hospitals if you have to get medicine and you are sick you have to pay around Shs 100/-

**Mr Mbaya:** Nikenda uukumana wona wa ukwandikira.

**Translator:** So that you can bribe to get somebody to write for you a prescription.

**Mr Mbaya:** Ma-daktari nayo ibaere aiki ba cibitari ciao bwongwa.

**Translator:** Doctors who work in government hospitals they have turned to Private Practice.

**Mr Mbaya:** Kankuga commission ii bagerie ututethia nikenda muntu aa daktari akethira ai daktari aki ati na cibitari yawe wengwa.

**Translator:** That is why I am requesting the Commissioners my views that if somebody is in hospital working as a doctor he should not be allowed to operate his private clinic.

**Mr Mbaya:** Nikenda twonaa dawa cia kugana cibitari cia thirikari.

**Translator:** So that he will be getting enough drugs in government hospitals, because they normally take these drugs to their private clinics.

**Mr Mbaya:** Buungi ni kii naa assistant chief na machief.

**Translator:** The other area is concerning Assistant Chief and Chief.

**Mr Mbaya:** Antu bau nibabwiiri kuthurawa ni antu bo bongwa eene.

**Translator:** These people should be elected by wananchi themselves.

**Mr Mbaya:** Nuntu uriita wiina igamba kinya ririra ribwiri kwithirwa rii courtini, ageeta akagaamba ariwe na aakuthiriria.

**Translator:** Because you find that even cases that should be directed to the court of law they are taking these courts themselves and argue them themselves.

**Mr Mbaya:** Na nyumene bwachoka kurwa dwa ira nara buchokere michiine.

**Translator:** You find that again these cases will go back to the villages and there will be a lot of misunderstanding.

**Mr Mbaya:** Buungi ni biakuria biria baatwi turimaa kuu bia kuthomethia aana bitu thoko.

**Translator:** Another thing is about the food we grow in this market.

**Mr Mbaya:** Thirikari ikeeja utwikiira juntu ja rira mpempe cietu ciaguragwa ni control antu nibendakia irio na bakoona mbecha chia kuthomethia aana na njira ira yaagirite.

**Translator:** We are requesting that the government should look for a market, for example if it is in Market Control as it used to be before so that we can have somewhere to sell.

**Mr Mbaya:** Kinya au ninkuomba commission ii itwailirie mantu jau.

**Translator:** So here I am requesting the Commission to look upon this thing and help us.

**Mr Mbaya:** Kau niko ngukari ako. Thank you so much.

**Translator:** That is the only thing I have, thank you so much.

**Philip Kairethia:** Thank you so much Mr Chairman, my name is Philip Kairethia. I will give opinions to this Commission on various issues. First of all I will start by saying that in the eyes of God, we are all equal. But you find that we people of Kenya have made some people to be more equal than others. Just like creating some posts, like the President which has been given so much powers such that his word becomes law to Governors. That is bad.

I will start by saying that you curb corruption and the kind of corruption we have in Kenya, we need to have no office or officer should be beyond approach. That is, no officer or office in the land should have priviledges which make other officers become envious of the other officers. This is the one and the route cause of all the corruption we have in Kenya.

For example, when I have a problem, and I want to go to the DC's office, you will hear somebody asking, who can take me to the DC. Instead of me, that is a public office, but instead of me going directly to that office, I will start looking for somebody to take me there who knows the DC. In that case, we find that somehow, we are creating that officer to be a very important person, or somebody who is above the other people.

Even visiting the president, you will find that people go through somebody else, like with some groups and they say that they are going to visit the president. They look for somebody who knows the president so that their delegation can be allowed to go the president. That one is wrong. On the same issue, we find that some offices which have been created, are supposed to be more superior than other offices. Like Parastatal X, some permanent secretaries. Even today, some permanent secretaries are earning more than others. And at the same time, all of them are heading ministries, are the technical men in the ministries. We

wonder, where does that law come from? That is another source of corruption. Thereby I will say that looking at the presidency, we should have that office being checked by may be ordinary wananchi or juniors of the President.

Another thing I would suggest is to have the Provincial Administration being done away with. This one, we know that from history it was created by the colonial government as a tool to oppress the Africans or the natives. After independence, it still continues and being used by the .... To approach the common man. That one is bad and is also a source of corruption. So on that issue on the source of corruption, I would say that .....(tape ends) officers should have mechanisms for checks and balances. It can even come from the juniors or the seniors. Then in that case we should not have only the seniors who are able to discipline their juniors. Even the juniors should have a way of disciplining their seniors. That can be done. But anyway right now, I am just giving a Policy over my opinion, it can be worked out.

The other thing is concerning our elected people, that is, the MPs, the local authority. There should be a minimum academic qualification for MPs and for the Local Authority representatives. In that case we should have MPs having qualifications which are higher than those ones for local authority representatives. In such cases, the ministers who are appointed to head ministries should have some professional qualifications in those ministries to avoid misuse especially like we can see the shody jobs which are being done on our roads, buildings, and such.

Then we come to the matter of land policies. You find that the issue of land is very sensitive in Kenya. So I propose that these land policies should be overhauled in consideration of how economical they are viable, how they can be done to avoid antagonism of which we have a history of land antagonism like the land clashes we had in the Rift Valley recently, in the Coast and even where we are, we have such problems. The issue of land sub-division has brought a lot of animosity and enmity between brothers, sisters, parents and even the other relatives who are near. You find this subdivision also has lead to poor management of the land. The production per acre has gone down due to poor management. And....

**Comm. Zein:** Muda wako imekwisha nilikuwa nikuongezee nusu dakika ingine umalizie. Mambo mawili muhimu unataka kutaja bila kunielezea kwa kirefu ....

**Philip Kairethia:** Thank you, Mr Chairman. The other issue is, I wonder why we should have squatters in our own land.

**Comm. Zein:** Pendekezo lako nini. Hutaki kuwe kuna mtu anaitwa Squater Kenya, unataka kila mtu apate ardhi.

**Bw. Kairethia:** Kila mtu apate ardhi.

**Comm. Zein:** Ya mwisho.

**Bw Kairethia:** Ya mwisho ni about freedom of expression and association. We should not have any kind of muzzling of the press or having any meetings being disrupted by the police or the arms of laws. Just one more point, about what should happen with representative members – elected representatives. I think we should have equal representation whereby we have not one MP in parliament representing around 10,000 people, another one is representing 100,000 people. That one is ..... in the house because the opinions is representing the opinions of 100,000 and the other one is representing the opinion of just

2,000 people. That one is very unfair.

**Comm. Zein:** Toa, toa. Asante sana. Peana memorandum uko na uandike register tafadhali. Thank you very much.

**Charles Mbogori:** My names are Charles Kionga Mbogori. My first point is, the state should have intimate ownership of all land in Kenya. The State should have power to control the use of all lands by owners, occupiers in Kenya.

Assistant Chiefs must be withdrawn or done away with. The land adjudication officer must be denied power to be final as it is in section 19, one of the Land Consolidation Act Cap 283. Land cases, should be held by the Customary Council of Elders so that the process should follow the customary way of confirmation or determination of the customary law.

The education from class one to University should be free.

The security officers, carrying the firearm must wear uniform to be known that they are the right people. The State has power to acquire land for public purposes only and pay to the land owners or occupiers troubled compensation as is in the Land Act, Caps 295, 288, 215 in the current constitution section 117 and 118 and section 751.

Nobody should be above the state law. Njurincheke of Meru customary council of elders should be denied power of giving out people's land and any property to the County Council, government as they have done in Njero of Ndongori land without the owner's consent and yet not paid the compensation as it is in the Act of Parliament.

Lawyers' professional fees be controlled by the State to enable the poor people to afford. A court civil filing fees be free to make way for poor people to go to court.

Chiefs to be selected by the Wananchi themselves and not the government as it is doing today. They know them better. With all above, I say thank you. Thank you very much **Comm. Zein:** Bw. Charles. Tafadhali andika register na utoe hio memorandum. Wewe, Box yako number ngapi?

**Bw. Charles:** 1803.

**Comm. Zein:** Hapo umeandika Joseph Kirema.

**Bw. Charles:** Ndiyo yule hakusikia nilimwambia .....

**Comm. Zein:** Haya. Wacha niongeze "na" halafu uwe ni wewe. Ni sawa, eh? Haya, **Joseph Kirimana.**

**Joseph Kirimana:** Yangu tu ... kwa majina naitwa Joseph Kirimana. Mimi maoni yangu ni kusikitishwa ni hii serikali yetu ya Kenya sababu wanandama wazazi sana wasomeshe watoto, lakini wakisomesha watoto hawapati kazi. Maana kazi ya Kenya siku hizi zimekaa kama kazi za uko ..... Kama tuseme mfano, kama Njeru pale, OCPD awe ni kama wetu sasa. Anataka

Inspector naye awe ni ndugu yake. Anataka Major awe ni wadada wake. Anataka yule mwingine awe ni wa hiyo nyumba tu. Ya serikali ...

**Interjection:** Kirimana. Pendekezo lako nini?

**Bw. Kirimana:** Pendekezo langu ni kusema kazi za Kenya ziwe zinapatwa na wale wanaosoma. Si sipatwe na watu ambaye hawasomi. Ninaona mtu ako na grade C hapa hapati kazi, lakini mtu wa grade D au E anapata kazi. Ule wa C anapotelea uko. Labda hawa ni wajamii maskini. Hawana pesa za kuhongana ili aandikwe. Huyo mtu anapotelea tu uko.

Maneno yangu ya pili. Hii serikali yetu ya Kenya tunaona iko kitu hapa wanaonelea sana na pesa. Kama Moi amesema sasa pombe haramu ipotee, hii serikali yetu ya wanaopika pombe haramu wame kuwa uko ndiyo wanatoa maliso yao.

**Interjection:** Unajua Bw. Kirimana. Nafikiri ulikuwa hujafika hapa asubuhi. Mimi nilitoa mwongozo mzuri ya watu kutoa maoni. Wewe toa mapendekezo yako. Kama sasa unasema, pombe ya kienyeji imefanywa ni haramu. Pendekezo lako nini. Unataka iruhusiwe.

**Bw. Kirimana:** Pendekezo langu si iruhusiwe manaake inaumiza jamii, ifungwe kabisa.

**Comm. Zein:** Ifungwe. Sawa. Tume maliza hapo. Unataka pombe ya kienyeji ipigwe marufuku.

**Bw. Kirimana:** Kabisa.

**Comm. Zein:** Sawa.

**Bw Kirimana:** Maoni yangu wa tatu. Mimi naonolewa ya kwamba hii serikali yetu haina huruma. Ukienda hata kupigia Chief reporti, Chief hakusikizi, huna kitu. Anataka umpatie kitu, ili asikie maneno yako unaongea. Kwa hivyo mimi nataka hapo nae, hii hongo ya kuhongana ili usikiwe ipotee kabisa. Yangu ni hao tu.

**Comm. Zein:** Mzee Kirimana asante sana. Andika jina lako pale kwa register kwamba umetoa maoni yako.

**Joshua Michira:** Asante Mwenye Kiti. Mimi naitwa Joshua Michira. Pendekezo langu la kwanza ni ile tunaita “Chain of Corruption”.

**Interjection by Comm:** Ebu kidogo Mzee wangu. Nyinyi ndugu wawili mnataka kuzungumza? Mwende pale nje, kando kabisa, humweshimu Mzee na umri wake na ile amri niliyo toa hapa kwamba watu wameruhusiwa kuzungumuza hapa, either kutoka kwenye meza hii au Mzee kama yeye tumempa ruhusa. Ikifika wako utasema vizuri sana ndugu yangu. Sawa. Asante ndugu yangu. Mzee, tafadhali endelea. Pole kwa kukukatiza.

**Mzee Michira:** Si kitu. Haya ile pendekezo la kwanza, ni ile tunaita “Chain of Corruption” Sana sana kwa ajira. Wakati hii Police Force au Armed Forces, na hata hii Administration Police, wanaandikwa. Wale wanaandikwa ni watoto wa Boss pekee yao. Wengine akipatikana wa kuandikwa, ni yule anapata kama Shs.70,000/- kwa msichana na kwa mvulana Shs 40,000/-

Kwa hivyo mimi pendekezo langu inasema hii habari ya kuandika inaweza kufanyiwa na watu wa kuajiri kama Bunge inaweza ku-appoint watu wa kuajiri. Naonelea, mapendekezo langu, naonelea Bunge iki-appoint watu wa kuajiri huko inaweza kuwa mzuri. Hiyo ni ya kwanza.

Ya pili, tuko katika ile corruption. Changaa inauwa watu na ile inachangwa nao ni kitu mbaya sana. Na hii chang'aa, wanao changia sana kufanya hii manufacturing ya Chang'aa ni hawa askari. Administration Police ndiyo wanachangia hii sana. Kwa sababu wanaofanya hii manufacturing ya Chang'aa wanalipa fees kama Sh.500/- kwa wiki, na wale wanao tengeneza ile kidogo wanatoa mia mbili na hamsini. Kwa hivyo ni shida kumaliza hii chang'aa. Na ile mimi naonelea, naona serikali ichukue hatua kwa hawa watumamishi wao ili waache hii kazi.

Haya, ya tatu itakwenda kwa ile illegal arms. Yaani kuwa na bunduki bila kipande. Hapa kwetu hata hiyo inatumika sana, sana sana ukienda hapa kati kati ya Isiolo na Meru hapa, unaweza kusikia Mama ambaye haikusoma aki kwambia mlio huo ni wa AK 47 au ni wa M16. Anajua hata mlio kwa sababu hiyo ni nyingi. Kwa hivyo wengine wanapata hii bunduki wakiwa wanachunga ngombe za watu tajiri. Na wakati wa usiku wanapenda kutimia kwa njia ingine. Kwa hivyo mapendekezo langu ni mtu yule ana style mbili, awe ndiyo anapewa hiyo bunduki kama ni ya kuchunga ng'ombe ijulikane ni ya kuchunga ng'ombe kabisa.

Ingene ni hii ya land adjudication. Hii ndiyo mama wa corruption, kwa sababu mtu akiwa na shamba lake, anatafutiwa makesi hata kama alipima vizuri na ikawekwa chini vizuri. Anatafutiwa mtu hapa karibu wa kufanya kesi naye – ili aingiliwe. Kwa sababu hana pesa hiyo shamba inakata katwa.

La pili, sisi hii tulikuwa tukisema ni Land Consolidation. Lakini hii inaonekana ni Land Disputing, kwa sababu naweza kungaza acre yako kama saba (7), lakini mwishowe unakuta kuna mahali inawekwa acre moja, themanini, hamsini, hiyo yote inakuwa namna hiyo. Naonelea hii naye, serikali itakayo kuja isaidie hawa watu kurekebisha hiyo maneno.

Ingene ni hii ya Ministry of Health. Watu hawapati madawa, na dawa inakunywa leo, watu wanakunyua kama siku mbili, siku ya tatu hakuna. Hii yote unaacha kuambiwa uende clinic fulani ambacho ni za watu hawa kama ni daktari, kama ni Clinic Officer, ndiyo anasimamia hiyo Clinic. Unaenda kununua uko. Kwa hivyo pendekezo langu ni mtu akiwa anaajiriwa na serikali, awe anaajiriwa lakini kufanya clinic la uajira.

**Interjection:** Mzee uko karibu? Maanake usha pitisha wakati sijui umebakisha ngapi?

**Mzee Michira:** Nimebakisha mbili.

**Comm. Zein:** Haya maliza hizo mbili haraka.

**Mzee Michira:** Ya nne ni hii ya ukulima. Ukilima ni kama uti la mgongo kwa Kenya na huyu mkulima yule tunaita common man ndiyo ana hasara saidi kuliko watu wengine wanatoishi hapa Kenya. Kwa sababu mavuno yake tuseme tukigusia Kahawa,

Kahawa mkulima anapata 10% lakini serikali pamoja na mashirika ya serikali wanapata 90%. Kwa hiyo mkulima hakuna wakati watakao toa kabuti kwa mwili.

Ya mwisho, ni ya ofisi ya president. President asiwe na mamlaka kwa kila kitu kwa sababu yeye ndiyo mkuu wa majeshi, magereza, police force, navy, kote. Kwa hivyo hii iwe ikichaguliwa na Commission ingine, si yeye. Na kwa hao machache, nasema asante.

**Comm. Zein:** Asante sana Mzee, asante sana. Tafadhali andika jina pale, na utoe hiyo memorandum. Sasa asubuhi tulikuwa na mtu aliye ajaindikisha number 59, mwalimu John Muriithi alikuwa ameenda darasani. Sasa amepata nafasi ya kurudi. Ungetowa maoni yako, halafu urudi darasani mwalimu. Asante.

**John Mureithi:** Thank you very much, the Commissioner. My names are John Mureithi. Mine I will just start on education. Now, as far as education is concerned, the system we are in at the moment, should be changed to the old system whereby the one who has to acquire this type of education has to go up to A-levels, before University whereby this person is going to be mature enough and this will avoid this kind of problems that we have especially in secondary schools.

The second thing still on education; education should be handled by professionals and not interfered with or mixed with politics. For we find there is a lot of mixing of education with politics, where one will just come, may be from the bush, and say it should be like this and then we adhere to that. You find there is also a lot of interference in education because one will just see this is what should happen but instead of this being handled by professionals, it is just adhered to because it is an order from above. This in question, whereby we are talking of levies, we are talking of seas and the likes. In case, it has been handled by a professional, the proper system, or the proper thing would have come in place. This will end the decline of education as a result of many changes which occur within a short time.

On Provincial administration, I am saying that the government should establish a method of curbing corruption, especially with police force. This is whereby you find the police, you talk of the drivers and the Matatu goes even if it is in fault. So in case a proper system is established whereby may be the public is given the mandate to report this without any victimization, the police themselves will find that there is a watch dog and the act will cease. There should be a neutral place or body to deal with child related issues.

On employment, the government should see to it that those employed are those who merit and not one who knows who, hence the end of corruption. It is not, that is the government, that there is no bias when employing, for example, in the case of teachers who have undergone training, whether in public or private colleges, they are all employed by the government for they are all Kenyans. We do not have Ugandans or Tanzanians in Kenya.

In frastructure, I am proposing that the DFRD (Distric Focus for Rural Development) be revived to curb the idea of unemployment, and town migration.

And also roads will be maintained and communication will be easy. There is a time when the government had employed people to be maintaining the roads, but this has come to an end. Moving from this place to Kianjai now, it may even force you to go through Meru town to Kianjai, yet it is just a matter of 8 kms from here to Kianjai. So something must be done if we are to be on the right footing.

Since teaching is a noble profession, teachers should be paid well for they are the ones who are charged with the responsibility of moulding people's lives. They hold the stake of young ones at hand, they determine the destiny of the child. Their foundation is in the teacher's hands. Then, we know that the cost of living is so high, hence all should be considered when paying them for we know that there is no one who depends on air while others depend on water. People should be taken care of, all and sundry. A farmer who is in the field at the moment, will go to buy for example a kilogram of sugar at Shs 50/- and even the president is buying that one at Shs 50/-. So all should be considered and there should be a balance whereby each and every corner is catered for. That is all I had and thank you.

**Comm. Zein:** Asante, asante sana Mwalimu John. Tafadhali andika register na utoe memorandum. David Mtoinoti. Mzee wangu karibu. Ningependa kuwajulisha kwenu Commissioner Ratanya, karibu. Waliokuwa hapa walikutana na yeye, lakini akatoka kidogo sasa yuko hapa. Ninge mpa fursa hii awasalimie kabla Mzee David haijaendelea na aendelee na register.

**Comm. Ratanya:** Hamjamboni nyote wananchi. Nilikuwa asubuhi. Tulianza asubuhi mapema, tukaendelea na Commissioner mwenzangu. Kwa hivyo nikaenda kidogo, na sasa nimerudi na tuendelee. Kwa hivyo, asante kwa maoni yenu, na endeleni mpaka kila mtu aseme kitu. Hakuna mtu ataenda bila kusema. Asante sana.

**David M'toinoti** Uuni bura kwenda Kwaria mbitawa Divid M'inoti.

**Translator:** My name is David M'toinoti.

**Mz. M'toinoti:** Bura nkwenda kuuga.

**Translator:** What I wanted to pass across,

**Mz. M'toinoti:** Ka nkwenda kuuga uju. Anga ndauga uu ntiirwa nkuuga gakai mbere. Baatwi turi akuru ba Meru yoonthe District.

**Translator:** We as old men from Meru district,

**Mz. M'toinoti:** Aana betu ibautukumiiria kamutegone kakathuku.

**Translator:** Our children are leading us in a dangerous path.

**Mz. M'toinoti:** Nuntu uuni ndi mukuru o njuri ncheke.

**Translator:** Because I being an elder in Njiruncheke, for example, my son may talk rudly to me.

**Mz. M'toinoti:** Ndoomba kwithirwa ingutumirwa kanyua ii mwana okwa.

**Translator:** For example, my son may tell me that if I do not go and take the traditional oath, I may kill you.

**Mz. M'toinoti:** Untu buu uuni mwana aambira baba ukarega gwiita kuringa ntheenge uugwe ndoomba gukuraa.

**Translator:** For this I tend to wonder, because I wonder how I can go and take the oath and I know the oath can have bad repercussions to me.

**Mz. M'toinoti:** Na buungi mwana uu athiria kuuga uu uuni ngakira nkauria niatia mwana uu aunchukuma nkaringe ntheenge nyumene indie.

**Translator:** So what I would like,

**Mz. M'toinoti:** Ndienda gwikire jukumu ntheenge ikiringwa ikethairwa ii na sababu.

**Translator:** I would like to say that when people are taking this traditional oath, it must be taken when there is a great reason for it.

**Mz. M'toinoti:** Nuntu ntheenge ikuthiria akuru micii iria ya akuru baria baukilua tuju ni aana.

**Translator:** Because this *Njurincheke* traditional oath has finished so many families. People have died in many families because of taking this traditional oath without knowing.

**Mz. M'toinoti:** Nti na uungi ya kuuga kauntu kau kagerie kujukia jukumu sana ni mithemba ii ya ratanya.

**Translator:** I did not have much to say, I only wanted to propose that across to the people. My name is David M'toinoti.

**Comm. Ratanya:** Okay asante sana David M'toinoti amemaliza, sasa tunaenda kwa James Muchui. Okay, James ni wakati wako.

**James Muchui:** Asante. Mimi nakuja kuchangia hii marekebisho ya Katiba. Jina langu naitwa James Muchui. Sheria isishikiliwe na wale wenye mali pekee yao. Iwe ni ya kila mtu. Makosa yasimalizwe na pesa. Corruption imalizwe. Mwenye kuhonga na kuhongwa wachukuliwe hatwa.

Mtu akikamatwa na askari, awe ana makosa, mpaka apelekwe kotini ili atambuliwe hana makosa, ama anayo na sheria.

Huu muda wa uchaguzi ufupishe, ili watu waliochaguliwa wasiende kulala. Iwe kama miaka tatu hivi.

Kuhusu primary schools, watoto wawe wakisaidiwa na vitabu na serikali. Sababu mzazi anafanya kazi ngumu sana kwa kutoa kila kitu kwa yule mtoto kwa masomo ya primary school.

Kuhusu mashamba, serikali ilistafisha makarani na sasa wale wenye mashamba wana taabu sana. Kwa sababu ukienda hata kule kwa maafisi unaambiwa hakuna karani. Lakini ni serikali walistafisha hawa makarani wote, mpaka ukawa na maafisi ya mashamba ni matupu. Tukienda uko tukaambiwa hakuna karani wa kuenda kufanya usorobea kwa mashamba. Sasa, wajiri makarani ya kutosha, na hii kazi iharakishwe na isimamiwe na serikali na njia mzuri ili imalizwe kwa haraka. Ili haya mashamba yaweze kusaidia hawa wakulima wenye mashamba.

Nikimaliza, nitasema yaani hongo ndiyo inasababisha hii mambo yote yote. Inachafua serikali yetu. Hii hongo ikimalizwa ninafikiri hii maneno itakuwa nzuri yote.

**Com. Ratanya:** Asante sana James Muchui kwa hayo machache. Kwa hivyo nenda hapo u-sign kwa register. Sasa tunaenda kwa Moses Kinyua.

**Isaiah Miriti:** (*Speaking in Kiswahili*) Kwa majina ni hiyo unaambiwa. Mimi naitwa Isaiah Miriti. Kwa maoni yangu, ile mimi naona, nataka, kama ni Chief akiandikwa, andikwe akiwa amechaguliwa na rahia wenyewe.

Ya pili, nataka President ule atachaguliwa, asiwe juu ya sheria. Akifanya makosa nataka adhiriwe na sheria ya Kenya, ya nchi yetu.

Ingingine ya tatu, ninaona serikali yetu, kwa sababu sisi wa Kenya, hasa wa area hii tuko naye, ni wakulima, mazao yetu yafikiriwe na serikali ile itakuapo. Serikali iwe ikinunua vitu kama wakati ule walikuwa wakinunua ile wakati wa mbele hiyo ndiyo tulikuwa tukipata faida na ndiyo tulikuwa tukilima tunaona .... ya kusaidia.

Ingingine ni, serikali isimamie vitu vile vyote viko kwa maduka mtu asiwe na kazi yake, kama vile mtu akifanya yake anaendelea naye. Sasa akawaribu wale hawako na pesa. Hiyo inamanisha kama mtu hakuwa na pesa kidogo, hawezi kupata pesa. Hii imalizikia kwa wale watu wengine wako na mamilioni ya mapesa .

Ingingine, wakati ile ya sita, ninaona, wakati huu kuna wale waschana huko nyumbani, na hata waschana hawa watu wengine hawapatii waschana wao mashamba. Tunataka kama ikiwa ni sheria, wasichana wale wamechaguliwa wagawie mashamba na Baba yao kama wanaume, kwa sababu hao ni watu wa mtu moja.

Ingingine ni school fees. Kama kutoka primary mpaka standard eight iwe ikilipiwa garama yote iwe na serikali kwa sababu wakati

huu tuko na Uhuru na pesa hizi ndizo tunanunua vitu vingi na ndiyo tunalipa tukiwa tumelipa kutoka kwa vile vitu zinanunuliwa kwa maduka ndiyo tunaita tax. Hiyo ndiyo naye isiwezi tuwe kama ni watu wamepata uhuru.

Na hii ingine ni ya land. Kama ni mtu ako na plot yake, ama shamba lake, mchanga akipatikana ama mawe yale ya kujenga serikali anakimbilia kulipisha huyo mtu pesa hizo na hii ni mali yake, na ni shamba yake amepima yake wewe mwenyewe. Ndiyo hiyo tuwe tujisikie kama tuko na uhuru wa kutosha katika nchi hii.

Ingingine ni hospitali. Madaktari tuko naye wako na ma-hospitali yao. Na hiyo dawa ikiingia katika hospitali ya serikali ndiyo ikimaliza siku moja, hiyo madawa yameenda uko na ndiyo wanakuambia clinic ya mtu fulani ndiyo utapata dawa. Kwa hivyo kama umeandikwa na serikali, uwe ukichunga watu. Kama unataka kuwa na hospitali yako, enda ukafanye hospitali yako na kama unataka kuwa mtu wa kufanyia serikali kazi, ufanye kazi ya serikali. Hiyo kwa machache, nimesema asante Bw. Chairman.

**Comm. Ratanya:** Okay, nashukuru sana Isaiah. Mwingine sasa ni Patrick K Kinyua.

**Patrick K Kinyua:** Thank you Chairman. My views are as follows:

Any retired person should not be given another job since we have other young stars qualified for such jobs, who need to exercise their field of work and gain experience. This will help even those young stars to be as those old people. So instead of having retired persons being given another responsibility of jobs, while we are having other qualified people, I think should be stopped. Anybody found with bad governance should never be allowed to hold at time public office at all fields. Such people who will be found corrupt or selfish should not hold public offices. Primary school education should be free and no private school should be encouraged so that our public primary school can develop. This is because the poor people are being left in these public primary schools and they are not able to develop those schools. So we should have one common school , i.e. public primary schools should be for everybody.

In any government office, any fee required for any service rendered by that office should be notified at the notice board so that this one will help everybody to know the required amount which should be paid for such service.

Government offices should be equipped with all necessary materials for that particular office, e.g. pens, paper, etc. to avoid being told that we have no papers to write so you give money to enable them to serve you. This one will reduce corruption and each and everybody will understand the required fee which he is supposed to pay in that particular office.

All secondary schools should be at the same level in all fields – e.g the fees should be the same, the staff and even the equipment. This will avoid having National schools, Provincial schools, and district schools, so that the poor, because they cannot afford some fees in these schools, can be able to educate their children in good schools.

Usual matters should never be taxed by the government e.g. title deeds, water permits, and some fees. These should be given freely. And these hard cases should be dealt with freely without people being told to pay some certain amount of money.

In part of security, I think people should be allowed, those are able and who are known to be having good record in the government should be allowed to have firearms so that they can take care of their property. We have seen many cases where people are killed now and then by thieves or other people. So the capable people or people with good records are given firearms they can be able to protect themselves and their property.

All government hospitals should be equipped with the best equipment and personnel at all times. This will avoid establishment of private hospitals, which have become too expensive. When you go to the government hospital, may be you need a certain operation, you will be told they are not having such equipment to deal with such a case. You will be forced to go to a private hospital, where you will find it too expensive for a common man to pay the bill of the hospital. So you will find this common person dying here and there because of lack of money to be served according to his or her own abilities.

Health services should be free at all levels. This will .... Because we have found that we are having what is being called Cost Sharing. The cost sharing should be avoided so that everybody will be free to go to these Health Services because may be you are asked to pay Shs 20/- and you do not have that Shs 20/-. So that will make you not to go hospital to get such service. When may be you have slaughtered your own goat at home you are required by the public health officer who will come to inspect that meat. You will be required to pay may be Shs.100/-. May be you will not be having that money.

**Interjection:** Try to conclude, so that people can have more time please.

**Speaker:** Let us have no original s and non originals in medicine. So if this one is like first day you find Fansidar original , and there is Fansidar that is not original . I think the one that is not original is having a negative effect on somebody's body.

All appointments must be brought to parliament but not to be done by the president only. And all government schools should be headed by a qualified person in that particular job e.g. Permanent secretaries in the Ministry of Health should be a qualified doctor.

**Com. Ratanya:** Okay, thank you very much Patrick. Mtu ambaye anafuata sasa ni Simon T'tarangwe. Kwiwe agwiitwa ntarangwe kana mzee ura akwenda gwiita kuraaja ni iita riaku nendi. Uriaria na Kimiru kana ni Kithwari kana ni Gichunku?

**Simeon N'tarangwe:** Kimiru,

**Com. Ratanya;** Ndio Mumiru ungi ari au aatwira na ichunku.

**Simeon Ntarangwe:** Riitwa riakwa mbitawa Simeon Ntarangwe.

**Translator:** My name is Simeon N'tarangwe.

**Mz. N'tarangwe:** Na ndauma kuraya muno.

**Translator:** I am from far.

**Mz. N'tarangwe:** Kuuma na Keiga.

**Translator:** I am from Keiga.

**Mz. N'tarangwe:** Muunda okwa ntathima nuntu nyumoo iciari kuo.

**Translator:** I want to say, adjudication has never been done to my land because animals are there.

**Mz. N'tarangwe:** Na jungi.....

**Translator:** And the other one is in ....

**Mz. N'tarangwe:** Na yungi nayuo kionde kuwatana na thanantu aria.

**Translator:** and the other one in Kionde and Thanantu.

**Mz. N'tarangwe:** nao kwatwika ii ngwato kuuma ?

**Translator:** I inherited it from my forefathers.

**Mz. N'tarangwe:** Yaangi

**Translator:** The other

**Mz. N'tarangwe:** imwarimu guchunia mwana nuntu muciar agwachia mbecha.

**Translator:** One is the issue of teachers beating pupils or killing children because the parent cannot afford the money.

**Mz. N'tarangwe:** Nuntu mwana ati na noo mbi, keena mbecha kana ni ithe.

**Translator:** You find that the kid has no money but is with his father.

**Mz. N'tarangwe:** Natwi nindi twachokere cukuru rui rweeta atia rwakuluka. Aana betu bataathomaa nunthu batoonaa akunira ruui.

**Translator:** And again you find that our children are not going to school because of the issue of overflowing water in the rivers.

**Mz. N'tarangwe:** Na tungi twijaa kuthootaa aa twitite na ruui twaana twa thukuru.

**Translator:** While some are drowning in the overflowing waters.

**Mz. N'tarangwe:** No thirikari ikamenya uu ikaumba ututethia.

**Translator:** So the government should look to the mechanism to help us. Thank you so much.

**Mz.N'tarangwe:** Utii yaangi ndinayo

**Comm. Ratanya:** Ibwega mono Ntarangwe ki maoni yaaku indi ikira saina au ki register na ura ungi tugwiita nwe na mbere ii Joseph Kabeeria. Kabeeria ari akui. Kama Kaaberia hayuko then the next one ni Zakayo Ndewa. Naona Ndewa hayuko. Julius Kiriungi, Winfred Mungathia. Okey Bwana Winfred Mungathia sasa ni wakati wako bwana councillor.

**Wilfred Mugathia (Councillor):** Asante sana Bw Chairman. Majina langu ni Clr. Wilfred Mugathia. Na ningependa kuchangia kidogo katika mjalala hii. Sijui Bw Chairman nimekuja nimechelewa. Nilikuwa nina ..... Na memorandum nilikuwa nimeandika, ikapotea. Sijui sasa nitasaidia niandike ama sijui, sina ile ya kuwacha.

**Comm. Ratanya:** Kama hiyo ni swali Bw. Councillor, utatupatie yale unakumbuka. Halafu badaye ukiandika memorandum utampatia co-ordinator atatuletea. Lakini usingoje mpaka last. Utaandika hapo karibuni umpatie Co-ordinator atumpatie. Kwa hivyo uta twambia yale machache unayo sasa.

**Bw. Mugathia:** Yangu Bwana Chairman, ningependa kuchangia mambo ya land, Lands Act. Katika mambo ya ugawaji wa mashamba Bwana Chairman, tumesumbuliwa na hii Cap 283 sana. Sisi tungependa iwe scrapped badala kuwako kwa ajili cap 283, inaonekana wewe ukipima shamba yako hata pale mzuri halafu badaye unawezwa kubebwa unatolewa pale ile mzuri unapelekwa kwa mlima au unapelekwa kwa swamps. Sasa hiyo cap inaonekana ile inabeba mashamba kutoka pahali fulani mpaka pahali fulani sio mzuri sana. Hiyo tungependa iwe scrapped tuwachue na ile cap 284.

Bw Chairman kuna hii ingine ya AR. Hii malalamiko ya 60 days. Bw Chairman hiyo naye si-clear. Kwa ajili hawasemi kama ni 60 working days au ni 60 days kamili. Wanafanya 60 days kamili hata siku zile za holidays na weekends, zote wanahesabu. Na hivyo watu wanafikiria ni 60 working days, wanachelewa zaidi. Pia naye tungependa irekebishwe iwe kama 90 days, working days.

Iko makosa ingine naye iko katika hiyo land Act. Kama wakati wakuandika eyara, watu wanandika AR. Wale makarani wanaletwa kuandika ile AR, wanaandika kwa vitabu unawapatia kipande yako. Wanaandika jina sawa sawa. Lakini for example, kama mimi naitwa Mung'athia, wanaenda wanandika kwa AR Mungathia wanandika kwa kilugha ingine. Sasa hiyo kuenda ku-correct hiyo jina na simimi nimefanya makosa, inani-cost nilipe Shs 500/- na makosa si yangu. Makosa ni ya ofisi, nimewapatia kipande, kila kitu. Hiyo naye, maneno ya correction of names Bw Chairman tungependa nayo pia iondolwe.

Ya nne, katika local authority hii ninge uliza naye iwe kama ni Chief officers, na Council allowances iwe inalipua through Consolidated Account badala ya kungonjea zile Butter Market, zile pesa zinakusanywa, haziwezi kutosha kulipa wafanyi na kufanyia wananchi hata kazi ya ukarabati wa barabara hata kidogo. Shauri ni pesa kidogo sana. Hii ningeuliza naye kama wawe wakilipa Chief Officers na Council Allowances wawe tulipwa na Consolidated Account.

Ingingine, ni maneno ya uchaguzi wa Chairman. Kuchagua chairmanship, iwe anachaguliwa na councilors au na District mzima.

Ingingine ni upande wa security. Security imekuwa mbaya naye ningeuliza wale watu wanaangalia katika location au katika kijiji, watu uwa wanangaliwa unaonekana ni wale watu wa able, wapatiwe bunduki, wapatiwe firearms, ndiyo wawe wanachunga hata hiyo area kidogo kwa jili sasa unaona mtu akipata mali yake kidogo anauwawa tu ovyo ovyo na hakuna hatua inachukuliwa.

Ingingine ni ya hospitali. Hii pesa ya Cost sharing katika hospitali naye haitusaidii kabisa. Badala tunatoa cost sharing inarudi inachukuliwa na serikali inaenda. Hiyo naye tungenesema Cost Sharing iondolewe katika hospitali. Watu uwa wanapata madawa bure.

Ya mwisho ni hii kuchukua appointment ya senior civil servants. Hii naye ningependa, isiwe inachaguliwa na president tu, iwe inachaguliwa kamati, commission ya ku-appoint ile watu wanachaguliwa na nini za serikali zile kubwa. Ni hayo tu. Ni asante.

**Comm. Ratanya:** Councilr Mung'athia nashukuru sana. Kwa hivyo peana sign yako hapo. Nimekwambia kama memorandum ikiwa tayari unaweza kutupatia badaye. Nashukuru sana. Tuna Hellen Gacheri. Hellen Gacheri ari aa. Kaakwejana maoni naara kana! Gacheri iyu aa. Mwambie aje kabla ya Gacheri kama kuna Jacob Magiri, ameingia. Sasa Hellen ni wakati wako sasa, keti hapa. Utaongea kea kiswahili, Kingereza au kwa kimeru?

**Hellen Gacheri:** Riiwa riakwa mbitawa Hellen Gacheri.

**Translator:** My name is Hellen Gacheri.

**Bi Gacheri:** Mbere buru ka nkuuga ibwega nuntu bwa thirikari kubangania kiama kii nikenda baatwi aantu ba Kenya tukarekebisha katiba iu baronere itibuui.

**Translator:** I am saying thank you for the government for organizing this for us to give views to change the constitution that was there before.

**Bi Gacheri:** Untu bwoka bwa mbere bura mbonaa bukimbinyiilia na bukiinyiilia antu babaingi bara twaranairia nabo.

**Translator:** My first point that has been oppressing me and oppressing other people that we have been staying with but I would like to suggest

**Bi Gacheri:** Aana bara bakwithira batii bati na aciari bao, ithe akuite na njira ya murimo jwa AID kana na njira ooiria baiti nio ni gikuu, aana bati na ithe kana gina inkwoona bakiiria thiina muno. Neendi inkwoona thirikari kethira kwoomba kwombikika bakajukirua hatua gwatuika kuri itaalia bakujukia kinya bo bakethira bakirigaa bwega ya aana bara baangi bena aciari.

**Translator:** orphans that have been left due to AIDS or any other problem that made the children not to have parents; I am recommending that the government should look at ways of helping them.

**Bi Gacheri:** Bwa yaili muno baatwi rutereene rwa aciari itukwoona tukinyilika muno rira muciaru akuthomethia mwana akeendia kithaka na twinto tura tunthe enatuo aatiwa zero mwaana ura akathoma. Muciaru arikiya kuthiria bira eenabio athooma akeeja nja agachia ngui nuntu muciaru agwachia mbecha chia gwiita guukumana.

**Translator:** Another big problem is whereby we parents we are struggling so much to educate our children with the little resources we have and we find that after they finish school there are no jobs for them. This is a very big problem.

**Bi Gacheri:** Kwou inkuria kethira kwoomba kumbiikana untu buu itu nuntu bwa mwathani aciari bageerie gukikilua au nuntu itukwailia aana babaingi bara twinabo nja baachoko nguine ira batibati ntirikari nibayukiri ataalia ibaalilie kinyabo nuntu ibabati gukaara bwega.

**Translator:** So we are requesting the government to look upon the jobless people who are qualified but because they do not have money they cannot get jobs. They have started doing other odd jobs. We are requesting the government to assist them or look to ways to assist them.

**Bi Gacheri:** Bwa jathatu ii maantuune ya urimi.

**Translator:** My third point is about farming.

**Bi Gacheri:** Urimi rutereene rweetu ndene ya Kenya itukwoona baatwi tukithangika muno turi arimi nuntu twirima into bietu gwaatuika tutikuumba kinya kuthomethia mwana, kana kinya gwikira nguo ya antu bara baangi.

**Translator:** You find that we in Kenya what we are farming cannot help us, we cannot buy food, we cannot do anything with what we are producing from our farms.

**Bi Gacheri:** Indi inkuria gukeeja kuumbikana maantune ja irio, tukaurairwa irio bubwega nikenda kinya murimi akaraa bwega nja yawe na kinya ruteerene rwa kimaendeleo.

**Translator:** So we are requesting the government should look for a way to regulate food prices or find market for our produce so that we can be helped.

**Bi Gacheri:** Bwa jana inkwoona ya rira tukwithirwa twi na kithurano, twachala president ethire ai muntumurume vice president aithire ai muntu muka.

**Translator:** We are suggesting and we are putting it as a recommendation that if the president is a man, the vice president must be a woman.

**Bi Gacheri:** Ibwega no yau ngukari ayo.

**Translator:** Thank you very much. That is what I had.

**Comm. Ratanya:** Sawa sawa Hellen Gacheri. Sasa tutaenda kwa Jacob M Magiri. Sasa Magiri ni wakati wako.

**Jacob M Magiri:** My names are Jacob M Magiri and I have this to recommend to this Commission. Corruption in the Law and Order keeping arms, that is, the Police Force especially on the traffic. There should be separate court to deal with traffic offences immediately the traffic crime is committed.

Number two, our roads are in bad shape and you find that when the president is visiting a certain area, the potholes on the roads are filled up, and roads repaired. One wonders where the money to repair the roads come from only when the president is visiting an area. I recommend that the people be employed like before to maintain our roads, or the armed forces be asked to maintain tarmac roads other than staying in their barracks doing nothing profitable to this nation. There should not be too much politicking in important issues to this nation. You find that people who are experts in issues, recommend good policies in certain areas but instead of implementing the policies, application abolishes the policy, e.g. education policies and health policies. So I recommend that the professionals should state a policy and then let the policy be implemented by the government.

In education, I recommend that pre-primary teachers be employed by the government and not parents or the County Council.

The institutions which were there to help the farmers like KMC, KGGCU, Cotton Lint Board, Cereals and Produce Board, etc should be revived to reduce poverty. Government ministers and government employees should use less expensive vehicles to reduce government expenditure as they claim that there is no money in the government. Telephones should be liberalized to avoid the monopoly of the KPTC. Electricity sector also should be privatized to have people producing electricity and selling to the public or consumers. The opposition parties in the country should be given equal opportunities in the freedom of speech, association, movement and government amenities like press and security.

Freedom of worship should be checked because too much of it is allowing devil worshipping and other bad cults. That is all I have.

**Comm. Ratanya:** Thank you very much Jacob M Magiri. We go to the next one who is

**Peter Koronya.** Koronya kama yuko sasa ni wakati wako.

**Peter Koronya:** Uuni nkaria aa kimiru. Uuni mbitawa Peter Koronya.

**Translator:** My name is Peter Koronya.

**Mr Koronya:** Na inkua ibwea mno nuntu bwa kaanya kaa thirikari itweete keenda tuua mathina yara yatwinyilakia.

**Translator:** I am saying thank you to the government for giving us this opportunity to give our views.

**Mr Koronya:** Bwa mbere thiina ira mboonaa iri inene buru nkuluki ii mantuune ya cukuru.

**Translator:** First I would like to put it across that our main problem is about school.

**Mr Koronya:** Nuntu chukuru ikara ya lazima na mbecha iria ugwutua cukuru iti na njira.

**Translator:** You find that there is no clear way out of the money we pay in school.

**Mr Koronya:** Nuntu uritua mbecha ira ugaitua, ruone ugaitua mbecha ingi, aukene ugaitua mbecha ingi.....

**Translator:** Because today you pay this money and tomorrow another money.

**Mr Koronya:** Nkuromba thirikari ikuamilie aantu au kithira ii fees Muchiari ariae mbecha oo rimwe antu aa gwitakua mbecha ntuku cionthe.

**Translator:** So we are requesting the government to come up with a clear policy on fees payment in school, so that one can pay once and for all.

**Mr Koronya:** Number two ni mantune ya cibitari

**Translator:** my second point is about the issue of hospital or medical attention.

**Mr Koronya:** cibitari nio muntu arita cibitari kinya aayitue gwatuika uriita gwiita mbecha ira ikwendeka kuo alafu nyumene kwatwika ndawa imwe itio na mbecha ira utichokeru.

**Translator:** For example in our hospitals here you may go and pay the required amount of money that you should pay, but unfortunately in the process you may find that even the drugs that you are paying for are not there.

**Mr Koronya:** Narira ukarita mbecha ira kinya wethira uti na ingi utiona chia kuura dawa ira wiiri baati nachio.

**Translator:** After paying that money, you find you have no more money to buy drugs elsewhere.

**Mr Koronya:** Kithira niukua kawakaira njireene.

**Translator:** You may die, because they do not refund that money.

**Mr Koronya:** Number ithatu ni mantu a polisi. Uwe kinya ukethirwa ubwithiritue makosa ukaringa ripoti ki polisi.

**Translator:** Number three is about police issue. You find that even if you have been wronged and report to the police office,

**Mr Koronya:** Ukethirwa uti na mbecha uti repoti eeku ikayukua.

**Translator:** if you do not have money to bribe, they will not take your report.

**Mr Koronya:** Na bariikia wethirwa wiina mbecha wabanenkera bakiyukia ripoti, no mwanka ukombore askari kithira kwi guntu ukwenda kwooneka keenda beenda gwita oo.

**Translator:** After giving the report, if you want the assistance of them to go to see where the problem is, you have again to pay for them.

**Mr Koronya:** Kwou inkuria thirikari iyukie hatua.

**Translator:** So I am requesting the government to take an action

**Mr Koronya:** Polisi bariikia kugwaata muntu baamwiika ara kumuura bamwikakie direct coutine ti bathirakia mantu bai bo na mbecha.

**Translator:** so that when the administration police arrest somebody they should not keep them in their cells, but prosecute them, take them to Court of Law.

**Mr Koronya:** Namba inya ii mantuune ya biakuria bira tukurima.

**Translator:** My fourth point is about the crops that we are growing in this area.

**Mr Koronya:** Baatwi twi biakuria bira turimaa bitiumba utethia muntu kinya uriku.

**Translator:** The food that we get from the crops we grow cannot help anybody.

**Mr Koronya:** Nuntu kethira ii cukuru bitikwaana kethira ikurea fees.

**Translator:** because we cannot use this produce to pay school fees.

**Mr Koronya:** Utiona aa kwendia

**Translator:** We do not have anywhere to sell.

**Mr Koronya:** Niiio thirikari ikuamiile yoone mauri yara yuumba uturira nayo aantu a kwelenkanaa ukiurirwa biakuria.

**Translator:** So the government should come up with a criteria for selling this produce and setting the prices.

**Mr Koronya:** Maantune ya president.

**Translator:** About the issue of the President,

**Mr Koronya:** Nuntu president abati kuthurwa ni raia.

**Translator:** he should be elected by the citizens themselves.

**Mr Koronya:** Inkuria thirikari ira ikethira irikuo president bakeeya kurwaama bai babaingi

**Translator:** I am requesting that as we go the next general election if there are many presidential candidates or aspirant,

**Mr Koronya:** number one na number two babati gucokerethua kuura ringi nikenda tukoona ura ukari na inyingi. Iububwea.

**Translator:** number one and number two should go for vote again. They should go for the second election. Thank you.

**Comm. Ratanya:** Sasa nitarudi kwa hawa ambao hawakuwako kwa hii list ingine kama wako hapa waendeleo kupeana maoni yao. Nina mtu ambao anaitwa Moses Kinyua. Ameingia, bado. Joseph Kaberia. Sasa ni wakati wako Kaberia.

**Joseph Kaberia:** Riitwa riakwa mbitawa Joseph Kabeeria.

**Translator:** My name is Joseph Kaberia.

**Mr Kaberia:** Maoni yakwa iikulingana na ura thirikari itwinyilitie.

**Translator:** My views that I want to give is concerning the oppression that we are getting from the government.

**Mr Kaberia:** bura mbendekia gukaarwa kii thirikari ira ikeyaa.

**Translator:** What I would like to be or come out of the government that will come later,

**Mr Kaberia:** Ii thirikari yoyaire mwananchi okawaida atua nuntu mwananchi nakwinyilika sana.

**Translator:** the coming government and the government that we shall have later should have the concern of the people.

**Mr Kaberia:** Nuntu kethira ii mwamba akeya akaiya ng'ombe ekuu

**Translator:** Because we find if a thief comes and steals your cow,

**Mr Kaberia:** Urita ukeerwa rita chiringi maana atano twamuwate.

**Translator:** you are asked for around Shs 500/- by the police so that they can arrest that person.

**Mr Kaberia:** Na rira ugwitua chiringi maana atano uuwe utibio mwaamba autiire abio uti kinya dururu nja.

**Translator:** And you find you do not have anything because the thieves have already stolen everything.

**Mr Kaberia:** Kwou ndeda thirikari ira ikeyaa ithire ikialia mwananchi o kawainda bwea.

**Translator:** So I am requesting that the government that will come should have the concern of the people at heart.

**Mr Kaberia:** Naringi nario bakubwithia uu kithira ii mwamba ura akwiyire

**Translator:** Again you find that the issue is not that the thief steals from you,

**Mr Kaberia:** Bakambiriria ubugwatanithia bakaa majanji.

**Translator:** they can act between you and the thief as if they are the court.

**Mr Kaberia:** bakwiira gwatanireni urewe gintu kidogo.

**Translator:** They asked you to agree to come to settle together so that you can pay each other and they get something small.

**Mr Kaberia:** na nuntu bakwenda bugwatanira, barigia kithira ii chiringi ngiri ithatu

**Translator:** If they tell you to settle the matter with them, you could pay for example Shs 3,000/-

**Mr Kaberia:** Kabukagaana into bira biaku, ng'ombe ira eku yuure utheri.

**Translator:** you divide with them what you get after the settlement of payment.

**Mr Kaberia:** aangi nakuo ndienda kwariria ruteree rwa miunda.

**Translator:** The other point is about Land issue.

**Mr Kaberia:** Nuntu kiethira mbitawa Joseph Kaberia

**Translator:** If my name is Joseph Kaberia,

**Mr Kaberia:** Naara iukune ria Land bariita bakaandika antu batithomi.

**Translator:** in the land offices they have people they have people who are illiterate who have no education.

**Mr Kaberia:** Baita baachinjia riiwa bakaandika Joseph M'limbeeria

**Translator:** They go and change names and probably write Joseph Ntoluberia.

**Mr Kaberia:** Ndethira indi kaberia ingurite miunda ikumi.

**Translator:** If I have about ten acres me as Kaberia,

**Mr Kaberia:** Ni ngaitua chiringi ngiri ithano na nti kinya ndururu.

**Translator:** they asked me around Shs 5,000/- ..... (inaudible)

**Mr Kaberia:** Na thirikari nio yandikite muntu utithomi.

**Translator:** and the government is the one that is irresponsible for this illiteracy. So in the government that will come,

**Mr Kaberia:** Kwou kii thirikari ira ikejaa,

**Translator:** so in the government that will come

**Mr Kabeeria:** Nitukwirigira ikethirwa iina mutaratara jumwea yaandike antu educated.

**Translator:** we expect it to have people who are learned.

**Mr Kaberia:** Buungi nabuo

**Translator:** The other one is,

**Mr Kaberia:** Mwanchi oo kawaida ailue bwea nuntu thiina ira ikuo nendi

**Translator:** the ordinary citizen should be looked upon or may be helped.

**Mr Kaberia:** Muntu ura akurita kagui kawe nendi ka gwitethia ai thinene maishene ya nthiguru ira tui nendi.

**Translator:** Because you find there is a lot of hardship and problems.

**Mr Kaberia:** Nuntu uwe waika kaduka gaaku

**Translator:** For example if you have a small shop,

**Mr Kaberia:** Uti na security.

**Translator:** you do not have any security.

**Mr Kaberia:** Nuntu aamba bariya kithira ni utuku.

**Translator:** The thieves may come at night,

**Mr Kaberia:** Bo bakauna nyumba eeku bakuura baaita na bira bionthe wi nabio.

**Translator:** they break your house and go with everything.

**Mr Kaberia:** Nuntu we tika wii na into bia gwita kuthiata borisi.

**Translator:** Because you do not have any mechanism to go and contact the police, they will not assist you even if you go to them.

**Mr Kaberia:** anchia kinya weeta kii porisi tika kwibuo borisi yautethia.

**Translator:** Even if you go to them they wont assist you.

**Mr Kaberia:** Buungi nabuo bura mbendekia nabuo kupendekeza. Ni untu bwa ma-councillors baa tukuthuura na ma MP.

**Translator:** So my other contribution is about the Councilors and MPs.

**Mr Kaberia:** Ibabwirite kwithira baitumira kithomo kira giikuo kithira ni MP ethirwe eena qualification ya degree.

**Translator:** Like the MP must be a graduate

**Mr Kaberia:** Na councillor nwe ethirwe eena form four.

**Translator:** and a Councillor must have form four qualifications.

**Mr Kaberia:** Nuntu antu baa bathomu nobo baume na ibo officine naara batimenya kuriirua.

**Translator:** Because it is only the educated people actually who can help.

**Mr Kaberia:** Mbuga mantu yakwa ibuo kwendaa kuuga uu.

**Translator:** I just had that much. Thank you very much.

**Comm. Ratanya:** Asante sana Joseph. Sasa tuna Zakayo Michungu. Sana ni wakati wako.

**Zakayo Michungu:** Nibea Nkaria na Kimiru. Riitwa riakwa mbitawa Zakayo Michugu.

**Translator:** My name is Zakayo Michungu.

**Mr Michungu:** Aria nkwendaa kwariria uuni ni antu a thirikari.

**Translator:** I wanted to contribute on this issue about government.

**Mr Michungu:** Katukua thirikari ii iyite yambiririe mantu yameea yara ?

**Translator:** We are saying that good things should come out of the government that will come.

**Mr Michungu:** Thirikari ii ikuo kaikuura antu antu iberaa ibagwate mantu ?

**Translator:** The government that is there is actually oppressing people and thrashing them seriously.

**Mr Michungu:** Kio giutuma twoona uti uhuru tnoonere baatwi.

**Translator:** That is why we are saying we did not get any freedom.

**Mr Michungu:** Uungi.

**Translator:** Another point,

**Mr Michungu:** Tirienda antu bara tukuthuura

**Translator:** we want people we are voting

**Mr Michungu:** Yuntu MP na ma-councillor

**Translator:** like MPs and Councillors,

**Mr Michungu:** Miaka ili ikathira gwatika utibuo baumbite kuthithia baatwi tukarombaa michemanio kii thirikari ii tukoona natia tuumbikia utetheka twachwaa kithira kwi muntu ungi ura aumba ututethekia uu akarwaama nguine iu.

**Translator:** to be recalled back if they do not perform within two years. This power should be given to the voters to recall them back.

**Mr Michungu:** Ingi thirikari ii ikuo nendi nio nika kinya muntu atemangwa weeta kuringa ripobi uaitua mbecha.

**Translator:** Another big problem that we are having is that if for example somebody cuts you or wrongs you go and report, you will be asked for money at the police office.

**Mr Michungu:** Kwou baatwi ibuo tukuumizwa ii mantu yakari uu.

**Translator:** So we are actually being oppressed so much in this area.

**Mr Michungu:** Aangi ni antu aa a county council gwita kwendia into biaku thokone biaremwa ikuurwa ugaitithua riciti na ingi wachoka into bira ruune ingi weeya nabio bagwiitithia riciti ringi.

**Translator:** Another area is about the issue of County Council. In the market you find that they come to charge the things you are selling in the local market. Some of these things do not sell fast, so if you pay today you find that the following day you will be forced to pay the same amount of money that you had paid as a levy or charge.

**Mr Michungu:** Riingi aantu baa boonere uhuru naantu baa bandiki nuntu ibo barikitie kwoya mbecha chia Kenya cionthe mwananchi oo kawaida uti mbecha arikitie kwoona.

**Translator:** Another thing you find that the people who are working who are cherishing the fruits of the freedom because we the common people did not get anything.

**Mr Michungu:** Aana boo ibwo bakwandikwa, antu baa bati na inya aana boo baikara bai michii na aana barikitie kuthoma.

**Translator:** And you find some of their children who are taking jobs, children from poor families are not getting any form of assistance.

**Mr Michungu:** Nibubwega nibuo nkuugaa uu.

**Translator:** Thank you so much.

**Comm. Ratanya:** Asante Zakayo, sasa ni Joseph. Karibu. Sasa ni wakati wako.

**Joseph Tharumbu:** Kwa majina mimi naitwa Joseph Tharumbu. Kile ambao ningependa kuchangia sana ni mambo yanahusu land. Kama area hii ambaye tuko mashamba ya area hii, ni mashamba ya kubeba bebwa. Ukienda kwa demarcation officer ama ofisi ya demarcation, unaambiwa shamba yako iko juu bado haijawekwa chini. Na hii na hata watu ushangaa sana wakisikia shamba iko juu na hali kadhalika shamba haina mapawa ya kupaa hangani. Sasa hii inaleta shida sana kwa watu wengine wale ambao hawajiwezi. Anaenda ofisi, anaenda ofisi mara kadhaa na anashindwa kufuata hiyo shamba mpaka wengine wanakufa wakiwa bado hawaifadhi shamba lao. Na hii ni jambo ambalo ningependa serikali ijao iangalie shida hii.

Jambo lingine ni ukulima. Kwa wakulima wale ambaye wako area hii ni watu wenye mashamba madogo madogo ambaye wengine hawawezi hata kujimudu kwa vyakula vya tumbo, hata kwa kulipa karo ya shule, hii chakula haiwezi kumsaidia mkulima. Unakuta watoto wako manyumbani wengi kwa sababu ya vyakula vile ambaye sisi tunalima hapa. Kama vile mahindi inanunuliwa kwa shilingi nne (Shs 4/-) kwa kilo moja, na maharagwe pia inanunuliwa kwa shilingi kumi. Na hii inaonekana kama umeitishwa huko shuleni shilingi elfu ishirini, na wewe uko shamba dogo kama acre moja, inaonekana huwezi pata hiyo magunia inaweza tosheleza hiyo pesa. Inakuwa ni shida kabisa na huyo mtoto anakwama nyumbani.

Kwa upande wa Kahawa, wale ambao wanapata pesa kwa upande wa Kahawa sijui ni wakina nani hawa sababu hapa kwetu tunapata kama ni 10%, ama unasikia mara nyingine mnalipwa kwa sumuni, kwa kilo. Sasa hii sumuni, hata ukiwa na kilo elfu mbili, unashindwa hiyo ni ya kupeleka wapi. Hata haiwezi kununua vitabu ya watoto. Sasa shida inaingia kwa upande huu na upande ule mwingine.

Jambo lingine ni mambo ya communications, au barabara zetu, zile ambacho tunatumia. Hapa kwa masoko yetu wa County Council, sisi ulipa SES, tunalipa PEI, na hizi pesa zote hatujui zinapelekwa upande gani ndiyo mabarabara yetu yawe yanaharibika kila mara namna hii. Wacha niguze tu kwa upande wa wale wanalima hii mmea wa tobacco. Hii mmea wa tobacco sisi kwa County Council tunalipa SES Shs 1/- na PEI tunalipa Shs 2/- kwa kila kilo. Na hii inaonekana ukiuza kilo elfu moja, unawapea shilingi elfu tatu zako, na barabara zile ambaye tunatembea nazo ni zile mbaya mbaya, hata gari haiwezi kutembea kwa hiyo barabara.

**Interjection:** Uweze kujaribu kumaliza.

**Speaker:** Upande mwingine naye ni upande wa corruption,

**Interjection:** Useme ikiwa wa mwisho kwa sababu wakati wako umekwisha.

**Speaker:** Corruption naye imekuwa mbaya sana kwa sababu inaonekana ndiyo msingi wa ubaya wote. (tape ends). Hii serikali ijao, tunahitaji imalize corruption ndiyo sisi wananchi tuweze kukaa vizuri.

**Comm. Ratanya:** Okay nashukuru sana Bw. Joseph Tharumbu. Lawi has presented his memorandum. Ataya endelea.

**David Ataya:** Mimi nataka kutoa maoni yangu kuhusu mashamba. Vile serikali itatusaidia kuhusu mashamba. Unaona kama ni upande wa mashamba, unasikia mahali pamoja wana shamba mbili. Sasa unashangaa ni aje, ni nani ata-live mahali hapo. Kwa sababu unaenda kwa land unaambiwa hapa kuna mtu fulani na hata la mtu mwingine iko hapa tu. Sasa unashindwa ni nani ata.... (word not clear) mahali hapo.

Kitu kingine ni kuhusu vile shamba zina pimwa. Una angalia unaona shamba inapimwa, inapimwa, shamba la mtu fulani halafu unaambiwa shamba imetoshwa. Na wewe ukienda kwa vitabu vya Land unaambiwa imetoshwa. Lakini ukiangalia hata kwa macho yako mwenyewe, hata vile mpaka iko, unaona hiyo shamba ni kidogo hata haitoshi vile wewe unajua kuhusu hiyo shamba.

Kitu kingine ni kuhusu polisi wa utawala – Administration Police. Unaona wanasumbua wanasumbua wananchi sana. Kwa sababu unaangalia unaona kama ni polisi ya utawala, unaona ni lazima wanataka kitu kidogo, wanataka kuhongwa, hata ukipeleka kesi ipi, ni lazima uwapatie kitu kidogo. Kitu kingine unaona polisi ndiyo hata wako na uhuru. Hakuna mwananchi mwingine ako na uhuru kuliko polisi. Polisi utawala kwa sababu anamiliki silaha ndiyo unaona hata anapisha wananchi wa kawaida kwa sababu mwananchi hataenda mahali. Sasa unaona afadhali mambo yao ishugulukiwe sana na serikali ya Kenya, kama washugulikie jambo hilo sana. Kitu kingine ni kuhusu infrastructure. Vile njia ziko, hata mambo ya simu. Kama uwezi wako nyumbani kwako usiku, unashindwa, kama police station iko mbali, unashindwa ni aje utafikia polisi na unaona wezi

nyumbani. Unashindwa ni aje haya mambo inaendelea. Mimi sina mengine.

**Comm. Ratanya:** Bw. David Ataya asante. Andikisha jina lako hapo.

**Jeremiah N'rufaru:** Nkaria Kimiru. Riitwa riakwa mbitawa Jeremiah N'aruyaru

**Translator:** My name is Jeremiah N'rufaru

**Mr N'rufaru:** Kuuma Kimanchia.

**Translator:** from Kimachia.

**Mr N'rufaru:** Ndi mukuru wina miaka ma iningi miaka 100.

**Translator:** I am an old person - 100 years old. I have been a Land Committee Officer for a very long time.

**Mr N'rufaru:** Mantu yaa ya yakonie miunda, ndi mucommittee wa miunda kuuma rira ? yaandikirwe kinya indi ndina giti nikenda mbona giti kiu.

**Translator:** I have seen all the problems concerning the Land and people have been suffering and ..... in this area.

**Mr N'rufaru:** Thiina ira inyingi buru itumite wananchi bathangika uu bathangikite uuni nchionete.

**Translator:** You find that from offices is where land cases are going wrong.

**Mr N'rufaru:** Miunda ikuthukira miathene au tukarwa nwe na inya yoothe na yatikumbika kinya untu committee igwita ikingawa mantu yakwithirwa yaingii au ?

**Translator:** Like in the other parts of this area the land that was there people were given and some sold it.

**Mr N'rufaru:** Muno muno twauire miunda ira iri anjia nara ikenaama kii antu bamwe bara baanenkwere ibenderie.

**Translator:** What I am suggesting for us to overcome this problem, we have some big cases.

**Mr N'rufaru:** Bura mbuumba kwiira bwana ofica wa land no tika ndina mantu yamaingi ya kuua nikenda tukoomba kwona kithira tukaumba kuthiria thiina ii, magamba yamaneene yatikuthira rua.

**Translator:** What am suggesting for us so that we can overcome these problems we have some big cases.

**Mr M'rufaru:** bwoomba kugeria bukoona kethira ka mbaamba ya yaatiwa nyuma part two malalamiko.

**Translator:** In part two, cases can continue and that people can make their claims.

**Mr N'rufaru:** Maamba ya yakarema ki thirikari yaachokua kii njuri ncheke.

**Translator:** Some of the cases that will be taken to the Court of Law can be referred back to *Njurincheke*.

**Mr N'rufaru:** Akuru baa baichii mianka ibaakuire baatutia tukiambaa.

**Translator:** You find the main problem we are having is that the older people who knew about the land boundaries and land issues are dead

**Mr N'rufaru:** (inaudible)

**Translator:** and some of us still alive are still in the process of ..... (words dye off).

**Mr N'rufaru:** Ukienda utethia part two nonga ukaigua malalamiko.

**Translator:** The only way to help part two land cases in this area is just to hear their cases that they have and their claims.

**Mr N'rufaru:** Aara angi mbuumba kwaria offici yeetu iinaara parti one ntwire

**Translator:** Another thing I would like to say is that our land office is in part one and as we go there we must have some form of security as our land laws are concerned.

**Mr N'rufaru:** Nario turienda naara batwee thirikari ya utukariria mauku. Bwuomba ututethia offici ikeejaa akui aa nuntu akuru ni bakuru bamwe batikumba ukinya noo.

**Translator:** We are requesting that the Land office should be nearer here to us because some of us cannot reach the place

**Mr N'rufaru:** Na mamba ya yaremete yaatiwa na nyuma bugatwaa malalamiko.

**Translator:** and the cases that have already seen to be done away with their claims can be heard.

**Mr N'rufaru:** Ntiukari na yamaingi.

**Translator:** I did not have much to say. Only that.

**Comm. Ratanya:** Ibwea muno Jeremia M'arujaru. Keti hapo tu. Sasa ni kama tume maliza. Wale wako hapo, kuna yoyote ambao angetaka kusema kitu? Moses uliitwa zamani. Jina lako ilikuwa imeitwa zamani na ikapitishwa.

**Moses K Muchui:** Kwa mariitwa I Moses K Muchui.

**Translator:** My names are Moses Muchui.

**Mr K Muchui:** Bura mpeenda kuua.

**Translator:** What I would like to suggest,

**Mr K Muchui:** Nkaua ibwega kii thirikari nuntu bwa uturetera commission ii tumiona naa.

**Translator:** We are saying thank you for the government for bringing the Commission here.

**Mr K Muchui:** Batwii na Njou Ciututhukia buru. Ciututhiria buru muundeena na utukinyanga naa.

**Translator:** Here we want to say animals, elephants have actually a lot of our crops.

**Mr K Muchui:** Thirikari ii iyite nendi itwailie mantu yau.

**Translator:** So we are requesting that the government should offer us a form of protection because these elephants have actually been destroying a lot of our crops.

**Mr K Muchui:** Buungi nabuo ni kiri Administration yeetu. Tururingaire chief na subchief tubaringaire kuura kenda beethira kinya bo bari aathani bara bautugwatila bwea.

**Translator:** We are also requesting that Chiefs and Assistant Chiefs be voted directly by the people.

**Mr K Muchui:** Thiina ingi akaripoti kathian wirawa uure karamu kana wikire ngaari mauta kenda wailirua thiina ciaku.

**Translator:** And again you find that for the police to attend to your problems you have to give money so that they can buy petrol for the vehicles.

**Mr K Muchui:** Itwewe title deed ni thirikari yeetu ii iyite muno muno area ya Uringu, Mikinduri na Kianjai and Kimanchia.

**Translator:** We should also be issued with title deeds to our lands mostly in the area in Luringu, Mukidori, Kenjai and Kimachia.

**Mr K Muchui:** Ibwea.

**Translator:** Thank you very much.

**Comm. Ratanya:** Asante sana Moses. Mwingine? Na ukija useme majina yako vizuri kabisa.

**Purity Kibaya:** My names are Purity Kibaya. I have only one point which I want to say, and this is about maternity leave for women who normally are being given maternity leave. Also I would like the government to consider the men. When their wives go for maternity leave, men are also supposed to be given so that they will care for their wives and the baby, so that they be together. They were together, so they are supposed to stay together to enjoy the leave. I have nothing else, but only that.

**Comm. Ratanya:** Andikisha hapo Purity Kibaya. Hata wanaume umeliza wapewe maternity leave.

**Interjection:** Wanaume wapewe paternity leave.

**Comm. Ratanya:** Si ni kitu kimoja hiyo?

**Joseph Mitu:** Riitwa riakwa ni Joseph Mitu.

**Translator:** My name is Joseph Mitu.

**Mr Mitu:** Inkuga ibwega sana

**Translator:** I am saying I am very thankful

**Mr Mitu:** Nuntu bwa thirikari kuthugania kufanya katiba.

**Translator:** To the government for having the idea of changing the constitution.

**Mr Mitu:** Ndarigari sana nuntu bwa katiba iu nkurakia kithira kuri ingi etungirwe iraua atu muntu no achunue haki yake.

**Translator:** I have been asking whether there is a constitution that says that somebody should be Denied his rights,

**Mr Mitu:** Muno rutereene rwa miunda

**Translator:** Mostly in the side of land.

**Mr Mitu:** Kuri na miunda etigarire itindathi.

**Translator:** There are some areas of land that were left without being gathered.

**Mr Mitu:** Na kiri miunda iu babaingi ibagwita mauficine gwatuika batikuthikirika.

**Translator:** When we go to the land offices, there is nobody to listen to us

**Mr Mitu:** Na mantu yau yai ya uuma kabisa.

**Translator:** And we are on the side of truth.

**Mr Mitu:** Ukijaa kethira uuni ndi umwe wa antu ja bau

**Translator:** For example I am one of the people

**Mr Mitu:** ndi na muunda jutindathi

**Translator:** Who have land which has not been gathered or adjudicated.

**Mr Mitu:** na ngeeta officine mwanya mwanya

**Translator:** I have gone to several offices,

**Mr Mitu:** na gwatwika muunda juu ni sawa sawa

**Translator:** And found that land is okay.

**Mr Mitu:** lakini ndachokaa naangi ngetua mbecha.

**Translator:** But when I go back to the office I am asked to pay money.

**Mr Mitu:** Na nkauria keithira ntithirwa ndina mbecha kithira muunda juu kayukaura.

**Translator:** My question is if for example I do not have money, will that land be lost, or will I not get the land back?

**Mr Mitu:** Na gugatwika nabo kwina bangi bakuuga juu no jweethue public land.

**Translator:** You find that there are some other people who are saying that land can be made public land

**Mr Mitu:** jutumirwe na njira ingi iti ira eekwa.

**Translator:** To be used in another way that was not my intended purpose.

**Mr Mitu:** Untu buu inkwona ibwega thirikari.

**Translator:** I find this is where the government

**Mr Mitu:** Ijukie itagalia nuntu bwa antu bau bakwinyilika.

**Translator:** Should come up with a way to protect all people who have problem of that type.

**Mr Mitu:** Bungi nabuo ni mantu ya anene betu amwe na polisi.

**Translator:** Again I am talking about our police.

**Mr Mitu:** ya uuni nuntu ndi akui na forest

**Translator:** Like I am very near the forest. I bought a forest.

**Mr Mitu:** gwaatuika kwi mantu jai mwithune, beejite patrol

**Translator:** When police come to patrol the forest,

**Mr Mitu:** Mbere kabisa no mwanka beejiire nyuumba gwookwa na uti hatia ndinio, ntiakakia makara nti na mbao.

**Translator:** First they have to pass through my home and I do not even burn charcoal or probably do any illegal form of business.

**Mr Mitu:** na imbonete antu ikumi bathitangi utheri bakigwatairwa nja barita mbecha kugatwika ni sawa sawa guti igamba wethirwa uti na mbecha ugeeta courtini.

**Translator:** You find the area I come from I have seen about ten people who have been taken by the police, by these Foresters, and then they are prosecuted. If you bribe them and give money they release you.

**Mr Mitu:** Thirikari nijukie mathuganio jameega piu ya utethia mwananchi. Ibwega.

**Translator:** I find this a very bad norm and the government should take a step to help people. Thank you so much.

**Comm. Ratanya:** Asante sana Mitu.

**Peter Mbabu:** Riitwa mbitawa Peter Mbaabu.

**Translator:** My name is Peter Mbabu.

**Mr Mbabu:** Ura ndingikwenda kuuga.

**Translator:** What I would like to suggest,

**Mr Mbabu:** Nkwoona wananchi ibakwinyilika muno

**Translator:** I have seen that wananchi have been oppressed highly.

**Mr Mbabu:** Muno muno rutereene rwa sub-chief kana chief.

**Translator:** For example in the area of Assistant Chief or Chief.

**Mr Mbabu:** Wananchi ibatue uchalaa sub chief kana chief boongwa.

**Translator:** I am suggesting that let the wananchi themselves select Chief or sub-Chief.

**Mr Mbabu:** Nuntu rimwe twichalilwa antu baa ni thirikari

**Translator:** Because you find in most cases these people are being nominated by the government

**Mr Mbabu:** na gwatuika tuti na bwa kugita nuntu I thirikari ethuura.

**Translator:** And yet we do not have any say because it is the government that has actually taken a hand in selecting them.

**Mr Mbabu:** indiria tweena aantu bau pengine ni mwamba.

**Translator:** While you find some of these people selected by the government may be missed or somebody who has ulterior motives like jealousy.

**Mr Mbabu:** na kinya anthukia muntu utiona bwa kugita nuntu aitumira chief's order..

**Translator:** Even if he robs you there is nothing you can do because he will be using the chief's order.

**Mr Mbabu:** Aantu ara angi wethira uthukitue iimuntu ukarepoti kea polisi ii mbecha ugeetua na waachia mbecha ira utii mantu yakuu yakabua.

**Translator:** The other part, on the side of police, you find that when you go to them when somebody has wronged you seriously, They will ask you for money And if you lack that money there is nothing they will do for you. Thank you very much.

**Comm. Ratanya:** Na tuambie majina yako

**John Gituyu:** (Speaking in Kiswahili) Kwa majina naitwa John Gituyu. Maoni katika Katiba hii mpya, nitazungumzia kuhusu kura. Naona ni vizuri kura isihesabiwe katika kituoni na wananchi watangazishiwe hapo hapo.

Maoni ya pili, serikali hii mpya ya Katiba hii ni pendekezo yangu nataka itengeneze sheria ya kumstaki kiongozi yoyote atakaye kuwa kwa kinyume ya sheria hata akiwa ni Kiongozi wa jamhuri yote.

Pendekezo ya pili ni kuhusu makamu ya rais. Katika pendekezo langu naona ni vizuri makamu wa rais achaguliwe na wabunge wenyewe. Na mamlaka yote ya kuchagua makamu ya rais yapatiwe wabunge. Sina mengi ya kusema. Asante.

**Comm. Ratanya:** Asante sana John Gituyu. Mwingine, na utwambiye majina yako.

**Francis Kaunga:** Riitwa riakwa mbitawa Francis Kaunga.

**Translator:** My name is Francis Kaunga.

**Mr Kaunga:** Ibwea nuntu ba kaanya kaa..

**Translator:** I am thankful for the opportunity I have been given.

**Mr Kaunga:** bura mbonete mwanka au thirikari niulitwe I baatwi.

**Translator:** What I have seen from the past is that the government has forgotten its people.

**Mr Kaunga:** wanainchi baa twomene na miithu.

**Translator:** We people who live near the forest

**Mr Kaunga:** Njou ikeeja ikaria into bietu nau muundene bionthe..

**Translator:** find that these elephants will come and destroy our crops.

**Mr Kaunga:** Na rii kwarite muno itwinamaa tukarima kinya mierene.

**Translator:** And you find even when it is a bit dry we normally farm around the rivers.

**Mr Kaunga:** lakini ikeya ikaria bionthe mierene na nau nja.

**Translator:** The elephants will always come and destroy everything.

**Mr Kaunga:** Twauria askari ba game.

**Translator:** When we inquire from the Game Rangers,

**Mr Kaunga:** baatwiira ka turi cornene ee nyumoo.

**Translator:** they tell us that we are farming near the area so animals are concerned.

**Mr Kaunga:** twoona nuntu ibo be na inya na utibuo twabeeta..

**Translator:** Since we have nothing then we just keep quiet.

**Mr Kaunga:** Njou nocio ikuraa antu njirene.

**Translator:** These elephants also kill people.

**Mr Kaunga:** twauria antu ba game baatwira njou ikoorawa lakini mutu akua akariwa.

**Translator:** If you ask the Rangers, they will tell us not to kill the elephants, but if these elephants will kill a person he will be dead.

**Mr Kaunga:** Ntiukari na yamaingi no yau.

**Translator:** I do not have much to say, thank you.

**Comm. Ratanya:** Okay Asante sana. Ladies and gentlemen we have come to the end of this session. As I said...

**Interjection:** Haya sema umalize mara moja kabla sijafunga, haraka tena.

**Comm Ratanya:** Let us have these gentlemen first.

**Sammy Kiaume:** (*Speaking in English*) My names are Sammy Kiaume Ibiiri. Mimi nataka kuwaongeshea mambo ya Madiwani na Wabunge. Nataka kipindi cha wa Bunge katika parliament kifupishwe, kitoke miaka tano kiwe kama miaka moja. Kwa sababu ya kama wameenda uko, akishindwa kufanya vizuri, tunachagua mwingine. Na hata Diwani ni hivyo, hivyo tu.

Upande ingine mimi nataka kuongeshea mambo ya shule. Wanafunzi wanamaliza shule lakini mtu akipata grade nzuri anakoza kasi. Kuna mwingine wale wamesha maliza shule lakini alipata grade baya, na yule alipata grade mbaya ndiyo alipata grade mbaya ndiye anapata kazi. Yule mwingine alipata grade zuri anakosa kazi kwa sababu baba yake ama wazazi wake ama watu wao hawana kitu cha kumsadia ili kupata kazi. Kwa hivyo usi... Umalizike. Mimi nina hayo tu machache. Asante.

**Comm. Ratanya:** Okay Asante sana Samuel Kiaume. Umetufungia kikao hiki. Ama kuna mwingine. Yamesemwa yote. Umetosheka. Yes.

**Closing Remarks by Co-ordinator:** Langu ni kwa washukuru nyote kwa kujitolea. Tumekuwa nanyi kutoka asubuhi. Saa hii ningetaka kushukuru Ma-Commissioner na Mafisa ambao tuko nayo hapa. Kumbuka kama vile nilivyo sema asubuhi ni kwamba hawa watu tume kuwa nao tangu wiki iliopita, tangu juma tatu tarehe 13, tulianza Iwembe, Nyeri, Tigania East, Tigania West, na leo tume malizia hapa. Na mimi ningesema niko na furaha kuu kwa sababu hatuja kuwa na traditional ... Tumeenda, tume fanya kazi vile ilikuwa ikitarajia. Tumepata watu kutoka vikundi vyote vya jamii. Tumepata wanawake, vijana, wazee, walemavu, wanasiasa. Kila kikundi kimewakilisha katika kutoa maoni hapa Nyambene. Yangu tu ni kumwakishia kwamba, kama commissioner alivyo sema asubuhi tuta kuwa report, ambayo tutaitoa kulingana na vile mmetoa maoni yenu, kulingana na sehemu ya wakilishi – bunge. Ndiyo maana unaona tunaandika majina yetu hapa. Si una ona hivo. Kwa hivyo tuta toa report kulingana na majina yenu na vile mmetoa maoni hao na tutaleta kwenu tena ili muone report ya maoni ambao umeatoa. Kwa hivyo langu ni kuwashukuru kwa kuja na muomba kama utaendelea na vikao vingine naomba mue nanyi katka shughuli ya kurehebishia Katiba.

Hasa ningetaka kuwashukuru wana kamati wa sehemu hii, hata ingawa siwaoni hapa kwa sababu ... Pia ningetaka kuwashukuru kina Javan Muiti, Kimathi, Gikanoti na pia wanafunzi na walimu wa shule ya Kimachia Primary school kwa ukarimu wao, na vile wametutokea, kufanya maandalizi ya hiki chumba. Kwangu ni washukuru nyote. Kwa hivyo nitamuomba Commissioner tufungie kirasmi kikao hichi halafu tuombe mwenye ataongoza kwa maombi.

**Comm. Zein:** Wananchi watukufu tumefikia mwisho wa kikao hiki. Mimi ningependa kwa niaba ya tume wa kurekebisha Katiba washukuru sana kwa kazi zenu mlizofanya kuanzia wakati kazi hii ilipoanza mpaka leo tulipokuja kuvuna maoni ya watu. Na ningependa kuwashukuru wasimazi wa shule hii wa kutupa fursa hii ya kuja kukutana na watu hapa katika shule yao, na kutupa darasa moja kulitumia wakati shule inaendelea na kazi. Na juu ya yote ningependa kushukuru sana Mzee. Mzee ana miaka mia moja (100) lakini amekaa hapa kutoka saa hizo mpaka sasa anataka kuchunga Katiba vile inavyo endelea na mpaka

atakavyo ona mwisho wake. Maoni yake kuhusu mashamba tumesikia vizuri na tumeya andika yote hapa.

Ningependa pia kuwashukuru wanakamati wa tume wanao fanya kazi hizi za Katiba katika sehemu wa wakilishaji wa bungeni wa Tigania magharibi, hasa pia, kumshukuru mshirikishi wetu ambaye amefanya kazi kubwa sana. Kama nilivyo sema tumekuwa naye kutoka mwanzo na leo nafikiri atapumua – si sana. Ata pumua tu kidogo. Na mimi namwandikia note saa ile tunaendelea, nampa pesa namwambia ebu angalia kama kuna mtu anaweza kutuchomea hindi hapo. Nika ambiwa, mahindi bado haijakuwa tayari. Kwa hivyo ikiwa kazi haijanishika sana, nitarudi kuja kula mahindi. Naona mahindi inaendelea vizuri hapa. Nawashukuru sana, ubaki hivi hivi na mwe na nia hii hii ya kujenga Katiba mpya. Na muendeleo kufwatilizia mfumo hii wa kubadilisha Katiba. Mimi ninge malizia hapo na kuwashukuru sana members of staff kwa kufanya kazi hii kwa uangalifu sana, ndiyo hata neno moja ya rahia lisipotee. Nafikiri nirudi kwa Mshirikishi atufungie kazi hii kwa kuomba moja wetu atuongoze katika maombi. Ningependa kutangaza rasmi ya kwamba kikao cha Tume cha Kurekebisha Katiba kimekwisha, kwa leo tumefunga.

**Co-ordinator:** Asante sana Commissioner. Tupate moja atuongoze kwa maombi, tafadhali. Mzee aongoze kwa maombi, tafadhali.

Mzee is **praying** in the local language.

